

MEMORANDUM

TO: Council and AP Members

FROM: Chris Oliver *CO*
Executive Director

DATE: December 1, 2009

SUBJECT: GOA Pacific cod sector allocations

ESTIMATED TIME 14 HOURS

ACTION REQUIRED

Final action on GOA Pacific cod sector allocations.

BACKGROUND

In December, the Council is scheduled to take final action on a proposal to allocate the Western and Central Gulf of Alaska (GOA) Pacific cod TACs among sectors. Currently, separate TACs are identified for Pacific cod in the Western, Central, and Eastern GOA management areas, but the TACs are not divided among gear or operation types. This results in a derby-style race for fish and competition among the sectors for shares of the TACs. Sector allocations may provide stability to long-term participants in the fishery by reducing competition among sectors for access to the GOA Pacific cod resource.

The Council made several revisions to the motion for this action at the October 2009 meeting, and these revisions are incorporated into the public review draft. In addition, several of these changes are highlighted here. In Component 4, there are distinct Western and Central GOA options for calculating catch history. The full range of years now includes 1995 through 2008 in the Western GOA and 2000 through 2008 in the Central GOA. The Council also expanded the potential range of sector allocations in the analysis by 3% above each sector's highest potential allocation and 3% below each sector's lowest potential allocation, in order to reflect a broader range of allocations for the Council's adjustment considerations under Component 9. Sectors with an annual allocation of less than 5% would retain their current lowest potential allocation. Under Component 9, the Council may adjust sector allocations to incorporate considerations associated with conservation, catch monitoring, equity of access, bycatch reduction, and social objectives.

The options for managing the jig allocation in Component 5 were refined. The option to delegate management authority for the jig fishery to the State of Alaska (Option 3) was removed from Component 5. Under Option 1 or Option 2, the jig allocation would be managed under a parallel/Federal structure. Option 1 also allows any portion of the jig GHJ released by the Alaska Board of Fisheries to roll into the parallel/Federal jig allocation. This combined allocation could be seasonally apportioned 60/40 between the A and B seasons, or the seasonal apportionment could be removed. As noted in the letter from NMFS (attached as Item C-1(b)), selecting this option and removing the seasonal apportionment would require reinitiating Section 7 consultation on the effects of this action on Steller sea lions. Finally, there are two options for structuring the stepdown provision to

the jig allocation. The Component 5 discussion includes a detailed description of how the stairstep up, stairstep down, and percentage cap provisions would be implemented if the Alaska Board of Fisheries releases the jig portion of the GHJ and it rolls back into the Federal TAC.

The Council made substantial revisions to Component 8, which addresses the protection of processing patterns established under the existing inshore/offshore regulations. If sector allocations are established, the harvest sector allocations would supersede the inshore/offshore processing sector allocations in the Western and Central GOA. The Component 8 discussion has been expanded to include a potential set of revisions to the inshore/offshore regulations. There are now four options to limit the amount of catch delivered to vessels acting as motherships, which could be selected alone or in combination. Under Option 1, no mothership processing activity of directed Pacific cod landings would be allowed in the GOA. Under Option 2, mothership processing would be capped as a percentage of the Federal Pacific cod TAC (up to 10%) in each management area. Under Option 3, Federally-permitted processors could operate as motherships within the municipal boundaries of designated communities in the Western and Central GOA. The attached letter from NMFS notes that selecting Suboption 1 under Option 3 would provide clearly defined municipal boundaries for enforcement purposes. Finally, Option 4 would revise the existing definition of a stationary floating processor, and allow Federally-permitted processors to operate as motherships or stationary floating processors at more than one geographic location within State of Alaska waters in a given year. There is also a suboption (applicable to Options 2, 3, and 4) to limit the weekly processing activity of motherships.

The analysis was mailed to you on November 13, 2009. The Executive Summary is attached as Item C-1(a). The letter from NMFS is attached as Item C-1(b).

EXECUTIVE SUMMARY

This EA/RIR/IRFA examines the environmental, economic, and socioeconomic aspects of the proposed action to allocate the Western and Central GOA Pacific cod TACs to the various sectors. The proposed action would allocate the TACs to the hook-and-line catcher vessel, hook-and-line catcher processor, pot catcher vessel, pot catcher processor, trawl catcher vessel, trawl catcher processor, and jig sectors based on catch history or other criteria. The action would result in an amendment to the GOA Fisheries Management Plan (FMP).

The GOA Pacific cod resource is targeted by multiple gear and operation types, principally by pot, trawl, and hook-and-line catcher vessels and catcher processors. Smaller amounts of cod are harvested by jig vessels. Separate TACs are identified for Pacific cod in the Western, Central, and Eastern GOA management subareas, but the TACs are not divided among gear or operation types. This results in a derby-style race for fish and competition among the various gear types for shares of the TACs. To address these issues, the Council adopted the following problem statement:

GOA Pacific Cod Sector Split Purpose and Need Statement

The limited access derby-style management of the Western GOA and Central GOA Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, reduced Federal TACs due to the State waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TACs. The competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

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 Western and Central GOA Pacific cod TACs should be divided among the sectors. Allocations to each sector would be based primarily on qualifying catch history, but may be adjusted to address conservation, catch monitoring, and social objectives, including considerations for small boat sectors and coastal communities. Because harvest sector allocations would supersede the inshore/offshore processing sector allocations for Pacific cod by creating harvest limits, the Council may consider regulatory changes for offshore and inshore floating processors in order to sustain the participation of fishing communities.

The timing of the Pacific cod A and B seasons may have limited the participation of jig vessels in the parallel and Federal fisheries of the GOA. Additionally, the State waters jig allocation has gone uncaught in some years, potentially due to the lack of availability of Pacific cod inside three miles. A non-historical Federal catch award, together with the provision of access in Federal waters for the State Pacific cod jig allocations, offers entry-level opportunities for the jig sector.

Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the GOA Pacific cod TAC that may be harvested in parallel waters. There is concern that participation in the GOA Pacific cod parallel waters fishery by vessels that do not hold LLP licenses may increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.

Alternatives, Components, and Options

There are two alternatives under consideration, the status quo alternative (Alternative 1) and the action alternative (Alternative 2). There are ten components under Alternative 2. Below is the exact text of the Council's October 2009 motion.

ALTERNATIVE 1. No Action. The GOA Pacific cod TACs will not be allocated among the sectors.

ALTERNATIVE 2. The GOA Pacific cod TACs will be allocated among the sectors.

Component 1: Management areas

The Western and Central GOA Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2 (the management areas could be treated differently).

Component 2: Sector definitions

The Western and Central GOA Pacific cod TACs will be allocated among the following sectors. The Council has the option to either give a single allocation to each sector, or to divide any allocation by vessel length based on the option(s) listed below.

Central GOA

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
 - Option: Hook-and-line catcher processors <125 ft
 - Hook-and-line catcher processors ≥ 125 ft
- Hook-and-line catcher vessels
 - Option: Hook-and-line catcher vessels <50 ft
 - Hook-and-line catcher vessels ≥ 50 ft
- Pot catcher processors
- Pot catcher vessels
 - Suboption: Combined CP and CV Pot sector
- Jig vessels

Western GOA

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
 - Option: Hook-and-line catcher processors <125 ft
 - Hook-and-line catcher processors ≥ 125 ft
- Hook-and-line catcher vessels
 - Option: Hook-and-line catcher vessels <60 ft
 - Hook-and-line catcher vessels ≥ 60 ft
- Pot catcher processors
- Pot catcher vessels
 - Option: Pot catcher vessels <60 ft
 - Pot catcher vessels ≥ 60 ft
- Jig vessels

Option: For Western GOA only, create a single sector of combined trawl and pot catcher vessels.

Suboption: Applies only to vessels <60 ft.

Note: The Council requested that this option and suboption be analyzed in two ways: 1) establish a single pot and trawl CV allocation, 2) establish 3 separate allocations for: a) trawl only participants, b) pot only participants, and c) combined pot/trawl participants (operators who hold pot and trawl endorsed LLP licenses).

Western and Central GOA

Option: Restrict vessels from participating in the GOA Pacific cod fishery using more than one operation type in a given year. Holders of CP licenses shall make a one time election to receive a WGOA and/or CGOA CP or CV endorsement for Pacific cod.

Upon implementation of the GOA Pacific cod sector allocations, holders of these licenses will be limited to operating in the sector designated by their license in the GOA cod fishery. For example, CPs may not operate as CVs in the GOA Pacific cod fishery. Future catch accounting for these vessels should be according to operating mode.

(Note: this CP or CV endorsement would be added to the LLP license, and would apply only to the Western and Central GOA Pacific cod fisheries; the existing operation type endorsement would remain on the LLP license and would apply to other groundfish fisheries).

Component 3: Definition of qualifying catch

Qualifying catch includes all retained legal catch of Pacific cod from the Federal and parallel waters fisheries in the Western and Central GOA.

- Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.
- Under all options, incidental catch allocated to trawl catcher vessels for the Central GOA Rockfish program (currently, 2.09% of the Central GOA Pacific cod TAC) will be deducted from the Central GOA trawl catcher vessel B season allocation.
- Each sector's allocation will be managed to support incidental and directed catch needs for that sector.

Component 4: Potential Sector Allocations

Part A: Years included for purposes of determining catch history:

Central GOA

Option 1: Qualifying years 2000-2006: average of best 3 years

Option 2: Qualifying years 2000-2006: average of best 5 years

Option 3: Qualifying years 2002-2007: average of best 3 years

Option 4: Qualifying years 2002-2007: average of best 5 years

Option 5: Qualifying years 2002-2008: average of best 3 years

Option 6: Qualifying years 2002-2008: average of best 5 years

Option 7: Average of Options 1-6.

Option 8: Average of Options 2, 4, and 6.

Note: The Council has the option to choose separate qualifying years for each sector.

- In order to reflect a broader range of allocations for the Council's allocation adjustment considerations under Component 9, the range of potential annual allocations in the analysis is increased by 3% above the sector's highest potential allocation and decreased by 3% below the sector's lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation.
- When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.

Western GOA

- Option 1: Qualifying years 1995-2005: average of best 7 years
- Option 2: Qualifying years 2000-2006: average of best 5 years
- Option 3: Qualifying years 2002-2007: average of best 5 years
- Option 4: Qualifying years 2002-2008: average of best 5 years
- Option 5: Average of all Options above.

Note: The Council has the option to choose separate qualifying years for each sector.

- In order to reflect a broader range of allocations for the Council's allocation adjustment considerations under Component 9, the range of potential annual allocations in the analysis is increased by 3% above the sector's highest potential allocation and decreased by 3% below the sector's lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation.
- When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.

Part B: Western and Central GOA Sideboards

- For AFA CV sideboards: Combine the inshore and offshore AFA CV sideboard amounts into a single sideboard for each management area.
- For non-AFA crab sideboards: Recalculate the sideboards and establish separate CP and CV sideboard amounts by gear type for each management area.

Part C: Seasonal apportionment of sector allocations:

Central GOA

- Option 1: Apportion each sector's annual allocation 60% to the A season and 40% to the B season.
- Option 2: Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.

Western GOA

- Option 1: Apportion each sector's annual allocation 60% to the A season and 40% to the B season.
- Option 2: Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.
- Option 3: For the WGOA, only the A season TAC will be apportioned among sectors; the B season TAC will not be apportioned among sectors.

Component 5: Allocation of Pacific cod to jig sector

Before allocating the TACs among the other sectors, set aside 1%, 1.5%, or 2% of the Central GOA Federal Pacific cod TACs, and 1% or 1.5% of the Western GOA Federal Pacific cod TACs, for the initial allocation to the jig vessel sector, with a staircase provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation will be capped at 5% or 7% of the Central and Western GOA Federal Pacific cod TACs.

Subsequent to the jig allocation increasing, if the harvest threshold criterion described in the options below is not met during three consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

Option 1: 90% of the current allocation

Option 2: 90% of the previous allocation

The jig allocation will be set aside from the TAC.

The Council requests that staff continue to work with the State of Alaska and NMFS to explore considerations required to implement possible options for the jig fishery management structure (both State parallel/Federal and State) that create a workable fishery and minimize the amount of stranded quota, focusing on Option 1. Possible solutions that could be explored are:

Option 1: State parallel/Federal managed Pacific cod jig fishery. Federal allocation managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL could (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off of a single account. If the Board of Fisheries chooses not to take the jig GHL, it would roll into the Federal jig allocation. The Council will make such recommendation to the Board of Fisheries. Until the Board changes the GHL in response to this recommendation, Option 2 would be invoked.

If a combined parallel/Federal fishery is created the fishery would be managed as follows. There would be no seasonal split of the combined parallel/Federal TAC. The fishery would open on Jan 1st and close when the TAC is reached.

Subption: The jig allocation will be apportioned 60% to the A season and 40% to the B season.

Option 2: Until the Board of Fisheries takes action in response to the Council recommendations or input from the public, a distinct Parallel/Federal and State waters fisheries continues to exist, and the two fisheries will be managed as follows:

The Federal TAC would be divided into an A/B season of 60%/40%. The A season would open on Jan 1st and close when the TAC is reached or on March 15th. The State jig fishery could open either when the Federal season closes due to TAC or on March 15th. The Federal B season would open on Sept 1st.

Component 6: Management of unharvested sector allocations

Any portion of a CV, CP, or jig allocation determined by NMFS to remain unharvested during the remainder of the fishery year will become available as soon as practicable to either:

Option 1: CV sector allocations to CV sectors first, and CP sector allocations to CP sectors first, and then to all sectors taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated amount of Pacific cod.

Option 2: All sectors.

Component 7: Apportionment of GOA-wide hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels

Option 1: No change in current apportionments of GOA halibut PSC.

Option 2: Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total Western GOA and Central GOA Pacific cod allocations to each sector. No later than November 1, any remaining halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector.

Component 8: Community protection provisions (Western and Central GOA)

This component would protect community participation in the processing of Pacific cod and protect community delivery patterns established by the inshore/offshore regulations. For the purposes of Options 1, 2, and 3 under Component 8, motherships include catcher processors receiving deliveries over the side and any floating processor that does not meet the regulatory definition of a stationary floating processor in 679.2. Stationary floating processors may process groundfish only at a single geographic location during a given year.

For each management area, the mothership processing cap will be one or a combination of Options 1 through 4:

Option 1: Motherships may not receive deliveries of directed Pacific cod harvests.

Option 2: Allow mothership activity up to a percentage of the Pacific cod TAC to be selected by the Council (0-10% in the CGOA; 1-10% in the Western GOA).

Option 3: Allow Federally-permitted vessels to operate as motherships:

Suboption 1: Within the boundaries of Western and Central GOA communities that have provided certified municipal land and water boundaries to the State of Alaska Department of Community and Economic Development.

Suboption 2: Within a 3 nautical mile seaward swath of the following list of Census Designated Places:

Sand Point	Larsen Bay
King Cove	Nanwalek
Perryville	Old Harbor
Ivanof Bay	Ouzinkie
Chignik	Port Graham
Chignik Lagoon	Port Lions
Chenega Bay	Akhiok
Halibut Cove	Tatitlek

Karluk
Seldovia

Tyonek

Option 4: Allow Federally-permitted vessels to operate as a mothership or stationary floating processor at more than one geographic location in a year provided that the vessel is operating only within the waters of the State of Alaska.

Suboption (may be applied to Options 2, 3, and 4): Limit weekly processing of Pacific cod landings from catcher vessels by vessels operating as motherships to (a) 125 mt per week, (b) 200 mt per week, or (c) 300 mt per week. This limit applies to all Pacific cod landings from catcher vessels.

Component 9

The Council may adjust sector allocations to incorporate considerations that are associated with conservation, catch monitoring, equity of access, bycatch reduction, and social objectives.

Component 10: Potential models for resolving parallel fishery issues

Option 1: Develop recommendations for the Alaska Board of Fisheries on the parallel fishery that could complement Council action, such as:

- gear limits
- vessel size limits
- exclusive registration

Option 2: Limit access to the parallel fishery for Federal fishery participants.

- Require any pot or longline vessel with an LLP or an FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.
- Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsements on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.

Suboption 1: In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates.

Suboption 2: Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP:

- a. Once per calendar year
- b. Once every eighteen months
- c. Once every three years

Background on the proposed action

The proposed action would divide the Western and Central GOA Pacific cod TACs among the various gear and operation types based primarily on historic dependency and use by each sector. This action may enhance stability in the fishery, reduce competition among sectors, and preserve the historic distribution of catch among sectors. Without sector allocations, future harvests by some sectors may increase and impinge on the historic levels of catch by other sectors.

For example, some fixed gear participants believe that the relatively high catching power of the trawl fleet has limited their ability to maintain their historic catch levels in the Pacific cod fishery. Sector allocations would stabilize the proportion of the catch taken by each sector, allowing participants to better plan their operations. Another concern expressed by some participants is that larger boats, both trawl and fixed gear, are more capable of fishing during the winter months (January/February) of the A season. Harvest opportunities for smaller vessels may be limited if larger vessels quickly catch much of the TAC. The proposed action contains options to establish separate allocations for catcher processor and catcher vessel sectors based on vessel length to ensure that smaller boats have a stable allocation. Finally, some participants are concerned that catcher processors fishing the inshore TACs have the potential to increase their catch and impinge on catcher vessel harvests. Sector allocations would protect the proportion of catch taken by catcher vessels by creating distinct catcher processor and catcher vessel allocations.

Catch history by each of the sectors from 1995 through 2009 in the Western and Central GOA Pacific cod fisheries is summarized in Table E-1. The table shows that the distribution of retained catch among the sectors has changed substantially over time. In general, the fixed gear sectors have harvested a larger proportion of the catch during recent years, and the trawl sector has harvested less of the catch. However, there has been substantial year-to-year variability in catches. For example, in the Western GOA trawl catcher vessels have harvested as little as 8.7% of the annual catch (2003) and as much as 78.1% of the catch (1997). Similarly, pot catcher vessels have harvested as little as 4.4% of the Western GOA catch (1997) and as much as 63.4% of the catch (2004). Under the no action alternative, the sectors would continue to race each other for shares of the GOA Pacific cod TACs, particularly during the A season, and there will likely continue to be substantial annual variability in the distribution of catch among the sectors. The problem statement notes that 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 among sectors. Allocation of the catch among sectors may reduce this uncertainty and contribute to stability across the sectors.

While sector allocations may reduce competition among sectors and protect historic catch levels, sector allocations alone may not slow down the race for fish, reduce bycatch, increase product quality, or have a substantial effect on the number of participating vessels. Sector allocations, in tandem with the Council's recent actions on trawl and fixed gear LLP recency, may be a step toward stabilizing the GOA Pacific cod fishery, and may enable the Council to begin developing a series of GOA management measures to address Steller sea lion issues, halibut PSC usage, and bycatch reduction.

Range of Potential Sector Allocations

The potential percent sector allocations of the Western and Central GOA Pacific cod TACs are summarized in Tables E-2 and E-3. In the Western GOA, the options that include earlier years (1995-2005) generally favor the trawl catcher vessel sector. In the Central GOA, the options to include catch history from 1995-1999 were removed. The options that only include more recent years (2000-2006, 2002-2007, or 2002-2008) generally favor the pot catcher vessel sector, and, to a lesser extent, the hook-and-line sectors. Averaging across the options or using each sector's best years reduces the disparities among the options somewhat, but there are still strong differences among the options, depending on the

range of years selected. For example, the trawl catcher vessel allocation could range from 25.7% to 46.5% of the Western GOA TAC and 40.5% to 43.8% of the Central GOA TAC. Similarly, the pot catcher vessel allocation could range from 27.6% to 45.5% of the Western GOA TAC and 24.8% to 27.9% of the Central GOA TAC.

Table E-1 Retained catch and percent of annual retained catch by each sector in the Western and Central GOA Pacific cod fisheries, 1995-2009.

Western GOA

	Hook-and-line CP		Hook-and-line CV		Jig CV		Pot CP		Pot CV		Trawl CP		Trawl CV	
	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total
1995	5,632	26.2%	35	0.2%	48	0.2%	104	0.5%	2,352	11.0%	587	2.7%	12,704	59.2%
1996	4,369	20.8%	193	0.9%	45	0.2%	*	*	1,689	8.0%	787	3.7%	13,921	66.2%
1997	3,837	16.1%	34	0.1%	5	0.0%	0	0.0%	1,041	4.4%	295	1.2%	18,554	78.1%
1998	3,168	15.1%	22	0.1%	1	0.0%	*	*	2,533	12.0%	276	1.3%	15,007	71.3%
1999	5,116	21.8%	70	0.3%	0	0.0%	1,424	6.1%	1,591	6.8%	623	2.7%	14,673	62.4%
2000	4,706	21.5%	54	0.2%	5	0.0%	*	*	5,107	23.3%	751	3.4%	11,113	50.7%
2001	3,969	27.3%	31	0.2%	157	1.1%	1,038	7.1%	2,538	17.5%	670	4.6%	6,135	42.2%
2002	6,411	36.9%	38	0.2%	193	1.1%	*	*	4,805	27.7%	327	1.9%	5,073	29.2%
2003	4,242	27.0%	47	0.3%	46	0.3%	*	*	9,549	60.8%	340	2.2%	1,367	8.7%
2004	2,893	18.9%	28	0.2%	183	1.2%	*	*	9,718	63.4%	539	3.5%	1,717	11.2%
2005	724	5.9%	281	2.3%	46	0.4%	*	*	6,402	52.2%	217	1.8%	4,441	36.2%
2006	2,691	19.4%	106	0.8%	*	*	0	0.0%	5,918	42.7%	218	1.6%	4,917	35.5%
2007	3,069	23.2%	390	2.9%	2	0.0%	*	*	4,646	35.1%	529	4.0%	4,281	32.4%
2008	3,072	20.9%	506	3.4%	63	0.4%	*	*	6,009	40.8%	391	2.7%	4,601	31.2%
2009	3,662	26.8%	1,641	12.0%	146	1.1%	*	*	5,531	40.5%	424	3.1%	2,109	15.4%

Central GOA

	Hook-and-line CP		Hook-and-line CV		Jig CV		Pot CP		Pot CV		Trawl CP		Trawl CV	
	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total
1995	134	0.3%	4,546	10.3%	51	0.1%	0	0.0%	13,760	31.2%	2,072	4.7%	23,548	53.4%
1996	710	1.7%	4,491	10.6%	34	0.1%	0	0.0%	10,539	24.8%	2,714	6.4%	23,975	56.5%
1997	*	*	6,401	15.4%	21	0.1%	0	0.0%	8,420	20.3%	770	1.9%	25,895	62.3%
1998	175	0.4%	5,815	14.2%	50	0.1%	0	0.0%	9,208	22.5%	4,447	10.9%	21,214	51.9%
1999	313	0.7%	6,174	14.3%	24	0.1%	2,938	6.8%	12,182	28.3%	1,595	3.7%	19,881	46.1%
2000	209	0.7%	6,529	20.4%	38	0.1%	910	2.8%	11,967	37.4%	1,387	4.3%	10,971	34.3%
2001	*	*	5,684	20.9%	11	0.0%	588	2.2%	3,505	12.9%	2,241	8.2%	15,169	55.8%
2002	1,638	7.0%	6,867	29.5%	3	0.0%	131	0.6%	3,228	13.9%	835	3.6%	10,568	45.4%
2003	1,462	6.1%	3,586	15.0%	16	0.1%	*	*	3,201	13.4%	1,219	5.1%	14,405	60.3%
2004	1,453	5.5%	5,423	20.6%	118	0.4%	0	0.0%	4,916	18.7%	770	2.9%	13,669	51.9%
2005	267	1.2%	4,271	19.3%	137	0.6%	0	0.0%	8,169	36.9%	719	3.2%	8,591	38.8%
2006	897	4.0%	6,183	27.6%	96	0.4%	0	0.0%	8,420	37.6%	877	3.9%	5,922	26.4%
2007	1,376	5.5%	6,341	25.2%	36	0.1%	*	*	8,286	32.9%	590	2.3%	8,220	32.6%
2008	1,755	6.9%	6,054	23.9%	19	0.1%	0	0.0%	5,208	20.5%	632	2.5%	11,680	46.1%
2009	1,154	5.7%	5,231	25.9%	37	0.2%	0	0.0%	5,417	26.9%	1,014	5.0%	7,304	36.2%

Source: ADFG Fish Tickets and NMFS Blend and Catch Accounting.

Table E-2 Potential percent allocations of the Western and Central GOA Pacific cod TACs

Western GOA: 1.0% jig allocation	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
1995-2005: Best 7 years	19.6%	0.5%	1.0%	2.2%	27.8%	2.5%	46.5%
2000-2006: Best 5 years	21.6%	0.6%	1.0%	2.3%	40.3%	2.5%	31.7%
2002-2007: Best 5 years	22.5%	1.2%	1.0%	1.6%	45.5%	2.4%	25.9%
2002-2008: Best 5 years	21.6%	1.6%	1.0%	1.5%	44.0%	2.4%	27.9%
Each sector's best option	18.4%	1.3%	1.0%	1.8%	37.3%	2.1%	38.1%
Average of Options 1-4	21.3%	1.0%	1.0%	1.9%	39.4%	2.5%	33.0%

Western GOA: 1.5% jig allocation	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
1995-2005: Best 7 years	19.5%	0.5%	1.5%	2.2%	27.6%	2.5%	46.2%
2000-2006: Best 5 years	21.5%	0.6%	1.5%	2.2%	40.1%	2.5%	31.5%
2002-2007: Best 5 years	22.4%	1.2%	1.5%	1.6%	45.3%	2.4%	25.7%
2002-2008: Best 5 years	21.5%	1.6%	1.5%	1.5%	43.8%	2.4%	27.7%
Each sector's best option	18.3%	1.3%	1.5%	1.8%	37.1%	2.1%	37.9%
Average of Options 1-4	21.2%	1.0%	1.5%	1.9%	39.2%	2.4%	32.8%

Central GOA: 1.0% jig allocation	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
2000-2006: Best 5 years	4.1%	20.7%	1.0%	1.0%	25.1%	4.4%	43.8%
2000-2006: Best 3 years	4.6%	19.3%	1.0%	1.4%	27.7%	4.4%	41.6%
2002-2007: Best 5 years	5.2%	22.4%	1.0%	0.4%	25.7%	3.4%	42.0%
2002-2007: Best 3 years	4.9%	21.4%	1.0%	0.5%	27.9%	3.3%	41.0%
2002-2008: Best 5 years	5.4%	22.1%	1.0%	0.3%	25.6%	3.3%	42.3%
2002-2008: Best 3 years	5.2%	21.3%	1.0%	0.5%	27.8%	3.3%	41.0%
Each sector's best option	5.1%	21.1%	1.0%	1.3%	26.3%	4.1%	41.2%
Average of Options 2, 4, and 6	4.9%	21.7%	1.0%	0.6%	25.4%	3.7%	42.7%
Average of Options 1-6	4.9%	21.2%	1.0%	0.7%	26.6%	3.7%	41.9%

Central GOA: 1.5% jig allocation	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
2000-2006: Best 5 years	4.1%	20.6%	1.5%	1.0%	24.9%	4.3%	43.6%
2000-2006: Best 3 years	4.6%	19.2%	1.5%	1.4%	27.6%	4.4%	41.4%
2002-2007: Best 5 years	5.1%	22.3%	1.5%	0.4%	25.5%	3.4%	41.8%
2002-2007: Best 3 years	4.8%	21.3%	1.5%	0.5%	27.8%	3.3%	40.8%
2002-2008: Best 5 years	5.4%	22.0%	1.5%	0.3%	25.4%	3.3%	42.1%
2002-2008: Best 3 years	5.2%	21.2%	1.5%	0.5%	27.6%	3.2%	40.7%
Each sector's best option	5.1%	21.0%	1.5%	1.3%	26.1%	4.1%	41.0%
Average of Options 2, 4, and 6	4.9%	21.6%	1.5%	0.6%	25.3%	3.7%	42.5%
Average of Options 1-6	4.9%	21.1%	1.5%	0.7%	26.5%	3.6%	41.7%

Central GOA: 2.0% jig allocation	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
2000-2006: Best 5 years	4.1%	20.5%	2.0%	1.0%	24.8%	4.3%	43.3%
2000-2006: Best 3 years	4.6%	19.1%	2.0%	1.4%	27.4%	4.3%	41.2%
2002-2007: Best 5 years	5.1%	22.2%	2.0%	0.4%	25.4%	3.4%	41.6%
2002-2007: Best 3 years	4.8%	21.2%	2.0%	0.5%	27.7%	3.2%	40.6%
2002-2008: Best 5 years	5.4%	21.9%	2.0%	0.3%	25.3%	3.2%	41.9%
2002-2008: Best 3 years	5.1%	21.1%	2.0%	0.5%	27.5%	3.2%	40.5%
Each sector's best option	5.0%	20.9%	2.0%	1.3%	26.0%	4.1%	40.8%
Average of Options 2, 4, and 6	4.9%	21.5%	2.0%	0.5%	25.2%	3.7%	42.3%
Average of Options 1-6	4.9%	21.0%	2.0%	0.7%	26.4%	3.6%	41.5%

Table E-3 Potential percent allocations of the Western and Central GOA Pacific cod TACs under suboptions to split sectors by vessel length

Western GOA: 1.0% jig allocation	HAL CP	HAL CP	HAL CV	HAL CV	HAL CV	HAL CV	Pot CV	POT CV	TRW CV	TRW CV
	<125	>=125	<50	>=50	<60	>=60	<60	>=60	<60	>=60
1995-2005: Best 7 years	16.7%	2.9%	0.2%	0.2%	0.4%	0.1%	13.5%	14.3%	32.7%	13.8%
2000-2006: Best 5 years	18.0%	3.6%	0.3%	0.3%	0.6%	0.0%	18.8%	21.5%	24.6%	7.1%
2002-2007: Best 5 years	17.4%	5.0%	0.6%	0.6%	1.1%	0.0%	20.7%	24.8%	21.3%	4.5%
2002-2008: Best 5 years	17.0%	4.5%	0.7%	1.0%	1.4%	0.3%	21.5%	22.6%	23.8%	4.1%
Each sector's best option	14.3%	4.1%	0.6%	0.8%	1.1%	0.2%	16.9%	20.3%	26.8%	11.3%
Average of Options 1-4	17.3%	4.0%	0.5%	0.5%	0.9%	0.1%	18.6%	20.8%	25.6%	7.4%

Western GOA: 1.5% jig allocation	HAL CP	HAL CP	HAL CV	HAL CV	HAL CV	HAL CV	Pot CV	POT CV	TRW CV	TRW CV
	<125	>=125	<50	>=50	<60	>=60	<60	>=60	<60	>=60
1995-2005: Best 7 years	16.6%	2.9%	0.2%	0.2%	0.4%	0.1%	13.4%	14.2%	32.5%	13.7%
2000-2006: Best 5 years	17.9%	3.6%	0.3%	0.3%	0.6%	0.0%	18.7%	21.4%	24.5%	7.0%
2002-2007: Best 5 years	17.3%	5.0%	0.6%	0.6%	1.1%	0.0%	20.6%	24.7%	21.2%	4.5%
2002-2008: Best 5 years	16.9%	4.5%	0.7%	1.0%	1.4%	0.3%	21.3%	22.5%	23.7%	4.1%
Each sector's best option	14.2%	4.1%	0.6%	0.8%	1.1%	0.2%	16.9%	20.2%	26.6%	11.2%
Average of Options 1-4	17.2%	4.0%	0.5%	0.5%	0.9%	0.1%	18.5%	20.7%	25.5%	7.3%

Central GOA: 1% jig allocation										
2000-2006: Best 5 years	0.6%	3.6%	14.5%	6.2%	18.9%	1.8%	10.8%	14.3%	1.7%	42.1%
2000-2006: Best 3 years	0.5%	4.1%	13.8%	5.5%	17.9%	1.4%	11.4%	16.3%	1.7%	39.9%
2002-2007: Best 5 years	0.8%	4.4%	15.3%	7.1%	20.4%	2.0%	12.0%	13.6%	1.1%	40.9%
2002-2007: Best 3 years	0.5%	4.3%	14.6%	6.8%	19.7%	1.7%	12.9%	15.1%	1.5%	39.5%
2002-2008: Best 5 years	1.1%	4.3%	14.4%	7.7%	20.1%	2.0%	12.2%	13.4%	1.1%	41.1%
2002-2008: Best 3 years	0.9%	4.3%	14.5%	6.8%	19.6%	1.7%	12.8%	15.0%	1.0%	39.9%
Each sector's best option	1.0%	4.1%	14.4%	6.7%	19.2%	1.9%	12.1%	14.2%	1.6%	39.6%
Average of Options 2, 4, and 6	0.8%	4.1%	14.7%	7.0%	19.8%	1.9%	11.7%	13.8%	1.3%	41.4%
Average of Options 1-6	0.7%	4.2%	14.5%	6.7%	19.4%	1.8%	12.0%	14.6%	1.4%	40.6%

Central GOA: 1.5% jig allocation										
2000-2006: Best 5 years	0.6%	3.6%	14.4%	6.1%	18.8%	1.8%	10.7%	14.2%	1.6%	41.9%
2000-2006: Best 3 years	0.5%	4.1%	13.8%	5.5%	17.8%	1.4%	11.3%	16.3%	1.7%	39.7%
2002-2007: Best 5 years	0.8%	4.4%	15.2%	7.0%	20.3%	2.0%	12.0%	13.5%	1.1%	40.6%
2002-2007: Best 3 years	0.5%	4.3%	14.5%	6.8%	19.6%	1.7%	12.8%	15.0%	1.5%	39.3%
2002-2008: Best 5 years	1.1%	4.3%	14.3%	7.7%	20.0%	2.0%	12.1%	13.3%	1.1%	40.9%
2002-2008: Best 3 years	0.9%	4.3%	14.4%	6.8%	19.5%	1.7%	12.7%	14.9%	1.0%	39.7%
Each sector's best option	1.0%	4.0%	14.3%	6.6%	19.1%	1.9%	12.0%	14.1%	1.5%	39.4%
Average of Options 2, 4, and 6	0.8%	4.1%	14.7%	6.9%	19.7%	1.9%	11.6%	13.7%	1.3%	41.2%
Average of Options 1-6	0.7%	4.2%	14.4%	6.6%	19.3%	1.8%	11.9%	14.5%	1.4%	40.4%

Central GOA: 2.0% jig allocation										
2000-2006: Best 5 years	0.6%	3.5%	14.3%	6.1%	18.7%	1.8%	10.7%	14.1%	1.6%	41.7%
2000-2006: Best 3 years	0.5%	4.1%	13.7%	5.4%	17.7%	1.4%	11.3%	16.2%	1.7%	39.5%
2002-2007: Best 5 years	0.7%	4.4%	15.2%	7.0%	20.2%	2.0%	11.9%	13.5%	1.1%	40.4%
2002-2007: Best 3 years	0.5%	4.3%	14.4%	6.8%	19.5%	1.7%	12.7%	14.9%	1.4%	39.1%
2002-2008: Best 5 years	1.1%	4.3%	14.3%	7.6%	19.9%	2.0%	12.1%	13.3%	1.1%	40.7%
2002-2008: Best 3 years	0.9%	4.2%	14.4%	6.7%	19.4%	1.7%	12.7%	14.8%	1.0%	39.5%
Each sector's best option	1.0%	4.0%	14.3%	6.6%	19.0%	1.9%	12.0%	14.0%	1.5%	39.2%
Average of Options 2, 4, and 6	0.8%	4.1%	14.6%	6.9%	19.6%	1.9%	11.5%	13.6%	1.3%	41.0%
Average of Options 1-6	0.7%	4.1%	14.4%	6.6%	19.2%	1.8%	11.9%	14.5%	1.3%	40.2%

Under Component 9, the Council may adjust sector allocations to address conservation, catch monitoring, equity of access, bycatch reduction, and social objectives. Any adjustments would be applied proportionately to other sector allocations so that allocations sum to 100% of the TAC. Conservation objectives could include Steller sea lion mitigation, bycatch reduction, and prohibited species mortality. Catch monitoring objectives could include enhancing observer coverage in the GOA Pacific cod fleet. Equity of access considerations could include adjustments to allocations when unfair circumstances (e.g., PSC overages) or differences in access to the Pacific cod fishery (e.g., different season start dates and closure dates for fixed vs. trawl gear, and access to incidental catch of Pacific cod in the trawl fisheries when the directed fishery is closed) result in different sector catch histories. Social objectives could include providing opportunities for new entry into the fishery and participation by coastal communities in the processing and harvesting of Pacific cod.

In order to reflect a broader range of allocations for the Council's allocation adjustment considerations under Component 9, the Council's October 2009 motion expanded the range of potential annual allocations in the analysis by 3% above each sector's highest potential allocation and 3% below each sector's lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation. The motion specified that the $\pm 3\%$ adjustments would be applied to the allocation percentages in Table E-2. The adjustments could then be applied proportionally to the allocations that are divided by vessel length (shown in Table E-3), or in the manner that the Council indicates. The potential range of allocations to each sector are shown in Table E-4. The first column shows the range of allocations based on the options for calculating catch history in Component 4. The second column shows the adjusted range when the $\pm 3\%$ adjustments are applied. These are compared to each sector's catch history (lowest and highest percent of retained catch) during 1995-2008, and 2008 catch. The objectives listed in Component 9 are discussed in detail in the analysis, as well as the potential effects of $\pm 3\%$ adjustments on the sectors.

Table E-4 Potential range of Western and Central GOA Pacific cod allocations.

	Range of Options		$\pm 3\%$ adjustment		Average option**	Range of Catch History 1995-2008		Percent of catch in 2008
	Low	High	Low	High		Low	High	
Western GOA								
Hook-and-line CP	18.3%	22.5%	15.3%	25.5%	21.3%	5.9%	36.9%	20.9%
Hook-and-line CV	0.5%	1.6%	0.5%	4.6%	1.0%	0.1%	3.4%	3.4%
Jig	1.0%	1.5%	n/a	n/a	1.25%	0.0%	1.2%	0.4%
Pot CP	1.5%	2.3%	1.5%	5.3%	1.9%	0.0%	7.1%	*
Pot CV	27.6%	45.5%	24.6%	48.5%	39.3%	4.4%	63.4%	40.8%
Trawl CP	2.1%	2.5%	2.1%	5.5%	2.5%	1.2%	4.6%	2.7%
Trawl CV	25.7%	46.5%	22.7%	49.5%	32.9%	8.7%	78.1%	32.1%
	Range of Options		$\pm 3\%$ adjustment		Average option**	Range of Catch History 1995-2008		Percent of catch in 2008
	Low	High	Low	High		Low	High	
Central GOA								
Hook-and-line CP	4.1%	5.4%	4.1%	8.4%	4.9%	0.3%	7.0%	6.9%
Hook-and-line CV	19.1%	22.4%	16.1%	25.4%	21.1%	10.3%	29.5%	23.9%
Jig	1.0%	2.0%	n/a	n/a	1.5%	0.0%	0.6%	0.1%
Pot CP	0.3%	1.4%	0.3%	4.4%	0.7%	0.0%	6.8%	0.0%
Pot CV	24.8%	27.9%	21.8%	30.9%	26.5%	12.9%	37.6%	20.5%
Trawl CP	3.2%	4.4%	3.2%	7.4%	3.6%	1.9%	10.9%	2.5%
Trawl CV	40.5%	43.8%	37.5%	46.8%	41.7%	26.4%	62.3%	46.1%

** Average option for WGOA: Average of Options 1-4 with 1.0% jig allocation. Average option for CGOA: Average of options 1-6 with 1.5% jig allocation.

Interactions with LLP Recency Actions

In refining the alternatives and options for analysis, the Council may wish to consider interactions between the proposed GOA Pacific cod sector allocations and the trawl and fixed gear recency actions. In April 2008, the Council took final action on trawl recency. In general, that action will remove Western GOA and Central GOA area endorsements from trawl CV and trawl CP licenses that did not have at least 2 trawl groundfish landings during 2000 through 2006 in the respective management area. At its April 2009 meeting, the Council took final action on fixed gear recency. The Council's preferred alternative will add gear-specific Pacific cod endorsements to fixed gear licenses, which limit entry into the directed Pacific cod fisheries in the Western and Central GOA. Licenses may qualify for gear-specific Pacific cod endorsements based on directed Pacific cod landings during 2002 through 2008. The minimum thresholds are 1 landing for jig gear; and for pot and hook-and-line gear, 10 mt for CV licenses with an MLOA designation of <60 ft, and 50 mt for CP licenses and CV licenses with an MLOA designation of ≥60 ft. The Pacific cod endorsements will restrict licenses to using the gear type(s) (pot, hook-and-line, and/or jig) specified on the license. The action also included an exemption from the LLP requirement for jig vessels that use less than 5 jig machines, 1 line per machine, and 30 hooks per line. Licenses that qualify for a jig gear endorsement are not subject to these gear limits. Table E-5 shows the estimated number of trawl licenses that qualify in each area and the number of fixed gear licenses that will qualify for gear-specific Pacific cod endorsements.

Table E-5 Number of LLPs eligible to access the GOA Pacific cod fisheries following the LLP recency actions, by operation type and gear endorsement

	Western GOA	Western GOA Sideboarded	Central GOA	Central GOA Sideboarded
<u>Catcher Vessel Licenses</u>				
Trawl CV	76	11 AFA SB	93	15 AFA SB
Hook-and-line CV <60 ft	7		123	
Hook-and-line CV ≥60 ft	3		7	
Hook-and-line CV <50 ft	3		68	
Hook-and-line CV ≥50 ft	7		62	
Pot CV <60 ft	59		51	
Pot CV ≥60 ft	21	10 crab SB	27	10 crab SB
Jig CV	11		19	
Total Fixed Gear CV**	94		215	
<u>Additional licenses available to CQEs</u>				
CQE Pot CV <60 ft	21		26	
CQE Hook-and-line CV <60 ft	0		24	
<u>Catcher Processor Licenses</u>				
Trawl CP	20	18 Am80 SB/ * AFA SB	21	16 Am80 SB/ 4 AFA SB
Hook-and-line CP <125 ft	9	* crab SB	5	* crab SB
Hook-and-line CP ≥125 ft	7	* crab SB	7	* crab SB
Hook-and-line CP <125 ft Offshore Limited***	0	0	5	* crab SB
Hook-and-line CP ≥125 ft Offshore Limited***	3	* crab SB	7	0
Pot CP	4	* crab SB	3	* crab SB
Total Fixed Gear CP*	21	4 crab SB	27	4 crab SB

Total number of licenses that will receive at least one gear-specific Pacific cod endorsement. Some licenses qualify for more than one endorsement. *Licenses that qualify for a hook-and-line CP endorsement under the exemption for participants in the voluntary PSC co-op are limited to participating in the offshore sector.

Table E-5 A comparison of the components and options included in the proposed GOA Pacific cod sector allocation action and the Council's final motion on GOA fixed gear LLP recency.

COMPARISON OF GULF OF ALASKA ACTIONS			
ACTION	GOA Pacific Cod Sector Allocations	GOA Fixed Gear LLP Recency	GOA Trawl Recency
PURPOSE OF ACTION	Allocate Western and Central GOA Pacific cod TACs among the gear and operation types	Add Pacific cod endorsements to GOA fixed gear LLP licenses to limit entry to the directed Pacific cod fisheries	Remove WG and CG area endorsements from trawl LLP licenses without recent groundfish landings
MANAGEMENT AREAS	Western and Central GOA	Western and Central GOA (CG endorsement also includes West Yakutat)	Western and Central GOA (CG endorsement also includes West Yakutat)
SECTORS	(1) Hook-and-line CVs Option: Hook-and-line CVs <60 and >=60 Option: Hook-and-line CVs <50 and >=50 (2) Hook-and-line CPs Option: Hook-and-line CPs <125 & >=125 (3) Pot CVs Option: Pot CVs <60 and >=60 (4) Pot CPs (5) Jig (6) Trawl CVs (7) Trawl CPs Option: Combined trawl and pot CV (WG only)	(1) Hook-and-line CVs <60 and >=60 (2) Hook-and-line CPs (3) Pot CVs <60 and >=60 (4) Pot CPs (5) Jig	(1) Trawl CVs (2) Trawl CPs
QUALIFYING CATCH	Retained catch of Pacific cod from parallel and Federal waters State waters catch is excluded	Retained catch from the directed Pacific cod fisheries in parallel and Federal waters State waters and IFQ catch is excluded	Retained catch from the groundfish fisheries in parallel and Federal waters State waters and IFQ catch is excluded
QUALIFYING YEARS	(1) 1995-2005: best 5 or 7 years (2) 2000-2006: best 3 or 5 years (3) 2002-2007: best 3 or 5 years (4) 2002-2008: best 3 or 5 years	2002 through Dec 8, 2008	2000 through 2006
LANDINGS THRESHOLDS	None	Jig - 1 landing Hook-and-line/pot CV <60 ft MLOA - 10 mt Hook-and-line/pot CV >=60 ft MLOA - 50 mt Hook-and-line CP and pot CP - 50 mt	2 landings using trawl gear
JIG	1% or 1.5% (WG) and 1% to 2% (CG) initial allocation Step up provision (1%) if allocation is 90% harvested during a given year (up to a max. of 5% to 7%) Step down provision if allocation is not 90% harvested during 3 consecutive years, but allocation will not drop below its initial level	Exempt jig vessels from the LLP requirement if they use 5 or fewer jig machines, 1 line per machine, 30 hooks per line	
OTHER COMPONENTS	Options to require Federally-permitted vessel operators to hold an LLP with the appropriate area and gear endorsements to participate in the GOA parallel waters Pacific cod fishery. Options to cap amount of catch processed by motherships. Options to allocate hook-and-line halibut PSC to CVs and CPs.	Exemption from catch thresholds for participants in hook-and-line CP informal halibut PSC coop (results in an offshore limited hook-and-line CP endorsement). CQE communities may request pot or hook-and-line licenses for use by community residents	Exempt licenses that qualified for the Central GOA Rockfish Pilot Program from the landings threshold



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

November 24, 2009

Mr. Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501

Dear Mr. Olson:

In December, the Council is scheduled to take final action on a proposal to allocate Gulf of Alaska (GOA) Pacific cod total allowable catch (TAC) among sectors. We have reviewed the Council's October 2009 motion for this action and the accompanying analysis and have several considerations to highlight for the Council.

Section 7 Consultation. Currently, the federal Pacific cod fishery is subject to seasonal apportionment. The 2001 Biological Opinion (BiOp) on the Steller sea lion protection measures for the groundfish fisheries requires that the catch of GOA Pacific cod TAC be seasonally apportioned as 60 percent in the A season and 40 percent in the B season. These seasons for vessels using non-trawl gear in a directed fishery for Pacific cod are January 1 through June 10 and September 1 through December 31, respectively.

As described in Section 3.4 of the draft Environmental Assessment for this action, NMFS would assess any proposed change to Steller sea lion protection measures, and the Council's action on GOA Pacific cod sector splits generally, as the agency progresses toward finalizing a new biological opinion during 2010. Component 5, Option 1 without the suboption would establish the amount of Pacific cod available to the federal/parallel waters Pacific cod jig fishery, remove seasonal apportionment of the portion of the Pacific cod TAC allocated to the jig sector, and allow the portion of the guideline harvest level released by the Alaska Board of Fisheries to the jig sector federal/parallel allocation to continue to be harvested without seasonal apportionment. Removing the seasonal management of the GOA federal/parallel waters jig fishery and allowing a portion of the western and central Pacific cod annual TAC to be harvested without temporal dispersion would be a change in the action analyzed in the 2001 BiOp and its 2003 supplement. As a result, selecting this option would require reinitiating Section 7 consultation on the effect of this action on Steller sea lions and their designated critical habitat under the Endangered Species Act. This consultation would occur as part of the ongoing Section 7 consultation on the groundfish fisheries after the new draft biological opinion being developed by NMFS is released for public review early next year.

Component 2. We are concerned that some of the options and sub-options under Component 2 would require a significant and costly modification to the interagency electronic reporting system known as eLandings and to the NMFS catch accounting system. Our greatest concern stems



from the Western GOA option to establish three separate allocations for License Limitation Program (LLP) licenses with (1) a pot only endorsement, (2) a trawl only endorsement, and (3) a combined pot/trawl allocation for those LLP licenses endorsed with both pot and trawl gear endorsements. Options for both the Western and Central GOA that allow LLP license holders to select a catcher/processor or catcher vessel operation permit type will require that all landings be tracked by LLP license. The tracking of catch by LLP is complex because licenses can be transferred to different vessels and the tracking of LLP transfers would need to be near real time. The ability of a person to transfer an LLP to a different vessel within a year may create some latency in the catch accounting system to verify that the LLP license is on the appropriate vessel and catch is credited against the correct allocation.

Stacked LLP licenses (e.g., a pot/trawl endorsed license and a trawl endorsed license on a vessel fishing trawl gear) would require IFQ-like catch accounting. Vessel operators would need to attribute catch to an LLP endorsement so catch could be assigned to the appropriate allocation. Catch for these sectors are currently not tracked in an IFQ-like fashion, and thus this option would require considerable modification to the eLandings and catch accounting systems. In addition, the ability for vessel operators to select an allocation could pose a significant advantage to persons holding the combined licenses as described on page 71 in the November 12, 2009, Public Review Draft of the analysis. The Council could develop business rules for crediting catch to different allocations to avoid modifications to eLandings, although that option is not before the Council at this time.

Inseason management of seasonal sector allocations. The analysis for this action notes that implementation of sector allocations of the GOA Pacific cod TAC will require additional staff resources to manage up to 40 new seasonal sector allocations. At least one additional full time employee would be required to undertake the increased work load associated with the communication efforts between NMFS staff and vessel operators/owners, processors, and other interested persons that occur with each sector fishery closure, fishery reopener, prohibited species closure if a sector allocation is reached, and sector allocation rollover. Also, inseason management of an allocation does not end when a directed fishery closes. Currently, staff spend several days communicating with industry participants prior to and after each season closure or reopening of the Pacific cod fishery. The proposed action could split the Pacific cod TAC into 18 new seasonal sector allocations in the Central GOA and 22 new seasonal allocations in the Western GOA. Further, many of the proposed GOA sectors do not have coordinated sector representation that NMFS can contact to help coordinate information flow, thus further increasing staff resource needs to undertake this function at the level of individual sector participants.

As we have previously stated to the Council, the increased number of sector allocations of Pacific cod also will limit management flexibility to address overages or underages in a seasonal sector allocation. NMFS will need to manage these allocations conservatively to minimize the chance that an allocation is exceeded. While unharvested Pacific cod stranded in a sector allocation may be rolled over to other sectors, this process requires a large amount of time, communication and coordination to assess all sectors' harvest ability at the individual participant level. NMFS staff often comes under significant pressure to initiate rollover actions before this

process is complete, further adding to responsive workload and time allocation away from other management activities.

Notwithstanding the significant management requirements of the Pacific cod fishery generally, with adequate staff resources, NMFS has the tools to manage the number of new sector allocations under consideration by the Council. However, the diversity of the GOA sectors, lack of cohesive representation, and unique considerations associated with managing competing vessels within numerous sectors will result in a challenging and iterative learning process for both NMFS and the various industry sectors. In summary, we recommend the Council limit the number of new sector allocations to the extent practicable while meeting its stated objectives for this action.

Component 8. If the Council chooses to pursue the mothership exemption under Component 8, we encourage the Council to select Option 3, Suboption 1. This choice would provide clearly defined municipal boundaries for monitoring and enforcement purposes as noted in paragraph three on page 101 of the analysis cited above.

Eastern Gulf of Alaska. Finally, although this action is focused on the Western and Central GOA, we note that there are components that would impact participants in the Eastern GOA Pacific cod fishery. Under Component 7, the Gulf-wide Pacific halibut prohibited species catch limit established for hook-and-line fisheries could be allocated between catcher/processor and catcher vessel sectors. This allocation would apply to hook-and-line vessels fishing in the Eastern GOA. Component 10, Option 2, Suboption 2, also applies to the Eastern GOA because federal fisheries permits are endorsed for the entire GOA and not for specific regulatory areas (i.e., Western or Central GOA). The analysis adequately addresses the extension of these options to the Eastern GOA. However, we recommend that the Council explicitly acknowledge its intent that components and options that have GOA-wide implications would impact fishery participants in the Eastern GOA as well.

Should the Council desire, we are prepared to further discuss these concerns at the December meeting.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

Introduced by: Mayor Selby
Requested by: Mayor Selby
Drafted by: Mayor Selby
Introduced on: 11/05/2009
Adopted on: 11/05/2009

**KODIAK ISLAND BOROUGH
RESOLUTION NO. FY 2010-16**

**A RESOLUTION OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO RETAIN
THE INTENT OF THE CURRENT INSHORE/OFFSHORE REGULATIONS
IN THE GULF OF ALASKA QUOTA ALLOCATION DECISIONS**

WHEREAS, the North Pacific Fishery Management Council (NPFMC) is considering allocating Pacific cod quotas in the Western and Central Gulf of Alaska (GOA) amongst gear types; and

WHEREAS, the NPFMC is considering allowing mobile offshore processors options that will supersede the current inshore/offshore processing sector coastal community protections, effectively undoing the present inshore/offshore regulations; and

WHEREAS, motherships are mobile offshore vessels that catch and process their own catch as well as receive deliveries from catcher vessels and process this catch at sea; and

WHEREAS, there has been no mobile mothership processing of Federal groundfish harvests in the Central GOA and limited mobile mothership processing in the Western GOA since 2000; and

WHEREAS, allowing increased mobile mothership processing activity in the GOA groundfish fisheries would create alternative fishery markets, but would not represent historical mothership activity or consider coastal community dependence; and

WHEREAS, Kodiak is a processing hub with multiple processors that process fishery resources year round. Year round processing jobs are possible because of the large volume of fish delivered into the Port of Kodiak. These processing workers are residents of and contributors to the overall Kodiak economy; and

WHEREAS, the community of Kodiak depends on deliveries of multispecies groundfish including Flatfish and Pacific cod to maintain our year round residential processor work force; and

WHEREAS, sufficient inshore processing markets currently exist and can increase or improve under the present inshore/offshore rules by adding or improving shorebased processors and stationary mothership floating processors that operate in a single geographical location; and

WHEREAS, setting public policy that encourages increased mobile offshore processing will create unfair competition for catcher vessel harvests with more efficient and cost effective processing platforms across the GOA that could erode Kodiak's and other GOA Coastal communities groundfish landings; and

WHEREAS, certain trawl catcher-processors operating in the rationalized groundfish harvests in the BSAI Amendment 80 fisheries have already received great benefits from the NPFMC

52 allowing those vessels to form extremely efficient harvesting cooperatives which will allow the
53 vessels with excess capacity to unfairly take processing opportunities from the groundfish
54 dependent processors operating in Kodiak and other GOA coastal communities; and

55
56 **WHEREAS,** certain long-line catcher processors operating within the much larger BSAI cod
57 fisheries have an allocation of Pacific cod and are seeking legislative protection to allow them
58 individual catch shares for cooperative harvesting and will utilize any excess capacity to unfairly
59 take processing opportunities from the groundfish dependent processors operating in Kodiak and
60 other GOA coastal communities; and

61
62 **WHEREAS,** Kodiak processing plants employ 1,158 employees with a combined payroll of
63 over \$54 million annually; and

64
65 **WHEREAS,** Kodiak processing plants, harvesters, and support businesses help generate raw
66 fish taxes, severance taxes, sales taxes, and property taxes that support both the City of Kodiak
67 and the Kodiak Island Borough community infrastructures; and

68
69 **WHEREAS,** the City of Kodiak infrastructure has been built to support the Kodiak harvesting
70 and processing sectors including water, sewage, electricity, transportation, boat harbors, and the
71 large vessel boat lift. These services depend on user fees to cover infrastructure costs; and

72
73 **WHEREAS,** those sectors of the Kodiak economy not directly engaged in fishing consist
74 largely of support services for those involved directly or indirectly in the fishing industry; and

75
76 **WHEREAS,** regulatory changes that result in fish currently being processed in dependent
77 coastal communities moving to mobile offshore processors will erode community stability and
78 cause the loss of revenue and jobs to Alaskans and their communities, and cause irreparable
79 economic damage; and

80
81 **WHEREAS,** the NPFMC alternative to allow increased mobile offshore processors within
82 certain geographic boundaries is flawed because the revenues associated with mothership
83 processing activity within a community boundary may not be comparable to revenues associated
84 with shoreside processing activity in another community and is a direct re-allocation of the limited
85 fishery resource across coastal communities; and

86
87 **WHEREAS,** some CQE communities may benefit from limited operations of stationary floating
88 processors that purchase groundfish from limited locations within the municipal boundaries of
89 said CQE communities so long as their mobility is limited and they comply with all regulations
90 that cover shore-based processors operating in the coastal communities of the Gulf of Alaska;
91 and

92
93 **NOW, THEREFORE, BE IT RESOLVED BY** the Kodiak Island Borough that the NPFMC should
94 set policy to preserve present participation of coastal fishing communities by regulating inshore
95 and offshore floater processors as they are now regulated.

96
97 **BE IT FURTHER RESOLVED THAT** the Kodiak Island Borough endorses the no mothership
98 processing option in the Central GOA and Western GOA for all federal groundfish species.

99
100 **BE IT FURTHER RESOLVED THAT** the Kodiak Island Borough endorses the provision for a
101 stationary floating processor to operate in up to three geographical locations but cannot operate
102 as a catcher processor in the same calendar year. These stationary floating processors should

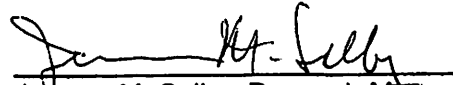
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be required to operate inside city municipal boundaries for the CQE communities listed in the motion with an annual quota cap on total volume processed applied.


BE IT FURTHER RESOLVED THAT any change of allocation away from inshore processing should be subjected to extensive analysis of economic impact to coastal communities prior to adoption to assure that there is no negative impact to coastal communities.

**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FIFTH DAY OF NOVEMBER, 2009**

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor

ATTEST:


Nova M. Javier, MMC, Borough Clerk



Office of the Mayor and Council

710 Mill Bay Road, Room 216, Kodiak, Alaska 99615

November 12, 2009

Eric A. Olson, Chairman
North Pacific Fishery Management Council
605 West 4th, Ste. 306
Anchorage, AK 99501

Dear Mr. Olson:

The Kodiak City Council has reviewed the October 2009 North Pacific Fishery Management Council (NPFMC) motion pertaining to C-1 Gulf of Alaska Pacific Cod Sector Allocation. The City Council urges the NPFMC to set policy to preserve present participation of coastal fishing communities by regulating inshore and offshore floater processors as they are now regulated. The Kodiak City Council further urges the NPFMC to endorse the no mothership processing option in the Central and Western Gulf of Alaska for all federal groundfish species.

The City of Kodiak has invested millions of dollars building infrastructure to support the Kodiak harvesting and processing sectors. Regulatory changes that result in fish currently being processed by shore based processors moving to mobile offshore processors will erode our community's stability, cause the loss of revenue and jobs to Kodiak residents, and cause irreparable economic damage to the Kodiak community.

The City of Kodiak does not support any policy that could erode Kodiak's groundfish landings. Kodiak is a processing hub with multiple shore side processors that process fishery resources year round, which is possible because of the large volume of fish delivered into the Port of Kodiak. Our processing workers are residents of and contributors to the overall Kodiak economy. The Kodiak community depends on deliveries of multispecies groundfish, including Flatfish and Pacific cod to maintain our year round residential work force.

The City of Kodiak urges the NPFMC to continue to adopt policies that will ensure the economic growth of our community.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn L. Floyd".

Carolyn L. Floyd
Mayor

c: NPFMC Board of Directors
Chris Oliver, NPFMC Executive Director

Statement of Source: C-1 Gulf of Alaska Pacific Cod Sector Allocations

October 2009 - Anchorage, Alaska, North Pacific Fishery Management Council
Motion

Written Testimony pertaining to Component 5: Allocation of Pacific cod to jig
sector

Option 1

Submitted by Robert B. Moss
Cook Inlet small boat jig cod fisherman
PO Box 3428
Homer, AK 99603
(907) 235-8394

November 16, 2009

Robert B. Moss
PO Box 3428
Homer, AK 99603
November 16, 2009

Re: Jig Cod Testimony

Dear Sirs:

Thank you for this opportunity to testify. I am a ten year Gulf of Alaska jig cod fisherman, fishing in the Lower Cook Inlet federal and state exclusive registration area.

Lower Cook Inlet exhibits several extenuating geographical characteristics. Large tides coupled with the relatively shallow water extending past 3 miles and the prevailing northerly winds in the winter months in Cook Inlet proper make jig fishing, by small boats, extremely difficult during the first part of the season. These circumstances, in effect, make operating in the federal portion of the cod season nearly impossible. Some fishing is available adjacent to deep water in February and March but by in large, no fishing is done outside 3 miles during the federal season. During the state season when conditions do permit fishing, it is not legal to fish outside 3 miles. ***My hope is that a provision could be made to allow jig fishing outside 3 miles during the late spring and summer.*** If I am interpreting "Option 1 under Component 5 of the Allocation of Pacific cod to the jig sector" correctly, this could achieve that goal. There may well be times later in the spring and summer, as evidenced by sport fish catch reports and my own sports fish experience when fishing for Halibut, that cod would be available in numbers that would make it viable to jig commercially outside 3 miles in Cook Inlet proper. This maybe one of the few approaches that could increase the opportunity in this area. At the present time, the areas inside 3 miles are fully utilized and extensive coast wide scouting have not located any new commercial numbers of cod within the 3 mile state zone.

Thanks for your consideration.

Robert Moss



1516 N.W. 51st • P.O. BOX 17022
SEATTLE, WASHINGTON 98107
(206) 784-2592 • FAX: (206) 783-3450

Chairman Eric A. Olson
Executive Director, Chris Oliver
North Pacific Fisheries Management Council
605 West 4th, Suite 306
Anchorage, AK 99501-2252

Subject: December 2009 NPFMC Meeting
Agenda Item: Allocations of Pacific Cod among Sectors in the Western and Central GOA

Dear Chairman Olson and Council Members,

My name is Don Iverson. I am a partner in Jubilee Fisheries Inc. and I am writing regarding the Council action on GOA Pacific cod sector splits on the agenda for the December meeting. I have several comments to make regarding dependency and catch history as well as the beneficial impacts that I believe HAL CPs have on the fishery. I am very concerned about the potential outcome of the Council's action.

Jubilee Fisheries has been owned by the same three families since 1979. We operate two under 124' Freezer Longliners in the BSAI and GOA. We have harvested P-cod in the GOA for twenty-two years. Our boats support thirty plus crewmember families. Our dependence on GOA P-cod is greater than that of most HAL CPs. Our catch history represents a major portion of the HAL CP history in the Western GOA (HAL CP catch averaging 21.4% of WGOA harvest and 4.9% of CGOA harvest). In some years our GOA catch produces as much as fifty percent of our P-cod income.

My concern is that, since most of the HAL CP catch history in the GOA has been accumulated by a relatively small number of HAL CP vessels, any council action producing an HAL CP allocation reflecting less than actual historical catch ranges would be disproportionately punitive to a small number of fishermen.

The HAL CP fleet has been actively involved in bycatch reduction efforts. The assumed halibut DMR rate in the Gulf is 14%. During the informal FLC Co-op fisheries of 2007-2009, which our boats participated in, the actual rates were 4.56%, 6.94%, and 8.27% respectively. This fall, one of our boats was involved, as an observed vessel, in setting the bycatch rate by which the remaining halibut is calculated. Our lower bycatch rate

resulted in a recalculation of halibut remaining and the season was extended for both observed and unobserved vessels.

The low overall observer coverage in the GOA is of concern to the Scientific and Statistical Committee of the NPFMC. The HAL CP fleet contributes disproportionately to catch monitoring there. In 2004-06 the freezer longline fleet GOA cod harvest was 82% observed. The freezer longline fleet contributed 50% of the total P-cod observer coverage, while only 15.3% of the P-cod harvest was observed for all sectors.

Freezer longliners impact the GOA P-cod fishery beneficially in both bycatch reduction and observer coverage. Any HAL CP allocation less than historical catch will erode those beneficial impacts. Our dependence on the GOA P-cod fishery is demonstrated by our long catch history and the significant portion of our income generated there. The dependence of smaller freezer-longliners on the GOA has previously been acknowledged and analyzed by the NPFMC in GOA Amendment 23, Amendment 40, and Amendment 51. I am asking that the Council continue to recognize our dependence on GOA P-cod and base its action on historical participation, and that allocations to all sectors be based on catch history. If social considerations are addressed by this sector split action, then the social considerations of all participants should be addressed.

Thank you,



Don Iverson

Vice-President, Jubilee Fisheries Inc.

F/V Zenith

F/V Kjevolja

TO: NPFMC

11-25-04

I AM A COMMERCIAL FISHERMAN OUT OF KODIAK AK. I OWN AND FISH THE 58 FT NORTHERN JAEGER IN THE CENTRAL GOA. I HAVE BEEN FISHING POTS FOR COD SINCE AROUND 1990 I HAVE FISHED KODIAK SINCE 1973. I USED TO DO OK, WE DIDN'T HAVE A LARGE LONGLINE OR JIG FLEET THEN. IN THE LAST 5 YEARS OR SO THE LONGLINE FLEET HAS GALLOONED INTO QUITE A FORCE. MY PROBLEM HAS BEEN THAT THE LONGLINING FLEET FISHES CLOSE BY MY COD POTS AND OUR FISHING GOES BAD. THERE ARE SO MANY OF THEM THAT WHEN SOME LEAVE OTHERS JUST TAKE THERE PLACE. I JUST CAN'T PACK UP 60/70 POTS EVERY DAY IN THE WINTER AND TRY TO FIND ANOTHER SPOT. MY BOAT IS A SMALL 58 FOOT AND I ONLY CARRY 15 POTS AT ONE TIME. THERE ARE ONLY SO MANY PLACES AROUND KODIAK WHERE YOU CAN FISH WITH POTS AND CATCH ENOUGH COD TO MAKE IT PAY. THOSE SPOTS ARE USUALLY COVERED. I BELIEVE THE SECTOR SPLIT WILL ALLEVIATE THIS PROBLEM. I AM IN FAVOR OF THE PROPOSED AMENDMENT TO THE PMP FOR GROUND FISH OF THE GOA MANAGEMENT AREA TO ALLOCATE PACIFIC COD AMONG SECTORS.

I JUST SWITCHED TO LONGLINE IN 04 TO SEE IF THAT WOULD HELP. I WILL BE IN THE POT SECTOR IF THIS DOES PASS

THANKS: RONALD G THOMPSON
Ronald R Thompson
P.O. Box 507 KODIAK, AK 99615

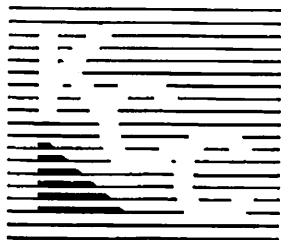
TO: NPFMC

11-25-09

I AM A COMMERCIAL FISHERMAN OUT OF KODIAK AK. I OWN AND FISH THE 58 FT NORTHERN JAEGER IN THE CENTRAL GOA. I HAVE BEEN FISHING POTS FOR COD SINCE AROUND 1990 I HAVE FISHED KODIAK SINCE 1973. I USED TO DO OK, WE DIDN'T HAVE A LARGE LONGLINE OR JIG FLEET THEN. IN THE LAST 5 YEARS OR SO THE LONGLINE FLEET HAS GALLOONED INTO QUITE A FORCE. MY PROBLEM HAS BEEN THAT THE LONGLINING FLEET FISHES CLOSE BY MY COD POTS AND OUR FISHING GOES BAD. THERE ARE SO MANY OF THEM THAT WHEN SOME LEAVE OTHERS JUST TAKE THERE PLACE. I JUST CAN'T PACK UP 60/70 POTS EVERY DAY IN THE WINTER AND TRY TO FIND ANOTHER SPOT. MY BOAT IS A SMALL 58 FOOT AND I ONLY CARRY 15 POTS AT ONE TIME. THERE ARE ONLY SO MANY PLACES AROUND KODIAK WHERE YOU CAN FISH WITH POTS AND CATCH ENOUGH COD TO MAKE IT PAY. THOSE SPOTS ARE USUALLY COVERED. I BELIEVE THE SECTOR SPLIT WILL ALLEVIATE THIS PROBLEM. I AM IN FAVOR OF THE PROPOSED AMENDMENT TO THE FMP FOR GROUND FISH OF THE GOA MANAGEMENT AREA TO ALLOCATE PACIFIC COD AMONG SECTORS.

I JUST SWITCHED TO LONGLINE IN 09 TO SEE IF THAT WOULD HELP. I WILL BE IN THE POT SECTOR IF THIS DOES PASS.

THANKS: RONALD G THOMPSON
Ronald G Thompson
P.O. BOX 507 KODIAK, AK 99615



KODIAK CHAMBER OF COMMERCE

100 E. Marine Way, Suite 300, Kodiak Alaska 99615 • (907) 486-5557 • FAX: (907) 486-7605
www.kodiak.org • Email: chamber@kodiak.org

KODIAK CHAMBER OF COMMERCE RESOLUTION 11-09-01

A RESOLUTION OF THE KODIAK CHAMBER OF COMMERCE TO SUPPORT KODIAK'S FISHERY ECONOMY BY URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO RETAIN CURRENT INSHORE/OFFSHORE REGULATIONS PERTAINING TO PACIFIC COD PROCESSING AND QUOTA ALLOCATIONS IN THE GULF OF ALASKA

WHEREAS, the North Pacific Fishery Management Council (NPFMC) is considering allocating Pacific cod quotas in the Western and Central Gulf of Alaska (GOA) amongst gear types.

WHEREAS, the NPFMC is considering allowing mobile offshore processors options that will supersede the current inshore/offshore processing sector coastal community protections, effectively undoing the present inshore/offshore regulations.

WHEREAS, some motherships can also be mobile offshore vessels that catch and process their own catch as well as receive deliveries from catcher vessels and process this catch at sea.

WHEREAS, there has been no mobile mothership processing of Federal groundfish harvests in the Central GOA and limited mobile mothership processing in the Western GOA since 2000.

WHEREAS, allowing increased mobile mothership processing activity in the GOA groundfish fisheries would create alternative fishery markets, but would not represent historical mothership activity or consider coastal community dependence.

WHEREAS, Kodiak is a processing hub with multiple shoreside processors that process fishery resources year round. Year round processing jobs are only possible because of the large volume of fish delivered into the Port of Kodiak. These processing workers are residents of and contributors to the overall Kodiak economy.

WHEREAS, the community of Kodiak depends on deliveries of multispecies groundfish including Flatfish and Pacific cod to maintain our year round residential work force.

WHEREAS, sufficient inshore processing markets currently exist and can increase or improve under the present inshore / offshore rules by adding or improving shorebased

Dedicated to Kodiak's Economic Future

processors and stationary mothership floating processors that operate in a single geographical location.

WHEREAS, setting public policy that encourages increased mobile offshore processing could erode Kodiak's and other GOA Coastal communities' groundfish landings.

WHEREAS, certain trawl catcher-processors operating in the rationalized groundfish harvests in the BSAI Amendment 80 fisheries have formed extremely efficient harvesting cooperatives which will allow the vessels with excess capacity to take processing opportunities from the groundfish dependent processors operating in Kodiak and other GOA coastal communities.

WHEREAS, certain long-line catcher-processors operating within the much larger BSAI cod fisheries have an allocation of Pacific cod and are seeking legislative protection to allow them individual catch shares for cooperative harvesting and will utilize any excess capacity to take processing opportunities from the groundfish dependent processors operating in Kodiak and other GOA coastal communities

WHEREAS, the Kodiak Chamber of Commerce recognizes the need for economic growth and development in smaller coastal communities.

WHEREAS, Kodiak processing plants employ 1,158 employees with a combined payroll of over \$54 million annually.

WHEREAS, Kodiak processing plants, harvesters and support businesses help generate raw fish taxes, severance taxes, sales taxes and property taxes that support both the city of Kodiak and the Kodiak Island Borough community infrastructures.

WHEREAS, the city of Kodiak infrastructure has been built to support the Kodiak harvesting and processing sectors including water, sewage, electricity, transportation, boat harbors, and the large vessel boat lift. These services depend on user fees to cover infrastructure costs.

WHEREAS, those sectors of the Kodiak economy not directly engaged in fishing consist largely of support services for those involved directly or indirectly in the fishing industry.

WHEREAS, regulatory changes that result in fish currently being processed in dependent coastal communities moving to mobile offshore processors will erode community stability and cause the loss of revenue and jobs to Alaskans and their communities.

WHEREAS, the NPFMC motion on cod sector allocations, Component 8 that would allow increased mobile offshore processors within certain geographic boundaries is flawed because the revenues associated with mothership processing activity within a community boundary may not be comparable to revenues associated with shoreside processing activity in another community and is a direct reallocation of the limited fishery resource across coastal communities.

NOW, THEREFORE, BE IT RESOLVED BY the Kodiak Chamber of Commerce that the NPFMC should set policy to preserve present participation of coastal fishing communities by regulating inshore and offshore floater processors as currently regulated.

BE IT FURTHER RESOLVED THAT the Kodiak Chamber of Commerce strongly endorses no motherships activity in the Gulf of Alaska.

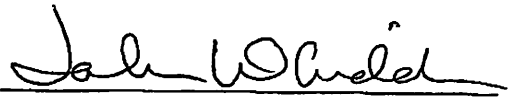
BE IT FURTHER RESOLVED THAT the Kodiak Chamber of Commerce supports a provision to allow stationary floating processors to operate in up to three geographic locations within the waters of the State of Alaska, but the vessel may not operate as a catcher processor in the same calendar year. These stationary floating processors should be required to operate inside city municipal boundaries of CQE communities with an annual quota cap on total volume processed applied.

BE IT FURTHER RESOLVED THAT changes to allocations for inshore processors will potentially result in negative economic consequences for coastal communities, therefore an extensive economic analysis must be performed to determine the extent of the impact to the coastal communities prior to adoption.

Passed and adopted this day of Nov 30th 2009

SIGNED:

ATTEST:





John Whiddon
President
Kodiak Chamber of Commerce

Nora McRae
Secretary to the Board
Kodiak Chamber of Commerce

Eric Olson, Chairman
North Pacific Fisheries Management Council
6005 W 4th Suite 306
Anchorage, AK 99501

Fax 907-271-2817

Dear Chairman Olson and Members of the Council,

My name is Scot Gilliland. I have been fishing in the GOA since 1981. I have participated in most of the fisheries in the GOA. I have been a sea urchin diver, longlined, pot fished, seined, jigged and trawled.

I worked on deck on the Dawn when we had to gut every fish by hand. We worked hard to develop markets for P cod. We also caught bait for the crab fleet.

I now support my family on the stability provided by running the Hazel Lorraine with Ron Naughton.

I support the cod split as long as it is equitable. We can use this as a tool to reduce by-catch issues and develop better gear without loosing out in the race for fish with an idea that doesn't work out. It is very expensive to try something new when the quota is being caught around you.

As I have previously stated, I have participated in most of the GOA fisheries. All groundfish fisheries have by-catch. The goal is to minimize this bycatch. The flatfish supports a stable economy in Kodiak. Through use of a sector split we would be able to catch more flats without having a P. cod discard issue. No one wants to throw a valuable fish overboard.

I ask that you carefully reason this sector split. It must protect the family's that are dependent on this fish. I used to run a 58' trawler. The silly zilly rules put these boats into an unsustainable position. Lets not make regulatory mistakes that hurt some and reward others.

Thank you for your time,

Scot Gilliland
PO Box 1004
Homer, AK 99603

North Pacific Fishery Management Council
195th Plenary Session December 9-15, 2009
Anchorage, Alaska Fax: (907) 271-2817
Public Comment on the Record by Capt. George Hutchings

Re C1 GOA Pacific Cod Allocations & C2 GOA Rockfish Program

Dear Mr. Secretary, Chairman Olson, and honorable Council members,

My name is George Hutchings. I am the captain of the F/V HICKORY WIND federal fisheries permit number 1693. I have been commercial fishing in ALASKA since 1981 and also a resident of ALASKA for all but 2 years since 1981. I would like to state my position on a couple of things:

First, I would like to see motherships available to the Gulf of ALASKA fisherman, whether it be delivering cod ends from catcher vessels or even unloading all gear types in a feasible manner while at sea.

Currently the Kodiak and other Gulf fisherman are restricted to fishing within a certain distance of the port in which our market is located, giving an unfair advantage to catcher processors of all gear types. While at the moment my main concern would be trawling, in the future it could be any and all fisheries. Currently, we must fish within a certain distance in order to have a product that is sellable, and while we are not able to take advantage of fishing grounds farther away, our stocks closer to port are fished exclusively.

If we are able to deliver at sea to a mothership, we can fish the eastern gulf, northern gulf and below Chirikof Island, as of today there are no canneries close enough to those grounds to make it feasible to fish in an area which is further than approximately 20 hours of port. Earlier this year I fished south of Chirikof about 30 hours out of Kodiak, and though I iced my product instead of the usual RSW, the cannery in Kodiak discarded most of my fish – and the vessel lost money (not to mention crew and time lost).

Personally though, I am not in favor of catcher processors receiving fish from vessels unless the vessels delivering fish are Gulf of Alaska vessels with ties to the communities they are to be representing, and I am in favor of catcher vessels delivering fish to catcher processors while engaged in fishing our onshore quotas.

The reasons for this are that not only are we restricted by time and distance, we are given the unfair advantage in pricing of our products while delivering to status quo shoreside canneries, who have no right to quotas or fish unless they are willing to pay for fair market value of said delivered fish, which for the most part they are not as seen with the price of rockfish since the implementation of the rockfish program.

Second, I would favor returning to option one and being given the choice to deliver to an at sea processor to receive the maximum benefit to fishery and vessels, if prices are to remain stagnant. Because we could fish rockfish further from port and help conserve our fisheries by spreading out the effort by the fleet to encompass more area, thus relieving pressure on the fishing grounds closer to port.

I thank you for taking the time to listen to my concerns and I have faith that in the end the right action will be taken, I only ask that we onshore Gulf of ALASKA fisherman be given the same right and means to fish the areas now only fished by factory trawlers and longliners.

Sincerely,

Captain GEORGE HUTCHINGS
POB# 8242; Kodiak, Alaska 99615 Tel: 907-539-6314



ph: 206.284.2522

fax: 206.284.2902

2303 West Commodore Way, Suite 202, Seattle, WA 98199

December 2, 2009

Chairman Eric A. Olson
Executive Director, Chris Oliver
North Pacific Fisheries Management Council
605 West 4th, Suite 306
Anchorage, AK 99501-2252

Subject: **December 2009 NPFMC Meeting.**

Agenda Item C-1

Allocations of Pacific Cod among Sectors in the Western and Central GOA

Dear Chairman Olson and Council Members,

With the Council scheduled to take final action on GOA Pacific cod sector splits at the December meeting I wanted to clarify a few issues important to our members. Our basic ask is simple, we are requesting that final action on GOA Pcod sector splits be based on historical participation and that allocations to sectors be based on catch history.

Only with this approach will sector splits in the GOA meet the intent of the problem statement and the requirements of the national standards. A historical catch based allocation to each sector will protect dependency of the families historically relying on the GOA Pcod hook-and-line CP sector, preserve and promote sustainable fishing practices, reduce bycatch, maintain and increase observer coverage in the fleet providing the majority of the coverage, protect long term investments, reduce uncertainty, and promote stability.

Our vessels and crews have been fishing in the GOA for over 20 years and have consistent history throughout those years. Of paramount importance is the fact that a relatively few FLC vessels have accumulated the majority of the history in the GOA. Although as a fleet our reliance on the GOA is around 10% several individual companies rely on access to the historic levels for an average 30% and as high as 50% (In some years) of all revenue. **Any reduction to access at historical levels would be a direct punitive action to a relatively small group of long-term historical participants. These CP hook-and-line vessels have given up BSAI history to fish in the GOA** and a reduction of history to the hook-and-line CP sector would be doubly punishing to these crews, families and owners as they do not have BSAI history to fall back on. We are asking that there be no reduction to the CP hook and Line fleet beyond the historical catch range identified in Assessment.

The Hook-and-line CP fleet has shown its ability to reduce bycatch especially when given the tools to do so. In our informal cooperatives the FLC vessels have voluntarily carried 100% observer coverage, even on the vessels with only 30% requirements. In observed halibut DMR rates from the observer data base indications are clear. Assumed rate in the GOA is 14% but our actual rates in these cooperatives are

4.56%,6.94% and 8.27% respectively for 2007-2009. The Hook-and-line CP history should be preserved to allow these established, historical efforts to move forward, **any reduction to the historical access that proposes to move catch to another sector could easily increase overall halibut bycatch DMR rates as well as bycatch of other species (crab /octopus etc.)**

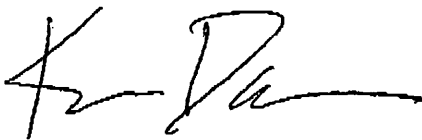
Hook-and-Line CP's provide the majority (more than 50% in recent years) of the observer coverage in the GOA Pacific cod fishery. **Any reduction in historical catch to the freezer-longline fleet will erode the already low observer coverage in the GOA.**

We feel that sector allocations within historical ranges will meet the stated purpose of reducing uncertainty and contributing to stability for our fleet in the following ways.

- a.) Separate sector allocations will remove the race for fish in our sector and will remove the competition between hook-and-line CV's and CP's so long as halibut PSC is divided between the sectors.
- b.) Given recent Council action the next logical step is a sector allocation allowing a clear definition of the entities. This is needed in the hook-and-line CP sector to promote industry negotiations that will improve stability, remove uncertainty, promote efficiency, minimize bycatch, increase observer coverage, and promote safety of life at sea.
- c.) Without sector allocations within historical catch limits, including hook-and line halibut apportionments, our fleet's ability to continue our informal cooperatives and our voluntary cooperative efforts with all of the positive gains to the fishery, long-term are in question.

Please refer to the attached detailed comments for the record.

Thank You,



Kenny Down
Executive Director
Freezer Longline Coalition



Allocations of Pacific Cod among Sectors in the Western and Central GOA

FLC Families, Crews and Owners ask for support.

Support Documentation for AP and Council Members.

On behalf of all of the families, crews and owners of the Freezer Longline Coalitions GOA CP hook-and-line vessels the FLC is respectfully requesting that allocations to the hook-and-line CP sector stay within the historical ranges to preserve and promote sustainable fishing practices, reduce bycatch, maintain and increase observer coverage in the fleet providing the majority of the coverage, protect long term investments, protect dependency of the families historically relying on the GOA P cod hook-and-line CP sector, reduce uncertainty, and promote stability.

Any non-historical federal catch award such as the proposed increase in jig quota will come "off the top" and all sectors will share equally in the funding of any increase beyond historical ranges.

We feel that sector allocations within historical ranges will meet the stated purpose of reducing uncertainty and contributing to stability for our fleet in the following ways.

- a.) Separate sector allocations will remove the race for fish in our sector and will remove the competition between hook-and-line CV's and CP's so long as halibut PSC is divided between the sectors.
- b.) Given recent Council action the next logical step is a sector allocation allowing a clear definition of the entities. This is needed in the hook-and-line CP sector to promote industry negotiations that will improve stability, remove uncertainty, promote efficiency, minimize bycatch, increase observer coverage, and promote safety of life at sea.
- c.) Without sector allocations including hook-and line halibut apportionments our ability to continue our informal cooperatives long-term is in question as halibut PSC becomes a competitive factor.

Qualifying Catch History

Catch History

- a.) Freezer longliners have a stable and long catch history in the GOA cod fishery and generally take about 10% of the total combined CGOA/WGOA cod harvest (comprising 21.3% of the WGOA harvest and 4.9% of the CGOA harvest)¹. Freezer longliners have been fishing in the GOA since the early 1980s.

Dependency

- a.) Much of the history for the CP fleet has been historically accumulated by a relatively small subsector of the overall GOA CP hook and Line fleet. Although as a fleet our reliance is around 10% several individual companies rely on access to the historic levels for an average 30% and as high as 50% (In some years) of all revenue. Any reduction to access at historical levels would be a direct punitive action to a relatively small group of historical participants.
- b.) The dependence of the smaller freezer-longliners on the GOA has been acknowledged and analyzed by the NPFMC previously in GOA Amendment 23, Amendment 40, and Amendment 51.

Conservation

Bycatch reduction

- a.) The Hook-and-line CP fleet has shown its ability to reduce bycatch especially when given the tools to do so. In our informal cooperatives the FLC vessels have voluntarily carried 100% observer coverage, even on the vessels with only 30% requirements². In observed halibut DMR rates from the observer data base indications are clear. Assumed rate in the GOA is 14% but our actual rates in these cooperatives are 4.56%, 6.94% and 8.27% respectively for 2007-2009³. The Hook-and-line CP history should be preserved to allow these established, historical efforts to move forward, any reduction to the historical access that proposes to move catch to another sector could easily increase overall halibut bycatch DMR rates as well as bycatch of other species (crab /octopus etc.)

As a result of the CP hook-and-line efforts the new assumed halibut DMR for all GOA hook-and-line Pacific cod proposed by IPHC for 2012 is 12% DMR, a drop of 2%⁴

¹ Current motion, from October 2009 NPFMC, component 4 averages. Allocations of Pacific Cod among Sectors in the Western and Central GOA. Table 2-49, page 80.

² Informal Cooperatives 2006-2009 as discussed in recent NPFMC GOA Fixed Gear Recency action.

³ Based on NMFS inseason observer data on sampled halibut condition. (Data submitted in previous testimony on this proposed amendment)

⁴ November 2009 Council Draft, SAFE report, Appendix 2. Pacific halibut DMR (recommendations for 2010-2012)

- b.) In the CGOA/WGOA cod fisheries, the CV trawl sector accounts for 60% of the halibut mortality, the CV hook-and-line sector = 19%, the freezer longliners = 13.5%, and the pot sector = 3% of the halibut mortality.⁵
- c.) The trawl sector takes cod incidentally (up to 25% of the total cod catch in the CGOA is incidental harvest by the trawl sector)⁶ where the halibut mortality is attributed to other trawl fisheries other than cod.
- d.) Any reallocation from the freezer longliners would result in increase bycatch in other fisheries, including increase bycatch for salmon, and crab.⁷

Distribution of Harvest

- a.) Freezer-longliners fish further offshore and rarely in statewaters. (zero effort from this fleet in 2006-2008⁸) Other sectors cod harvest can be very concentrated inside 3 miles. Overall GOA wide 40-45% of all cod caught 2006-2008 was caught in state waters, state waters / parallel fishery combined⁹. In the WGOA, up to 66% of the cod harvest (federal and statewater fisheries) has occurred inside 3 miles¹⁰. Any reallocation from the freezer-longliners will result in more concentrated harvest inside of three miles, causing increased competition and exacerbating disproportional catch by increasing effort within 3 miles.

⁵ Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 3-9, page 159, WGOA and CGOA combined.

⁶ Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 2-18, page 35.

⁷ Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 3-13, 3-14, 3-15, 3-16, pages 162-164.

⁸ Search of data base conducted by NMFS at request of FLC, Josh Keaton NMFS. Included review of VMS records.

⁹ Search of data base conducted by NMFS at request of FLC, Josh Keaton NMFS. Presented to NPFMC in prior written and public testimony. Also Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009 tables 2-21, 2-22 pg 40-41

¹⁰ Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 2-21, page 40.

Catch Monitoring

Observer Coverage

- a.) Hook-and-Line CP's provide the majority (more than 50% in recent years)¹¹ of the observer coverage in the GOA. The low overall observer coverage rate in the GOA is a point of concern for the SSC (Science and Statistical Committee) of the NPFMC. Any reduction in historical catch to the freezer-longline fleet will erode the already low observer coverage in the GOA
- b.) For 2004-06, the freezer-longline fleet cod harvest in the GOA was **82% observed**. In other GOA cod sectors, the CV trawl harvest was 23% observed, the CV pot harvest was 8.3% observed, and the CV hook-and-line harvest was 3% observed. For comparison, in the BSAI 77% of the all gear cod harvest is observed¹².
- c.) In 2004-06, only 15.3% of the GOA p-cod harvest was observed for all sectors and the freezer-longliners provided more than 50% of that coverage.¹³
- d.) In recent years in informal coops in the GOA, many freezer longliners voluntarily carried observers 100% of the time in the GOA (when 30% was the requirement) in order to more closely verify halibut use.¹⁴

Social Objectives

Desire to use this action to address social considerations should address the social considerations of all participants. Vessel operators, Captains and crews aboard the hook-and-line CP's have a long term dependency and have directly shown the ability to contribute to the stability across the sectors.

- a.) The Freezer Longline fleet has been operating in the GOA for more than 20 years. Many crew members have worked aboard vessels fishing Pacific cod in the GOA for many years.

¹¹ Documented in "Percent of observed catch in Alaska Groundfish Fisheries, 2004-2006". Jennifer Hogan NOAA fisheries.

¹² Documented in "Percent of observed catch in Alaska Groundfish Fisheries, 2004-2006". Jennifer Hogan NOAA fisheries. Further referenced Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 3-5, 3-6, page 152-153.

¹³ Documented in "Percent of observed catch in Alaska Groundfish Fisheries, 2004-2006". Jennifer Hogan NOAA fisheries. Further referenced Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 3-5, 3-6, page 152-153.

¹⁴ Informal Cooperatives 2006-2009 as discussed in recent NPFMC GOA Fixed Gear Recency action

- b.) Most of the hook-and-line CP's pay crew on a "catch share" basis, an average hook-and-line CP is paying out 30-35% of the gross revenues of the catch directly to crew. Jobs onboard the hook-and-line CP's are family wage positions and many of these individuals are the primary wage earner in the family. Any reduction to the historical catch levels for this fleet will have a direct punitive result to these families and crews.

Financial Contributions

In an internal review of financials by 26 of the freezer longline vessels the following averages were derived showing a substantial contribution to the Alaska economy by this fleet.¹⁵

- a.) Half of the hook-and-line CP's that fish in the GOA are at least in part Alaskan owned.
- b.) Freezer longliners pay an average of over \$100,000 per year in raw fish tax (landing tax) as 85% of all fish caught by hook-and-line CP's is landed in Alaskan ports.
- c.) The average freezer longliner makes 8 port calls in Alaska per year (for all areas) and normally all but one trip a year is landed in Alaskan communities.
- d.) Including landing taxes, an average vessel spends approximately \$68,000 at each port call (landing tax, fuel, bait, groceries, accommodations, etc.) with average annual expenditures in Alaska exceeding \$540,000 per vessel.

Equity of Access

- a.) The hook-and-line CP fleet has not had access to much of the ABC as a race for halibut among the CV and CP fleets have caused seasons to close while cod TAC remained¹⁶. The hook-and line CP's have shown the ability to harvest their allocation fully if given the proper tools (A sector split based on catch history would be such a tool) and has shown clear evidence of the ability to control bycatch and regulate capacity to take its allocation.
- b.) WGOA p-cod TAC (federal and parallel fishery) is not fully utilized and has not been completely caught since 2003¹⁷. There has been opportunity for sectors to increase their cod harvest in the WGOA – without reallocating from another sector. The A season is fully utilized but the B season TAC remains uncaught in recent years¹⁸ and was fully accessible to the pot sector in those years.

¹⁵ Figures are derived from an internal FLC review of the financials of 26 FLC vessels by individual owners. Estimates were derived from combining all information and calculating average vessel contributions.

¹⁶ 2008 for instance, CV sector high bycatch rate forced closure for all H&L. Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Tables 2-15 pg 31 and table 2-56 pg 96

¹⁷ Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 2-10, page 28.

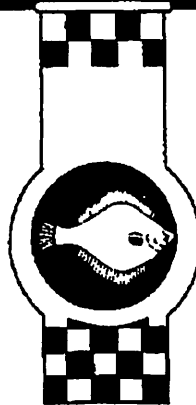
¹⁸ Allocations of Pacific Cod among Sectors in the Western and Central GOA. Initial Review, Nov 12, 2009. Table 2-11, page 29.

F/V HAZEL LORRAINE

202 Center Street
Suite 315-274
Kodiak, AK 99615

Tel: 907-486-7599

Mr. Eric Olson, Chairman
N P F M C
6605 W. 4th, Suite 306
Anchorage, AK 99501-2252
Fax 907.271.2817



November 30, 2009

Re: GOA Pacific Cod Allocation

Dear Eric,

The Hazel Lorraine is a trawler, fishing for whitefish, 10 months each year. Pacific Cod is a primary component of our fishing plan. Our fish deliveries help support the community of Kodiak on every level as outlined many times. The level of investment in the trawl fleet is matched by the processing plants and the port of Kodiak. The trawl fleet is the backbone that keeps the lights on for most of the services and processors on the waterfront.

I support a fair and equitable split of the of the P-cod resource. With respect to history in each gear type, all arguments should hold in mind the unfair start date implemented in 1993. This gave the fixed gear fishers twenty extra days of prime fishing time, and the opportunity to preempt prime fishing grounds, covering hundreds of square miles with gear.

For the trawl fleet a full catch history of directed and incidental cod is imperative for the economical prosecution of the flatfish fishery. Flatfish fills the gaps in each quarter and for many of us flatfish was the only market in the early nineties. At that point in time, there was not a "race" for cod (we were the only harvesters), some trawlers targeted cod others fished flatfish and took cod as it came, never discarding one. As other fisheries caved and those fishermen moved into the fixed gear cod fishery, regulatory discard climbed for the unprotected trawl fishery as the cod quota was sucked up faster each year.

Additional advantage was given to the "small boats" to build their history, when the state waters fishery inside three miles was created. No observers on most, no VMS on most, given the ability to fish directly in front of SSL haulouts and rookeries by default from the State of Alaska. In addition, the benefit of management augmented by the observer's data in the trawl fisheries at no cost.

All of us need well-managed fisheries to earn a living; we made early and heavy investment in trawling that allowed us to fish year round. Other segments of the fishing industry in the community at large grew with us, processors, machine shops, electronic shops, independent welders, hydraulic shops, and marine supply houses, have all risen on the tide of trawl caught groundfish.

The allocation of cod is a very important decision for everyone; it is my hope that the plank holders receive their equitable share.

Respectfully,

Albert Geiser
42277 Garrison Lake Road
Port Orford, Oregon 97465



Clipper Seafoods, Ltd.

641 West Ewing Street
Seattle, Washington 98119
Tel: (206) 284-1162
Fax: (206) 283-5089

December 2, 2009

Chairman Eric A. Olson
Executive Director, Chris Oliver
North Pacific Fisheries Management Council
605 West 4th, Suite 306
Anchorage, AK 99501-2252

Subject: December 2009 NPFMC Meeting

Agenda Item C-1
Allocations of Pacific cod among Sectors in the Western and Central GOA

Dear Chairman Olson and Council Members,

Clipper Seafoods is in support of the Council's schedule to take final action on GOA Pacific cod sector splits at the December meeting. We are requesting that final action on GOA Pcod sector splits be based on historical participation and that allocations to sectors be based on catch history.

Using historical participation is the only approach to sector splits in the GOA that will meet the intent of the problem statement and the requirements of the national standards. A historical catch based allocation to each sector will protect dependency of companies and vessel crews that historically rely on the GOA cod fishery. In almost every allocation program, the council has used historical participation as one the primary considerations and there is no good reason to change that practice today.

Clipper Seafoods has had vessels and crews operating in the GOA continually since 1986 and have consistent history throughout those years. We fish in the GOA every year and our crews rely on the income gain from those fishing trips. We support sector splits and other rationalization programs, but see no reason why we should get less fish under these new plans.

We feel that sector allocations within historical ranges will meet the stated purpose of reducing uncertainty and contributing to stability for our fleet and look forward to the council taking a thoughtful and reasoned action on this issue.

With best regards,

David Little

President Clipper Seafoods

Chairman, Eric Olson,

I am a long time participant in the P-cod fisheries in WG and CG since 1992. I have a substantial investment in time (18) years, a new vessel, and the gear to participate in trawl, and pot sectors.

I am concerned with the lack of normal process the council exercised in the addition of a option for WG. I attended the meetings in October and when I left there were the 2 options for sector splits, either pot only trawl only or a combined pot trawl sector. I have since learned that a motion for a 3 rd option was put forth with no member of the public speaking in favor for this option which could create 3 sectors for WG. If this option were chosen it defeats the problem statement of creating stability in the sector splits that is before the council. To create smaller and smaller blocks for different sectors it will become increasingly difficult to manage. I have not heard of one fisherman that is in favor of this option that was added after the public process was ended.

In component 4 for CG I support option 2 qualifying years 2000-2006 best of 5 but would like to see my pot catch in years 2000 and 2001 allocated to the trawl sector and not the pot sector by recency rules. If not added to the trawl sector how can it be added to the pot sector if it does not count for my recency in pot endorsement? Pot recency is qualifying years 2002-2008. I would support all trawl vessels that caught pot cod in the years 2000-2001 added to the trawl sector allocation or an adjustment of +3%.

In component 4 for WG I support option 1- qualifying years 1995-2005 best 7years. Also for part C, I would like to see the option for trawl LLP holders to be able to participate with pots (endorse trawl LLP for pots during the B season so halibut by catch is not an issue gulf wide) this would be for conservation and environmental issues.

Thanks,
Bill Connor

12-2-09

F/V HAZEL LORRAINE

202 Center Street
Suite 315-274
Kodiak, AK 99615

Tel: 907-486-7599

Mr. Eric Olson, Chairman
N P F M C
6605 W. 4th, Suite 306
Anchorage, AK 99501-2252
Fax 907.271.2817



November 30, 2009

Re: GOA Pacific Cod Allocation

Dear Eric,

The Hazel Lorraine is a trawler, fishing for whitefish, 10 months each year. Pacific Cod is a primary component of our fishing plan. Our fish deliveries help support the community of Kodiak on every level as outlined many times. The level of investment in the trawl fleet is matched by the processing plants and the port of Kodiak. The trawl fleet is the backbone that keeps the lights on for most of the services and processors on the waterfront.

I support a fair and equitable split of the of the P-cod resource. With respect to history in each gear type, all arguments should hold in mind the unfair start date implemented in 1993. This gave the fixed gear fishers twenty extra days of prime fishing time, and the opportunity to **preempt prime fishing grounds**, covering hundreds of square miles with gear.

For the trawl fleet a full catch history of directed and incidental cod is imperative for the economical prosecution of the flatfish fishery. Flatfish fills the gaps in each quarter and for many of us flatfish was the only market in the early nineties. At that point in time, there was not a "race" for cod (we were the only harvesters), some trawlers targeted cod others fished flatfish and took cod as it came, never discarding one. As other fisheries caved and those fishermen moved into the fixed gear cod fishery, regulatory discard climbed for the unprotected trawl fishery as the cod quota was sucked up faster each year.

Additional advantage was given to the "small boats" to build their history, when the state waters fishery inside three miles was created. No observers on most, no VMS on most, given the ability to fish directly in front of **SSL** haulouts and rookeries by default from the State of Alaska. In addition, the benefit of management augmented by the observer's data in the trawl fisheries at no cost.

All of us need well-managed fisheries to earn a living; we made early and heavy investment in trawling that allowed us to fish year round. Other segments of the fishing industry in the community at large grew with us, processors, machine shops, electronic shops, independent welders, hydraulic shops, and marine supply houses, have all risen on the tide of trawl caught groundfish.

The allocation of cod is a very important decision for everyone; it is my hope that the plank holders receive their equitable share.

Respectfully,

Albert Geiser
42277 Garrison Lake Road
Port Orford, Oregon 97465

F/V HAZEL LORRAINE

202 Center Street
Suite 315-274
Kodiak, AK 99615

Tel: 907-486-7599



Mr. Eric Olson, Chairman
N P F M C
6605 W. 4th, Suite 306
Anchorage, AK 99501-2252
Fax 907.271.2817

December 2, 2009

Re: **NO Motherships in the GOA**

Dear Eric,

I can read and I can still hear, but I still can't understand why the GOA is still the ocean in the middle when everything around its edges are settling down... rationalized fisheries to the west, and south on the west coast, and Canada... but in the middle the core is still churning. These ideas of bringing Motherships to the GOA... what port of **SeaLaska** will these processors come from? It seems that where you are from is always at issue in the middle ocean, unless you want to change the game.

Please spend **NO** council time on this destabilizing idea.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Albert Geiser'.

Albert Geiser
42277 Garrison Lake Road
Port Orford, Oregon 97465

December 1, 2009

Eric Olson, Chair
North Pacific Fishery Management Council
605 W. Fourth Ave.
Anchorage, AK 99501

RE: Agenda Item C-1 GOA P. cod sector split

Dear Chairman Olson,

My name is Leonard Carpenter and together with my wife Anita and family we own and operate a 36' foot fishing vessel. We longline and jig P. Cod in the federal/parallel and State fisheries, and also fish for rockfish and crab. The cod fisheries represent a major portion of our yearly income, and we are very dependent on these fisheries.

C-1 Pacific Cod Sector Allocations

Component 5: Allocation of Pacific cod to jig sector

Jig Allocation- We fully support an initial allocation of 2% for the jig sector, with a stairstep of 1% if 90% of the Federal jig allocation in an area is harvested in any given year. We feel this is a fair and equitable allocation to ensure that adequate harvesting opportunities will exist for current and future participants. With the recent fleet reduction in the federal P. cod fishery due to latent LLP removals and the possibility more participants will be restricted or denied access to cod stocks in the federal/parallel fishery, we need an allocation that will support the current participants, new entrants and also those displaced from other GOA P. cod sectors. We also advocate that Council set the cap for the jig sector at 7%. Again this ensures that adequate harvest opportunities will exist for current and future entrants. We also request that Council adopt Option 2, where the jig allocation will be stepped down by 1%, if 90% of the previous allocation is not met during three consecutive years.

Options for management of the Jig allocation

Due to the recent opinion by NOAA GC that all State waters jig GHL would be subject to the 60/40 seasonal apportionment under Option 1, we request that Council postpone any decision on management authority until further analysis of this seasonal allocation can be reviewed. Historical catch rates indicate that the majority of State water jig GHL is harvested before June with the peak occurring in April. If Option 1 were adopted and these seasonal allocation are applied to the State waters jig GHL, excessive unharvested State waters GHL jig quota will remain in the B season, resulting in lost harvesting opportunities to the jig sector.

If Option 2 is adopted or until an alternative management structure is developed, we would ask Council to adjust the A season closure date to reflect more recent A season closures, such as the first or second week of February.

We would also ask that Council reconsider the option of a combined fishery with State management authority from 0-200 miles.

Sincerely,



Leonard and Anita Carpenter
F/V Fish Tale
fishtalerulz@yahoo.com

David Kubiak
F/V Mythos
PO Box 193
Kodiak, Alaska 99615

North Pacific Fisheries Management Council
Mr. Eric Olson, Chair

Re: December 7, 2009 Meeting Agenda

C-1 GOA Pacific Cod Allocation
Final action on GOA P. cod sector split.

Chairman Olson,

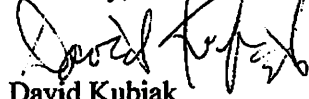
I own and operate a 44 foot vessel out of Kodiak, longlining halibut and jigging cod. I have been fishing Kodiak waters since the 1960s. I am dependent upon my fishing activities for my income. Since the Council saw fit to strip me of my codfish longline LLP, the least they can do is support the jig sector which represents support of clean fishing, small boat fishermen, and coastal community health.

Component 5: Allocation of Pacific cod to jig sector

I strongly support set aside 2% of the Central GOA Federal Pacific cod TAC for the initial allocation to the jig vessel sector, with a stair step provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation should be capped at 7% of the Central and Western GOA Federal Pacific cod TACs. Also I support Option 2, 90% of the previous allocation if the jig fleet fails to catch their allocation in three concurrent years.

These concessions to the appetites of the other sectors are miniscule percentages of the cod TAC and go to a deserving gear sector which fishes cleanly and supports numerous individuals, families, suppliers, and processor workers.

Sincerely,


David Kubiak
F/V Mythos

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

December 3, 2009

Re: December 2009 NPFMC Meeting Agenda Item C1 – Final action GOA Pacific cod Split

Re: **NO Motherships in the GOA**

Dear Eric,

I can read and I can still hear, but I still can't understand why the GOA is still the ocean in the middle when everything around its edges are settling down... rationalized fisheries to the west, and south on the west coast, and Canada... but in the middle the core is still churning. These ideas of bringing Motherships to the GOA... what port of **SeaLaska** will these processors come from? It seems that where you are from is always at issue in the middle ocean, unless you want to change the game.

Please spend **NO** council time on this destabilizing idea.

Respectfully,

Albert Geiser

42277 Garrison Lake Road

Port Orford, Oregon 97465

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

November 30, 2009

Re: December 2009 NPFMC Meeting Agenda Item C1 – GOA Pacific cod Split

Dear Eric,

The Hazel Lorraine is a trawler, fishing for whitefish, 10 months each year. Pacific Cod is a primary component of our fishing plan. Our fish deliveries help support the community of Kodiak on every level as outlined many times. The level of investment in the trawl fleet is matched by the processing plants and the port of Kodiak. The trawl fleet is the backbone that keeps the lights on for most of the services and processors on the waterfront.

I support a fair and equitable split of the of the P-cod resource. With respect to history in each gear type, all arguments should hold in mind the unfair start date implemented in 1993. This gave the fixed gear fishers twenty extra days of prime fishing time, and the opportunity to **preempt prime fishing grounds**, covering hundreds of square miles with gear.

For the trawl fleet a full catch history of directed and incidental cod is imperative for the economical prosecution of the flatfish fishery. Flatfish fills the gaps in each quarter and for many of us flatfish was the only market in the early nineties. At that point in time, there was not a "race" for cod (we were the only harvesters), some trawlers targeted cod others fished flatfish and took cod as it came, never discarding one. As other fisheries caved and those fishermen moved into the fixed gear cod fishery, regulatory discard climbed for the unprotected trawl fishery as the cod quota was sucked up faster each year.

Additional advantage was given to the "small boats" to build their history, when the state waters fishery inside three miles was created. No observers on most, no VMS on most, given the ability to fish directly in front of SSL haulouts and rookeries by default from the State of Alaska. In addition, the benefit of management augmented by the observer's data in the trawl fisheries at no cost.

All of us need well-managed fisheries to earn a living; we made early and heavy investment in trawling that allowed us to fish year round. Other segments of the fishing industry in the community at large grew with us, processors, machine shops, electronic shops, independent welders, hydraulic shops, and marine supply houses, have all risen on the tide of trawl caught groundfish.

The allocation of cod is a very important decision for everyone; it is my hope that the plank holders receive their equitable share.

Respectfully,
Albert Gelser
42277 Garrison Lake Road
Port Orford, Oregon 9746

To the AP and NPMC:

My name is Denis Cox Sr. I am the owner/operator of the F/V Hickory Wind. I am one of the few people that have actively persipated In the P. Cod for the last 31 years. In 1978, I was recruited by New England Fish Co. to trawl P. Cod in Kodiak. At that time there was little interest in fishing for cod. The Burch Bros. and one other boat were the only other boats fishing for Cod.

In the early 80's when New England Fish Co. went out of business there were no other markets. We managed to sell Cod for bait to the crab fisherman and finally developed our own market with Lazlo Fish Co. in Eureka, Ca, for gutted fish. We could deliver the fish on Wednesday when Sea Land arrived and shipped the fresh product south. This was a short lived market. In the mean time the Alaska Shrimp Trawlers recruited a Protégée Salt Cod processing ship to come to Kodiak and take cod from trawlers. In the late 80's and early 90's more interest was shown by marketing and fisherman, and has grown into what we now have, trawlers, jiggers, pots, and long liners.

Now that the P. Cod split is becoming a reality, I notice that the greed factor is becoming real apparent. Some groups are even offering rewards for trawl by catch photos. We all know that all gear groups have by catch issues, none more apparent than the long liners. They build new under 60', million dollar boats so they are not required to have observers.

Up until the Sea Lion Issues, we fished all our cod in February and March with little to no by catch. When the season was split and we had to fish in summer and early fall months, the by catch sky rocketed. It almost felt like a set up.

I hope you take into consideration when you make the split, the people who helped develop this P. Cod fishery in the GOA.

Thank You ,

Denis

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99501-2252
Fax: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item- Final Action GOA Pacific Cod Split

Dear Chairman Olson:

I work on the Kodiak Trawl Vessel F/V Topaz. We deliver product to the City of Kodiak, providing jobs and fueling Kodiak's economy year-round.

I am asking that you allow Kodiak's Trawl fleet to receive our traditional share of cod quota based on historical use. We are not asking to be favored over another gear-type, only that you choose fair and equitable sector allocations.

Your decision will affect me personally and since most or all of my income from trawling goes directly into Kodiak's economy, this decision will also impact my community. The Kodiak Trawl fleet is not made up of transient deckhands and skippers, who fly in for a season and then take their money elsewhere. Kodiak is our home; most of us own houses, have families who work in town, and children who attend school. The cannery workers are employed year-round as well due to the amount of product we bring in. Together with cannery employees, we support the retailers, restaurants, and other businesses around town, including the Kodiak Island Borough by way of property and sales tax.

Please base the GOA Cod Sector Split on historical use and allow the Kodiak Trawl fleet our fair share.

Sincerely,

Matthew Tormala



December 1, 2009

North Pacific Fisheries Management Council
6005 W 4th. Suite 306
Anchorage, AK 99501-2252
Fax: 907-271-2817

William and Keith Burch
P.O. Box 884
Kodiak, AK 99615

December 2009 NPFMC Meeting Agenda Item re: GOA Pacific Cod Sector Split

Dear Chairman Olsen and members of the Council:

Our family owns and operates the F/V Dawn and the F/V Dusk, both of which are long-time Kodiak trawl vessels. Our father and Uncle Oral helped found the Kodiak bottom fish and trawl industries. They built the boats with loans available after the 1964 Earthquake. They were continually trying new things, risking time, money—and their lives, to develop what is now a thriving and vital part of Kodiak's economy.

The thing about fishing is that things are always changing. An important thing about change is that you don't want to just throw out the old in favor of the new. You protect investments and you keep what works.

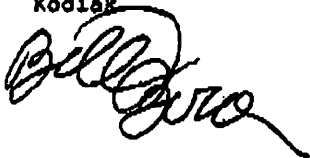
That's why we are so concerned about the future of the cod fishery in Kodiak. We support the cod sector split that would protect Kodiak's long-time cod fleet. The folks in the cod trawl fleet are the ones who took the risks and created an industry that DID NOT EXIST prior to their investment and effort. The "old timers" are the ones that made it possible for the newer fishermen to have an industry to move into.

Kodiak's trawl fleet is a huge economic engine for the Kodiak community. The waterfront would be pretty empty if local businesses and processors could not depend on the reliable, quality volume of cod and Pollock and other bottom fish brought in by the trawl fleet. Cod is a major part of the trawl business income. It's important that we protect the trawl fleet's cod, so we can protect the trawl fleet---which in turn protects Kodiak's economy.

In closing we urge you to support a cod sector split that protects the traditional volume of cod to the folks that created the industry in the first place—the Kodiak trawl fleet.

Thank you for your consideration,

Bill Burch
Kodiak



Keith Burch
Kodiak



12/02/2009 13:04 5412655587

COCHRAN

PAGE 01/01

CRAIG COCHRAN F/V BAY ISLANDER

7563 YAQUINA BAY RD .

NEWPORT, OREGON 97365

PHONE: 541 265 7403

EMAIL: BAY ISLANDER@DISHMAIL.NET

December 2, 2009

NPFMC
RE. Sector Splits 21

Chairman Olson and Council members,

Sector allocation is desperately needed, however only if it is based on historical landings of all legally caught and landed codfish.

The Cod trawl fishery in the Gulf of Alaska is one of the very last fisheries in Alaska that is not rationalized, and has been subject to erosion several times over the years.

In 1993 the trawl start date was set back to Jan 20 to match the Bering Sea start date. However the fixed gear was permitted to continue starting their season on January 1.

In 1997 the State of Alaska took 25% of the gulf TAC in order to provide opportunity for smaller boats fishing in state waters. In reality 90% of that fish is being taken by larger vessels who hold federal LLP's and also fish the federal fishery starting on January 1.

In order to counteract the erosion of opportunity which has taken place over the years the GOA trawl fleet has worked hard to become both more responsible and more efficient.

1. Halibut excluders have been developed and tested, making more halibut PSC available during the sole fishery.

2. When sealion regulations required us to fish Cod in the fall during times of high halibut by-catch, short daylight only openings were used to minimize the take of unwanted fish.

3. Midwater doors are now being used by most of the boats while bottom trawling. This practice which started with a Kodiak boat has now been adopted in both the Bering sea and Europe. According to Fishing News International the fuel savings run as high as 15% while acquiring better door spread and reducing bottom contact.

Unlike the Bering Sea where boats are able to rely on one fishery such as pollock to support their operation, the GOA trawl vessels must fish 3 or 4 different fish species just to survive. The reduction of the opportunities to catch any one of these species causes a financial hardship for these vessels.

Without this trawl fleet the processors may not have the product available to allow them to keep their doors open all year. These vessels also support the fuel docks, the service industries, the grocery stores, the local merchants and all the municipal infrastructure which their taxes help support.

Codfish is the foundation upon which all of our bottom trawl fisheries in the GOA are built. Any more erosion of the opportunity to fish Cod could have an effect on much more than a few days of fishing.

In closing I would ask that this not become a food fight, but a rational decision based on the true history of each sector.

Thank You,

Craig M Cochran

Craig M. Cochran

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

December 3, 2009

Re: December 2009 NPFMC Meeting Agenda Item C1 – Final action GOA Pacific cod Split

Dear Mr. Chairman and council members:

We of the Gold Rush, a Family owned and operated Kodiak based trawler, have been a shore based Cod Boat in the Gulf of Alaska since 1987.

We have been stewards of this fishery, and the fisheries in and around this most favorite of all ground fish, for many years.

Even after the Sea Lion issues we had clean economical fishing late in the fall.

We have worked very hard to self manage these fisheries without many tools. Gear modifications, communication with one another, micromanaging ourselves down to very short openings, agreements on fishing practices, such as no night fishing, and the development of the halibut excluder.

In the end the sector split will give us a real tool to collectively continue fishing without being forced to fish competitively with other gear types, and vice versa.

We support looking at as many years as possible to show our long term, and recently in the Cod fishery,

Cod is a very important part of our yearly catch. Please make this sector split fair.

We need option 2: 2000-2006 since the true option for us would have been 1995-2005.

Thank you for the opportunity to comment.

Sincerely,



Bert Ashley
Owner/operator
F/V Gold Rush
PO Box 425
Kodiak AK 99615

ALASKA HYDRAULICS INC

November 18, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252

Fax 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item-Final Action GOA Pacific Cod Split

Dear Chairman Olson,

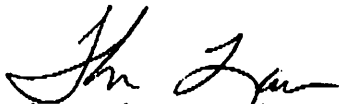
In December the North Pacific Fishery Management Council is scheduled to take final action on the GOA Pacific Cod Gear Split, allocating the annual Pacific cod Total Allowable Catch (TAC) to the different gear sectors. We are an Alaskan business which will be affected by this decision.

Alaska Hydraulics is heavily dependent upon groundfish harvests by all gear types. Each sector should be allocated its fair historical share. The fleet of Kodiak-based shoreside trawlers spends a lot of money in Kodiak on fuel, groceries, repairs, maintenance, harbor fees, gear and hydraulic supplies. The vessels need to be able to catch enough fish to keep Kodiak healthy.

Not only does the shoreside trawl fleet bring in dollars for Alaska Hydraulics, they do it throughout the year, even when other fishing boats are not here or not working. They also bring our community a significant amount of money through landing taxes. The boats need to work to keep Kodiak healthy.

Please recognize that the catcher vessel trawl fleet depends on the cod you are allocating and that they need this cod to participate in other fisheries (flatfish) which are just as valuable to the community. Please make sure that what they receive is comparable to what they harvest now so that they are able to continue to be economically viable. We all need their business.

Sincerely,



Thomas C. Loran, Vice President
Alaska Hydraulics, Inc.



**REFRIGERATION & ELECTRICAL · SERVICE & INSTALLATION
MARINE & SHOREBASED**

Address to: North Pacific Fishery Management Council
605 W. 4th, Suite 306
Anchorage, AK 99501-2252

From: Christopher Wing
PO Box 2827
Kodiak, AK 99615

DATE

Re: December 2009 NPFMC Meeting Agenda Item – Final action GOA Pacific cod Split

Dear Chairman Olson and members of the Council:

My name is Christopher Wing and I own the business C-Wing Services, Inc. located in Kodiak, Alaska. C-Wing Services, Inc., services, and installs marine electrical and refrigeration. My business is fishery dependent and 98% of my business's gross sales are from labor and sales to both commercial harvesters and processors.

It is my understanding that the North Pacific Fishery Management Council is currently in the process of designing the final Gulf of Alaska Pacific cod sector split: how to divide up the cod quota among the longline, pot and trawl sectors. The action also has the potential to undo the present inshore / offshore regulations and allow more fish to be processed at sea by mobile mother ship processors taking away from shore based processors within coastal communities. Your decision will significantly impact the lives of Alaska's fishermen, shoreside communities and my business.

Kodiak's fishery economy depends on all vessel sizes and gear types. Each sector needs to be vibrant and healthy - not economically worse off after splitting up the GOA cod resource amongst user groups. The variety of harvesters of multiple gear types and vessel classes that fish out of Kodiak is what makes Kodiak's fishing economy strong. My business does not support favoring one sector over another but instead supports fair and equitable sector allocations based on historical use. The trawl catcher vessels that fish out of Kodiak contribute to the overall economic success of my business. Many of the vessels owners, operators and crew have been involved in and dependent on the cod resources for decades. The cod sector allocations should therefore represent long-term investments and dependency on the fishery and stabilize coastal communities in Alaska. These allocations should not be subjectively reallocated among user groups.

The Trawl sector is an important part of Kodiak's fishery economy. They fish year-round and deliver the majority of the catch (over 60% in 2008) that the shoreside plants have benefitted greatly from and now depend upon. The processing plants are consistently

within the top 10 Kodiak employers and tax payers and trawl deliveries of fish keep the Kodiak processing workforce employed year-round. Please do not economically disrupt these sectors since my business's economic health is directly dependent on them.

C-Wing Services, Inc. does not support reducing any catcher vessel sector's cod allocation below historical usage levels of legally retained catch nor undoing inshore/offshore which would result in more fish being processed at sea. The sector split should not be meant to penalize participants due to the regulatory environment that they have been operating in over the historical time period; it is meant to offer stability to the sectors based on historical cod usage and facilitate further develop of management measures to address conservation goals. Please support my business by allocating the cod resource fairly and equitably among historical user groups.

Sincerely,



Christopher Wing
Fisheries dependent business owner

SAMSON

TUG AND BARGE

From: Kris Sockwell, Samson Business Manager
7205 Rezanof Drive West, Suite #4
Kodiak, AK 99615

November 30, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

RE: December 2009 NPFMC Meeting Agenda Item - Final action GOA Pacific Cod Split

Dear Chairman Olson:

I would like to make you aware that my business, and many other Kodiak businesses, will be directly affected by your decisions regarding the proposed Gulf of Alaska Cod Sector Split. Please keep us in mind as you make your decision.

Because we live in a small, isolated coastal community we quickly and directly feel the ramifications of decisions made by the North Pacific Fishery Management Council. Most of our customers purchase locally and should anything happen that disrupts, or threatens their income or livelihood, we feel it directly.

It is important that Kodiak's trawl fleet receives its traditional share of cod quota, and that it be allowed to continue to catch cod as part of its other fisheries, such as flatfish, which is also an important contributor to the local economy.

Kodiak's trawl fleet spends a great deal of money in Kodiak. That money is spread wide and trickles into any number of different segments of our community.

The money flow starts at the dock where the Kodiak Island Borough gets its fish tax, the processors get the fish, cannery works have stable year-round jobs, boat crews get paid, and any number of vendors are paid. The trawl fleet itself spends a great amount of money locally purchasing groceries, fuel, repairs, gear, and equipment. All of which creates a number of industry-specific jobs in town.

The trickle down effect is amazing.

One big bonus of having our local trawl fleet is that it affords Kodiak a permanent, year-round processor workforce. This means more people buying and occupying homes, more children in our schools, more people supporting local merchants. Our processing workforce is a big asset to Kodiak, and the trawl fleet is what makes it possible for them to continue to live and work here year-round.

In summary, my business and many others in Kodiak are directly affected by our locally-based trawl fleet. The fleet is dependent on and has traditionally fished the cod you are allocating. So please, ensure the Kodiak trawl fleet get a share comparable to what it is now.

Thank you,



Alaskans Serving Alaskans

KODIAK TERMINAL

TELEPHONE CONTACT

8046 Rezanof Drive West
Kodiak, AK 99615

www.samsontug.com

voice 907.487.4808
facsimile 907.487.4807

VIVA MEXICO IMPORTS**326 CENTER AVE STE 104, KODIAK, AK 99615**

**From: Juan Carlos & Jessi Penaloza
3155 Spruce Cape Rd
Kodiak, AK 99615**

11/25/09

**Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817**

Re: December 2009 NPFMC Meeting Agenda Item – Final action GOA Pacific cod Split

Dear Chairman Olson:

I would like to make you aware that my business, and many other Kodiak businesses, will be directly affected by your decisions regarding the proposed Gulf of Alaska Cod Sector Split. Please keep us in mind as you make your decision.

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The trickle down effect is amazing.

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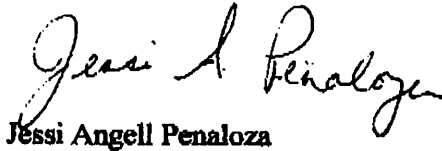
Kodiak, and the trawl fleet is what makes it possible for them to continue to live and work here year-round.

In summary, my business and many others in Kodiak are directly affected by our locally-based trawl fleet. The fleet is dependent on and has traditionally fished the cod you are allocating. So please, ensure the Kodiak trawl fleet gets a share comparable to what it is now.

Thank you,



Juan Carlos Penalzoa



Jessi Angell Penalzoa

DANTRAWL INC.

1121 NW 52nd Street, Seattle, Washington 98107

November 24, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item – Final action GOA Pacific cod Split

Dear Chairman Olson,

In December the North Pacific Fishery Management Council is scheduled to take final action on the GOA Pacific Cod Gear Split, allocating the annual Pacific cod Total Allowable Catch (TAC) to the different gear sectors. We are a business which provides support services and equipment to the vessels operating in the various sectors and will be affected by this decision.

Our business is heavily dependent upon groundfish harvests by all gear types. Each sector should be allocated its fair historical share. The fleet of Kodiak-based shoreside vessels spends a significant amount of money in Kodiak on fuel, groceries, repairs, maintenance, harbor fees, gear and supplies. It is important that these vessels receive enough fish so that they can continue to operate successfully.

Not only does the shoreside fleet bring in dollars for our business, they do it throughout the year, even when other fishing boats are not here or not working. Further, these vessels bring the community a significant amount of money through landing taxes. If these boats don't work, the Kodiak community stands to lose money.

Please recognize that the fleet depends on the cod you are allocating and that they need this cod to participate in other fisheries (flatfish) which are just as valuable to the community. Please make sure that what they receive is comparable to what they harvest now so that they are able to continue to be economically viable. We all need their business.

Sincerely,



Ben Langholt
Dantrawl, Inc.

Riptech, Inc.
P.O.Box 2038
Kodiak, AK 99615
907-487-9700

November 18, 2009

North Pacific Fishery Management Council
605 W. 4th, Suite 306
Anchorage, AK 99501-2252

Re: December 2009 NPFMC Meeting Agenda Item – Final action GOA
Pacific cod Split

Dear Chairman Olson and members of the Council:

My name is James L. Rippey and I own the business Riptech, Inc., located in Kodiak, Alaska. I am a residential contractor. My business is fishery dependent and overall 50% of my business's gross income comes from the building of homes for fishermen, many of whom are trawl fisherman. It is not only my business that is affected, for I pass on sub-contracting jobs to electricians, plumbers, sheet rock hangers, excavators and many community businesses.

It is my understanding that the North Pacific Fishery Management Council is currently in the process of designing the final Gulf of Alaska Pacific cod sector split: how to divide up the cod quota among the longline, pot and trawl sectors. The action also has the potential to undo the present inshore / offshore regulations and allow more fish to be processed at sea by mobile mothership processors taking away from shorebased processors within coastal communities. Your decision will significantly impact the lives of Alaska's fishermen, shoreside communities and my business.

Kodiak's fishery economy depends on all vessel sizes and gear types. Each sector needs to be vibrant and healthy - not economically worse off after splitting up the GOA cod resource amongst user groups. The variety

Cost Savers
2161 Mill Bay Road
Kodiak AK 99615

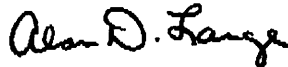
August 19, 2009

Chairman Olson and members of the NPFMC:

My name is Alan Large, and I own Cost Savers in Kodiak. It is a small "Mom & Pop" grocery store. A large part of our business is supplying groceries to the fishermen and their boats in our area. In a small community we depend on each other. We need the fishing community for sales just as they need us to provide the food items that they require while out fishing. It is a balancing act sometimes, but knowing that the boat will return and operate in our area makes our business successful.

Please consider the small businesses that rely on Kodiak's trawl fleet to be here and contribute to the local economy. Please recognize that the catcher vessel trawl fleet depends on the cod you are allocating and that they need this cod to participate in the other fisheries, which are just as valuable to the community. It is important that the fleets receive its traditional share of the cod quota, make sure that what they receive is comparable to what they harvest now. Their business is import to the stability of our local economy.

Sincerely,



Alan D. Large

Cost Savers

From:
John Lyman
Northern Welding and Repair
1510 Mission
Kodiak, AK 99615
(907) 486-8217

November 10, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item – Final action GOA Pacific cod Split

Dear Chairman Olson:

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In summary, my business and many others in Kodiak are directly affected by our locally-based trawl fleet. The fleet is dependent on and has traditionally fished the cod you are allocating. So please, ensure the Kodiak trawl fleet gets a share comparable to what it is now.

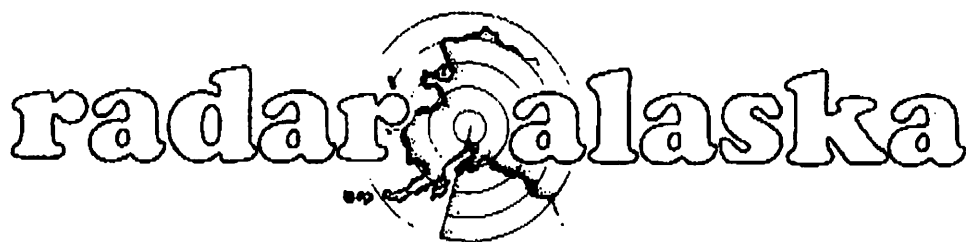
Thank you,

A handwritten signature in black ink, appearing to read "John Lyman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Lyman

Owner

Northern Welding and Repair



**218 Shelikof Ave.
Kodiak AK 99615
Tel: (907) 486-3892
Fax: (907) 486-9440**

Nov 17, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252

Re: December 2009 NPFMC Meeting Agenda Item-Final Action GOA Pacific Cod Split

Dear Chairman Olson,

I would like to make you aware that the entire Kodiak community, including my business, will be directly affected by your decision regarding the proposed Gulf of Alaska Cod Sector Split.

It is my understanding that this action has the potential to change the present inshore/offshore regulations and allow more fish to be processed at sea. Your decision will significantly impact the viability of Alaska communities.

Kodiak is dependent on fishing. The local trawl fleet is able to fish year around, helping sustain Kodiak, and my business. Our fishing economy depends on all vessel sizes and gear types. Our Kodiak based shoreside trawlers spend a lot of money here on fuel, groceries, repairs, harbor fees, gear, and supplies. The processors and other businesses need year round work to keep employees that can live and work here. Radar Alaska has to have year around business to keep our doors open.

My business relies on groundfish harvests by all gear types; each sector should be allocated its fair historical share. Many of the vessels, owners, and crew have been involved in and have been dependent on the cod resources for decades. This represents long term investment and dependency on the fishery and also has helped stabilize coastal communities like Kodiak.

Please take into consideration the effect your actions will have not only on my business, but also the community of Kodiak.

Sincerely,

Candace Ozols
Radar Alaska, Inc

Net Systems Inc.
325b Shelikof St
Kodiak, AK 99615

11/11/09

Dear Chairman Olson and members of the council;

My name is Randy Ensign and I am the manager of Net Systems in Kodiak Alaska. I'm writing this letter because of my concern over the sector split for the Cod Fisheries. Net Systems has been in town for 26 years now and the trawl fleet is a very large percentage of our business. The trawl fleet is about 60 % to 70% of my yearly sales.

If the sector split happens and the trawl fleet has a large percentage removed from their allowable catch it will not only hurt my business but also hurt the town of Kodiak. The reason I say this is because if the trawl fleet isn't making money then they don't spend money anywhere else in town so it will effect all business in town. The sector split would also affect the jobs at the canneries because they would not operate as many hours and the canneries could have a large group of workers get laid off.

Net Systems is not the only business in town that this would affect, there are many others that depend on the trawl fleet to help make our business be successful. . My business is the only one in town who provides custom made to order cable (wire rope) we make cable for all vessels in Kodiaks fishing fleet.

In closing I think the sector split is a bad idea and you should consider keeping the fishery the way it is now.



Randy Ensign
Manager of Net Systems
Kodiak Alaska

MC WELDING
P.O. BOX 2498 KODIAK, AK 99615
907-487-4390

November 19, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item – Final action GOA Pacific cod Split

Dear Chairman Olson:

I would like to make you aware that my business, and many other Kodiak businesses, will be directly affected by your decisions regarding the proposed Gulf of Alaska Cod Sector Split. Please keep us in mind as you make your decision.

Because we live in a small, isolated coastal community we quickly and directly feel the ramifications of decisions made by the North Pacific Fishery Management Council. Most of our customers purchase locally and should anything happen that disrupts, or threatens their income or livelihood, we feel it directly.

It is important that Kodiak's trawl fleet receives its traditional share of cod quota, and that it be allowed to continue to catch cod as part of its other fisheries, such as flatfish, which is also an important contributor to the local economy.

Kodiak's trawl fleet spends a great deal of money in Kodiak. That money is spread wide and trickles into any number of different segments of our community.

The money flow starts at the dock where the Kodiak Island Borough gets its fish tax, the processors get the fish, cannery workers have stable year-round jobs, boat crews get paid, and any numbers of vendors are paid. The trawl fleet itself spends a great amount of money locally purchasing groceries, fuel, repairs, gear, and equipment. All of which creates a number of industry-specific jobs in town.

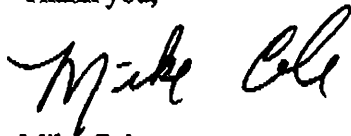
The trickle down effect is amazing.

One big bonus of having our local trawl fleet is that it affords Kodiak a permanent, year-round processor workforce. This means more people buying and occupying homes, more children in our schools, more people supporting local merchants. Our processing workforce is a big asset to

Kodiak, and the trawl fleet is what makes it possible for them to continue to live and work here year-round.

In summary, my business and many others in Kodiak are directly affected by our locally-based trawl fleet. The fleet is dependent on and has traditionally fished the cod you are allocating. So please, ensure the Kodiak trawl fleet gets a share comparable to what it is now.

Thank you,



Mike Cole

MIREK TRAWL

1421 Simonsen St Kodiak, Alaska 99615
907-496-2449 / FAX 907-496-4002
E-mail mirektrawl@alaska.com

Eric Olson, Chairman
North Pacific Fishery Management Council
605 W. 4th, Suite 306
Anchorage, AK 99501-2252

November 19, 2009

Re: December 2009 NPFMC Meeting Agenda Item - Final action GOA Pacific cod Split

Dear Chairman Olson and members of the Council:

I own the business Mirek Trawl located in Kodiak, Alaska, where we build and repair trawl nets. My business is fishery dependent and 100% of my business's gross sales are from commercial harvesters.

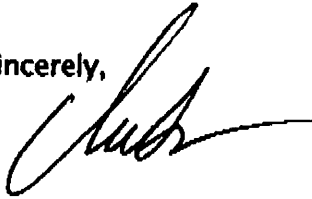
It is my understanding that the North Pacific Fishery Management Council is currently in the process of designing the final Gulf of Alaska Pacific cod sector split: how to divide up the cod quota among the longline, pot and trawl sectors. The action also has the potential to undo the present inshore / offshore regulations and allow more fish to be processed at sea by mobile mothership processors taking away from shorebased processors within coastal communities. Your decision will significantly impact the lives of Alaska's fishermen, shoreside communities and my business.

Kodiak's fishery economy depends on all vessel sizes and gear types. Each sector needs to be vibrant and healthy - not economically worse off after splitting up the GOA cod resource amongst user groups. The variety of harvesters of multiple gear types and vessel classes that fish out of Kodiak is what makes Kodiak's fishing economy strong. My business does not support favoring one sector over another but instead supports fair and equitable sector allocations based on historical use. The trawl catcher vessels that fish out of Kodiak contribute to the overall economic success of my business. Many of the vessels owners, operators and crew have been involved in and dependent on the cod resources for decades. The cod sector allocations should therefore represent long-term investments and dependency on the fishery and stabilize coastal communities in Alaska. These allocations should not be subjectively reallocated among user groups.

The Trawl sector is an important part of Kodiak's fishery economy. They fish year-round and deliver the majority of the catch (over 60% in 2008) that the shoreside plants have benefitted greatly from and now depend upon. The processing plants are consistently within the top 10 Kodiak employers and tax payers and trawl deliveries of fish keep the Kodiak processing workforce employed year-round. Please do not economically disrupt these sectors since my business's economic health is directly dependent on them.

Mirek Trawl does not support reducing any catcher vessel sector's cod allocation below historical usage levels of legally retained catch nor undoing inshore/offshore which would result in more fish being processed at sea. The sector split should not be meant to penalize participants due to the regulatory environment that they have been operating in over the historical time period; it is meant to offer stability to the sectors based on historical cod usage and facilitate further develop of management measures to address conservation goals. Please support my business by allocating the cod resource fairly and equitably among historical user groups.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris", written in a cursive style.

Island Hydraulics

120 Rezanof Dr. West, Kodiak, AK, 99615
907-486-6508

November 18, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item - Final action GOA Pacific cod Split

Dear Chairman Olson,

In December the North Pacific Fishery Management Council is scheduled to take final action on the GOA Pacific Cod Gear Split, allocating the annual Pacific cod Total Allowable Catch (TAC) to the different gear sectors. We are an Alaskan business which will be affected by this decision.

Our business is heavily dependent upon groundfish harvests by all gear types. Each sector should be allocated its fair historical share. The fleet of Kodiak-based shoreside trawlers spends a lot of money in Kodiak on fuel, groceries, repairs, maintenance, harbor fees, gear and supplies. It is important to my business that these vessels receive enough fish so that they can continue to operate successfully.

Not only does the shoreside trawl fleet bring in dollars for my business, they do it throughout the year, even when other fishing boats are not here or not working. They also bring our community a significant amount of money through landing taxes. If these boats don't work, we lose money.

Please recognize that the catcher vessel trawl fleet depends on the cod you are allocating and that they need this cod to participate in other fisheries (flatfish) which are just as valuable to the community. Please make sure that what they receive is comparable to what they harvest now so that they are able to continue to be economically viable. We all need their business.

Sincerely,



KODIAK RENTAL CENTER, INC.
101 Center Avenue, Kodiak, AK 99615
907-486-3662, FAX 486-5307

November 18, 2009

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item - Final action GOA Pacific cod Split

Dear Chairman Olson,

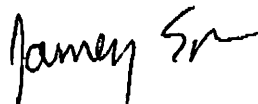
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Sincerely,



Pacific Diving Services

**Box 8845
Kodiak, AK. 99615
Phone (907) 486-6444
Fax (907) 486-8914**

**From: Lon A. White, Pacific Diving Services
Box 8845
Kodiak, AK. 99615**

Date: Wednesday, November 18, 2009

**Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817**

Re: December 2009 NPFMC Meeting Agenda Item - Final action GOA Pacific cod Split

Dear Chairman Olson,

In December the North Pacific Fishery Management Council is scheduled to take final action on the GOA Pacific Cod Gear Split, allocating the annual Pacific cod Total Allowable Catch (TAC) to the different gear sectors. We are an Alaskan business which will be affected by this decision.

Our business is heavily dependent upon ground fish harvests by all gear types. Each sector should be allocated its fair historical share. The fleet of Kodiak-based shore side trawlers spends a lot of money in Kodiak on fuel, groceries, repairs, maintenance, harbor fees, gear and supplies. It is important to my business that these vessels receive enough fish so that they can continue to operate successfully.

Not only does the shoreside trawl fleet bring in dollars for my business, they do it throughout the year, even when other fishing boats are not here or not working. They also bring our community a significant amount of money through landing taxes. If these boats don't work, we lose money.

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Sincerely,



Groundfish Forum

4241 21st Avenue West, Suite 302
Seattle, WA 98199
(206) 213-5270 Fax (206) 213-5272
www.groundfishforum.org

December 2, 2009

Mr. Eric Olson, Chairman
North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Re: Agenda Item C-1: GOA Pacific cod sector allocations

Dear Chairman Olson,

Groundfish Forum represents six companies which operate Amendment 80-qualified trawl catcher-processors in the Bering Sea, Aleutian Islands and Gulf of Alaska (GOA) groundfish fisheries. We are writing to you to comment on the Council's pending final action to allocate Pacific cod the GOA among sectors. Our members have a very long history and strong dependence on Gulf of Alaska fisheries, including the Pacific cod fishery, and believe that it is important for the Council to make a fair decision which results in stabilization of GOA fisheries. We would also like to address the issues of operational (CV/CP) license endorsements and mothership operations.

Component 2: Sector allocations

The primary basis for the sector allocations is, as it should be, the history of each sector. This is in keeping with the Magnuson-Stevens Act mandate for fairness and equity (50 CFR 600.325, National Standard 4) and with the Council's stated intent for this action to recognize participants in the fisheries who have made long-term investments and are dependent on the fisheries.

The Amendment 80 sector has possibly the longest participation of any of the sectors considered in this action; our vessels began operating in the GOA in 1986, before there were shoreside markets for many of the groundfish species, and many have worked continuously in Gulf fisheries since then (Helena Park, Fishermen's Finest, pers. comm.). Roughly 16% of our sector's aggregate income is from GOA fisheries, and some individual vessels have a much higher dependence. Pacific cod is an essential component in the harvest of every species. *We support Option 2 for the Western GOA (qualifying years 2000 – 2006, average of best 5 years) and Option 2 for the Central GOA (qualifying years 2000 – 2006, average of best 3 years).*

The way the GOA fisheries are managed, our sector's participation in the directed Pacific cod fishery has been severely limited by the actions of other sectors. In the offshore cod sector, we share a TAC with longline catcher-processors; that fishery is closed by NMFS when the BSAI longline CP cod allocation is taken to prevent an influx of longline effort into the Gulf. The analysis shows that the Amendment 80 sector has not had a directed A season cod fishery for years as a result of these closures.

At the same time, we share a halibut bycatch cap with shoreside trawl catcher vessels. High halibut bycatch in the shoreside sector has resulted in early closures of the B season cod fishery for both sectors. The efforts to control B season halibut catch by managing a series of 12-hour opening with closures of several days in between (for observer data to be collected and verified) has precluded Amendment 80 vessels from targeting cod in the B season, due to having much higher daily costs. Shoreside vessels can tie up, while catch processors with full crew and daily costs are forced to remain idle.

Other sectors have benefited from the truncation of both our A and B season directed cod fisheries, leaving our sector with extremely low cod histories under the options in this package. The history is from the small directed cod fishery resulting from the aforementioned management measures as well as incidental catch in non-cod fisheries. The Amendment 80 fleet has already lost the bulk of its directed cod fishery; it cannot afford to lose any more and have its non-cod fisheries jeopardized as well.

Our sector's participation in the Gulf is limited by numerous sideboards and restrictions. Amendment 80 limits our Pacific cod and non-CGOA rockfish fisheries, restricts the number of vessels that can harvest flatfish in the GOA (11 vessels), and limits the amount of halibut that may be taken in each season (which limits the prosecution of all fisheries). Only Rockfish Program-qualified vessels can participate in the directed Central GOA rockfish fisheries, and those vessels are further sideboarded under that program. There is no ability for the Amendment 80 sector to increase its harvest of flatfish, rockfish or cod in the GOA.

Component 2 option: one-time election for CP or CV endorsement for Pacific cod in the WGOA and/or CGOA

The analysis of this component focuses on the possibility that CPs could operate as CVs and encroach on the catcher-vessel sector. In fact, this is an extremely unlikely scenario since CPs are viable only because they process on board; the extra crew, vessel size, equipment, fuel requirements, etc aren't compatible with shoreside deliveries; further, the vessels don't have the tanks to hold fish for delivery to shore plants. The much more likely scenario is that the handful of catcher vessels with CP endorsements, which have *never* operated as CPs, could encroach on the CP cod allocation.

We support the option under Component 2, as written, to allow a one-time option for owners of CP endorsements to elect retain the CP endorsement, with the understanding that the vessels will be fishing off the allocation associated with their endorsement (i.e., vessels with CP endorsements will be restricted to the CP allocation, while those without CP endorsements will be restricted to the CV allocation). We do not want to create a situation where vessels unfairly fish off another sector's allocation. This one-time choice should result in a de facto recency review, since vessels which are processing on board will need to retain their CP endorsements and those which are delivering shoreside will need to retain access to the much larger shoreside cod allocation.

Further, we support *seasonal allocations of 60% in A season and 40% in B season* for all sectors, assuming that unused A season fish in any sector is rolled to the B season allocation for that sector. If the allocations do not roll from A to B season, we support allocations based on actual historic use.

Component 8: Community protection provisions

Under current regulations, Amendment 80 CPs can operate as motherships in federal fisheries (including the Pacific cod fishery). While we understand the concerns that some shoreside processors have

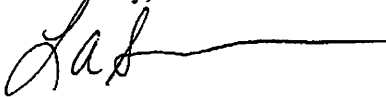
expressed, the fact is that mothership operations on Pacific cod are very small and are unlikely to expand. There is potential for CPs to take delivery of non-cod species in situations where a market does not exist or the fishing grounds are too far away to make use of the shoreside market. This would potentially benefit catcher vessels by providing a new market. Any mothership operation, regardless of the target, will take some amount of Pacific cod.

We believe that *it is premature to restrict mothership operations in the GOA*. The concerns that have been expressed are based on hypothetical situations that are very unlikely to develop. If, in fact, such a situation were to develop the Council always has the ability to re-visit the issue and impose restrictions at that time.

In summary, we ask the Council to select a Pacific cod allocation for our sector which truly reflects our long history and dependence on GOA fisheries, in accordance with National Standard 4 of the MSA. We request that the Council act fairly and equitably, both in the allocations to and management of each of the sectors. We support requiring owners of CP-endorsed licenses to make a one-time choice whether to maintain the endorsement with future catch coming from (and limited to) the allocation to the sector represented by their endorsement. We recommend a 60/40 seasonal split of the allocations, with the understanding that unused A season fish in any sector will roll to that sector's B season. Finally, we believe that it is unnecessary to place restrictions on mothership operations and that such restrictions may preclude the development of new markets for catcher vessels.

Thank you for the opportunity to comment.

Sincerely,



Lori Swanson
Executive Director

December 2, 2009

Chairman, Eric Olson
North Pacific Fisheries Management Council

RE: Agenda Item C-1 GOA P. cod sector split

Chairman Olson,

My name is Ian MacIntosh, I am the owner and operator of the 25' fishing vessel Sukhoi. I participate in both the federal and state P. cod fisheries with jig gear, operating from Kodiak. The vast majority of my income comes from the P. cod jig fishery.

I request that you choose to initially allocate 2% of the TAC, with a 7% cap, to the jig sector. It is also important to me that the provision to reduce the percentage allocated be based on 90% being caught of the previous, lower, allocation. Otherwise the fleet could consistently catch 2.67% yet be allocated 2% the following season.

The jig quota and seasons should not be divided or limited to state waters. I would prefer that the jig fleet start its season on January 1st and fish until one combined quota has been reached. A situation where the jig season is not continuous is detrimental to the fishermen. It is especially important that the season, if possible, be open during the spring and summer months.

The jig fishery provides opportunities for those in our community who wish to begin their own fishing operation (this was me not long ago), and those who have not been awarded fishing rights for their past participation in other fisheries. The jig fishery also provides many who pursue it, such as myself, with their main income.

Sincerely,

Ian MacIntosh
F/V Sukhoi
910 Steller Way
Kodiak, Alaska 99615
jsirm20@hotmail.com

Alaska Whitefish Trawlers Association

Fox 271-2817

P.O. Box 991
Kodiak, AK
99615
(907) 486-3910
alaska@ptialaska.net

Eric Olson, Chairman
North Pacific Fisheries Management Council
Anchorage, AK

Re:
December 2009 Council meeting
C-1 GOA Pacific Cod Allocation

Dear Chairman Olsen:

The trawl sector developed the present fishery decades ago with many vessels beginning to target Pacific Cod in the early 1980s. Through the years our catch has been diminished as other gear types have moved into the fishery. We need the stability that this action is supposed to provide but there has been so much social engineering infused into this process that we are worried that the outcome may in fact de-stabilize the trawl fishery. If we do not receive a fair and equitable allocation based on our history it is very possible that many trawl vessels may not be able to continue to operate. This loss of vessels will result in loss of employment opportunities for the captains and crew and will also have a significant impact on the processors that these vessels deliver to. Vendors that support this trawl industry as well as the schools and communities that depend on the revenues generated by these vessels would also be severely harmed.

The Purpose and Need Statement says "Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of competition for catch shares among sectors. To reduce uncertainty and contribute to stability across the sectors ..." We are very concerned that the trawl sector may be significantly worse off after this action is completed.

Component 4: Potential Sector Allocations

The trawl sector has the longest history of all sectors fishing in the present fishery and we are more dependent on this fishery than any other sector (Table 2-37 page 60). We have reviewed the suite of Options that exist under Component 4 and have the following requests:

- All options that include using only the best 3 years should be removed.
 - There is no way that it can be argued that having fished only 3 years demonstrates long-term participation.
 - Selecting 3 years out of any range amounts to "cherry picking" and does not reflect dependency on this fishery.
 - The 3-year options have all been dropped from consideration in the WGOA
- The 2002-2007 options should be removed.
 - This time period is basically the same as the 2002-2008 time period.

- These later time periods favor the fixed-gear sectors so having both sets of years in the mix doubles up the options that give advantage to the fixed-gear sectors
- If Options 7 or 8 (averaging of other options) are chosen this extra set of years will disadvantage the trawl sector.
- Option 7 - Average of Options 1-6 and Option 8 – average of Options 2, 4, & 6 should be removed
 - If the best 3 years options and 2002-2007 time periods are removed Option 7 and Option 8 would be based on numbers that no longer exist.
- The remaining time frames should be considered
 - 2000-2006 best 5 for trawl sector. This is the time period used during the recent Trawl sector LLP latent license reduction action.
 - 2002-2008 best 5 for fixed-gear sector. This is the time period used during the recent Fixed-gear sector latent license reduction action.
 - It may warrant consideration that these two time periods be averaged before the allocations are made.

Component 5: Allocation of Pacific cod to jig sector

A state water fishery was developed and implemented in 1997 with the intent of supplying fishing opportunities to new entrants. Twenty-five percent (25%) of the Pacific cod ABC is allocated to this fishery. In the CGOA the jig fishery receives 8.06% of the ABC for this state waters fishery. The present action before the Council includes the opportunity to cap the allocation at 5% or 7%. We strongly recommend that the allocation be capped at 5%. If the 7% cap moves forward the total allocation for the jig sector could end up being in excess of 15% of the ABC for the GOA. The original allocation that now stands at 8.06%, as well as any additional allocations, whether it is 5% or 7%, are a direct tax on current participants.

Component 8: Community protection provisions (Western and Central GOA)

We are against any action that would allow motherships to enter the GOA and process Pacific Cod during the directed fishery or harvested incidentally to other fisheries. The Pacific Cod fisheries across the GOA fully capitalized and fully utilized by both the harvesting sector and the processing sector. Over the years we have seen a number of processors leave the GOA and it is important that the remaining processors have access to adequate supplies of product to maintain profitable, viable operations. Allowing the lower cost processing capabilities of mothership operations, would put our existing processors at a tremendous disadvantage and may force some of them out of the GOA. This would decrease the options that the existing harvesters in the GOA have for places to deliver their products.

Component 9

We have reviewed Component 9 and believe that the trawl sector should be considered for an increase in the allocations as determined by the decisions made under Component 4. We ask that you consider the following issues as you make your considerations

- Removal of the 1995–2005 time period for the CGOA reduced CGOA trawl sector allocation by <4%>.
 - The 1995 – 2005 time period was removed from the CGOA, but this time period remains for consideration for the WGOA due to concerns regarding potential

- allocations to the CV sector in the WGOA when more current catch history years are used.
- Allocations for the Amendment 85 BSAI Pacific Cod sector split action were based on the time period 1995-2003 while final Council action occurred in late 2006. The Council did consider recency in the action, but chose to use older years due to social, economic and community considerations
 - The removal of this time-frame was an automatic reduction of 4% from the trawl sector (October 2009 Draft – Table E-2 – page xvi shows 1995–2005 best seven = 48.1% and 2000-2006 best 5 = 44.1% Difference is <4%>.
- Catch Monitoring
 - Observers are required on vessels over 60'
 - Majority of trawl vessels are over 60' and carry observers
 - Majority of fixed-gear vessels are less than 60' and are not observed
 - During 2007 the catch of trawl vessels was 26% observed the while catch of Pot vessels was 12% observed and the catch of H&L vessels was 2% observed (Table 3-5 page 152). Trawl vessels contribute the majority of information regarding catch monitoring and they bear the financial burden for this observer coverage that most of the fixed-gear fleets do not have to pay.
 - An increase in allocation to the trawl sector will result in a higher level of catch monitoring compared to the fixed-gear sectors.
 - Equity of Access
 - Fixed-gear sector has been able to begin fishing January 1 while the trawl sector has, by regulation, been held to the January 20 start date. (The fixed-gear sector claims that this late start date was voluntary on the part of the trawl sector and could have been changed at any time. The fact is that this would have entailed a change in regulation and there is no guarantee that this could have happened. Additionally, the staggered fishery start for the fixed gear and trawl gear is part of the SSL regulations that was put in place in 2001, thus any change would most likely require formal consultation by NMFS protected resources division. This is an extremely time consuming endeavor.)
 - Stellar Sea Lion protection measures preclude trawl vessels from fishing November 1 through December 31 while the fixed-gear sectors enjoy the advantage of being able to fish during this time of year.
 - Bycatch Reduction
 - All gear types have bycatch
 - Trawl sector is highly observed while fixed-gear sectors are only minimally observed. (ie Trawl sector bycatch is more visible to the public.)
 - Pot sector uses "crab pots" to harvest Pacific Cod
 - Pot sector bycatch rate for 2008 was 16 crab/mt groundfish. Trawl sector halibut bycatch rate during 2008 was 0.9 crab/mt groundfish. (Table 3-16 page 164) 2008 Tanner crab bycatch rate for the Pot sector was 18 times higher than the trawl sector.
 - H&L sector uses gear originally designed to catch halibut to harvest P. Cod
 - H&L sector operates at a reduced mortality rate but lack of observers on these vessels makes it impossible to determine if this is accurate.

- H&L sector halibut bycatch rates during 2008 were 171.5kg halibut/mt groundfish during the A season and 577.7 kg halibut/mt groundfish during the B season. Trawl Halibut bycatch rates during 2008 were 49.6kg halibut/mt groundfish during the A season and 55.6 kg halibut/mt groundfish during the B season. (Table 3-11 page 161) 2008 Halibut bycatch rates for H&L sector was 3.5 times higher than the trawl sector rate during the A season and 10.4 times higher during the B season.
- The trawl industry has and continues to work very hard to minimize bycatch. A large amount of time, money (in excess of \$250,000 to the fleet), and effort has been spent, with the assistance of fisheries scientists and fishing gear specialists, developing excluders to minimize halibut bycatch in Pacific Cod fishery. These excluders have proven to significantly reduce halibut bycatch.
- Social Objectives
 - During 2008 the trawl sector delivered 63% of the volume of fish that were delivered in Kodiak (all species combined both state and federal). This large volume of fish delivered throughout the year allows the processors to maintain a stable workforce.
 - The trawl fishery is a high-overhead narrow-margin fishery. Based on a poll taken of Kodiak vessels, during 2008 the trawl sector spent close to \$20 million dollars for observers, groceries, fuel, repair and maintenance, and other services. The vendors that support the trawl industry depend on the revenues generated by this fleet.
 - The Port of Kodiak has built and is tasked with maintaining two large boat harbors and paying for and maintaining the new travel lift. The lift was selected because it is of sufficient size to support the larger vessels that comprise the trawl fleet. The Port of Kodiak needs the trawl sectors presence in and use of port infrastructures to maintain its economic health.
 - Tax revenues generated by the large-volume but lower-priced fisheries prosecuted by the trawl industry contribute significantly to the support of schools, roads, etc. in coastal communities.


The trawl sector provides the majority of catch monitoring data through the observer program that currently exists in GOA fisheries. The trawl sector also demonstrates the lowest level of bycatch rates for both Halibut and Tanner crab in the GOA. The Trawl sector lost a potential allocation of 4% because the 1995-2005 time period was eliminated. The trawl sector has been denied the opportunity to fish from January 1 – January 20 of each year as well as during November and December. The trawl sector makes huge contributions to the service and supply sectors which support this industry. For all of these reasons we ask that you allocate an additional 3 percent of the Pacific Cod allocation to the Trawl sector.

This action has the potential to do one of two things. It can adhere to the idea that the purpose of this action is to protect the interests of long-term historical participants who are highly dependent on this fishery and reduce uncertainty and provide stability across the sectors. This can be accomplished by making sure that your allocation decisions are based on fair and

equitable consideration for all sectors, not favoring one over the other but weighing carefully the contributions that each sector makes to the entire fishing industry. This includes not only the harvesters but also the processors and their workers, the vendors that support this industry, the communities that maintain the infrastructure that supports this fishery as well as the State of Alaska. On the other hand is possible that drastic changes may be made to the allocations to the different sectors which could completely destabilize one or more sectors. This could result in financial crisis in sectors that would have significant negative impacts on all those who depend on this fishery.

We are very concerned that the outcome of the action may serve to de-stabilize the trawl sector. We ask that you carefully consider the long-term history and the dependency that the trawl sector has on this fishery. We ask that you select 2000-2006 best 5 for the trawl sector and 2002-2008 best 5 for the fixed-gear sector (averaging may be an option). We ask for consideration of elements under Component 9 that will reward the Trawl sector 3% for the long-term commitment and contribution to this fishery.

Thank You,



Bob Krueger, President
Alaska Whitefish Trawlers Association

NPFMC

North Pacific Fishery Management Council
195th Plenary Session
Anchorage, AK December 7- 15, 2009

FOR THE RECORD: C-1 GOA P. COD ALLOCATION/ SECTOR SPLITS
PUBLIC COMMENT: TESTIMONY OF ROBERT CARTER

In Regards to the sector split for the cod fisheries.

My name is Robert Carter. I am the owner/operator of the F/V Faith, a 54 foot, Kodiak ported, longliner/jigger. I have fished cod every year in the GOA since leaving Kodiak High School in 1987.

I am completely opposed to the sector splits. However, if this new style of management is implemented, I would like for you to consider that I fish more than one gear type. How will I fit into this scheme? I prefer to longline in the winter and fall months when the cod are deeper and the weather is rougher, and jig in the spring when the cod are schooled. I am wondering how much difficulty this would present for fishery managers. Currently it is not difficult to fish different gear types. I strongly feel this will change if sector splits becomes a reality, and I will be pigeon-holed into one gear type. which will be VERY detrimental to my yearly income.

COMPONENT 5: ALLOCATION OF P. COD TO JIG SECTOR-- I believe the Jig sector should be given the initial allocation of 2% with an allocation cap of at least 7%

I do not see sector splits as anything other than a backdoor way to Privatization/Rationalization. It is a "fish grab" by those industry participants who have the resources and can afford to continually lobby hard to they get their way. While guys like me struggle to keep our foot in the door and bread on the table. We cannot afford to continually fend off attacks by these sharks who will offer every excuse why it is needed, but who's only motivation is their OWN survival at the cost of pushing others under the water. I do not understand how a completely different and LIFE ALTERING style of management can be foisted upon so many by so few.

And what of these new measures? Almost half the quota going to the most destructive fishery style, Trawling. It seems to me that sector splits' main goal is to "lock in" this destructive style of fishing. Is this the reaction to Magnusen/Stevens act and National Standards calling for reduced bycatch? "Better lock this fishery in now" before it can be banned outright?

I think with so much attention being focused on our oceans and fisheries these days, the motives for sector splits should be examined closely. Particularly giving nearly half the Cod quota to the most destructive fishery gear type, and how that balances with Magnusen/Stevens Act and National Standards calling for reduced bycatch and more science based management.

It seems the NPFMC decisions are based upon protecting certain fishermen's profits, more than they are based on any science.

Thank you for your time, whoever actually took the time to read this.
Robert Carter F/V FAITH
Tel. 907-486-4579
email; seaside12000@yahoo.com

PELAGIC RESOURCES, INC.

December 2, 2009

Mr. Eric Olson, Chairman
North Pacific Fisheries Management Council
6005 W 4th, Suite 306
Anchorage, AK 99501-2252
Fax: 907-271-2817

RE: Support for a fair and equitable GOA Cod Sector Split

Dear Mr. Olson,

I am the owner/operator of the F/V Alaskan, a 73 foot vessel home-ported in Kodiak, Alaska. I have fished the Alaskan for king crab, tanner crab, long-lined for halibut and sablefish, and trawled for cod, Pollock and flatfish. I have operated the vessel since 1980 and owned the boat since 1985. The boat was originally built in 1968 to fish king crab and has been based in Kodiak ever since. I employ a crew of 3 to 5 crewmembers, including my hired skipper who operates the boat for cod and Pollock. The crewmembers are all residents of Kodiak with homes and families.

I support a GOA Pacific Cod sector split that recognizes the unbiased legal historic catch history of all participants, including the trawl fisheries. Legally retained P. cod catch history in the flatfish, pollock and rockfish fisheries should not be reallocated to other sectors. The integrated GOA trawl fisheries are necessary to support all aspects of our harvesting and processing sectors.

The shore based trawl sector has made significant strides in developing new gear technology to reduce environmental impact and improve fish selectivity, and to better understand fish behavior as a component of reducing incidental catch. We have many challenges in front of us as fishermen, but management tools such as a sector split based on actual historic participation will assist the trawl sector in supporting the sustained economic health of our GOA communities.

Sincerely,



Jay E. Stinson

PO Box 1256
Kodiak, AK
99615

PHONE 907-486-6933
FAX (907) 486-6943
E-MAIL pelagic@ptialaska.net

PROWLER FISHERIES

P.O. Box 1354
Petersburg, Alaska 99833

Phone (907) 772-4335
Fax (907) 772-9385

December 2, 2009

C-1: Final action: GOA Pacific Cod Allocation

Chairman Olsen and members of the NPFMC,

On behalf of Prowler Fisheries, we believe that fair and equitable sector allocations can best be achieved when the allocations are based on catch history. The intent of the proposed action is to promote stability and reduce uncertainty while recognizing those participants with long term investments and dependency on the fishery. The concept of large-scale arbitrary reallocations from one sector to another is inconsistent with the problem statement as well as National Standard 4 (allocation shall be fair and equitable and reasonably calculated to promote conservation).

Any small adjustments to sector allocations should stay within the historical ranges. The exception would be the jig fishery - whose allocation would be higher than actual catch history. The stair-step up (and down) nature of the proposed jig allocation necessitates that this allocation come of the top (borne proportionately by all sectors).

Allocations based on catch history will reduce the potential management burden as it would minimize the need for extensive rollovers of uncaught fish. Conversely, large scale reallocations from sectors will likely result in increased management burden and precipitate the need for numerous rollover actions.

Please take the following into account when considering sector allocations:

1.) **Long term dependence: Freezer longliners have a long term dependence on the GOA cod fishery particularly the companies with smaller boats such as Prowler Fisheries.** The dependence of the smaller freezer-longliners on the GOA has been acknowledged and analyzed numerous times by the NPFMC - previously in GOA Amendment 23, Amendment 40, and Amendment 51. In the discussion of the "key features" of the Council's preferred alternative (SEIS 1992, 524 pages), the analysis explicitly references the decision of designating small CPs as "Inshore" in the GOA. This decision was re-analyzed in subsequent amendment packages. Statements that the inclusion of smaller CPs in the inshore sector was an "oversight" are factually incorrect and without basis.



Frozen at Sea Longline Caught Fish

2.) **Prowler Fisheries has been fishing the WGOA since 1985.** For both the F/V Prowler and F/V Bering Prowler, in some years up to 30% of the cod caught by the vessels came from the GOA. Prowler Fisheries is an Alaskan fishing company based in Petersburg with CDQ ownership. Half of the freezer-longliners that fish in the GOA are owned in part by Alaska Native CDQ groups.

3.) **Catch history:** Freezer longliners have a stable and long catch history in the GOA cod fishery and generally take about 10% of the total combined CGOA/WGOA cod harvest (comprising 22% of the WGOA harvest and 5% of the CGOA harvest).

4.) **WGOA p-cod TAC (federal and parallel fishery) is not fully utilized and has not been completely caught since 2003.** There has been opportunity for sectors to increase their cod harvest in the WGOA – without reallocating from another sector. The A season is fully utilized but the B season TAC remains uncaught in most recent years and was fully accessible to the pot sector in those years. In 2008 = 75% of the WGOA TAC was caught; 2007 = 67% caught; 2006 = 73% caught; 2005 = 79% caught; and 2004 = 92% caught.

5.) **State-water state-managed fishery is restricted to pot and jig gear and is also not fully utilized:** 25% of the GOA ABC of p-cod has been allocated to the state-water state-managed fishery since 1997. Longline and trawl gear do not have access to this fishery which is restricted to pot and jig gear. The state water state managed cod fisheries in the CGOA and WGOA have not been fully harvested in recent years and this provides additional unused opportunity for pot and jig gear.

Statewater WGOA: South Alaska Peninsula (2008 = 92% caught, 2007 = 86% caught, 2006 = 79% caught). Statewater CGOA: Kodiak (2008 = 71% caught, 2007 = 62% caught, 2006 = 61% caught); Chignik: (2008 = 92% caught, 2007 = 78% caught, 2006 = 47% caught). Unharvested cod in the statewater fishery is stranded and does not rollback to the federal fishery.

With cod stocks around the world increasing in the next few years (Barents Sea, BSAI and GOA), it is likely that prices will remain low – and may contribute to further reduced effort.

6.) **Halibut mortality by sector: Freezer longliners take a small portion (12%) of the halibut bycatch in the GOA.** In the CGOA/WGOA directed cod fisheries (2005-2008), the CV trawl sector accounts for 60% of the halibut mortality, the CV hook-and-line sector = 24%, the freezer longliners = 12%, and the pot sector = 3% of the halibut mortality. The trawl sector also takes cod incidentally where the halibut mortality is attributed to other trawl fisheries other than cod. In 2005-2008, 82% of all halibut PSC use was in the CGOA.

7.) **Observer coverage: Freezer-longliners provide the majority of the observer coverage in the GOA.** For 2004-06, the freezer-longline fleet cod harvest in the GOA was 82% observed. In other GOA cod sectors, the CV trawl harvest was 23% observed, the CV pot harvest was 8.3% observed, and the catcher vessel hook-and-line harvest was 3% observed. In 2004-06, only 15.3% of the GOA p-cod harvest was observed for all sectors and the freezer-longliners provided more than 50% of that coverage. In recent years in informal coops in the GOA, some

freezer longliners voluntarily carried observers 100% of the time in the GOA (when 30% was the requirement) in order to more closely verify halibut use. The low overall observer coverage rate in the GOA is a point of concern for the SSC (April 2008) of the NPFMC. Any reduction in historical catch to the freezer-longline fleet will erode the already low observer coverage in the GOA. For comparison, in the BSAI 77% of the all gear cod harvest is observed.

8.) **Freezer-longliners have reduced the halibut mortality rate.** Through informal coop participation (2006-09), freezer-longliners have reduced the halibut mortality rate below the average rate assumed by NMFS. As a result of improved long term handling from observations primarily on freezer-longliners, the proposed halibut DMRs for longline will result in the DMRs for longline being reduced in both the GOA (14% to 12%) and the BSAI (11% to 10%). The revised DMRs are part of the harvest specifications to be adopted later in the Council meeting.

9.) **Steller sea lions:** The most important area to SSL is 0-3 miles off the beach. Freezer-longliners fish generally further offshore and rarely in statewaters. Other sectors harvest of cod can be very concentrated inside 3 miles. In the WGOA, up to 66% of the cod harvest (federal and statewater fisheries) has occurred inside 3 miles. Any reallocation from the freezer-longliners will result in even more concentrated harvest inside of three miles, causing increased competition and exacerbating SSL-related concerns.

10.) **Residency:** If the intent of moving more fish onshore is to create more jobs for residents, it should be noted that the Aleutian East Borough has the highest proportion of non-resident seafood processing workers in the state – where the state-wide average is 76% (Dept of Labor, January 2008 report, p.7: *"AEB had the highest percentages of both non-resident workers and wages in 2006 at 94.8% and 91.5%, respectively."*).

Thank you for your consideration.

Gerry Merrigan
Government Affairs
Prowler Fisheries

Mr. Eric Olson

Chairman

North Pacific Fisheries Management Council

Anchorage, Ak

Dear Mr. Chairman:

I am a member of All Star Seafoods Company, a harvesting and processing company owned by a group of Alaska fishermen. I am concerned that Council action on the proposed Gulf of Alaska Pacific Cod Sector Allocation could severely restrict our ability to process our catch of Pacific Cod on our processing vessel, and urge the Council to take our concerns into account when making your decision.

In 2005, in order to ensure a market for our fish and potentially capture more of the revenue from the products produced from our fish, All Star purchased the majority interest in the MV Ocean Fresh (formerly Blue Wave), a 200 foot processing vessel that has operated in Alaska fisheries since the mid 1980s. Our business plan included delivery our salmon and ground fish harvest to the vessel, and marketing of the finished product. To date, we have focused on developing our salmon processing operation, but intend to expand into cod, pollock and other groundfish as the business matures.

The potential impact of the proposed action on our operation is unclear. Some of the alternatives before the Council seem to limit our opportunity to utilize our processing vessel to process our harvest of cod and other ground fish. While this may not be an intended outcome, we urge the Council to make choices that clearly do not adversely affect us. We have made a significant investment in an attempt to stay competitive in the fisheries, and look to you make decisions that continue to give us this opportunity.

Best regards,

William Conner

December 2, 2009

C-1 GOA Pacific Cod Allocation

To: Eric Olson, Chairman
North Pacific Fisheries Management Council
605 W. 4th, Suite 306
Anchorage, AK 99501-2252
Fax: 907-271-2817

Chairman Olsen and Members of the North Pacific Fishery Management Council:

We the undersigned Kodiak residents, business owners, employees and interested public would like to make you aware that we here in Kodiak will be directly affected by your decisions regarding the proposed Gulf of Alaska Cod Sector Split action.

Kodiak's fishery economy depends on all vessel sizes and gear types. Each sector needs to be vibrant and healthy – not economically worse off after splitting up the GOA cod resource amongst user groups. The variety of harvesters of multiple gear types and vessel classes that fish out of Kodiak is what makes Kodiak's fishery economy strong. If all sectors are healthy then the broader community of Kodiak is healthy as well. I support fair and equitable sector allocations based on historical use - sector allocations should not be subjectively reallocated among gear groups.

Kodiak landings of Pacific cod and other groundfish need to continue to come across Kodiak's docks to support our shoreside processor infrastructure. Kodiak historical landings of groundfish should not be reallocated to mobile mothership operations that would process catcher vessel landings at sea.

Thirteen petitions are attached supporting this position.

Thank you.

OPEN PETITION TO THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL REGARDING THE GOA PACIFIC COD GEAR SPLIT FINAL ACTION

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Name - Print	Name - Signature	Address
Robin Overall	[Signature]	PO EX 3156 Kodiak
RICHARD STARR	[Signature]	1518 Rezanoff Kodiak
STUART THOMPSON	[Signature]	PO Box 870702 Wasilla, AK 99687
PETER MC CARTHY	[Signature]	PO Box 2733 Kodiak 99615
Jamie Fagan	[Signature]	PO Box 2140 Kodiak
LARRY R WARD	[Signature]	PO Box 1175 Kodiak
Carmel Carty	[Signature]	P.O. Box 2733 Kodiak
Tamie Fagle	[Signature]	3438 Woodland Dr. Kodiak
MIREK TRAVULZ	[Signature]	1421 SIKEDAWOFF
D GARRECK PARKER	[Signature]	3314 WOODY WAY Kodiak
SAMUEL MC CARTHY	[Signature]	PO Box 2733 Kodiak
RANDY ENSIGN	[Signature]	PO Box 3133 KODIAK AK
David Long	[Signature]	# 7362 W Parks Hwy #573
Steve Vance	[Signature]	Kodiak Wasilla AK

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Please Sign in Back

Name - Print	Name - Signature	Address
DANA Slounsbury	<i>[Signature]</i>	3518 Kodiak AK 99615
Kim Forman	<i>[Signature]</i>	PO Box 1028 Kod. AK 99615
Teena Carchia	<i>[Signature]</i>	1118 Selkirk Kod AK 99615
Don Zimmerman	<i>[Signature]</i>	Box 1157 Kodiak, AK 99615
IRENE LORENEON	<i>[Signature]</i>	1014 THORNTON ST KODIAK AK 99615
Teresa ("Teri") Storch	<i>[Signature]</i>	Box 8808 Kodiak AK 99615
KC. Doctorman	<i>[Signature]</i>	444-109th Ave. SE Bellevue, WA 98004
Cyrt Waters	<i>[Signature]</i>	PO Box 471 Kodiak
Payne Arndt	<i>[Signature]</i>	P.O. Box 931 Kodiak
George Trunkel	<i>[Signature]</i>	2100 Woodcote #3 Kodiak
MARK Levenson	<i>[Signature]</i>	Box 1284 Kodiak
Dave Benton	<i>[Signature]</i>	3282 Balika Ln. Kodiak
DANA CARROS	<i>[Signature]</i>	455 Tartary - Kodiak AK
Laurinda Bodi	<i>[Signature]</i>	3031 Spruce Cape Rd Kodiak AK
Patrick Holmes	<i>[Signature]</i>	Box 2651 Kod
Joan Levenson	<i>[Signature]</i>	Box 1284 Kodiak
Marlon Inga	<i>[Signature]</i>	P.O. Box 1783 Kodiak
Mark Blakeslee	<i>[Signature]</i>	PO Box 2358 Kodiak 99615
LUDWIG DOCTORMAN	<i>[Signature]</i>	318 Hill A. Kodiak 99615
Mike Woodley	<i>[Signature]</i>	P. 1116 Sam. Hill cit.
Rhonda Maker	<i>[Signature]</i>	508 W. Mainway #100 Kodiak

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Name - Print	Name - Signature	Address
Ricardo Abad Jr.	Jr	P.O. BOX 2413 Kodiak AK
German N Montes	German N Montes	P.O. Box 2413 Kodiak AK
Bert Ashley	Bert Ashley	P.O. BOX 425 Kodiak AK
CHRIS GROTH	Chris Groth	P.O. Box 425 Kodiak AK
Taylor Ashley	Taylor Ashley	P.O. Box 425 Kodiak AK
Hirofuki Kozuma	Hirofuki Kozuma	1416 Baranof St. Kodiak AK
GABRIEL SARAVIA	Gabriel Saravia	P.O. Box 819 Kodiak AK 99615
Richard GREENE	Richard Greene	PO Box 2124 Kodiak, AK 99615
CURITUE PEREZ	Curitue Perez	P.O. Box 808 Kodiak AK 99615
Thomas Loran	Thomas Loran	410 SHELIKOF AVE Kodiak
Leslie Inga	Leslie Inga	PO BOX 8562, Kodiak, 99615
Clifford Zavaacki	Clifford Zavaacki	P.O. Box 14, Kodiak, AK 99615
CLYDE	Clyde	482 TEN, Kodiak 99615
CLIFF MANN	Cliff Mann	P.O. Box 9017, Kodiak 99615
Greg Cox	Greg Cox	PO Box 9021 Kodiak
JESS FORD	JESS FORD	12433 S. RUSSIAN KODIAK 99615
Bill Quacco	Bill Quacco	Box 1925 Kodiak AK 99615
DAVE HANDEL	DAVE HANDEL	332 SHELIKOF ST KODIAK AK 99615
MELDY SEARAF	MELDY SEARAF	11019 CHINIAL DR KODIAK 99615
Robert Berg	Robert Berg	PO Box 359 Kodiak 99615

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Name - Print	Name - Signature	Address
Sylvia R Brava	Sylvia R Brava	336 Holland Circle Kodiak AK 99615
Virginia Langille	Virginia Langille	P.O. Box 141 Kodiak AK 99615
John Hansen	John Hansen	PO Box 663 Kodiak AK
Tue E Burney	Tue E Burney	P.O. Box 2265 Kodiak AK
BENNY DAQUANEA	Benny Daquanea	627 SHELING ST, KODIAK, 99615
GEORGE PUGAL	George Pugal	P.O. BOX 4287 KODIAK,
Nila L. Largo	Nila L. Largo	Box 2259 Kodiak, AK. 99615
Evelyn Delgado	Evelyn Delgado	P.O. Box 3011 Kodiak, AK 99615
Simulad Macapinla	Simulad Macapinla	211 Willow Circle Kodiak AK 99615
FEYRALDO COSTA	Feyraldo Costa	816 HEMLOCK ST. KODIAK AK
ROMAN MALITO	Roman Malito	P.O. BOX 212 Kodiak AK 99615
LOBYLIN SANTIAGO	Lobylin Santiago	1718 SIMEON ST. KODIAK, AK
LUCRECIA SANTOYO	Lucrecia Santoyo	1718 SIMEON ST. KODIAK, AK
Juba Botikij	Juba Botikij	P.O. Box 326
SEALDINA CAMERANO	Sealdina Camerano	RIP SELLE LN # 9
ELIZA PASCUA	Eliza Pasqua	P.O. Box 3005 Kodiak
Romidia Galao	Romidia Galao	P.O. Box 672 Kodiak AK
VANGIEH RAMAS	Vangieh Ramas	612 Thorsheim St Kodiak
Maximo Cabalan	Maximo Cabalan	2761 Box Kodiak AK
Ruby T Cabalan	Ruby T Cabalan	P.O. Box 2761 Kodiak AK

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Name - Print	Name - Signature	Address
Martha Santiago	<i>[Signature]</i>	1718 Simeonof St. Kodiak, AK
CHRIS FORTALIZA	<i>Chris F.</i>	P.O. BOX 1279 Kodiak AK,
ADEMAR TABON	<i>Ademar Tabon</i>	P.O. BOX 2461 KODIAK AK
ELISA BRUCE	<i>[Signature]</i>	1820 LARCH ST. E-5
NATIVIDAD TIRONA	<i>Nina</i>	1820 LARCH ST. E-5
ROSEL SALGATIL	<i>[Signature]</i>	P.O. BOX 3011 KODIAK AK
ROBIN TIRONA	<i>[Signature]</i>	1820 LARCH ST. E-5
LUZVIMINDA ADOB	<i>[Signature]</i>	912 WILLOW ST.
MARCO ESPINOSA	<i>[Signature]</i>	APS BUNKHOUSE
ROSEL VALENCON	<i>[Signature]</i>	1027 STELIKOF AVE. KODIAK
LEO SANTIAGO	<i>[Signature]</i>	P.O. BOX 2606
RYAN LUNA	<i>[Signature]</i>	1312 BARANOF ST. KODIAK
GERRY SANCHEZ	<i>[Signature]</i>	115 PIRCH ST KODIAK A.K
ERIC PAGANO	<i>[Signature]</i>	1212 Purto St Kodiak A.K.
BILL TIGUEL	<i>[Signature]</i>	212 HARBOR VIEW
FELDAN SANTIAGO	<i>[Signature]</i>	1718 SIMONOF ST. KODIAK AK.
FERNANDO IEMAT	<i>Fernando Iemat</i>	571 CARDYN ST. KODIAK
Erlina Vlah	<i>Erlina Vlah</i>	414 Birch St Kodiak
DELIA CAPILI	<i>[Signature]</i>	813 willow st
PRIMO PERADUAN	<i>[Signature]</i>	P.O. 949 Kodiak AK

OPEN PETITION TO THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL REGARDING THE GOA PACIFIC COD GEAR SPLIT FINAL ACTION

We the undersigned Kodiak residents, business owners, employees and interested public would like to make you aware that we here in Kodiak will be directly affected by your decisions regarding the proposed Gulf of Alaska Cod Sector Split action.

Kodiak's fishery economy depends on all vessel sizes and gear types. Each sector needs to be vibrant and healthy – not economically worse off after splitting up the GOA cod resource amongst user groups. The variety of harvesters of multiple gear types and vessel classes that fish out of Kodiak is what makes Kodiak's fishery economy strong. If all sectors are healthy then the broader community of Kodiak is healthy as well. I support fair and equitable sector allocations based on historical use - sector allocations should not be subjectively reallocated among gear groups.

Kodiak landings of Pacific cod and other groundfish need to continue to come across Kodiak's docks to support our shoreside processor infrastructure. Kodiak historical landings of groundfish should not be reallocated to mobile mothership operations that would process catcher vessel landings at sea.

Name - Print	Name - Signature	Address
REY SAGAYAN	R Sagayan	P.O. BOX 3011
MILA VILLASQUEZ	Mila Villasquez	P.O. BOX 8874
RICHARD VILLASQUEZ	Richard Villasquez	P.O. BOX 8874
BERNADETTE GALI	Bernadette Gali	P.O. BOX 1970 KODIAK,
TRACIE V. MEDINA	Tracie Medina	6021 HEMLOCK ST. Kodiak AK
Maxlon Cordero	Maxlon Cordero	627 Shelikof St
Frank Sabon	Frank Sabon	NPS
MANUEL MACANIAS	Manuel Macanias	627 SHELIKOF ST Kodiak AK
SUSANA M. JARIN	Susana M. Jarin	P.O. BOX 2719 KODIAK AK 99615
VINCE EDGARDO	Vince Edgar	P.O. BOX 1905 KODIAK, AK
Osacar BORDO	Osacar Bordo	513 Carolyn St. Kodiak Ak.
ROBERT ALBAYAN	Robert Albayan	3434 SEAN CIRCLE KODIAK AK.
EMILDA APAYAN	Emilda Apayan	3434 SEAN CIRCLE KODIAK AK
Anton V. Masduki	Anton V. Masduki	P.O. BOX 2622 Kodiak AK
Leonilo Santiago	Leonilo Santiago	P.O. BOX 2606 Kodiak AK 99615
EWIS DELA CRUZ	Ewis Dela Cruz	P.O. BOX 232 KODIAK AK
STEVE PRIGE	Steve Prige	1604 THREE SISTERS WAY
Moses Martinez	Moses Martinez	1613 SIMONOF ST. Kodiak.
RANDALL SWAN	Randall Swan	1013 WILLOW, KODIAK AK
Amrey Delacruz	Amrey Delacruz	366 Augustine Ct., Kodiak, AK

~~Page 09~~

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THE GOA PACIFIC COD GEAR SPLIT FINAL ACTION**

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Name - Print	Name - Signature	Address
SENAKEU MANIVANA	Senakeu Manivana	1519 ISMAYLOW
Greg Hawthorn	Greg Hawthorn	
C. Y. AHN	C. Y. Ahn	1517 MILL BAY RD.
Const Gidman	Const Gidman	81107 KODIAK AK
PEK BLANKO	PEK	105 MARINA WAY
SONNY ARONOV	Sonny Aronov	516 WILLOW ST.
ZENALDALATONIO	Zenaldal Antonio	P.O. BOX 2454
DON SANTIAGO	Don Santiago	1718 SPENCE ST.
Kara Baker	Kara Baker	225 MILL BAY ROAD
Reggie Snyot	Reggie Snyot	BOX 2147
Carroll Packer	Carroll Packer	3314 WOODWAY LOOP
John Smith	John Smith	KODIAK AK 99615
John Smith	John Smith	KODIAK AK 99615
Andrew Finke	Andrew Finke	572 LETA ST. KODIAK
Brian Gregory	Brian Gregory	7659 WOODLAND DR.
RICK KWAZIOWSKI	Rick Kwaziowski	421 MILL BAY RD. KOD
Tim Blott	Tim Blott	601 SHEKOFF ST. KOD
John Whelan	John Whelan	317 SHELKOFF ST. KOD

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Name - Print	Name - Signature	Address
Victoria Buchanan	<i>[Signature]</i>	1857 Three Sisters, Kodiak AK
Mae Taboy	<i>[Signature]</i>	1229 Selief Lane Apt #4
NICOLE TERMAIA	<i>[Signature]</i>	11388 Middle Bay Drive
MYRNA OBAS	<i>[Signature]</i>	PO BOX 2090 Kodiak
Cayetano Dayrit	<i>[Signature]</i>	PO BOX 3085
Emelinda Quiambao	<i>[Signature]</i>	PO BOX 1143
An Limchantha	ANA LIMCHANTHA	1410 Millbay Rd.
<i>[Signature]</i>	Charisma Joy Tornadal	515 Maple St.
EDUARDO PASERA	<i>[Signature]</i>	1214 Selief Ln. #1
ADELINO MANDAPAT	<i>[Signature]</i>	P.O. BOX, 2679
RAY BALDONADO	<i>[Signature]</i>	416 BIRCH ST 99615
Neil Banyawong	Neil Banyawong	1410 Mill Bay Rd 99615
RAMON GARCIA	<i>[Signature]</i>	416 BIRCH ST. KODIAK, AK.
BURTY RUI	<i>[Signature]</i>	211 WILLOW
FRETZIE JAY MENDOZA	<i>[Signature]</i>	1212 Puftoy St. #3
MELCHOR TABON	<i>[Signature]</i>	P.O BOX 2761.
LUN YEV CARMEN	<i>[Signature]</i>	1215 SELIEF LN.
Cisco M. Penamora	<i>[Signature]</i>	1206 Selief Lane #14

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Name - Print	Name - Signature	Address
Jim MAJOR	<i>J. Major</i>	1819 E. REZARD F PO BOX 478
JOAN AMBALANZA	<i>[Signature]</i>	PO BOX 478
ESTRELLA VILLANUEVA	<i>Estrella Villanueva</i>	J
ARTURO VILLANUEVA	<i>Arturo Villanueva</i>	J PO BOX 3666
ANALYN VILLANUEVA	<i>Analyn Villanueva</i>	J

From: Peter Allan
F/V Orion
POB 2160
Kodiak

Wed., Dec. 3, 2009

Testimony to NPFMC & AY regarding
G.O.H P. Cod sector split. for Jig gear.

My name is Peter Allan. I have actively participated as a small vessel owner/operator in the jig fisheries around Kodiak for about 12 years, and would like to share my thoughts regarding the P. Cod allocation sector split.

I will be primarily addressing the jig alternatives and options in the most current draft review (Nov. 12, 2009) in Section 2.2 Component 5 and will reference by page number starting at Page # 88.

- 1) Regarding initial set aside TAC on page # 88 -
If LLP requirements for jig vessels are waived (as per your recent discussions) I believe effort in the federal / parallel waters will increase dramatically. There are currently very few LLP qualified jiggers which has precluded much research and development outside 3 miles / state waters. There is almost certainly jiggable cod outside 3 miles.

1) cont'd

Most jiggers have not had the opportunity to locate and utilize these areas.

Therefore, I would like to recommend an initial set aside TAC at the 2% level and certainly not less than 1 1/2%.

2) Re: Jig allocation stairstep caps - page # 88

While I don't think a 7% cap will be attained in the near future, I would like to recommend Council adoption of the 7% cap in order to foster and encourage entry level and small boat fishermen which will ultimately benefit coastal Alaskan communities.

3) Re: Step down options - page # 88

I would like to recommend Stepdown Option # 2.

The availability / catchability of cod in the jig fishery is highly variable from year to year. In 2009, fish were very available and many participants had very good seasons while fully harvesting the GHL. 2008 was almost the opposite. No two years are alike but it is better to have the opportunity available in good years instead of always trying to build a step up history at reduced TAC levels.

3) contd - If the fish isn't caught it will fall over to the other gear types later anyway and this will have the added benefit of keeping product on the market for a longer period as opposed to the pulse fishing of the trawl and pot gear.

However, if Option #1 is deemed most appropriate I would hope the step-downs could be done in ~~5%~~^{5%} (1/2%) increments to better avoid extreme variability in TAC to the jig fleet.

4) Regarding: Options for management - page # 89

I support Option 2 or even more simply, management by the State OAK (ADFG) out to 200 miles similar to the Kodiak Tanner Crab and Black Rockfish fisheries.

I would also like to see the A/B season split at 80% / 20% as very little jig fish is available after Sept. 1 as the chart on page # 90 clearly indicates

5) As you undoubtedly know, the jig fishery is a low volume, high quality fishery spread out over a long season.

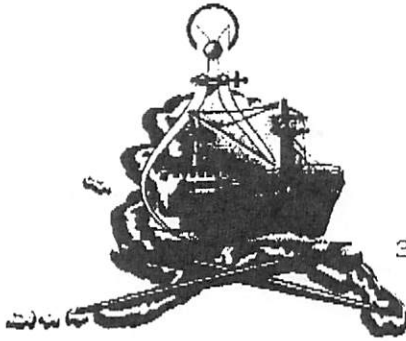
5) cont'd -

therefore providing a good product with good long term availability to the market place and thus ultimately to the American consumers who are the true owners of the public resource and therefore the primary stakeholders.

Thanks for the opportunity for input.

Sincerely,
Peter Allan

Peter Allan



Quality Marine of Alaska

Incorporated

Your Vessel Repair and Rebuilding Team

24-Hour Service to All of Alaska

32097 OLD NASH ROAD • PO BOX 1613 • SEWARD, ALASKA 99664

(907) 224-2277 • (907) 224-8778 FAX
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December 2, 2009

Eric Olson, Chairman

North Pacific Fishery Management Council

605 West 4th Ave. Suite 306

Anchorage, AK 99501-2252

FAX: 907-271-2817

Agenda Item C-1

Dear Chairman:

This letter is in regards to the GOA Pacific Cod Gear Split. Thank you for allowing our voice to be heard. Quality Marine of Alaska, Inc has been in business for over fifteen years. Our company is very diverse, as is the marine industry. Our customers include commercial fishing boats, research vessels for all sectors, USCG vessels, oil field support vessels, tugs, freight haulers, tour boats, ferries as well as pleasure and charter boats.

Our company works all over the great state of Alaska, which we love. We have been based out of Seward for the last 15 years. In March of this year we foresaw a large decline in marine repair work in Seward. As a result, we have opened a branch operation in Kodiak where a lot of our customers have come from over the years. Kodiak has invested greatly to serve the fishing industry; they recently invested in and committed to, the *entire* marine industry with the new 660-ton marine Travelift and new boat yard.

We at Quality Marine of Alaska urge you to help support Kodiak to continue to be a unique marine center for all of Alaska. We also feel that it is important to have such a location, where all aspects of the marine industry can work together and share knowledge to the benefit of all. Kodiak, as this type of hub, then can help support many other Alaskan communities and industries.

*Page 2**December 2, 2009*

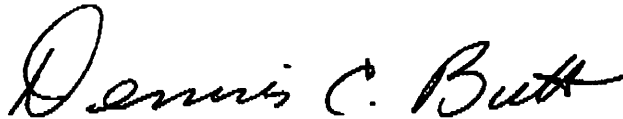
QMA urges the Council to support Kodiak fishermen, canneries, gear suppliers, hydraulic shops, welding shops, fiberglass shops, painting contractors, marine electronic suppliers and technicians, hardware stores, steel suppliers, safety equipment suppliers, shipyard contractors and citizens by *not* reducing the groundfishermen's quotas. It is our belief that the economic damage done to the ground fishery by reductions will *not* remotely be offset by the benefits to longliners.

A large percent of Quality Marine of Alaska business has always supported and hopes to continue to support Kodiak ground fishermen and their way of life. We hope your decision on Pacific Cod Gear Split will continue to support and sustain this fishery.

Dennis C. Butts
President of Quality Marine of Alaska, Inc.

TI
enclosure

cc: file



Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99501-2252
Fax: 907-271-2817

Re: December 2009 NPFMC Meeting Agenda Item- Final Action GOA Pacific Cod Split C-1

Dear Chairman Olson:

My husband works on the Kodiak Trawl Vessel F/V Topaz. They deliver product to the City of Kodiak, providing jobs and fueling Kodiak's economy *year-round*. I, like my husband, was raised here; my father has run a trawl vessel out of Kodiak for 30 years. Trawling has supported me for most of my life. I have witnessed, first hand, the effect the trawl fleet has had on this community for the last three decades.

I am asking that you allow Kodiak's Trawl fleet to receive their traditional share of cod quota based on historical use. We are not asking to be favored over another gear-type, only that you choose fair and equitable sector allocations.

Your decision will affect me personally and since most or all of our income from trawling goes directly into Kodiak's economy, this decision will also impact my community. The Kodiak Trawl fleet is not made up of transient deckhands and skippers, who fly in for a season and then take their money elsewhere. Kodiak is our home; most of us own houses, have families who work in town, and children who attend school. The cannery workers are employed year-round as well due to the amount of product we bring in. Together with cannery employees, we support the retailers, restaurants, and other businesses around town, including the Kodiak Island Borough by way of property and sales tax.

Under Alternative 2, Component 4 there is a note that states "The Council has the option to choose separate qualifying years for each sector" and Component 9 states "The Council may adjust sector allocations..." That leaves me wondering why so much time was spent gathering data and writing up such a lengthy proposal when it could've just stated *The Council reserves the right to discriminate amongst sectors*.

As for the "at-sea processor" agenda in this proposal, there could not be anything worse for the community of Kodiak. The council members who are supposed to be representing our town are not doing what is in the best interest of our community. I was under the impression that the council was made up of members who were to be unbiased, without personal conflicts of interest, without something to gain financially from the council's decisions.

The proposed action would not enhance stability in the fishery or preserve the historic distribution of catch among sectors. Please do not allow our product to be processed off shore, and please base the GOA Cod Sector Split on historical use, allowing the Kodiak Trawl fleet to harvest their fair share.

Sincerely,

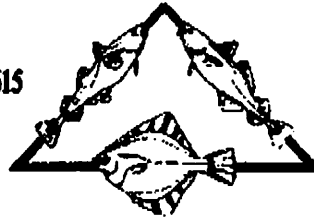

Tracy Tomela Chandler

Groundfish Data Bank

**Alaska
Grouper
Data
Bank**

PH: 907-486-3033 FAX: 907-486-3461 P.O. BOX 788 - KODIAK, AK. 99615

Julie Bonney, Executive Director jbonney@gci.net
Katy McGauley, Fisheries Biologist agdb@gci.net



NPFMC December 2009 Meeting: Agenda Item C-1: GOA Pacific Cod Sector Split

Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Ave. Suite 306
Anchorage, AK 99501-2252
FAX: 907-271-2817

December 2, 2009

Alaska Groundfish Data Bank, Inc Comments Agenda Item C-1

34 pages exclusive of cover letter

**COMMENTS OF THE ALASKA GROUND FISH DATA BANK
REGARDING THE ALLOCATION OF PACIFIC COD AMONG
SECTORS IN THE WESTERN AND CENTRAL GULF OF ALASKA**

The Alaska Groundfish Data Bank ("AGDB") is pleased to submit comments on the Proposed Allocation of Pacific Cod Among Sectors in the Western and Central Gulf of Alaska ("GOA"). AGDB is a member organization that includes the majority of both the shorebased processors located in Kodiak and the trawl catcher vessels home ported in Kodiak. The Kodiak trawlers are mostly family owned businesses who have participated in the federal groundfish fisheries since Americanization of the fisheries.

The trawlers fishing out of Kodiak pioneered the GOA cod fishery. Several trawlers began fishing cod in 1978 when there was little or no interest in cod fishing or processing. There was also no real market for cod but, with a concerted effort by the trawl fleet and shorebased processors, markets developed and demand grew. The cod fishery became a mainstay for the trawlers --the second most valuable fishery behind pollock. The trawl fleet has participated in the fishery continuously from the late 1970s until the present day.

These comments will be divided into three main sections: (1) an overview of what the Proposed Action will and will not accomplish, (2) the potential for the Proposed Action to create significant economic and employment dislocations, and (3) the potential for the Proposed Action to result in an allocation that is neither fair nor equitable.

I. EXECUTIVE SUMMARY

The Proposed Action is likely to accomplish six things, chief among which are eliminating the unfair results that flow from different sectors having different start dates for the fishery, and shielding individual sectors from competition by other sectors. The Proposed Action, however, will not accomplish six other objectives, the most important being that it will

not end the race for the fish. Participants within each sector will still race each other for that sector's share. A sector allocation is far different than a rationalization program.

The Proposed Action may also cause significant economic dislocation and unemployment. The range of alternatives under consideration could result in a cod allocation to the trawl sector ranging from 37.5%-46.8%, a 9.3% differential. An allocation at the low end of the spectrum could easily result in:

- a 17%-24% revenue loss for each trawl vessel causing bankruptcies and economic instability contrary to the goal of the Proposed Action,
- a loss of \$3.12 million in crew wages, principally in Alaska,
- a significant reduction in the \$19.9 million the trawl sector spends annually in the service sector,
- the closure or reduced operation of processing plants that depend on trawl vessel volume to maintain operations, thus threatening the 1,186 full time equivalent Alaskan processing jobs, and
- economic stress in dependent port communities.

The trawl fleet cannot compensate for a reduced allocation by transferring to other fisheries. Most of the high value fisheries are closed to new entrants because of limited entry systems. The lower value fisheries such as flatfish are economically viable only because of the incidental catch of cod, a catch that will be precluded by a low cod allocation. Moreover, the market for these lower value fish has weakened considerably.

The base year allocation should be the average of option 2 (best five years 2000-2006) and option 6 (best five years 2002-2008). These are the only options that recognize long-term participation in the fishery. Options with three-year time clips should be eliminated for several

reasons including that a three-year snapshot of participation in a less accurate measure of long-term participation than is a five-year time frame. Similarly, the option of the best five years 2002-2007 and the best five years 2002-2008 should be eliminated. These two time periods yield virtually identical results. Including both results is an arbitrary double counting.

Eliminating the 1995-2005 time frame from consideration in the Central GOA immediately reduces the trawl allocation by 4%. To compensate for that, to prevent the adverse economic and unemployment effects summarized above, to compensate for the adverse effects of the different fishery start and end dates that has given other sectors a advantage in securing catch share and already reduced the trawl share by 3.2%, and to recognize that the trawl fleet pioneered this fishery, the trawl fleet should receive an additional 3% allocation under Component 9 of the Proposed Action.

II. WHAT THE PROPOSED SECTOR ALLOCATION WILL AND WILL NOT ACCOMPLISH

The Proposed Action will likely accomplish the following six things.

1. The Proposed Action will eliminate the unfair and inequitable results that flow from different sectors having different start dates for the fishery. Although the total allowable catch ("TAC") is available to all sectors, every sector except the trawl sector commences the A season fishery on January 1. The trawl sector season does not commence until January 20, thereby granting all other sectors an additional 20 days head start to participate in the fishery.
2. The Proposed Action will make each sector responsible for their incidental cod catch across the different fisheries in which the gear type participates.

3. The Proposed Action will allow for the development of sector specific management measures with respect to Steller sea lion ("SSL") management measures, bycatch, and the coordination of sector fishing activity.
4. By establishing sector specific allocations, the Proposed Action will shield individual sectors from increased fishing effort by other sectors and constrain each sector to its allocation.
5. The Proposed Action may close the current loophole in which participants in the Federal fishery can circumvent the rules in the 3-200 mile Federal zone by fishing in the 0-3 mile territorial sea called the parallel zone.
6. The Proposed Action may create a modest opportunity for jig fishermen to enter the GOA Pacific cod fishery.

It is equally important to recognize what the Proposed Acton will not accomplish.

Specifically, the Proposed Action will not address the following six issues.

1. The Problem Statement adopted by the North Pacific Regional Fishery Management Council ("Council") states the Council is seeking to address the race for the fish caused by the current derby style management system. The reality is that the race for the fish will continue under the Proposed Action. Participants within each sector will race each other for the sector's share of the TAC. A sector allocation is far different from rationalizing the sector. With rationalization each vessel would receive an individual vessel allocation. A sector allocation will not rationalize the fishery within the sector since no individual allocations will be awarded.

2. The Proposed Action will not provide opportunities to enter other fisheries because Pacific cod seasons are likely to remain short because the race for the fish will continue. Therefore, participants in the GOA Pacific cod fishery will likely forego participation in other fisheries until the Pacific cod TAC for that sector is taken.
3. The Proposed Action will not preclude new vessels from entering the Pacific cod fishery thereby exacerbating the race for the fish within each sector.
4. Because the Proposed Action will not address the race for the fish issue in a comprehensive fashion, poor fish handling practices will likely continue and product quality will continue to suffer.
5. The Proposed Action will not change the opening dates for the Pacific cod A and B seasons.
6. The Proposed Action is not likely to reduce bycatch because sector allocations alone will not achieve that result.

III. THE PROPOSED ACTION HAS THE POTENTIAL FOR CAUSING SIGNIFICANT ECONOMIC AND EMPLOYMENT DISLOCATION

A. ADVERSE IMPACTS ON THE TRAWL FLEET

The Proposed Action contains a range of alternatives that would result in a potential allocation of Pacific cod to the trawl sector ranging from 37.5%-46.8%, a 9.3% differential. An allocation at the low end of the spectrum could easily result in a 24% revenue loss for each Central Gulf of Alaska ("CGOA") non-American Fisheries Act ("AFA") dependent trawl catcher vessel and a 17% revenue loss for each CGOA AFA dependent trawl catcher vessel. Losses of this magnitude will create economic havoc in the trawl sector vessel causing extensive bankruptcies with a cascading effect on dependent service industries and processors. Alaska's

8.9% unemployment rate will grow. Such results are completely contrary to the objective of creating sector stability via a sector allocation.

1. LOST REVENUE IN THE DIRECTED COD FISHERY

Based on the proposed 2010 CGOA cod TAC, the 9.3% differential in the catcher vessel trawl sector allocation contained in the Proposed Action alternatives translates to a swing in the allocation of 7,541,298 pounds. Assuming a cod ex-vessel price of \$.30 per pound, the total difference in revenue to the trawl sector between a 37.5% allocation and 46.8% allocation is \$2.27 million. For the 42 vessels that participated in the cod fishery in 2008, the lower allocation amount translates into a loss of \$54,000 per vessel.

2. LOST REVENUE IN OTHER FISHERIES

Equally significant is that the lost income discussed above does not include the lost income in other fisheries that are currently profitable only because of the incidental catch of cod. Reducing the trawl fleet's catch by 7,541,298 pounds, the differential between a 37.5% allocation and a 46.8% allocation, reduces the number of fishing trips for flatfish by approximately 400 since the 7,541,298 pounds of cod would support incidental cod usage in the flatfish fishery. The incidental catch of cod makes these flatfish trips economically feasible.

3. LOST REVENUE IN THE DIRECTED FISHERY CANNOT BE MADE UP IN OTHER FISHERIES

The \$54,000 in lost revenue per vessel in the directed cod fishery cannot be made up in the flatfish fishery. In fact, reducing the trawl sector allocation below 46.8% will diminish revenues from the flatfish fishery for two principal reasons. The first reason is that more vessels will enter the flatfish fishery in an attempt to offset losses from lower cod allocations. The higher number of vessels in the flatfish fishery will reduce the current per vessel revenue simply because this revenue will be allocated among more vessels. In 2008, 33 of the 42 CGOA trawl

catcher vessels participated in the GOA flatfish fisheries generating a total ex-vessel value of \$7.1 million from the flatfish fisheries (Source: 2009 economic SAFE). If the cod dependent CGOA trawl vessels that presently do not participate in the flatfish fishery enter that fishery seeking to offset revenue losses from decreased cod allocations, dividing the 2008 \$7.1 million ex-vessel flatfish revenue across a fleet of 42 vessels versus 33 vessels (Source: 2009 economic SAFE) results in a loss of \$85,000 for each trawl vessel.

The second reason that more trawl entrants into the flatfish fishery will reduce per vessel income in the flatfish fishery is that the harvest from the flatfish fishery is limited by incidental catch of halibut. The reality is that new entrants into the flatfish fishery will be less experienced operators less able to manage halibut bycatch issues. While a reduced cod allocation will result in some halibut savings in the target fishery, the facts are that halibut bycatch rates as shown in Table 1 are higher in the flatfish fisheries than in the cod fisheries.

Table 1. Halibut Bycatch Rates in Various Fisheries.

Trawl target fishery	Halibut mortality (t/t)
Pacific cod	0.025
Arrowtooth Flounder	0.021
Flathead Sole	0.032
Shallow Flatfish	0.033

Source: Stock assessment and fishery evaluation report for the groundfish fisheries of the Gulf of Alaska and Bering Sea/Aleutian Islands Area: Economic Status of the Groundfish Fisheries off Alaska, 2008 by Alaska Fisheries Science Center, November 18, 2009 ("2009 Economic SAFE Report").

If one assumes that halibut bycatch increases by 20% because of less experienced operators, a reasonable assumption based on historical halibut bycatch usage by vessels that have historically participated in the flatfish fishery compared to halibut bycatch usage by new

participants, then the \$7.1 million earned in the flatfish fishery in 2008 would drop to \$5.7 million, a decrease in income of another \$50,000 per vessel.

Any assumption that revenue reductions caused by a cut in the trawl cod quota can be offset by a transfer of effort to the flatfish fisheries is unrealistic not only for the reasons stated above but also because the market for all species of flatfish weakened significantly in 2009. This market decline was due to the weaker economy, competition from farmed fish products, and an increased supply of flatfish from the Bering Sea Aleutian Islands ("BSAI") flatfish fisheries. A comparison of the ex-vessel price of flatfish in 2009 versus 2006 shows that the price of rocksole declined 29%, Arrowtooth flounder declined 41%, and Flathead sole dropped 25%-32% (Source: Summit Seafoods, Flatfish Market Report - appendix I).

The GOA Arrowtooth flounder fishery is especially problematic as an alternative for the GOA cod trawl fleet. The market for Arrowtooth flounder is largely saturated because BSAI Arrowtooth production has increased almost 400% since 2006. In that year, the BSAI Arrowtooth flounder retained catch totaled 5,379 metric tons. By 2009, the BSAI Arrowtooth flounder retained catch had increased to 22,883 metric tons leading to an oversupply in the marketplace. Equally important, BSAI Arrowtooth flounder is preferred over its GOA counterpart due to its more consistent quality, relatively firmer meat texture, and better frill and fillet yields.

The GOA trawl fleet also cannot move to other trawl fisheries in the North Pacific because in most of these fisheries entrance is controlled by limited access privilege programs (LAPP) (such as AFA pollock, Amendment 80 rationalization, or the CGOA Rockfish Pilot Program) or the federal license limitation program restrictions. The inability to effectively move to other fisheries to compensate for reduced cod allocations is particularly acute in the non-AFA

CGOA trawl fleet which is more dependent on GOA Pacific cod than any other harvesting sector within the GOA. According to the Initial Review Draft of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility analysis ("EA"), 22.8% of the non-AFA CGOA trawl fleet revenue comes from cod. The significance of this number is revealed by the fact that virtually every one of the other cod sector receives a large percentage of its fishery revenue from rationalized high value fisheries such as halibut/sablefish, crab, and AFA pollock. In stark contrast, the CGOA non-AFA trawl sector receives the smallest amount of revenue from these LAPP fisheries. Since all other cod sectors have significant holding of individual fishing rights; this portion of their economic portfolio is well shielded from erosion due to new entrants into these fisheries. On the other hand, the non-AFA fleet has the smallest amount of economic revenue generated by individual fishing rights. In short, the non-AFA fleet is more dependent on cod revenue than any other fleet. *See EA at 61-62.*

4. THE EFFECTS OF A REDUCED TRAWL COD ALLOCATION WILL BE MAGNIFIED BY AN ACCELERATED RACE FOR THE FISH

Compounding the adverse economic impacts discussed above is the fact that a decreased cod allocation will likely be accompanied by a more intense race for the fish. The reason is that the trawl sector has more Limited License Program ("LLP") licenses remaining after the "recency" actions taken by the Council to eliminate from the fishery vessels that are not currently participating than any other cod sector. As Table 2 demonstrates, after the recency action there will be 93 trawl vessel licenses remaining compared to 42 vessels that actually fished in 2008, a potential for 51 additional vessels to enter the CGOA trawl fish fishery. Table 2 also shows that no other sector will likely have as many new entrants because no other sector has as large a differential between the number of vessels currently in the fleet versus the number of available licenses. New vessels entering the trawl fishery will only increase the race

for fish within this sector, contrary to the Problem Statement objective. And, again contrary to the Problem Statement's objective, those new entrants will diminish the revenue for historically dependent vessels.

If one assumes that the trawl fleet size increases by only 10% (4.2 vessels), the average gross revenue for present fleet participants would decrease by 10% within the trawl LLP fisheries, or \$88,000 for the non-AFA fleet and \$65,000 for the AFA fleet. If all eligible trawl vessel licenses were used in the GOA fishery, the income of current participants would plummet to 45% of its current level (42 active vessels / 93 eligible vessels). GOA trawlers would lose 55% of their income.

Table 2. Trawl Versus Non-Trawl Participants in 2008 Compared to Number of Remaining Licenses After the LLP Reductions.

CGOA	CV	Fishers in '08	LLPs after recency	Change	% Change
Trawl		42	93	51	221.4%
HAL	< 60	137	123	-14	89.8%
HAL	≥ 60	19	7	-12	36.8%
Pot	< 60	39	51	12	130.8%
Pot	≥ 60	19	27	8	142.1%
CQE	< 60 Pot	na	26	na	na
CQE	< 60 LL	na	24	na	na
Total Fixed		214	258	44	120.6%
Total Fixed ex CQE		214	208	-6	97.2%

Source: EA at xxii and 39.

While the skeptics might assert that additional vessels will not enter the trawl fishery, they would be wrong. There is little doubt based on well established principles that have been the foundation of fishery economics that the combination of sector allocations and the differential between available trawl licenses and the number of participating trawl vessels will lead to new entrants in the trawl fishery. And this will mean an accelerated race for the fish.

The first fishery economists (beginning with Lee G. Anderson's Economics of Fisheries Management, 1977, and Townsend and other economists who focused on fisheries) described the effects of a lack of assigned rights in fisheries. The paradigm is as follows. In most resource-based businesses property rights normally control or allocate access to production inputs (*e.g.*, you buy the lot or the rights to harvest the trees on the lot). However, for fisheries managed under "open access," and even where licenses have been limited, there is an inherent failure to prevent participants from overinvesting relative to the amount of harvest available. This leads to the classic overcapitalization problem where too many participants with economic production assets (fishing vessels or processing plants) compete unproductively. In case studies of open access fishing, economists have shown that up to 20 to 100 times more fishing and processing assets are applied to catch the available harvest than is needed relative to an efficient management system.

Typically in a new open access fishery, annual harvest and entry are not controlled. The result is that overfishing and gross overcapitalization occur. This outcome can occur in a relatively short period. Sometimes annual catch is controlled but entry is not. This leads to too many boats just meeting their marginal costs. If license limitation is in place and permits are set to a low enough number at the outset, then overcapitalization still occurs because fishermen and processors typically "capital stuff" by adding fishing or processing power to their existing assets to catch or process fish faster. This latter scenario generally describes what is occurring for GOA groundfish fisheries where individual quota or cooperative systems are not in place. While there are physical constraints on the degree of overcapitalization, case studies have shown that the degree of "unneeded" capital (relative to efficiency) can still be more than ten-fold even with carefully crafted license limitation programs.

In the case of license limitation and annual catch limited to a sustainable amount but no assigned rights to that annual catch, *e.g.* the conditions in place for the GOA groundfish fishery even after sector allocations, the only mechanism to reduce capital in the short run is what economists have deemed to be "shake out" where marginal participants fail to sufficiently cover their marginal costs of operation. This means that fishing and processing assets are either shut down temporarily or continue to operate without covering marginal costs of operation. For those who continue to operate without covering marginal costs, they must acquire debt. If things do not change, they eventually face a bankruptcy sale when banks refuse to loan additional funds.

Shake out can occur for several reasons in open access/license limitation fisheries. One such reason is if the TAC is reduced or if sector allocations or other constraints reduce the revenue available to some or all of the participating vessels. If alternative fisheries are available, then some or all of this effort will shift to that "next best" alternative. The effort goes to the "next best" alternative fishery in the sense that that fishery was not relatively more profitable before (or they would have been in that fishery) but it is now the best alternative once the TAC reduction or sector allocation is in place.

In situations like the GOA groundfish fishery where license limitation permit restrictions or sector allocations in Bering Sea and other potential "alternative" fisheries have already closed the door to new participation, TAC reductions or other allocations reducing the amount of fish (even with license limitation and sustainable TAC), cause shake out because the overall effect is a change that reduces revenues to the existing participants. In the specific case of the GOA trawl fishery, if sector allocation shifts the revenues available to one or more sectors, it is probable that some shake out will occur. In the short run, some vessels that are dependent only on cod and pollock may try to make up some of the lost revenue in GOA flatfish fishing. Those fisheries are

constrained by both markets and limits on halibut PSC. Thus, if some boats or plants shift into flatfish, it is unlikely that new (additional) revenue will be created. It is more likely the boats that are currently depending on flatfish along with their cod and pollock (probably the smaller more local Kodiak operators who are least efficient in terms of what they pack relative to the fuel they burn), will be squeezed out and face economic failure.

5. INADEQUATE CONSIDERATION OF INCIDENTAL CATCH WILL COMPOUND THE PROBLEMS

The Council's decision that the incidental cod harvest will be managed within each sector also has significant economic implications for the trawl sector. If the trawl sector is to be responsible for its own incidental catch, then the sector will need a catch allocation that recognizes the complete catch history of both the incidental and directed cod catch. In fact, the catcher vessel trawl sector cannot remain economically viable unless the allocation to that sector contains a sufficiently high cod allocation to support not only the directed cod fishery but also the incidental cod catch within the non-cod target fisheries. Clearly, the Kodiak shoreside trawlers need to participate in other fisheries throughout the year to remain economically viable. From 2001-2008, cod harvests by the non-AFA trawl vessels provided 22.8% of their revenue whereas income from other GOA fisheries (pollock, flatfish, rockfish) provided 50.9% of their revenue. EA at 54. The AFA fleet derives most of their revenue from BSAI groundfish but still earn 31.3% of their fishery revenue from non-cod GOA fisheries. *Id.*

6. ALASKANS DEPEND ON THE TRAWL SECTOR

According to the data in the EA (p. 136), Alaska owned CGOA trawl vessels harvest 67% of the cod taken by vessels less than 60 feet and 34% of the cod taken by trawl vessels over 60 feet. The trawl fleet has exceedingly strong ties to Alaska since these vessels spend up to 11 months each year fishing from Kodiak. A poll of the 35 vessels that constitute the core Kodiak

fleet (vessels that deliver regularly and consistently to Kodiak processors) suggests that in 2008 approximately 62% of the crew jobs on these vessels were held by Alaska residents. Based on the average crew share distribution (40% of gross vessel revenue after costs), these 35 core vessels generated \$13 million in crew salaries in 2008. For the 35 vessels that constitute the core Kodiak fleet, the Proposed Action will impact approximately 230 families, of which 143 are Alaskan families. Indeed, the Proposed Action places at risk \$8 million in crew salaries for Alaskan families and the \$5 million for non-Alaskan families. Indeed, if trawl vessels lose 24% of their income due to the Proposed Action, it can be assumed that crew wages will drop by 24%, a loss of \$3.12 million.

7. CONCLUSION

The Proposed Action will lead to significant economic losses and disruption in the catcher vessel trawl sector that cannot be compensated for by the transfer of fishing effort to other fisheries. Indeed, the inevitable consequence of an allocation less than 46.8% is fleet consolidation because the trawl fleet operates on very thin profit margins. The number of trawl vessels participating in the cod fishery has decreased from 123 in 1998 to 42 in 2008. *See* EA Table 2-20 at 39. This reduction was due in large part to the low operating margins in the trawl fisheries. Many vessels left the GOA cod trawl fishery because their vessel was too small (economy of scale) or they were able to participate in other higher margin fisheries such as the AFA fisheries in the Bering Sea. Those trawl vessels remaining in the GOA cod trawl fisheries continue to operate on very thin profit margins. Any decrease in allocation that will result in a decrease in revenues will likely drive them out of business.

Cumulatively the per vessel losses discussed in the preceding sections reveals that dropping the Pacific cod catcher vessel trawl allocation from 46.8% to 37.5% would likely reduce the gross revenue for CGOA AFA dependent catcher vessel trawl vessels by \$254,000 or 17%. For

CGOA non-AFA dependent trawl vessels, the per vessel revenue loss would approximate \$277,000, 24% of vessel revenue.¹ Losses of this magnitude will be staggering. Such losses will force numerous vessels out of the fishery, creating the very instability within this sector that the Proposed Action seeks to avoid. Even to a casual observer, it is intuitively obvious that reducing total revenue by 17% for AFA dependent trawl catcher vessels and 24% for non-AFA dependent trawl vessels will cause significant economic dislocation within the trawl fleet leading inexorably to vessel bankruptcies and unemployment. New entrants will only contribute to this cycle of instability and economic loss.

B. ADVERSE IMPACTS TO THE SERVICE SECTOR

The CGOA catcher vessel trawl sector purchases millions of dollars of supplies from local businesses. A poll of the 35 vessels that operate almost exclusively out of Kodiak summarized in Table 3 reveals that in 2008 these vessels purchased just under \$20 million in fuel, groceries, and other services, including fees and observers.

Table 3. Service Sector Purchases by 35 Kodiak Based Vessels in 2008.

Service Sector	Estimated Expenses in 2008
Harbor fees	\$450,000
Observers	\$950,000
Groceries	\$375,000
Fuel	\$11,600,000
Other Services*	\$6,500,000
Total	\$19,875,000

*Gear, electronics, equipment, repairs, accounting, licensing, permits, other Kodiak services.

Source: AGDB trawl fleet economic and community association survey for 2008.

¹ In considering these numbers, it is noteworthy that of the 42 catcher vessel trawl vessels participating in the CGOA cod fishery in 2008, 24 vessels are non-AFA vessels.

The reality is that cutting the historic harvest of cod by the trawl sector from 46.8% will cause commensurate economic and employment dislocation in the dependent service sector, a loss that could reach into the millions of dollars – and a loss of far too many jobs.

C. ADVERSE IMPACTS TO THE PROCESSING SECTOR

Reductions in the catcher vessel trawl sector cod allocation will create cascading economic and employment impacts in the processing sector. In 2008, the catcher vessel trawl sector delivered 63% of the volume of fish (all species combined) offloaded in Kodiak. It is this large volume of landings that allows processors to open their doors year round. This year round processing translates into 1,186 full time equivalent processing jobs. According to a report by the McDowell Group, *An Assessment of the Socioeconomic Impacts on Kodiak of Management Alternatives in the Alaska Groundfish Fisheries Draft Programmatic Supplement Environmental Impact Statement*, McDowell Group, July 2001, “large reductions in the trawl fishery are magnified to huge reductions in employment in the processing sector, and could drive several processors out of business and others to seasonal operations. Seasonal processing will increase costs in recruiting, training and housing transient workers, since most resident workers will likely leave Kodiak because of the high cost of living and limited employment opportunities.” In other words, without the throughput provided by the trawl fleet, the processing industry cannot continue to operate as it has in the past. Given that a typical Kodiak processor’s trawl fleet consists of two to four vessels, a processing plant that loses one or two vessels, a very likely result of the fleet consolidation discussed in Section A of this Part III, will likely confront the possibility of either closing its doors or significantly reducing its operations.

D. ADVERSE IMPACTS TO LOCAL GOVERNMENT

The City of Kodiak has developed an extensive infrastructure to support the current fishing fleet and its dependent processors. This infrastructure includes a boat harbor, cargo

terminal, large boat lift, and water utilities. The City of Kodiak owns and operates two boat harbors and in September 2009 opened a new boat yard and lift. The total cost of the boat yard and lift is \$16.5 million. For the yard and lift to break even requires 70 boat lifts annually. To reach that number, the boat lift will be heavily dependent on the Kodiak trawl fleet. Thus, reductions in fleet size will have an immediate and negative impact on the economy and infrastructure for the City of Kodiak. In fact, the maintenance of all of this infrastructure is dependent on user fees generated by the fishing industry, including the catcher vessel trawl fleet.

It is clear that the adverse economic and employment impacts that will be visited upon the catcher vessel trawl fleet will have concomitant effects on the City of Kodiak. Not only will user fees paid to Kodiak be diminished, but decreased employment means reduced tax revenue to support essential city services including schools, roads, etc. Moreover, increased unemployment results in increased costs to Kodiak in providing services to a population with a higher unemployment rate.

E. CONCLUSION

The 9.3% swing in the possible allocation to the CGOA catcher vessel trawl sector has extraordinarily significant economic and employment implications for the trawl sector itself. These impacts will have a cascading effect on the dependent service and processing sectors and on the city of Kodiak. At a time when unemployment in the State of Alaska stands at 8.9% (U.S. Department of Labor October 2009 seasonally adjusted rate), it is unsettling to contemplate the reality that the Proposed Action will increase economic dislocation and unemployment.

IV. THE PROPOSED ACTION MAY RESULT IN AN ALLOCATION TO THE CATCHER VESSEL TRAWL SECTOR THAT IS NEITHER FAIR NOR EQUITABLE

A. BASE YEAR ALLOCATION

AGDB recommends that the Council accept as the base year allocation the average of option 2 (best five of 2000-2006) and option 6 (best five of 2002-2008). The Council's Problem Statement states that participants in the fisheries who have made long term investments and who are dependent on these fisheries need protection. The only options that recognize long term participation are options 2 and 6.

None of the options that provide for the best three out of six or seven years represent long term participation and dependency in the fishery. By definition, a three-year snapshot of participation is a less accurate measure of long-term participation than is a five-year time frame. Indeed, all of the best three-year options were dropped for the Western Gulf of Alaska ("WGOA") because of concerns that the shorter time periods allowed for the cherry picking of the sector's best years and were not reflective of long term investment and dependency. These shorter options should also be dropped for the CGOA.

It should also be noted that the inclusion of an option of the best five years (2002-2007) and the best five years (2002-2008) will result in an arbitrary and capricious double counting of years. These two time periods yield virtually identical results. Including both of them and then providing for taking the average of these two time periods, effectively double counts the same harvest. This double counting provides an unfair and inequitable advantage to fixed gear sectors given that these later time periods favor the fixed gear sector over the trawl sector.

In reality, the only viable options that exist are option 2 (best five years 2000-2006) and option 6 (best five years 2002-2008). Both of these options encompass the years that were used to establish the threshold landing requirements for the trawl recency and fixed gear recency

actions. Thus, the catch history generated from these periods includes the same vessels that will be able to participate in the future after latent LLPs are removed. Averaging these two time periods builds equity for both the fixed gear and the trawl sectors. Thus, the CGOA catcher vessel trawl sector supports the percentages set forth in Table 4 (average of options 2 and 6) for the base allocations.

Table 4. Recommended Base Allocations.

Central GOA - 1% jig allocation

	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV	Total
2000-2006 best 5	4.10%	20.70%	1.00%	1.00%	25.10%	4.40%	43.80%	100.10%
2002-2008 best 5	5.40%	22.10%	1.00%	0.30%	25.60%	3.30%	42.30%	100.00%
Average	4.75%	21.40%	1.00%	0.65%	25.35%	3.85%	43.05%	100.05%

Central GOA - 2% jig allocation

	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV	Total
2000-2006 best 5	4.10%	20.50%	2.00%	1.00%	24.80%	4.30%	43.30%	100.00%
2002-2008 best 5	5.40%	21.90%	2.00%	0.30%	25.30%	3.20%	41.90%	100.00%
Average	4.75%	21.20%	2.00%	0.65%	25.05%	3.75%	42.60%	100.00%

B. THE TRAWL FLEET HAS ALREADY BEEN REDUCED 4% BY THE BASE YEAR SELECTION

In considering the selection of base years, it is important to bear in mind that the removal from consideration of the 1995-2005 time period in the CGOA resulted in an automatic reduction of 4% for the trawl sector. See October 2009 draft EA, Table E-2. Thus, the catcher vessel trawl sector has already absorbed a 4% reduction based on the elimination of its long term historic catch history.

C. THE TRAWL FLEET SHOULD RECEIVE AN ADDITIONAL 3% UNDER COMPONENT 9

The base allocation recommended in Part A of this section should be supplemented by awarding the CGOA catcher vessel trawl fleet a 3% increase pursuant to Component 9 of the Proposed Action. If a principal purpose of the Proposed Action is to recognize and preserve

historic participation of the fishery, the Council must recognize that the catcher vessel trawl sector has the longest history in this fishery and, in fact, was the sector that developed this fishery thereby creating a path that other sectors now follow. Moreover, failure to recognize the historic participation of the catcher vessel trawl sector by using the base year allocation recommended above plus 3% will have cascading economic and employment impacts in the dependent service and processing sectors. Destabilizing the catcher vessel trawl sector by reducing its allocation in a manner that leads to vessels leaving the fishery cannot be good for the industry or for the regional and State economy. Finally, the 3% increase allows the trawl sector to recapture some of their catch history that was lost when the suite of years 1995-2005 was dropped.

D. INCIDENTAL CATCH ALLOWANCES MUST RECOGNIZE THE IMPORTANCE OF INCIDENTAL COD CATCH IN OTHER FISHERIES

It is critically important in establishing the trawl allocation that the Council recognize the reality that there are a number of lower value species, particularly rockfish and flatfish, that are not economically profitable to harvest without the incidental catch of Pacific cod. Typically, the ex-vessel value of Pacific cod is twice that of rockfish or flatfish. It is this incidental cod harvest that makes the harvest of the lower value species economically viable. Table 5 illustrates the difference in ex-vessel value of these different species. Further, as noted in Part III, it is these large volume, lower value fisheries that provide sufficient product to the processors so that these processors can keep a full time work force in place throughout the year.

Table 5. Comparative Value of Various Species.

Year	Rockfish	Flatfish	Pollock	Pacific cod
2004	\$0.16	\$0.09	\$0.10	\$0.25
2005	\$0.23	\$0.12	\$0.12	\$0.27
2006	\$0.24	\$0.14	\$0.14	\$0.37
2007	\$0.19	\$0.15	\$0.15	\$0.49
2008	\$0.17	\$0.14	\$0.18	\$0.43
Average	\$0.20	\$0.13	\$0.14	\$0.36

Source: 2009 Economic SAFE Report.

Table 6 further illustrates the importance of cod incidental catch. That table shows the 2008 trawl landings at the Port of Kodiak on a monthly basis. This table graphically documents the importance of the non-cod harvest, a harvest made possible only because of the incidental take of cod, in providing the volume of product necessary to keep processing plants open on a year round basis at current employment levels.

Table 6. 2008 Fishery Landings in Kodiak by Month.

Month	Cod	Arrowtooth	Other flat	POP	O. Rockfish	Pollock	Total
January	3,697,510	447,294	447,345	3,413	82,379	864,459	5,542,400
February	6,270,673	1,393,077	1,669,419	2,634	130,514	11,037,233	20,503,550
March	1,746,087	1,245,977	1,087,292	57,169	220,725	32,843,195	37,200,445
April	1,082,486	15,601,229	6,120,581	94,656	112,397	2,499,044	25,510,393
May	640,100	350,453	1,397,858	4,161,506	1,861,808	91,216	8,502,941
June	423,519	235,376	34,883	2,369,007	2,827,618	26,304	5,916,707
July	1,030,503	1,180,360	2,939,642	2,891,902	1,728,295	667,060	10,437,762
August	1,161,774	9,788,408	3,437,431	243,528	98,680	319,341	15,049,162
September	5,858,343	3,061,559	854,648	811,855	213,610	7,873,474	18,673,489
October	4,265,637	4,450,522	6,444,449	1,137	23,156	17,643,380	32,828,281
November	407,316	476,279	1,454,044	357,070	260,859	389,918	3,345,486
December	169,491	47,625	915,351	0	2,329	45,879	1,180,675
Total	26,753,439	38,278,159	26,802,943	10,993,877	7,562,370	74,300,503	184,691,291

Source: Stephen E. Wright, ADF&G: confidential landings and trawl PSC landings are excluded.

It should also be noted at this point that there is a significant biomass of these lower valued species that are being harvested with the consequent economic advantages to processors, the service industry, processing and service industry employees, the City of Kodiak, and the trawl sector that would not occur if the Pacific cod allocation to the catcher vessel trawl sector is reduced. The reality is that there is no other gear type that is capable of harvesting these low valued species. Thus, these species would be underutilized, which not only has the economic consequences discussed in this section, but also violates the principles of National Standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act ("MSA"). National Standard 1 provides for the full utilization of this nation's fisheries.

The Council included a provision under Component 3 of the Proposed Action deferring management of incidental catch to NMFS' in-season management. In effect, the Council removed the opportunity and option to set aside incidental catch allowances as a separate category to be taken off the top of the TACs. However, the Council has opted to award all sectors both incidental and directed retained catch since each sector will be responsible for its own incidental catch once approved.

Incidental catch is legally harvested fish. At-sea discards occur for both economic and regulatory reasons. The term regulatory discards refers to fish which fishermen are required by regulation to discard whenever caught, or are required by regulation to retain but not sell. Regulatory discards of cod occur when vessels exceed the Maximum Retainable Allowance ("MRA") of cod while participating in other target fisheries or when cod are placed on the Prohibited Species Catch ("PSC") list once the cod TAC has been reached. Currently, no economic discards are allowed in the cod fishery because of the Improved Retention Improved Utilization requirements. Sector allocations will be based on retained catch only – discarded

catch will be excluded from consideration. Since cod discards are excluded from the totals to be considered for sector allocations, the total discarded catch amount will be shared pro rata across the sectors. Note that the percentage of the total catch that has been discarded has generally stayed about the same, approximately 2-3% in the WGOA and 6-7% in the CGOA.

It is critically important in establishing the trawl allocation that the Council recognize the reality that there are a number of lower value species, particularly rockfish and flatfish, that are not economically profitable to harvest without the legal, incidental catch of Pacific cod. Typically, the ex-vessel value of Pacific cod is twice that of rockfish or flatfish. It is this incidental cod harvest that makes the harvest of the lower value species economically viable. Table 5 illustrates the difference in ex-vessel value of these different species. Further, as noted in Part III, it is these large volume, lower value fisheries that provide sufficient product to the processors so that these processors can keep a full time work force in place throughout the year.

E. DIFFERENTIAL START DATES FOR THE A SEASON

Beginning in the 1980s and lasting through the early 1990s, all gear types began their fishing year on January 1. Thus, all gear types competed equally for the commonly managed cod quota. In 1993, in order to reduce bycatch in the BSAI trawl fishery, the starting date for the BSAI trawl season was changed to January 20. The starting date for the GOA trawl cod season was also changed to January 20 in order to prevent the BSAI fleet from fishing in the GOA prior to the BSAI opening date.

In 1994, the BSAI Pacific cod TAC was allocated among the gear and operation types based on catch history. Consequently, the staggered fixed gear and trawl season opening dates did not impact the ability of the sectors to manage their historic catches in the BSAI. *See EA, p. 21.* AGDB and the Alaska Whitefish Trawlers Association each requested a similar allocation of cod by gear and operation types. The fixed gear sector opposed that initiative as they sought to

delay any sector allocation in order to buy time to increase their catch share. In 1993, the trawl sector's cod catch was 66% of the total TAC, a number lower than recent catches because the fixed gear sector has taken the opportunity of the intervening years to increase its catch share. If the GOA cod resource had been divided by sector in 1994 as had been done in the BSAI fishery, it would have removed any conflict between the sectors, incidental cod use would have been managed within each sector, and the staggered seasonal starting dates between the fixed gear fishery and the trawl fishery would not have mattered since each sector would have been competing only within their own sector's allocation of cod.

In 2001, SSL conservation measures took effect splitting the cod quota into two seasons, with 60% of the TAC allocated to an A season beginning January 1 for the fixed gear fleet and January 20 for the trawl fleet. The remaining 40% of the TAC was allocated to the B season starting September 1. Prior to 2001, the entire cod quota was available for harvest in January with the exception of that amount held back to address the incidental cod harvest. Between 2001 and 2003, the fishery was managed such that the 60% quota limit in the A season only applied to the directed catch and did not include the amount held back for incidental catch needs. In 2004, NMFS changed this practice, now requiring that the entire A season catch (directed catch and incidental catch) count toward the 60% A season allocation. The net result was an A season of ever decreasing length. For example, the 2004 trawl A season closed in just 11 days after its January 20 opening. In 2005 and 2009, the closure occurred 6 days and 7 days respectively after the January 20 opening. Because of the reduced available quota in the A season, the directed cod seasons were dramatically shortened and the inequity of the start date between the fixed gear and trawl sectors was intensified. If there was a common start date, then the relative harvest amounts would be different since the fixed gear fleet would no longer have a head start. According to the

EA (page 118), the percent of A season catch harvested from January 1 to January 20 for the inshore fixed gear sector ranged from a low of 14% to a high of 58% for the years 2001 to 2008.

Compounding these problems is the fact that the 2001 SSL conservation regulations closed the trawl cod fishery from November 1 through December 31. However, fixed gear participants in the fishery are allowed to fish during this two month period.

Table 7 compares the annual retained incidentally caught cod for the catcher vessel trawl sector to the fixed gear cod catch in the January 1-20 and November 1-December 31 time periods. According to the data in the table, over the years 2001-2008, the fixed gear sector harvested a total of 34,365 mt of cod during their exclusive harvesting periods (January 1-20 and November 1-December 31). This compares to 17,061 mt of total retained incidental catch by the trawl catcher vessels from 2001 to 2008. The fixed gear sector, however, caught 17,304 mt more than the catcher vessel trawl incidental catch (more than double). This table shows the effect on catch history of prohibiting trawl vessels from participating in the GOA cod fishery between January 1-20 and November 1-December 31. For the fixed gear pot and longline catcher vessel sectors, between 17%-59% of the longline catcher vessel sector catch history and between 7%-62% of the catcher vessel pot sector catch history for the period 2001-2008 was accumulated during these exclusive seasonal fishing periods during which the catcher vessel trawlers were not allowed to participate. Thus, the effect of the differential opening and closure dates is a significant additional penalty on the trawl sector that should be accounted for in determining the sector allocations under the Proposed Action. An average of 3.2% of the annual retained CGOA cod catch (years 2001-2008) has been forfeited by the catcher vessel trawl sector because of unequal start date and the SSL regulations that prohibit trawlers from fishing directly for cod

after November 1 (*see* Table 8). If one uses the Average Catcher Vessel Trawl Option of 41.7% of the CGOA allocation (EA, Table E-4), this "cost" becomes 3.7% of the annual TAC.

Table 7. Comparison of CGOA Directed Catch by the Fixed Gear Sector (January 1-20 and November 1-December 1) and Annual Retained Incidental Catch by CV Trawl 2001-2008.

Year	CGOA Inshore Fixed Gear Directed Catch (mt)			CGOA CV Trawl Retained Incidental Catch (mt) ³	Diff (mt)
	Jan 1 - 20 ¹	Nov 1 - Dec 31 ²	Total		
2001	1,541	49	1,590	2,427	-837
2002	1,496	7	1,503	2,648	-1,145
2003	2,537	*	2,537	2,602	-65
2004	5,463	486	5,949	2,324	3,625
2005	6,092	1,444	7,536	1,845	5,691
2006	4,916	1,660	6,576	1,451	5,125
2007	3,220	2,607	5,827	1,502	4,325
2008	2,832	15	2,847	2,262	585
Total	28,097	6,268	34,365	17,061	17,304

Table 8. "Cost" to CV Trawl Sector due to Fixed Gear "Exclusive" Directed Cod Harvesting Periods (January 1-20 and November 1-December 31).

Year	Fixed Gear exclusive harvest minus CV Trawl Incidental Catch(mt) (from Table 7)	Total CGOA Retained Catch (mt) ¹	Diff as % of Retained Catch	% CV trawl of annual retained catch ¹	% CV Trawl "cost"
2001	-837	27,207	-3.1%	55.8%	-1.7%
2002	-1,145	23,270	-4.9%	45.4%	-2.2%
2003	-65	23,894	-0.3%	60.3%	-0.2%
2004	3,625	26,349	13.8%	51.9%	7.1%
2005	5,691	22,154	25.7%	38.8%	10.0%
2006	5,125	22,395	22.9%	26.4%	6.0%
2007	4,325	25,183	17.2%	32.6%	5.6%
2008	585	25,348	2.3%	46.1%	1.1%
Total	17,304	195,800	8.8%	36.2%	3.2%

¹ EA Table A-3: Retained catch CGOA

F. THE SPECIAL POT AND JIG FISHERY ALLOCATION HAS ALREADY PENALIZED THE TRAWL FLEET

The Alaska Board of Fisheries created a State waters Pacific cod fishery in 1997 based on the assumption that the individual fishery quota ("IFQ") and the LLP program were changing the structure of Alaska groundfish fisheries making it more difficult for local fishermen to participate. However, the only gear types allowed to participate in the newly created State cod fishery were pot and jig gear. The allocation to the State cod fishery was 25% of the CGOA allowable biological catch divided such that the pot sector received 16.94% and the jig sector 8.06%. Thus, the longline and trawl sectors lost access to this portion of the cod harvest. Although the Board of Fisheries sought to create a new fishery for new participants, the reality was that participants in the Federal fisheries are the ones that harvested the quota set aside for the State waters pot Pacific cod fishery. Indeed, Table 2-9 of the EA suggests that pot vessels holding LLP licenses for participation in the Federal fisheries harvested 85% of the allocation for the CGOA State waters fishery and 93% of the allocation for the WGOA State waters fishery. Thus, the State fishery did not achieve its objective of creating opportunities for new participants. Rather, it simply achieved a reallocation among the Federal participants. If one uses the average percentage CGOA catcher vessel trawl allocation in table E-4 of the EA analysis (41.7% of the annual TAC), the catcher vessel trawl sector has thus forfeited 7.06% of the ABC to the State pot waters fishery. Although it is technically accurate that any vessel with the appropriate gear type can participate in the State fishery, the reality is that it is not practical for the trawl fleet to participate in this fishery. The investment for purchasing pots, redesigning a trawl vessel to accommodate pots, adding pot launchers, etc. is simply impracticable for the two-three week State fishery. Moreover, the timing of the State cod fishery is in direct conflict with

the occurrence of the pollock trawl fishery, creating another effective barrier to trawl vessels participating in the State cod fishery.

G. BYCATCH

According to the EA, the average tanner crab bycatch by the CGOA pot catcher vessel sector 2003-2008 was 5.5 crab per metric ton of groundfish caught. *Id.* at 164, Table 3-16. For the trawl catcher vessel sector, the average was 0.4. *Id.* In 2008, the CGOA pot catcher vessel fleet took 87,285 tanner crab, a number more than 600% greater than the number of tanner crabs taken incidentally by CGOA trawl catcher vessels in 2008. *Id.* at 164, Table 3-15.

The EA also reveals that the average halibut bycatch by the CGOA hook and line catcher vessel sector 2001-2008 was 153 kg of halibut per metric ton of groundfish taken in the A season and 273 kg of halibut per metric ton of groundfish taken in the B season. *Id.* at 161, Table 3-11. The comparable numbers for the CGOA trawl catcher vessel fleet are 21 and 60. *Id.* Another way to look at this is that the kg of halibut per metric ton of groundfish taken by the CGOA longline catcher vessel fleet was more than 700% greater than for the trawl catcher vessel fleet in the A season and approximately 450% greater in the B Season. Additionally, the EA notes that while an increase in the Pacific cod allocations to trawl gear would likely result in an increased halibut, crab, and salmon PSC in the Pacific cod target with trawl gear (under the existing derby fishery), a reduction in the Pacific cod allocations to trawl gear could result in a shift in effort to the flatfish targets, where halibut, crab, and salmon PSC rates may be higher than in the Pacific cod target. As a result, overall trawl bycatch of halibut, crab, and salmon may stay the same or increase even if Pacific cod catch with trawl gear decreases.

It should also be noted that the catcher vessel trawl sector has expended significant time, effort, and money to develop and utilize the halibut excluder device to minimize the incidental catch of halibut in the cod target fishery. For the Kodiak core trawl fleet participants the

aggregate cost of the halibut excluder devices was \$252,000. In addition, the fleet voluntarily took other measures such as fishing only in daylight hours and employing a short pulse fishery to reduce halibut bycatch during the B season fishery.

As to marine mammals, the GOA Pacific cod fisheries (pot, trawl, and hook and line) are classified as Category III fisheries under the Marine Mammal Protection Act, 74 Fed. Reg. 58859 (Nov. 16, 2009). Category III fisheries are unlikely to cause mortality or serious injury to more than 1% of the marine mammals potential biological removal level.

V. CONCLUSION

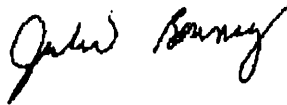
The Proposed Action has laudable objectives but it will not stop the race for the fish. Participants in each sector will continue to race for that sector's allocation. Further, if the trawl sector is given an allocation at the low end of the alternatives under consideration, it will cause economic instability and bankruptcies in the trawl fleet that could experience a revenue loss of up to 24% per vessel. Lost crew revenue, principally in Alaska, could total \$3.12 million. These losses and associated unemployment do not count similar effects in the service sector and processors that depend on the trawl sector. The sad reality is that these effects are likely and cannot be ameliorated by transferring fishing effort to other fisheries because of limited entry barriers in high value fisheries and economic infeasibility in lower value fisheries that are profitable now only because of the incidental of catch cod.

The Council should select as the base year allocation the average of option 2 (best five years 2000-2006) and option 6 (best five years 2002-2008). Shorter time clips such as three years do not reflect historic participation as well as a five year measurement. The trawl sector should be awarded an additional 3% allocation to avoid the grave economic and employment consequences of a reduced allocation and to compensate for the catch share losses already built

into the allocation, 4% because of the elimination of 1995-2005 in the CGOA as base years, and 3.2% due to the effect of differential fishery start dates in the A season.

Thanks for the opportunity to comment.

Sincerely,



Julie Bonney
Executive Director
Alaska Groundfish Data Bank, Inc

APPENDIX I



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November 21, 2009

FROM: Rick Krueger, General Manager
 Summit Seafoods

FLATFISH MARKET REPORT

In general, the markets for all species of flatfish weakened in 2009, due to generally weak economic conditions and to some extent continuing competition with other species in the market, specifically tilapia and pangasius (sometimes also called Vietnamese catfish).

Credit problems among processors in China has also reduced demand overall this year. The competition with other species will continue, but the credit situation seems to be improving for most of our customers. The market is also adjusting to raw material that is generally of a smaller average size under the Amendment 80 fishing regulations, and more product in general coming from the Bering Sea under increasing retention rates (GRS).

1. ROCK SOLE

The supply of H/G rock sole (non-roe) from the Bering Sea has increased under the Amendment 80 regulations, and prices declined in 2008 and 2009 from the highs we saw in 2006 and 2007. The attached spreadsheet shows the increase in retained rock sole tonnage from 2006 through November 21, 2009, summarized below:

2006:	27,866 MT	pre-Amendment 80
2007:	26,828 MT	pre-Amendment 80
2008:	45,162 MT	Amendment 80, 65% retention rate (GRS)
2009:	39,233 MT (through 11.21.09)	Amendment 80, 75% retention rate (GRS)

Most of this increase in retained tonnage is due to the increased GRS and more controlled halibut bycatch rates that have extended the length of certain fisheries.

More H/G rock sole are being shipped to fillet markets in China from the Bering Sea during the winter season (January through March), as C/Ps must now retain more their total catch, and cannot focus primarily on the production of roe-in rock sole for the Japanese market. Most of the male fish retained during this period are smaller fish, ranging in weight from 120 to 350 grams/fish, H/G weight. This size rock sole are basically priced at the same level as H/G yellowfin sole, and often used interchangeably with yellowfin sole and marketed as "flounder" fillets.

At this year's lower market prices, demand was steady in 2009 for most suppliers of H/G fish, if the fish was priced correctly in the market. Demand has been much higher for the 350 grams and larger fish (H/G weight), which produce the larger fillets that are somewhat short in end markets. However, the majority of the production last year was of fish under 350 grams/fish. There is some indication that demand for rock sole fillets may increase in Europe in 2010 as some users shift some of their yellowfin sole fillet demand to rock sole fillets, and also shift to rock sole to meet EU labeling requirements.

Initial discussions with our customers for deliveries of rock sole in early 2010 point to a slight increase in demand, which we hope will lead to slightly higher prices. On average, prices have declined about 29% on an FOB Alaska basis (net price to the boat) since 2006.

2. ARROWTOOTH FLOUNDER

Demand and prices for H/G/T (headed, gutted, tailed) arrowtooth flounder remains very weak, especially for GOA production. We do not expect any improvement in the markets in 2010 at current production levels. Bering Sea and Aleutian Island arrowtooth production increased greatly in 2009, leading to an oversupply in all markets. The BSAI arrowtooth is preferred by processors over GOA fish, due to its more consistent quality, relatively firmer meat texture, and better frill and fillet yields. We have had significant claims from China this year on our limited GOA arrowtooth production, especially on the larger fish that tend to be very soft with significant jelly meat characteristics. In some cases, we paid back 100% of the value of the fish to our customer, making the net FOB Kodiak value to the boat zero.

The attached spreadsheet also shows the rapid increase in BSAI arrowtooth production since the Amendment 80 regulations went into effect. Much of this fish must be produced regardless of market conditions and market price in order to meet the GRS percentages, which means finding a buyer is more important than the final price to the boat.

The number of retained metric tons of BSAI arrowtooth has increased as follows in the last 4 years:

2006:	5,379 MT	pre-Amendment 80
2007:	3,636 MT	pre-Amendment 80
2008:	15,116 MT	Amendment 80, 65% retention rate (GRS)
2009:	22,883 MT (through 11.21.09)	Amendment 80, 75% retention rate (GRS)

In 2010, the BSAI GRS for Amendment 80 boats increases to 80%, and increases again in 2011 to 85%. To meet these retention standards, it is certain that all Amendment 80 boats will need to increase their retention of arrowtooth in 2010 and move to market regardless of price.

In addition to the increased arrowtooth tonnage coming from the BSAI due to the increasing GRS, several large factory trawlers have also started fishing an area in the Aleutian Islands that has high catch and production levels and low halibut bycatch rates. The quality of this fish is reportedly very good, even compared to normal Bering Sea production.

Prices for FAS H/G/T arrowtooth have dropped significantly to the boats since 2006. On a CFR China basis (cost/FOB Alaska value + freight), prices have moved from a high in 2006 of \$1,850 to \$1,900/MT down to \$1,000 to \$1,200/MT in 2009. On an FOB Alaska basis, these prices translate into a reduction from roughly \$.72 to \$.74/pound FOB Alaska to \$.34 to \$.43/pound FOB Alaska, depending on freight costs. (Note: Kodiak always is normally at a freight disadvantage compared to shipments from Dutch Harbor, where tramper shipments are always available). We have heard of some Bering Sea arrowtooth sold in the Japanese market this year that has netted the boat under \$.20/pound FOB Alaska.

Some new markets for arrowtooth are developing in Eastern Europe, and we hope that the low raw material prices in 2009 will allow Chinese processors to capture new markets with lower finished product prices.

3. FLATHEAD SOLE

Demand for flathead sole was relatively firm this year, although prices continued to move down. Demand for the larger fish (350 grams + / fish H/G weight) was better than the demand for smaller fish, which were in short supply from the Bering Sea fishery. Halibut bycatch limitations hampered BSAI flathead production this year, as some of the normal fishing areas had relatively high halibut bycatch rates and boats were forced to move to lower halibut bycatch fisheries such as yellowfin sole. Smaller flathead (under 350 grams/fish) were generally priced at the same level as like-size yellowfin sole, and most processors used the small flathead fillets mixed with rock sole and yellowfin sole fillets, sold as "flounder" fillets. Of all of the flatfish species we produce, flathead has had the best demand in 2009, mainly due to the better fillet characteristics of flathead as compared to yellowfin sole and rock sole.

Demand should improve for flathead in 2010, especially for the larger fish, 350 grams and up H/G weight.

On average, prices have declined about 25% to 32% on an FOB Alaska basis (net price to the boat) since 2006, depending on the fish size

4. REX SOLE

Demand for FAS rex sole has been steady, although prices did decline about 10% to 15% in 2009. Some users in the U.S. market did move down to smaller, cheaper fish in 2009, but the price declines for rex sole this year were the smallest of all flatfish species.

Inventory levels going into the 2010 season are relatively low in the U.S., with limited new supply coming into the market over the next few months.

The Japanese market has also been relatively steady, for both smaller whole round rex sole, and for roe-in rex sole. A favorable U.S. dollar / yen exchange rate has also helped to maintain relatively strong dollar prices this year.

Table 1: BSAI CP Retained and discarded Arrowtooth and Rock Sole

BSAI RETAINED AND DISCARDED C/P SECTOR
2006 to 2009 Arrowtooth Flounder and Rock Sole

ARROWTOOTH	Amendment 80			Pre-Amendment 80	
	2010	2009	2008	2007	2006
	to 11.21	12.31	12.31	12.31	12.31
GRS	80%	75%	65%	N/A	N/A
Retained, CP		22,883	15,116	3,636	5,379
Discarded, CP		5,573	5,201	6,364	6,741
TOTAL		28,456	20,317	10,000	12,120
Date	to 11.21	to 12.31	to 12.31	to 12.31	to 12.31
Total Catch, non-CDQ all sectors	27,325	20,496	10,696	12,699	

ROCK SOLE	Amendment 80			Pre-Amendment 80	
	2010	2009	2008	2007	2006
	to 11.21	12.31	12.31	12.31	12.31
GRS	80%	75%	65%	N/A	N/A
Retained, CP		39,233	45,162	26,828	27,866
Discarded, CP		4,139	4,371	8,093	7,077
TOTAL		43,372	49,533	34,921	34,943
Date	to 11.21	to 12.31	to 12.31	to 12.31	to 12.31
Total Catch, non-CDQ all sectors					

Mike McElhenie

F/V Marcy J

December 2009 Agenda Item C-1 GOA Cod Split

Biography: My name is Mike McElhenie. I've been commercial fishing in Alaska since 1982. I've longlined P cod, black cod, and halibut in the GOA and BSAI. I've pot fished P cod Black cod, red crab, blue crab, brown crab, Opilio, Tanner, Dungeness and Hair crab in the BSAI, GOA, Washington, Oregon and California Coast. I've shrimp fished off Oregon and Washington, scalloped off of Massachusetts and New Jersey. I've trawled cod, pollock and sole in the BSAI, GOA, Washington Oregon and California coast. .

I've lived in Kodiak from 1982 until 1998. I now live in Beaverton Oregon, but spend 9-10 months of the year in Alaska. If it wasn't for family circumstances, I'd live in Kodiak now. I consider Kodiak my home.

Trawl Versus Non-Trawl Participants in 2008 compared to Number of Remaining Licenses after the LLP reduction

CGOA	CV	Fishers in '08	LLPs after recency	Change	% Change
Trawl		42	93	51	221.4%
HAL	< 60	137	123	-14	89.8%
HAL	≥ 60	19	7	-12	36.8%
Pot	< 60	39	51	12	130.8%
Pot	≥ 60	19	27	8	142.1%
CQE	< 60 Pot	Na	26	na	na
CQE	< 60 LL	Na	24	na	na
Total Fixed		214	258	44	120.6%
Total Fixed ex CQE		214	208	-6	97.2%

Good Morning Mr. Chairman and good morning to the members of the A.P/Council:

My name is Mike McElhenie and I run and represent the trawler, Marcy J. The Marcy J has been a Kodiak trawler from the very beginning. My fishing background is detailed for you in my written testimony that is being handed out.

I'm here to speak to you about the Central Gulf of Alaska cod fishery "Access" issue which is one of the topics mentioned in Component 9. As you can see by my qualifications in the handout, I've participated in all the fisheries affected by the upcoming decision. I've chosen trawling because it's the most efficient way to harvest fish and the only one that provides year round employment. The recent actions taken by the Council to eliminate LLPs that are not active in the CGOA will reduce the

number of fixed gear boats in the directed federal cod fishery from the current 214 that participated in 2008 to a maximum potential after recency of 208 boats – a reduction of 6 licenses. This does not include the 50 CQE licenses that will be able to fish, but, honestly, the reality is very few if any of these licenses will enter the fishery.

The LLP recency action differs greatly for the Central Gulf trawl sector: there were 42 participants in the 2008 cod fishery. When the Trawl Recency action is implemented in January of next year, there will be 93 licenses that could potentially participate in this cod fishery (51 MORE than fished in 2008 – an increase of more than 200%). Our sector is more vulnerable to increased participation. New vessels entering the trawl fishery will only increase the race for fish within our sector, contrary to the problem Statement objective. And, again contrary to the problem Statement's objective, those new entrants will diminish the revenue for historically dependent vessels.

With the price of cod being cut 37 cents from last year, we've already taken a hard hit financially. I myself made 35% less this year than last year. I can think of 12 boats that fished sole this year that normally don't due to the low cod price and low cod and pollock quotas. I know of 4 boats that will be coming from the Bering Sea to fish the Gulf next summer and Fall.

While some would assert that additional vessels will not enter the trawl fishery, I know different. Increased completion within our sector will make it tougher for me to survive economically – this will especially be so if the trawl sector does not receive a "fair and equitable" cod allocation.

Considering this possible negative impact to the Trawl sector, I am urging you to accept the allocation proposal as put forth by Bob Krueger of AWTA.

Thank you for the opportunity to testify,

Mike McElhenie

**C-1 Supplemental – NPFMC Staff handout
December 2009
GOA Pacific cod sector allocations**

Component 4

The allocation tables in the analysis (Tables 2-49 and 2-50 on pp. 80-81) show the allocations taken out of a 'single pie'. The tables show the effects of different initial allocations to the jig sector (i.e., 1%, 1.5%, or 2%) on the allocations to other sectors.

The Council's final motion will need to show the initial allocation to the jig sector taken off the top of the TAC, similar to how the CDQ allocation is taken off the top of the BSAI TAC. The remainder of the TAC will then be allocated among the other sectors, and these allocations will sum to 100%. The reason for calculating the allocations in this way is that if the jig allocation changes in the future (i.e., due to the stairstep provisions), the percent allocations to the other sectors will remain fixed, and won't need to be adjusted. Tables 1 and 2 (below) show the allocations to the other (non-jig) sectors when the jig allocation is taken off the top of the TAC. Note that both approaches result in the same outcome for each sector: taking the jig allocation off the top of the TAC simplifies the harvest specifications process because the percent allocations will not need to be adjusted if the percent jig allocation changes.

Component 7

Under Component 7, Option 2, the GOA-wide non-DSR hook-and-line halibut PSC limit would be allocated to hook-and-line CVs and CPs in proportion to the aggregate Western and Central GOA Pacific cod allocations to each sector. Halibut PSC by hook-and-line CVs and CPs operating in the Western, Central, and Eastern GOA would accrue to these allocations. In order to calculate the potential PSC allocations, the Western and Central GOA percent sector allocations were first scaled to the relative size of the Western and Central GOA TACs.

The PSC allocation table in the analysis (Table 2-56, p.96) is based on the area apportionments in the 2008-2009 harvest specifications (57% CGOA, 39% WGOA, 4% EGOA). The area apportionments proposed in the 2009-2010 harvest specifications were revised based on the average biomass distribution observed in the 2005, 2007, and 2009 trawl surveys (62% CGOA, 35%WGOA, 3% EGOA). **If the Council chooses Option 2, the PSC allocations could be revised as the area apportionments change, as part of the annual harvest specifications process.**

Component 9

In the equity of access section of the analysis, there is a discussion of the 2004 halibut PSC overage for trawl gear (pp. 119-120). The NMFS PSC database, and the recent catch reports posted online, showed an overage of 824 mt (see attached). However, year-end catch reports posted in December 2004 showed an overage of approximately 300 mt. NMFS reviewed the 2004 PSC data last week, and posted corrected PSC estimates on Friday, December 4 (see attached). The corrected catch report shows a 444 mt overage, instead of 824 mt.

NMFS staff provided the following explanation for corrections to the 2004 PSC estimates:

In 2004, there was one observed trip consisting of 4 tows which were all identified as 'observer tows'. The 'observer tow' issue has previously been described for the Council. These tows skewed the data and created unrealistic estimates of groundfish discard of arrowtooth flounder, flathead sole, and other species. The decision was made during the 2004 fishery to remove these hauls from the catch accounting system since it affected the in-season catch estimates severely, including impacting halibut mortality estimates. In 2008, the data were inadvertently added back into the catch accounting system. The error has been fixed and the 2004 numbers have been rerun and corrected to reflect the decisions made in 2004.

The analysis (pp. 119-120) indicates that the trawl B season would not have opened in 2004 because the 4th season shallow-water PSC limit of 900 mt had already been reached prior to September 1. The corrected PSC data show that the trawl B season would have opened on September 1. The 900 mt limit was reached on September 4, which is earlier than the actual season closure date (September 10).

Table 1 Potential sector allocations, with jig allocation taken off the top of the TAC

Western GOA	HAL CP	HAL CV	Pot CP	Pot CV	Trawl CP	Trawl CV
1995-2005: Best 7 years	19.8%	0.5%	2.2%	28.0%	2.5%	46.9%
2000-2006: Best 5 years	21.8%	0.6%	2.3%	40.7%	2.6%	32.0%
2002-2007: Best 5 years	22.7%	1.2%	1.6%	46.0%	2.4%	26.1%
2002-2008: Best 5 years	21.8%	1.7%	1.5%	44.5%	2.4%	28.1%
Each sector's best option	18.6%	1.4%	1.9%	37.6%	2.1%	38.4%
Average of Options 1-4	21.5%	1.0%	1.9%	39.8%	2.5%	33.3%

Central GOA	HAL CP	HAL CV	Pot CP	Pot CV	Trawl CP	Trawl CV
2000-2006: Best 5 years	4.2%	20.9%	1.0%	25.3%	4.4%	44.2%
2000-2006: Best 3 years	4.7%	19.5%	1.4%	28.0%	4.4%	42.0%
2002-2007: Best 5 years	5.2%	22.6%	0.4%	25.9%	3.5%	42.4%
2002-2007: Best 3 years	4.9%	21.6%	0.5%	28.2%	3.3%	41.4%
2002-2008: Best 5 years	5.5%	22.3%	0.3%	25.8%	3.3%	42.7%
2002-2008: Best 3 years	5.2%	21.5%	0.5%	28.1%	3.3%	41.4%
Each sector's best option	5.1%	21.3%	1.3%	26.5%	4.2%	41.6%
Average of Options 2, 4, and 6	5.0%	21.9%	0.6%	25.7%	3.7%	43.1%
Average of Options 1-6	4.9%	21.4%	0.7%	26.9%	3.7%	42.4%

Western GOA	HAL CP		HAL CV		HAL CV		Pot CV		POT CV		TRW CV	
	<125	>=125	<50	>=50	<60	>=60	<60	>=60	<60	>=60	<60	>=60
1995-2005: Best 7 years	16.9%	2.9%	0.2%	0.2%	0.4%	0.1%	13.6%	14.4%	33.0%	13.9%	33.0%	13.9%
2000-2006: Best 5 years	18.2%	3.6%	0.3%	0.3%	0.6%	0.0%	19.0%	21.7%	24.8%	7.1%	24.8%	7.1%
2002-2007: Best 5 years	17.6%	5.1%	0.6%	0.6%	1.1%	0.0%	20.9%	25.1%	21.6%	4.6%	21.6%	4.6%
2002-2008: Best 5 years	17.2%	4.6%	0.7%	1.0%	1.4%	0.3%	21.7%	22.8%	24.0%	4.1%	24.0%	4.1%
Each sector's best option	14.4%	4.2%	0.6%	0.8%	1.2%	0.2%	17.1%	20.5%	27.1%	11.4%	27.1%	11.4%
Average of Options 1-4	17.5%	4.1%	0.5%	0.5%	0.9%	0.1%	18.8%	21.0%	25.9%	7.4%	25.9%	7.4%

Central GOA	HAL CP		HAL CV		HAL CV		Pot CV		POT CV		TRW CV	
	<125	>=125	<50	>=50	<60	>=60	<60	>=60	<60	>=60	<60	>=60
2000-2006: Best 5 years	0.6%	3.6%	14.6%	6.2%	19.1%	1.8%	10.9%	14.4%	1.7%	42.6%	1.7%	42.6%
2000-2006: Best 3 years	0.5%	4.2%	14.0%	5.6%	18.1%	1.4%	11.5%	16.5%	1.8%	40.3%	1.8%	40.3%
2002-2007: Best 5 years	0.8%	4.4%	15.5%	7.1%	20.6%	2.0%	12.2%	13.7%	1.1%	41.3%	1.1%	41.3%
2002-2007: Best 3 years	0.5%	4.4%	14.7%	6.9%	19.9%	1.7%	13.0%	15.2%	1.5%	39.9%	1.5%	39.9%
2002-2008: Best 5 years	1.1%	4.4%	14.6%	7.8%	20.3%	2.1%	12.3%	13.5%	1.2%	41.6%	1.2%	41.6%
2002-2008: Best 3 years	0.9%	4.3%	14.7%	6.9%	19.8%	1.7%	12.9%	15.1%	1.1%	40.3%	1.1%	40.3%
Each sector's best option	1.0%	4.1%	14.6%	6.7%	19.4%	1.9%	12.2%	14.3%	1.6%	40.0%	1.6%	40.0%
Average of Options 2, 4, and 6	0.8%	4.1%	14.9%	7.1%	20.0%	2.0%	11.8%	13.9%	1.3%	41.8%	1.3%	41.8%
Average of Options 1-6	0.7%	4.2%	14.7%	6.7%	19.6%	1.8%	12.1%	14.8%	1.4%	41.0%	1.4%	41.0%

Table 2 Range of potential sector allocations, with jig allocation taken off the top of the TAC

Western GOA	Range of Options		±3% adjustment		Average option**	Range of Catch History		Percent of catch in 2008
	Low	High	Low	High		Low	High	
Hook-and-line CP	18.6%	22.7%	15.6%	25.7%	21.5%	5.9%	36.9%	20.9%
Hook-and-line CV	0.5%	1.7%	0.5%	4.7%	1.0%	0.1%	3.4%	3.4%
Pot CP	1.5%	2.3%	1.5%	5.3%	1.9%	0.0%	7.1%	*
Pot CV	28.0%	46.0%	25.0%	49.0%	39.8%	4.4%	63.4%	40.8%
Trawl CP	2.1%	2.6%	2.1%	5.6%	2.5%	1.2%	4.6%	2.7%
Trawl CV	26.1%	46.9%	23.1%	49.9%	33.3%	8.7%	78.1%	32.1%

Central GOA	Range of Options		±3% adjustment		Average option**	Range of Catch History		Percent of catch in 2008
	Low	High	Low	High		Low	High	
Hook-and-line CP	4.2%	5.5%	1.2%	8.5%	4.9%	0.3%	7.0%	6.9%
Hook-and-line CV	19.5%	22.6%	16.5%	25.6%	21.4%	10.3%	29.5%	23.9%
Pot CP	0.3%	1.4%	0.3%	4.4%	0.7%	0.0%	6.8%	0.0%
Pot CV	25.3%	28.2%	22.3%	31.2%	26.9%	12.9%	37.6%	20.5%
Trawl CP	3.3%	4.4%	3.3%	7.4%	3.7%	1.9%	10.9%	2.5%
Trawl CV	41.4%	44.2%	38.4%	47.2%	42.4%	26.4%	62.3%	46.1%

** Average option for WGOA: Average of Options 1-4. Average option for CGOA: Average of options 1-6.

Table 3 Halibut PSC apportionments to hook-and-line CVs and CPs under different Pacific cod area apportionments.

Area apportionments: 57% CGOA, 39% WGOA

Period	CV Allocation	CP Allocation	CV amount (mt)	CP amount (mt)
1995-2005: Best 7 years	52.0%	48.0%	150.7	139.3
1995-2005: Best 5 years	52.7%	47.3%	152.7	137.3
2000-2006: Best 5 years	52.8%	47.2%	153.0	137.0
2000-2006: Best 3 years	50.9%	49.1%	147.5	142.5
2002-2007: Best 5 years	53.1%	46.9%	153.9	136.1
2002-2007: Best 3 years	52.9%	47.1%	153.5	136.5
2002-2008: Best 5 years	53.6%	46.4%	155.3	134.7
2002-2008: Best 3 years	53.0%	47.0%	153.8	136.2

Area apportionments: 62% CGOA, 35% WGOA

Period	CV Allocation	CP Allocation	CV amount (mt)	CP amount (mt)
1995-2005: Best 7 years	55.8%	44.2%	161.8	128.2
1995-2005: Best 5 years	56.3%	43.7%	163.2	126.8
2000-2006: Best 5 years	56.3%	43.7%	163.4	126.6
2000-2006: Best 3 years	54.3%	45.7%	157.5	132.5
2002-2007: Best 5 years	56.4%	43.6%	163.6	126.4
2002-2007: Best 3 years	56.3%	43.7%	163.2	126.8
2002-2008: Best 5 years	56.7%	43.3%	164.6	125.4
2002-2008: Best 3 years	56.2%	43.8%	163.0	127.0

Gulf of Alaska Prohibited Species Report

Through: 31-DEC-04

National Marine Fisheries Service
Alaska Region, Sustainable Fisheries
Catch Accounting



Non-Chinook Salmon

Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Non Chinook Salmon	Count	6,963	0			0
Total:			6,963	0			0

Chinook Salmon

Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Chinook Salmon	Count	21,588	0			0
Total:			21,588	0			0

Halibut Mortality

Non-Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Other Hook-and-Line Fisheries	MT	294	290	-4	101%	0
Total:			294	290	-4	101%	0

Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Trawl Fishery	MT	2,824	2,000	-824	141%	0
Total:			2,824	2,000	-824	141%	0

No PSC Limits apply to salmon in the GOA.

Other hook-and-line fisheries means all hook-and-line fisheries except sablefish and demersal shelf rockfish in the Southeast District. The hook-and-line sablefish fishery is exempt from halibut bycatch limits.

Halibut mortality for the demersal shelf rockfish fishery, Southeast District is not listed due to insufficient observer coverage.

Data is based on observer reports, extrapolated to total groundfish harvest. Estimates for all weeks may change due to incorporation of late or corrected data.

Gulf of Alaska Prohibited Species Report

Through: 31-DEC-04

National Marine Fisheries Service
Alaska Region, Sustainable Fisheries
Catch Accounting



Non-Chinook Salmon

Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Non Chinook Salmon	Count	5,809	0			0
Total:			5,809	0			0

Chinook Salmon

Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Chinook Salmon	Count	17,745	0			0
Total:			17,745	0			0

Halibut Mortality

Non-Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
X	Other Hook-and-Line Fisheries	MT	294	290	-4	101%	0
Total:			294	290	-4	101%	0

Trawl Gear

Sea- sons	Account	Units	Total Catch	Limit	Remaining	% Taken	Last Wk Catch
	Trawl Fishery	MT	2,444	2,000	-444	122%	0
Total:			2,444	2,000	-444	122%	0

No PSC Limits apply to salmon in the GOA.

Other hook-and-line fisheries means all hook-and-line fisheries except sablefish and demersal shelf rockfish in the Southeast District. The hook-and-line sablefish fishery is exempt from halibut bycatch limits.

Halibut mortality for the demersal shelf rockfish fishery, Southeast District is not listed due to insufficient observer coverage.

Data is based on observer reports, extrapolated to total groundfish harvest. Estimates for all weeks may change due to incorporation of late or corrected data.

Gulf of Alaska Halibut Mortality Report

Through: 31-DEC-04

National Marine Fisheries Service
Alaska Region, Sustainable Fisheries
Catch Accounting



Trawl Fisheries

Deep Water Species Complex

Season	Begin	End	Total Catch	Limit	Limit Remaining	% Taken
1st Season	20-JAN-04	01-APR-04	176	100	-76	176%
2nd Season	01-APR-04	04-JUL-04	311	300	-11	104%
3rd Season	04-JUL-04	01-SEP-04	386	400	14	96%
4th Season	01-SEP-04	30-SEP-04	2	0	-2	0%
Total:			875	800	-75	109%

Shallow Water Species Complex

Season	Begin	End	Total Catch	Limit	Limit Remaining	% Taken
1st Season	20-JAN-04	01-APR-04	364	450	86	81%
2nd Season	01-APR-04	04-JUL-04	168	100	-68	168%
3rd Season	04-JUL-04	01-SEP-04	195	200	5	97%
4th Season	01-SEP-04	30-SEP-04	840	150	-690	560%
Total:			1,567	900	-667	174%

Year-To-Date

Account	Total Catch	Limit	Limit Remaining	% Taken	Last Wk Catch
Trawl Fishery	2,444	2,000	-444	122%	0

Other Hook-and-Line Fisheries

Season	Begin	End	Total Catch	Limit	Limit Remaining	% Taken
1st Season	01-JAN-04	10-JUN-04	195	250	55	78%
2nd Season	10-JUN-04	01-SEP-04	1	5	4	13%
3rd Season	01-SEP-04	31-DEC-04	98	35	-63	281%
			294	290	-4	101%

Deep-water species complex: sablefish, rockfish, deep-water flatfish, rex sole and arrowtooth flounder. Shallow-water species complex: pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and 'other species'.

No apportionment between shallow-water and deep-water fishery complexes during October 1 to December 31 (300 mt allocated).

Other hook-and-line fisheries means all hook-and-line fisheries except sablefish and demersal shelf rockfish in the Southeast District. The hook-and-line sablefish fishery is exempt from halibut bycatch restrictions.

Halibut mortality for the demersal shelf rockfish fishery, Southeast District is not listed due to insufficient observer coverage.

Within the components, **bold** represents preferred option(s), *bold, italics, underline* are additions, ~~strikeouts~~ are deletions.

AP recommends that the Council adopt the following problem statement for final action for the Allocation of Pacific cod among sectors in the Western and Central GOA.

GOA Pacific Cod Sector Split Purpose and Need Statement

"The limited access derby-style management of the Western GOA and Central GOA Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, reduced Federal TACs due to the State waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TACs. The competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

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 the stability across the sectors, and to promote sustainable fishing practices and facilitate development of management measures, the Western GOA and Central GOA Pacific cod TACs should be divided among the sectors. Allocations to each sector would be based primarily on qualifying catch history, but may be adjusted to address conservation, catch monitoring, and social objectives including considerations for small boat sectors and coastal communities. Because harvest sector allocations would supersede the inshore/offshore processing sector allocations for Pacific cod by creating harvest limits, the Council may consider regulatory changes for offshore and inshore floating processors in order to sustain the participants of fishing communities.

The timing of the Pacific cod A and B seasons may have limited the participation of jig vessels in the parallel and Federal fisheries of the GOA. Additionally, the State waters jig allocation has gone uncaught in some years, potentially due to the lack of availability of Pacific cod inside three miles. A non-historical federal catch award, together with the provision of access in Federal waters for the State Pacific cod jig allocations, offers entry-level opportunities for the jig sector.

Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the GOA Pacific cod TAC that may be harvested in parallel waters. There is concern that participation in the GOA Pacific cod parallel waters fishery by vessels that do not hold LLP licenses may increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.

AP recommends that the Council select alternative 2 as the preferred alternative selecting the options in bold within the components of Alternative 2.

~~ALTERNATIVE 1. No Action. The GOA Pacific cod TACs will not be allocated among the sectors.~~

ALTERNATIVE 2. The GOA Pacific cod TACs will be allocated among the sectors.

Component 1: Management areas

The Western and Central GOA Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2 (the management areas could be treated differently).

Component 2: Sector definitions

The Western and Central GOA Pacific cod TACs will be allocated among the following sectors. The Council has the option to either give a single allocation to each sector, or to divide any allocation by vessel length based on the option(s) listed below.

CENTRAL GOA:

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
 - ~~Option: Hook and line catcher processors <125 ft~~
 - ~~———— Hook and line catcher processors ≥125 ft~~
- ~~———— Hook and line catcher vessels~~
 - ~~Option:~~
 - Hook-and-line catcher vessels <50 ft
 - Hook-and-line catcher vessels ≥50 ft
 - ~~———— Pot catcher processors~~
 - ~~———— Pot catcher vessels~~
 - ~~Suboption:~~
 - Combine CP Pot sector
 - and CV Pot Sector
- Jig vessels

WESTERN GOA:

- Trawl catcher processors
- Trawl catcher vessels
- *Hook-and-line catcher processors*
 - ~~Option: Hook and line catcher processors <125 ft~~
 - ~~———— Hook and line catcher processors ≥125 ft~~
- *Hook-and-line catcher vessels*
 - ~~Option: Hook and line catcher vessels <60 ft~~
 - ~~———— Hook and line catcher vessels ≥60 ft~~
- ~~———— Pot catcher processors~~
- ~~———— Pot catcher vessels~~
 - ~~Option: Pot catcher vessels <60 ft~~
 - ~~———— Pot catcher vessels ≥60 ft~~
- ~~Suboption: Combine~~
 - CP Pot Sector
 - CV Pot Sector
- Jig vessels
 - ~~Option: For Western GOA only, create a single sector allocation for combined trawl and pot catcher vessels.~~
 - ~~Suboption: Applies only to vessels <60 ft.~~

Western and Central GOA:

Option: Restrict vessels from participating in the GOA Pacific cod fishery using more than one operational type in a given year. Holders of CP licenses shall make a one-time election to receive a WGOA and/or CGOA CP or CV endorsement for Pacific cod if that CP license made a minimum of one landing while operating as a CV under the authority of the CP license from 2002 to 2008, except CP licenses with landings made only operating as CVs will have a GOA Pacific cod CV endorsement added to the license.

Upon implementation of the GOA Pacific cod sector allocations, holders of these licenses will be limited to fishing off of the allocation assigned to operating in the sector designated by their license in the GOA cod fishery. For example, CPs licenses assigned to the CP sector may not fish off of the allocation assigned to operate as CVs in the GOA Pacific cod fishery. Future catch accounting for these vessels should be according to the sector to which those licenses are assigned operating mode.

(Note: This CP or CV endorsement would be added to the LLP license, and would apply only to the Western and Central GOA Pacific cod fisheries; the existing operation type endorsement would remain on the LLP license and would apply to other groundfish fisheries.)

Component 3: Definition of qualifying catch

Qualifying catch includes all retained legal catch of Pacific cod from the Federal and parallel waters fisheries in the Western and Central GOA.

- Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.
- Under all options, incidental catch allocated to trawl catcher vessels for the Central GOA Rockfish program (currently, 2.09% of the Central GOA Pacific cod TAC) will be deducted from the Central GOA trawl catcher vessel B season allocation.
- Each sector's allocation will be managed to support incidental and directed catch needs for that sector.

Component 4: Sector Allocations

Part A: Years included for purposes of determining catch history

Central GOA:

The AP recommends the following allocations for the WGOA Pacific cod sectors:

Central GOA		Annual Allocation	Compare to 60/40		Percent of annual	Percent of annual	Percent of seasonal	Percent of seasonal
			A season	B season				
HAL CP	4.70%	4.75%	60.0%	40.0%	2.8%	1.9%	4.7%	4.7%
HAL CV <50	14.70%	14.85%	60.0%	40.0%	8.9%	5.9%	14.8%	14.8%
HAL CV >=50	6.30%	6.36%	60.0%	40.0%	3.8%	2.5%	6.4%	6.4%
Pot CV	26.20%	26.46%	60.0%	40.0%	15.9%	10.6%	26.5%	26.5%
Pot CP	0.50%	0.51%	60.0%	40.0%	0.3%	0.2%	0.5%	0.5%
Trawl CP	3.85%	3.89%	60.0%	40.0%	2.3%	1.6%	3.9%	3.9%
Trawl CV	42.75%	43.18%	60.0%	40.0%	25.9%	17.3%	43.2%	43.2%
Total	99.0%	100.00%			60.0%	40.0%	100.0%	100.0%
Jig	1.50%	1.50%	60.0%	40.0%				

Motion on jig allocation passed 10/9

- Option 1: Qualifying years 2000–2006: average of best 3 years
- Option 2: Qualifying years 2000–2006: average of best 5 years
- Option 3: Qualifying years 2002–2007: average of best 3 years
- Option 4: Qualifying years 2002–2007: average of best 5 years
- Option 5: Qualifying years 2002–2008: average of best 3 years
- Option 6: Qualifying years 2002–2008: average of best 5 years
- Option 7: Average of above options 1–6. (unbold and strikeout)
- Option 8: Average of above options 2, 4 and 6.

Option: Average of above options 2 and 6

NOTE: The Council has the option to choose separate qualifying years for each sector.

- In order to reflect a broader range of allocations for the Council’s allocation adjustment considerations under Component 9, the range of potential annual allocations in the analysis is increased by 3% above the sector’s highest potential allocation and decreased by 3% below the sector’s lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation.
- When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.

Western GOA:

The AP recommends the following allocations for WGOA Pacific cod sectors:

Western GOA	AP Rec.	Annual Allocation	Compare to 60/40		A season allocation	B season allocation	A season allocation	B season allocation
			A season	B season	Percent of annual	Percent of annual	Percent of seasonal	Percent of seasonal
HAL CP	20.9%	21.22%	62.0%	38.0%	13.2%	8.1%	21.9%	20.2%
HAL CV	1.0%	1.02%	51.9%	48.1%	0.5%	0.5%	0.9%	1.2%
Pot CV	28.3%	28.73%	49.8%	50.2%	14.3%	14.4%	23.8%	36.1%
Pot CP	1.9%	1.93%	41.6%	58.4%	0.8%	1.1%	1.3%	2.8%
Trawl CP	2.4%	2.44%	46.4%	53.6%	1.1%	1.3%	1.9%	3.3%
Trawl CV	44.0%	44.67%	67.3%	32.7%	30.1%	14.6%	50.1%	36.5%
Total	98.50%	100.00%			60.0%	40.0%	100.0%	100.0%

The motion passed 17/1.

Option 1: Qualifying years 1995–2005: average of best 7 years

- Option 2: Qualifying years 2000–2006: average of best 5 years
- Option 3: Qualifying years 2002–2007: average of best 5 years
- Option 4: Qualifying years 2002–2008: average of best 5 years
- Option 5: Average of all options above

NOTE: The Council has the option to choose separate qualifying years for each sector.

- In order to reflect a broader range of allocations for the Council’s allocation adjustment considerations under Component 9, the range of potential annual allocations in the analysis is increased by 3% above the sector’s highest potential allocation and decreased by 3% below the sector’s lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation.
- When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.

Minority Report on Component 4 – Sector Allocation

A motion to select Option 7, to average options 1-6 failed 6/15. As stated in the sector split document, best years options favor years when an occurrence happened which resulted in a higher than average percentage, what has been referred to as cherry picking. AP minority believe that the option brought forward in the motion represents an average of the two best years option for a particular gear type and is a form of selecting what is best for a particular gear type. An average of all options represents a blend and results in a fair and equitable distribution. In addition, page 138 of the sector split document illustrates the gross revenue figures for the Kodiak fixed gear vessels fishing in 2001- 2008 as \$41,781,338 with 249 vessels participating and the Kodiak trawl fleet at \$20,361,109 with 26 vessels participating.. This factor, combined with the potential of CQE licenses that may be activated with the ability to participate in the fixed gear allocation justify an average of the qualifying years.

Signed by: Theresa Peterson, Jeff Favour, Becca Robbins Gisclair, Bob Jacobson, Chuck McCallum, and Ed Poulsen

Part B: Western and Central GOA Sideboards:

- For AFA sideboard vessels: Combine the inshore and offshore AFA CV sideboard amounts into a single sideboard for each management area.
- For non-AFA crab sideboard vessels: ~~Recalculate the sideboards and~~ Establish separate CP and CV sideboard amounts ~~by gear type~~ for each management area.

Part C: Seasonal apportionment of sector allocations (different options may be selected for the management areas):

Central GOA:

Option 1: Apportion each sector's annual allocation 60% to the A season and 40% to the B season

~~**Option 2:**~~ Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.

- ~~These seasonal apportionment options do not apply to the jig sector.~~

Western GOA:

~~**Option 1:**~~ Apportion each sector's annual allocation 60% to the A season and 40% to the B season.

Option 2: Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.

~~**Option 3:**~~ Only the A Season TAC will be apportioned among sectors; the B season TAC will not be apportioned among sectors.

- ~~These seasonal apportionment options do not apply to the jig sector.~~

Component 5: Allocation of Pacific cod to jig sector**Western & Central GOA:**

Before allocating the TACs among the other sectors, set aside ~~1%, or 2%~~ 1.5% [motion passed 10/9] of the Central GOA Federal Pacific cod TACs and ~~1% or 1.5%~~ of the Western GOA Federal Pacific cod TACs, for the initial allocation to the jig vessel sector, with a stair step provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation will be capped at 5% ~~or 7%~~ of the Central and Western GOA Federal Pacific cod TACs.

Subsequent to the jig allocation increasing, if the harvest threshold criterion described below is not met within ~~three~~ two consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

Option 1: ~~90%~~ of the current allocation.

Option 2: 90% of the previous allocation

The jig allocation will be set aside from the TAC.

The Council requests that staff continue to work with the State of Alaska and NMFS to explore considerations required to implement possible options for the jig fishery management structure (both State parallel/Federal and State) that create a workable fishery and minimize the amount of stranded quota, focusing on Option 1. Possible solutions that could be explored are:

Option 1: State parallel/Federal managed Pacific cod jig fishery. Federal allocations managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL could (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off a single account. If the Board of Fisheries chooses not to take the jig GHL, it would roll into the Federal jig allocation. The Council will make such recommendation to the Board of Fisheries. Until the Board changed the GHL in response to this recommendation, ~~Option 2 would be invoked~~ a distinct Parallel/Federal and State waters fisheries will continue to exist, and the two fisheries will be managed as follows:

The Federal TAC would be divided into an A/B season of 60%/40%. The A season would open on Jan 1st and close when the TAC is reached or on March 15th. The State jig fishery could open either when the Federal season closes due to TAC or on March 15th. The Federal B season would open on Sept 1st or after the state water fishery closes.

If a combined Parallel/Federal fishery is created, the fishery will be managed as follows. ~~There would be no seasonal split of the combined parallel/Federal TAC.~~ The fishery would open on Jan 1st and close when the TAC is reached.

~~Suboption:~~ The combined State/Parallel Jig fishery would be divided into an A/B season of 60%/40%.

The jig sector for the B season will open on June 10 for directed fishing.

~~Option 2:—Until the Board of Fisheries takes action in response to the Council recommendation or input from the public, a distinct Parallel/Federal and State waters fisheries continue to exist, the two fisheries will be managed as follows:~~

~~The Federal TAC would be divided into an A/B season of 60%/40%. The A season would open on Jan 1st and close when the TAC is reached or on March 15th. The State jig fishery could open either when the Federal season closes due to TAC or on March 15th. The Federal B season would open on Sept 1st.~~

Minority Report on Component 5 – Motion to strike jig allocation cap of 5% and insert 7% failed 3/16
The AP minority commented that entry level opportunity in Federal fisheries has been impacted in a variety of ways, from recent license limitation restrictions in cod to the unforeseen high cost of quota to participate in the halibut/sablefish fisheries. The potential found in jig with start up opportunity and room for growth results in a mechanism to provide revenue to enter into other fisheries. It is an entry level with

potential to garnish sufficient income to access additional fisheries to create a diverse fishing portfolio.
Signed by: Theresa Peterson, Jeff Farvour, and Becca Robbins Gisclair

Component 6: Management of unharvested sector allocations – Central and Western GOA

Any portion of a CV, CP, or jig allocation determined by NMFS to remain unharvested during the remainder of the fishery year will become available as soon as practicable to:

Option 1: CV sector to CV sector first, and CP sector to CP sectors first, and then to all other sectors taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated amount of Pacific cod.

Option 2: all sectors.

Component 7: Apportionment of hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels – Gulfwide

Option 1: No change in current apportionments of GOA halibut PSC

Option 2 : Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total Western GOA and Central GOA Pacific cod allocation to each sector. No later than November 1, any remaining Halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector. **The apportionment of halibut will be proportional to the Pacific cod area apportionment determined during TAC setting process.**

Component 8: Community protection provisions

The component would protect community participation in the processing of Pacific cod and protect community delivery patterns established by the inshore/offshore regulations. For the purposes of Options 1, 2 and 3 under Component 8, motherships include catcher processors receiving deliveries over the side and any floating processor that does not meet the regulatory definition of a stationary floating processor in 679.2. Stationary floating processors may process groundfish only at a single geographic location during a given year.

For each management area, the mothership processing cap will be one or a combination of any of the following:

~~**Option 1:** Motherships may not accept deliveries of directed cod.~~

Option 2: Allow mothership activity up to a percentage of the Pacific cod TAC to be selected by the Council (0-10% in the CGOA; ~~1.5~~ 2.4% 10% in the Western GOA). [Motion passed 13/7]

Suboption 1: Within the boundaries of Western and Central GOA communities that have provided certified municipal land and water boundaries to the State of Alaska Department of Community and Economic Development. [Motion passed 17/3]

~~Need to add definitions to~~ **Clarify limits on Stationary Floating Processors (SFP) to retain certain protections provided by the Inshore/Offshore regulations:**

1. **The vessel cannot operate as an SFP in the GOA and an AFA Mothership in the BSAI during the same year.**
2. **The vessel cannot operate as an SFP in the GOA and a CP in the BSAI during the same year.**
3. **The vessel cannot operate as an SFP in the GOA and a CP in the GOA during the same year.**

Other existing regulations on SFPs continue to apply.

~~Suboption 2: Within a 2 nautical mile seaward swath of the following list of Census Designated Places:~~

Sand Point	King cove	Larsen Bay	Chenega Bay
Port Lions	Karluk	Chignik	Nanwalek
Chignik Lagoon	Ouzinkie	Old Harbor	Akhiok
Halibut Cove	Perryville	Port Graham	Tatitlek
Seldovia		Ivanoff Bay	Tyonek

~~Option 3: Allow federally permitted vessels to operate as a Motherships:~~

Option 4: Allow federally permitted vessels to operate as a mothership or stationary floating processor at more than one geographic location in the Western GOA in a year provided that the vessel is operating only inside the boundaries of a Western GOA municipality of the State of Alaska. [Motion passed 19/0/2]

~~Suboption: (can be applied to Options 2, 3 and 4): Limit weekly processing of Pacific cod by vessels to (a) 125 mt per week, (b) 200 mt per week, or (c) 300 mt per week. This limit applies to all Pacific cod landings from catcher vessels.~~

Component 9

~~The Council may adjust sector allocations to incorporate considerations that are associated with conservation, catch monitoring, equity of access, bycatch reductions and social objectives.~~

Motion to delete Component 9 passed 15/5.

AP Minority Report for Component 9 – 3% increase for the CGOA trawl sector

We believe that the CGOA CV trawl sector has been severely disadvantaged by regulations and management decisions that have been made. We believe that an increased allocation of 3% should be awarded to the CGOA CV trawl sector. The reasons for the increase in allocation to the fleet are as follows:

- *Removal of the 1995-2005 time clip for the CGOA sector allocation while including this time period for allocation in the WGOA.*
- *Unequal start and end dates that prohibit trawling from January 1 to January 20 and November 1 to December 31, thereby create an exclusive fishing period for the fixed gear sector.*
- *The creation of the State waters Pacific cod fishery that reallocated the cod ABC to the pot sector – a reallocation of the cod resource to federal pot cod participants.*

These inequities equal a total loss of 14.96% of CGOA cod resource thus justifying the 3 increase allocation to the CV trawl sector. Signed by: Michael Martin, Mark Cooper, Jerry Downing and Joe Childers.

Component 10: Parallel Waters Issues – Central and Western GOA

~~Option 1: Develop recommendation for the Alaska Board of Fisheries on the parallel fishery that could complement Council action, such as:~~

- ~~Gear limits~~
- ~~Vessel size limits~~
- ~~Exclusive registration~~

Option 2: Limit access to the parallel fishery for Federal fishery participants.

- **Require any pot or longline vessel with an LLP or an FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the GOA designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.**
- **Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsement on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.**
Suboption 1: In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates.
Suboption 2: Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP:
 - a. ~~Once per calendar year~~
 - b. ~~Once every eighteen months~~
 - c. **Once every three years**

Component 10 passed 17/0.

Final amended motion passed 19/1.

**C-1 Supplemental (b)– NPFMC Staff handout
December 2009
GOA Pacific cod sector allocations**

Table 1 Discards (mt) of incidentally caught Pacific cod by each sector. Incidental catch includes catch made when the directed Pacific cod fishery is closed.

Western GOA

	Hook-and-line CP		Hook-and-line CV		Pot CV and CP		Trawl CP		Trawl CV	
	Discards (mt)	Discard rate	Discards (mt)	Discard rate	Discards (mt)	Discard rate	Discards (mt)	Discard rate	Discards (mt)	Discard rate
1995	117	19.0%	12	42.6%	0	0.1%	112	80.1%	92	7.7%
1996	88	96.0%	12	69.6%	0	0.0%	343	93.5%	41	97.1%
1997	40	83.8%	22	45.5%	0	0.0%	158	88.3%	24	32.8%
1998	7	16.8%	32	80.5%	0	0.0%	67	29.1%	3	4.8%
1999	*	*	30	58.8%	0	0.0%	30	17.3%	5	4.8%
2000	*	*	3	7.2%	0	0.2%	87	19.1%	5	2.8%
2001	2	4.7%	6	23.0%	0	0.0%	44	18.4%	*	*
2002	8	9.7%	4	100.0%	0	0.0%	81	29.6%	*	*
2003	30	22.4%	53	51.8%	0	0.3%	302	59.1%	10	5.4%
2004	146	80.9%	3	8.4%	0	0.0%	48	12.1%	55	39.9%
2005	55	64.0%	45	51.5%	5	21.4%	44	17.2%	0	0.0%
2006	12	23.1%	13	24.6%	0	0.0%	13	10.8%	0	0.0%
2007	4	9.2%	33	24.4%	13	22.9%	26	6.0%	0	0.0%
2008	65	67.0%	6	5.5%	0	0.0%	62	20.3%	0	0.0%
Avg 95-00	43	38.0%	19	50.7%	0	0.0%	133	54.6%	28	25.0%
Avg 01-08	40	35.1%	20	36.1%	2	5.6%	78	21.7%	8	18.2%

Central GOA

	Hook-and-line CP		Hook-and-line CV		Pot CV		Trawl CP		Trawl CV	
	Discards (mt)	Discard rate	Discards (mt)	Discard rate	Discards (mt)	Discard rate	Discards (mt)	Discard rate	Discards (mt)	Discard rate
1995	*	*	33	15.2%	1	0.3%	539	62.2%	531	15.0%
1996	8	98.7%	39	65.9%	0	0.0%	1,903	84.4%	3,266	77.2%
1997	*	*	77	22.8%	0	0.0%	518	69.2%	2,126	61.8%
1998	1	3.6%	70	24.5%	0	0.0%	161	10.3%	802	36.9%
1999	*	*	87	31.9%	0	0.0%	51	19.1%	440	28.2%
2000	0	0.0%	13	6.5%	0	0.0%	124	29.9%	964	27.3%
2001	*	*	17	11.5%	0	0.0%	51	14.8%	1,124	39.1%
2002	*	*	13	9.2%	0	0.0%	133	17.6%	2,864	53.4%
2003	*	*	70	22.7%	0	0.0%	267	25.3%	1,168	32.9%
2004	*	*	12	8.3%	*	*	62	18.8%	549	19.2%
2005	26	50.8%	0	0.5%	0	0.0%	146	26.2%	424	20.3%
2006	*	*	41	22.2%	0	0.0%	132	19.5%	446	24.9%
2007	*	*	44	21.6%	0	0.0%	15	5.6%	881	41.3%
2008	3	13.5%	18	6.1%	0	0.0%	17	3.7%	2,355	57.7%
Avg 95-00	2	37.7%	53	27.8%	0	0.0%	549	45.8%	1,355	41.1%
Avg 01-08	9	36.2%	27	12.8%	0	0.0%	103	16.4%	1,226	36.1%

Source: NMFS Blend/Catch Accounting data.

(1) Average discard rates (percentages) are not weighted (i.e., by the relative amount of incidental catch in a given year), and represent average discard rates from 1995-2000 and 2001-2008.

(2) This table shows discarded incidental catch based on NMFS Blend/Catch Accounting data. Table 2-64 in the public review draft shows retained incidental catch based on NMFS data for CPs, and ADFG Fish Ticket data for CVs. Total incidental catch from 2001-2008 is shown in Table 2-18 based on NMFS data for CPs and CVs, and includes discards. For CVs, retained incidental catch (Table 2-64) plus discarded incidental catch (shown here) does not sum to total incidental catch in Table 2-18, because different data sets are used (the results are close, but not identical).

(3) Pacific cod was placed on PSC (regulatory discard) status in the WGOA in 1995, 1996, 1997, and 2000; and in 1995, 1996, and 2003 in the CGOA.

PUBLIC TESTIMONY SIGN-UP SHEET

①

Agenda Item: C-1 GCA P.cod sector allocations

ASAP

ASAP

ASAP

NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1 Stanley Mark, Mayor <i>handout</i>	Aleutians East Borough
2 RAYMOND NUTT <i>handout</i>	MYSELF F/V VICKI K. GAT
3 Vern Hall	F/V Vanguard, Progress
4 Mark Chandler	F/V Topaz
5 Mike McElhenie	F/V MARCY J
6 Fernand Sells	Kodiak Island Borough
7 Bert Ashley	F/V GOLD RUSH
8 Paul Gronholdt	Self
9 Eric J. Vick	Some
10 GARY HENNIGH	City of King Cove <i>handout</i>
11 Kevin O'Leary	SELF / m/v → KODIAK ISLE
12 Adam LATAZ <i>Darius Kasprzak</i>	F/V KODIAK Malka <i>handout</i>
13 CHARLES BARRECE	F/V LOWESTAR
14 Dick Jacobson	Alut. Corp / F/V Ms Ingrid
15 Bill Connor	Bill Connor
16 Tom Mahos	Tom Mahos
17 Craig Cochran	F/V Bay Islander
18 JASON CHANDLER	F/V TOPAZ <i>handout</i> 12
19 DAVE LITTLE	CLIPPER SFDS
20 Yakov Reutov	K-Bay Fisheries
21 Bob Krueger <i>handout</i>	Alaska Whitefish Traders Assoc.
22 TOM EVICH	F/V Karen Evich
23 Robin Larsen <i>handout</i>	F/V Courtney Nera 1
24 Stormy States <i>handout</i>	F/V Elizabeth
25 CHARLIE FREERBURG <i>handout</i>	F/V COHO

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.

PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: C-1 GOA P Cod Sector Allocations

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	Jerry Bongen	F/U Jeannah
2	Stephen Taufen	Groundswell Fisheries Movement (6min)
3	Curt Walters <i>handout</i>	FV Mar Del Norte
4	Baris Kaspranski Adam Laich <i>handout</i>	with Korjim
5	GERRY MERRISON <i>handout</i>	PROCESOR FISHERIES
6	Mike Affier <i>handouts</i>	WGOAF
7	STOIAN IANKOV	F/v Michelle Renee
8	Ilia Kuzmin	F/U Currency K-BAY <i>handout</i> Member
9	Marvin Mack	Self
10	Jody Cook	F/U Cape Reliant
11	Kenny Down Don Iverson	Jubilee Fisheries
12	Kenny Down	Freezer Longline Coalition <i>not</i>
13	Stacy Arbelovsky	F/v Amber Nicole
14	Terri Harris	City of Kodiak
15	Alex O'neal/Wm Brattain	All Star Fishing
16	George Hutch	F/U Hick Way
17	Kurt Cochran	F/U MARATHON
18	Don Johnson	F/U Hickory Experiment
19	David Polushkin	K-Bay Fisheries Assoc
20	Ken CHRISTIANSON <i>handout</i>	F/U FISHER MAGICIAN <i>handout</i>
21	Busan Robinson <i>handout</i>	Fishermens Finest
22	Gabrielle Saravin/ENRIKE	Processor Wilkus
23	Jay Stinson <i>handout</i>	F/U ANASKAN
24	John Iani <i>handout</i>	GOA Processors
25	Chuck M'Callum	Lake & Pen BOR.

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PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: C-1 GOA P Cod Sector allocations

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	KEN Chris HOLLAND	Point Omega
2	LORI SWANSON	GROUND FISH Forum
3	Jeff Stephan & Jerome Pitkus	United Fisherman's Marketing Assoc. handout
4	Alexus Kwatchka	handout
5	Dave Kublak	
6	Al Burch	AWTA AWTA handout
7	Markel Basargin	F/V Ocean Ranger
8	Brian Young	
9	Joe Chiters	USOFA
10	Theresa Peterson	AMCC
11	Patrick O'Donnell	FV CARVELLE handout
12	NICK De Inuy	
13	TERRY HAINES	CITY OF KODIAK
14	Freddi Christensen	OUTHARBO
15	Shaun C. Dochterman	FV ISANOTSUI
16	Jackie Muller	curmiko corp.
17	Herman Squits off	curmiko Fishermen
18	Frankie Brun	F/V Vanguard handout
19	Julie Benny	AADB handout
20	Tim Henke handout	DSFY
21	handout	
22		
23	handout	
24	handout	
25		

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North Pacific Fishery Management Council
604 West 4th Avenue Suite #306
Anchorage, Alaska 99501

195th Plenary Session – December 9-15, 2009
Hilton Hotel Anchorage, Alaska

Re: C-1 Final action on GOA Pacific cod sector allocations

Public Comment By: Mr. Shawn C. Dochtermann

Kodiak, Alaska 99615 — Tel: (907) 486-8777

Mr. Secretary, Chairman Olson, Council members,
and Honorable Citizens of the United States,

My name is Shawn Dochtermann a 30-year commercial fisherman and have participated in many fisheries across the state of Alaska. I jig for Pacific cod on the '32 vessel Isanotski in the GOA. I am here representing myself as well as many other fishermen and families that unfortunately cannot afford the cost to attend a Council meeting.

We're here today to give testimony on the repercussions of changing the FMP on GOA Pacific Cod without using best science, data, and socio-economic information.

Of course, as a GOA Pacific cod jig fisherman we understand the need for advancing more P-cod allocation to the sectors that are know to fish clean with the least amount of bycatch and mortality. It would also be detrimental to allow another sector that has higher bycatch and mortality to obtain the major share of allocation of the TAC {just because of their history} that will compromise the biological factors of conservation reduc mutli-species fish stock, and destruction of fish habitat by enlarge destroying the seafloor.

When better data is available on bycatch and mortality from all sectors through a better observer program, then we should take the steps for sector allocations. As related by former Council member Doug Hoedel and AP members Al Burch, Matt Moir at a pre-Council meeting (2006) in Kodiak, "the GOA observe program is broken". We should be apprehensive to go any further then sector allocations. The next step would be catch shares, LAPPs, DAPPs, or an IFQ programs (whatever nomenclature the Council chooses to use this week) of which are the method of privatization that will lock out any further future entrants such a those that have attended the Young Fishermen's Conference that has occurred adjacent to these meetings this week.

Therefore, we ask for Alternative 1 No Action .

But if the Council does move a proposed action at this meeting for the GOA Pacific cod fishery then we agree to support Darius Kasprzak's proposal on Component 5 initial allocation of 1.5% for CGOA, the stairstep of 1% for an

increase, and a 6% cap. Option 2: 90% of the previous allocation. We also agree to the harvest threshold criteria for 2 years step down if the federal TAC for the jig sector is not fully subscribed. Also we agree to Component 7: Option 1. We do feel that the reverse parallel would be the best option to allow the jig sector to fully utilize our TAC/GHL rather than leave it to the roll-over for other sectors or as stranded fish on the table. We hope that the Council, BOF, NOAA GC will work diligently to make this a reality for better management of the GOA Pacific cod jig fishery.

The GOA Pacific Cod TAC should not be allocated among sectors until there are crew provisions included into the alternative due to the nature of allocations being apportioned to each sector. Crewmen and skippers have protections in MSA:

Section 600.325 National Standard 4 - Discriminatory Allocation (c) (3) (i) , (c) (3) (iii), & (c) (3) (iv) that are not being adhered to. As we made clear to the Council that crew were left out of the CR program and this has allowed excessive shares of HQS to be distributed to entities, which has allowed those same entities to extract exorbitant leases from the vessels and crew and denied the crews and skippers fair and equitable layshare contracts to be fairly agreed upon.

After reading the written comments of the Alaska Groundfish Data Bank (AGDB) we must ask this Council to take a step back and ask themselves why is that we would push this FMP action through if it would violate National Standards and cause more economic distress rather than benefits to the trawl fleet as described below:

As described in their own words, "AGDB is a member organization that includes the majority of both the shorebased processors located in Kodiak and the trawl catch vessels home ported in Kodiak", this group could also be considered a cartel. John McCain stated in February 24-25, 2003 U.S. Senate Commerce Committee meeting, "I feel sorry for fishermen that they have to deliver to a cartel, you (Sen. Ted Stevens) have created a cartel", just as Ted's son was a former lobbyist for ADGB.

AGDB goes onto state (page 1 supplemental C-1 12-2-09):

"the trawlers fishing out of Kodiak pioneered the GOA cod fishery", and this statement adds injury to insult. The pioneers of the cod fishery were in sailing ships with dories from Seattle over a hundred years ago. Dick Jacobson's family of Sand Point would beg to differ who were the actual pioneers. What about the cod saltery in Squaw Harbor that dates 1910, would you not call them the actual pioneers??? So these are the type of false statements that we make note to NOAA OLE and NOAA GC that we are tired of hearing at the Council that should be prosecuted.

The AGDB goes on to state (page 1 supplemental C-1 12-2-09):

"there was no real market for cod but, with a concerted effort by the trawl fleet and shorebased processors, markets developed and demand grew", but this far from true as

crab fishermen in the GOA all were utilizing P-cod from the pot and longliners to bait their gear. Fisherman such as Ken Holland and Ludger Dochtermann had no problem selling every cod they could catch in 1978 -1980, so it's stretch to say there was no market.

AGDB Executive Summary states (page 2 supplemental C-1 12-2-09)

:
"the Proposed Action may also cause significant economic dislocation and unemployment.

- *a 17%-24% revenue loss for each trawl vessel causing bankruptcies and economic instability contrary to the goal of the Proposed Action,*
- *a loss of \$3.12 million in crew wages, principally in Alaska,*
- *a significant reduced operation of processing plants that depend on trawl vessel volume to maintain operations , thus threatening the 1,186 full time equivalent Alaskan processing jobs, and*
- *economic stress in dependent port communities."*

We'd like to see models to proof the above information, as if there was over \$3 million possible loss to crew does that mean that the crews as an aggregate are making approximately \$12 million or more from pacific cod trawl fishing in the CGOA? If so, would the AGDB please provide proof of the trawl crews aggregated revenues from Pacific cod so that we could use them to prepare crews historical basis of compensation ratios.

It is of the utmost importance that all of the crews of the Pacific cod sector be protected as stakeholders (fishermen/harvesters), since they are the labor portion of the fishing industry. We'd like to see a analysis on the total crew numbers fishing Pacific cod in all sectors of the GOA. For your information, the state of Alaska is working on data collection for crewmen that fish Alaskan commercial fisheries, for accounting history, socio-economic information and preparation for possible state permitting or federal allocative measures.

AGDB also states (pages 4 &5 supplemental C-1 12-2-09):

"II. WHAT THE PROPOSED ACTION WILL AND WILL NOT ACCOMPLISH,
It is equally important to recognize what the Proposed Action will not accomplish.

1. *The Problem Statement adopted by the North Pacific Regional Fishery Council ("Council") states the Council is seeking to address the race for the fish caused by the current derby style management system. The reality is that the race for the*

fish will continue under the Proposed Action. Participants within each sector will race each other for the sector's share of the TAC. A sector allocation is far different from rationalizing the sector. With rationalization each vessel would receive an individual vessel allocation. A sector allocation will not rationalize a fishery within the sector since no individual allocations will be awarded.

2. *The Proposed Action will not provide opportunities to enter other fisheries because Pacific cod seasons are likely to remain short because the race for the fish will continue. Therefore, participants in the GOA Pacific cod fishery will likely forego participants in other fisheries until the Pacific cod TAC for that sector is taken.*
3. *The proposed action will not preclude new vessels from entering the Pacific cod fishery thereby exacerbating the race for fish within each sector.*
4. *Because the Proposed Action will not address the race for the fish issue in a comprehensive fashion, poor fish handling practices will likely continue and product quality will continue to suffer.*
5. *The Proposed Action will not change the opening dates for the Pacific cod A and B seasons.*
6. **The Proposed Action is not likely to reduce bycatch because sector allocations alone will not achieve that result."**

Our thoughts on the ADGB comments from above:

1. If the proposed actions to change the FMP for Pacific cod will not stop the race for fish then why is ADGB promoting this action? They only have their sights on moving on to privatizing the trawl sector into catch shares that will cause economic instability for the present trawl crewmen, as this will lead to definite consolidation and high leases taken out by QSH (e.g. CR program – consolidations from 251 red crab vessels (2004) to 70 vessel (2009) & high lease rates (60-80% removed from gross earnings) and crews rations compensation ratios (reduced to 1-2% {2009} from 5-7%{2004}). The crews and skippers would also be adversely impacted by receiving lower compensation ratios, which is has already taken place in the RPP due to privatization.
2. The explanation that there will be no opportunities to enter other fisheries is bogus because if the cod TAC is caught quickly the participants will have more mobility to get to the next fishery such as halibut, sablefish, rockfish, or pollock.
3. The idea that more vessels will start to participate in a fishery where the product value has dropped and it is almost not financially feasible to fish for Pacific Cod is unrealistic.

4. The longline, pot, and jig sectors have had no problem bringing in quality chilled fish previous to sector splits. If the trawler sector can't learn to stop squishing their fish by towing on the net so hard or stuffing their hold so tight maybe they should lower the size of the trip limits to slow down the fishery or use their cod TAC only as bycatch on the multi-species bottom complex fisheries.
5. Why would the opening dates need to be changed unless each sector needed the change to full utilize their sectors TAC?
6. If the proposed action is not likely to reduce bycatch for the trawl group then the action does not conform to

Section 600.350 National Standard 9- Bycatch

(a) Standard 9. Conservation and management measures shall, to the extent practicable:

(1) Minimize bycatch; and

(2) To the extent bycatch cannot be avoided, minimize the mortality of such bycatch.

(b) General. This national standard requires Councils to consider the bycatch effects of existing and planned conservation and management measures. Bycatch can, in two ways, impede efforts to protect marine ecosystems and achieve sustainable fisheries and the full benefits they can provide to the Nation. First, bycatch can increase substantially the uncertainty concerning total fishing-related mortality, which makes it more difficult to assess the status of stocks, to set the appropriate OY and define overfishing levels, and to ensure that OYs are attained and overfishing levels are not exceeded. Second, bycatch may also preclude other more productive uses of fishery resources.

(c) Definition--Bycatch. The term ``bycatch'' means fish that are harvested in a fishery, but that are not sold or kept for personal use. Bycatch includes the discard of whole fish at sea or elsewhere, including economic discards and regulatory discards, and fishing mortality due to an encounter with fishing gear that does not result in capture of fish (i.e., unobserved fishing mortality). Bycatch does not include any fish that legally are retained in a fishery and kept for personal, tribal, or cultural use, or that enter commerce through sale, barter, or trade. Bycatch does not include fish released alive under a recreational catch-and-release fishery management program. A catch-and-release fishery management program is one in which the retention of a particular species is prohibited. In such a program, those fish released alive would not be considered bycatch. Bycatch also does not include Atlantic highly migratory species harvested in a commercial fishery that are not regulatory discards and that are tagged and released alive under a scientific tag-and-release program established by the Secretary.

(d) Minimizing bycatch and bycatch mortality. The priority under this standard is first to avoid catching bycatch species where practicable. Fish that are bycatch and cannot be avoided must, to the extent practicable, be returned to the sea alive. Any proposed conservation

and management measure that does not give priority to avoiding the capture of bycatch species must be supported by appropriate analyses. In their evaluation, the Councils must consider the net benefits to the Nation, which include, but are not limited to: **[[Page 42]]** Negative impacts on affected stocks; incomes accruing to participants in directed fisheries in both the short and long term; incomes accruing to participants in fisheries that target the bycatch species; environmental consequences; non-market values of bycatch species, which include non-consumptive uses of bycatch species and existence values, as well as recreational values; and impacts on other marine organisms. To evaluate conservation and management measures relative to this and other national standards, as well as to evaluate total fishing mortality, Councils must--

(1) Promote development of a database on bycatch and bycatch mortality in the fishery to the extent practicable. A review and, where necessary, improvement of data collection methods, data sources, and applications of data must be initiated for each fishery to determine the amount, type, disposition, and other characteristics of bycatch and bycatch mortality in each fishery for purposes of this standard and of section 303(a)(11) and (12) of the Magnuson-Stevens Act. Bycatch should be categorized to focus on management responses necessary to minimize bycatch and bycatch mortality to the extent practicable. When appropriate, management measures, such as at-sea monitoring programs, should be developed to meet these information needs.

(2) For each management measure, assess the effects on the amount and type of bycatch and bycatch mortality in the fishery. Most conservation and management measures can affect the amounts of bycatch or bycatch mortality in a fishery, as well as the extent to which further reductions in bycatch are practicable. In analyzing measures, including the status quo, Councils should assess the impacts of minimizing bycatch and bycatch mortality, as well as consistency of the selected measure with other national standards and applicable laws. The benefits of minimizing bycatch to the extent practicable should be identified and an assessment of the impact of the selected measure on bycatch and bycatch mortality provided. Due to limitations on the information available, fishery managers may not be able to generate precise estimates of bycatch and bycatch mortality or other effects for each alternative. In the absence of quantitative estimates of the impacts of each alternative, Councils may use qualitative measures. Information on the amount and type of bycatch should be summarized in the SAFE reports.

(3) Select measures that, to the extent practicable, will minimize bycatch and bycatch mortality. (i) A determination of whether a conservation and management measure minimizes bycatch or bycatch mortality to the extent practicable, consistent with other national standards and maximization of net benefits to the Nation, should consider the following factors:

- (A) Population effects for the bycatch species.
- (B) Ecological effects due to changes in the bycatch of that species (effects on other species in the ecosystem).
- (C) Changes in the bycatch of other species of fish and the resulting population and ecosystem effects.
- (D) Effects on marine mammals and birds.

(E) Changes in fishing, processing, disposal, and marketing costs.

(F) Changes in fishing practices and behavior of fishermen.

(G) Changes in research, administration, and enforcement costs and management effectiveness.

(H) Changes in the economic, social, or cultural value of fishing activities and nonconsumptive uses of fishery resources.

(I) Changes in the distribution of benefits and costs.

(J) Social effects.

Page 9 ADGB Supplemental C-1

CGOA trawl fleet which is more dependant on CGOA Pacific cod than any other harvesting sector within in the GOA.

As a jig fisherman that lives and harvests Pacific cod in the GOA I feel that the fishermen in the jig sector are much more dependant on the revenues from jigging pacific cod then any other fleet. In fact, we are the cleanest of all the sectors of as we have the least amount of bycatch, mortality of bycatch, and footprint on the bottom. The trawlers are by far cause the most damage to the bottom, the ecosystem and to fish stock.

Thank you for the time that you have allotted for me to testify today.

Shawn C Dochtermann

F/V Isanotski

Kodiak, AK



Testimony to North Pacific Fisheries Management Council Pacific Cod Sector Allocations

Gary Hennigh, City Manager
December 11, 2009

Good morning, Chairman Olson and members of the Council. My name is Gary Hennigh. I have been the City Manager for City of the King Cove for almost 20 years. During this time I have testified in front of this body on major issues. Most recently, it was a few years ago when we were trying to affect crab rationalization decisions. Unfortunately, we were not successful on that issue.

King Cove is a forward-thinking community so we must continue to speak out about new fishery allocation issues which could, again, impact our socioeconomic viability and sustainability. We believe it is finally time for *foresight*, instead of *hindsight*, to be on our side.

I would like to share some pertinent information and facts for the Council's consideration on this topic.

In a little over a year from now, King Cove will be celebrating its first, 100 years as a formal community, even though Aleuts have been living in and around King Cove for over 4,000 years. And, ever since Pacific American Fisheries built a cannery in King Cove in 1911 we have had a proud commercial fisheries heritage.

After the crab rationalization decision, the city, along with the Aleutians East Borough, funded a major study conducted by ISER which documented that: 1) King Cove residents have a long history of participation in many fisheries; 2) there has been a disturbing, long-term decline in fishery participation by King Cove residents for salmon, crab, and bottom fish resulting from a variety of adverse regulations; and, 3) the community-protection mechanisms of crab rationalization are not protecting King Cove.

Our annual, city general fund budget is about \$3 million. About 70% of our revenue comes from a combination of local and State fish taxes. King Cove is fortunate to have such a large processor, Peter Pan Seafoods, in our community. For the last decade, Peter Pan has annually processed a fairly equal and consistent amount of salmon, bottomfish, and crab products.

Per our bottomfish revenues, Pcod has been about 40% of the total. This represents about \$150,000 to \$200,000 in annual fish tax revenues.

King Cove has 15 local, pot cod vessels and 5, local trawlers. Together, these local vessels, along with onshore support services, employ 80 to 85 local residents during the Pcod seasons. This is significant in a community of 750 residents.

If there were no disclosure restrictions, I could also tell you more about how King Cove would get to “hang” with the big boys, like Dutch Harbor, Kodiak, and New Bedford, MA when NOAA publishes its annual Top 10 Commercial Ports for fishery landings and values. However, we really do not care about bragging rights – size does NOT matter to us. But, our socioeconomic sustainability does matter, and we know this is one of the key national standards to be considered in this issue.

Even before the impacts from crab rationalization decisions started to impact our residents, King Cove has been experiencing a decline in household income levels. The 2000 census determined our household income to be \$45,000. After a detailed community income survey in 2006, we documented our household income had declined almost to \$41,000 (i.e. 10% decrease in six years). This also does NOT include any inflation considerations for these six years.

Consequently, King Cove is now classified by the federal government as a **low and middle income** community. Fifty-eight (58) percent of the incomes in our 150+ households are now in this category. This trend concerns us.

In closing, we encourage the Council to seriously consider these factors in making these Pcod sector allocations:

- 1) be fair to King Cove and all of our local Pcod sectors
- 2) provide the maximum Pcod allocation possible to our local vessels and sectors which deliver fish to Peter Pan Seafoods and provide employment our local residents;
- 3) consider the history of our local pot vessels, as equitably as possible, compared to the history of our local trawl vessels;
- 4) balance this allocation decision by keeping the economic sustainability of King Cove as a key component in your decisions;
- 5) please know that King Cove's ability to keep "bouncing" back from adverse decisions has been significantly compromised in the last two decades. This also concerns us.

Thank you

Stanley Mack



RESOLUTION 10-09

Resolution Regarding the Allocation of Pacific Cod among Sectors in the Gulf of Alaska

A **RESOLUTION** of the Aleutians East Borough Assembly supporting the sustainability of local fishing communities and fishing opportunities for those who live in and/or contribute to the local economy and calling for the maximum allocation of Pacific Cod to sectors that deliver to local communities.

WHEREAS, Western Gulf of Alaska communities are highly dependent on the harvesting and processing of Pacific Cod.

WHEREAS, the fishing industry directly contributes approximately 86% of the revenues of the Aleutians East Borough;

WHEREAS, fishermen, processing companies, local businesses, air and transportation companies, communication businesses and the local governments that provide services all depend on income derived from commercial fishing of which Pacific cod is a significant contributor;

WHEREAS, Western Gulf communities have seen declines in population, jobs, school enrollment and local economic activity;

WHEREAS, fish delivered to local communities provides jobs for fishermen, processing workers and others in industry support businesses;

WHEREAS, fish caught and processed at sea give little or no opportunities for local fishermen or processing workers, produce no local tax revenue, and provide no support for local economies.

WHEREAS, dedication of a significant percentage of the Pacific Cod Total Allowable Catch to the at sea processing sectors, especially in the "A" season, is of great concern to the Borough and its small fishing communities.



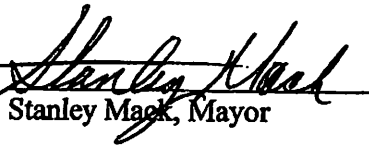
NOW, THEREFORE, BE IT RESOLVED THAT the Aleutians East Borough Assembly supports allocating as much Pacific Cod as possible to sectors that deliver to local communities, employ local residents, and support the economies of fishing communities.

FURTHERMORE, Should the North Pacific Fisheries Management Council (NPFMC) allow mothership operations, they should be limited to operations inside municipal boundaries, at no more than three locations in a calendar year and there should be a cap of the Total Allowable Catch.

FURTHERMORE, Should the NPFMC decide to allocate Pacific Cod strictly on the basis of historical catch, the AEB requests that as much of the harvester allocation as possible be made available in the "A" season and as much catcher processor allocation as possible be deferred to the "B" season.

PASSED AND APPROVED BY THE ALEUTIANS EAST BOROUGH on the _____ day of December, 2009.

IN WITNESS THERETO:

By: 
Stanley Maek, Mayor

ATTEST: _____
Tina Anderson, Clerk

Charlie Freeburg

PO Box 8575

Kodiak, AK 99615

I am the captain of the F/V Coho. I have participated in the GOA cod fishery since 1992 as crew and as captain of several trawlers operating out of Kodiak. I began fishing in 1987 in the BSAI pollock fishery commuting up from Oregon. I also trawled one season off the coast of Oregon and Washington. I also was on ADF&G 's R/V Resolution 2006 for the Groundfish and Crab surveys, & Shrimp and Foragefish surveys , Kodiak Island and Alaska Peninsula Waters. I participated in the halibut excluder for P.Cod trawls Charter. Finfish excluder tests for shrimp trawls (ADF&G).

I moved my family up to Kodiak in the summer of 1991 to work because I knew that there was a trawl fleet. My son and daughter grew up in Kodiak from their teen years on. I now also have a daughter – in law and granddaughter here. My son is now the engineer on the F/V Vanguard which I fished on from cod season 1992 – A season 1996.

My family and community's economic well being is directly tied to the trawl fleet receiving a fair allocation of the GOA cod quota based on our historic landings in the directed P. Cod fisheries and our incidental catch of P. Cod in the other groundfish fisheries.

Intent of establishment of State waters Cod fishery

Excerpt from AK BOF Findings State Waters Pacific Cod Management Plans Adopted Oct.29-31 1996 at Wasilla

In 1996 "the AK BOF was informed that the harvest of P.Cod from state waters had gradually increased in recent years. From 1994- 1996, the take in the state water portions of the federal Central and Western Gulf of Alaska Areas averaged approximately 22.6% of the total harvest*. The board discovered that the implementation of federal IFQ and LLP programs were changing the structure of Alaskan groundfish fisheries and making it difficult for many local fishermen to participate in groundfish harvest.

Given this information, the board decided that it would be appropriate to first develop factors to consider when developing state water groundfish management plans. The board discussed the following factors:

- 1. Minimize bycatch to the maximum extent practicable.**
- 2. Consider protection of habitat from fishing practices.**
- 3. Slow harvest rates to ensure adequate reporting and analysis for necessary season closures.**
- 4. Utilize such gear restrictions as necessary to create a year round harvest for maximum benefit to local communities, the region and the State.**
- 5. Harvest the resource to maximize quality and value of product.**
- 6. Harvest the resource with consideration of ecosystem interaction.**
- 7. Harvest to be based on the total catch of the stock that is consistent with the principles of sustained yield.**
- 8. Prevent localized depletion of stocks to avoid sport, subsistence, and personal use conflicts.**
- 9. Management consistent with conservation and sustained yield of healthy groundfish resources and of other associated fish and shellfish species.**
- 10. Management consistent with conservation and sustained yield of healthy groundfish resources and of other associated fish and shellfish species.**
- 11. State fishery management plans adopted by the board should not substantially and adversely affect federal fishery management plans adopted by NPFMC**

***(this figure included trawl &HAL catch in state waters)**

CHARLIE FREEBURG

F/V COHO

December 9, 2009

AGENDA ITEM C-1 GOA Cod Split

Chairman Olson and members of the Council,

My name is Charlie Freeburg and I am the Captain of the F/V Coho a 71' trawler based out of Kodiak.

My family and I have been in Kodiak since 1991.

My son is the engineer on another Kodiak trawler the F/V Vanguard.

I support the proposals of Bob Kruger and the AWFTA

I have participated in CGOA Cod trawl fisheries since 1992.

It is vital that the CGOA trawl fleet get our fair share of the P.Cod resource based on our extensive historical directed and incidental catch .

It seems that during my history in the P.Cod fishery it has been a giving up of ground by the trawl fleet.

Beginning in 1993 we lost an average of 3.9% of ABC to fixed gear because of Amendment 19/24 (Jan 20 th start as opposed to Jan.1) and the SSL Reg closure Nov 1 – Dec 31

The trawl fleet took another hit to our catch share in 1997 when the State of Alaska instituted the State waters P. Cod fishery split between jig and pot gear.

I have handed out an excerpt from AK BOF Findings State Waters Pacific Cod Management Plans Adopted Oct 29-31 1996 at Wasilla.

That states that the intent of the establishment of the State Waters P. Cod fishery was to offset the hardship that the LLP and IFQ programs had placed on Alaskan fishermen blocking them from participation in groundfish harvest.

A very noble intention.

This action took 25% of the CGOA P. Cod ABC and distributed it 16.94% to Pot , 6.25% Jig

In the CGOA 79% of the pot CV's in the State waters fishery hold LLP's. They took 85% of the State waters pot catch.(Table 2-9 P.27 IRD)

However for the period 2001-2008 these State participants received 42.5% of their income from IFQ fisheries and at least 19% of their income from LLP fisheries, contrary to the goals of the state water fisheries. (P.62 of IRD)

Based on the average of 2000-2008 catch share it cost the trawl fleet 7.06% of the ABC to fund this giveaway to a pot fleet that requires no more of a leg up than me.

I know that it is A BOF matter not a NPFMC matter but I think it deserves consideration in the component 9 discussion.

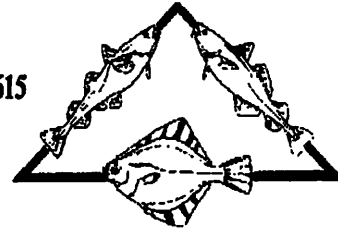
Thank You

Groundfish Data Bank

Alaska

PH: 907-486-3033 FAX: 907-486-3461 P.O. BOX 788 - KODIAK, AK. 99615

Julie Bonney, Executive Director jbonney@gci.net
 Katy McGauley, Fisheries Biologist agdb@gci.net



ARGUMENT PUT FORTH BY THE POT SECTOR VERSUS "THE REST OF THE STORY" FOR COMPONENT 9

CQE permits – The pot sector has argued that they will see an increase in the number of participants in their sector and that all 50 CQE permits that are available in the CGOA will enter the pot cod sector. This assumption is false. To outfit a vessel for pot fishing is much more expensive than LL gear so the likelihood that all CQE permits will enter the pot sector is not probable. It is more likely that CQE permits will be used for LL gear than pot gear.

The table below compares available LLPs after recency, trawl and fixed, versus actual fishers in 2008. The table assumes three cases: no CQE permits become active, 50/50% pot-LL become active, 100% pot become active, and 100% LL become active. In all cases trawl licenses exceed any of the combinations. It is important to note these trawls LLPs are available to any person while fixed gear CQE licenses are only available to residents of CQE communities. The additional restrictions make it much less likely that these licenses will be operationalized versus trawl licenses that are available to anyone on the open market.

CGOA	CV	Fishers in '08	LLPs after recency	Change	% Change
Trawl		42	93	51	221.4%
HAL	< 60	137	123	-14	89.8%
HAL	≥ 60	19	7	-12	36.8%
Pot	< 60	39	51	12	130.8%
Pot	≥ 60	19	27	8	142.1%
CQE	< 60 Pot	na	26	Na	na
CQE	< 60 LL	na	24	Na	na
Total Fixed		214	258	44	120.6%
Total Fixed ex CQE		214	208	-6	97.2%
ALL CQE pot					
Pot + CQE	All - 50	58	128	70	220.7%
HAL + CQE	no-CQE	156	130	-26	83.3%
ALL CQE LL					
Pot + CQE	no-CQE	58	78	20	134.5%
HAL + CQE	All - 50	156	180	24	115.4%

Access to State waters fisheries: The pot sector has argued that any trawler can enter the state waters fisheries since it is an open access fishery for any vessel length as long as the pot gear is used. This is an unrealistic conclusion for the following reasons:

- 1) Although it is technically accurate that any vessel with the appropriate gear type can participate in the State fishery, the reality is that it is not practical for the trawl fleet to participate in this fishery. The investment for purchasing pots, redesigning a trawl vessel to accommodate pots, adding pot launchers, etc. is simply impracticable for the two – three week State fishery.
- 2) The timing of the State cod fishery is in direct conflict with the occurrence of the pollock trawl fishery. Normally the federal cod season without the extraction of the state GHF would have allowed the trawl fleet to finish up the cod fishery before switching over to pollock.

B season allocation for cod: In 2002 and 2003 NMFS managed the cod split where 60% of the A season could be taken as a directed harvest in the A season creating efficiencies for all the fleets – both in terms of CPUE and less bycatch. In 2004, Protected Resource changed the rules requiring the A season allocation of 60% to include both incidental catch and the directed catch (see table 2-17 – page 34). The net result of this decision was that the A season was shortened and the pain of the unequal start date was compounded for the trawl sector. Secondly, the B season allocation increased substantially and halibut bycatch became a much larger issue, thus making it much more difficult for the trawl sector to maintain their historical catch allocation.

There has been some accretion that the ICA amounts for the A season were exceeded in some years which impacted the other fleets (table 2-17 - page 34). However, it should be noted that in-season management sets targets for remaining cod but the race for fish does not allow for them to hit the hold back for ICA exactly. Typically the Agency tries to hold back 1,500 MT some years the amounts remaining for the ICA were above this target and other years below the target amount.

Discarded cod: The C-1 supplemental shows that the Ave 95-00 discarded amount equals 1,355 MT versus the Average of 01-08 of 1,226 MT for the trawl CV sector. Thus the amount of cod discarded has not changed over the two time clips. While it can be argued that the % of the TAC discarded has increased this is a combination of the reduction of the TAC due to the State water allocation and the fact that cod quotas have decreased during the recent time period. Yes some years have higher cod discards than others. This occurs when cod TACs are low; there is high abundance of cod on the fishing grounds when fishing other targets and the fact that discards are required when cod goes on PSC status.

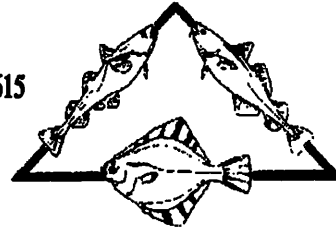
It is important for the Council to understand that by allocating retained catch no discarded cod is awarded to any sector. Additionally each sector will be responsible for its own incidental catch within the sector after the split amongst gear types occurs. Since cod discards are excluded from the catch totals to be considered for sector allocations, the discarded catch amount will be shared pro rata across the sectors – the non-trawl sectors with no or negligible discards will benefit by receiving a portion of the total % discarded while the trawl sector will receive less than they actually use. Thus the trawl sector receives a double pain, less cod within their allocation when compared to total cod usage and responsibility for cod ICA usage within sector after the split.

Groundfish Data Bank

Alaska

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Julie Bonney, Executive Director jbonney@gci.net
Katy McGauley, Fisheries Biologist agdb@gci.net



RATIONALE FOR THE AP MOTION FOR CGOA ALLOCATIONS IN COMPONENT 4

The two recency actions time clips were the only options used to consider an allocation scheme in the AP.

The CV trawl sector preferred allocation rationale was based on long term dependency (no short time clips – best 5) and the two recency time clips (2000 – 2006 – trawl recency and 2002 – 2008 – fixed gear recency), taking the average of the two.

The CV pot sector preferred allocation rationale was based on the two recency time periods (2000 – 2006 – trawl recency and 2002 – 2008 – fixed gear recency) but using the CV trawl and pot sectors best percentage of these options (option 5 – 2002 – 2008 but best 3 years for pot and option 2 – 2000 – 2006 best of 5 years for trawl), taking the average of the two.

The AP first made a motion using the average of option 1 – 6 which failed 6-15. Bob Jacobson then put a motion on the table – the best for CV trawl and best for CV pot. The motion failed 10-11.

The AP then took a break hopeful that the sectors' representatives on the AP could come up with a compromise. The sectors' were successful and those numbers are reflected in the motion that was passed 20-1.

The trawl preferred allocation and the pot preferred allocation were used as bookends. The small adjustments were used to balance concerns between the sectors.

Available options excluding - 2002 to 2007 time clip or average proposed (average of options 1-6 or average of options 2, 4, and 6)

		HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	trawl CV	Total
Option 1	2000-2006 best 3	4.6	19.3	1	1.4	27.7	4.4	41.6	100.00
Option 2	2000-2006 best 5	4.1	20.7	1	1	25.1	4.4	43.8	100.10
Option 5	2002-2008 best 3	5.2	21.3	1	0.5	27.8	3.3	41	100.10
Option 6	2002-2008 best 5	5.4	22.1	1	0.3	25.6	3.3	42.3	100.00

CV Trawl base allocation recommendation

Option 2	2000-2006 best 3	4.1	20.7	1	1	25.1	4.4	43.8	100.10
Option 6	2000-2006 best 5	5.4	22.1	1	0.3	25.6	3.3	42.3	100.00
		9.5	42.8	2	1.3	50.7	7.7	86.1	200.1
	Average	4.75	21.4	1	0.65	25.35	3.85	43.05	100.05

CP Pot base allocation recommendation

Option 2	2000-2006 best 5	4.1	20.7	1	1	25.1	4.4	43.8	100.10
Option 5	2002-2008 best 3	5.2	21.3	1	0.5	27.8	3.3	41	100.10
		9.3	42	2	1.5	52.9	7.7	84.8	200.2
Base line	Average	4.65	21	1	0.75	26.45	3.85	42.4	100.1

AP	Motion	4.7	21	1	0.5	26.2	3.85	42.75	100.00
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*Blend of Trawler preferred allocation and pot preferred allocation

Changes		0.05	0	0	(0.25)	(0.25)	0	0.35	(0.10)
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Comparison of options 2 and 6

Option 2 (best of 5) 2000 2001 2002 2003 2004 2005 2006

Option 6 (Best of 5) 2002 2003 2004 2005 2006 2007 2008

Comparison of options 1-6

Option 1 (Best of 3) 2000 2001 2002 2003 2004 2005 2006

Option 2 (best of 5) 2000 2001 2002 2003 2004 2005 2006

Option 3 (Best of 3) 2002 2003 2004 2005 2006 2007

Option 4 (Best of 5) 2002 2003 2004 2005 2006 2007

Option 5 (Best of 3) 2002 2003 2004 2005 2006 2007 2008

Option 6 (Best of 5) 2002 2003 2004 2005 2006 2007 2008

Comparison of options 2, 4, 6

Option 2 (best of 5) 2000 2001 2002 2003 2004 2005 2006

Option 4 (Best of 5) 2002 2003 2004 2005 2006 2007

Option 6 (Best of 5) 2002 2003 2004 2005 2006 2007 2008

**Franke Browne
F/V Vanguard**

Agenda Item C-1 GOA Cod Split

December 10, 2009

Biography: My name is Franke Brown and I'm owner /operator of the F/V Vanguard. I have been involved in the fisheries for 24 yrs. From 1986-1990 I worked on some longliners fishing Halibut, Black Cod, and Gray Cod. I also pot fished for Tanner Crab. In 1990 I began fishing on the Vanguard. I Became a Captain in my first year, and I have had the opportunity to participate in numerous fisheries with different gear types on the Vanguard, including longlining for Halibut and Black Cod, pot Fishing for P Cod, King Crab, and Tanner Crab. Currently the Vanguard is strictly a Trawler. I'm also owner/operator of a 38ft Jig boat Michelle B. that has participated in the Cod fisheries on and off since 1995.

I'm married and have five kids. Resident of Kodiak for 25yrs. Service groups Lion & Elk member. Vanguard family: Long time crew four Alaska residents, one Oregon.

Good Afternoon Chairman and Members of the Council.

My name is Franke Brown. I am owner/operator of the F/V Vanguard. Before I begin, I would like to thank you for taking the time to be here and listen to the comments that I have prepared.

I have been fishing for 24 yrs and have operated a vessel in every gear type targeting Cod.

One thing in common among all the fisheries I have participated in is By-Catch which is not limited to one specific type of fishery or gear type.

In the trawl fishery one of the biggest factors in the increase of by-catch is a result of the Stellar Sea-Lion measures. Historically, before SSL measures, we fished in February and March when cod was schooled up with high CPUE and low bycatch. Now only State water participants fish during these months.

Most of all by-catch data is collected by the Observer program on trawl vessels. Pg 152 of the document shows for the years 2004-2007 Trawlers observed catch was between 24-30%, Hook & Line 2-5% Pot 12-16%, and Jig 0%. Under 60 foot vessels have no observer requirements – most hook and line and pot cod catcher vessels in the Central Gulf are under 60 feet. I think all fishing vessels and gear types should have the same amount of required observer coverage requirements. All those participating in a commercial fishery should be responsible for their by-catch.

The Trawling industry has made progressive moves in modifying gear to address by-catch, and bottom contact. For example, cod and net mesh sizes have been modified, we are using halibut excluders, salmon excluders, small fish excluders and reduced tow speeds and have modified other gear such as sweeps and doors. These are some of the many measures implemented to reduce by-catch and bottom contact and I anticipate that there will be many more adjustments to the gear to minimize by-catch.

The Pot sector uses "crab pots" to harvest Pacific Cod. In 2008, Tanner crab bycatch rate for the Pot sector was 18 times higher than the trawl sector (Table 3-16 page 164 of the Analysis).

The Longline sector uses gear originally designed to catch halibut to harvest P. Cod. In 2008, Halibut bycatch rates for longline sector was 3.5 times higher than the trawl sector rate during the A season and 10.4 times higher during the B season. (Table 3-11 page 161 of the Analysis). These data are from tables in the Analysis which are included in my handout.

Page 113 of your analysis states "...a reduction in the Pacific cod allocations to trawl gear could result in a shift in effort to the flatfish targets, where halibut, crab, and salmon PSC rates may be similar to or higher than in the Pacific cod target. As a result, overall trawl bycatch of halibut, crab, and salmon may stay the same or increase even if Pacific cod catch with trawl gear decreases." So a reduced cod allocation to the sector will not reduce bycatch but only create economic pain for our sector.

We don't want to see any more "finger pointing" by those who operate different gear types as their gear types are barely "observed" or regulated as far as by-catch is concerned.

In conclusion, all gear types and boats sizes need to be monitored and regulated, not just the trawlers. Regulating all gear types make by-catch transparent and motivates gear types to work to reduce bycatch. We the Trawlers challenge all those "finger pointers" to work to reduce bycatch within their own sector and ask themselves what they have done to minimize by-catch.

In addition, I would like to ask the Council to accept the allocation proposal that has been put forth by Bob Kruger President of White Fish Trawler's Association, but otherwise support the AP Motion. Thank you.

Table 3-11 Halibut bycatch rate (kg halibut per mt groundfish) in the Pacific cod target fisheries in the Western and Central GOA.

Halibut bycatch rate												
Western Gulf												
Year	Hook-and-line CP		Hook-and-line CV		Pot CP		Pot CV		Trawl CP		Trawl CV	
	A	B	A	B	A	B	A	B	A	B	A	B
2001	200.1	548.8	103.0	81.5	6.1	5.0	5.6	10.6	18.8	71.5	17.6	76.0
2002	83.9	139.9	0.0	113.4	0.0	4.8	3.0	5.2	9.8	46.8	9.3	144.5
2003	139.9	210.6	124.0	156.9	0.5	12.6	1.6	9.8	21.4	73.1	47.4	0.0
2004	169.9	356.3	150.8	254.2	1.1	4.0	2.3	10.7	53.5	81.3	56.4	0.0
2005	162.7	421.8	163.5	325.9	0.2	0.0	2.1	23.6	0.0	32.7	9.3	0.0
2006	165.7	343.2	190.7	341.3	0.0	0.0	3.5	16.9	1.8	0.0	16.9	0.0
2007	159.5	268.0	152.9	243.1	2.2	0.0	4.6	14.3	27.7	0.0	14.2	0.0
2008	83.2	382.2	93.9	339.0	0.0	0.0	4.4	31.9	25.6	45.3	19.0	0.0
Avg	145.6	333.8	122.3	231.9	1.3	3.3	3.4	15.4	19.8	43.8	23.8	27.6
Central Gulf												
2001	197.6	83.0	155.1	94.0	14.8	0.0	9.3	35.7	64.0	67.8	26.1	66.2
2002	240.6	238.8	83.8	84.9	3.9	11.1	7.6	9.8	26.7	0.0	27.3	0.0
2003	43.4	208.6	153.1	198.6	1.3	0.0	7.5	26.7	0.0	50.1	29.4	80.2
2004	114.6	0.0	187.9	332.4	0.0	0.0	8.0	12.2	41.7	53.8	49.2	152.7
2005	160.7	199.5	178.1	423.9	0.0	0.0	7.8	30.4	0.0	96.0	38.5	262.7
2006	0.0	283.9	136.0	308.6	0.0	0.0	8.5	12.9	0.0	215.0	77.2	163.3
2007	208.8	115.0	156.8	163.5	2.3	11.8	5.1	19.0	0.0	0.0	73.2	79.4
2008	138.8	0.0	171.5	577.7	0.0	0.0	7.0	61.6	35.3	0.0	49.6	55.6
Avg	138.1	141.1	152.8	272.9	2.8	2.9	7.6	26.1	21.0	60.3	46.3	107.5

Table 3-12 Halibut bycatch mortality rate (kg halibut mortality per mt groundfish) in the Pacific cod target fishery in the Western and Central GOA.

Table 3-16 Tanner crab bycatch rate (number of crab per mt of groundfish) in the Pacific cod target fisheries*.

Western GOA						
	Hook-and-line CP	Hook-and-line CV	Pot CP	Pot CV	Trawl CP	Trawl CV
2003	0.0	0.0	0.0	0.1	0.0	0.4
2004	0.0	0.0	0.2	0.3	0.3	0.0
2005	0.3	0.6	5.4	1.5	0.0	0.2
2006	0.0	0.0	0.0	0.4	0.0	0.0
2007	0.0	0.0	15.3	4.6	1.0	0.6
2008	0.0	0.0	5.4	3.8	0.1	0.6
Avg	0.1	0.1	4.4	1.8	0.2	0.3
Central GOA						
	Hook-and-line CP	Hook-and-line CV	Pot CP	Pot CV	Trawl CP	Trawl CV
2003	0.0	0.0	0.0	1.9	0.0	0.1
2004	0.0	0.0	0.0	0.2	0.2	0.0
2005	0.7	0.2	0.0	3.1	0.0	0.0
2006	0.0	0.1	0.0	2.5	0.0	0.1
2007	0.0	0.0	1.4	9.5	0.0	1.4
2008	0.5	0.1	0.0	16.0	0.8	0.9
Avg	0.2	0.1	0.2	5.5	0.2	0.4

*Tanner crab bycatch in the State waters fisheries (pot gear only) has been removed from the data.
Source: NMFS Blend/Catch Accounting PSC data.

Patrick O'Donnell
F/V Caravelle
December 2009 GOA Cod Split Agenda Item C-1

BIOGRAPHY:

My name is Patrick O'Donnell. I live on Kodiak Island with my wife and 2 children and currently serve as Vice President of The Alaska Whitefish Trawlers Association. I have fished out of Kodiak for the past 20 years and have skippered on trawlers for the past 16 years. My family and I own an 85 foot trawler for the last 7 years which I operate full time as skipper. I have worked alongside net designers and scientists in developing halibut excluders for the cod fishery to reduce bycatch. For the past 3 years I've been using a 7 inch codend to allow for juvenile fish to escape, and have been pushing for every trawl vessel within the fleet to do the same. At the end of the day I am just a fisherman.

Mr. Chairman, Members of the Council:

My name is Patrick O'Donnell. I am the owner and operator of the F/V Caravelle and a long time resident of Kodiak.

Taking cod away from the trawl sector will, in my opinion, create instability within the flatfish fishery. This will not only affect the vessels dependent upon the fishery, but also the shoreside processors and the community in which they are based.

Total catch of Codfish accounts for 15 to 35% of my gross income depending on what the TAC is for the year. It is very important to my fishing business as far as crew shares for the three other fishing families that I support.

Flatfish accounted for 26% of my gross income for 2009. Incidental cod catch amounted to 10%, so these two together amounted to 36% of my total income for the year. 10% of my gross for incidental cod may not seem like much, but without it, I would not be able to utilize the flatfish fishery without wasting a lot of cod by means of discard, and would lose the income I receive based on the 20% MRA we are typically allowed to keep.

Arrowtooth, which accounted for 10% of my earnings in 2009 may not be available to me in 2010, as we cannot compete with the consistent quality and oversupply of Arrowtooth coming into the market from the CPs in the Bering Sea.

With possible reductions in trawl sector allocations of cod, I do not feel that I would be able to keep my head above water in the coming years. Due to the cost of trawl gear, crew shares, insurance, vessel upkeep, rising fuel costs and observer coverage- profit margins are low.

For the record, for the past 3 years I've been using a 7 inch cod-end to allow for juvenile fish to escape and right now 25% of the Kodiak trawl fleet are using 7 Inch cod-end mesh size in both the cod and flatfish fisheries.

PCS halibut should roll over from CV sector to CV sector but this roll over will benefit the Pot sector more than any other. The trawl sector and the H&L sector are both limited by Halibut PSC so if they reach that limit they have to stop fishing. The pot sector has no limit on Halibut PSC so they could end up with all of the roll-over cod.

In an effort to keep Kodiak's trawl fleet, its processors, businesses and community viable, I urge to recognize the long term investment and history by the trawl fleet, who participated in the GOA cod fishery and give the trawl fleet a fair and equitable allocation.

Thank you.

alburch

Good Morning Mr. Chairman and good morning to the members of the Council:

My name is Al Burch. I am the Executive Director of the Alaska Whitefish Trawlers Association—an organization that has represented small, family trawlers that have fished out of Kodiak since the 1960s speaking as an individual today.

I have fished out of Kodiak since right after the 1964 Earthquake destroyed Seward's waterfront. My personal fishing history is included in the written testimony.

I wish to spend my time today highlighting the development of the current cod industry in Kodiak and why it is important, and appropriate, to protect the early cod fishermen with a cod sector split.

When the shrimp and crab stocks went to hell in the late 1970s, we began looking for other fish to catch. Efforts to develop the whitefish fisheries began in earnest. By the late 70s my brother's and my boats—the Dawn and the Dusk—were among a handful that fished cod for the New England Fish Company. Dennis Cox was another.

In an effort to figure out this cod thing, I and several others made numerous trips to Europe, to learn cod fishing from the masters. We acquired a base of knowledge to begin our new fishery.

For nearly 2 decades, Kodiak's trawl fleet was the sole source of cod harvests in Kodiak. The trawl fleet made huge investments of time, money, and – literally for some – their lives, to develop the Gulf's cod industry from scratch.

Because we—the trawl fleet—have done such a fine job developing the industry, it has created new opportunities for other fishermen to move into the cod fishery. We now have pot fishing, jigging and long-line fishing for cod, which opens even greater opportunities for Kodiak's small boat fleet to earn a living from the water.

Unfortunately, as more vessels have come into the fishery, the trawl fleet—the original risk takers—have progressively been squeezed out in terms of fishing time. We used to fish all our cod in February and March when the best chance for "clean" fishing occurs.

A sector split for cod—based on traditional catch histories—will allow all sectors to maintain their historical catch share. It will allow each sector to manage their own fishery so that they can develop and grow at their own pace and fish when it is most advantageous for them. It will also allow the different gear types to be managed based on the individual differences inherent to that fishery.

Thank you for your time and efforts to maintain and grow Alaska's cod fisheries. I urge you to approve the proposal as put forth by Bob Krueger of AWTA.

Alvin Burch

F/V Dawn and Dusk

December 10, 2009

Re: Final action GOA Pacific cod Split - Agenda Item C- 1

Biography of Alvin R. Burch, long-time Kodiak fisherman

My name is Al Burch and many of you in this room know me because you and I have worked together through the years to grow and protect Alaska's fisheries. During the nearly 30 years I spent on the Council's Advisory Panel I always made my decisions based on my strong belief that the best decisions are based on the best scientific information available, and what was best for the shore based communities dependent on the fisheries.

The reason I am so adamant about protecting our fisheries is that fishing is all I know – and I know it well. I learned it the hard way—starting when I was a kid in the 1940s cracking clam so we could use them for hanging bait for Dungeness crab fishing. After graduation from Seward High School in 1955, I worked on tug boats. Later I sold my two airplanes and a 1956 Ford Victory and partnered with my brother, Oral, to buy the first of many fishing vessels that my family owned for more than 5 decades in Alaska.

As they say: the only constant thing about fishing is the changes that will and do take place. We accepted that, and through the years we worked to be a part of the positive changes in Alaska's fisheries...we traded up boats and tried new techniques, investing a lot of money and effort along the way...we lost a lot of money and wasted a lot of time along the way, too. But, with a good wife of 50 years to support me and raise my two sons who work on the water, we made it through. Now, our family owns two small trawlers that have fished out of Kodiak since after the Earthquake.

Jeff Alphan

**Gulf of Alaska Pacific Cod Sector Split (C-1)
NPFMC Meeting; December 2009
UFMA Recommendations**

Our recommendations apply only to the Central Gulf of Alaska (CGOA)

Component 2: Sector definitions

We support the Western and Central GOA Option that will “Restrict vessels from participating in the GOA Pacific cod fishery using more than one operation type in a given year. Holders of CP licenses shall make a one time election to receive a WGOA and/or CGOA CP or CV endorsement for Pacific cod.”, and “Upon implementation of the GOA Pacific cod sector allocations, holders of these licenses will be limited to operating in the sector designated by their license in the GOA cod fishery. For example, CPs may not operate as CVs in the GOA Pacific cod fishery. Future catch accounting for these vessels should be according to operating mode.”, and (Note: this CP or CV endorsement would be added to the LLP license, and would apply only to the Western and Central GOA Pacific cod fisheries; the existing operation type endorsement would remain on the LLP license and would apply to other groundfish fisheries).”

Component 4: Potential Sector Allocations

Part A: Years included for purposes of determining catch history:

We support Central GOA Option 7 (Average of Options 1-6) as the starting basis for calculating Sector Allocations.

	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
Average of Options 1-6	4.9%	21.2%	1.0%	0.7%	26.6%	3.7%	41.9%

=====

Several arguments follow that provide the basis and justification for an **upward adjustment for the Pot CV sector allocation.**

**2004 Trawl Halibut PSC Overage Equity Adjustment
(Component 9 Consideration)**

The Trawl CV sector 2004 B Season should have closed on Sept. 4 because the 2004 4th season halibut PSC cap was reached on Sept. 4 (C-1 Supplemental – NPFMC Staff Handout; December 2009). As a result, the Trawl CV sector caught approximately 2,200 mt of Pacific cod during the period between Sept. 4 and Sept. 10 that they otherwise should not have caught (i.e., the 2,200 mt should not have been made available to the Trawl CV sector). The following calculations represent an equitable method of reapportioning that portion of the 2004 Trawl CV sector B Season catch among the other inshore CV sectors.

Step 1. Calculate the 2004 catch percentages among the Jig CV, HAL CV, and Pot CV sectors, and apply those percentages to the 2,200 mt Trawl CV sector overharvest.

	Catch	Catch Percent	Percentage of 2,200 mt
Jig CV	118	1.0%	22
HAL CV	5,423	51.9%	1,142
Pot CV	4,916	47.1%	1,036

Step 2. Subtract 2,200 mt from the 2004 Trawl CV retained catch. Add the amounts from the above table (Step 1) to the 2004 Jig CV, HAL CV and Pot CV catches. The result is a modified retained catch table (i.e., a modification of Table E-1 for 2004; see pg. xviii).

Year	HAL CP	%	HAL CV	%	Jig CV	%	Pot CP	%	Pot CV	%	Trawl CP	%	Trawl CV	%
2000	209	0.7%	6,529	20.4%	38	0.1%	910	2.8%	11,967	37.4%	1,387	4.3%	10,971	34.3%
2001	0	0.0%	5,684	20.9%	11	0.0%	588	2.2%	3,505	12.9%	2,241	8.2%	15,169	55.8%
2002	1,638	7.0%	6,867	29.5%	3	0.0%	131	0.6%	3,228	13.9%	835	3.6%	10,568	45.4%
2003	1,462	6.1%	3,586	15.0%	16	0.1%	0	0.0%	3,201	13.4%	1,219	5.1%	14,405	60.3%
2004(a)	1,453	5.5%	5,423	20.6%	118	0.4%	0	0.0%	4,916	18.7%	770	2.9%	13,669	51.9%
Change			1,142		22				1,036				-2,200	
2004(b)	1,453	5.5%	6,565	24.9%	140	0.5%	0	0.0%	5,952	22.6%	770	2.9%	11,469	43.5%
2005	267	1.2%	4,271	19.3%	137	0.6%	0	0.0%	8,169	36.9%	719	3.2%	8,591	38.8%
2006	897	4.0%	6,183	27.6%	96	0.4%	0	0.0%	8,420	37.6%	877	3.9%	5,922	26.4%
2007	1,376	5.5%	6,341	25.1%	36	0.1%	365	1.4%	8,286	32.9%	590	2.3%	8,220	32.6%
2008	1,755	6.9%	6,054	23.9%	19	0.1%	0	0.0%	5,208	20.5%	632	2.5%	11,680	46.1%

(a) Original; (b) Revised

The **Step 2** calculation results in no change to the catch for the CP sectors. The Trawl CV sector catch is reduced to 43.5%. The HAL CV, Jig CV and Pot CV sectors increase to 24.9%, 0.5% and 22.6%, respectively.

Step 3. Assuming a 1% Jig CV allocation, recalculate the “Potential percent allocations of the CGOA P cod TACs” under options 1-8 of Component 4 (i.e., this is a modification of Table E-2 “Central GOA: 1% jig allocation”; pg. xix).

	HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
1 2000-2006: Best 5	4.1%	21.4%	1.0%	1.0%	25.8%	4.4%	42.3%
2 2000-2006: Best 3	4.6%	20.4%	1.0%	1.4%	27.9%	4.4%	40.3%
3 2002-2007: Best 5	5.2%	23.2%	1.0%	0.4%	26.4%	3.4%	40.5%
4 2002-2007: Best 3	4.9%	21.9%	1.0%	0.5%	28.6%	3.4%	39.7%
5 2002-2008: Best 5	5.4%	22.9%	1.0%	0.3%	26.3%	3.3%	40.9%
6 2002-2008: Best 3	5.3%	21.6%	1.0%	0.5%	28.3%	3.3%	40.0%
Revised Average of 1-6	4.9%	21.9%	1.0%	0.7%	27.2%	3.7%	40.6%
Original Average of 1-6	4.9%	21.2%	1.0%	0.7%	26.6%	3.7%	41.9%

The **Step 3** changes demonstrated in the “Revised” %s that result for the HAL CV and Pot CV sectors, when compared to the “Original” %s for these sectors, are not insignificant (e.g., a 0.6% increase in allocation for the Pot CV sector).

2004 Trawl Halibut PSC Overage Equity Adjustment. The above analysis illustrates that an adjustment of + 0.6% for the Pot CV sector is warranted.

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Incidental Catch Equity Adjustment

On a yearly basis, incidental catch is accounted for at two times: initially, an allocation is taken off the A season TAC, and then after June 10 off the B season TAC. Since the pot sector does not have access to the incidental catch allocation, incidental catch constitutes a de facto special allocation to the HAL and Trawl sectors. The incidental allocation thus represents an inequality of access, and in a sector split the pot sector should be granted the amount of TAC that it contributed to the incidental catch pool. The incidental catch equity adjustment calculation detailed below provides a reasonable estimate of how the incidental catch should be allocated among the HAL CV, Pot CV, and Trawl CV sectors.

I. Revised Table 2-49 (see pg. 80) “Potential percent allocations of the Western and Central GOA Pacific Cod TACs” for the “Central GOA”. The procedure used to generate this table is explained in **Step 1, Step 2 & Step 3** that follow below.

		HAL CP	HAL CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV
1	2000-2006: Best 5	3.9%	21.5%	1.0%	0.9%	30.4%	4.2%	38.1%
2	2000-2006: Best 3	4.5%	20.8%	1.0%	1.4%	29.7%	4.3%	38.3%
3	2002-2007: Best 5	5.1%	24.3%	1.0%	0.4%	28.1%	3.4%	37.8%
4	2002-2007: Best 3	4.8%	23.1%	1.0%	0.5%	30.1%	3.3%	37.3%
5	2002-2008: Best 5	5.4%	23.9%	1.0%	0.3%	27.9%	3.3%	38.2%
6	2002-2008: Best 3	5.1%	22.9%	1.0%	0.5%	29.8%	3.2%	37.5%
	Revised Average of 1-6	4.8%	22.7%	1.0%	0.7%	29.3%	3.6%	37.8%
	Original Average of 1-6	4.9%	21.2%	1.0%	0.7%	26.6%	3.7%	41.9%

For comparative purposes, and to illustrate the differences in the incidental catch apportionment that exists between this and the original table in the analysis, the average values (1 through 6) from the original table are also shown.

II. Steps to derive Revised Table 2-49 (see pg. 80)

Step 1. Calculation of directed catch percentages among the inshore HAL CV, Pot CV and Trawl CV sectors.

Year	HAL CV Directed Catch (a)	HAL CV Directed Catch % (b)	Pot CV Directed Catch (a)	Pot CV Directed Catch % (b)	Trawl CV Directed Catch (a)	Trawl CV Directed Catch % (b)	Total Directed Catch (c)
2000	6,372	23.8%	11,967	44.7%	8,452	31.5%	26,791
2001	5,550	25.5%	3,497	16.0%	12,743	58.5%	21,790
2002	6,751	37.7%	3,228	18.0%	7,920	44.2%	17,899
2003	3,365	18.3%	3,201	17.4%	11,803	64.3%	18,369
2004	5,272	24.5%	4,916	22.8%	11,345	52.7%	21,533
2005	4,209	22.0%	8,169	42.7%	6,746	35.3%	19,124
2006	6,093	32.1%	8,420	44.4%	4,471	23.6%	18,984
2007	6,193	29.2%	8,279	39.1%	6,718	31.7%	21,190
2008	5,860	28.6%	5,209	25.4%	9,417	46.0%	20,486

(a) "Directed Catch" numbers for the HAL CV, Pot CV, and Trawl CV sectors come from **Table A-4** (pg. 186).

(b) "Directed catch %" for each sector is calculated by dividing each sector's "Directed Catch" by the "Total Directed Catch" (see last column).

(c) "Total Directed Catch" is a sum of the columns for "HAL CV Directed Catch", "Pot CV Directed Catch" and "Trawl CV Directed Catch".

Step 2. Calculation of shift for the retained catch numbers used to calculate allocation percentages: For each year, the pool of incidental catch from the HAL CV & Trawl CV sectors is redistributed to all 3 sectors according to their catch percentages in the directed fishery.

Year	HAL CV Retained Incidental Catch (a)	Trawl CV Retained Incidental Catch (a)	Total HAL CV, Trawl CV Retained Incidental Catch	Change to HAL Catch (b)	Change to Pot CV Catch (b)	Change to Trawl CV Catch (b)
2000	157	2,519	2,676	479	1,195	-1,675
2001	133	2,427	2,560	519	411	-930
2002	117	2,648	2,765	926	499	-1,425
2003	220	2,602	2,822	297	492	-789
2004	151	2,324	2,475	455	565	-1,020
2005	62	1,845	1,907	358	815	-1,172
2006	90	1,451	1,541	405	683	-1,088
2007	148	1,502	1,650	334	645	-979
2008	194	2,262	2,456	509	624	-1,133

(a) "Retained Incidental Catch" columns from **Table 2-64** (pg. 116).

(b) Net change to a sector's retained catch, for a given year, calculated by:

1. Subtracting that sector's retained incidental catch.
2. Adding the product of the directed catch percentage (from table in Step 1) and the total retained incidental catch. For example, for the trawl sector in 2000, the change would be $(-2519) + (.315 \times 2676) = -1675$.

Step 3. Revised Table 2-43 (see pg. 67; “Retained catch and percent of annual retained catch by each sector in the Western and Central GOA Pacific cod fisheries, 1995-2009”). For each year the HAL CV, Pot CV and Trawl CV retained catches are either increased or decreased by the “Change” numbers in the right half of the above table in Step 2.

Year	HAL CP	%	HAL CV	%	Jig CV	%	PotCP	%	PotCV	%	Trawl ICP	%	Trawl I CV	%
2000	209	0.7%	7,008	21.9%	38	0.1%	910	2.8%	13,162	41.1%	1,387	4.3%	9,296	29.0%
2001	0	0.0%	6,203	22.8%	11	0.0%	588	2.2%	3,916	14.4%	2,241	8.2%	14,239	52.4%
2002	1,638	7.0%	7,793	33.5%	3	0.0%	131	0.6%	3,727	16.0%	835	3.6%	9,143	39.3%
2003	1,462	6.1%	3,883	16.3%	16	0.1%	0	0.0%	3,693	15.5%	1,219	5.1%	13,616	57.0%
2004	1,453	5.5%	5,878	22.3%	118	0.4%	0	0.0%	5,481	20.8%	770	2.9%	12,649	48.0%
2005	267	1.2%	4,629	20.9%	137	0.6%	0	0.0%	8,984	40.6%	719	3.2%	7,419	33.5%
2006	897	4.0%	6,588	29.4%	96	0.4%	0	0.0%	9,103	40.6%	877	3.9%	4,834	21.6%
2007	1,376	5.5%	6,675	26.5%	36	0.1%	365	1.4%	8,931	35.4%	590	2.3%	7,241	28.7%
2008	1,755	6.9%	6,563	25.9%	19	0.1%	0	0.0%	5,832	23.0%	632	2.5%	10,547	41.6%

Step 4. The Revised Table 2-43 directly above is then used to recalculate the allocation catch percentages shown in the Revised Table 2-49 (see pg. 80; and illustrated previously in this document), according to Options 1-8 of Component 4.

Incidental Catch Equity Adjustment. An Incidental Catch Adjustment would reflect an increase of 2.7% for the Pot sector over the basis percentage derived from Component 4, Option 7 (Average of Options 1-6).

The January 20 start date and November 1 closure date.

It is disingenuous for the trawl sector to use the January 20 start date and the November 1 closure date as an argument for inequality of access. GOA Amendment 24 implemented the January 20 start date to “reduce Chinook salmon and halibut bycatch” in the GOA trawl fishery, and to achieve other objectives. The trawl sector should be held accountable for Council actions taken to mitigate the impacts of their bycatch. The fixed gear sectors should not be held accountable for measures taken to limit the trawl sector bycatch (e.g., the January 20 start date).

The November 1 trawl closure for P cod in the GOA was mandated by Council and NMFS action in order to mitigate adverse trawl impacts on SSL prey. Again, the fixed gear sector should not be held accountable for actions taken to address adverse impacts of the trawl sector on SSL. In trawl testimony, the trawl sector alludes to being disadvantaged by not being able to fish for P cod after November 1. Only in the year 2007 was the trawl fleet denied access to the P cod fishery by SSL RPA measures (Table 2-15, pg. 31). In all other years, either the P cod TAC had been reached prior to November 1, or the trawl sector was shut down because of halibut PSC.

=====

Incidental Catch and the “Steller Sea Lion RPA Loophole” during 2002 and 2003

	TAC Available on Sept. 1 (a)	B Season total catch (a)	Trawl non-directed incidental catch (A and B seasons) (b)	Trawl Incidental Catch as percent of total catch (c)
2001	8,998	7,002	2,872	13.1%
2002	2,162	2,516	5,363	25.3%
2003	2,251	4,459	3,552	20.4%
2004	7,018	8,104	2,859	13.0%
2005	8,937	8,120	2,087	11.3%
2006	8,696	4,899	1,789	11.4%
2007	9,172	8,620	2,132	9.9%
2008	7,795	8,676	4,082	17.4%
Average of all columns except 2002 and 2003	8,436	7,570	2,637	12.7%

(a) Table 2-17, pg. 34

(b) Table 2-18, pg. 35

(c) Table 2-16, pg. 33

SSL RPAs, implemented in 2001, mandated that incidental catch of P cod be accounted for from the B Season TAC. The trawl sector took advantage in maximizing the MRA for P cod to harvest a disproportionate share of the B Season TAC as incidental catch. This is highlighted in the above table. In 2002 and 2003 there is a 74% reduction of B Season TAC compared to 2001, and 2004 to 2008. The high percentage incidental catch taken in 2002 & 2003 also demonstrates the disproportionate effort in maximizing incidental catch compared to other years. Although difficult to quantify, the above illustrated table highlights the magnitude of the adverse effects that the SSL RPA Loophole had on the CGOA fixed gear sectors. **Some adjustment to the Pot CV allocation is warranted to mitigate the adverse impact of the SSL RPA Loophole during the years 2002 & 2003.**



Discards (A Component 9 Consideration)

During the years 2001 to 2008 the Trawl CV sector discarded on average 13.2% of their total catch (Table 2-19, pg. 37), and 32.6% of their incidental catch (Table 2-25, pg. 45; Initial Review Draft EA/RIR/IRFA, September 10, 2009). These discards resulted in the waste of 11,622 mt of P cod, which we estimate had an ex-vessel value of at least \$10,000,000.00. Discarded P cod brings no benefit to the coastal communities, counts against the TAC, is a waste of the resource, and reduces the commercial, economic and social benefits that would otherwise be realized by other sectors and coastal community commerce. P cod that is discarded from the time of the closure of the A Season to September 1 is counted against the B Season TAC, which diminishes the pool of fish that is available for the directed fishery. Consequently, the Pot CV sector should receive an upward adjustment in their sector allocation.

Pot CV sector allocation adjustment. The above calculations show that the Pot CV sector should receive at a minimum a 3.1% bump above the 26.6% derived from Component 4, Option 7 (average of options 1-6, assuming a 1% jig allocation). In addition, we have provided arguments regarding the 2002-2003 SSL RPA loophole, discards, and social objectives for the Council's consideration of upward adjustment for the Pot CV sector allocation.

Part C: Seasonal apportionment of sector allocations:

We support Central GOA Option 2 (Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC).

Component 5: Allocation of Pacific cod to jig sector

We support an initial set aside of 1% for the Jig allocation, capped at 5%.

Stepdown Options:

We support Option 2 (Jig allocation increased from 1% to 2% when at least 0.9% of the TAC is harvested, & Harvests during the next three [TWO (per NPFMC Staff recommendation)] years: 0.9% of the TAC, 0.5% of the TAC, 0.4% of the TAC, and The jig sector harvests at least 90% of its previous 1% allocation (0.9% of the TAC) in at least one of three years, and The jig allocation would remain at 2%).

Note: we support the rollover provision in Component 6.

Options for management of the jig allocation:

We support Option 1 (State parallel/Federal managed Pacific cod jig fishery. Federal allocation managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL could (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off of a single account. If the Board of Fisheries chooses not to take the jig GHL, it would roll into the Federal jig allocation. The Council will make such recommendation to the Board of Fisheries. Until the Board changes the GHL in response to this recommendation, Option 2 would be invoked.), and (If a combined parallel/Federal fishery is created the fishery would be managed as follows. There would be no seasonal split of the combined parallel/Federal TAC. The fishery would open on Jan 1st and close when the TAC is reached.)

Component 6: Management of unharvested sector allocations

We support Option 1 (CV sector allocations to CV sectors first, and CP sector allocations to CP sectors first, and then to all sectors taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated amount of Pacific cod.)

We support the inclusion of an **additional provision to Component 6** that directs “Unharvested TAC from sectors that have no PSC restrictions will first rollover to other sectors that have no PSC restrictions.”

Component 8: Community protection provisions (Western and Central GOA)

We support Option 3 with Suboption 2 [Option 3 (Allow Federally-permitted vessels to operate as motherships); Suboption 2 (Within a 3 nautical mile seaward swath of the Census Designated Places identified in the Analysis)].

Component 9: Social Objectives

Mitigation of CQE Fixed Gear CGOA LLPs

As part of the Component 7 action on GOA P cod Fixed Gear Recency (April 2009), and for the purpose of meeting social objectives, the Council created 50 additional Fixed Gear CGOA LLPs for 17 CQEs (Community Quota Entity). While it is not yet known whether these CQE LLPs will choose to participate in the hook and line or pot sector, it is highly likely that the majority of these LLPs will participate in the pot sector. These 50 LLPs bring no history whatsoever to the fixed gear catch history pool. The participation of these 50 LLPs in the pot sector will erode the Sector Split benefits to the pot sector.

Since the allocation of these additional 50 non-Recency-qualifying CQE LLPs was meant to achieve social objectives, it is reasonable that the economic costs and burdens of this social action should be distributed across all sectors under Component 9. It should not be the sole responsibility of the pot sector to bear the economic costs and burdens of the additional 50 non-Recency-qualifying CQE LLPs who bring no history to the Sector Split calculations, but who will nonetheless participate in the harvest of the P cod that the Council allocates to the pot sector.

Fixed Gear Economic Contributions

249 fixed gear vessels are owned by Kodiak residents (Table 2-76, pg. 138) during the period of 2001-2008. These fixed gear vessels produced revenues of \$41,781,338. Conversely, 26 Kodiak owned trawl vessels generated \$20,361,109. This reflects the magnitude of the differences in revenues and ownership of locally owned fishing vessels in the Kodiak community. These figures demonstrate the significance of the contribution of the fixed gear sector in terms of revenue and vessel ownership within the community. The assertion from the Trawl sector that any redistribution of P cod from the Trawl CV sector may be detrimental to community economic health is untrue and unfounded since the redistributed P cod is likely to be harvested by Alaska

community resident fixed gear harvesters. Landings of P cod by the fixed gear sector benefit more residents, create more employment and have less impact on the environment

Component 10: Potential models for resolving parallel fishery issues

We support Option 2, with Suboption 1 and Suboption 2c. [Option 2 (Limit access to the parallel fishery for Federal fishery participants); Suboption 1 (In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates); Suboption 2 (Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP); Suboption 2c (Once every three years)].

CURT WATERS
F/V Mar Del Norte
Agenda Item C-1 GOA Cod Split
December 2009

My name is Curt Waters and I am a fisherman in Alaska. I have longlined halibut, cod and black cod. Pot fished for King crab Tanner crab, Opilo crab, and cod. Trawled for Shrimp, Cod, Pollock, Sole, and Arrow tooth. Gillnetted Salmon, and Cod. Bait fished and Jigged for Albacore. I have trawled in Washington and Oregon Tuna and Swordfishes in California Mexico, Costa Rica and Ecuador. I pride myself in being an expert Fisherman - if it swims I can catch it.

9 years ago fate brought me, Patty Hogan and Bob Kruger together. From that day on I have been the captain and Patty Hogan has been the Engineer of Bob and Marla Krueger's Boat the Mar Del Norte. Patty and I caught fish and Bob paid bills lots of bills. Through thick and thin we worked together. To this day I don't remember a cross word and we have been successful. We have fixed the boat up and are looking forward to the future.

My testimony today is very important to me. Here is supporting document - the Summit Sea foods report by Rick Krueger, General Manager Summit Sea foods.

Thank you,
Curt Waters
F/V Mar Del Norte

attachment



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November 21, 2009

FROM: Rick Krueger, General Manager
Summit Seafoods

FLATFISH MARKET REPORT

In general, the markets for all species of flatfish weakened in 2009, due to generally weak economic conditions and to some extent continuing competition with other species in the market, specifically tilapia and pangasius (sometimes also called Vietnamese catfish).

Credit problems among processors in China has also reduced demand overall this year.

The competition with other species will continue, but the credit situation seems to be improving for most of our customers. The market is also adjusting to raw material that is generally of a smaller average size under the Amendment 80 fishing regulations, and more product in general coming from the Bering Sea under increasing retention rates (GRS).

1. ROCK SOLE

The supply of H/G rock sole (non-roe) from the Bering Sea has increased under the Amendment 80 regulations, and prices declined in 2008 and 2009 from the highs we saw in 2006 and 2007. The attached spreadsheet shows the increase in retained rock sole tonnage from 2006 through November 21, 2009, summarized below:

2006:	27,866 MT	pre-Amendment 80
2007:	26,828 MT	pre-Amendment 80
2008:	45,162 MT	Amendment 80, 65% retention rate (GRS)
2009:	39,233 MT (through 11.21.09)	Amendment 80, 75% retention rate (GRS)

Most of this increase in retained tonnage is due to the increased GRS and more controlled halibut bycatch rates that have extended the length of certain fisheries.

More H/G rock sole are being shipped to fillet markets in China from the Bering Sea during the winter season (January through March), as C/Ps must now retain more their total catch, and cannot focus primarily on the production of roe-in rock sole for the Japanese market. Most of the male fish retained during this period are smaller fish, ranging in weight from 120 to 350 grams/fish, H/G weight. This size rock sole are basically priced at the same level as H/G yellowfin sole, and often used interchangeably with yellowfin sole and marketed as "flounder" fillets.

At this year's lower market prices, demand was steady in 2009 for most suppliers of H/G fish, if the fish was priced correctly in the market. Demand has been much higher for the 350 grams and larger fish (H/G weight), which produce the larger fillets that are somewhat short in end markets. However, the majority of the production last year was of fish under 350 grams/fish. There is some indication that demand for rock sole fillets may increase in Europe in 2010 as some users shift some of their yellowfin sole fillet demand to rock sole fillets, and also shift to rock sole to meet EU labeling requirements.

Initial discussions with our customers for deliveries of rock sole in early 2010 point to a slight increase in demand, which we hope will lead to slightly higher prices. On average, prices have declined about 29% on an FOB Alaska basis (net price to the boat) since 2006.

2. ARROWTOOTH FLOUNDER

Demand and prices for H/G/T (headed, gutted, tailed) arrowtooth flounder remains very weak, especially for GOA production. We do not expect any improvement in the markets in 2010 at current production levels. Bering Sea and Aleutian Island arrowtooth production increased greatly in 2009, leading to an oversupply in all markets. The BSAI arrowtooth is preferred by processors over GOA fish, due to its more consistent quality, relatively firmer meat texture, and better frill and fillet yields. We have had significant claims from China this year on our limited GOA arrowtooth production, especially on the larger fish that tend to be very soft with significant jelly meat characteristics. In some cases, we paid back 100% of the value of the fish to our customer, making the net FOB Kodiak value to the boat zero.

The attached spreadsheet also shows the rapid increase in BSAI arrowtooth production since the Amendment 80 regulations went into effect. Much of this fish must be produced regardless of market conditions and market price in order to meet the GRS percentages, which means finding a buyer is more important than the final price to the boat.

The number of retained metric tons of BSAI arrowtooth has increased as follows in the last 4 years:

2006:	5,379 MT	pre-Amendment 80
2007:	3,636 MT	pre-Amendment 80
2008:	15,116 MT	Amendment 80, 65% retention rate (GRS)
2009:	22,883 MT (through 11.21.09)	Amendment 80, 75% retention rate (GRS)

In 2010, the BSAI GRS for Amendment 80 boats increases to 80%, and increases again in 2011 to 85%. To meet these retention standards, it is certain that all Amendment 80 boats will need to increase their retention of arrowtooth in 2010 and move to market regardless of price.

In addition to the increased arrowtooth tonnage coming from the BSAI due to the increasing GRS, several large factory trawlers have also started fishing an area in the Aleutian Islands that has high catch and production levels and low halibut bycatch rates.

The quality of this fish is reportedly very good, even compared to normal Bering Sea production.

Prices for FAS H/G/T arrowtooth have dropped significantly to the boats since 2006. On a CFR China basis (cost/FOB Alaska value + freight), prices have moved from a high in 2006 of \$1,850 to \$1,900/MT down to \$1,000 to \$1,200/MT in 2009. On an FOB Alaska basis, these prices translate into a reduction from roughly \$.72 to \$.74/pound FOB Alaska to \$.34 to \$.43/pound FOB Alaska, depending on freight costs. (Note: Kodiak always is normally at a freight disadvantage compared to shipments from Dutch Harbor, where tramper shipments are always available). We have heard of some Bering Sea arrowtooth sold in the Japanese market this year that has netted the boat under \$.20/pound FOB Alaska.

Some new markets for arrowtooth are developing in Eastern Europe, and we hope that the low raw material prices in 2009 will allow Chinese processors to capture new markets with lower finished product prices.

3. FLATHEAD SOLE

Demand for flathead sole was relatively firm this year, although prices continued to move down. Demand for the larger fish (350 grams + / fish H/G weight) was better than the demand for smaller fish, which were in short supply from the Bering Sea fishery. Halibut bycatch limitations hampered BSAI flathead production this year, as some of the normal fishing areas had relatively high halibut bycatch rates and boats were forced to move to lower halibut bycatch fisheries such as yellowfin sole. Smaller flathead (under 350 grams/fish) were generally priced at the same level as like-size yellowfin sole, and most processors used the small flathead fillets mixed with rock sole and yellowfin sole fillets, sold as "flounder" fillets. Of all of the flatfish species we produce, flathead has had the best demand in 2009, mainly due to the better fillet characteristics of flathead as compared to yellowfin sole and rock sole.

Demand should improve for flathead in 2010, especially for the larger fish, 350 grams and up H/G weight.

On average, prices have declined about 25% to 32% on an FOB Alaska basis (net price to the boat) since 2006, depending on the fish size

4. REX SOLE

Demand for FAS rex sole has been steady, although prices did decline about 10% to 15% in 2009. Some users in the U.S. market did move down to smaller, cheaper fish in 2009, but the price declines for rex sole this year were the smallest of all flatfish species. Inventory levels going into the 2010 season are relatively low in the U.S., with limited new supply coming into the market over the next few months.

The Japanese market has also been relatively steady, for both smaller whole round rex sole, and for roe-in rex sole. A favorable U.S. dollar / yen exchange rate has also helped to maintain relatively strong dollar prices this year.

Table 1: BSAI CP Retained and discarded Arrowtooth and Rock Sole

BSAI RETAINED AND DISCARDED C/P SECTOR
2006 to 2009 Arrowtooth Flounder and Rock Sole

	Amendment 80			Pre-Amendment 80	
	2010	2009	2008	2007	2006
ARROWTOOTH					
		to 11.21	12.31	12.31	12.31
GRS	80%	75%	65%	N/A	N/A
Retained, CP		22,883	15,116	3,636	5,379
Discarded, CP		5,573	5,201	6,364	6,741
TOTAL		28,456	20,317	10,000	12,120
Date		to 11.21	to 12.31	to 12.31	to 12.31
Total Catch, non-CDQ all sectors		27,325	20,496	10,698	12,699
ROCK SOLE					
		to 11.21	12.31	12.31	12.31
GRS	80%	75%	65%	N/A	N/A
Retained, CP		39,233	45,162	26,828	27,866
Discarded, CP		4,139	4,371	8,093	7,077
TOTAL		43,372	49,533	34,921	34,943
Date		to 11.21	to 12.31	to 12.31	to 12.31
Total Catch, non-CDQ all sectors					

Table 2-39 Annual participation, revenues, and percent dependence on GOA Pacific cod and other fisheries. Only includes vessels that participated in the Central GOA directed Pacific cod fishery during the period from 1995-2000 or 2001-2008.

Central GOA		1995-2000			2001-2008		
	Fishery	Vessels	Total revenues 1995-2000	Percent	Vessels	Total revenues 2001-2008	Percent
Hook-and-line CVs	CG Pacific Cod	374	20,811,711	12.4%	342	38,083,169	8.6%
	WG Pacific Cod	22	294,776	0.2%	65	1,387,221	0.3%
	State GOA Pacific Cod	101	2,213,459	1.3%	95	7,418,325	1.7%
	BSAI Other Groundfish	42	3,817,892	2.3%	65	9,865,773	2.2%
	BSAI Pacific Cod	32	854,727	0.5%	64	4,960,521	1.1%
	GOA Other Groundfish	249	1,763,295	1.1%	202	8,615,088	1.9%
	IFQ Halibut	288	71,711,306	42.7%	294	256,412,372	57.6%
	IFQ Sablefish	185	22,149,224	13.2%	159	63,150,743	14.2%
	Other	274	3,775,901	2.3%	246	2,482,597	0.6%
	Salmon	241	30,990,068	18.5%	165	29,875,598	6.7%
	Shellfish	46	9,374,724	5.6%	85	22,571,929	5.1%
Jig CVs	CG Pacific Cod	64	153,888	3.0%	74	357,606	3.7%
	WG Pacific Cod	4	3,532	0.1%	3	*	*
	State GOA Pacific Cod	32	422,881	8.3%	64	2,295,541	24.0%
	BSAI Other Groundfish	3	*	*	3	*	*
	BSAI Pacific Cod	4	*	*	5	134,130	1.4%
	GOA Other Groundfish	40	282,901	5.5%	36	133,744	1.4%
	IFQ Halibut	32	1,258,161	24.7%	18	2,694,654	28.1%
	IFQ Sablefish	13	175,468	3.4%	4	*	*
	Other	46	561,559	11.0%	39	335,770	3.5%
	Salmon	34	1,986,232	38.9%	31	2,835,135	29.6%
Shellfish	6	101,313	2.0%	18	602,031	6.3%	
Crab Pot CVs	CG Pacific Cod	17	1,950,923	6.4%	11	2,309,845	7.1%
	WG Pacific Cod	5	391,445	1.3%	4	694,544	2.1%
	State GOA Pacific Cod	3	*	*	3	*	*
	BSAI Other Groundfish	2	*	*	5	*	*
	BSAI Pacific Cod	10	1,038,358	3.4%	5	1,442,440	4.4%
	GOA Other Groundfish	3	*	*	4	167	0.0%
	IFQ Halibut	8	3,477,542	11.3%	5	5,968,429	18.4%
	IFQ Sablefish	3	*	*	1	*	*
	Other	7	2,316	0.0%	8	51,365	0.2%
	Salmon	0	0	0.0%	1	*	*
Shellfish	17	23,495,675	76.5%	11	21,078,227	65.0%	
Non Crab Pot CV	CG Pacific Cod	199	36,557,623	19.7%	113	36,456,473	17.5%
	WG Pacific Cod	13	1,010,536	0.5%	27	3,125,860	1.5%
	State GOA Pacific Cod	104	8,300,244	4.5%	90	24,022,620	11.5%
	BSAI Other Groundfish	20	2,341,281	1.3%	21	1,360,966	0.7%
	BSAI Pacific Cod	35	3,646,003	2.0%	27	9,768,514	4.7%
	GOA Other Groundfish	68	4,902,572	2.6%	67	2,854,102	1.4%
	IFQ Halibut	109	44,451,839	24.0%	61	74,851,452	35.9%
	IFQ Sablefish	55	16,272,964	8.8%	30	13,720,124	6.6%
	Other	149	6,798,455	3.7%	100	4,292,787	2.1%
	Salmon	78	17,160,452	9.3%	40	17,215,211	8.2%
Shellfish	80	43,711,574	23.6%	63	21,006,281	10.1%	
All Trawl CVs (1995-2000)	CG Pacific Cod	166	50,232,864	15.5%	57	40,142,204	22.8%
	WG Pacific Cod	93	22,389,897	6.9%	27	3,415,143	1.9%
	State GOA Pacific Cod	54	3,614,625	1.1%	13	1,279,849	0.7%
	BSAI Other Groundfish	79	78,408,183	24.3%	18	1,265,198	0.7%
	BSAI Pacific Cod	84	13,049,446	4.0%	21	7,807,782	4.4%
	GOA Other Groundfish	160	86,501,720	26.8%	57	89,548,743	50.9%
Non-AFA Trawl CVs (2001-2008)	IFQ Halibut	61	21,466,630	6.6%	27	22,374,269	12.7%
	IFQ Sablefish	28	8,095,766	2.5%	14	2,216,668	1.3%
	Other	124	5,031,267	1.6%	50	2,809,541	1.6%
	Salmon	51	25,537,510	7.9%	15	3,816,462	2.2%
	Shellfish	58	8,899,482	2.8%	30	1,332,738	0.8%
AFA Trawl CVs	CG Pacific Cod				27	21,289,954	11.6%
	WG Pacific Cod				12	289,607	0.2%
	State GOA Pacific Cod				0	0	0.0%
	BSAI Other Groundfish				27	85,024,843	46.2%
	BSAI Pacific Cod				27	11,880,176	6.5%
	GOA Other Groundfish				27	57,532,467	31.3%
	IFQ Halibut				5	5,717,157	3.1%
	Other				24	*	*
Salmon				2	*	*	
Shellfish				13	1,912,331	1.0%	

NPFMC

195th plenary Session
Anchorage AK Hilton
December 7-12

**RE: C-1 GOA Pacific cod Allocation/ Sector Splits
For the Record: Testimony of Adam Lalich**

Mr. Secretary, Chairman Olson and NPFMC members,

My name is Adam Lalich, I am the owner/operator of the 44' cod jig F/V YORJIM in the Western Gulf primarily around Sand Point.

I have been involved in the Alaska fishing business for 30 years aboard fishing vessels, largely crab and halibut/sablefish.

I have helped owners of halibut/ sablefish boats get their shares of IFQ only to see my crew share lowered. I have crewed on crab boats only to see lease fees come into play and dictated as the where we deliver and the issues of delivering in Adak. Not a free enterprise, take it or get out. I chose to get out.

I am now jig fishing primarily cod in the western gulf. Jig fishing is bar none the cleanest fishery out there, the least bycatch, and bycatch mortality.

The jig fishery is unarguably the highest quality of fish there is, and for this reason I feel it needs to grow and give opportunity for new faces to get involved in the fishery. Quality is a key factor but unfortunately not reflecting a higher price.

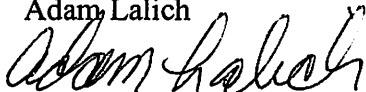
Component 5: Allocation of P.cod to Jig sector

We support the A/P recommendations in component 5 allocation of pacific cod to the jig sector, in particular the 1.5 initial allocation with the step up. We would like to offer the following changes and additions.

- 1) Increase the cap to 7%, we support the minority report.
- 2) In addition in order to continue the process to work toward the stated objective of a year round fishery ,with the ability/chance to fish inside and outside 3 miles and provide a entry level opportunity for room to grow. We/ jiggers request the council and Board of Fisheries to analyze a Federal "reverse parallel cod fishery" allowing jig caught cod outside the 3 miles during the state season to be deducted from the state GHL quota.

Thank you for your time and consideration.

Sincerely,
Adam Lalich



Contact information: 907.359 1332
vamosak@hotmail.com

Mika Alfren

Western Gulf of Alaska Fishermen

December 9, 2009

Eric Olsen
North Pacific Fisheries Management Council
RE: Agenda Item C1: GOA Pacific cod Allocation.

Dear Chairman Olsen:

We are longtime Western Gulf of Alaska (WGOA) groundfish fishermen. We have reached consensus for the purpose of defining our goals for the following Components and Options:

Our group is comprised of pioneers of the WGOA Cod fishery, dating back to the mid 80's. Some of us live in Sand Point, some of us live in King Cove and throughout Alaska. Some of us live in the lower 48. This group represents the majority of the catch history, both pot and trawl, in the WGOA. The document shows 49% of <60 Trawl and 58% of the <60 pot history was produced by the residents of Sand Point and King Cove. We share the following common interests: 1) we are all Trawlers and 2) we are all 58' or smaller. Some of us also fish Cod with pots in the federal and in state water fisheries.

We have all experienced dramatic changes to the WGOA cod fishery over the years. First was the action by the Board of Fish to establish the state water fishery which reduced access to the Federal TAC by the Trawl fleet by 25%. Then came the injunction in 2000 and the subsequent A, B season split, which resulted in the huge loss of accessible grounds. In the B season, the effect was, in fact, a 40% reduction in the Cod TAC for the WGOA Trawlers. It took us quite a few years to find new grounds and figure out how to prosecute the Cod fishery, at least in the A season and to this day are still unsuccessful in the B season and it's not from lack of trying.

We support:

**Alternative 2, Component 2 : Western GOA
Trawl Catcher Vessels**

We want to delete the Option for the WGOA that would create a single sector for pot and trawl vessels <60Ft.

The rationale is that CV catch history prior to 2000 was not associated with LLPs. In order to create a combined sector this will require a lot more time by NMFS staff to generate the qualified landings. Also if 3 separate sectors are established for the trawl sector it is almost inevitable that you will not be able to achieve your TACs. Three small Trawl sectors with 3 separate TACs will require a conservative management approach. When a sector is closed prematurely, it will be especially difficult to reopen a fishery with the remaining very small TACs.

Further, anyone who qualifies for fixed gear and/or trawl gear sectors will and certainly should remain eligible in the future. If you retain an LLP for WG fixed and one for WG Trawl you should be allowed to fish in either sector just like you were able to previously do.

We support,

Component 4 Part A: Western GOA

We strongly support the AP Motion, which passed by a 17-1 margin, that uses the percentages of:

TCV 44.67% TCP 2.44% PCV 28.73% PCP 1.93% H&LCV 1.02% H&LCP 21.22%

The rationale for the Trawl sector is that while acknowledging a 2% reduction to the trawl fleet these percentages put the Trawl sector in the range of Option 1: Qualifying years 1995 – 2005: average of best 7 years. If the Council does not use the AP Motion the next best possible allocation plan is to use 2000-2006. Under that scheme a WGOA Trawl sector will receive a maximum of a 31.7% allocation of the WGOA Cod TAC. That clearly does not represent the true history of the Trawl fleet in the WGOA. There was minimal pot fishing in the WGOA in the 90's and early 00's. The explosion in the pot fleet started in 2003, and primarily came from Bering Sea Crabbers due to the declining crab stocks in the Bering Sea and the rising price of Cod, many fishing in the Parallel Fishery. The PCV percentage tripled from 27.7% in 2002 to 60.8% in 2003. The effort in the PCV fleet declined after the crab fleet was rationalized in 2005. The catch went to 42.7% in 2006 and 35.1% in 2007 and held steady at 40% the past two years. Now we're seeing the same thing happen with the small longline fleet, mostly all that participate in the Halibut or Sablefish IFQ program, and none with any local ties to the local communities of Sand Point or King Cove.

The AP Motion awards a combined total of 72.3% of the Cod TAC to the Pot Sector and the Trawl Sector in the WGOA. This represents a percentage in the average of the 4 Options which is 72%. The AP Motion awards 23.8% to the PCV sector in the A season which is only slightly lower than the 27.2% and 28.2% the PCV harvested in 2007 and 2008 respectively. Our group recognizes that the AP Motion favors the Trawl sector and with the majority of our group being both pot and trawl fishermen we acknowledge the fact that we are giving up some of our pot history in favor of the Trawl fishery, our preferred method of fishing.

We support,

Component 4 Part C: Western GOA:

The AP Motion which awards 67.3% to the A Season and 32.7% to the B Season in the Trawl Sector

The rationale is that primarily all of our catch history came in the A Season and any sector split program has to recognize that characteristic.

We also support the AP Motion on the remaining Components and Options

I also want to touch on the conservation benefits in the Trawl fishery once these Sectors have been established. With the current regulations and the race for fish we are forced to start fishing on January 20th. All of us in the Trawl fishery know this is way to early to be bottom trawling in the WGOA, both due to economic reasons and incidental catch reasons. The trawl

fleet in the WGOA has already shown in both the Pollock and Cod fisheries that even under current regulations we can come together as a group to try and Improve the fishery.

In the 2007 Cod fishery in the WGOA we were warned there might be a closure due to a lack of observer coverage on the Trawl fleet so we pooled our financial resources and had an observer flown to Sand Point and brought to the grounds on a Tender. Who then spent a two day Trawl trip on my vessel documenting the lack of incidental catch on the grounds and essentially allowing the fishery to continue until the A season TAC was reached. Also for the past two years in the Pollock fishery in the A season we have sent 4 test boats out when it opened on January 20th to check the quality of the fish. It was then determined the fish were not suitable to be harvested so we all agreed to wait until later, just before the B season to harvest the A season TAC. The 2008 D Pollock season was closed with to small of a TAC remaining to reopen to a general fishery so we all agreed to co op the remainder of the TAC and NMFS agreed to reopen the season so we could harvest the remaining TAC.

I'm just trying to point out some of the measures we have already done and when Sector splits are implemented we will do more, most noticeably would be to delay the start of the Cod trawl sector until the middle or end of February, when the Cod are aggregated and incidental catch is minimal.

Thank you for the opportunity to testify.

Respectfully your,

Signed

*Gerry
Merrigan*

A.) AP Motion: Sector Allocations:

Jig = 1.5% in both areas. Increased above catch history to provide entry level opportunity.

CGOA: 8 options considered including: (3) best-five-years-out-of-seven; (3) best-three-years-out-of-seven, and; (2) averaging of multiple options.

- Sector allocations based on the average of two options = sets of years that are consistent with trawl recency (00-06) and fixed gear recency (02-08) - using the best five-out-of-seven years.
- The options selected and averaged cover the longest time span of the options considered in the CGOA (2000 to 2008) and includes recent and historic participation.
- Using the best three-out-of-seven year options were not selected as that was considered to be "cherry picking" - i.e. selecting only the best years for a sector, and not reflective of long term dependency.
- Averaging all six options together was not selected due to the mathematical redundancy of averaging three sets of years that had considerable overlap (00-06, 02-07, 02-08) as well as using averaging best-of-three and best-of-five for the same set of years.
- It was noted that the pot sector has access to the state-water state-managed fisheries that are not available to trawl and longline sectors.

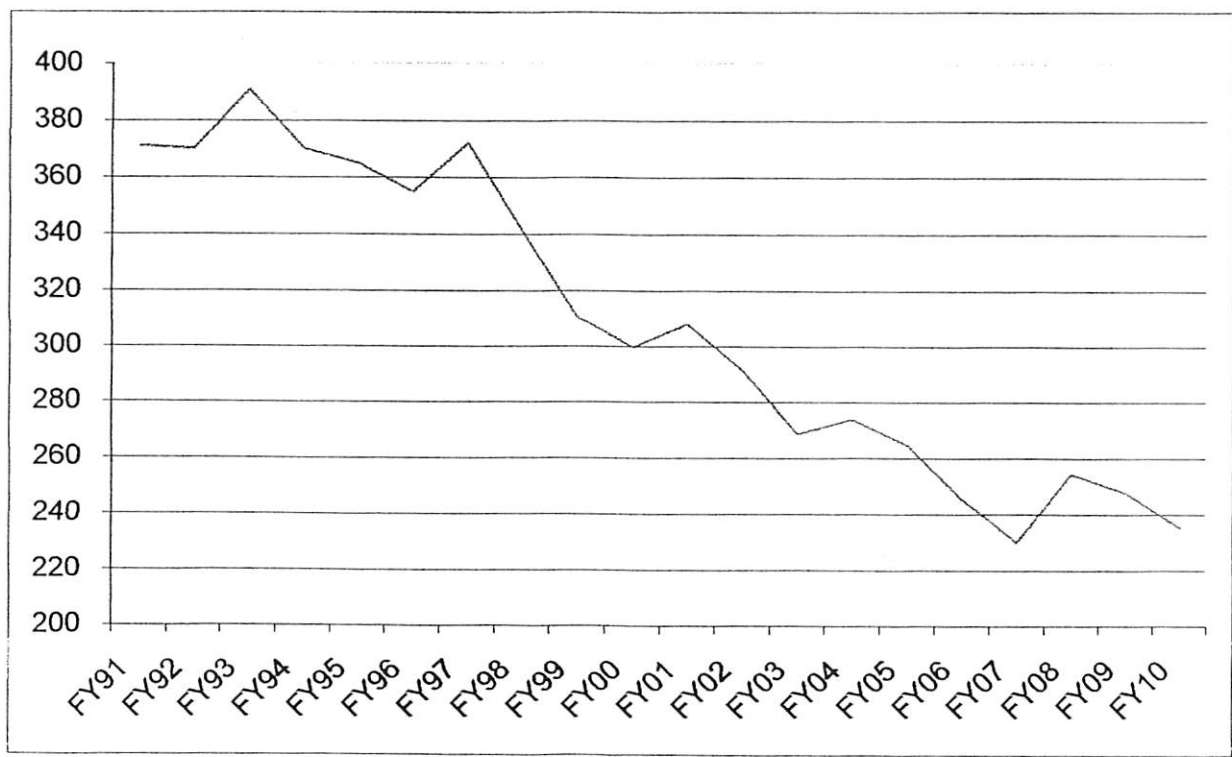
WGOA: 5 options considered including: (1) best-seven-years-out-of-eleven; (3) best-five-years-out-of-seven; and (1) averaging of multiple options.

- Sector allocations based on the averaging of all the options (1-4) with consideration given to the historic sector proportions in the 95-05 time period for CV trawl and CV pot.
- The options selected and averaged cover the longest time span of the options considered in the WGOA (1995-2008) and includes recent and historic participation.
- No best-three-out-of-seven years options were selected (deleted at initial review as these were thought to not be reflective of long term dependency).
- The WGOA is different than the CGOA in that many of the participants in the trawl CV and pot CV sectors are the same individuals. These individuals indicated that their preference would be to have a higher proportion of their allocation in trawl (for purposes of efficiency) than in the pot sector. This proportion of distribution between the two sectors (CV trawl and CV pot) is more reflected by the proportions in the 1995-05 option.
- For reference, the AP motion gives an allocation of 44.3% to CV trawl and 28.3% to CV pot for a total of 72.3% to these two sectors. The average of options 1-4 for these two sectors = 72%. The total is the same but with different proportions between the two sectors.
- The AP motion for WGOA closely reflects the averaging of options 1-4 for all other sectors.
- It was noted that the pot sector has access to state-water state-managed fisheries that are not available to trawl and longline sectors.

Stanley
Mack

STUDENT ENROLLMENT K-12

	<u>KQA</u>	<u>CDB</u>	<u>FLP</u>	<u>KVC</u>	<u>NLG</u>	<u>SDP</u>	<u>Total</u>
FY91	21.55	25.00	16.00	147.65	12.00	148.80	371.00
FY92	24.00	18.00	21.00	150.00	12.00	145.00	370.00
FY93	29.00	22.00	21.00	157.00	13.00	149.00	391.00
FY94	21.00	17.00	21.00	159.00	11.00	141.00	370.00
FY95	24.00	22.00	27.00	154.00	10.00	128.00	365.00
FY96	20.00	22.00	25.00	139.00	13.00	136.00	355.00
FY97	27.00	18.00	21.00	143.00	13.00	150.00	372.00
FY98	23.00	20.00	11.40	142.35	14.20	130.40	341.35
FY99	19.55	14.30	7.20	128.80	14.00	126.50	310.35
FY00	15.00	17.00	16.00	111.90	15.00	124.65	299.55
FY01	15.00	23.00	14.50	123.75	16.00	115.50	307.75
FY02	16.00	10.50	16.00	119.00	16.00	114.00	291.50
FY03	17.75	12.00	12.40	104.60	11.00	111.00	268.75
FY04	14.00	15.00	12.00	102.66	13.00	117.34	274.00
FY05	14.35	13.75	10.70	100.25	15.00	110.50	264.55
FY06	10.75	10.00	11.00	93.00	17.75	103.10	245.60
FY07	10.75	10.00	4.75	89.80	17.00	97.70	230.00
FY08	13.80	10.50	5.30	99.50	17.00	108.50	254.60
FY09	7.00	12.00	11.00	101.25	12.00	104.50	247.75
FY10	10.25	11.25	4.75	97.35	8.00	103.80	235.40



Raymond Nutt

December 9, 2009

Chairman & Council Members

We are a group of pot cod fishermen from King Cove, Alaska in the Western Gulf. We would support Option 3. We would like to see the most recent years be considered.

We think that the 60/40 A&B season split is more accurate to what the catches are at this time.

December 9, 2009

Chairman & Council Board Members:

I thank you for this opportunity to give you written testimony.

My name is Kenneth Mack.. I am a pot cod fisherman from King Cove, Alaska in the Western Gulf. I Have a 48 ft. vessel. I support Option 3.

I would also like to see the PSC for halibut to be divided equal between All user groups. Longline, Trawl, Pots, and Jig.

This would relate to the best savings of the resource. I Longline for ~~the~~ halibut in the IFQ fishery. These stock are decreasing fast. This year another 10% decrease in just 3B. Next year it looks more the same.

The best way to save the resources is to not use it for by catch.

I would also recommend using the Canadian camera catch monitoring System. I would volunteer my boat to get it started. I would also pay for the Equipment to get it started. 100 % coverage is the only way to reach objective in component 9.

K. Mack

F/U Shonna Jacole

Ken Arnold	F/V	Shonna Jacole
Craig Berlin	F/V	BANDIT
Dan Stahl	F/V	Northern Star
Henry Mack	F/V	Little Venice
Ray Dusha	F/V	Desiree Dawn
Ray Dusha	F/V	Ray Dusha F/V Justin Rose
Robert Dusha	F/V	Northern Dream
Key Phone RAY KOSO	F/V	ROXANNE

DRAFT

ENVIRONMENTAL ASSESSMENT/REGULATORY IMPACT REVIEW/
INITIAL REGULATORY FLEXIBILITY ANALYSIS

FOR
AMENDMENT 19
TO THE FISHERY MANAGEMENT PLAN FOR
THE GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS
AREA AND
AMENDMENT 24
TO THE FISHERY MANAGEMENT PLAN FOR
GROUND FISH OF THE GULF OF ALASKA

April 10, 1992

Page 30:

A major reason to extend the overall season delay to the GOA is to have concurrent season openings in the two areas and, thereby, decrease the opportunity for vessels that fish principally in the BS/AI to also fish in the GOA. Limiting competition from BS/AI vessels will tend to benefit the GOA vessels and those who benefit from their catch. But it will do so at the expense of those who benefit from the catch of BS/AI vessels. It will also tend to increase the number of vessels required to take the BS/AI and GOA TACs. Finally, it will tend to result in less intensive fisheries in the Gulf. This may decrease the potential for the groundfish fisheries in the GOA to have an adverse effect on marine mammal populations. In the past, the lack of concurrent seasons has resulted in what some considered an unacceptably high level of competition from BS/AI vessels and more intensive fisheries.

Page 32:

The differences in the estimated effects of the delays for 1990 and 1991 indicate that the bycatch effects of a delay will vary from year to year. Therefore, it is difficult to know with any certainty what the direction of change in bycatch by species will be as the result of a specific delay. Therefore, it is difficult to identify a delay as being clearly preferable in terms of its effects on bycatch.

Page 38:

For the BS/AI as a whole, these data indicate that if catch during the first two or three weeks had been replaced by catch during the rest of January and February, the roe recovery rates and the value of the pollock fishery probably would have increased. With the increase in capacity that has occurred since the A season of 1991, it is reasonable to assume that catch during the first two to three weeks could be replaced by catch during the next five weeks.

Bert Ashley

F/V Gold Rush

Mr. Chairman and members of the Council,

My name is Bert Ashley and I am the owner / operator of the Gold Rush, a family owned Kodiak based trawler.

Codfish is one of the trawlers most valuable fisheries -- second only to pollock. As a trawler I love to direct fish for cod. It is a fishery that I personally have been involved in since 1987, an important fishery that has helped support my crew, family and the people in and around the cannery I have worked with since 1980. My boat and myself have a long time bond with the cannery workers that has only grown and strengthened over the years as we have come to depend on each other.

Directed cod fishing is an extremely clean fishery with good catch rates when cod are aggregated in February and March.

The steady erosion of the trawl directed cod fishery with the increased catches by the fixed gear fleet and the Steller sea lion protection measures that have created the A and B seasons force us to fish cod during very unproductive times with higher bycatch rates. Thus I would hope you would look at a 60-40 split for the A/B Season.

We have worked very hard to self-manage these fisheries without many tools: Gear modifications, communication with one another, micromanaging ourselves down to very short openings, agreements on fishing practices such as no night fishing, and the development of the halibut excluder. This sector split action will end the race for fish between sectors and will give us some additional tools to help us manage this fishery better.

We need a fair and equitable allocation based on our historical catch. Any less will further degrade our directed cod season. In the end the sector split will give us real tools to collectively continue fishing without being forced to fish competitively with other gear types, and vice versa. However, it will only work if it is fair and equitable to all parties. I am a big proponent of historical catch since the suite of years 1995-2005 is no longer an option.

I support the allocation proposals as presented by Bob Krueger, of the Alaska Whitefish Trawlers Association. Thank you.

NPFMC
195th plenary Session
Anchorage AK Hilton
December 7-12

**RE: C-1 GOA Pacific cod Allocation/ Sector Splits
For the Record: Testimony of Stacy Arbelovsky**

Mr. Secretary, Chairman Olson and NPFMC members,

My name is Stacy Arbelovsky I am a lifelong Alaska resident. I own and operate the 53' F/V Amber Nicole. I have been commercial fishing for 30 yrs and I have been actively participating in the Pacific Cod fisheries in the Western Gulf and Bering Sea areas since 1993.

During this summer jig season my 11yr old son crewed with me in the jig fishery and next year my 12 yr old daughter will join us as well. In the not so distant future, they will be probably utilizing the entry level opportunity to participate in the jig fishery with vessels and crews of there own.

Component 5: Allocation of P.cod to Jig sector

We support the A/P recommendations in component 5 allocation of pacific cod to the jig sector, in particular the 1.5 initial allocation with the step up. We would like to offer the following changes and additions.

- 1) Increase the cap to 7%, we support the minority report.
- 2) In addition in order to continue the process to work toward the stated objective of a year round fishery ,with the ability/chance to fish inside and outside 3 miles and provide a entry level opportunity for room to grow. We/ jiggers request the council and Board of Fisheries to analyze a Federal "reverse parallel cod fishery" allowing jig caught cod outside the 3 miles during the state season to be deducted from the state GHQ quota.

Thank you for your time and consideration.

Sincerely,
Stacy Arbelovsky
beringsea_cod@yahoo.com

Contact information: 907.386-1059



Susan
Robinson



Fishermen's
Finest

Fishermen's Finest, Inc.

1532 N.W. 56th Street ■ Seattle, WA 98107
TEL: (206) 283-1137 ■ FAX: (206) 281-8681

December 9, 2009

Mr. Eric Olson, Chairman
North Pacific Fishery Management Council
605 W. 4th Ave. Suite 306
Anchorage, AK 99501-2252

Re: Agenda Item C-1
Gulf of Alaska Pacific cod sector allocations

Dear Chairman Olson;

Thank you for the opportunity to comment on the proposed amendment for the allocation of Pacific cod among sectors in the Western and Central Gulf of Alaska ("GOA"). As a participant in the GOA cod fishery for almost three decades, Fishermen's Finest, Inc. has a strong interest in and will be impacted by the Council's decision on sector allocations. Fishermen's Finest manages two trawl catcher-processors (CPs) which are part of the Amendment 80 (A80) fleet and are eligible Rockfish Pilot Program (RPP) vessels. These two vessels have been fishing in the GOA since the mid-1980's, targeting on deep and shallow water flatfish, Pacific cod, and rockfish.

Fishermen's Finest has historically been a significant participant in the GOA Pacific cod fishery, accounting for the majority of the retained cod catch by trawl catcher-processors in the CGOA. In individual years, our vessels comprised as much as 93% of the retained cod of the trawl CP fleet, and averaged over 50% for any given combination of years in the options. Fishermen's Finest has a long term dependency on Pacific cod, both for our directed cod fishery and as incidental catch. Any Pacific cod sector allocation that does not take into account both the directed fishing and incidental catch needs of the trawl CP sector will not achieve the goals of the Council's "Purpose and Need Statement" to "reduce uncertainty and contribute to stability across sectors".

Further, the GOA sector allocations have the potential to jeopardize our long-term investment in the fishery at a time when our allocation in the Bering Sea/Aleutian Islands ("BSAI") Pacific cod fishery has already been substantially reduced below our BSAI catch history. Vessels that fished in the GOA directed cod fishery, and in the GOA flatfish and rockfish fisheries, did not earn BSAI history during that time period. The Amendment 80 quota shares will not replace that catch history, as the Amendment 80 quota shares are only reflective of that harvest in the BSAI. Loss of Pacific cod in the GOA would be a "double whammy" since the sector has no catch history in the BSAI with which to replace it.

Fishermen's Finest, Inc
GOA Cod Split
12/9/2009

Page xii of the Public Review Draft of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis ("Public Review Draft") states that "Each sector's allocation will be managed to support incidental and directed catch needs for that sector." Implementation of this statement is crucial, and an allocation that is not consistent with it would violate the National Standards and the Magnuson Stevens Act.

In addition to these overarching concerns, Fishermen's Finest has the following comments on specific components in Alternative 2.

Qualifying Catch History

- **We support using actual catch history, with off the top allocation for the jig sector.**
- **We support Option 2 in the Western GOA and Option 2 in the Central GOA.**

Option 2 is the most appropriate alternative for the Western GOA because it is consistent with the set of years used by the Council and the Secretary for the Amendment 85 BSAI cod sector allocation for our fleet. Option 2 also re-instates the A80 fleet's lost A season directed fishery due to In-Season management measures. The CP trawl fleet has shared an offshore cod allocation with freezer lonliners. When the BSAI freezer longliners' A season shut down, NMFS closed the GOA offshore directed cod fishery as well in order to prevent an influx of effort. This precluded our fleet from its traditional A season cod directed fishery. ~~Once sector apportionments are in place with this action, the A80 fleet~~ will be able to directed fish for cod again, as we will no longer share the allocation with the freezer longliners.

We support Option 2 for the Central GOA because it reflects the A80 sideboard amount of cod which is critical to the fleet maintaining its historic directed fishery and incidental catch needs. The A80 fleet shares the shallow water halibut apportionment with the catcher vessel sector. In an effort to manage CV halibut bycatch in the shoreside cod fishery, NMFS instituted 12 hrs openings. This made directed fishing for cod highly impractical for the offshore fleet, as no other fisheries in the Gulf were open while the cod fishery was closed. In the 2009 B season CV cod fishery, the CV fleet has been able to better manage its halibut bycatch – and after 5 years, the A80 fleet finally had a B season directed cod fishery again.

Option 2 for both the WGOA and the CGOA represent the directed cod fisheries that the A80 fleet had before the sea lion regulations were in place and which resulted in the trawl CPs being pre-empted by management measures to control freezer longliners and catcher vessels. In 2009, we were finally able to resume it. Since the implementation of coops in 2008, ~~any reduction of GOA directed and incidental catch history from the 98-04 time~~ period, is lost to our fleet. We cannot go elsewhere or recoup it since BSAI catch share reflects history from the 98-04 time period.

Potential Sector Allocations – catch history +/- 3%.

- **We do not support increasing or decreasing any sector by 3% due to its inherent arbitrary and capricious methodology.**

The Council has before it many potential combinations of years of catch history that can be used to build sector allocations that are fair and equitable to all sectors. However, the option to add or subtract an arbitrary percent from/to each allocation is a license to manipulate the allocations arbitrarily. The record does not show any technical or scientific justification for a blanket percent increase or decrease from actual catch history, and the Council should decline to exercise this option.

Most gear types in the CV sector already receive the higher number of the two databases by the use of Fish Tickets over the Blend. Further, the history of the licenses that were removed due to the recency actions in CV sectors is included in this action. Every seemingly small and trivial advantage adds up to an increases above sectors' history, which has to come out of some other sector. This can only result in inequitable treatment of fishermen and violate National Standard 4.

Adjustment of Sector Allocations for other considerations

The Council's Purpose and Need Statement states that "[a]llocations to each sector would be based primarily on qualifying catch history, but may be adjusted to address conservation, catch monitoring, and social objectives, including considerations for small boat sectors and coastal communities." These types of adjustments, even if limited to +/- 3%, can result in the arbitrary and capricious action that disadvantages one sector while unfairly rewarding another. As we have seen, these types of adjustments to the Amendment 85 sector allocations in the BSAI cod fishery resulted in one action against the agency which has gone all the way to the Ninth Circuit Court of Appeals. Additionally, as a result of the extremely low Amendment 85 cod allocation for the Amendment 80 sector, two more lawsuits were filed against the agency under Amendment 80 cod management measures. With this background in mind, we request the Council to consider the following points in crafting final sector allocations for the GOA.

First, the Amendment 80 trawl CP fleet has already had many reductions in its ability to harvest cod in the directed fishery in the GOA. Any further downward adjustments to the sector's actual catch history would jeopardize the fleet's ability to fish its little remaining directed cod fishery and endanger full prosecution of its long term history in the flatfish and rockfish fisheries. Second, the trawl CP fleet has demonstrable benefits to management of the cod fishery in the Gulf through 100% observer coverage, cooperative style bycatch avoidance, and continued contributions to the local economies through the use of services and fish taxes.

The Council should take into consideration the following past and present management measures under which the sector already operates:

- *Inshore/Offshore allocation:* The offshore fleets have long been limited to 10% of the overall cod TAC in the GOA. This was a consequence of pollock factory trawlers pre-empting trawl CVs in the Gulf. The Council subsequently prohibited any offshore pollock fishery, and as collateral damage, limited offshore harvest of cod to 10% of the cod TACs. The non-pollock trawl CPs have already given to the small boat sector.
- *Steller sea lion regulations and subsequent in-season management measures:* With the advent of A and B seasons, NMFS began closing the Gulf offshore cod fisheries soon after, or simultaneous to, the close of the BSAI freezer longliner's A season (Table 2-13). This in-season management was necessary to limit freezer longliner effort in the GOA offshore cod fishery in order to preserve incidental cod catch needs in the non-cod fisheries. Since the trawl CP fleet shares the offshore cod allocation with the fixed gear CPs, this precluded the vessels from targeting cod when they went into the Gulf in April.
- *Shared halibut rates and in-season management measures:* The offshore cod trawl fishery works off the same shallow water halibut allocation as does the shoreside cod fishery. Several years of high halibut rates in the B season directed cod fishery by the shoreside fleet prompted NMFS to manage the fishery under a series of 12 hour openers. ~~This gives enough time for shore plants to tally and report the catch.~~ Once halibut estimates are received, NMFS re-opens the fishery again. While this is a prudent management measure in the absence of 100% observer coverage on the catcher vessel fleet, this essentially precludes the trawl CPs from the B season directed cod fishery since they can not tie up or lay idle for the days in between the openers. No deep water fisheries are open during that time, and operating costs are prohibitive for the CPs to not be able to fish for days at a time.
- *Amendment 80 sideboards:* The Amendment 80 fleet has sideboards on deep and shallow water halibut. This limits the fleet's ability to target flatfish, as well as cod, when open to directed fishing; additionally, out of a fleet of 28 eligible vessels and permits, only 11 vessels are permitted to target flatfish in the Gulf. Consequently, incidental cod catch in flatfish is limited to those 11 vessels.
- *Rockfish Pilot Program sideboards:* Under the RPP, catch of rockfish targets, secondary species and halibut by eligible CPs is limited to the program allocations and by reduced bycatch allowances. These vessels are further sideboarded during ~~July in other Gulf fisheries.~~
- *Halibut Bycatch:* The Amendment 80 fleet shares halibut with the CV sector and the shallow water flatfish fisheries. In addition, it is sideboarded with 5 small

shallow water allocations through out the year. This essentially limits any future cod fishery to the Amendment 80 cod and halibut sideboard. The Amendment 80 sector cooperatives were created so that the race for fish can end, which leads to better bycatch avoidance. In only its second year of operation, the cooperative continues to improve bycatch avoidance strategies. Several CPs in the fleet however have been operating with and refining halibut excluder devices since 1990, long before the coop program.

- *Observer Coverage:* Under Amendment 80, all trawl CPs have 100% observer coverage, regardless of length. This is in direct contrast to the 30% observed CV trawl fleet in the Central GOA and the mostly unobserved CV trawl fleet in the Western GOA. Page 158 of the analysis states that only 2-4 vessels out of the entire hook and line CV fleet have carried observers in the cod fishery in the GOA in recent years. The pot sector is not subject to PSC limits, however Table 3-15 shows significant numbers of crab bycatch in these directed cod fisheries.

If the Council does consider socio-economic factors, any action taken should reflect the significant economic benefits to the region from the trawl CP sector. The trawl CP fleet conducted an expenditure survey in 2004 and 2005, summarized by Northern Economics and submitted to the Council as part of the Amendment 80 record on May 30, 2006. In 2004, it is estimated that total Alaska based expenditures were \$51 million, \$54 million in 2005. Table 2-42 shows that between 22.6% and 34.2% of the A80 fleets total revenues are from the Gulf of Alaska. (See Agenda Item C-1 of the June, 2006, Council Meeting.) This represents a expenditures in the Gulf on services, as well as generating landing tax revenues which are shared with qualified municipalities.

Conclusion

Inequitable allocations to fishermen under BSAI Amendment 85 resulted in three lawsuits against the agency. These actions were a result of allocations and management measures which decimated the directed cod fishery of many long term participants and forced our sector to chose incidental catch over directed fishing, while all other sectors were granted access to their full directed and incidental cod needs. We urge the Council to avoid the same type of result in the Gulf.

Catcher processor owners and operators have made significant investments in the Gulf. Many started out as catcher vessel owners or operators and took enormous financial risks to develop and pioneer the domestic catcher-processor fleet. We ask that the Council to recognize and protect this long-time participation in the Gulf of Alaska Pacific cod fishery.

Sincerely,

Susan Robinson

Susan Robinson



Ken Christiansen

1849 Marmot

Kodiak Ak 99615

My name is Ken Christiansen, I'm 47 years old and I started fishing with my dad when I was 6. I grew up on the east side of Kodiak Island in Old Harbor.

I currently reside in Kodiak with my family where I own and operate a jig boat. I usually fish alone because I can't afford to pay a crew member, although in the summer months my two children work with me.

I just want to get on record, I do agree with the other testimony of the jiggers, and support what has been requested.

It is my hope that my children will have the opportunity to enter in to the jig fishery if they choose to.

Thank you for your time.



Thank You

Ken Christiansen



STORMY STUTES
F/V Elizabeth F

December 9, 2009

Re: December 2009 NPFMC Meeting Agenda Item C1 – Final action GOA Pacific cod Split

Biography: My name is Stormy Stutes. I grew up on a homestead on the Kenai Peninsula and graduated from Homer High in 1966. After 1 ½ years of college I joined the US Coast Guard and served primarily on board a ship from 1968-1972. During my enlistment, I spent many months on ocean stations as well as a 10 month deployment in Vietnam and a 3 month Alaskan Patrol during which time we boarded Russian vessels fishing king crab with tangle nets in the Bering Sea.

After being honorably discharged in March 1972, I began fishing out of Kodiak on the 64' wooden vessel M/V Nordic. I worked on deck for 3 years before skippering the Nordic from 1975-1978. We fished for Tanner crab, King crab and halibut during those years.

By 1978 I began skippering the F/V Elizabeth F, a 90' vessel out of Kodiak. For the next 31 years I tendered herring and salmon, fished for tanner and king crab and cod fish with pots, longlined halibut, trawled for cod, pollock, flatfish and rockfish. My involvement in most of these fisheries has been in the GOA and the Bering Sea.

I own halibut IFQ's in areas 3A and 3B as well as skipper shares in the Bering Sea king crab fishery. In recent years I was the president of Alaska Dragger's for approximately 6 years. For the past two years I have been an active member of the Ports and Harbor Advisory Board to the City of Kodiak. For the past 5 years, in conjunction with the PHAB, the City of Kodiak and the Kodiak Harbor Master, I have helped in making Kodiak's large boat lift a reality.

Good afternoon Mr. Chairman and good afternoon to the members of the Council:

My name is Stormy Stutes, I am a lifelong Alaskan, I am and have been the skipper of the F /V Elizabeth F for the past 31 years. My biography is outlined in my written testimony that has been handed out to you.

Since the inception of the Magnusson-Stevens Act, I have been tossed and turned, shaped, molded, reshaped and transformed by the actions of the Council process. Although I have been thwarted at some cross-roads

in this process, I still maintain confidence in your ability to make fair and equitable decisions.

Trawlers in the Kodiak area are comprised of many fishermen who, like myself, have invested a great deal of time and money into the fishing industry and into the community of Kodiak. The trawl sector is a group of dedicated men and women who have worked their way up thru the ranks who have sought to improve as well as maximize their fishing efforts. We are a group of responsible individuals inspired to create a better livelihood for ourselves, our families, and our community.

Trawl vessel owners, operators and crewman contribute greatly to the economy of Kodiak. I am involved in other fishing operations; however, the majority of my fishing efforts during the year are geared toward the trawl industry. In 2008, the trawl sector in Kodiak delivered 63% of the volume of fish, (that is all species combined, state and federal), to Kodiak. This allowed the processors and their many employees to operate and work nearly year round.

The Kodiak trawl industry must continue to have its' historical percentage of codfish to conduct its Pollock, rockfish and flatfish fisheries as well as its directed codfish fishery. Any percentage less than our historical percentage would certainly disrupt Kodiaks' economy and disrupt the lives of many of its residents.

Trawl vessel owners and operators spend a great deal of money each year on observers, equipment, fishing gear and retail services in Kodiak. Based on a poll in 2008, 35 trawl vessels spent approximately 20 million dollars in the service sector alone.

SERVICE SECTOR PURCHASES BY 35 KODIAK BASED VESSELS IN 2008:

<i>Harbor Fees</i>	<i>\$ 450,000.00</i>
<i>Observers</i>	<i>\$ 950,000.00</i>
<i>Groceries</i>	<i>375,000.000</i>
<i>Fuel</i>	<i>11,600,000.00</i>
<i>Other Services*</i>	<i>6,500,000.00</i>
<i>TOTAL</i>	<i>\$ 19,875,000.00</i>

**Gear, electronics, equipment, repairs, accounting, licensing, permits, etc.*

The City of Kodiak has developed infrastructure to support the trawl Industry including harbor facilities and most recently the construction of a large boat yard and the purchase of a 600 ton marine travel-lift. The cost of the boatyard and travel-lift was approximately 18 million dollars, and is heavily dependent upon trawl vessels using this facility

In my hand out there are copies of press releases about Kodiaks' new large boat lift, as well as pictures of my personal experience with the lift

We as trawlers look forward to the upcoming sector split as long as we receive a "fair and equitable allocation". We believe there will be opportunities to alleviate gear conflicts and reduce unwanted bycatch. Armed with this knowledge, I am confident that historical catch and past participation in the Kodiak cod fishery will be the determining factor in your decisions today. I urge you to accept the sector allocations proposed by Alaska Whitefish Trawlers Association

Thank You.

From Anchorage Daily News, August 3, 2009

New Kodiak boat lift can service bigger vessels

LAINÉ WELCH
FISHERIES

The 600-ton, 54-foot-high hoist, built by Marine Travelift of Wisconsin, is one of just five in the U.S. and the only one in Alaska. It was shipped in 24 containers to Kodiak in June and assembled on the island. Since then workers have been building the site for the boat lift adjacent to Kodiak's larger harbor and preparing for the first test lifts next month.

Kodiak hosts the state's largest and most diverse fishing fleet with roughly 700 boats, but big trawlers and crab boats have had to travel to Seward, Seattle or farther for repairs and maintenance.

"Right now we can only lift boats up to 150 tons, and that's a stout 75-80-footer," said Kodiak harbormaster Marty Owen, who has been advocating for the new lift for 15 years. "We have lots of bigger boats up to 150 feet and 700 tons. The new lift is designed to lift boats up to 42 feet wide and 180 feet."

Every 18 months to two years, a boat must be pulled out to have its zincs checked, propellers tuned up, barnacles scraped off, new paint and other upkeep.

"We call that a shave and a haircut, and that's the basic boat maintenance you have to do," Owen said. "The fleet really gets tired of having to travel elsewhere just to get the basics done. With today's fuel costs, running a boat to Seattle and back is a \$25,000 to \$30,000 bill."

The Kodiak boat lift is self-propelled, has a heated wash pad, and can accommodate up to seven boats at a time. Owen said the boat lift will operate an open yard, meaning users can do the boat work themselves or hire their own contractors.

User fees will help repay the \$18 million tab for the lift, which is owned by the City of Kodiak. The state contributed \$2 million to the project, along with \$2.3 million in federal economic development funds.

That's a big part of what the boat life project is all about, said Nick Szabo, chairman of the Kodiak Port and Harbor Advisory Board.

"Creating jobs and supporting the industry that Kodiak does best -- catching and processing fish -- was the rationale for building the boat yard," Szabo said.

There are 75 people on the job now, and the project will create many new jobs, Owen said.

There are already 16 boats on the boat lift waiting list for service, Owen said.

I. Kodiak's huge Travelift nears debut

Operators of the soon-to-open Kodiak Boat Yard are already test driving their new boat-lifting behemoth. Harbormaster Marty Owen and his staff recently underwent training of this modern marvel built by Marine Travelift Corporation (MTI).

The photo shows an artist's rendering of the new lift.

Owen has been an advocate for a large boat lift since he became Harbormaster in 1995. "Until now, Kodiak's biggest fishing boats, like draggers and crabbers, traveled hundreds of miles for service and repairs. Now they can be lifted here, in their homeport, for basic maintenance or major upgrades."



"Kodiak's boatyard will be a 'do-it-yourself' operation," said Owen. "Users can hire contractors of their own choosing and/or use their crewmen. The city provides the haul out and blocking and electrical service and other utilities -- and a great town to spend time in while their boats are in the yard."

MTI's Model 600C Travelift is one of the largest mobile boat hoists in the world. It can lift 660-ton vessels up to 180 feet in length and 43 feet wide. It is the largest Marine Travelift in Alaska. The nearest similar lift is in San Diego.

- Kodiak Harbor press release (www.pacificfishing.com June 26, 2009)

The F/V Elizabeth F being hauled out by Kodiak's new large boat lift.



Jason Chandler F/V Topaz

December 9, 2009

Biography: My name is Jason Chandler and I was born in Kodiak in 1974. I was raised in Kodiak until 1992, when I moved away to return in 1996. Since then I have remained in Kodiak fishing and raising a family of my own. I started working on deck of the Topaz in 1990 and moved to running the boat in 2005. Being from a fishing family and working on this boat has not afforded me much participation in other fisheries, but I have participated in most.

Chairman and members of the Advisory Panel/Council,

My name is Jason Chandler, I was born and currently live in Kodiak. Since 1990 I have worked on deck and am now running my family's trawler, the fishing vessel Topaz. This is a local boat that fishes almost exclusively around Kodiak and has done so for 29 years. I am here today to ask that you award the trawl sector a "fair and equitable" allocation. The Central Gulf of Alaska trawl fleet needs a fair split to remain sustainable. The current cod fishery has been developed by the trawl fleet starting in the late 70's and is the second most important species behind pollock to the fleet in terms of economic revenue. Cod is not only important as a target species, but as a tool allowing the fleet to deliver millions of pounds of sole, arrowtooth, and rockfish.

This volume of trawl caught fish accounted for over 60% of all landings in Kodiak in 2008, and is a vital piece to the processing sector. Reducing our allocation below historical levels will harm the fleet's ability to prosecute other fisheries, thereby damaging the processors and ultimately the community. Harvesting of these other species is what allows the trawlers to fish for up to 11 months a year, bringing a steady supply of fish to processing plants that in large part supports nearly 1200 full time equivalent processing jobs in Kodiak. If the fleet's ability to fish is limited due to a smaller cod allocation it could mean a switch to seasonal operation at local plants. This could cause some processors to cut jobs or go out of business altogether.

Some may argue that a smaller cod allocation will only impact the trawlers target catch but not our catch of other groundfish. This represents a misunderstanding of the trawl fishery, by starving the trawl fleet via a reduced cod allocation you will destabilize our industry. This action will increase the race for fish, shorten seasons, and disrupt the stable flatfish fishery we have now as new vessels join trying to recover lost revenue.

Of course there are the jobs of the people who actually catch the fish to consider as well. The core group of 35 trawlers that primarily fish out of Kodiak has very strong ties to Alaska with 62% of its crewmembers being residents of the state. This means approximately 143 Alaskan families who contribute \$8 million to the States economy will feel the effects of this action directly. This group of vessels will spend \$90-100,000 in 2009 on permit cards alone, and spend another \$20million in Kodiak within the service sector. All this should speak to what an important part of the local economy the trawlers are. I hope I can illustrate to the council what a deep and wide spread impact this allocation could have not only on the trawl fleet, but processors, service providers, and community as well. In such hard economic times our town, state, or country can ill afford more job losses.

Thank you for your time and I urge you to accept the allocation proposal as put forth by Bob Krueger of AWTA, averaging of options 2 & 6 evenly represents the broadest range of years.

According to the McDowell Group study commissioned by the Kodiak Island Borough, "large reductions in the trawl fishery are magnified to huge reductions in employment in the processing sector, and could drive several processors out of business and others to seasonal operations. Seasonal processing will increase costs in recruiting, training and housing transient workers, since most resident workers would likely leave Kodiak because of the high cost of living and limited alternative employment opportunities."

NPFMC
195th plenary Session
Anchorage AK Hilton
December 7-12

**RE: C-1 GOA Pacific cod Allocation/ Sector Splits
For the Record: Testimony of Darius Kasprzak**

Mr. Secretary, Chairman Olson and NPFMC members,

My name is Darius Kasprzak. I have participated in the GOA p. cod fisheries with all gear types for the past several decades. For approximately half that period I have specialized in the Jig fishery and currently own and operate the Kodiak ported 39' jig vessel Malka . Today I am testifying on my behalf and that of fellow GOA jig fishermen.

I would like to state clearly for the record that many Kodiak jig fishermen, other fishermen and community members remain opposed to sector split action and advocate alternative 1 (status quo). As has been testified to before this Council repeatedly, they maintain that the premise, either in practice or in principle, of preempting the cleanest fishing gear sectors from competing against those with demonstrated higher levels of bycatch and bycatch mortality is inconsistent with not only with a heightened sense of marine ecological responsibility but also with national standard # 9, i.e. conservation and management measures shall, to the extent practical, (A) minimize bycatch and (B) minimize the mortality of such bycatch. In addition, there remain community fears that separating the sectors may lead to coerced privatization of some or all of the GOA P.cod fishery.

Component 5: Allocation of P.cod to Jig sector

We support the AP recommendations in component 5, with the following changes and additions:

- 1) **Allocation cap:** We fully support the AP minority report advocating an allocation cap of 7%. However, in the spirit of compromise, we ask that the council set the allocation cap at 6% for final action.
- 2) **Options:** We ask that the Council continue the process of working towards the stated objective of a sustained throughout the year jig fishery with the ability to fish inside and outside of 3 miles and provide entry level opportunity with room for growth. We request that the NPFMC and the BOF/ ADFG analyze a Federal "reverse parallel cod fishery" which would allow P. cod caught outside 3 miles during the State water jig fishery to be deducted from the State jig GHL.

Thank you for your time and consideration.

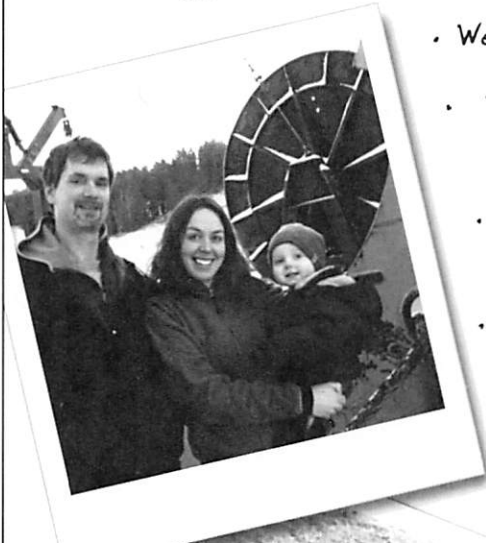
Sincerely,
Darius Kasprzak

Contact information: 907.942.2504
kas_dar@yahoo.com

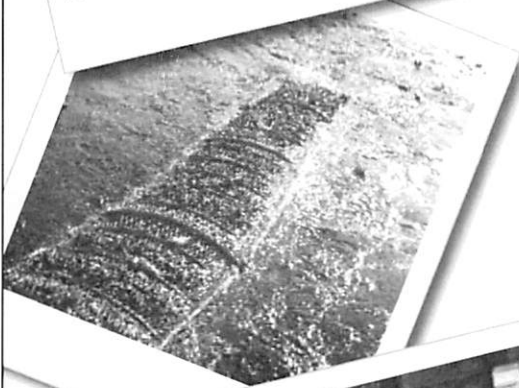
*Jason
Chandler*



Know Your Neighborhood Trawler...

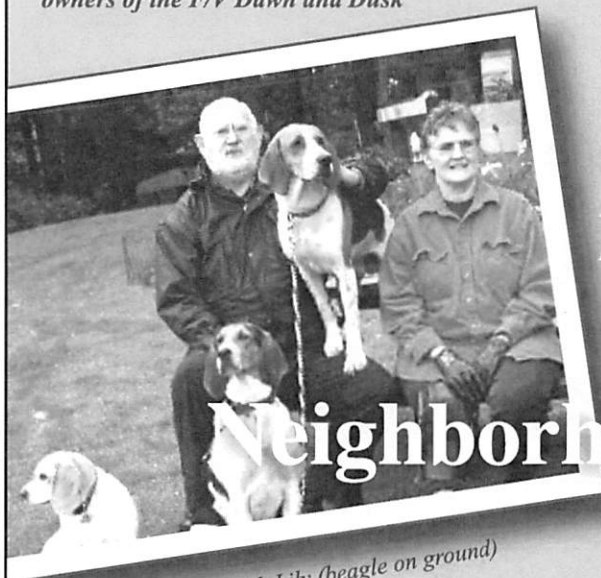


- We make our living from the sea.
- You see us in the store and our boats in the harbor.
- We help keep the Kodiak fish plants running all year long.
- We spend millions supporting local businesses.
- We are committed to sustainable fishing, reducing bycatch, raising our families.
- We care about the future and protecting the ocean.
- We are your friends and neighbors, Kodiak's trawlers.



Sponsored by
Alaska Whitefish Trawlers Association
"Fishermen for a sustainable Kodiak"

*Al and Barb Burch
owners of the F/V Dawn and Dusk*



*Al and Barb Burch with Lily (beagle on ground)
and the hounds, Ladybug and Truk.*

Al Burch is Kodiak's longest-standing trawler. He began trawling shrimp in Seward in 1959. He moved to Kodiak after the earthquake, and has been working hard to develop and promote Kodiak's fisheries ever since.

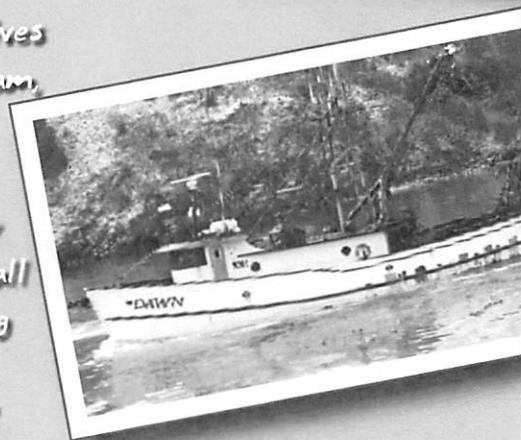
Al had a brain tumor the size of a small pancake removed in September.

Know Your Neighborhood Trawler...

"I enjoy a good challenge... it's been an uphill battle to walk again after the surgery, but it's nothing compared to the battles of fish politics".

Barb has been involved with Fishermen's Wives since 1978. As founder of the safety program, she organized the first survival suit race.

"I'm especially proud of getting those early 'Mayday cheat-sheets' in the wheelhouses of all the Kodiak boats. It told skippers everything they needed to send a mayday. Many older fishermen say the 'Mayday cheat-sheet' saved their lives."



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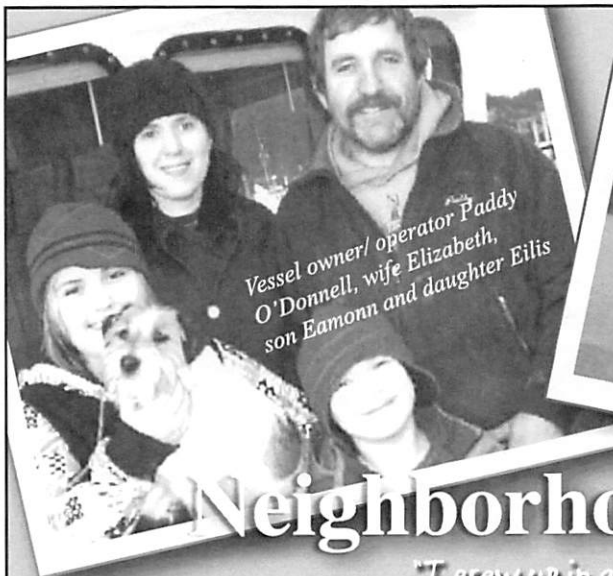
*Franke Brown,
skipper of the F/V Vanguard*

Know Your Neighborhood Trawler...

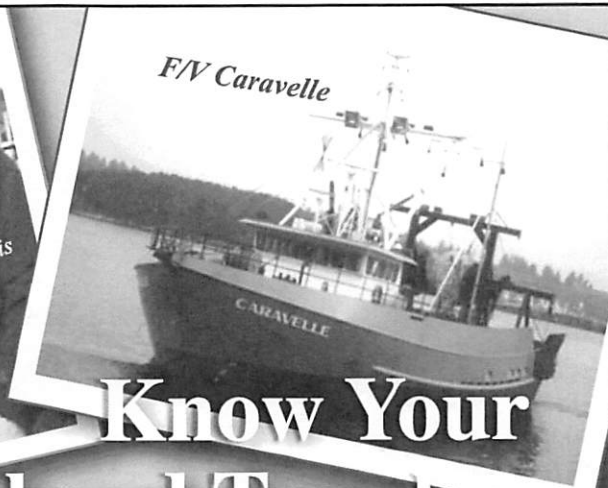
Photo: Franke, Brenda (wife), Eric (older boy), Michelle and Wesley.

"Kodiak has been my home for twenty-two years and our fishing operation is locally owned and operated. My wife's mother salmon fished, as did my wife's grandmother and great grandfather, Anton Larsen. I think a lot of people who don't understand trawling believe that trawling is wasteful. This is not true. Trawling can be a very clean method of catching fish. Markets have arisen from trawl incidental catch and other fisheries are benefitting from those markets."

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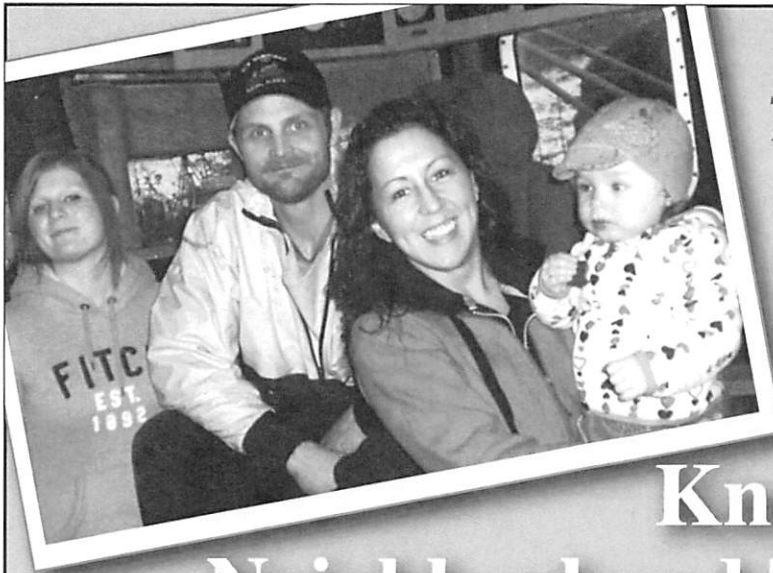
*Vessel owner/ operator Paddy
O'Donnell, wife Elizabeth,
son Eamonn and daughter Eilis*



Know Your Neighborhood Trawler...

"I grew up in an island fishing community in Ireland, where my father, uncles and grandfather were all fishermen. As a Kodiak trawl fisherman, I'm always working towards a more sustainable future for our fisheries by increasing codend mesh size to allow juvenile fish to escape, using excluders to reduce bycatch. Ten years from now, I hope that my daughter or son is in the process of taking over the helm of my boat, and that fishing remains a family tradition for generations to come."

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"Fishermen for a sustainable Kodiak"



*Sam Eads Crew member,
F/V Vanguard*

*From left to right: Marissa, Sam,
Juanzetta and Cassidy.*

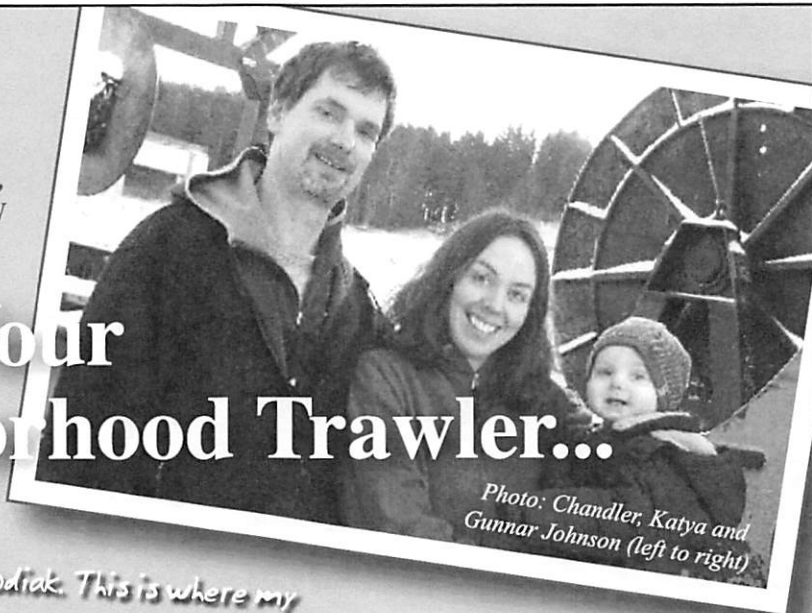
Know Your Neighborhood Trawler...

"The Kodiak trawlers who I've worked with and who are my friends care about our community as well as the sustainability of our fishery resources. Fishing is our life. Kodiak trawlers have and will continue to research and develop every technology available to do our jobs with respect for our homes on land and on the sea."

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"Fishermen for a sustainable Kodiak"

*Chandler Johnson,
skipper F/V Walter N*

Know Your Neighborhood Trawler...



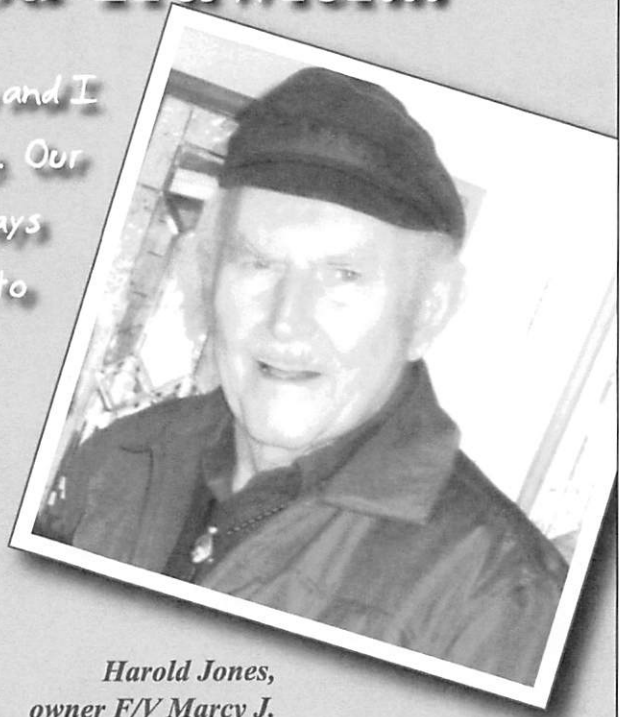
*Photo: Chandler, Katya and
Gunnar Johnson (left to right)*

"I love living in Kodiak. This is where my wife grew up, and where I want my kids to grow up. Kodiak trawlers are always looking for ways to improve such as new net and door designs to lower fuel consumption, and excluders to lower bycatch. I enjoy trawling because you remain very mobile and can target schools and move quickly to follow them."

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"Fishermen for a sustainable Kodiak"

Know Your Neighborhood Trawler...

"For over 60 years my family and I have made our living by fishing. Our home is in Kodiak and we always buy locally whenever possible to help support our community. Whitefish is a year-round trawl fishery which helps keeps the fish plants operating all year."



*Harold Jones,
owner F/V Marcy J.*

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"Fishermen for a sustainable Kodiak"



Know Your Neighborhood Trawler...

"The best thing about being a fisherman is not having to stamp a time clock. I enjoy trawling because it is an efficient way to fish with great electronics - it's almost like a giant video game. 10 years from now I hope the Iraq war is over, that global warming was a fluke of nature, and that I have won the lottery so I can watch the cooking channel all day."

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"Fishermen for a sustainable Kodiak"

C-1 Pacific Cod Sector Split

Component 4: Potential Sector Allocations

Central GOA

~~Option 1: Qualifying years 2000-2006: average of best 3 years~~

Option 2: Qualifying years 2000-2006: average of best 5 years

~~Option 3: Qualifying years 2002-2007: average of best 3 years~~

~~Option 4: Qualifying years 2002-2007: average of best 5 years~~

~~Option 5: Qualifying years 2002-2008: average of best 3 years~~

Option 6: Qualifying years 2002-2008: average of best 5 years

~~Option 7: Average of Options 1-6.~~

~~Option 8: Average of Options 2, 4, and 6.~~

Remove Option 1, Option 3, and Option 5 Average of best 3 years

- There is no way it can be argued that having fished for only 3 years demonstrates long-term participation.
- Selecting 3 years out of any range amounts to “cherry picking” and does not reflect dependency on this fishery.
- The 3-year options have been dropped from consideration in the WGOA.

Remove Option 4 Qualifying years of 2002-2007 average of best 5

- This time period is basically the same as the 2002-2008 time period.
- These later time periods favor the fixed-gear sectors so having both sets of years in the mix doubles up the options that give advantage to the fixed-gear sectors
- If Options 7 or 8 (averaging of other options) are chosen this extra set of years will disadvantage the trawl sector.

Remove Option 7: Average of Options 1-6 and Option 8: Average of Options 2, 4, and 6

- If the best 3 years options and 2002-2007 time periods are removed Option 7 and Option 8 would be based on numbers that no longer exist.

The remaining time frames should be chosen and then averaged to protect the interests (history) of all long-term participants

Option 2: Qualifying years 2000-2006: average of best 5 years

- This is the time period used during the recent Trawl sector latent license reduction action.

Option 6: Qualifying years 2002-2008: average of best 5 years

- This is the time period used during the recent Fixed-gear sector latent license reduction action.

Recommended Base Allocations

Central Gulf of Alaska – 1% Jig Allocation

	H&L CP	H&L CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV	Total
2000-2006 best 5	4.10%	20.70%	1.00%	1.00%	25.10%	4.40%	43.80%	100%
2002-2008 best 5	5.40%	22.10%	1.00%	0.30%	25.60%	3.30%	42.30%	100%
Average	4.75%	21.40%	1.00%	0.65%	25.35%	3.85%	43.05%	100.05%

Component 5: Allocation of Pacific cod to jig sector

We strongly recommend that the allocation to the jig sector be capped at 5% and the initial allocation be set at 1%. If the 7% cap moves forward the total allocation for the jig sector could end up being in excess of 15% of the ABC for the GOA. A state water fishery was developed and implemented in 1997 with the intent of supplying fishing opportunities to new entrants. Twenty-five percent (25%) of the Pacific cod ABC is allocated to this fishery. In the CGOA the jig fishery receives 8.06% of the ABC for this state waters fishery. The present action before the Council includes the opportunity to cap the allocation at 5% or 7%. The original allocation that now stands at 8.06%, as well as any additional allocations, whether it is 5% or 7%, are a direct tax on current participants.

Component 8: Community protection provisions (Western and Central GOA)

We are against allowing motherships to come into the Gulf of Alaska to process Pacific Cod harvested during the directed fishery or incidentally to other fisheries. The Pacific Cod fisheries across the GOA are fully capitalized and fully utilized by both the harvesting sector and the processing sector. Over the years we have seen a number of processors leave the GOA and it is important that the remaining processors have access to adequate supplies of product to maintain profitable, viable operations. Allowing the lower cost processing capabilities of mothership operations, would put our existing processors at a tremendous disadvantage and may force some of them out of the GOA. This would decrease the options that the existing harvesters in the GOA have for places to deliver their products.

Component 9

We believe that the trawl sector has been severely disadvantaged by regulations and management decisions that have been made and we ask for an adjustment in the allocations to compensate for this harm.

Removal of the 1995–2005 time period for the CGOA

- The removal of this time-frame was an automatic reduction of 4% from the trawl sector (October 2009 Draft – Table E-2 – page xvi shows 1995–2005 best seven = 48.1% and 2000-2006 best 5 = 44.1% Difference is <4%>.)
- Allocations for the Amendment 85 BSAI Pacific Cod sector split action were based on the time period 1995-2003 while final Council action occurred in late 2006. The Council did consider recency in the action, but chose to use older years due to social, economic and community considerations.
- The 1995 – 2005 time period was removed from the CGOA, but this time period remains for consideration for the WGOA due to concerns regarding potential allocations to the CV sector in the WGOA when more current catch history years are used. We believe that the CGOA trawl sector should receive recognition for our long-term history.

January 1- January 20 Early start and Nov 1 – December 31 fishing

An average of 3.9% of the annual retained CGOA cod catch (years 2001-2008) has been forfeited by the trawl catcher vessel sector because of the unequal start date and the SSL regulations that prohibit trawlers from fishing directly for cod after November 1 (See Table 1 and Table 2).

Table 1: Difference between CGOA Directed Catch by the Fixed Gear Sector (January 1-20 and November 1-December 1) and Annual Retained Incidental Catch by CV Trawl 2001-2008.

CGOA Inshore Fixed Gear Directed Catch (mt)				CGOA CV Trawl Retained Incidental Catch (mt) ¹	
Year	Jan 1 - 20 ²	Nov 1 - Dec 31 ³	Total		Difference (mt)
2001	1,541	49	1,590	2,427	-837
2002	1,496	7	1,503	2,648	-1,145
2003	2,537	*	2,537	2,602	-65
2004	5,463	486	5,949	2,324	3,625
2005	6,092	1,444	7,536	1,845	5,691
2006	4,916	1,660	6,576	1,451	5,125
2007	3,220	2,607	5,827	1,502	4,325
2008	2,832	15	2,847	2,262	585
Total	28,097	6,268	34,365	17,061	17,304 *

Table 2: Cost to the trawl sector because of the unequal start date and the SSL regulations that prohibit trawlers from fishing directly for Pacific Cod after November 1.

Year	Fixed Gear exclusive harvest minus CV Trawl incidental Catch(mt) (from Table 1)	Total Retained Catch (mt) ⁴ (all sectors)	Diff as % of Retained Catch	% CV trawl of annual retained catch ⁵	Cost to the Trawl CV sector
2001	-837	27,207	-3.1%	55.8%	-1.7%
2002	-1,145	23,270	-4.9%	45.4%	-2.2%
2003	-65	23,894	-0.3%	60.3%	-0.2%
2004	3,625	26,349	13.8%	51.9%	7.1%
2005	5,691	22,154	25.7%	38.8%	10.0%
2006	5,125	22,395	22.9%	26.4%	6.0%
2007	4,325	25,183	17.2%	32.6%	5.6%
2008	585	25,348	2.3%	46.1%	1.1%
Total	17,304 *	195,800	8.8%	44.7%	3.9%

Table 1

- The fixed-gear sector can target Pacific Cod for almost one-quarter of the year more than the trawl sector. (January 1 – January 20 plus November & December)
- Between 2001 & 2008 the fixed-gear sector harvested a total of 34,365mt of Pacific Cod during the period of time that the trawl sector was prohibited from targeting cod.

¹ Table 2-64 page 116

² Table 2-65 page 118

³ Table 2-66 page 118

⁴ Table A-3 page 186 (Sum of all sectors)

⁵ Table A-3 page 186

- o Between 2001 & 2008 the trawl sector harvested a total of 17,061mt of Pacific Cod incidentally to our other fisheries when our directed fisheries were closed.
- o Between 2001 & 2008 the fixed-gear sector harvested 17,304mt more Pacific Cod than the trawl sector harvested incidentally to other fisheries when directed fishing was closed. (they more than doubled trawl sector incidental harvest)

Table 2

- o Between 2001 & 2008 total retained catch for all sectors was 195,800mt of Pacific Cod.
- o The fixed-gear sector harvested 8.8% of the total during their exclusive seasons when trawlers couldn't target Pacific Cod.
- o During 2001-2008 the trawl sector harvested an average of 44.7% of total retained catch.
- o Trawl sector would have been able to harvest a portion of the 8.8% of Pacific Cod landed by the fixed-gear sector during the exclusive seasons that these sectors enjoy, but could not because of federal regulations.
- o These federal regulations cost the trawl sector 3.9% ($44.7\% * 8.8$)

State Waters Pacific Cod Fishery

The Trawl catcher vessel sector has forfeited 7.06% of the Pacific Cod ABC to support the state waters Pacific Cod pot sector fishery.

- o Alaska state- waters fishery was developed to provide opportunities for new entrants into the fishery.
- o GOA State-waters Pacific Cod fishery open only to pot and jig sectors.
- o Trawl and Long-line sectors lost access to this fishery
 - A new pot fishery has not developed since pot vessels holding federal LLP licenses harvested 85% of the CGOA State waters fishery allocation for the CGOA and 93% of the State waters fishery allocation for the WGOA.⁶ This ended up just being a reallocation among the Federal participants.
- o Allocation to State Waters fishery gave pot sector 16.94% of Pacific Cod ABC and gave the jig sector 8.06% of Pacific Cod ABC (25% total allocation).⁷
- o Average range of allocations possible for the CGOA trawl catcher vessel sector is 41.7%⁸
- o Trawl catcher vessel sector has forfeited 7.06% of the ABC to the State waters pot sector fishery. ($41.7\% * 16.94\% = 7.06\%$)

Summary

Effects to the trawl sector because of punitive regulations and management decisions

4.00% loss because 1995-2005 time frame was eliminated

3.90% loss because of exclusive fixed-gear fishing seasons

7.06% loss because of reallocation to the pot sector (State waters fishery)

14.96% total loss to trawl sector.

The trawl sector has been severely disadvantaged by regulations and management decisions that favor the fixed-gear sectors. To compensate the trawl sector for these unfair advantages we ask that an additional allocation of 3% (under this Component 9) be added to our initial allocation of 43.05% derived from Component 4. We are asking for a total allocation of 46.05%

⁶ Table 2.9 page 27

⁷ Table 2.4 page 24

⁸ Table E-4 page xxi

Where should the 3% shift in allocation come from?

The removal of 1995-2005 time frame cost the trawl sector 4%. When the 1995-2005 time frame was removed the best option remaining for the trawl sector is the 2000-2006 time frame. Table 3 illustrates the impact of the removal of the 1995-2005 time frame from this action. This removal of 4% is equal to 26% of our total 14.96% loss therefore we are asking for 26% of our total 3% additional allocation request, which is .78%.

Table 3 Difference in allocations based on 1995-2005 vs 2000-2006

	H&L CP	H&L CV	Pot CP	Pot CV	Trawl CP	Trawl CV
95-05	2.8	17.3	1.5	24.7	5.3	48.1
00-06	4.2	20.8	1.0	25.3	4.4	44.1
result	1.4	3.5	<.5>	.6	<.9>	<4.0>
% of gain	25.4%	63.6%		11.0%		

The H&L CP sector, H&L CV sector and Pot CV gained a total of 5.5% of the Pacific cod allocation. The H&L CP received 25.4 % of the gain, the H&L CV sector received 63.6% of the gain and the Pot CV sector received 11% of this gain. We ask that the each sector contribute this percentage of the .78% to the trawl sector to compensate them for the loss due to the removal of the 1995-2005 time frame. This amounts to .20% from the H&L CP sector, .49% from the H&L CV sector and .09% from the Pot CV sector.

The exclusive fishing periods afforded the H&L sector and the Pot sector cost us 3.9%. This amount is equal to 26% of our total 14.96% loss therefore we are asking for 26% of our total 3% additional allocation request. Twenty-six percent of our 3% request amounts to an additional allocation of .78%. During these exclusive fishing periods a total of 51166 mt was harvested; the H&L sector harvested 16801mt (32.8% of the total exclusive harvest), the Pot sector harvested 34365mt (67.2% of the total exclusive harvest). We believe that the H&L sector should bear the burden of 32.8% of the .78 allocation which is .26% and we believe that the Pot sector should bear the burden of 67.2% of the .78 allocation, which is .52%.

The allocation to the state-waters pot fishery ended up costing the trawl sector 7.06 %. This amount is equal to 48% of our 14.96% loss therefore we are asking that 48% of our total 3% additional allocation request. Forty-eight percent of our 3% request amounts to additional of 1.44%. We believe that the Pot catcher vessel sector should bear the burden of this 1.44%.

Recommended Other Sector contributions to trawl sector.

	H&L CP	H&L CV	Pot CV	Total
1995-2005 time period removal	.20%	.49%	.09%	.78%
Exclusive Fishing Periods		.26%	.52%	.78%
State Waters Pot fishery			1.44%	1.44%
Total	.20	.75	2.05	3.0%

Final Recommended Allocations adjusted with Component 9

Central Gulf of Alaska – 1% Jig Allocation

	H&L CP	H&L CV	Jig CV	Pot CP	Pot CV	Trawl CP	Trawl CV	Total
Base	4.75%	21.40%	1.00%	0.65%	25.35%	3.85%	43.05%	100.05%
Adjust	-0.20%	-0.75%	--	--	-2.05%	--	+3.00%	--
Average	4.55%	20.65%	1.00%	0.65%	23.30%	3.85%	46.05%	100.05%

Central Gulf of Alaska – 1.5%

C-1 GOA Pacific Cod Sector Split - 12/12/2009

Motion

The Council adopts the purpose and need statement and Alternative 2 as the preferred alternative, as specified below. This version does not show changes from the October 2009 Council motion.

GOA Pacific Cod Sector Split Purpose and Need Statement

The limited access derby-style management of the Western GOA and Central GOA Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, reduced Federal TACs due to the State waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TACs. The competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

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 Western and Central GOA Pacific cod TACs should be divided among the sectors. Allocations to each sector would be based primarily on qualifying catch history, but may be adjusted to address conservation, catch monitoring, and social objectives, including considerations for small boat sectors and coastal communities. Because harvest sector allocations would supersede the inshore/offshore processing sector allocations for Pacific cod by creating harvest limits, the Council may consider regulatory changes for offshore and inshore floating processors in order to sustain the participation of fishing communities.

The timing of the Pacific cod A and B seasons may have limited the participation of jig vessels in the parallel and Federal fisheries of the GOA. Additionally, the State waters jig allocation has gone uncaught in some years, potentially due to the lack of availability of Pacific cod inside three miles. A non-historical Federal catch award, together with the provision of access in Federal waters for the State Pacific cod jig allocations, offers entry-level opportunities for the jig sector.

Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the GOA Pacific cod TAC that may be harvested in parallel waters. There is concern that participation in the GOA Pacific cod parallel waters fishery by vessels that do not hold LLP licenses may increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.

Alternatives, Components, and Options

ALTERNATIVE 2. The GOA Pacific cod TACs will be allocated among the sectors.

Component 1: Management areas

The Western and Central GOA Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2 (the management areas could be treated differently).

Component 2: Sector definitions

The Western and Central GOA Pacific cod TACs will be allocated among the following sectors.

Central GOA

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
- Hook-and-line catcher vessels <50 ft
- Hook-and-line catcher vessels ≥50 ft
- Combined CP and CV Pot sector
- Jig vessels

Western GOA

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
- Hook-and-line catcher vessels
- Combined CP and CV Pot sector
- Jig vessels

Western and Central GOA

Holders of CP licenses shall make a one time election to receive a WGOA and/or CGOA CP or CV endorsement for Pacific cod if that CP license made a minimum of one Pacific cod landing while operating as a CV under the authority of the CP license from 2002 through 2008.

Upon implementation of the GOA Pacific cod sector allocations, holders of these licenses will be limited to fishing off of the allocation assigned to the sector designated by their license in the GOA cod fishery. For example, CP licenses assigned to the CP sector may not fish off of the allocation assigned to CVs in the GOA Pacific cod fishery. Future catch accounting for these vessels should be according to the sector to which those licenses are assigned.

(Note: This CP or CV endorsement would be added to the LLP license, and would apply only to the Western and Central GOA Pacific cod fisheries (directed and incidental catches); the existing operation type endorsement would remain on the LLP license and would apply to other groundfish fisheries. If a vessel holds multiple, stacked, licenses and one of those stacked LLPs is a CP LLP eligible to harvest Pacific cod in the GOA area of participation, all catch will count against the CP sector allocation.)

Component 3: Definition of qualifying catch

Qualifying catch includes all retained legal catch of Pacific cod from the Federal and parallel waters fisheries in the Western and Central GOA.

- Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.
- Under all options, incidental catch allocated to trawl catcher vessels for the Central GOA Rockfish program (currently, 2.09% of the Central GOA Pacific cod TAC) will be deducted from the Central GOA trawl catcher vessel B season allocation.
- Each sector's allocation will be managed to support incidental and directed catch needs for that sector.

Component 4: Potential Sector Allocations

Part A: Years included for purposes of determining catch history:

Central GOA

Each sector's best of Options 1-6 scaled to equal 100 percent, jig excluded.

- Option 1: Qualifying years 2000-2006: average of best 3 years
- Option 2: Qualifying years 2000-2006: average of best 5 years
- Option 3: Qualifying years 2002-2007: average of best 3 years
- Option 4: Qualifying years 2002-2007: average of best 5 years
- Option 5: Qualifying years 2002-2008: average of best 3 years
- Option 6: Qualifying years 2002-2008: average of best 5 years

Western GOA

Each sector's best of Options 1-4 scaled to equal 100 percent, jig excluded.

- Option 1: Qualifying years 1995-2005: average of best 7 years
- Option 2: Qualifying years 2000-2006: average of best 5 years
- Option 3: Qualifying years 2002-2007: average of best 5 years
- Option 4: Qualifying years 2002-2008: average of best 5 years

Part B: Western and Central GOA Sideboards

- For AFA CV sideboards: Combine the inshore and offshore AFA CV sideboard amounts into a single sideboard for each management area.
- For non-AFA crab sideboards: Recalculate the sideboards and establish separate CP and CV sideboard amounts by gear type for each management area.

Part C: Seasonal apportionment of sector allocations:

Central GOA

Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC, excluding the jig sector allocation.

Western GOA

Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC, excluding the jig sector allocation.

Component 5: Allocation of Pacific cod to jig sector

Before allocating the TACs among the other sectors, set aside 1% of the Central GOA Federal Pacific cod TACs, and 1.5% of the Western GOA Federal Pacific cod TACs, for the initial allocation to the jig vessel sector, with a stairstep provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation will be capped at 6% of the Central and Western GOA Federal Pacific cod TACs.

Subsequent to the jig allocation increasing, if the harvest threshold criterion described in the options below is not met during two consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

90% of the previous allocation

The jig allocation will be set aside from the TAC.

State parallel/Federal managed Pacific cod jig fishery.

Federal allocation managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL would (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off of a single account. If the Board of Fisheries chooses to relinquish State waters jig GHL, it would roll into the Federal jig allocation. The Council will make such recommendation to the Board of Fisheries. Until the Board of Fisheries changes the GHL in response to this recommendation, a State parallel/Federal jig sector allocation with a State waters GHL fishery would be invoked.

If a combined parallel/Federal fishery is created the fishery would be managed as follows:

The fishery would open on January 1 and close when the jig A-season sector allocation is reached. The Federal B season for the jig sector would open on June 10.

The jig allocation will be apportioned 80% to the A season and 20% to the B season.

State parallel/Federal jig sector allocation with a State waters GHL fishery.

Until the Board of Fisheries takes action in response to the Council recommendations or input from the public, a distinct Parallel/Federal and State waters fisheries continues to exist, and the two fisheries will be managed as follows:

The Federal jig sector allocation would be divided into an A/B season of 60%/40%. The A season would open on January 1 and close when the jig A-season sector allocation is reached or on March 15, whichever occurs first. The Federal B season for the jig sector would open on June 10 or after the State GHL season closes, whichever occurs later.

The Council directs staff to develop a discussion paper to consider whether a federal parallel fishery, a "reverse parallel fishery", is a viable management structure for the jig sector during the

state GHL jig season. This management structure would allow LLP-exempt jig vessels to operate in federal waters during a state Pacific cod fishery, with harvest accruing to the state GHL.

Component 6: Management of unharvested sector allocations

Any portion of a CV, CP, or jig allocation determined by NMFS to remain unharvested during the remainder of the fishery year will become available as soon as practicable to

CV sectors first, and then to all sectors taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated amount of Pacific cod.

Component 7: Apportionment of GOA-wide hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels

Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total Western GOA and Central GOA Pacific cod allocations to each sector. No later than November 1, any remaining halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector. The apportionment of halibut will be proportional to the Pacific cod area apportionment determined during the TAC setting process.

Component 8: Community protection provisions (Western and Central GOA)

For the purposes of this provision, motherships include catcher processors receiving deliveries over the side and any floating processor that does not meet the regulatory definition of a stationary floating processor in 50 CFR 679.2. Stationary floating processors may process groundfish only at a single geographic location during a given year.

For each management area, the mothership processing cap is specified below:

Allow mothership activity for Pacific cod up to 2% of the Western GOA TAC in the Western GOA). Prohibit mothership activity for groundfish in the CGOA.

Allow Federally-permitted vessels that do not meet the definition of stationary floating processor and that do not harvest groundfish off Alaska in the same calendar year to operate as floating processors for Pacific cod deliveries in an amount up to 3% of the Central GOA Pacific cod TAC and 3% of the Western GOA Pacific cod TAC

within the boundaries of Western and Central GOA CQE communities that provide certified municipal land and water boundaries to the State of Alaska Department of Commerce, Community, and Economic Development.

Retain the current definition of the stationary floating processors, but revise as follows so that there is no reference to the inshore component as applied to Pacific cod:

- A stationary floating processor may process Pacific cod in the Western and Central GOA only at a single geographic location in Alaska State waters in a given year.
- A stationary floating processor cannot operate as both a stationary floating processor and a CP/mothership during the same year.

Additionally, retain limits on the ability for AFA motherships and AFA CPs that are also active in the BSAI to process any Pacific cod in the GOA as follows:

- A vessel cannot operate as a stationary floating processor for Pacific cod in the GOA and as an AFA mothership in the BSAI during the same year.
- A vessel cannot operate as a stationary floating processor for Pacific cod in the GOA and as a CP in the BSAI during the same year.

Component 9: Potential models for resolving parallel fishery issues

The Council may provide recommendations for the Alaska Board of Fisheries' consideration on the parallel fishery that could complement Council action through use of the Joint Protocol Committee and regular review and comment on Board of Fisheries proposals, such as:

- gear limits
- vessel size limits
- exclusive registration

Limit access to the parallel fishery for Federal fishery participants.

- Require any pot or longline vessel with an LLP or an FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.
- Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsements on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.

In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates.

Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP

Once every three years

Component 4: Sector allocations with jig allocation taken off the top of the TAC

Western GOA	Annual Alloc	Compare to 60/40		A season allocation	B season allocation	A season allocation	B season allocation
		A season	B season	Percent of annual allocation	Percent of annual allocation	Percent of seasonal allocation	Percent of seasonal allocation
HAL CP	19.8%	55.2%	44.8%	10.9%	8.9%	18.2%	22.2%
HAL CV	1.4%	47.2%	52.8%	0.7%	0.7%	1.1%	1.8%
Pot CV/CP	38.0%	52.0%	48.0%	19.8%	18.2%	32.9%	45.6%
Trawl CP	2.4%	37.9%	62.1%	0.9%	1.5%	1.5%	3.7%
Trawl CV	38.4%	72.3%	27.7%	27.7%	10.7%	46.2%	26.6%
Total	100.0%			60.0%	40.0%	100.0%	100.0%

Central GOA	Annual Alloc	Compare to 60/40		A season allocation	B season allocation	A season allocation	B season allocation
		A season	B season	Percent of annual allocation	Percent of annual allocation	Percent of seasonal allocation	Percent of seasonal allocation
HAL CP	5.2%	80.3%	19.7%	4.2%	1.0%	6.9%	2.5%
HAL CV <50	14.6%	63.9%	36.1%	9.3%	5.3%	15.5%	13.2%
HAL CV >=50	6.7%	84.0%	16.0%	5.6%	1.1%	9.4%	2.7%
Pot CV/CP	27.8%	63.9%	36.1%	17.8%	10.0%	29.7%	25.1%
Trawl CP	4.1%	48.8%	51.2%	2.0%	2.1%	3.4%	5.3%
Trawl CV	41.6%	50.8%	49.2%	21.1%	20.5%	35.2%	51.2%
Total	100.0%			60.0%	40.0%	100.0%	100.0%

Final Action
Comments Regarding Cod Sector Split
December 10, 2009

failed 8/3
5:13 pm 12/11/09

Motion:

I move that, in the CGOA, the Trawl CV allocation be reduced by 1.6% to 40.0% and the CGOA trawl CP allocation be reduced by 0.2% to 4.0%. I further move that the CGOA pot CV allocation be increased by 1.8% to 28.2%.

Mr. Chairman, members of the Council, component 9 was retained in this amendment package for the specific purpose of making adjustments to the sector allocations. You will remember that, originally, the package had an option not to count incidental catch. This would have resulted in about a 7% reduction in the CGOA trawl allocation, based on the proportionality between the sectors without the incidental catch being counted. Much of the debate over whether or not to include incidental catch focused on the various aspects of the GOA cod fishery including, but not limited to, the State Waters fishery, fair start, access to cod caught incidentally and cod discards, sea lion regulations, downstream economic impacts and national standards. The Council decided to count incidental catch but, for clarity, to move the policy debate regarding sector adjustments to a new section, component 9. Deleting component 9, as the AP suggests, is to set aside the history of this amendment package and to minimize the discussion regarding whether or not to count incidental catch as part of the basis for sector allocations.

I'm aware that many testifiers have advocated "historical catch" as the entire basis for allocation. However, I'm also aware that each sector wants a 'different historical catch' formula. Ultimately, as happened in the AP, a patchwork of various "history" formulas is negotiated to create a patchwork compromise based on respective sector bargaining positions. The stronger positioned sectors support the "revised histories" and the losing sectors do not. The better approach, I believe, is to start with a common formula for what constitutes "history" for all of the sectors and then, on the basis of the criteria outlined in component 9, consider adjustments to the various sectors. It is important to note, Mr. Chairman, that the MSA does not use "historical catch" as one of the "National Standards" for Fishery Management Plans. MSA directs that criteria like conservation, best science, fairness and equity, limit on excessive shares, costs containment, minimization of adverse community impacts as well as providing for the sustained participation of fishing communities, bycatch as well as mortality reduction and safety at sea are the criteria to use. History, to be sure, is one consideration but it is just one benchmark for consideration when applying the national standards. The criteria outlined in component 9, conservation and bycatch reduction are direct from the national standards and catch monitoring, equity of access and social objectives are, like historical catch, important criteria to consider when applying the remaining national standards.

I derived the numbers suggested in my motion by applying the criteria in component 9 and through consideration of the national standards.

1. First is an equity issue relative to the 2004 GOA "B" season. As we have heard, the trawl PSC cap was exceeded on September 10th but, due to accounting delay, the trawl sector took an additional 2,200 metric tons. This cod, if available to the non-trawl sectors, would have decreased the GOA trawl CV allocation by about 1.3% and, proportionally, the trawl CP sector allocation by about 0.1% when compare each sectors "best option" (table submitted by UFMA and confirmed by staff)

2. Next is a catch monitoring and equity of access issue. We have heard that the GOA trawl fleet is not constrained in the amount of cod that can be caught as incidental catch. Non-cod fisheries are controlled by their respective TAC's and, most often, by halibut PSC. Cod caught in excess of the MRA is simply discarded. Again, these discards have no legal limits but are counted against the TAC for all sectors and are therefore not available for the other gear types. We have also heard that cod is the primary economic driver for many of the non-cod trawl fisheries and that it is imperative to get as close to the 20% MRA as possible. Consequently, the GOA CV trawl fishery has had discard rates since 2001 as high as 57.7% of their incidental catch with an average of 36.1% (table 1, C-1 Supplemental (b)) or an average rate of 13.2% of total trawl CV catch (table 2-19). The GOA trawl CP sector has had cod discard rates as high as 26.2% of incidental catch with an 8 year average of 16.4% of incidental catch. The CP trawl average discard rate is 12.5% of total trawl CP catch. Mr. Chairman all of the value of discarded catch is lost to other sectors but discards enabled maximum economic gain for the trawl fleet. In the halibut IFQ fishery the Council used the 10% as a reasonable benchmark for overages.

Assuming a reasonable discard rate of 10% of CV trawl catch (including incidental catch), and a 45% CV trawl TAC catch, the excess discards amount to 1.44% of the TAC ($45\% \times 3.2\%$) or, given that 40-45% of this would have been caught as directed catch by the trawl CV fleet, a 0.8% increase to other sectors. The trawl CP fleet, with a discard rate of 10% and a 4.0- 4.5% of TAC catch, ($4.5\% \times 2.5\%$) had excess discards of about 0.1% of the TAC.

Another approach would be to look at excess discards relative to incidental catch, say as a 26.1% adjustment of incidental catch. This, however, would create a significant shift in the trawl CV allocation and, although within the acceptable range for adjustment, may not be justified when balancing overall equity considerations.

3. On the other hand, Mr. Chairman, I'm persuaded that the GOA trawl CV sector should be given credit for some "social" considerations. We have seen that the fleet is working hard to reduce halibut bycatch with extruders. We have also heard that the fleet is likely to be able to reduce both incidental catch and discards once they have a sector split. This could enable them to land more groundfish species, especially arrow tooth flounder that would increase economic returns to fishery dependent communities. These social objectives are, of course, hard to quantify but I've adjusted the above discounts (1.3% and 0.8% for trawl CV for 2.1% total) by 0.5% or approximately $\frac{1}{4}$ to reflect these considerations. I would note that a GOA trawl CV sector allocation of 40% is higher than 4 of the last 5 years (5 year avg. 36.02%) and 2.5% above the low adjustment range set by the Council in October (37.5%).
4. I have allocated the additional 1.8% (1.6% trawl CV and 0.2% trawl CP) to the GOA CV pot sector for four reasons.
- The pot CV sector has the lowest bycatch rate and this adjustment helps to reduce bycatch.
 - This pot CV sector is most likely to be impacted by new entrants (without LLPS) in the parallel fishery.
 - The pot CV sector is most likely to be impacted by Community Quota Entity LLPs.
 - Difficulty of determining which of the two CP HAL sectors or in which percentages the sectors should share the allocation.

Mr. Chairman, I've considered the following arguments for application under component 9 but did not think they merited additional sector allocation adjustments.

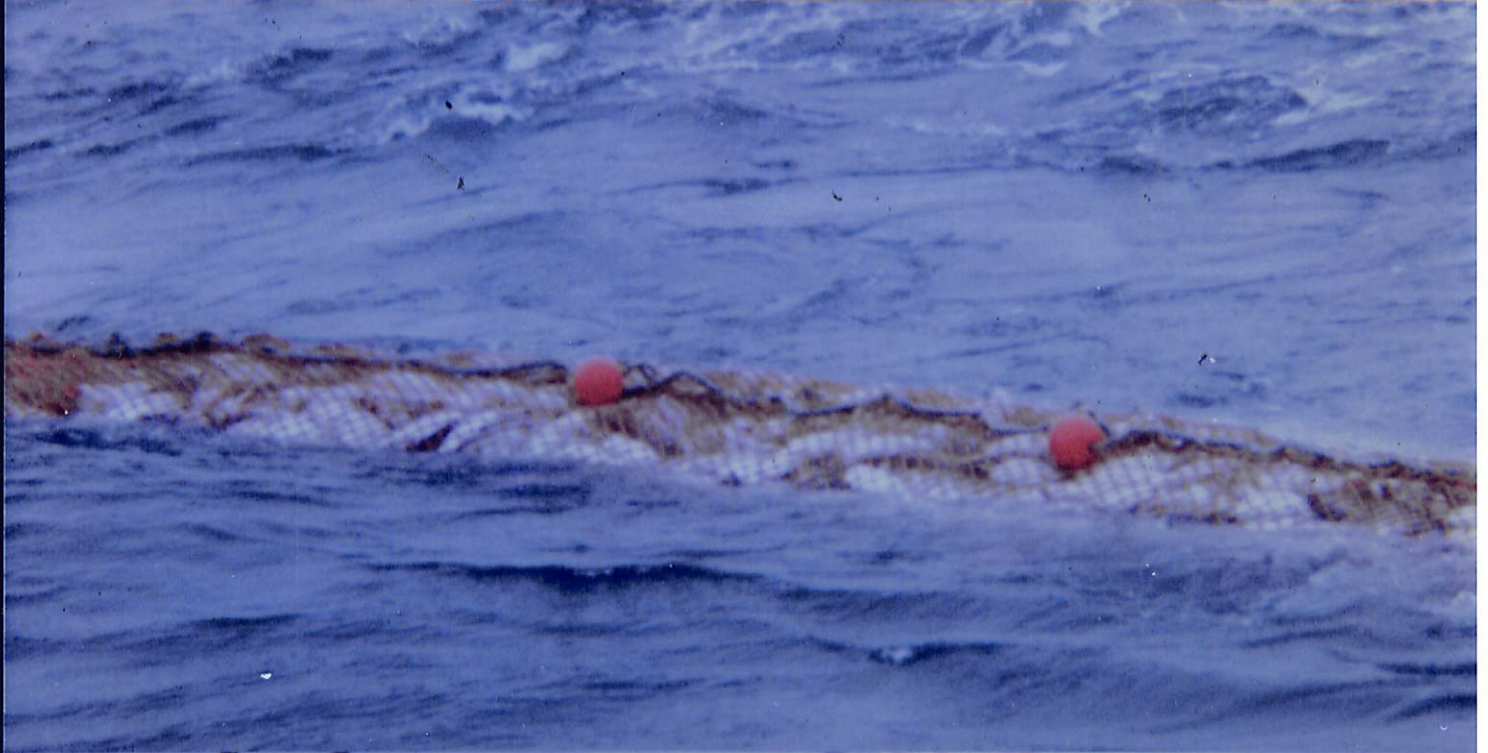
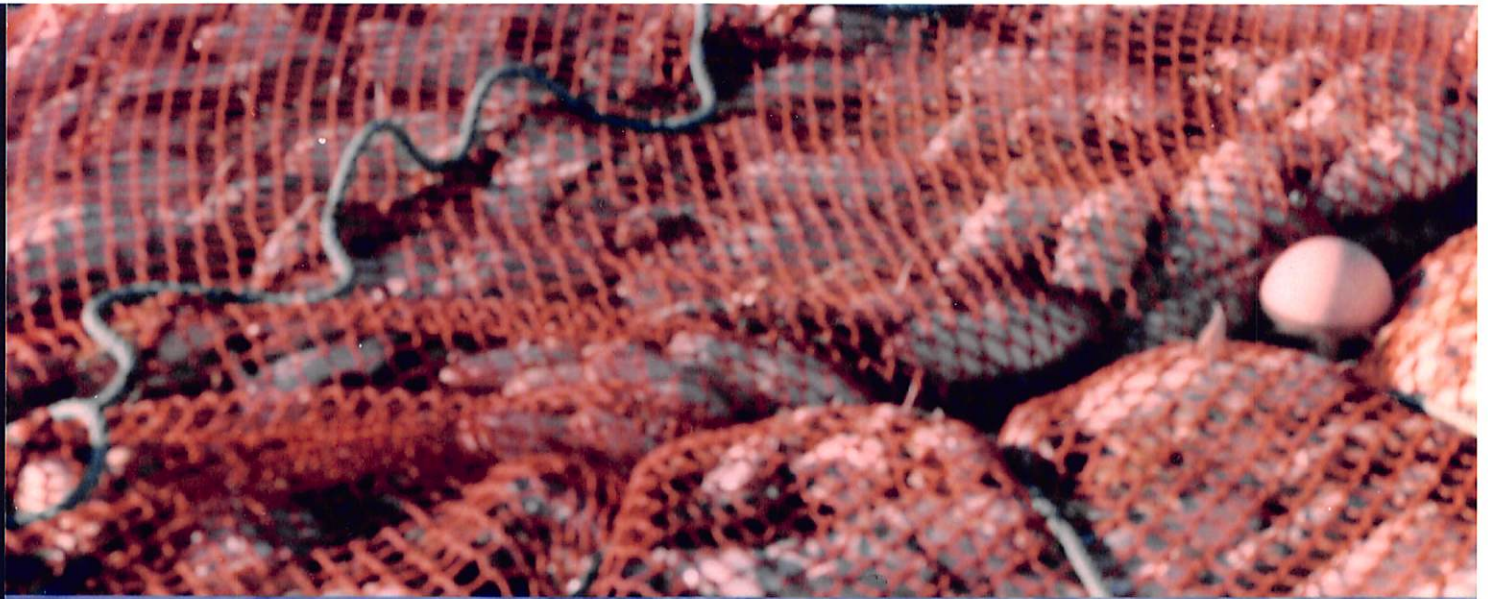
- a. **Stellar Sealion RPAs.** The impact of the RPAs impacted all GOA codfish fishermen. With the exception of a small amount of catch in 2007, the limitation on the GOA trawl fleet has either been TAC or halibut PSC, not the Nov. 1st sea lion closures.
- b. **State Waters Cod Fishery.** The state waters cod fishery occurred 10 years ago. All cod fishermen in the Federal cod fishery are similarly situated we are allocating percentages of the federal fishery without regarding to catch history in the State waters fishery. If we considered impacts of the state waters fishery we may also have to consider impacts of the AFA, Amendment 80, Crab rationalization and, perhaps, halibut IFQs.
- c. **January 1 vs. January 20th "early start".** This provision appears to have been for conservation of halibut and salmon and to protect the trawl fleet from Bering Sea trawlers, at least before AFA. The Trawl fleet could have much higher bycatch of halibut PSC in this time period and not, consequently, be able prosecute other fisheries or "B" season codfish. A net loss is difficult to quantify. (see f below)
- d. **History before Stellar Sealion RPA.** The Sealion RPAs radically changed the fishery for all sectors. History prior to RPA is really history from a different fishery and does not reflect the fishery as it has existed for the past 9 years. In addition, there may be recentcy issues associated with the use of this history.
- e. **Disproportional economic impacts.** Without regard to which sector obtains the cod, it appears that similar port and processor delivery patterns will occur. Consequently, economic impacts to communities from shifting sector allocations are unlikely. Much of the economic impacts testimony projects economic impacts from an assumed allocation that is in excess of recent history and does not account for TAC increases.
- f. **Overages of "A" season set aside for incidental catch.** These overages were reduced from the "B" season and had economic impacts to other sectors during years of overages but overages are also balanced with excess incidental catch amounts set aside during the "A" season. The net impact to non trawl sectors in the "B" season is difficult to quantify and, to some extent, balance the Jan1 to Jan20 issue.
- g. **Increased economic dependence.** Looking at the 2-39 (p62) it appears that all sectors have significant economic dependence on codfish.

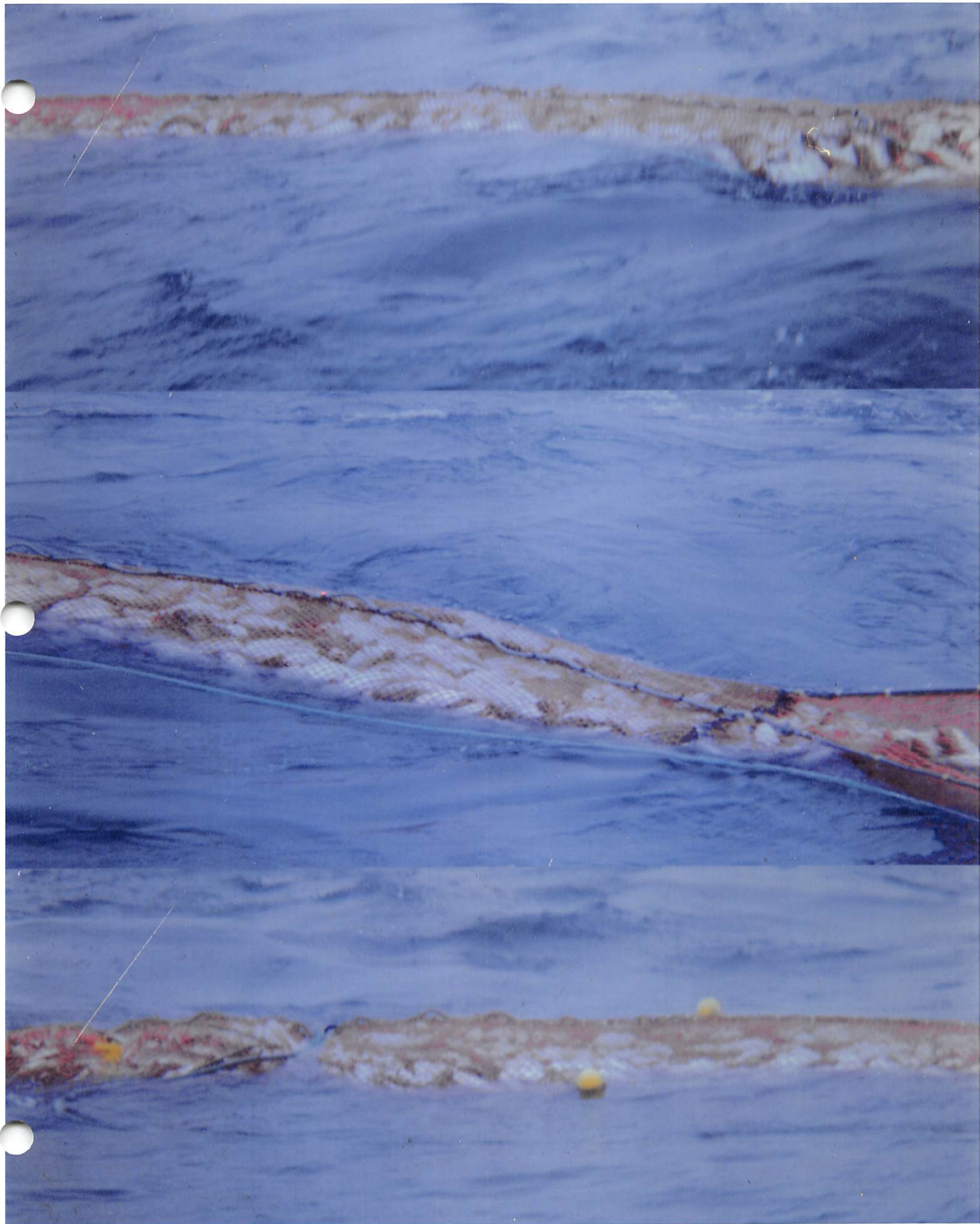
*Cl¹. Darins
Kasperzak*

Western gulf of Alaska

Clean cod tow pictures

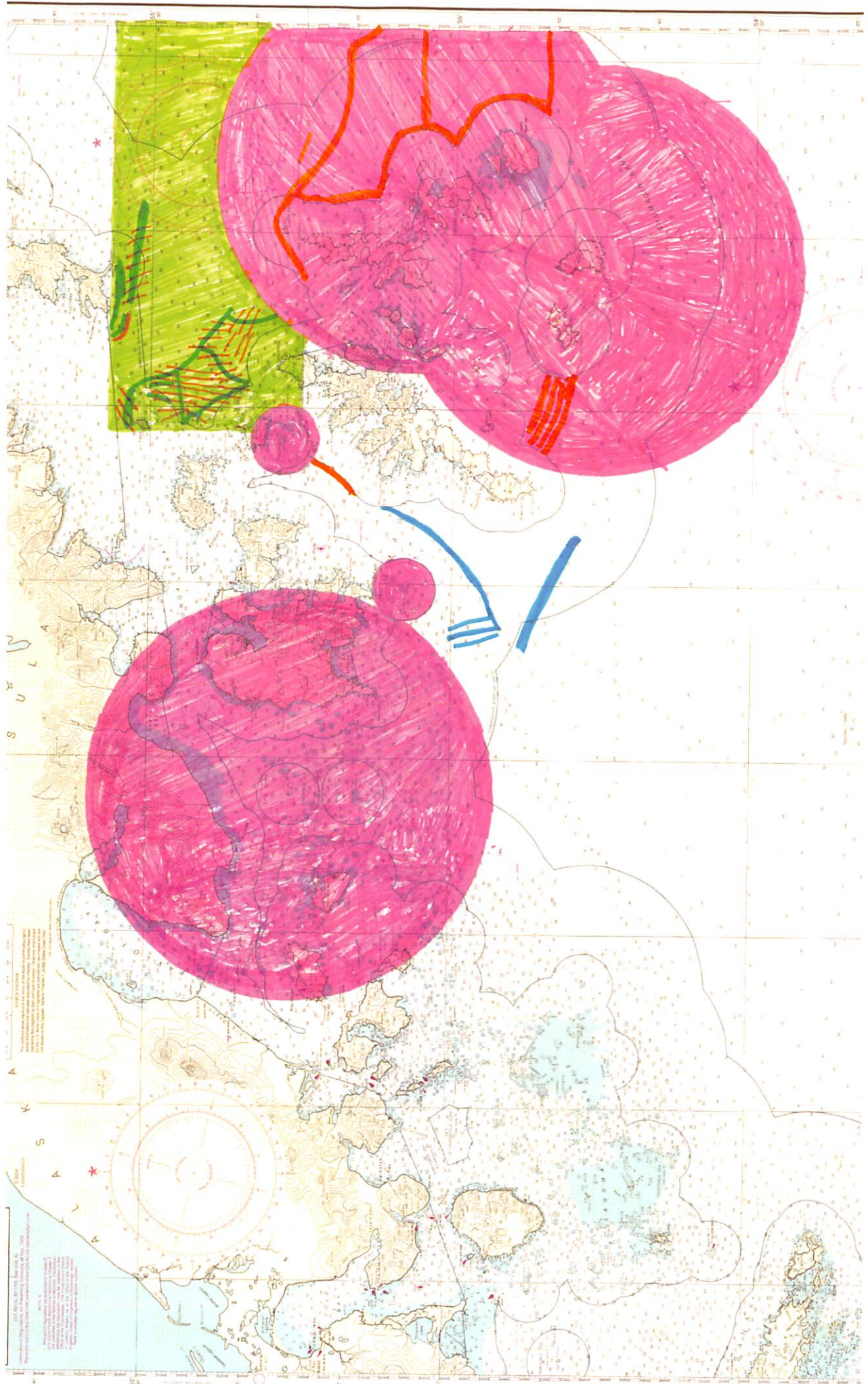
Chart of cod tows











PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-2(b) EFH 5-Yr Evaluat./HAPC Prior.

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	Jon Warenduk	Oceana
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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.