



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game

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Rick Koso, President
Adak Community Development Corporation
P.O. Box 193
Adak, AK 99546

Dear Mr. Koso:

Thank you for your letter regarding the recent U.S. District Court Order vacating regulations for Pacific cod fisheries in federal waters off the Aleutian Islands. The State of Alaska agrees that enactment of federal legislation is the only method currently available to preserve the opportunity for Aleutian Islands trawl catcher vessels, processing plants, and communities to participate in the Pacific cod fishery until the North Pacific Fishery Management Council (NPFMC) can develop regulations to address the impacts of the Court Order. The State will contact the Alaska Congressional delegation to express its support of legislation to reinstate the regulations as modified by the NPFMC in December 2018.

The NPFMC recommended the vacated regulations in October 2015 as Amendment 113 to its Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands. The NPFMC determined that Amendment 113 was necessary to provide economic benefits and stability to fishery-dependent fishing communities that participate in the non-rationalized Pacific cod fishery in the Aleutian Islands. Amendment 113 is consistent with long-standing NPFMC policies to provide harvesting and processing protections for non-rationalized fisheries and opportunities for fishing communities engaged in fisheries in the Aleutian Islands.

Amendment 113 set aside a portion of the Aleutian Islands Pacific cod fishery for harvest and delivery to onshore processing plants for a limited time during the fishing season. The Council intended for Amendment 113 to prioritize Pacific cod deliveries to onshore, rather than offshore, processors during the first few months of the fishing season to provide the opportunity for trawl catcher vessels, onshore processing plants, and communities, including Adak, to sustain participation in and receive benefits from the Aleutian Islands Pacific cod fishery. In December 2018, the NPFMC reaffirmed its support for Amendment 113 and recommended minor modifications to the regulations to ensure the set aside operated as intended.

The State supports Amendment 113 and the NPFMC's December 2018 modification to the Amendment 113 regulations. We recognize the challenges faced by participants in the Aleutian Islands Pacific cod fishery and agree that deliveries of Pacific cod to the processing plant in Adak are vital to the economic health of the community. The analyses supporting NPFMC actions on Amendment 113 demonstrated that that Pacific cod fishery is the backbone of the processing operation in Adak and the processing plant is a significant contributor to the local economy. The State agrees that without the Amendment 113 regulations and subsequent modifications

recommended by the NPFMC in place, it is very unlikely that the processing plant in Adak will be capable of sustained fishery participation in the future or that the processing plant in Atka will be able to develop its processing operation for Pacific cod.

Discussions with NMFS and NOAA General Counsel during the April 2019 NPFMC meeting indicated that it will not be possible to reinstate Amendment 113 regulations in time for the start of the next Pacific cod fishing season that begins in January 2020. It is clear that enactment of federal legislation is the only method currently available to ensure that Aleutian Islands trawl catcher vessels, processing plants, and communities have an opportunity to sustain participation in the Pacific cod fishery until regulations can be developed by the NPFMC and implemented by the National Marine Fisheries Service.

Thank you for your correspondence on this issue. The State is committed to working with the NPFMC to develop fisheries management programs that provide economic benefits and stability to fishery-dependent fishing communities in Alaska. Please feel free to contact me if you have questions or would like to discuss further.

Sincerely,



Doug Vincent-Lang
Commissioner

cc: Senator Lisa Murkowski
Senator Dan Sullivan
Congressman Don Young
Simon Kinneen, Chairman NPFMC
David Witherell, Executive Director NPFMC
Chris Oliver, NOAA