

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke  
Executive Director



<p>ESTIMATED TIME 11 HOURS (all D-1 items)</p>
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DATE: December 3, 1996

SUBJECT: Board of Fisheries action to initiate state Pacific cod fisheries in the Gulf of Alaska

**ACTION REQUIRED**

Review of Board of Fisheries action to initiate state water fisheries for Pacific cod in the GOA.

**BACKGROUND**

The Council and Alaska Board of Fisheries (BOF) are scheduled to meet on Friday, December 13 at 8 a.m. via telephone conference to discuss state groundfish management. The BOF initiated state water fisheries for Pacific cod in the GOA at its meeting in October 1996. The details of the management plan approved by the BOF are attached as Item D-1(a)(1). The BOF action sets the state Pacific cod fishery at 15% of the federal TAC for the Western and Central Gulf and 25% of the Eastern Gulf TAC for 1997. The Central Gulf fishery will be apportioned: Cook Inlet 15%, Kodiak 50%, and Chignik 35%. The state Western and Central Gulf fisheries will increase to 20% in 1998 and 25% in 1999, if state landings meet the harvest guideline in the previous year (Item D-1(a)(2)). The state fisheries would commence two weeks after the federal fishery was closed. Item D-1(a)(3) depicts the fishery management areas affected by this action. The above table depicts the effects of reducing the federal TAC by the state guideline harvest level by area.

Proposed ABC, TAC* and State guideline harvest level (mt) for Gulf Pacific cod in 1997.				
Quota	Western	Central	Eastern	Total
*ABC/TAC	28,500	51,400	1,600	81,500
BOF GHL	4,275	7,710	400	12,385
Remaining TAC	24,225	43,690	1,200	69,115
	Cook Inlet	1,157		
	Kodiak	3,855		
	<u>Chignik</u>	<u>2,699</u>		
		7,710		

\*TAC assumed = recommended 1997 ABC

When notified at their September 1996 meeting by ADF&G staff that the BOF was considering industry proposals for state groundfish fisheries, the Council noted that they would be meeting jointly with the BOF in February 1997, and that any final actions should be discussed at that time. The NMFS Regional Director, in a letter dated October 28, 1996, informed the BOF that the joint meeting in February 1997 should occur to discuss management of this and other groundfish fisheries before implementation of any significant changes to management of cod, such as state waters quotas (Item D-1(a)(4)).

Item D-1(a)(5) contains tables that summarize the percentage of cod taken in state waters since 1989, the breakdown of landings by gear type (from both state and combined state/federal waters), and by vessel size category for 1993-95 (from both state and combined state/federal waters). While state water harvests have totaled an average of 20% of the federal TAC since 1993, the BOF proposal would allocate an additional 15-25%

of the TAC for state water harvest by jig and pot gear. Limitation to those gear types would avoid halibut PSC limits (pot gear is exempt). Pursuant to the BOF action, 35-45% of the total cod TAC could be taken from state waters.

The GOA Plan Team reviewed biological and fisheries data for Gulf Pacific cod to determine the effects of state water fisheries on the stock during its November 1996 meeting. The Team felt that internal water harvests should not affect federal TACs (they were counted against the Eastern Gulf TAC in 1995 and 1996). The Team does recommend that separately managed harvests from state coastal waters fisheries be counted against federal TACs since cod is recognized as a single stock and is assessed in the NMFS GOA trawl survey. The Team believes that it would be much better to have a biological basis for recommending an allocation between the state and federal fisheries, but recognizes that given the migratory nature of this species and the limited available information, such recommendations would be tenuous. The Team recommends that ADF&G examine their annual groundfish (and crab) surveys to determine cod distribution and that ADF&G and NMFS staff collaborate so that future federal and state cod surveys would be comparable.

As shown in the tables in Item D-1(a)(5), the harvest of Pacific cod in state waters has increased in recent years. The catch in state waters for 1994-96 has comprised over 20% of the total harvest from the Western and Central areas. The highest harvests have occurred near Kodiak, Sand Point, and King Cove. For 1989-96, Kodiak produced 72% of the state water Central Gulf harvest, while Cook Inlet and Chignik produced 19% and 8%. State water Western Gulf harvests have been primarily taken south of the Alaska Peninsula with 81%; the Eastern Aleutian Islands produced the remaining 19%. For 1993-96, pot gear provided an average of 8% of Western area, 26% of Central area, and 50% of Eastern area harvests. A total of 55 mt of cod was harvested by jigs in the directed fishery; an additional 1,160 mt were harvested by jigs as bycatch in other groundfish fisheries.

Trawls, longlines, and pots have been the principal gears harvesting cod. Trawls have harvested the most, although pots increased to 24% of Gulfwide landings in 1995. Pot gear has harvested more than half of Central Gulf landings in state waters since 1990, increasing to over 70% in the last few years.

The 1996 GOA Pacific cod fishery opened to fixed gear on January 1 and trawl gear on January 20. TAC specifications totaled 18,500 mt for the Western area, 42,900 mt for the Central area, and 3,250 mt for the Eastern area. Inshore processors were allocated 90% of the TAC (16,650 mt, 38,610 mt, and 2,925 mt by area). Halibut bycatch rates were moderate for hook-and-line and trawl gear. Halibut PSC limits did not affect fishing time for these gear types, rather, closures were due to TAC attainment. The Western area closed to all gear types for the inshore sector on March 3; the offshore sector closed on March 9. In the Central area, the offshore sector closed on March 13; the inshore sector closed on March 18. A summary of closures since 1993 is listed below.

At the time of the 1996 closures, NMFS estimated that sufficient TAC remained to cover bycatch caught in other groundfish and halibut fisheries. After processor

FEDERAL GROUND FISH CLOSURES OFF THE GULF OF ALASKA BY AREA FOR 1993-96.

Inshore	WESTERN		CENTRAL			EASTERN close
	status	close	status	close	open	
93	B	9-Mar	B	24-Mar		1-Jan
94	B	8-Mar	B	16-Mar	9-Apr	1-Jan
95	B	17-Mar	B	22-Mar		1-Jan
	P	30-Mar	B	11-Oct	7-Nov	1-Jan
			P	29-Nov		1-Jan
96	B	3-Mar	B	18-Mar		1-Jan
	P	5-May	P	5-May		1-Jan
<b>Offshore</b>						
93	B	1-Jan	B	1-Jan		1-Jan
94	B	1-Jan	B	1-Jan		1-Jan
95	B	7-Mar	B	13-Mar	1-Jun	1-Jan
	P	5-May				
96	B	9-Mar	B	13-Mar		1-Jan
	P	5-May	P	5-May		1-Jan

B = bycatch; P = prohibited

reports were examined, NMFS determined that the target Pacific cod fishery had exceeded ABC. The status of the fishery then changed from bycatch only to prohibited species on May 5. This action required that all harvested Pacific cod be discarded. As of November 9, 1996, approximately 900 mt have been harvested above the Western area inshore allocation and 50 mt above the offshore allocation. For the Central area, 3,500 mt were landed in excess of the inshore allocation and 1,100 mt above the offshore allocation. The Eastern area inshore allocation was underharvested by 900 m; the offshore allocation underharvested TAC by 320 mt. The fishery in the Western and Central areas exceeded ABC by a total of 5,500 mt. Incorporating the Eastern area underharvest lowers the excess to 3,100 mt. In summary, the cod fishery is currently fully utilized.

The numbers of vessels harvesting cod in all waters are listed in Table 1 (Item D-1(e)(5)). Overall, 45% of the harvest was taken during 1993-95 by vessels ≤ 60 ft (Table 17). Smaller vessels predominate near the Shumagin Islands. In state waters, the 1993-95 harvest by smaller vessels for all gears was 70% (Table 18). Pot fishing was more prevalent near Kodiak Island, especially with smaller vessels. Western/Central harvests taken by smaller pot vessels were 56% overall (Table 17) and 66% in state waters (Table 18). Longline vessels accounted for 11% of the total 1993-95 harvest in the Western/Central area (Tables 5 and 6), with smaller vessels predominating near Kodiak and the outer Kenai Peninsula. Trawls accounted for about 66% of the Gulfwide 1993-95 harvest (Table 4), and 30% in state waters (Tables 5 and 6). Small trawlers predominate in this fishery, particularly near the Shumagins. Jig gear landed very little; nearly all vessels were <61 ft.

The following table shows the harvest rate by gear for 1995 and 1996 at the middle and end of the fishing quarter. Harvests rates generally peaked at the end of the fishing period for trawl, hook-and-line and pot gear.

Western	as of	Trawl			H&L			Pots			Fishery closed	
		mt	weeks	mt/week	mt	weeks	mt/week	mt	weeks	mt/week		
1996	3-Feb	1,864	2	932	1,417	5	283	1,305	5	261	3-Mar	
	2-Mar	10,274	6	1,712	3,815	9	424	1,611	9	179	3-Mar	
1995	4-Feb	872	2	436	7,365	5	1,473	1,442	5	288	17-Mar	
	11-Mar	5,218	7	745	5,015	10	502	1,873	10	187	17-Mar	
	4-Apr	10,763	8	1,345	5,377	11	488	2,164	11	197	17-Mar	
Central	1996	3-Feb	439	2	220	1,197	5	239	3,867	5	773	18-Mar
		2-Mar	3,727	6	621	2,453	9	273	6,618	9	735	18-Mar
		16-Mar	14,515	8	1,814	4,953	11	450	9,152	11	832	18-Mar
1995	4-Feb	623	2	312	1,249	5	250	4,047	5	809	22-Mar	
	11-Mar	11,494	7	1,642	3,932	10	393	9,293	10	929	22-Mar	
	16-Mar	17,749	8	2,219	4,415	11	401	12,086	11	1,099	22-Mar	

**Sablefish**

In September 1996, the Council requested information on state water sablefish fisheries. In his letter to the Council, Commissioner Rue indicated his intent to continue managing the state water fisheries for sablefish in the North Gulf District and Aleutian Islands (west of Scotch Cap Light) (Item D-1(a)(1)). Non-IFQ harvests in the state Aleutian Island fishery totaled 165,750 lb in 1995 and 203,850 lb in 1996.

ADF&G has argued that the state fishery is harvesting surplus fish since the TAC has not been fully harvested by the IFQ fishery in

	1995	1996
Non-IFQ	165,750	203,850
IFQ	<u>106,550</u>	<u>90,550</u>
Total harvest	272,300 lb	294,400 lb
% Non-IFQ	61%	69%
% IFQ	39%	31%
Non-IFQ deliveries	30	28
IFQ deliveries	<u>30</u>	<u>20</u>
Total	60	48
Non-IFQ fishermen	8	6
IFQ fishermen	28	18

1995 and 1996. However, unharvested amounts of sablefish have declined over the two-year history of the IFQ fishery and were expected to have been lower in 1996 if not for a recent decision by the NMFS Regional Director to not approve an extended season for the sablefish IFQ fishery in the Aleutian Islands. IFQ fishermen were not notified that this fishery would not be allowed in the first quarter of 1997 until two weeks prior to the end of the IFQ season. Despite the aforementioned action, unharvested AI sablefish declined from over 990,000 lb in 1995 to 419,000 lb in 1996. Over all areas, unharvested sablefish declined from 4.7 million lb to 2.1 million lb. For perspective, the non-IFQ open access sablefish fishery harvested a very small amount of fish, relative to the overall federal quota (i.e., <10 % of the total 1996 unharvested IFQ pounds and <50% of the unharvested 1996 AI IFQ).

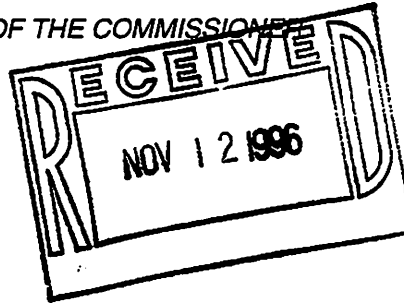
Sablefish IFQ landings for 1995 and 1996 (through Nov 13, 1996).					
1995	Vessel	Total Catch	Allocation	Remaining	Percent
Area	Landings	Pounds	Pounds	Pounds	Remaining
SE	1,015	12,003,184	12,996,900	993,716	8
WY	434	7,993,170	8,586,917	593,747	7
CG	863	14,072,590	15,167,648	1,095,058	7
WG	187	3,950,818	4,585,568	634,750	14
AI	100	1,917,783	2,910,072	992,289	34
BS	107	998,319	1,410,944	412,625	29
Total	2,706	40,935,864	45,658,049	4,722,185	10
<b>1996</b>					
SE	913	9,823,345	10,346,188	522,843	5
WY	344	6,096,858	6,366,885	270,027	4
CG	746	11,818,813	12,169,392	350,579	3
WG	164	3,585,286	3,880,096	294,810	8
AI	84	1,168,272	1,587,312	419,040	26
BS	116	703,905	970,024	266,119	27
Total	2,367	33,196,479	35,319,897	2,123,418	6

**DEPARTMENT OF FISH AND GAME**

OFFICE OF THE COMMISSIONER

P.O. BOX 25526  
JUNEAU, ALASKA 99802-5526  
PHONE: (907) 465-4100  
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November 7, 1996



Rick Lauber, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Dear Mr. <sup>Rick</sup>Lauber:

The Alaska Board of Fisheries (board) met in Wasilla, October 29-31, to consider proposals for management of groundfish in state waters. I am taking this opportunity to inform you of the results of the board's actions. Before I do that, however, I want you to know that Alaska Department of Fish and Game staff met with the North Pacific Management Council (council) and National Marine Fisheries Service (NMFS) staff to ensure that we had an understanding and appreciation of each others management concerns so that they could be communicated to the board before they deliberated on the proposals. Council and NMFS staff were present during the board meeting and were very helpful during deliberations. Jane Di Cosimo represented the council. I want to thank both you and Clarence for making her available.

The board adopted a series of regulations establishing Pacific cod fisheries within the state waters of the central and western Gulf of Alaska. In general terms, there will be directed fisheries for Pacific cod in the territorial sea off of Prince William Sound, Cook Inlet, Kodiak, Chignik and the Alaska Peninsula areas. The fisheries will open about two weeks after the EEZ "A" season closure. Gear will be limited to pots and jigs, with a limit of five jig machines or sixty groundfish pots per vessel. Each area will be an exclusive registration area. The Alaska Peninsula and Chignik Areas will have a maximum 58-foot vessel size limit. These regulations should provide for a slow paced fishery, allowing the department to ensure catches do not exceed the harvest levels set by the board, as well as keeping the harvest on the population at or below the ABC set by the council.

The harvest levels the board set are fairly reflective of recent harvests in state waters, which have been about twenty percent of TAC. The board also took into consideration factors such as the CDQ, IFQ, and inshore/offshore programs. The harvest level for the Prince William Sound Area will be twenty-five percent of the TAC for the Eastern Gulf Area. The board took a slightly different approach for the remaining areas. Their harvest level will start at fifteen percent of the TAC for the Central and Western Gulf. Once the fisheries in the area have shown that they can harvest that portion of TAC, then the percentage will increase to twenty percent, and similarly to

a maximum of twenty-five percent. The Central Gulf harvest level will be divided, as follows: Cook Inlet-15 percent, Kodiak-50 percent, and Chignik-35 percent. The Western Gulf harvest level will be divided as follows: eastern portion-80 percent, and the western portion-20 percent. These harvest levels are in addition to any harvest that may take place in state waters during the normal joint federal/state "A" season fishery.

The board linked its harvest levels to the council's TAC and ABC so the allowable harvests fluctuate annually based on abundance. This was done to ensure that the state's fishery will not cause any conservation problems. The board also designed the state waters fishery so that management of that fishery will not substantially or adversely affect the council and NMFS' ability to manage its fisheries.

The board did not have enough time to address the territorial sea sablefish fishery. We expect to manage the 1997 fishery, which takes place primarily in the Aleutians and adjacent to the outer coast of the Kenai Peninsula, similar to the 1995 and 1996 fisheries. The allowable harvests for the two areas will be adjusted proportional to any changes the council makes to its TAC. It is my understanding that the TAC for the Aleutians was not taken during the last two seasons. It is my sincere hope that all those involved in that fishery can agree to a territorial sea management plan before the fleet becomes capable of taking TAC. My staff and I are certainly willing to work with the council, NMFS, and other interested parties in achieving an agreement.

The board also discussed the need for dialogue between themselves and the council regarding groundfish and proposed the following two approaches. First, they have designated two Board of Fisheries members, John White and Larry Engel, to serve on a proposed subcommittee of the board and council to facilitate coordination of crab and groundfish issues. Second, they plan to include groundfish discussions at their joint council/board meeting in February.

I hope I have covered those items of immediate interest to you, the council, and the staff. If I have not, please do not hesitate to contact me. I will have department staff present at your December meeting to provide a more detailed explanation of the board's actions and answer questions.

Sincerely,



Frank Rue  
Commissioner

cc: David Benton, ADF&G  
Bob Clasby, ADF&G  
Clarence Pautzke, NPFMC  
Earl Krygier, ADF&G

**STATE OF ALASKA PACIFIC COD FISHERY  
ADOPTED BY  
ALASKA BOARD OF FISHERIES  
October 1996**

- State waters will open concurrently with the Federal fishery beginning January 1 and remain open until directed fishing for Pacific Cod is closed by NMFS. Prince William Sound will open and close concurrent with directed fishing allowed in the Central GOA.
- Separate state water Pacific cod fisheries will reopen at a later date for harvest with pot and jig gear.
- Exclusive registration areas based on salmon boundaries for the separate state water Pacific cod fishery.
- Gear limits of 60 pots or 5 mechanical jigs per vessel.
- Harvest of Pacific cod for the separate state water fisheries in Kodiak, Chignik and Cook Inlet will be based on a percentage of Central Gulf ABC. Harvest goals will start at 15% and increase to 25% over a 3 year period if fishing production can be substantially achieved.

State fishery GHIL as % of Central Gulf ABC:

1997-15%
1998-20%
1999-25%

- Harvest of Central Gulf Pacific cod for separate state water fisheries is proportioned to each area as follows:

Cook Inlet	15%
Kodiak	50%
Chignik	35%

- Harvest of Pacific cod for the separate state water fishery in the South Peninsula will be based on a percentage of Western Gulf ABC. Harvest goals will start at 15% and increase to 25% over a 3 year period if fishing production can be substantially achieved.

State fishery GHIL as % of Western Gulf ABC:

1997 - 15%
1998 - 20%
1999 - 25%

- Harvest of Pacific cod for the separate state water fishery in Prince William Sound will be equivalent to 25% of the Eastern Gulf ABC.

- Seasons for separate state water fisheries:

- Prince William Sound ..... Open 7 days after directed federal Central Gulf season through Dec. 31. Pot gear will be allocated 60% of the harvest and jig gear 40%. Unharvested jig gear allocation will be available to pot gear after October 1.
- Cook Inlet ..... Open 7 days after directed federal season through April 7 and June 15 through Dec. 31 for pot gear. Open 7 days after the directed federal fishery through Dec. 31 for jig gear. Pot gear and jig gear will be allocated equal portions of the GHL with unharvested portions available to either gear type after September 1.
- Kodiak ..... Open 2 weeks after directed federal season through Dec 31. Jig gear and pot gear will be allocated equal portions of the GHL with unharvested portions available to either gear type after September 1.
- Chignik ..... Open April 15 through June 15 and August 1 through December. 31.
- South Peninsula ..... Open 2 weeks after directed federal season through December 31.

- Vessel Limits.

Prince William Sound	None
Cook Inlet	None
Kodiak	None
Chignik	58 feet overall length
South Peninsula	58 feet overall length

- The department may relax regulations regarding gear limitation, exclusive registration, or vessel size limit if harvest goals are not obtained by October 31.
- Buoy tags will be required for pot gear.
- In the Kodiak Area, catcher processors may process no more than 25, 000 pounds (round weight) each calendar week.



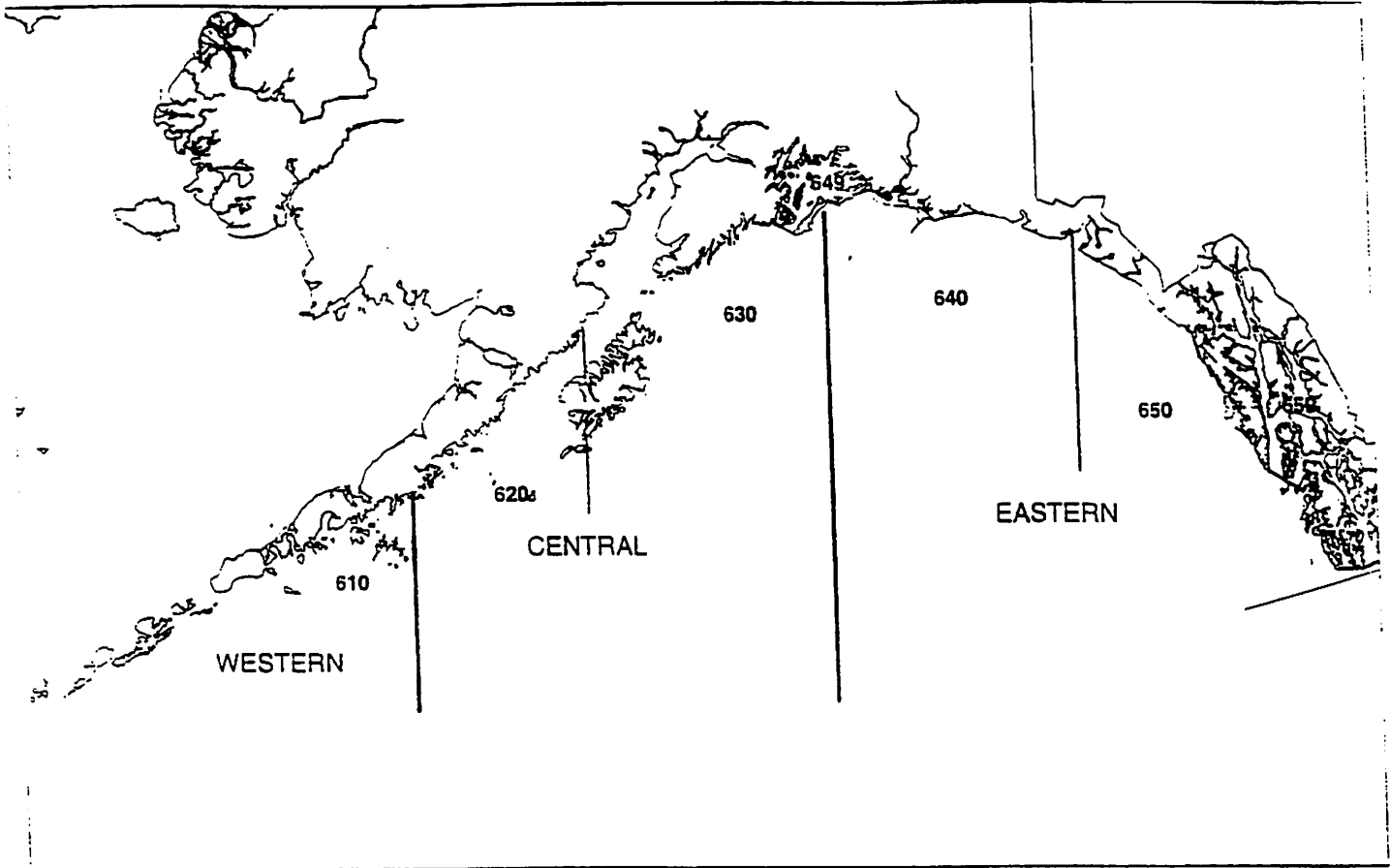


Figure 1. NMFS reporting areas in the Gulf of Alaska.

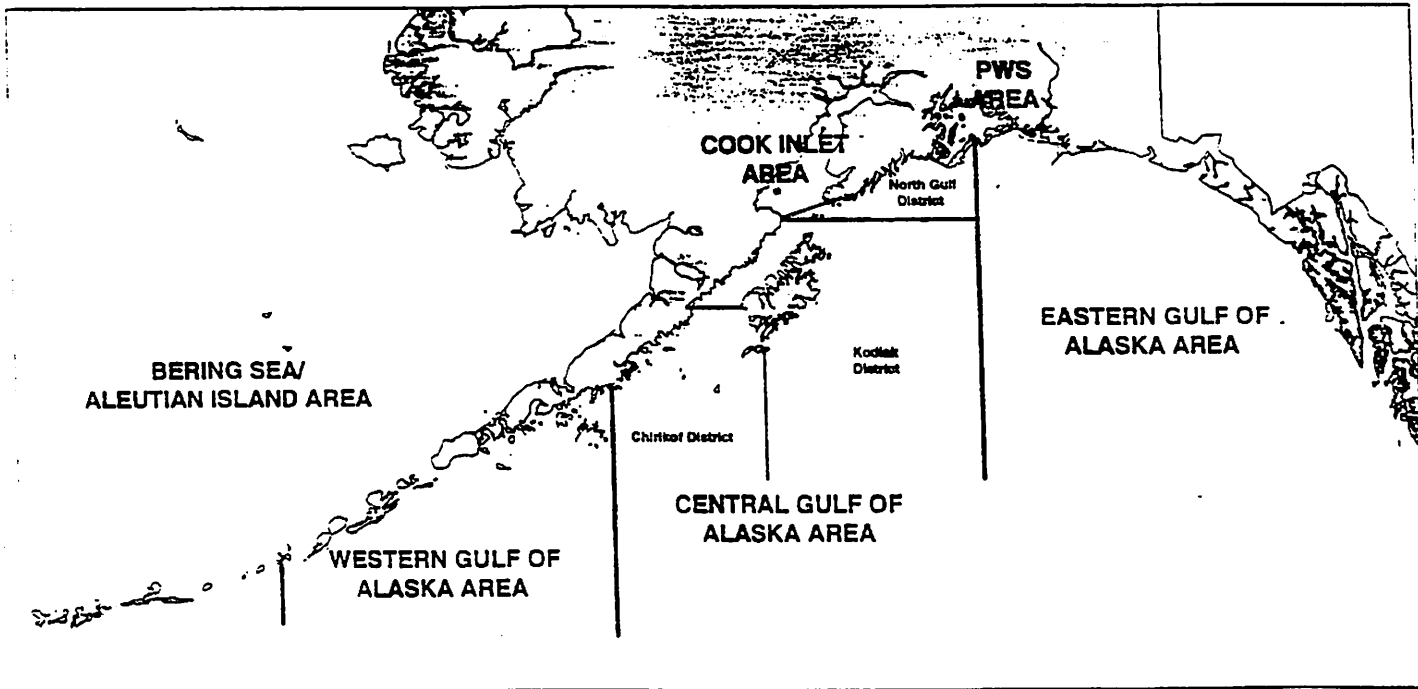


Figure 2. State of Alaska groundfish areas in the Gulf of Alaska.



UNITED STATES DEPARTMENT OF COMMERCE AGENDA D-1(a)(4) :  
National Oceanic and Atmospheric Administration DECEMBER 1996  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668

October 28, 1996

Larry J. Engel  
Chairman  
Alaska Board of Fisheries  
P.O. Box 197  
Palmer, Alaska 99645

Dear Chairman <sup>Larry</sup> ~~Engel~~:

The Alaska Department of Fish and Game has provided us a copy of the proposals submitted by interested fisheries groups, communities, and fishing industry representatives pertaining to management of groundfish within the 0-3 mile Territorial Sea. These proposals address a wide range of management measures, including harvest quotas, gear allocations, closed areas, fishing seasons, size limits, area registration, etc. We understand that the Board of Fisheries has scheduled review of these proposals during October 29-31, 1996, when it meets in Wasilla, and might implement some of them as early as 1997.

The Secretary of Commerce, through the NMFS Alaska Region is responsible for management of the Pacific halibut fisheries in and off Alaska waters and for groundfish in the 3-200 mile exclusive economic zone (EEZ) off Alaska seaward of the Territorial Sea. Our groundfish management responsibilities are governed by two fishery management plans (FMPs): Groundfish of the Gulf of Alaska and the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. Each FMP was prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and approved by the U.S. Secretary of Commerce. They contain goals and objectives to which management measures must conform. These measures must also conform to eleven national standards contained in the Magnuson-Stevens Act.

With the exception of the Pacific halibut fishery, Federal fisheries management does not extend to the Territorial Sea. We do not believe, however, that most of our groundfish species exist in State or Federal waters as separate stocks. Most likely, they are a common stock with varying presence in one zone or another, according to the time of year or life cycle stage. Information on stock abundance, obtained by NMFS fishery scientists, pertains to stocks in both the Territorial Sea and the EEZ. Management of any particular stock within one management area affects management in the other area. We believe, therefore, that a strong State/Federal partnership is



needed to assure that these stocks are managed in a manner that does not substantially and adversely affect NMFS's ability to carry out fisheries management authorized by the FMPs.

Accordingly, we suggest the Board of Fisheries might consider the following during its upcoming meeting at Wasilla:

(1) State and Federal fisheries scientists should meet as needed to plan for the collection, compilation, and analysis of stock assessment information in a manner that will maximize the use of available resources, e.g. vessel time, research staff, etc.

(2) The Board of Fisheries should advise the Council of any decision regarding its intended Territorial Sea groundfish harvest quotas for the 1997 fishing year, thus providing the Council information that would be relevant when the Council takes final action on 1997 Federal harvest quotas during its December 1996 meeting.

(3) The Board of Fisheries and the Council should arrange to meet jointly on groundfish matters similar to their annual crab meeting. Perhaps February 1997 would be an appropriate time to initiate such an effort by expanding the joint crab meeting to include discussion of how the two bodies wish to proceed in the future on cooperative groundfish management. Our view is that such discussions should occur before significant management change is implemented (such as separate quotas for State waters) to ensure proper conservation of the resource.

(4) Boundaries of State of Alaska groundfish management areas should be adjusted if necessary to conform with those contained in the Council's FMPs to reduce confusion among the affected industry and to ensure comparable catch information collected from the State and Federal management areas.

We have a cooperative working relationship with the staff of the Alaska Department of Fish and Game and have managed effectively certain stocks of groundfish, e.g. rockfish and sablefish, in cooperation with the Department for several years. We look forward to working cooperatively with the Board of Fisheries on groundfish management issues. Certain NMFS staff will attend the Board's Wasilla meeting and will be on hand to respond to questions about our groundfish management programs.

Sincerely,



Steven Penoyer  
Administrator, Alaska Region

cc: Schmitt  
Lauber  
Benton  
Clasby  
Collinsworth  
Balsiger  
Pautzke

Table 1. Pacific Cod harvest from the Central and Western Gulf, 1989-1996.

YEAR	NMFS AREA	VESSELS	LANDINGS	POUNDS*	% STATE WATERS
1989	CENTRAL	235	1455	59.5	7%
	WESTERN	137	598	31.0	25%
1990	CENTRAL	569	3064	91.0	13%
	WESTERN	153	951	84.7	15%
1991	CENTRAL	868	4248	100.5	19%
	WESTERN	273	1368	76.1	6%
1992	CENTRAL	1055	4985	89.1	18%
	WESTERN	281	1410	72.9	18%
1993	CENTRAL	660	3131	70.3	16%
	WESTERN	150	878	39.1	5%
1994	CENTRAL	462	2183	62.1	21%
	WESTERN	205	1073	32.2	23%
1995	CENTRAL	865	4228	95.9	23%
	WESTERN	244	1008	40.7	22%
1996**	CENTRAL			88.4	19%
	WESTERN			44.4	28%

\* Total round pounds catch in millions, all gear types

Source: ADF&G fish ticket database

\*\*database through 10/23/96

Table 2. Pacific cod harvest from the state waters of the Central Gulf by Salmon Registration Area.

YEAR	HARVEST (millions)	SALMON REGISTRATION AREA		
		COOK INLET	KODIAK	CHIGNIK
1989	4.6	1%	85%	14%
1990	11.8	2%	95%	2%
1991	19.5	9%	69%	22%
1992	16.3	32%	55%	13%
1993	11.5	31%	61%	8%
1994	13.0	20%	79%	1%
1995	22.1	19%	78%	3%
1996**	16.5	28%	69%	3%
average 89-96		19%	72%	8%
average 94-96		22%	75%	2%

Source: ADF&G fish ticket database

\*\*database through 10/23/96

Table 3. Pacific cod harvest from the state waters of the Western Gulf.

YEAR	HARVEST (millions)	ALASKA PENINSULA	EASTERN ALEUTIANS
1989	10.0	70%	30%
1990	15.3	77%	23%
1991	6.0	61%	39%
1992	13.5	93%	7%
1993	1.8	70%	30%
1994	6.8	89%	11%
1995	7.7	77%	23%
1996**	11.8	95%	5%
average 89-96		81%	19%

(Salmon Management Area M divided at Scotch Cap Light into Alaska Peninsula and Eastern Aleutians.)

\*\*database through 10/23/96

**Table 4. Percent of Gulfwide Pacific cod landings by the three principal gear categories.**

YEAR	TRAWLS	LONGLINE	POTS
1987	69%	28%	3%
1988	82%	13%	5%
1989	90%	9%	1%
1990	78%	8%	8%
1991	75%	10%	15%
1992	68%	19%	13%
1993	67%	16%	17%
1994	66%	15%	19%
1995	60%	16%	24%

Source: For 1987-92, Pacific States Marine Fisheries Commission, for 1994-95, NMFS Alaska Regional Office.

**Table 5. Percent of state waters cod harvest from the Central Gulf by gear type.**

YEAR	TRAWLS	LONGLINE	POT
1988	40%	44%	15%
1989	44%	48%	8%
1990	19%	14%	66%
1991	11%	20%	68%
1992	35%	12%	52%
1993	8%	27%	65%
1994	8%	19%	72%
1995	21%	6%	73%

**Table 6. Percent of state waters cod harvest from the Western Gulf by gear type.**

YEAR	TRAWLS	LONGLINE	POT
1988	19%	64%	16%
1989	89%	8%	3%
1990	92%	5%	3%
1991	71%	7%	21%
1992	80%	10%	9%
1993	26%	16%	58%
1994	61%	1%	33%
1995	53%	1%	45%

**Table 17. Groundfish harvest by vessel class by vessel class from the Central and Western Gulf of Alaska, 1993-1995.**

FISHERY	TOTAL HARVEST (million pounds)	Percent of Harvest by Vessel Class		
		< 61'	61' - 125'	> 125'
Pacific cod (all gears)	334.0	45%	51%	4%
Pacific cod (trawl)	232.3	42%	53%	5%
Pacific cod (pots)	72.9	56%	43%	<1%
Pacific cod (longlines)	38.0	46%	53%	1%
Pacific cod (jigs)	0.9	97%	3%	-
Pollock	589.8	9%	81%	10%
Sablefish	55.2	51%	44%	5%
Shallow water flats	35.5	10%	88%	2%
Flathead sole	11.7	4%	79%	17%
Deep Water Flats	12.2	2%	95%	3%
Rex sole	11.5	1%	75%	24%

**Table 18. Groundfish harvest by vessel class by vessel class from the state waters of the Central and Western Gulf of Alaska, 1993-1995.**

FISHERY	TOTAL HARVEST (million pounds)	Percent of Harvest by Vessel Class		
		< 61'	61' - 125'	> 125'
Pacific cod (all gears)	62.8	70%	30%	
Pacific cod (trawl)	12.3	60%	39%	1%
Pacific cod (pots)	38.5	66%	34%	
Pacific cod (longlines)	10.2	93%	7%	
Pacific cod (jigs)	0.7	99%	1%	
Pollock	153.0	17%	81%	2%
Sablefish	0.4	39%	60%	1%
Shallow water flats	3.4	13%	86%	1%
Flathead sole	1.0	5%	93%	2%

Brent C. Paine  
Executive Director

Dr. Jim Balsiger, Director  
Alaska Fisheries Science Center  
National Marine Fisheries Service  
7600 Sand Point Way NE, Building 4  
Seattle, WA 98115

November 27, 1996

Dear Dr. <sup>Jim</sup>Balsiger,

Last month I attended an Alaska Board of Fisheries meeting in Wasilla, Alaska in which the Board of Fisheries recommended that the State of Alaska establish a State of Alaska Territorial Sea (0 -3 mile) groundfish management plan. As part of their recommendation, the Board recommended that up to 25 percent of the Gulf of Alaska Pacific cod ABCs (Eastern, Central and Western Areas) be reserved for the State managed fishery.

At no time during the meeting was information presented to the Board regarding the spatial and temporal distribution of the Gulf of Alaska Pacific cod stock. I don't recall the Board requesting this information. I asked representatives of the Alaska Department of Fish & Game if they had information on the distribution of P. cod relative to the three mile federal/state jurisdiction boundary. Their reply was they did not have this information. Subsequently, I called Eric Brown at your survey assessment group and asked if the NMFS has survey trawl information that could be used to make this determination. He felt this was a reasonable request and was uncertain whether or not the NMFS annual bottom trawl survey could reveal the distribution of P. cod within and outside of the three mile boundary.

At the December 1997 NPFMC meeting, the Council will review the recent action by the Board of Fisheries and I assume comment on the impacts of such action on the management of the federal GOA P. cod fishery. United Catcher Boats believes that information about the distribution of the GOA P. cod stock would help assist the Council in their review.

Therefore, we request that the AFSC provide to the Council information on the temporal and spatial distribution of the GOA P. cod stock relative to the 3 mile territorial sea boundary.

Sincerely,

Brent Paine

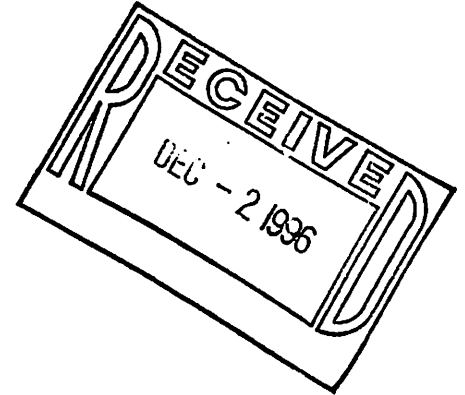
cc: Steve Pennoyer  
Rick Lauber

907-486-3910  
Box 991



Kodiak, Alaska  
99615

FAX 486-6292



November 27, 1996

Mr. Rick Lauber, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue  
Suite 306  
Anchorage, Alaska 99510

RE: Alaska Board of Fish

Dear Mr. Lauber:

Alaska Dragger's Association is highly concerned about the Alaska Board of Fish's recent decision dealing with the reallocation of pacific cod from the federal TAC.

Alaska Dragger's Association actively supported and helped to draft Kodiak Advisory Committee's Proposal number 1 to reallocate 10 percent of the Federal TAC to Pot and Jig fishermen that may have been left out of the loop under the Federal IFQ and vessel moratorium programs. We felt a responsibility toward potential new entrants into the industry and to those with limited economic options. The Board of Fish chose to reallocate a much more substantial portion of the Federal TAC from an already fully exploited fishery.

Our membership has several concerns about these actions of the Board of Fish. Needless to say, we were greatly shocked by the major reallocation of the pacific cod TAC. But that is secondary to the disappointment for the lack of process, at the board level, to the resolution of a complex socio/economic fisheries management and state's rights problem. The impetus of the board's actions was not for better management of the State's resources, as was evidenced by their decision not to manage near shore black rock fish, but rather to grab as much as possible of the federally managed resource and to reallocate to non-historic users. This was intentionally done at the expense of the "big boat, fat cat, IFQ holders from Kodiak" as stated by a member of the Board of Fish.

The following is a list of some of our concerns regarding the board's decision:

1. ADF&G's budget of approximately \$120,000.00 will not be adequate to properly assess and manage a lengthy state waters fishery of this magnitude. With potential future budget cuts to ADF&G, this would be a department of little or no seniority, and probably

*Harvesting Alaskan Shrimp and Whitefish*



the first to have it's funding cut.

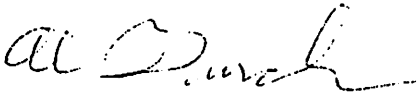
2. Twenty-one percent of the current cod production for the central and western gulf, for all gear types, occurs within state waters. Adding an additional twenty-five percent (25%) of the TAC to that harvest level will potentially lead to localized depletion of cod stocks.
3. No analysis or deliberation was made concerning the socio/economic effects on displaced harvesters within the EEZ, even though most of them are Alaska residents.
4. No cost benefit analysis was done looking at the best economic use of the resource to the State. The fish have the highest market potential just prior to the spawn. What effect will this reallocation have on the amount of raw fish tax? Will the boards recent actions be of net economic benefit to the State of Alaska?
5. What effect will this reallocation have on the established resident processing work forces of historic processors?
6. What impact will this decision have on the problem of overcapitalization. Will we be building another fleet to jig fish during the summer salmon season?
7. The question of economic stability arises. What effect will this reapportionment have on the finances of historic users that have borrowed funds based on prior performance? Have the banks been consulted on this? At what time will the board of fish step in and reallocate other species of fish to non-historic users and in what amounts?
8. At a time when the State of Alaska is trying to rebuild severely depressed crab stocks in the Gulf of Alaska, the board intends to double the amount of pot fishing effort in sensivite rearing grounds. Recent NMFS observer data indicates high crab bycatch rates in the near shore cod pot fishery.
9. While the Board of Fish is well schooled in the resolution of allocation disputes within the salmon industry, we feel that their level of experience managing complex multispecie pelagic and demersal stocks is limited. It is important for industry to have confidence in the Board's ability to act in a mutually beneficial cooperative manner with the federal system.
10. We are concerned that this new State fishery will not help the people it was intended to benefit.

Since the Alaska Board of Fish has moved forward with a fisheries reallocation program, our organization would like the council to consider putting ADA's 1996 gear allocation for the gulf of Alaska proposal on the agenda as a high priority for further discussion. There is interest from several idustry wide user groups to negotiate an allocation through a process similar to that used to reach the Bering Sea agreement. This would allow each gear type to make the best biological


and economic use of the cod resource.

Now may be also the time for the Alaska legislature to consider the idea of a Marine Board as was suggested by the governors transition team. Alaska Dragers Association supports the idea of a knowledgeable and experienced Board dedicated to the Management of crab, groundfish and scallops. We would hope that this Board would be able to work in concert with the North Pacific Fisheries Management Council.

Sincerely,



Al Burch  
Executive Director



Jay E. Stinson  
President

- c. Steve Pennoyer
- c. Representative Alan Austerman
- c. Representative Gail Phillips
- c. Senator Drue Pearce
- c. Senator Jerry Mackey

# Alaska Groundfish Data Bank

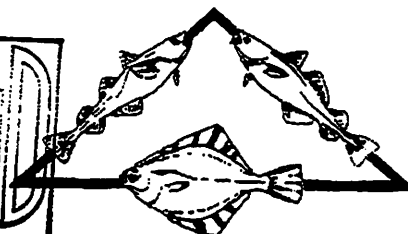
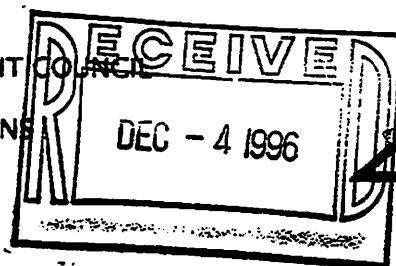
P.O. Box 2298 • Kodiak, Alaska 99615

TO: RICK LAUBER, CHAIRMAN  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

RE: COMMENTS ON BOARD OF FISH ACTIONS

DATE: DECEMBER 3, 1996

SENT BY FAX: 4 PP



## COMMENTS REGARDING BOARD OF FISH ACTIONS SETTING A STATE WATER, STATE MANAGED PACIFIC COD QUOTA: AGENDA ITEM D-1(a)

The members of Alaska Groundfish Data Bank have concerns that the Board of Fish Action which creates a State Water, State Managed Pacific cod quota in the Central/Western for jig and pot gear, while well intentioned, was made without benefit of any data on historic catch of Pacific cod by pot and jig gear after the spring season. The Board did not have the benefit of data on the current and historic seasonal availability and spatial distribution of Pacific cod. The Board did not address how Federal Regulations and management regimes might interface with the State Managed quota.

The Board of Fish's pre-emptory action set a precedent which encourages any area which feels it should have more fish to simply appeal to the Board of Fish. This changes the dynamics of allocation issues and threatens the ability of NMFS to assure conservative management.

Further, the precedent set by the Board of Fish's willingness to reallocate, virtually overnight, a fully utilized resource to new user groups and communities de-stabilizes the Alaska groundfish business environment. Prior to the Board of Fish's action in October, any business entity could make reasonable assessments of the tonnage of fish it would be likely to take; now business arrangements must take into account the fact that any species may suddenly be allocated away by the Board of Fish.

The State of Alaska has been delegated authority for the management of several Federal fisheries, including scallops and Bering Sea crab. This method allows both Board of Fish and Council oversight and sets up clear lines of authority. Had the Board of Fish decided to coordinate with the Council or to send a proposal to the Council, there would be far more assurance of continued rational, conservative management and clear lines of authority.

## QUESTIONS REGARDING THE COORDINATION OF FEDERAL MANAGEMENT AND STATE MANAGEMENT

LONGLINE IFQ FISHERIES: Will vessels fishing their halibut IFQ's in State waters be required to discard the Pacific cod taken as bycatch under the State Regulations which allow the taking of Pacific cod in State waters only by pot and jig gear or will the vessels be allowed to retain Pacific cod as required under Federal regulations for the IFQ program?

QUOTA OVERRAGES: If the State Managed Pacific cod quota is exceeded, will the overage be taken off the Federal quota? If the Federal quota is exceeded but the State quota is not reached, will vessels in Federal waters be required to discard all Pacific cod?

AGDB COMMENTS TO NPFMC RE BOARD OF FISH ACTIONS - PAGE 2 OF 4

OBSERVER REQUIREMENTS OF VESSELS: Will vessels greater than 60-feet fishing the State Managed quota be required to meet federal observer requirements? Do Federal Observer requirements apply to State internal water fisheries such as the Prince William Sound pollock fishery?

OBSERVER REQUIREMENTS FOR PROCESSING PLANTS: Will Pacific cod purchased by processing plants from the State Water, State Managed, fishery count against the tonnage which determines a plant's observer coverage requirements?

MORATORIUM AND LIMITED ENTRY PROGRAMS: Is it the State of Alaska's intent to have open access State Water fisheries, or do the Federal moratorium and License limitation programs apply to the State Managed Pacific cod fishery?

IMPROVED RETENTION/IMPROVED UTILIZATION: When improved Retention/Improved Utilization becomes effective, will it also apply to the State Managed Pacific cod fishery? How will compliance be monitored?

### OTHER CONCERNS AND SUGGESTED REMEDIES

#### LOSS OF PACIFIC COD TO COASTAL COMMUNITIES

1. The quota recommended by the Board of Fish for 1997 is substantially more than taken historically by pot and jig gear after the spring target fishery. This raises the concern that the State Managed quota may not be taken, a concern which increases if the Pacific cod quota is greater in 1997 than in 1996.

The Board, by providing a phase in of up to 25% of the quota over three years, provided the available quota was taken each year, appears to have had the intention of allocating no more Pacific cod than could be taken in a State Water fishery. Quota which is not taken represents a loss to the local fishermen and their communities.

To avoid leaving unharvested quota AGDB suggests that the North Pacific Management Council ask the Board of Fish to amend its action to allow any State Water quota remaining October 1 to be rolled back into the Federal fishery. The Board did discuss this option but acted with the understanding that unused State Water quota could not be rolled back into the Federal fishery.

#### POTENTIAL FOR PACIFIC COD TO MOVE OUTSIDE STATE WATERS

2. The potential exists, if the Gulf is, as predicted by oceanographers, moving into a cold water regime, for little or no Pacific cod to be available in State Waters as was the case from at least 1960 thru about 1979.

While the Board of Fish Action may provide opportunities for small boat fishermen in the immediate future, AGDB suggests that, for the long term, the Board and Council coordinate to develop a small boat fishery within the Federal management system so that the vessels the Board wishes to help have a greater potential of actually finding Pacific cod to fish.

#### ADF&G MANAGEMENT AND CATCH REPORTING

3. Lack of an ADF&G management plan to prevent overharvesting in State Waters and lack of a system for disseminating catch data to the public is of concern because availability of catch data is important to industry for planning purposes.

AGDB suggests that the Council ask ADF&G for a copy of their catch monitoring program and provide space on the NMFS Bulletin Board System for ADF&G to post the weekly State Water catch of groundfish from each quota area. The industry is quite dependent on timely catch data to make rational business plans.

AGDB COMMENTS TO NPFMC RE BOARD OF FISH ACTIONS - PAGE 3 OF 4OBSERVER COVERAGE

4. Lack of observer coverage is also of concern because reductions in observer coverage reduce the amount of biological data available for setting quotas. Currently in the Central Gulf about 20% of the catch is taken by unobserved vessels. The Board of Fish action increases the take of unobserved catch to 35% in 1997 and potentially to 50% or more by 1999.

AGDB suggests that the Council ask ADF&G to provide some level of inseason observer coverage during 1997 to assess catch rates, discards and PSC bycatch in the State Water Fishery.

COORDINATION BETWEEN THE BOARD OF FISH, NMFS, COUNCIL AND GROUND FISH INDUSTRY

5. It is unfortunate that the Board of Fish did not choose to have, or did not have, benefit of NMFS presentations on the catch/PSC bycatch, seasonality of catch, fish quality, and fleet profiles prior to its deliberations. It is also unfortunate that the Board of Fish decided to take action prior to meeting with the North Pacific Fishery Management Council. On the East Coast this lack of coordination between the States and the Councils is often cited as one of the reasons for the collapse of some groundfish stocks.

AGDB suggests that in February when the Board meets with the Council that the issue of coordination, sharing of analyses and sharing of data be part of the agenda.

COMMUNICATION BY THE BOARD OF FISH TO INDUSTRY

6. Many fishermen and processors feel that there was inadequate notice of the Board's intent to take actions on groundfish and inadequate notice of actions taken.

AGDB suggests that the Board of Fish's calls for groundfish proposals, proposed groundfish actions and notice of intent to consider groundfish issues be sent out to the Council's mailing list, either by the Board or by the Council. Further, AGDB suggests that a formal record of the Board's actions be sent out to the Council's mailing list.

**BACKGROUND DATA**

TABLE 1: HISTORIC CATCH OF GULF PACIFIC COD BY JIG GEAR - GULFWIDE

YEAR	MT JIG PCOD
1990	0
1991	75
1992	154
1993	5
1994	93
1995	71
1996*	51

1990-1995 data:

Queirolo, L.E., et al. 1995. Bycatch, Utilization, and discards in the Commercial Groundfish Fisheries of the Gulf of Alaska, Eastern Bering Sea, and Aleutian Islands. NOAA Technical Memorandum, NMFS-AFSC-58.

1996 Data thru Nov. 2, 1996:

Provided by NMFS Juneau.

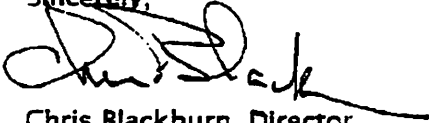
AGDB COMMENTS TO NPFMC RE BOARD OF FISH ACTIONS - PAGE 4 OF 4YEAR 1995

In 1995 Central Gulf Pacific cod was open for target fishing January 1 thru March 22 and then reopened August 17 and closed again October 11. This represents about 5 months of unrestricted fishing time for pot and jig gear. (Longline and Trawl gear were limited by halibut bycatch).

The total 1995 jig catch of Pacific cod in the entire Gulf was 71 MT, less than the 93 MT taken in 1994. We find it unlikely that jig effort will take the entire tonnage allocated by the Board of Fish to jig Gear in the Central Gulf (2,574 MT based on the preliminary 1997 quotas) during the additional four months of spring and summer fishing time available in State Waters.

The 1995 pot catch during the January 1 - March 22 period was around 12,000 MT. For the August 17-October 11 period the Central Gulf pot catch was 900 MT. In order to take the State Water quotas set by the Board of Fish in the Central Gulf, pot gear would have to take 2,574 MT in State Waters with a 60 pot limit after the Federal fishery closes.

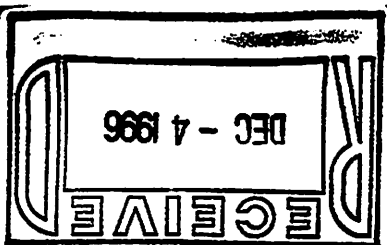
Sincerely,



Chris Blackburn, Director  
Alaska Groundfish Data Bank

# City of False Pass

P.O. Box 50 • False Pass, Alaska 99663-0050  
Telephone (907) 648-2519 • Fax (907) 646-2214



## RESOLUTION 97-09 RESOLUTION BY CITY OF FALSE PASS SUPPORT OF NEW COD FISHERY

WHEREAS, the City of False Pass encourages management that would provide expanded opportunity for local fleets year round harvest and employment; and

WHEREAS, the City of False Pass recognizes the need to manage near coastal fisheries on a long term sustainable basis; and

WHEREAS, the City of False Pass encourages management of fishery resources to maximize quality and value of product; and

WHEREAS, the City of False Pass supports fishery management that will protect non-target species and prevent habitat damage; and

WHEREAS, the City of False Pass requests that groundfish management prevent localized depletions; and

WHEREAS, the City of False Pass supports management that will maximize groundfish fishery benefits to the local community;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of False Pass supports the November 1996 decision by the Alaska Board of Fisheries to establish a fishery management plan for Pacific cod in the State waters of the Alaska Peninsula which incorporated the above listed principles; and

FURTHER BE IT RESOLVED, that the City of False Pass will communicate its support to the Board of Fisheries, the North Pacific Fisheries Management Council, the State Legislature and the Congressional delegation

PASSED AND APPROVED by a duly constituted quorum of the City of False Pass, Alaska, this 3rd day of December, 1996.

John Nickels, Mayor  
John Nickels, Mayor

Don O'Neil, City Clerk  
Don O'Neil, City Clerk

ATTEST:





*City of Old Harbor*

P.O. Box 109  
Old Harbor, Alaska 99643

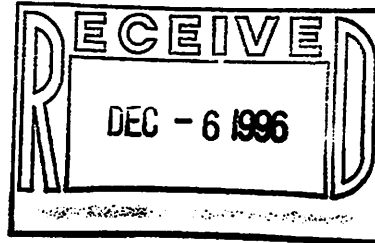
CITY OF THE THREE SAINTS

(907) 286-2203 OR 286-2204

FAX: 286-2278



December 6, 1996



Richard Lauber, Chairman  
North Pacific Management Council  
605 West 4th Ave., Suite 306  
Anchorage, Ak 99501

Re: State of Alaska Pacific Cod Fishery

Dear Mr. Lauber,

On behalf of the City of Old Harbor I want to express our support for the newly created State of Alaska pacific codfish fishery to take place in State waters throughout the Gulf of Alaska. Old Harbor is a rural village located on Kodiak Island. The primary economy in our village is fishing. We have watched as the Federal Government has closed fishery after fishery to our fishermen. In contrast, the newly created State codfish fishery will provide increased fishing opportunities to the residents of Old Harbor.

The City of Old harbor further encourages you and your staff to pursuc additional State managed fisheries in State waters. We believe that the State could manage a pollock fishery within State waters in the Central Gulf and, perhaps, could eventually gain management of some type of State waters halibut fishery. Thank you for your continued efforts to see that fishery resources within State waters are managed by State government and are available to fisherman in villages like Old Harbor.

Enclosed is a resolution passed by our City Council supporting the State's pacific cod management plan. Thank you for your consideration of the City of Old Harbor's position on this issue.

If you have any additional questions, please do not hesitate to contact me.

Very Truly yours,

Rick Berns  
Rick Berns, mayor





*City of Old Harbor*

P.O. Box 109  
Old Harbor, Alaska 99643

CITY OF THE THREE SAINTS

(907) 286-2203 OR 286-2204

FAX: 286-2278



RESOLUTION 96-08

**A RESOLUTION IN SUPPORT OF THE PACIFIC COD MANAGEMENT PLAN WITHIN ALASKA STATE WATERS AS ESTABLISHED AT THE ALASKA BOARD OF FISHERIES MEETING OF NOVEMBER 1996.**

**WHEREAS,** the City of Old Harbor supports fisheries management that will protect non-target species and prevent habitat damage,

**WHEREAS,** the City of Old Harbor encourages the management of the near shore fisheries to allow for maximum value of product, and long shore fisheries to allow for maximum value of product, and long term sustainable harvest opportunity,

**WHEREAS,** the Fisheries industry provides the only source of economic opportunity for the residents of Old Harbor.

**WHEREAS,** the Old Harbor fishing fleet is the smaller "seiner" size of vessels,

**WHEREAS,** city of Old Harbor supports fisheries management that provides expanded opportunity for the local fleet, and year round harvest and employment,

**WHEREAS,** the City of Old Harbor supports a STATE managed groundfish fishery that will maximize the benefits to the local coastal communities,

**NOW THEREFORE BE IT RESOLVED,** that the City of Old Harbor continue its support of all fisheries and sound management practices to allow for the economic opportunity of the local fleet of today and that of the future.

**PASSED AND ADOPTED** by the Old Harbor City council this 4th day of December 1996.

*Rick Berns*  
Rick Berns, mayor

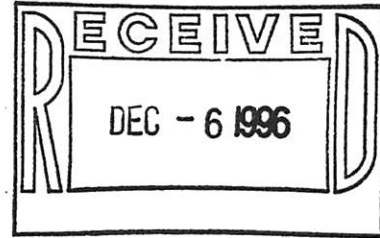


# Old Harbor Tribal Council

P.O. Box 62, Old Harbor, Alaska 99643  
 Phone: (907) 286-2215 Fax: (907) 286-2277

December 5, 1996

Honorable Richard Lauber, Chairman  
 North Pacific Management Council  
 605 West 4th Ave., Suite 306  
 Anchorage, Ak. 99501



RE: State of Alaska Pacific Cod Fishery

Dear Chairman Lauber,

The Old Harbor Tribal Council represents the interests of the native residents of the village of Old Harbor. Most of our council members are fishermen and have been fishermen for generations. Fishing is the lifeblood of our community.

We recently heard about the State of Alaska's proposed grey cod fishery for State waters. As we understand the proposed fishery, it would allow commercial jigging for grey cod in State waters throughout the spring and summer months. If this fishery is as we understand, our fishermen will have another opportunity to generate some fishing income. This will be a good thing for the people of Old Harbor - especially with the poor salmon prices. I would expect several of our council members to participate in this fishery.

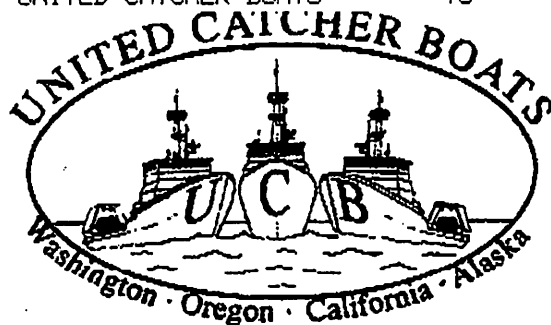
The Old Harbor Tribal Council appreciates whatever you can do to help our village economy. It seems to get increasingly difficult for our young people to make enough money to live in Old Harbor. Perhaps the State cod fishery will be a first step in having the State of Alaska provide additional fishing opportunities to village residents.

Thank you for your creation of the new codfish fishery. We support and appreciate your efforts.

Sincerely,

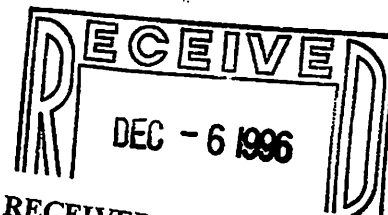
Tony Azuyak, Tribal President  
 Old Harbor Tribal Council

cc. Honorable Tony Knowles, Governor  
 David Benton, Deputy Commissioner  
 Bob Clasby, Director



Brent C. Paine  
Executive Director

Steve Hughes  
Technical Director



RECEIVED AFTER  
COMMENT DEADLINE

December 6, 1996

Rick Lauber, Chairman  
North Pacific Fisheries Management Council  
605 W. 4th Avenue, Suite 306  
Anchorage, Alaska 99510

RE: Alaska Board of Fisheries Ground Fish Management Plan

Dear Chairman Lauber,

We understand that the North Pacific Council (Council) will discuss recent actions taken by the Alaska Board of Fisheries (Board) to establish a state managed fishery for Pacific cod within state waters at the December Council meeting. I wanted to make sure that you were aware of UCB's views prior to taking any action on this important matter.

For the record, UCB is sympathetic to the needs of small boat operators in Alaska and we have previously worked with them on issues of mutual concern (i.e., BSAI P. cod jig fishery and BSAI CDQ fishery). This was done at the federal level in an informed manner through the Council/federal process, a process which allows all impacted groups and individuals opportunity to comment. The Council/federal process also requires the decision makers to make informed decisions with biological, economic and social information in hand to assist in determining who wins and who loses by the application of National Standards.

I attended the Alaska Board of Fisheries meeting and frankly was dismayed at the lack of information presented to the Board when they made their decision to re-allocate up to 25% of the federal P. cod TAC. For example, we are unaware of any information or analysis justifying the recommended level of quota re-allocation to the state fishery. There was no economic studies presented on the loss of P. cod to either existing users residing in coastal Alaskan communities or to non-resident fishermen. My understanding is the Board assumed that they were creating new opportunities for displaced coastal fishermen rather than realizing that the GOA P. cod fishery is fully subscribed and the result of their action would be to displace existing users of the GOA groundfish resource.

There was no biological data on the spatial and temporal distribution of GOA P. cod available or even requested. There was no information presented about bycatch of PSC species by pot or jig gear. There was no concerns expressed by the Department of Fish and Game (Department) about enforcement or monitoring, nor was there any plan presented or discussion about establishing some form of observer coverage. ADF&G representatives stated that with no new funding, they could re-program about \$200,000

from existing programs and manage this new state groundfish plan. Further defined, the Department stated that these funds only cover the cost of accounting for the weekly harvest of P. cod. The Department has no plan to conduct survey assessment nor requested funds for such work.

I was also dismayed that the Board assumed that existing groundfish management, (the Council and NMFS) had no concerns regarding the Board's action, given that they chose to act prior to meeting with or discussing their desires with the NMFS, the Council or the groundfish industry. My understanding in listening to the Board's deliberations was they assumed the Council would simply reduce the federal TAC by an amount equal to the quota the Board sets for the state fishery. As managers of the federal GOA P. cod fishery, I would urge you to question the Board as to why they acted unilaterally when their actions directly effect your ability to effectively manage a federal fishery.

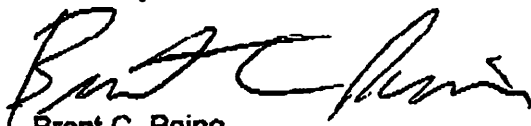
We believe that the Pacific cod fishery, like the other groundfish fisheries, is a federal fishery over which the Council has management authority. We do not believe the Magnuson-Stevens Act (Act) empowers the State of Alaska to unilaterally establish a state fishery already managed under an FMP. We also believe if this were the case, every other coastal state in the nation would be taking similar action. If a small boat, specific gear inshore fishery is to be created, we believe it should be done bilaterally with the Council and NMFS and following the federal procedures proscribed in the Act. Good examples of this are the Bering Sea crab FMP and the Scallop FMP.

We also believe that the State is entitled to manage its resources within State waters. However, where the fishery is engaged in predominately within the EEZ and a state takes any action that substantially and adversely affects the ability of federal management to carry out the management plan, the Secretary of Commerce can notify the state and the Council that he/she intends to regulate the fishery within state waters pursuant to the FMP (Sec. 306(b)(1) of the Act). We believe this is the case with the GOA P. cod fishery. As managers of the federal fishery, please ask yourself if your existing fishery has a lower harvest priority than a potential fishery in state waters.

As the organization which represents the largest number of trawlers in the North Pacific, we are concerned about the exclusion of trawlers from the proposed state fishery. Again, we are unaware of any justification for excluding a certain gear type from the proposed fishery which would not be the case if this were a Council action.

In closing, I ask you to oppose any proposal to establish a state managed fishery in Alaska until these issues are resolved. We regret that we must take this position but believe that had the normal federal plan development process been followed we could have addressed them along the way.

Sincerely,



Brent C. Paine  
Executive Director

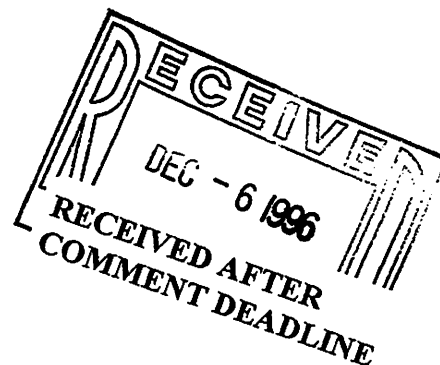
D-1a

Ouzinkie Tribal Council  
108 Third Street  
P. O. Box 130  
Ouzinkie, AK 99644

Tel. (907) 680 - 2259 or 680 - 2217, Fax (907) 680 - 2214

December 6, 1996

Honorable Tony Knowles Governor  
State of Alaska  
P.O. Box 110001  
Juneau, AK 99811



RE: State of Alaska Pacific Cod Fishery

Dear Governor Knowles,

Fishing has been a part of the Village of Ouzinkie since before recorded history. Our local fleet, despite the lack of a boat harbor, has participated in many of the winter fisheries. However, with the elimination of king crab and tanners, it has been harder and harder for Ouzinkie fisherman to make a living.

The federal codfish fishery, conducted primarily in January and February is particularly hard on our small local boats. There isn't much of a margin in codfish anyway and to try and fish when you lose more than half of the time to weather just isn't worth it. Consequently, the fisherman in our tribal council were happy to hear about the proposed State codfish fishery. If the fishery will allow smaller boats to be competitive and give people just starting out an opportunity in a new fishery, it's a good thing for Ouzinkie. We hope that the State will keep the fishery limited so that smaller vessels can compete.

We appreciate your efforts on behalf of villages such as Ouzinkie to provide additional fishing opportunities in State waters.

Sincerely,

A handwritten signature in cursive script that reads "Alex Ambrosia".

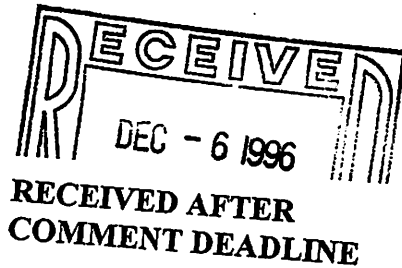
Alex Ambrosia, Tribal President

cc. Richard Lauber  
David Benton  
Bob Clasby



December 6, 1996

Honorable Tony Knowles, Governor  
State of Alaska  
PO Box 110001  
Juneau, AK 99811



RE: State of Alaska Pacific Cod Fishery

Dear Governor Knowles,

The Leisnoi Native corporation supports the State of Alaska's efforts to create a near shore codfish fishery. We believe this fishery will benefit our small vessel shareholders and will provide increased fishing income to our community. We understand that there has been opposition to this fishery by some trawler groups and large processors. Nevertheless, we encourage you and your administration to continue to fight to create a State managed codfish fishery in the Gulf of Alaska.

Leisnoi, Inc. believes that there are a number of steps the State could take to improve rural fishing opportunities and provide marine resource revenue to village communities throughout the Gulf of Alaska. The state should consider a near shore pollock fishery, it should explore CDQ's and it should pursue a near shore halibut allocation. An important first step however, has been the current proposed near shore State pacific codfish fishery. It is important that this fishery is limited by gear type and amount. As such, this is the first new fishing opportunity for small boat fishermen in many years. While this fishery will not solve the economic crisis many of our fishing stockholders face, it will help some of them generate sufficient income to stay in business as commercial fishermen.

Thank you again for your efforts to create the State managed pacific cod fishery.

Very truly yours,

LEISNOI, INC.

Bruce Robertson  
President

cc: Richard Lauber  
David Benton  
Bob Clasby



UNITED STATES DEPARTMENT  
National Oceanic and Atmospheric  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668

December 6, 1996

Richard B. Lauber, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501

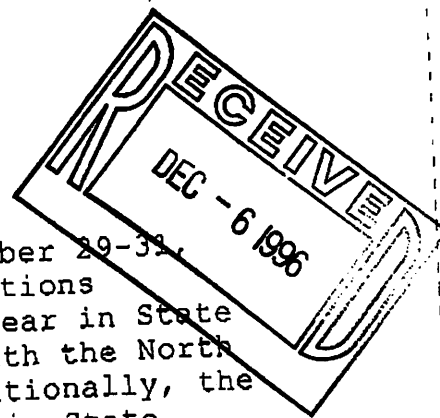
Dear Rick,

The Alaska Board of Fisheries (BOF), during its October 29-31, 1996, meeting in Wasilla, adopted a series of regulations establishing Pacific cod fisheries for pot and jig gear in State waters in the Gulf of Alaska without consultation with the North Pacific Fishery Management Council (Council). Traditionally, the State has conformed its management of cod fisheries in State waters to Federal management in the exclusive economic zone (EEZ) under the Council's Gulf of Alaska Groundfish Management Plan (FMP). The BOF's action would allow a Pacific cod fishery for pot and jig gear in State waters at a time when the cod fishery would be closed in Federal waters after the total allowable catch (TAC) is taken. The new BOF regulations include framework harvest specifications for Pacific cod that will be based on the Council's annual specifications for TAC and/or acceptable biological catch as follows:

Prince William Sound	= 25 percent of the Eastern Regulatory Area ABC;
Central Gulf	= 15 percent of the Central Regulatory Area ABC; and
Western Gulf	= 15 percent of the Western Regulatory Area ABC.

These amounts will be available only to vessels using pot or jig gear. Once these fisheries have shown that they can harvest the designated portion of the ABC, the BOF intends that the percentages in the Central and Western Gulf will be increased to 20 percent, and then subsequently to 25 percent. The BOF also adopted a series of other regulations, including registration areas and vessel size limits.

We are concerned about the process taken by the BOF to accomplish its Pacific cod management regime. The BOF apparently anticipated that the Council would adjust harvest amounts available in Federal fisheries in response to BOF actions.



Because the BOF took these actions unilaterally, choosing not to consult or work cooperatively with the Council in advance, the Council now must decide how to react to the Board's decisions. The Council, with the public, should evaluate the biological, economic, social, management and enforcement consequences of the BOF actions and determine whether these actions adversely affect the achievement of optimum yield as defined in the Gulf of Alaska FMP. Depending upon the Council's analysis and findings, the Council may be required to modify the FMP and/or implementing regulations, or to take other appropriate action. The Council certainly must consider reducing its TAC specifications for Pacific cod for 1997 and future fishing years if the BOF action stands and we are to avoid overruns of the acceptable biological catch.

However the Council may choose to react to these recent actions of the BOF, it ought to be clear that unilateral action in shared-management fisheries by the BOF, or by the Council for that matter, is simply not good business. In this regard, I would encourage the Council to invite the BOF to meet with the Council to discuss these recent actions and develop an understanding about how the two bodies will work together in the future to deal with issues of mutual concern and avoid this kind of problematic situation.

Sincerely,



Steven Pennoyer  
Administrator, Alaska Region



D-1a



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
 NATIONAL MARINE FISHERIES SERVICE  
 Alaska Fisheries Science Center  
 7600 Sand Point Way Northeast  
 BIN C15700, Building 4  
 Seattle, Washington 98115-0070

NOA - 9 1000

Mr. Brent Paine  
 United Catcher Boats  
 1900 W. Emerson Pl., Suite 212  
 Fishermen's Terminal  
 Seattle, Washington 98199

Dear Mr. Paine:

Thank you for your letter of November 27 in which you requested that we provide the North Pacific Fishery Management Council with information on the temporal and spatial distribution of the Gulf of Alaska Pacific cod stock relative to the 3 mile territorial sea boundary. Our biologists in the Resource Assessment and Conservation Engineering Division have initiated a project in cooperation with Alaska Department of Fish and Game to derive an estimate of the proportion of Pacific cod stock within state waters based on results of our triennial Gulf of Alaska bottom trawl surveys conducted during the summer. This time series began in 1984 with 1996 being the latest survey year. We have a limited number of trawl stations within the three mile zone but we need a digitized computer file of the 3 mile line to determine which stations fall within the zone and to measure the geographic area of this zone. Once we get this digitized data, then we can reanalyze our survey time series using the zone as a new strata to estimate the relative abundance of cod in the state waters. We would expect the estimate will have relatively high variance given the limited number of stations sampled inshore and high variability in catch rates for bays and inshore areas. At this moment, we cannot estimate when we can fulfill this request, but we would like to have the analysis available by the Council's February meeting. We will keep you posted on our progress. If you have any questions, please call Gary Stauffer (206-526-4170) or Eric Brown (206-526-4157).

Sincerely,

Jim Balsiger  
 Science and Research  
 Director, Alaska Region

cc: F/AK - S. Pennoyer  
 NPFMC - C. Pautzke ✓  
 F/AKC1 - G. Stauffer  
 F/AKC1 - E. Brown  
 F/AKC2 - R. Marasco



D-1a

Testimony on Board of Fish Actions  
Agenda Item D-1  
State Waters Groundfish Fishery  
Pacific Cod in the Central Gulf

to the  
North Pacific Fishery Management Council

Thank you Mr. Chairman, Councilmembers :  
I am Alvin Pedersen and I am Chairman of the Lake & Peninsula Borough Fisheries  
Advisory Committee and a Borough Assembly member.

In 1995 we participated in a State-waters Groundfish Conference with representatives of  
other Gulf communities and the ADF&G. This conference was to establish parameters of  
what we wanted in a state-waters groundfish fishery. In April of this year we submitted a  
proposal to the BOF and in October we testified before the Board requesting 3000 MT of  
cod for a pot and jig fishery limited to 58 ft. vessels and exclusive registration with  
salmon boundaries for Chignik. The Board decided on allocating the Chignik area 35%  
of 15% of the Central Gulf TAC.

To our fishermen, this is not a new fishery. Several boats have harvested cod in the past  
under Federal rules in State Waters. But now with the federal quotas being taken earlier  
they cannot participate. The reason the communities with small boat fleets in the Gulf  
have been prevented from fishing is because our small boats cannot fish during bad  
weather and meanwhile large boats out of other areas continue fishing and are able to take  
the TAC before we get good weather. Our historical catch rate has been undercut for this  
reason.

Our fishermen have seen large schools of P-cod inshore feeding on salmon smolt and  
juvenile crab over the past several years. Approximately 11% of the Federal biomass  
survey stations are within State Waters and we are not convinced that the biomass is  
adequately estimated within State Waters.

Few individuals in our communities qualified for IFQs for Halibut; and therefore we have  
been locked out of the Councils Groundfish fishery that many of us participated in. And  
with IFQs or other limits on the horizon for the rest of fisheries we felt it important to  
seek an allocation for our communities in P-cod. The NPFMC was obviously not the  
vehicle we could count on for addressing our needs.

Many of our communities on the Peninsula were established because of the cod fishery around the turn of the century. Many of us are mixed descendants of those who came to fish cod and those who already lived there. My Grandfather came over from Denmark and longlined off a dory on the South Peninsula clean around to Bristol Bay.

The Lake and Peninsula Borough communities consist of people who have lived on the Peninsula with a fishery that we've been cut out of by bigger boats that have come since the Magnuson Act Americanized the fishery. The NPFMC has not addressed the needs of the smaller vessels in the Gulf which have wanted to participate in the Pacific cod fishery. According to the National Marine Fisheries Service it is not the NPFMC's role to set a quota for the State Waters fishery. Therefore the Alaska Board of Fish has rightfully addressed the needs of the small boat fleet.

We understand that there is opposition to the action the Board took. However, the current participants are not the only fishermen who are entitled to fish and we have as much right as they do to participate at a meaningful level in harvesting Pacific Cod in the Central Gulf of Alaska.

The Alaska Board of Fisheries is a regulatory body just like the Council with its own process of addressing concerns. It is entirely within the State's rights to establish a fishery within its waters. I hope the Council respects the State Board of Fisheries regulatory process and recognizes that this is the beginning of establishing a working relationship with the Board in groundfish.

D 1a

## December 1996-Testimony for the North Pacific Fishery Management Council

Hello. My name is Megan Corazza, I am a senior at Homer High School. Kib Rogers, Mollie Williams, and I are enrolled in San Eller's Advanced Biology class. We have been researching the Board of Fishery proposed management plan for Pacific Cod in the Gulf of Alaska (GOA), which calls for the establishment of a 'state waters reserve.' More specifically, we have analyzed the effects of this plan on halibut bycatch mortality rates.

The most recent figures available to us were those from 1994, so all our statistics are based on the State of Alaska Bycatch Data from that year. Chart #1 shows how we mathematically determined the effect of this plan. In order to find the cumulative reduction in halibut mortality rates, we found what percentage of the total halibut mortality each gear type took in the GOA. Then using the percentages of the quota to be allocated to pot and jig fishers in the Eastern, Central, and Western Regions in the state waters reserve, determined how many halibut would be killed with and without the plan. To determine the mortality rate, we used the ratio of pounds of halibut mortality to metric tons of P.Cod harvest. As you can see, long line has the biggest ratio, followed by trawl, pot, and jig respectively.

Chart #1 shows that the total amount of Pacific Cod in the state waters reserve in 1997 would be 12,385 metric tons. If this amount were fished in the present manner, trawl would harvest 65%, long line would harvest 15%, and pots and jigs would harvest the remaining 20%. Multiplying these amounts by their respective mortality rates equals 487,312 pounds. This is the poundage representing the amount of halibut mortality resulting from the present management of what would be called the state waters reserve. If these P.Cod were left only to the pot fishers, whose halibut mortality rate is 1 lb/mt, there would be a total of 12,385 pounds of halibut mortality resulting from the harvest of the state waters reserve, which is a decrease of 474,927 pounds of halibut mortality. We continued our computations on through 1998, when the state water reserve would increase, and calculated that without the plan 644,635 pounds of halibut would die, compared to the 16,380 pounds that would die if the plan was implemented, a decrease of 628,255 pounds. In 1999, there would be 801,858 pounds of halibut killed without the plan. With there would only be 20,375 pounds, a difference of 781,483 pounds of halibut.

To give you a better idea of how halibut mortality rates differ by gear type in P.Cod fisheries, we have made a few graphs. Chart #2 shows the poundage of the total halibut mortality taken by trawl, long line, and pot fisheries in 1994. This graph also shows the difference between amounts taken by catcher vessels compared to catcher processor vessels.

The top graph on Chart #3 shows the percentage of the total Pacific Cod harvest taken by each gear type. Below it, the second graph shows that long line and trawl, even though they only catch 80% of the total P.Cod harvest, take 99.4% of the total halibut mortality, while pot fisheries take .6%.

The top Chart on #4 shows how many pounds of halibut would die as a result of each gear type catching 10,000 pounds of Pacific Cod. We found the average size of halibut observed as bycatch on catchers and catcher processors within each gear type, and determined the bottom chart on #4. This chart shows the actual number of halibut that would be killed if each gear type harvested 10,000 pounds of P.Cod.

Our last graph, Chart #5, shows the sum total of our research. This represents the cumulative halibut mortality resulting from the harvest of the P.Cod stocks that would be called the state waters reserve, both with the proposed management plan and with the present system of management. As you can see, in just three years, the implementation of the Board of Fisheries plan would decrease halibut mortality by 1,884,665 pounds.

**BOARD OF FISHERIES PACIFIC COD PLAN ANALYSIS ON HALIBUT MORTALITY**

	Western Gulf	Central Gulf	Eastern Gulf	Total
Proposed '97 ABC	28,500	51,400	1,600	81,500
% reserved in '97	15	15	25	
mt P.Cod reserved	4,275	7,710	400	12,385
% reserved in '98	20	20	25	
mt P.Cod reserved	5,700	10,280	400	16,380
% reserved in '99	25	25	25	
mt P.Cod reserved	7,125	12,850	400	20,375

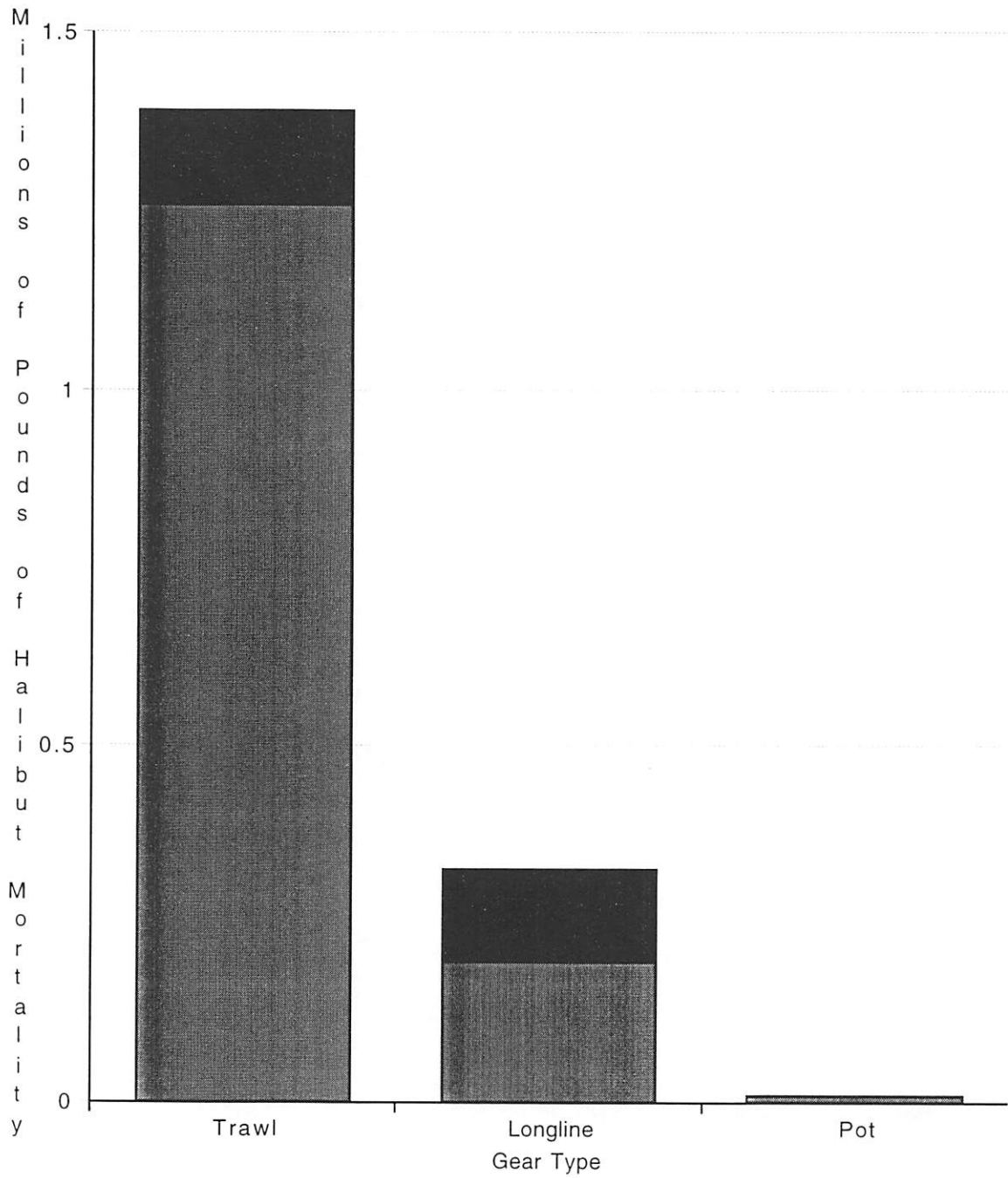
1997	Trawl	Longline	Pot	Total
% of harvest ('94)	65	15	20	
mt P.Cod harvested	8,050	1,856	2,477	12,383
bycatch mortality in lb/mt	48.7	50	1	
pounds of halibut killed	392,035	92,800	2,477	487,312
Total killed without BOF Plan				487,312
Total killed with BOF Plan				12,383
Total pounds of halibut saved by BOF Plan in 1998				474,929

1998	Trawl	Longline	Pot	Total
% of harvest ('94)	65	15	20	
mt P.Cod harvested	10,647	2,457	3,276	16,380
bycatch mortality in lb/mt	48.7	50	1	
pounds of halibut killed	518,509	122,850	3,276	644,635
Total killed without the BOF Plan				644,635
Total killed with BOF Plan				16,380
Total pounds of halibut saved by BOF Plan in 1998				628,255

1999	Trawl	Longline	Pot	Total
% of harvest ('94)	65	15	20	
mt P.Cod harvested	13,244	3,056	4,075	20,375
bycatch mortality in lb/mt	48.7	50	1	
pounds of halibut killed	644,983	152,800	4,075	801,858
Total killed without BOF Plan				801,858
Total killed with BOF Plan				20,375
Total pounds of halibut saved by BOF Plan in 1999				781,483

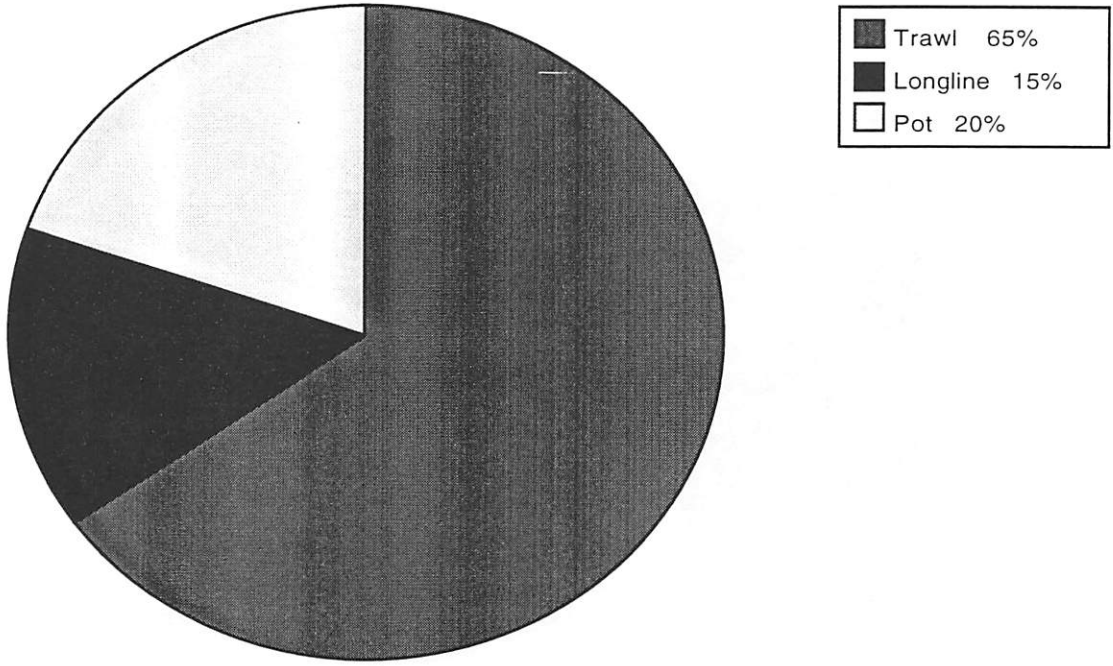
**Total lbs of halibut saved by BOF Plan through 1999 1,884,667**

Total Halibut Mortality by Pounds in 1994 Pacific Cod Fisheries in the Gulf of Alaska

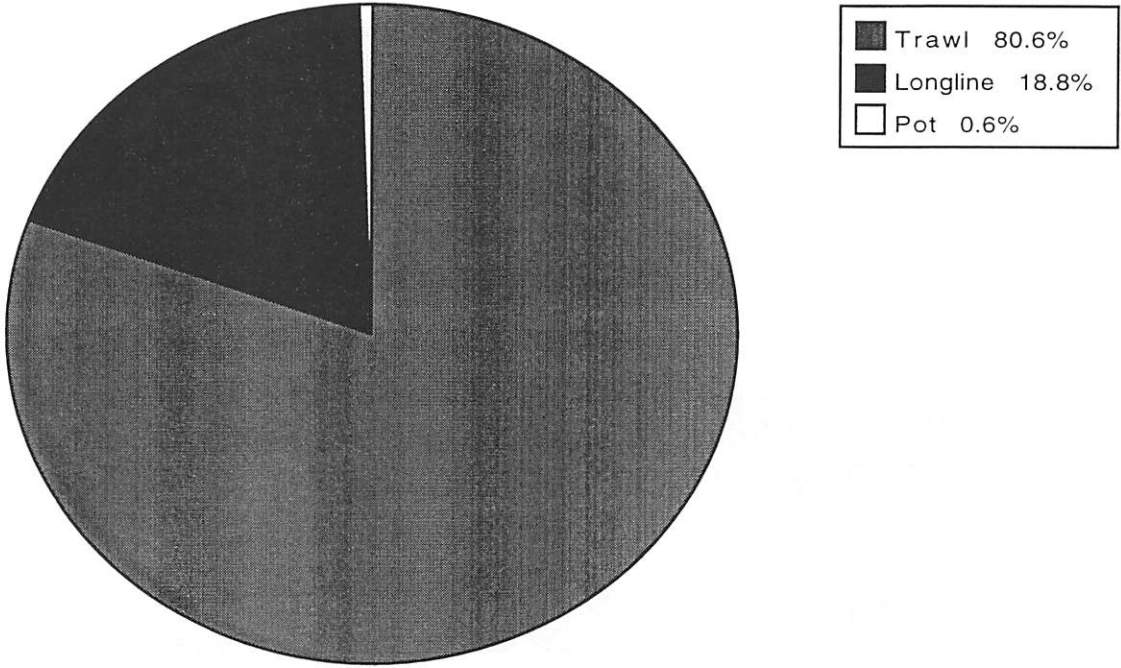


■ Catcher Vessels  
■ Catcher Processor Vessels

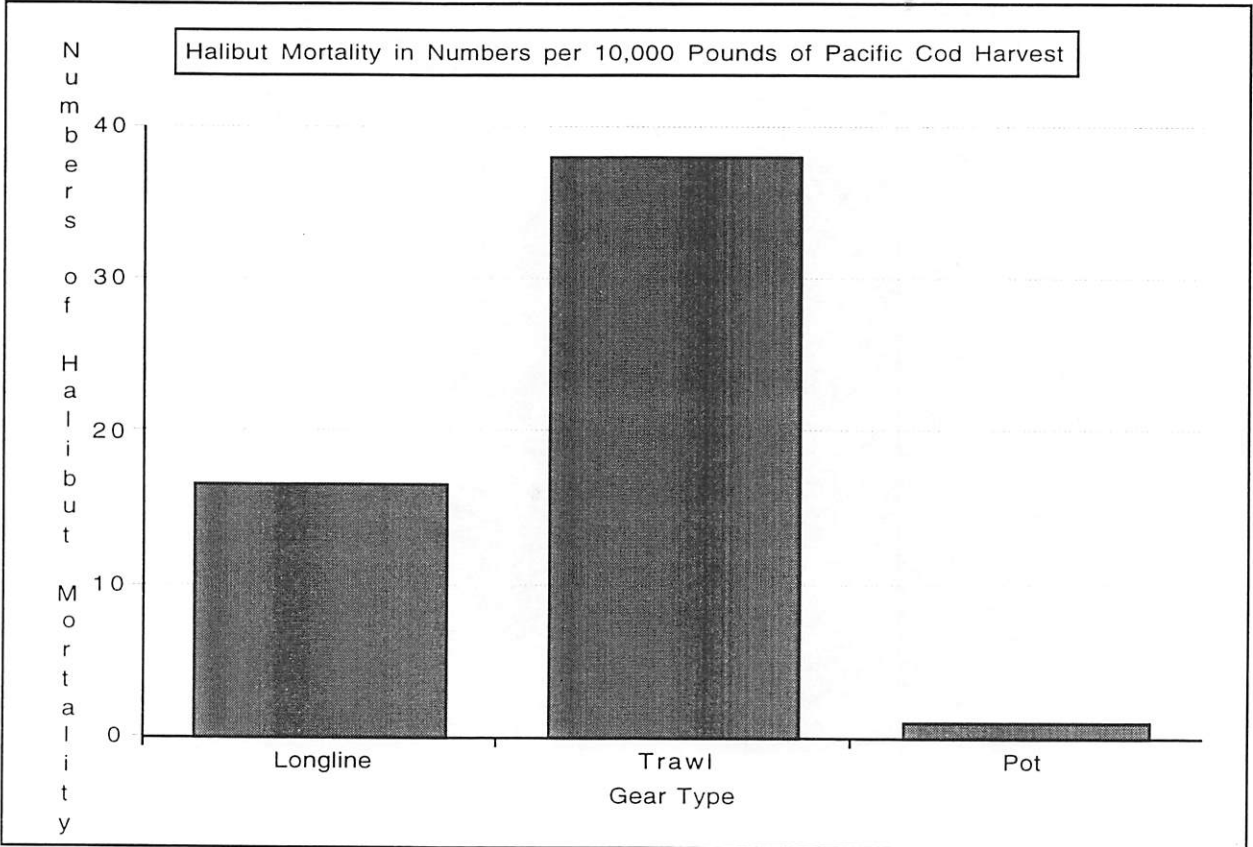
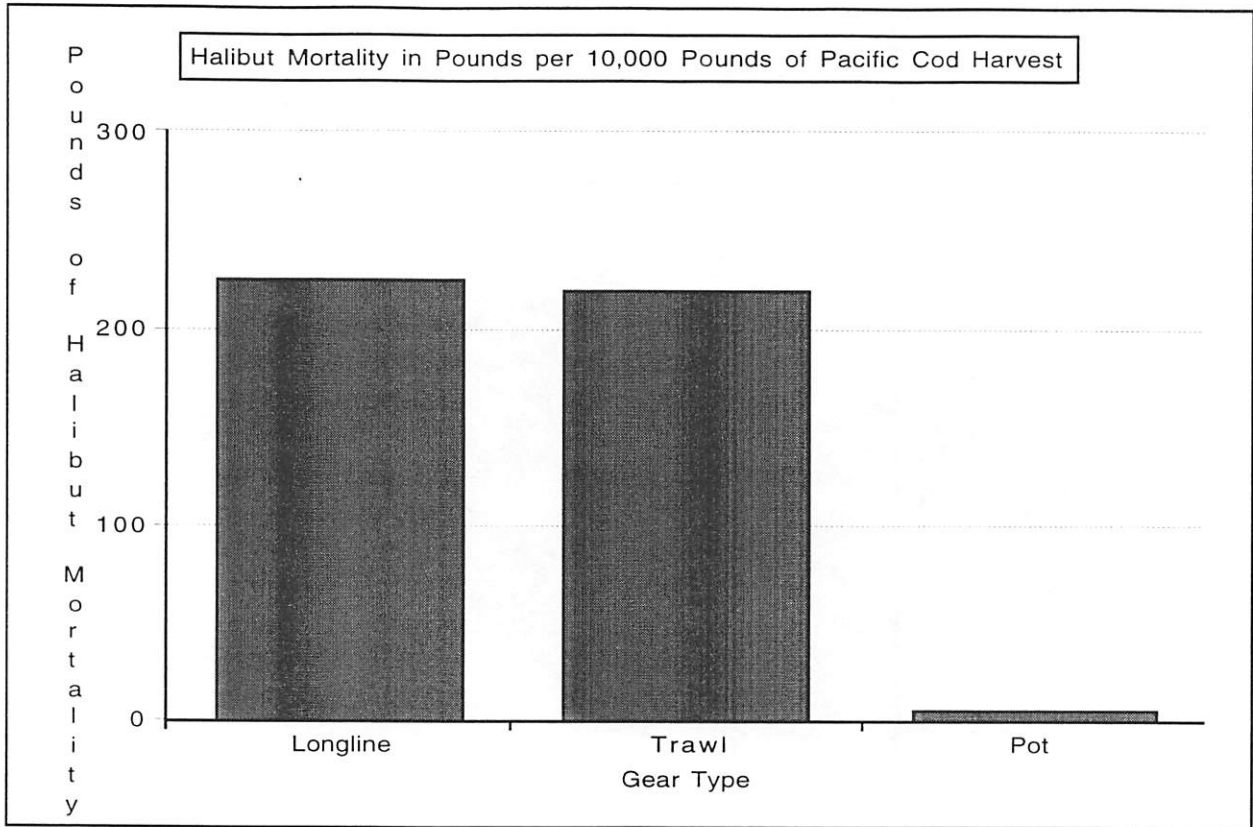
Total 1994 Pacific Cod Harvest in the Gulf of Alaska

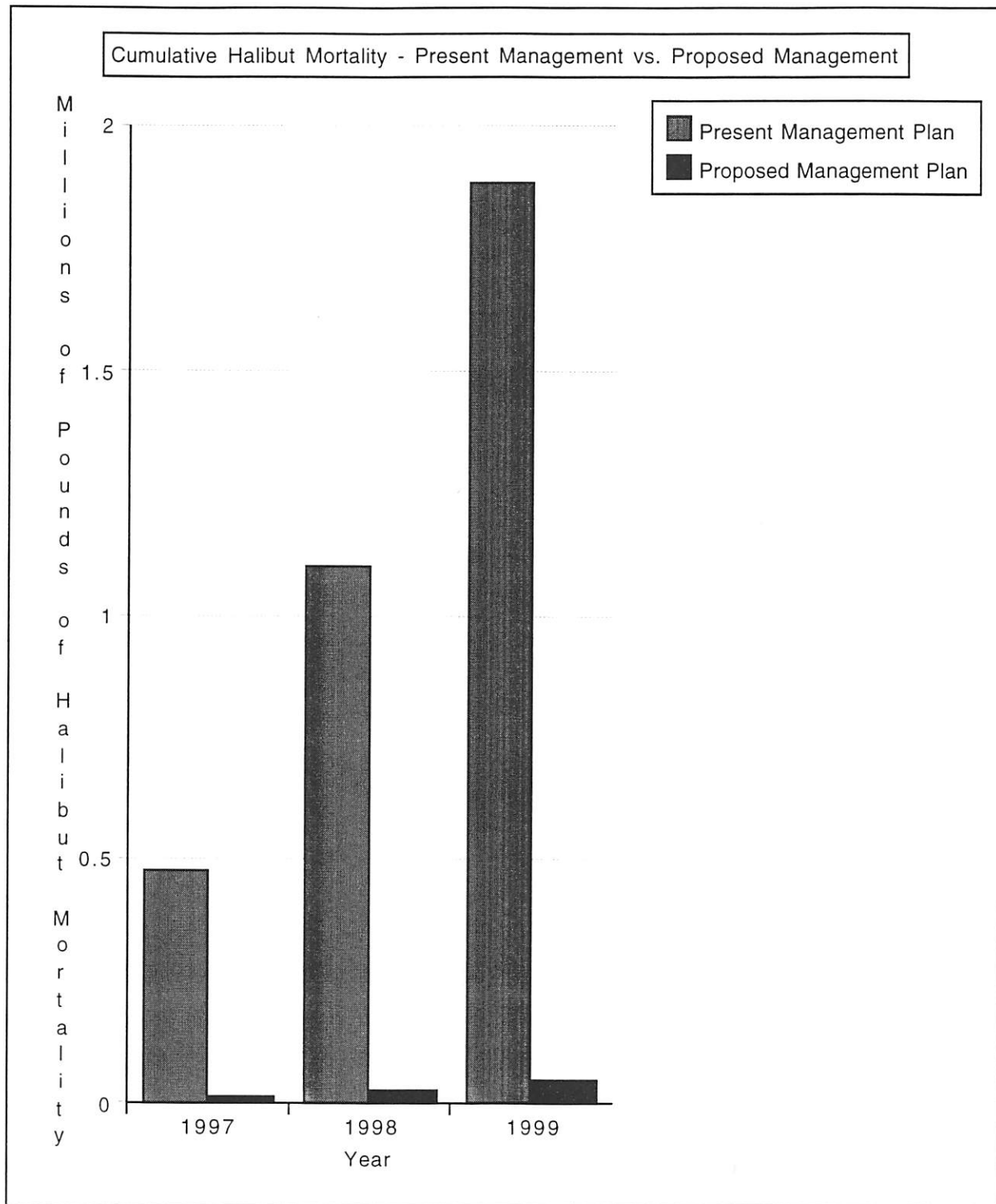


Total 1994 Halibut Mortality taken in Pacific Cod Fisheries









**\*\*Proposed Management Plan Decreases Halibut Mortality Figures by 1, 884, 665 lbs.**

RESOLUTION 96-103(A)

A RESOLUTION OF THE CITY OF HOMER, ALASKA SUPPORTING THE NOVEMBER 1996 DECISION BY THE ALASKA BOARD OF FISHERIES TO ESTABLISH A FISHERY MANAGEMENT PLAN FOR PACIFIC COD IN THE STATE WATERS OF COOK INLET.

WHEREAS, the City of Homer has a diverse local fleet engaged in fisheries; and

WHEREAS, the City of Homer has experienced a decrease in local fleet activity and processor closures; and

WHEREAS, the City of Homer encourages management that would provide expanded opportunity for local fleets, year round harvest and employment; and

WHEREAS, the City of Homer recognizes the need to manage near coastal fisheries on a long term sustainable basis; and

WHEREAS, the City of Homer encourages management of fishery resources to maximize quality and value of the product; and

WHEREAS, the City of Homer supports fishery management that will protect non-target species and prevent habitat damage; and

WHEREAS, the City of Homer requests that groundfish management prevent localized depletions; and

WHEREAS, the City of Homer supports management that will maximize groundfish fishery benefits to the local communities.

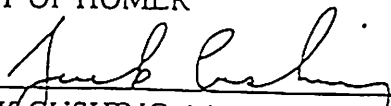
NOW, THEREFORE, BE IT RESOLVED that the City of Homer supports the November 1996 decision by the Alaska Board of Fisheries to establish a fishery management plan for Pacific cod in the State waters of Cook Inlet which incorporated the above listed principles.

BE IT FURTHER RESOLVED that the City of Homer will communicate its support to the Board of Fisheries, the North Pacific Fisheries Management Council, the State Legislature, the congressional delegation, and all the coastal communities directly affected by this management plan.

BE IT FURTHER RESOLVED that the City of Homer sends a Councilmember to the North Pacific Fisheries Management Council to present this resolution. *(Amendment) made @ 11-25-96 mtg.*

PASSED AND ADOPTED by the Homer City Council this 25th day of November, 1996.

CITY OF HOMER

  
JACK CUSHING, MAYOR