

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke  
Executive Director



ESTIMATED TIME 4 Hours for all D-2 items
------------------------------------------------

DATE: November 20, 1995

SUBJECT: BSAI Pacific cod allocation.

**ACTION REQUIRED**

- (c) Give staff direction on analysis of Pacific cod gear allocations in the BSAI.

**BACKGROUND**

Pacific Cod Allocation

Amendment 24 was implemented in January 1994 with a 3-year sunset clause. This amendment allocates two percent of the BSAI Pacific cod TAC to jig gear, 44 percent for fixed gear (H&L and pot), and 54 percent for trawl gear. The amendment also provides for seasonal apportionment of the fixed gear allocation, as well as a provision allowing the NMFS Regional Director to reallocate in-season any unused TAC allocation from one gear group to another. Regulations implementing a Pacific cod allocation will expire on December 31, 1996. Catch of Pacific cod by gear type is shown by the table below (1995 catch through 11/11).

		<u>Catch (mt)</u>	<u>% of Total</u>
1994	Trawl	100,461	51.1
	H&L	87,139	44.3
	Pot	8,236	4.2
	Jig	732	0.4
	<b>TOTAL</b>	<b>196,568</b>	<b>100.0</b>
1995	Trawl	118,871	51.2
	H&L	94,162	40.5
	Pot	18,782	8.1
	Jig	557	0.2
	<b>TOTAL</b>	<b>232,372</b>	<b>100.0</b>

If the Council wants to proceed with some type of rollover analysis, they can provide staff with direction at this meeting. For reference, the executive summary from the original analysis is attached as Item D-2(c)(1). Proposals and correspondence received on cod allocations during this year's annual cycle are also attached (Item D-2(c)(2)).

## EXECUTIVE SUMMARY FOR BSAI AMENDMENT 24

### ALLOCATING THE PACIFIC COD TAC BY GEAR AND/OR DIRECTLY CHANGING THE SEASONALITY OF THE COD FISHERIES

#### BACKGROUND

With the exception of sablefish, no BSAI groundfish TAC is allocated explicitly by gear. At its January 1992 meeting, the Council asked staff to prepare an amendment package that included alternatives to establish fixed allocations of the Pacific cod TAC by gear. The Council's request was, in part, the result of a proposal it received from the North Pacific Fixed Gear Coalition that proposed that fixed gear operators be given preferential access to certain groundfish species in the BSAI.

At the September 1992 meeting, the Council reviewed the preliminary analysis of allocating the BSAI Pacific cod TAC among gear types. Based in part on deficiencies that were discussed in the initial Draft, the AP and SSC recommended that those deficiencies be eliminated and that a revised draft be prepared. The Council accepted these recommendations, asked that the revised draft include an analysis of alternatives designed explicitly to change the seasonality of the cod fisheries, and asked that the revised draft be available in time for the Council to decide at its April 1993 meeting whether to release it for public comment.

A Council review draft was prepared by a staff analytical team in response to the direction provided by the Council in September. It provided an evaluation of the efficacy and the potential biological and socioeconomic impacts of establishing a fixed allocation of the Pacific cod TAC by gear and/or explicitly changing the seasonality of the cod fisheries. After reviewing that draft in April, the Council: (1) developed a problem statement for Amendment 24; (2) stated that unless the Council was presented with substantial consensus among major industry components, it would be unlikely to take any action on this amendment; and (3) voted to have the draft released for public review after it is modified both to address jig gear and to include 1993 data to the extent possible.

At its June 1993 meeting, the Council adopted a preferred alternative for the allocation of the Pacific cod TAC among vessels using trawl, jig and hook-and-line or pot gear. The Council also recommended that the amount of Pacific cod allocated to vessels using hook-and-line or pot gear be seasonally apportioned among trimesters. A discussion of the Council's preferred alternative is presented in Section 1.6 of this document.

#### PROBLEM STATEMENT

Alternatives to establish explicit allocations by gear and/or to directly change the seasonality of the cod fisheries are being considered because the existing authority to establish PSC allowances by fishery and season may not be adequate to address the following problem statement developed by the Council at its April 1993 meeting.

The Bering Sea/Aleutian Islands Pacific cod fishery, through overcapitalized open access management, exhibits numerous problems which include: compressed fishing seasons, periods of high bycatch, waste of resource, gear conflicts and an overall reduction in benefit from the fishery. The objective of this amendment is to provide a bridge to comprehensive rationalization. It should provide a measure of stability to the fishery while allowing various components of the industry to optimize their utilization of the resource.

## ALTERNATIVES

Two types of changes are being considered. They are:

1. establishing explicit allocations of the BSAI cod TAC either among the trawl, longline, jig, and pot groundfish fisheries or among groups of these fisheries; and
2. directly changing the seasonality of the BSAI cod fisheries by:
  - a. changing the fishing season for Pacific cod from January 1 - December 31 to September 1 - August 31; and/or
  - b. establishing an explicit distribution of the cod TAC among the following trimesters: January - May, June - August, and September - December.

The fishing season can be changed with a regulatory amendment. The other changes would require an FMP amendment. The Council can consider making one, both, or neither of these two types of changes.

With respect to establishing explicit allocations by gear, the options considered range from only bycatch amounts of cod for the trawl fisheries to only bycatch amounts of cod for the longline, jig, and pot fisheries. Based on 1992 data, the range of allocations of the cod TAC to the trawl fishery would be from between 20.6% and 23.3% to over 99%.

Three processes are being considered for changing the seasonal allocation once it is established. They are:

1. an FMP amendment;
2. a regulatory amendment, and
3. a framework that could be used annually.

Although the problem being addressed is the potential of a suboptimal allocation of the cod TAC among fisheries and seasons, and although a market solution, such as the use of individual transferable quotas (ITQs), may be expected to provide a better long term solution to this problem, ITQs are not being considered as an alternative at this time. This alternative was not suggested by those who have asked for explicit allocations, it was not identified as an alternative by the Council, and it is a sufficiently complex alternative that it could take several years to develop and implement.

## SCHEDULE

The tentative schedule is as follows:

May 1993	Release draft for public review
June 1993	Final Council action on Amendment 24

- |                |                                                                                                                                                                     |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| September 1993 | Implementation of FMP and regulatory changes recommended by the Council and approved by the Secretary with an Emergency Rule (ER) if the criteria for an ER are met |
| January 1994   | Implementation of FMP and regulatory changes recommended by the Council and approved by the Secretary without an Emergency Rule.                                    |

## ISSUES CONSIDERED

The summaries of the biological, economic, and social analyses of the alternatives are presented in Chapter 4 by topic. Many of the summaries are based on information contained in Chapters 2 and 3 and Appendices A - I. Due to the large number of topics that were addressed, this executive summary includes an outline of the topics but not topic summaries.

- A. **EXPECTED EFFECTS ON THE BIOLOGICAL PRODUCTIVITY OF THE BSAI COD RESOURCE**
  - 1. Effect on yield per recruit
  - 2. Effects on stock size and equilibrium yield
  - 3. Effects on spawning success
  - 4. Effect on the ability to monitor successfully the attainment of the TAC
  
- B. **OTHER BIOLOGICAL EFFECTS**
  - 1. Expected Effects on Marine Mammals and Seabirds
  - 2. Impacts of Trawling on the Seabed and Benthic Community
  - 3. Expected Effects of Changes in the Bycatch of Prohibited Species
  
- C. **EXPECTED EFFECTS ON COASTAL COMMUNITY STABILITY**
  - 1. Seasonal stability
  - 2. Levels of economic activity associated with the three cod fisheries
  - 3. Short term economic viability of the three cod fisheries
  - 4. Long term economic viability of the three cod fisheries
  
- D. **HISTORICAL USE OF THE COD FISHERY**
  - 1. Summary of Cod Catch by Gear
  - 2. Summary of Cod Catch by Fishery

- E. CURRENT DEPENDENCE ON THE COD FISHERY
- F. EXPECTED EFFECTS ON ECONOMIC BENEFITS TO THE NATION
- G. LIMITATIONS OF THE ESTIMATES OF NET BENEFITS PER METRIC TON OF COD CATCH (ANB) BY FISHERY AND TRIMESTER
- H. IMPLICATIONS OF ANB ESTIMATES BASED ON VARIABLE COST MODEL 2 AND THE HIGHER ESTIMATES OF THE COST OF PROHIBITED SPECIES BYCATCH
- I. AN OPTIMAL SOLUTION WITH RESPECT TO NET BENEFITS FROM THE COD FISHERIES
- J. EXPECTED DISTRIBUTION EFFECTS
- K. OTHER TYPES OF EFFECTS
  - 1. Expected Effects on Consumers
  - 2. Expected Effects on Competitiveness of the US Fishing Industry
  - 3. Expected Effects on Reporting, Management, Enforcement, and Information Costs
  - 4. Differences in the Quantity and Quality of Biological Data from the Cod Fisheries
  - 5. Gear Conflicts and Vessel Safety
  - 6. Effects on Other Fisheries
  - 7. Fairness and equity
- L. ATTAINMENT OF OY WITH EXISTING PSC LIMITS
- M. DIFFICULTIES ASSOCIATE WITH CHANGING THE FISHING YEAR FOR PACIFIC COD TO SEPTEMBER - AUGUST
  - 1. Exceed cod TAC and cod fishery PSC allowances in transition year.
  - 2. Options to have a cod TAC and cod fishery PSC allowances in place by September
    - 1. The options are:
      - a. change the schedule for establishing the cod TAC and PSC allowances or

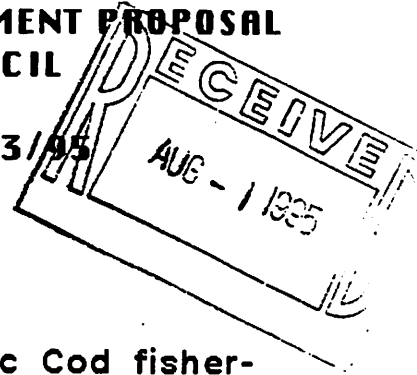
- b. change the date and process for establishing an interim cod TAC and associated PSC allowances.

- N. OPTIONS FOR CHANGING THE ALLOCATION OF THE COD TAC AMONG TRIMESTERS ONCE THE INITIAL ALLOCATION HAS BEEN ESTABLISHED
- O. BENEFITS OF EXPLICIT ALLOCATIONS BY FISHERY WITH RESPECT TO ESTABLISHING OPTIMAL SEASONS FOR EACH FISHERY
- P. ALLOCATING THE TAC BY TRIMESTER AND CHANGING THE COD FISHING YEAR TO SEPTEMBER - AUGUST

**GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL**

**DAVID HILLSTRAND  
BOX 1500  
HOMER, ALASKA 99603  
(907) 235-8706**

Date: 7/3/95



**Fishery Management Plan: Gulf of Alaska, Pacific Cod fisheries.**

**Brief Statement of Proposal:** Percentages of the Quota will be allocated to each gear type that fishes the GOA such as the BS/AI. Trawl 40%, Hook&line 20% and Pots 40%. The quota is steady at about 55,000 metric tons; that will result in 22,000 MT for Trawl 22,000 MT for Pot gear, and 11,000 MT for long line gear.

**Objectives of Proposal:** To encourage the vessels to switch to cleaner gear types. Prolong the seasons for safety and increased prices; in that we will have an increase in fresh Cod on the market over a longer period of time, with increased quality by having smaller catches. Reduce bycatch rates of Halibut. Preserve habitat by reducing trawling over the bottom. Ssetiment resettles after being stirred upon vegetation, unknown affects from groves as shallow as 3" to 3' deep after trawling has occurred.

**Need and Justification for Council Action: (Why can't the problem be resolved through other channels?)** The NPFMC regulates the fishery, and the industry will not do it itself. This is needed before any further ITQ system can be put in place; to ensure that vessels have a catch record that will support their operations.

**Foreseeable Impacts of Proposal: (Who wins, who loses?)**

Vessels that are use to large volumes of product at low prices to support their operations will be the ones that lose; so it would seem at the start. Those who benefit are those who fish the cleaner gear types, the resource will benefit in that there will be lest waste. Habitat will be preserved from decreased use. The trawl fleet will lose in their current production by 12,000 mt tons; from last years catch records. The pot gear production will increase in the years ahead, taking more of it anyway if nothing is done.

**Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way to solving the problem?** ITQ's in 92,93,94 this would solve the race for the fish; but would create an instant unfair allocation of the resource; causing economic hardship for the vessels that only fish one area such as the GOA or that just entered the fisheries, or are limited in their abiltiy because of weather.

This is why we need limited entry first with management tools that protect those who are economically dependent in each area before ITQ's are implemented. This splits the fleet up into the gear types that they rely upon for economic survival; this will give them a catch record that supports their operations!

**Supportive Data & Other Information: What data are available and where can they be found?** NMFS catch records, observer data on bycatch rates. The recent amendment to the Magnuson Act requiring the NPFMC to clean up bycatch.

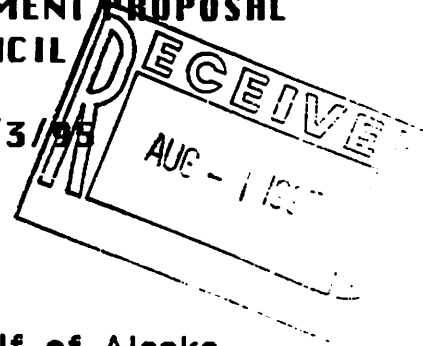
**Signature:**



**GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL**

**DAVID HILLSTRAND  
BOX 1500  
HOMER, ALASKA 99603  
(907) 235-8706**

**Date: 7/3/95**



**Fishery Management Plan: Pacific Cod in the Gulf of Alaska.**

**Brief Statement of Proposal:** No directed fisheries for Pacific Cod will be allowed with trawl gear in the GOA. Only a reserved portion of the Pacific Cod will be allowed for the trawl gear to execute other established fisheries; such as Flat fish.

**Objectives of Proposal:** To clean up by catch of Protected Species, and create economic stability in the GOA.

**Need and Justification for Council Action: (Why can't the problem be resolved through other channels?)** People do not want to change themselves; so the Council is needed to implement the law; such as the Magnuson act is requiring us to do so!

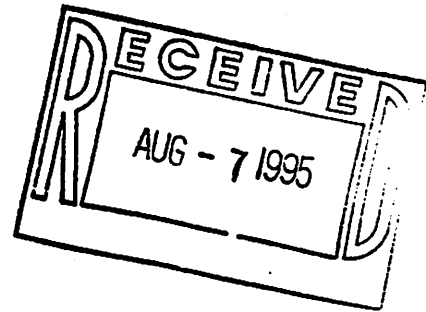
**Foreseeable Impacts of Proposal: (Who wins, who loses?)** Those who will fish with the proven gear type; Pots to harvest P. Cod, will win. Those who do not want to change gear types will lose. The foreseeable impact will be better prices, reduced by catch, and longer seasons. There is plenty of crab gear around from reduced pot limits, and most trawlers have crab pots. Not many pots are needed to catch and harvest cod 75-150 support most all vessels. The trawl fleet will lose in acquiring additional debt for pots, they will have to work harder; for trawling is the easiest of all the gear types; yet has the greatest bycatch of PS. The resource will win and our nation will win with a higher quality product.

**Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way to solving the problem?** None, the observer data is in we have proven which gear type is cleaner. 25% of the Quota is harvested with pots already in the GOA, and will continue to increase in the next year, and years ahead. The trawl vessels would add to the effort also. The crab seasons are becoming shorter; leading to increased effort from pot gear. The weather has hampered the small pot P. cod fleet if they were allowed an extended season their catch would increase also.

**Supportive Data & Other Information: What data are available and where can they be found?** NMFS catch records, an Observer data collected.

**Signature:**

**DAVID HILLSTRAND  
BOX 1500  
HOMER, ALASKA  
(907) 235-8706**



**NPFMC Richard Lauber  
No directed trawl fisheries for P. Cod**

**1. How much P. Cod is needed for other directed fisheries.**

- a. 1993 7,200 mt.    1994 3,326 mt.    1995 3,300 mt.
- b. reserve 5,000 mt. of P. Cod for the fisheries that can only be harvested with trawl gear. This will ensure that the species that can only be fished with trawl gear economically are caught.

**2. 500 mt. of Halibut Bycatch can be used for other directed fisheries that are being under harvested.**

- a. Shallow water Complex    29% of total TAC
- b. Flat head Sole            47% of total TAC
- c. Deep water Complex       47% of total TAC
- d. Dover Sole                47% of total TAC
- e. Rex Sole                    47% of total TAC

**f. 2000 mt. of halibut bycatch is used for the harvest of all species for the trawl fisheries. 500 mt. would be 25% more bycatch that would enable the trawl fisheries to harvest species that are under harvested.**

**3. The discards alone in the P. Cod fisheries for the 1995 season are;**

- a. 2,842,000 million pounds. Pot gear does not have a noticeable discard rate, nor does H&I.
- b. This is a direct loss to the industry and Nation.
- c. The Magnuson Act requires the NPFMC to clean up bycatch where it can; the P. Cod fisheries is one place to do so!

4. The P. Cod quota can be harvested with pots.
  - a. the quota is 50,000 mt- 65,000 mt; with 50,000 mt being the average.
  - b. 5,000 mt reserved for other directed trawl fisheries.
  - c. 20% or 10,000 mt for the Hook and Line fisheries beginning the same time as the Directed Sable fish/halibut fisheries; March 15th. Smaller H&L vessels are not able to participate as much in January through February because of the weather. It is recommended that this % be set aside for them. Also they would have a harder time fishing pots compared to the Trawl fleet.
  - d. This leaves 35,000 mt. of P. Cod that is set aside for the Pot Cod fisheries.
  - e. 15,122 mt. is already taken by the directed Pot cod fisheries. Leaving 19,878 mt.
  - f. Increased effort will be added by the vessels that trawl during the first part of the year.
  - g. Smaller pot cod vessels will have a better chance at the quota; by it being extended and slowed down.
  - h. Vessels that enter from the Bering Sea will have to fish with pots. Which will keep more of the quota for P. Cod being delivered to the GOR and its Local communities.
  - i. We are not saying individuals can not fish any longer; but we are telling them how they can fish! For the local communities it is in their best interest to adapt to the change.

5. The price per pound is greater for Pot caught Cod than trawl.

- a. Trawl .15-17 cents depending upon if it is bleed or unbleed.
- b. The Pot price per pound is .20-.30 cents, but averaging .25 cents delivered.
- c. Some vessels have developed their own markets and are receiving up to .75 cents per pound, minus boxing and handling.

- 6. Habitat destruction will be reduced by reducing the time that trawl gear is allowed on the bottom.**
- a. Sediment is stirred and resettled upon the vegetation and plant life; causing habitat loss.**
  - b. Groves and trenches as shallow as 3" and as deep as 3' have been recorded.**
  - c. Unknown affects upon crab stocks and to crab that are buried in the mud.**

- 7. For bycatch of crab it is recommended that areas be closed to both Trawl and Pot gear. Such as in Cook Inlet; Kachemak Bay and Kamishak Bay. Both gear types catch crab in areas of high bycatch.**
- a. Trawl gear does not fish in areas that are closed; this is why they do not have the high bycatch as they have had in the past. These are areas that the pot gear fish and this is why we are seeing high crab bycatch in the pot fisheries. Yet we are seeing the extraction of Cod with the least mortality of crab. A 2-1/2" slat or opening on the bottom of a pot may be the answer.**
  - b. Gear that is fished fast with less of a soak time has less of a crab bycatch. Reducing the pot limit may help also.**
  - c. The mortality is minimal with pots but the NPFMC should take action in areas of high crab bycatch; such as Al Kimpker in Homer at ADFG has. Until Pot gear can be fined tuned to eliminate crab bycatch.**

**8. Catches will vary starting in January through February; but remain steady. They then increase in Catch Per Unit along with increased effort from the Bering Sea crab fleet; The catch records show a steady catch from the beginning of the year to the closure, for the crab fleet so the effort is not that great. The Bering Sea trawl fleet brings in the most effort, if trawling was stopped as of February 21st each calendar year and only pots, Jig and H&L were to continue the fishery would be slowed down and create stability.**

With out having exclusive registration, or reduced trawling time the quota and fisheries will continue to be consumed in a short period of time. Chris Blackburn's idea may be the best here with a % of the quota caught at different times of the year. Be careful to not exclude pot vessels and small long liners that can not fish because of weather in a % of the quota at different times of the year.

9. A % of the P. Cod quota being allocated to the different gear types may be a way to proceed, but it would lock in a historic catch that might not represent what should happen or be in the best interest for the fishery. I would recommend 15%-20% for the H&L and the remainder split between the Pot and Trawl 80-85% 40-42.5% This is not the historical catch of each gear type. But it will slow the fisheries down.

It has been argued that a % to the pot gear will not lead to a stable supply of fish. We have only seen the seasons shut down because of the TAC being caught, so we have no way of knowing if we would not have the effort. We will have the effort if the quota remains! The catch may drop off for a while as the Cod move to Spawn and after they spawn. But it would be just a matter of relocating the Cod.

A serious effort is needed here I encourage the State of Alaska to take a strong stand as our Senator Mr. Ted Stevens has in the Magnuson Act. Clean up bycatch, preserve habitat and ensure that we have a resource for future generations. The Gulf of Alaska is important to clean up because of it economic support to Alaska. It is our back yard so to speak.

Continuing to allow bycatch and to not maximize unused species, and allowing local communities to not see economic stability is wrong.

**David Hillstrand**

**GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL**  
**North Pacific Fishery Management Council**

Name of Proposer: CHARLES LEWIS

Date: Aug 1st 95

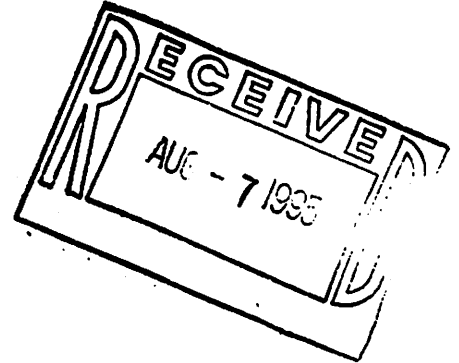
Address: Box 2302  
KODIAK AK. 99615

Telephone: 907-486-2291 (message)

Fishery Management Plan:  
GULF OF ALASKA COD FISH

Brief Statement of Proposal:

2% OF TAC  
FOR JIG FISHERMAN



Objectives of Proposal: (What is the problem?)

No opportunity to fish cod in summer  
while fish close + weather good.

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?)

Council HAS power to allocate 2% TAC

Foreseeable Impacts of Proposal: (Who wins, who loses?)

LOSERS: BIGGER BOATS  
NON ALASKANS  
WINNERS: SMALLER BOATS  
LOCAL VILLAGE FISHERMAN

Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?

Alternate solution (for Kodiak) would be to give  
2% to state waters specifically for jig fishers  
(if this is possible)

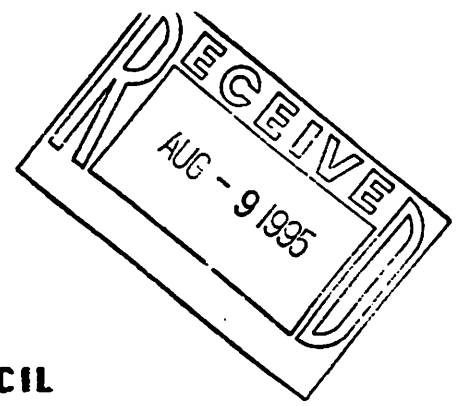
Supportive Data & Other Information: What data are available and where can they be found?

Please allow me to address the council  
I'm sure they appreciate my argument + facts I

Signature: could present at that time thank you

Charles Lewis

**DAVID HILLSTRAND  
BOX 1500  
HOMER, ALASKA 99603  
(907) 235-8706**



**NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL  
ATTENTION: RICHARD LAUBER**

**ADDRESSING a percentage for each gear type in the gulf of Alaska, and gear conflicts.**

**Gear conflicts have recently arisen between the trawlers and the pot gear types for pacific cod. I do not know if any of the council members have been threatened by having their gear run over and lost but if you have you would be able to understand the need to control and slow down the fisheries between the gear types. After your gear has been trawled over and lost it is very expensive to replace it; between \$650.00-\$750.00 a pot, along with the lost fishing time. It is also very hard to prosecute an offender even with video tapes and recorded conversions over the radio; which have included threats.**

**Here is a copy of the GROUND FISH regulations and a letter from the United States Department of Commerce; National Marine Fisheries Service which clarify the law. See attached #1**

**The grounds are some what limited so the need to separate the gear types is needed.**

**It has been argued that the trawl industry would give the pots and H&L their historical average of catch for their percentage. The H&L have averaged 12%-19% having their % at 20% is a fair allocation. The weather and the quotas being caught by the end of March have restricted their catch record. The Pot gear has averaged 12%-19% giving 40% to the pot fisheries would be greater than their historic catch. See attached #2.**



In 1995 the pot gear catch was 15,122 metric tons. When the season was shut down there was still 6,800 mt. of P. Cod remaining, I am sure that each year there has been a remainder. That would have given 21,122 mt. to the pot fishers which the Trawlers could have fished by just putting on pots. Almost 25% of the quota was caught by the pots this year. The increase of catch from a historic 12%-19% to 25% leads to the evidence that pots can and will take more of the quota given the right circumstances; this is not to mention that the trawlers can switch gear types after the trawl closure. The NPFMC has to take action because of the fact that pots are the cleanest gear type used and were ever the NPFMC can encourage their use it is recommended!

Most of the H&L vessels have a hard time fishing because of weather. The smaller pot vessels have the same problem; which are located in the small communities of Kodiak, Homer, Seldovia, and Prince William Sound. The larger crab vessels that fish in the Bering Sea or use to fish in the GOR for crab are able to enter this fisheries after the Opilio season. If it had not been for the increased quotas it would have been hard for them to produce the fish they have in the recent years. If the season were to go longer they would have keep on producing bring up the pot cod catch.

The P. Cod fisheries is managed mostly for the trawl fisheries, with a % reserved on top of there catch for bycatch. The other gear types are not having fair access to the quota! If there were allowed to have a fair access their catches would increase along with bycatch being reduced.

Signature:



**GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL**  
**North Pacific Fishery Management Council**

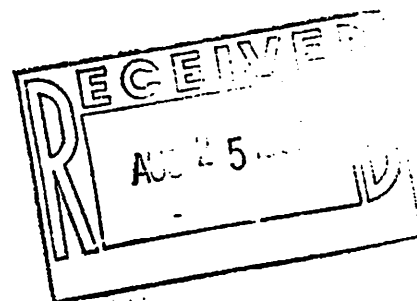
**Name of Proposer:** Ron Briggs

**Date:** 8/25/95

**Address:** 1548 Wagon Road  
Toledo, OR 97391

**Telephone:** (503) 336-5548

**Fishery Management Plan:** BSAI Groundfish Plan



**Brief Statement of Proposal:**

Increase fixed gear share of the annual BSAI Pacific cod TAC from 45% in 1995 to 55% in 1996 and to 65% in 1997.

**Objectives of Proposal: (What is the problem?)**

Halibut mortality continues to be a chronic problem in the BSAI fisheries. Fixed gear in the Pacific cod fishery has much lower halibut discard mortality rates (pots @ 8% and longlines @ 11.5%) than trawl gear (@ 65%) does. The current 45%:55% TAC-split favors the gear type with the highest mortality rate. This policy promotes halibut mortality rather than halibut conservation, which improves the odds of harvesting all BSAI groundfish TAC's.

**Need and Justification for Council Action: (Why can't the problem be resolved through other channels?)**

This allocation change obviously requires Council and NMFS review before it can be made

**Foreseeable Impacts of Proposal: (Who wins, who loses?)**

Fixed gear fishermen get an incentive from the Council to increase their harvest of P. Cod. Trawlers get a dis-incentive to continue their high rate of discard halibut mortality. Government and society perceive the Council as a promoter of clean fishing not as an indifferent bureaucracy.

**Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?**

No alternatives because allocation changes require Council and NMFS review.

**Supportive Data & Other Information: What data are available and where can they be found?**

IPHC and SSC records.

**Signature:**

# United Fishermen's Marketing Association, Inc.

P.O. Box 1035 Kodiak, Alaska 99615

Telephone 486-3453

## FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL North Pacific Fishery Management Council

Name of Proposer: United Fishermen's Marketing Association, Inc.

Address: Box 1035, Kodiak, Alaska 99615

Telephone: 907-486-3453

Fax: 907-486-8362

Fishery Management Plan: Bering Sea/Aleutian Islands (BSAI)

Date: 8/18/95 2 5  
BSAI 95/1

Brief Statement of Proposal: Consider a rollover, extension or modification of the BSAI gear-specific p. cod allocation [e.g., FMP/BSAI Amendment #24 (fixed gear, 45%; jig gear, 2%; trawl gear, 55%)]; the regulations that implements such gear-specific allocation expire on December 31, 1996. By submitting this proposal, UFMA does not suggest specific detail relative to either a continuation or modification of the status quo. Rather, since the subject regulations expire on December 31, 1996, and since it generally appears that any Plan Amendment which may need to be in place by January 1, 1997, should be submitted under this Call For Groundfish Proposals, we feel that it is prudent to submit this issue for consideration at this time. UFMA provided one of the 4 fixed gear negotiators (e.g., Charlie Johnson for pot gear) during the 1993 industry negotiations that addressed BSAI Amendment #24. UFMA will certainly advocate specific recommendations that indicate our preferences for Council action relative to this matter; we are in the process of consulting with other affected parties in the industry to attempt to develop a specific position. However, at this time, we have no specific recommendation relative to this issue, other than the recommendation that a DRAFT EA/RIR/IRFA be initiated to address alternative options for rollover, extension or modification of the BSAI gear-specific p. cod allocation. We believe that this issue should be considered in the suite of proposed Plan Amendments that will be considered by the Council under this Call For Groundfish Proposals.

Objectives of the Proposal: (What is the problem?) The expiration of the existing BSAI gear-specific p. cod allocation without a careful and deliberative consideration of the options for expiration, continuation or modification of such allocation is not prudent. The expiration of this allocation would disrupt the status quo and stability that has developed since 1993 with regard to the distribution of p. cod among users, and with regard to the associated developments in the areas of bycatch, discards, markets, etc. There have been many legislative, regulatory, research, management, policy and business/economic changes that have taken place since the implementation of this allocation; moreover, there are many ongoing initiatives in these same areas. The issues of research initiatives, management efficiencies, conservation awareness, bycatch, discards, waste, full retention, full utilization, harvest priority, legislative mandates and policy direction (e.g., MFCMA, ESA, MmPA), changing patterns of gear usage, quality considerations, License Limitation, etc. all add important ingredients to the mix of variables that affect the results of a conscious decision to terminate, extend or modify the subject gear-specific allocation. The objective of this proposal is to encourage a conscious and deliberative consideration of the subject gear-specific allocation before December 31, 1996.

Needs and Justification for Council Action: (Why can't the problem be resolved through other channels?) An extension or modification of the BSAI gear-specific p. cod allocation is only possible by Plan Amendment.

Foreseeable Impacts of Proposal: (Who wins, who loses?) No comment at this time.

Are there Alternative Solutions? If so, what are they, and why do you consider your proposal the best way of solving the problem? No comment at this time.

Supportive Data and Other Information: What data are available and where can they be found? The management/research agencies have the data/information that is necessary for analysis.

Name of Proposer: John Winther

Date: August 21, 1995

Address: P.O. Box 1364  
Petersburg, Alaska 99833

Telephone: 907 772-4734

Fishery Management Plan: Bering Sea/Aleutian Islands Groundfish

Objectives of proposal: (what is the problem?) Amendment 24, which allocates the Pacific cod resource between trawl gear, jig gear, and other fixed gear, sunsets at the end of 1996. The amendment was adopted by the Council in June, 1993.

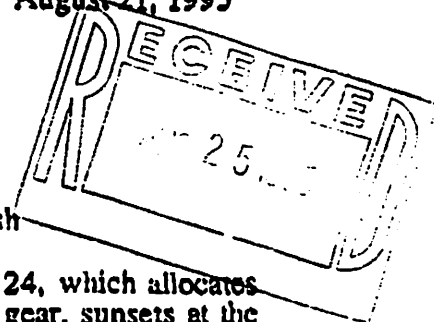
The objective of this proposal is to revise the allocation formula in order to reduce bycatch and discard waste, to increase the overall utilization of the Pacific cod resource, and to increase the likelihood that optimum yield will be obtained.

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?) Since Amendment 24 sunsets at the end of 1996, the current allocations between gear types will cease at that time. This will result in increased bycatch and discard waste, gear conflicts, and reduced return from the Pacific cod fishery. The current allocation formula will have been in effect for three years. It is now appropriate to review the PSC bycatch, and the relative catch, discard, and utilization percentages by the respective gear types, and determine if alternate allocation schemes may more appropriately address the goals and objectives of the MFCMA and the Council.

Foreseeable Impacts of Proposal: (Who wins, who loses?) In the absence of action, there will be increased bycatch and discard waste, gear conflicts, and reduced return from the Pacific cod fishery. This would adversely affect the Nation and the entire industry directly. Depending upon the solution adopted, the scope of the benefits will be broad and will include reduced PSC, increased utilization of the Pacific cod resource, and reduced discard waste of other species (leading to increased utilization of those species).

Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem? Alternative solutions consist (at least) of the following:

- Option 1: Make no allocation between gear types.
- Option 2: Maintain existing allocation (54% trawl, 44% fixed gear, and 2% jig).
- Option 3: Allocate Pacific cod to trawl gear only in an amount sufficient to serve as bycatch in other trawl target fisheries; in other words, no target fishing by trawl gear on Pacific cod. Maintain 2% jig allocation as a minimum allocation to jig, but no further allocation between fixed gear. Require full utilization/full retention for vessels fishing Pacific cod. (Species such as skates and sculpins could be discarded; all other species for which TACs exist would be retained. A limitation on meal production would be implemented.)
- Option 4: Phase out the use of trawl gear on Pacific cod over a period of three years; thereafter, provide for bycatch only for trawl gear. Maintain 2% jig allocation as a minimum allocation to jig, but no further allocation between fixed gear. Require full utilization/full retention



for all vessels fishing Pacific cod. (Species such as skates and sculpins could be discarded; all other species for which TACs exist would be retained. A limitation on meal production would be implemented.)

The options supported by this proposal encompass numbers 3 and 4.

Supportive Data & Other Information: What data are available and where can they be found? Data regarding retained and discarded catch associated with the directed Pacific cod fisheries can be found through the National Marine Fisheries Service and from the ADF&G reports on discards in the North Pacific.

Signature

*John Winther* T/N PROWLER & F/V OCEAN PROWLER

*Linda Kozak*  
Linda Kozak, Director  
Kodiak Vessel Owners' Association

*John Johnson*

*Melvin* F/V BEAUTY Bay

*John Johnson*  
Executive Director  
Alaska Crab Coalition

*Bill Coffey*  
Deep Pacific Fishing Co.

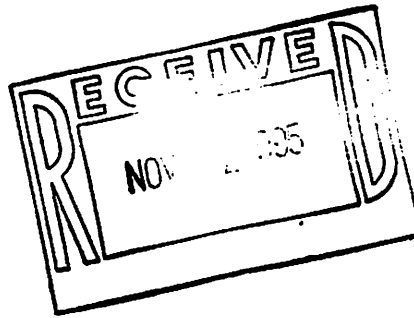
*John Bruce*  
Deep Sea Fishermens' Union

*Donald C. Jackson*

North Pacific Longline Association

*Liz Caber*, Exec. Director

Petersburg Vessel Owners' Association



November 14, 1995

Mr. John Winther  
P. O. Box 509  
Petersburg, Alaska 99833

Mr. Rick Lauber  
Chairman, North Pacific Fishery Management Council  
Federal Building, Suite 306  
605 W. 4th Avenue  
Anchorage, Alaska 99501-2252

Re: Plan Amendment for Pacific Cod Allocations in the Bering Sea

Dear Chairman Lauber:

Please accept this letter as a statement of disappointment with the draft agenda for this December's meeting of the North Pacific Fishery Management Council (NPFMC), and a request for change before it is finalized. For the second meeting in a row, an issue of great concern to me and numerous fixed gear operators in the Bering Sea has been scheduled for the tail end of the meeting; namely, a plan amendment for the allocation of Pacific cod between gear types in the Bering Sea. At the September meeting, the Council was not able to even take public comment on the issue. In part, this was because so much agenda time was devoted to the relatively minor and technical issue of a halibut catch sharing plan for Area 4, and putting an additional 80,000 pounds of halibut into Area 4E for a CDQ group. Once again, we are scheduled behind halibut/sablefish IFQs and the CDQ request.

Hopefully, the following information demonstrates why the Pacific cod allocation issue deserves to be moved ahead of the IFQ agenda item, and arguably, IBQs as well.

The current plan amendment (allocation regimen) expires on December 31, 1996. We believe a rollover of the status quo, 54% to trawl gear and 44% to fixed gear (2% to jigs) will perpetuate and exacerbate the waste, bycatch, and PSC mortality problems that currently exist in the fishery. Several of these points are illustrated below:

- NMFS records reveal that through 10/28/95, trawl harvesters discarded 37,500 mt of cod, or 32% of their 118,700 mt cod take; while fixed gear discarded 4,200 mt of cod, which is less than 4% of its 113,000 mt take.
- NMFS records reveal that trawl harvesters killed 1,503 mt of halibut, which is 40% of all trawl - inflicted halibut mortality — a 19% increase over the 1994 halibut mortality of 1,262 mt and 162 mt more than they were allowed.
- NMFS records reveal that, through 7/95, the directed fixed gear cod fishery discarded 4,146 mt of cod, while the directed trawl gear cod fishery discarded 7,793 mt — nearly double the fixed gear sector.


P - Cod Allocation in Bering Sea  
November 14, 1995  
Page 2

Additionally, the problem statement in the current plan speaks to stability in the fishery. The cross over provision in the recently adopted Groundfish and Crab License Limitation Program opens the door for numerous new entrants into the fixed gear sector — crab vessels that will fish P - Cod with pots, and create instability for current participants.

We believe we are prosecuting our fishery in a manner that exemplifies wise use of the resource. Since the current plan was approved, we believe we have performed beyond the NMFS and the Council's expectations of our sector when they passed the plan. We believe our performance has earned us the opportunity to harvest a greater portion of the total allowable catch than the current plan provides.

We hope that staff will be tasked with a range of allocation alternatives this December, to permit Council review of the options in April, a public comment period, and then final action at the June 1995 meeting. We need time on the agenda to make our case before the Council. The Council will then have a rationale for tasking staff to analyze a wide range of allocation alternatives — alternatives that will address the waste, discard, bycatch, PSC mortality, and the instability existing in the current fishery. Conversations with staff indicate that they have the time, if tasked, to analyze a range of allocative percentages (for example; 2% set aside for jigs — and then 54%/44%, 59%/39%, 64%/34%; and the reverse of each).

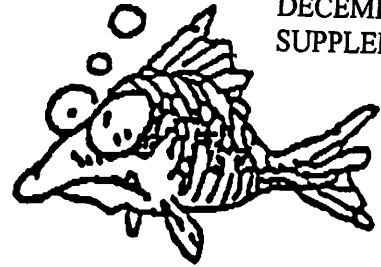
Sincerely,



John Winther

**North  
Pacific  
Longline  
Association**

AGENDA D-2(c)  
DECEMBER 1995  
SUPPLEMENTAL



**Agenda D-2**

November 29, 1995

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

**RE: Regulatory Amendment on "C" Season, BSAI Cod**

Dear Rick:

In 1994 and 1995 the BSAI trawl fishery for cod was closed by halibut bycatch before the trawl portion of the TAC was taken. The surplus was transferred to the fixed gear portion of the quota.

This year the transfer resulted in a "C" season which commenced on November 17 - a month after the fall fishery had closed. Many vessels had returned to Seattle for maintenance and repairs, and were unable to participate in the fishery.

We would like to ask the Council to adopt a regulatory amendment providing that any "C" season for fixed gear cod in the BSAI commence on December 1 of the year in question, unless it can be scheduled contiguous with the fall fishery. This way everyone will know when the fishery will start, and will be able to plan accordingly.

Thank you for your consideration of this matter.

Sincerely,

Thorn Smith