

# PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-2 Staff Tasking

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
X 1	Bob Alverson	FUWA - Seattle -
X 2	Arni Thomson	A.C.C.
X 3	Kenny Down	Freezer Longline Coalition
X 4	Dennis Parker	Arctic Storm
X 5	Everette Anderson	API/CDR
X 6	Bob Snell	Self
X 7	Simeon Swetozof Jr.	F/V Wind Dancer
X 8	George Hitchings	Mysch
X 9	Heather McCarty	BSFA
X 10	JOHN GARVIN	AKJC
X 11	John Benning	AGNB
X 12	Linda Kozak	Kozak + Associates
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

NPFMC  
February 1-7, 2012 Agenda D-2  
Eric Olson, Chairman

Date 1-24-2012

To The North Pacific Management Council!

My name is Captain Ray Welsh, I bring to your attention one and only one single important matter today!

The "control date" or my words retroactiving same 13 months to February 2010 is my very big concern.

To be short and sweet I hope my message is... Changing the proposed date of the control date to December 2011 would be acceptable to many of us. Transferring QS retroactively virtually will be putting me and many others out of business or severely hampering us( please keep in mind , the american disabilities act)also during your deliberations while you are considering the removal of the hired master provision.

I said this to you in March 2011 in Anchorage in so many words. I was the first one to speak, given you remember, (in a wheel chair) then on this very matter. Given you remember one of the men said "you have nothing to worry about! It's clear I had a lot to worry about.

This fishing is and has been my whole living for this last 30 plus years with my start in the industry going back to 1943. I am and have been a business man/fisherman for 65 + years, starting sometime in 1943 fishing over the years from just north of the Galapagos islands to just south of the Kuskokwim river here on the west coast of the Americas.

The motion, under consideration for adjusting the way QS is neither conservation of the fishery nor enhancement of the future fishery oriented. I don't see this as helping the fishery in any way. Its creeping socialism, clear and simple! As I see it any date will not stop the use of hired skipper. When residents in COE communities purchase any available OS be guaranteed they will never sell their OS ever. If they don't have a vessel they will have to do a hired skipper or a lease arrangement of some kind which will be basically back to what is happening now and it will be legal!

In June Of 2010 I traded my halibut in 3A for Blackcod in Western gulf. At that time there seemed no benefit to the "trade", except that I would get more poundage of fish. Now with this retro move I'll be caught in a catch 22! There was no way to predict the future. The legal words were "sell them to complete the transaction".

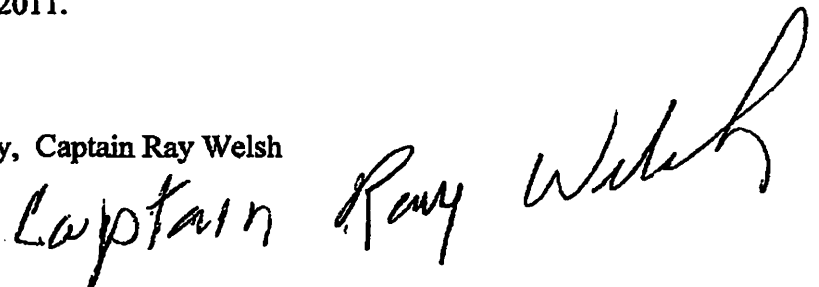
Please note the list of (149) initial Issue's hereto attached, (see exhibit A), will be negatively affected

This list of 149(see exhibit A) generally supports my presentation.

Most of those men fishing for cod in the Kodiak area right now, that cannot take time from their likelihood to address this issue, have assured me they also support a rollback to the above control date of December 2011.

Cc:A

Respectfully, Captain Ray Welsh



10/27/2011

nmfs/akr/ram/gharrett  
Qry\_qs\_trans\_to\_IIIa\_Grauvogel2.xls

Individual Initial Issues who Received Catcher Vessel QS (Other Than in Areas 2C and SE) on or A  
with self-reported business mailing addresses  
In order by transfer date, Transfer\_Type, Last\_Name  
IFQ weight includes only pounds received in transfers, including adjustments

DATE_QS_RECEIVED	TRANSFER_TYPE	LAST_NAME	FIRST_NAME	SPECIES	IFQ_TRANS (IFQ weight in Pounds)
On 2/12/2010	Transfer-Sweep	GRAUVOGEL	CARL	Halibut	257
After 2/12/2010	QS Transfer	BAKOVIC	RICHARD	Sablefish	8,887
After 2/12/2010	QS Transfer	BARBER	SAM	Halibut	2,793
After 2/12/2010	QS Transfer	BELL VI	ORLANDO	Halibut	11,783
After 2/12/2010	QS Transfer	BENTON	HUGH	Halibut	7,781
After 2/12/2010	QS Transfer	BODDING	JIM	Sablefish	0
After 2/12/2010	QS Transfer	BOWEN	DOUGLAS	Halibut	673
After 2/12/2010	QS Transfer	BOWEN	DOUGLAS	Sablefish	775
After 2/12/2010	QS Transfer	CASTILLO	JOSE RAUL	Halibut	3,557
After 2/12/2010	QS Transfer	CLAMPITT	PAUL	Sablefish	-1,842
After 2/12/2010	QS Transfer	DOCHTERMANN	LUDGER	Halibut	6,409
After 2/12/2010	QS Transfer	FELLOWS	ROBERT	Halibut	11,628
After 2/12/2010	QS Transfer	FROLOV	FRED	Sablefish	6,000
After 2/12/2010	QS Transfer	GRAUVOGEL	CARL	Halibut	34,058
After 2/12/2010	QS Transfer	GRAUVOGEL	CARL	Sablefish	49,182
After 2/12/2010	QS Transfer	HANSON	ROBERT	Halibut	18,491
After 2/12/2010	QS Transfer	HERZOG	LEONARD	Halibut	101,390
After 2/12/2010	QS Transfer	HERZOG	LEONARD	Sablefish	205,591
After 2/12/2010	QS Transfer	HOFMANN	MARK	Halibut	8,637
After 2/12/2010	QS Transfer	HOFMANN	MARK	Sablefish	41
After 2/12/2010	QS Transfer	HOGAN	THOMAS	Halibut	12,146
After 2/12/2010	QS Transfer	IVANOFF	STEVEN	Halibut	8,865
After 2/12/2010	QS Transfer	IVANOFF	STEVEN	Sablefish	1,266
After 2/12/2010	QS Transfer	KUBIAK	DAVID	Halibut	7,923
After 2/12/2010	QS Transfer	LANG	MICHAEL	Halibut	49,324
After 2/12/2010	QS Transfer	LANG	MICHAEL	Sablefish	33,871
After 2/12/2010	QS Transfer	LARSEN	NORMAN	Sablefish	5,054
After 2/12/2010	QS Transfer	MACINKO	JOE	Halibut	6,779
After 2/12/2010	QS Transfer	MALCOLM	DONALD	Halibut	24,883
After 2/12/2010	QS Transfer	MALCOLM	DONALD	Sablefish	14,475
After 2/12/2010	QS Transfer	MARTUSHEV	JOSIPH	Halibut	4,609
After 2/12/2010	QS Transfer	MARTUSHEV	PETR	Sablefish	5,037
After 2/12/2010	QS Transfer	NAKADA	MICHAEL	Sablefish	2,089
After 2/12/2010	QS Transfer	NASH	DONALD	Halibut	4,250
After 2/12/2010	QS Transfer	NESS	DARELL	Halibut	18,397
After 2/12/2010	QS Transfer	NESS	DARELL	Sablefish	35,636
After 2/12/2010	QS Transfer	OTNESS	ALAN	Sablefish	9,383
After 2/12/2010	QS Transfer	PIKUS	PATRICK	Halibut	38,367
After 2/12/2010	QS Transfer	PORTER	HENRY	Halibut	6,076

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1 set of names + address

fter 2/12/10, by Species

BUSINESS_ADD_1	BUSINESS_ADD_2	CITY	STATE	ZIP
PO BOX 1082		PALMER	AK	99645
1840 S GAFFEY ST #510		SAN PEDRO	CA	90731
7176 OLIVE CIR		ANCHORAGE	AK	99507
PO BOX 1609		PETERSBURG	AK	99833
PO BOX 82		ELFIN COVE	AK	99825
1911 8TH ST		ANACORTES	WA	98221
PO BOX 1642		HOMER	AK	99603
PO BOX 1642		HOMER	AK	99603
PO BOX 588		UNALASKA	AK	99685
7721 168TH PL SW		EDMONDS	WA	98026
PO BOX 714		KODIAK	AK	99615
266 E BAYVIEW		HOMER	AK	99603
PO BOX 720		PLAMONDON	AB	TDA 2T0
PO BOX 1082		PALMER	AK	99645
PO BOX 1082		PALMER	AK	99645
PMB 2086	3705 ARCTIC BLVD	ANCHORAGE	AK	99503
916 DELANEY ST		ANCHORAGE	AK	99501
916 DELANEY ST		ANCHORAGE	AK	99501
1120 E HUFFMAN RD 24-306		ANCHORAGE	AK	99515
1120 E HUFFMAN RD 24-306		ANCHORAGE	AK	99515
PO BOX 1848		HOMER	AK	99603
1327 MOUNTAIN VIEW DR		KODIAK	AK	99615
1327 MOUNTAIN VIEW DR		KODIAK	AK	99615
PO BOX 183		KODIAK	AK	99615
PO BOX 182		MONTESANO	WA	98563
PO BOX 192		MONTESANO	WA	98563
PO BOX 52		SAND POINT	AK	99681
2625 SPRUCE CAPE RD		KODIAK	AK	99615
2038 E END RD		HOMER	AK	99603
2038 E END RD		HOMER	AK	99603
35944 S KROPP RD		WOODBURN	OR	97071
PO BOX 452		ANCHOR POINT	AK	99556
PO BOX 1838		HOMER	AK	99603
PO BOX 1167		HAINES	AK	99827
PO BOX 240454		DOUGLAS	AK	99824-0454
PO BOX 240454		DOUGLAS	AK	99824-0454
PO BOX 317		PETERSBURG	AK	99833
PO BOX 2843		KODIAK	AK	99615
PO BOX 121		YAKUTAT	AK	99689

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Date QS Received	Transfer Type	Last Name	First Name	Species	IFQ weight TRANS in lbs
After 2/12/2010	QS Transfer	REIMNITZ	ARMIN	Halibut	5,500
After 2/12/2010	QS Transfer	REUTOV	DAVID	Halibut	168
After 2/12/2010	QS Transfer	REUTOV	DIONICI	Halibut	4,347
After 2/12/2010	QS Transfer	REUTOV	DIONICI	Sablefish	17,497
After 2/12/2010	QS Transfer	RHODES	WILLIAM	Halibut	1,107
After 2/12/2010	QS Transfer	ROSS	TIMOTHY	Halibut	3,326
After 2/12/2010	QS Transfer	ROSVOLD	ERIC	Sablefish	6,712
After 2/12/2010	QS Transfer	SARGENT	STAN	Sablefish	0
After 2/12/2010	QS Transfer	SAVONEN	LYNN	Sablefish	1,953
After 2/12/2010	QS Transfer	SEE	CHARLES	Halibut	-891
After 2/12/2010	QS Transfer	SHADLE	MATTHEW	Sablefish	8,687
After 2/12/2010	QS Transfer	SIMPSON	KENNETH	Halibut	0
After 2/12/2010	QS Transfer	SINZ	HARRY	Halibut	58,442
After 2/12/2010	QS Transfer	SINZ	HARRY	Sablefish	48,903
After 2/12/2010	QS Transfer	SMATLAN	JOSEPH	Halibut	7,485
After 2/12/2010	QS Transfer	SOHRAKOFF	WAYNE	Halibut	4,184
After 2/12/2010	QS Transfer	THOMPSON	PETER	Halibut	0
After 2/12/2010	QS Transfer	THOMPSON	PETER	Sablefish	1,301
After 2/12/2010	QS Transfer	VEERHUSEN	DANIEL	Halibut	8,121
After 2/12/2010	QS Transfer	WAGNER	MARK	Halibut	8,698
After 2/12/2010	QS Transfer	WELSH	RAY	Sablefish	11,212
After 2/12/2010	QS Transfer	WILKIE	TIMOTHY	Halibut	11,539
After 2/12/2010	QS Transfer	WILSON	DANNY	Halibut	647
After 2/12/2010	Transfer-Sweep	BOWEN	DOUGLAS	Halibut	-4
After 2/12/2010	Transfer-Sweep	BOWEN	DOUGLAS	Sablefish	256
After 2/12/2010	Transfer-Sweep	MALCOLM	DONALD	Halibut	145
After 2/12/2010	Transfer-Sweep	MALCOLM	DONALD	Sablefish	763
After 2/12/2010	Transfer-Sweep	MARTUSHEV	PETR	Sablefish	904
After 2/12/2010	Transfer-Sweep	PORTER	HENRY	Halibut	2,585

2nd set of of  
Names &  
addresses

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Business Add - 1      Business - 2      City      State      ZIP

9004 191ST PL SW		EDMONDS	WA	98026	
PO BOX 2847		HOMER	AK	99603-2847	26
PO BOX 4251		HOMER	AK	99603	27
PO BOX 4251		HOMER	AK	99603	
PO BOX 2215		GEARHART	OR	97138	
28522 62ND AVE S L-101		KENT	WA	98032	
PO BOX 1144		PETERSBURG	AK	99833	20
PO BOX 574		KODIAK	AK	99615	29
PO BOX 172		GUSTAVUS	AK	99826	30
PO BOX 1412		KENAI	AK	99811	31
PO BOX 312		HOMER	AK	99603	32
13238 KONRAD DRIVE		EAGLE RIVER	AK	99577	33
PO BOX 110885		ANCHORAGE	AK	99511	34
PO BOX 110885		ANCHORAGE	AK	99511	
PO BOX 69		COLBERT	WA	99005	35
20 SILVERTIP LANE		EUREKA	CA	95503	36
PO BOX 3037		KODIAK	AK	99615	37
PO BOX 3037		KODIAK	AK	99615	
PO BOX 971		HOMER	AK	99603	38
PO BOX 326		SAND POINT	AK	99651	39
70308 ORIGINAL DR.		ANCHOR POINT	AK	99556	40
PO BOX 1726		SEWARD	AK	99664	41
PO BOX 2697		KODIAK	AK	99615	42
PO BOX 1642		HOMER	AK	99603	
PO BOX 1642		HOMER	AK	99603	
2038 E END RD		HOMER	AK	99603	43
2038 E END RD		HOMER	AK	99603	44
PO BOX 452		ANCHOR POINT	AK	99556	45
PO BOX 121		YAKUTAT	AK	99689	46

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NPFMC  
 February 1-7 2012 - Agenda D-2  
 Eric Olson, Chairman

1-24-2012

I own IFQ, (Blackcod), have a certificate of eligibility, my husband is an initial recipient and commercial fisherman with QS in Blackcod and Halibut. Have two sons holding certificates of eligibility which we earned putting our time in those 24 & 48 hour openers with our own vessel.

Our Halibut and Blackcod fishing grounds were caught in the Exxon Oil Spill and financially affected us to the extent of losing our fishing vessel. We agreed to fish our IFQ with another skipper on his boat at a percentage. With the sale price of fish going up we decided to purchase another vessel, a fixer upper. We invested a great deal of money, which all fishermen know it can be a bottomless hole. During this rebuilding my husband had a stroke.

We now have a whole new ballgame. Our retirement is gone so hiring a Skipper is our way of financially surviving and thank the Lord for that. The sell price keeps going up but the poundage of 3A 3B Halibut keeps going down.

We contacted a broker in Seattle and calculated the value of our halibut with Blackcod and found there was another fishermen interested in our 3A&3B. We researched the cycle of blackcod and started the negotiations at which point we were informed that 'trade, swap, exchange' are not terms that IPHC are accepting. In other words, we buy and sell so that is what we did in July 2010

I need to make something very clear here that by buying and selling we have created a tax burden of around \$23,000 dollars, but through legal channels we have deferred the tax burden until the fish our sold and here is part of the issue and burden of the Welsh family. If we have to sell our IFQ because Hired Skipper is no longer available with this motion passed with the date Feb 12, 2012, it will put us in such a financial bind we may loose our home.

My **OBJECTION** is with the date of Feb 12, 2010. A quote from the initial review draft says "*NMFS staff has identified a high administrative burden for revising regulations (and administration of transfer) for a date, such as Feb 12, 2010. The Council may wish to Revise the control date to one coincident with effective date of the final rule*" end of quote. This can be an additional financial burden as well. Is this date legal? Probably! I am asking that you refer back to the council for **testimony only to change control date** since this could have a disastrous financial effect on the original initial especially the Welsh Family

I mentioned earlier that my husband had a stroke which affects his ability to act as a skipper or crew member due to his physical limitations. I myself have had to do a medical emergency transfers. Lets face it we are old but were not dead and we still have to have an income to live, and the passage of this date of Feb 12, 2010 is not acceptable. This is 50 percent of our income. Remember we are not the only ones affected; there are the approx. 150 initial recipients who acquired QS after Feb 12, 2010.

Again, I am requesting that the council receive new testimony **ONLY ( if necessary)** to change this proposed date of Feb 12, 2010 before final implementation of this rule, at least to the end a year 2011 or the date the lawyers make a decision this year 2012.

As you can tell I am not a professional writer, just communicating my distress.

Respectfully,

Patricia Welsh

Ph # 907 235-5412

**January 19, 2012**

**To: North Pacific Fishery Management Council  
Mr. Eric Olson, Chair**

**From: Robert Snell  
Anacortes WA 98221 (360-770-6773)  
Re: January 2012 Council Meeting**

**Attention: Staff Tasking- Repeated request from Sept/Oct 2011 and original proposal of 2008 to Council to address Area 4B Fishup**

**PURPOSE:** as a D class halibut IFQ holder in Area 4B, to request that my previous Fish-up Proposal be finalized before the implementation of Amendment 102 establishing a Community Quota Entry Program in Area 4B. Please refer to my original proposal of 2008 with updates for the justification of why the Fish Up Proposal is needed.

**BRIEF RATIONALE:** The primary reasons were focused upon safety and efficiency. The criteria establishing the fish-up proposals for areas 3B and 4C in 2007 were compared and met by this proposal, namely safety and efficiency issues. The historical amounts of unfished D class quota in area 4B would also be positively impacted if this measure were adopted. The Council appears to be preoccupied with amendment 102 establishing a CQE for Adak, obviously a work in progress that will take considerable time to assemble and provide across the board benefit to the fishing community of Adak. To address this need in front of the fish-up proposal which will provide immediate positive impact on the 12 D class shareholders in 4B, and is already in place in areas 4C and 3B, constitutes discrimination and imposes unjustifiable hardships on fishers.

**RESPONSE TO COUNCIL'S CONCERNS REGARDING FISH UP PROPOSAL (Citations provided by Jane Di Cosimo as to why this Council tabled my proposal in October of 2011)**

*The Council cited the presence of Iccle Seafoods in Adak.* There was no intent in my proposal to deal with processing plants. The processing plant certainly must be in place to help D class shareholders since they can't carry their product to Dutch Harbor, but that has no bearing on the 10 other Atka shareholders. In fact with the new facility in Atka, it's possible all 12 shareholders would deliver in Atka if that option provided better prices and on-site supplies.

*A Potential for a newly created market for D class QS through an action to allow the community of Adak to purchase QS.* Amendment 102 to create Adak CQE's does not currently permit the purchase of D class quota, but C and B class quota can be purchased with the fish-up option. In this same document, even if permission was granted to purchase D class shares, they would still be confined to D class vessels; thereby stranding D class shareholders, as there are no D class vessels in Adak. For this reason alone, it's best if all shares are made available as C class, as they would then be in line to be fished up to any class. The two recent (May 2011) "resident" class B shareholders with their large vessels would be positioned to fish all classes of shares for the Adak CQE.



*The low amount of D QS available for new entrants in Area 4B :* The amount of D class quota share is fixed at approximately 50K lbs. The amount of D class shares remain the same. These shares will still be called D class shares and that is what occurred in areas 4C and 3B. Even when fished on larger vessels, the shares retain their D class label.

*The impact of price on D class QS if they could be fished on C class vessels.* I'm assuming the party raising this issue is concerned about the price of D class shares going up. However, the Public Review Draft for Impacts on Fish-up states on page 10, "It may increase the cost of the few Category D QS in this area. However, Category D QS constitute such a small share of the aggregate halibut TAC in Area 4B, that such a change in relative value would not be expected to substantially influence the market of QS". It may happen that the price of D class shares in 4B will increase the price of QS to other D class purchasers, particularly, if the COE is granted more purchasing power than individuals, or they happen to be Atka residents who wish to add to their small quota shares. Currently, only 2 shareholders out of 12 have over 5K lbs of share; thus, almost everyone is an entry level shareholder and must find ways to combine their shares and/or fish in other fisheries to maintain profitability.

Based on the above response to the Council's purported concerns, there should be no impediment to getting the Fish-up Proposal out of the tabled status and moving it forward to final passage. The optimal win-win solution for all would be to move both proposals forward but to make certain that the FishUp Proposal is passed first, so that small D class shareholders are not held hostage to Amendment 102.

#### **SUPPORT FOR FISHUP PROPOSAL**

Not one D class shareholder has objected to the Fishup Proposal and most have evidenced strong support. Everette Anderson, who represents the Atka fishers, provided oral and written testimony to the Council at the October 2011 meeting in support of the Fish-Up Proposal. The 9 fishers, all Atka residents, hold approximately 88% of all D class quota share. There is one shareholder with a Unalaska residence, one from Haines, and myself from Anacortes, WA holding approximately 5%, 2%, and 5% respectively. There have been no D class shareholder residents in Adak since 2009 and no D class deliveries since my 12 in 2008. I have provided a wealth of material about why this proposal is needed to effectively fish in area 4B. This material, based on my own experience as a cod jigger and halibut fisher in areas 4B and 3B, along with other fellow Bering Sea fishers is provided without prejudice and with true intent to help other fishers to be successful and safe. I will not provide that material again but I recommend that Council members take time to review it, when the time comes to support or oppose this proposal. My last citation is from the conclusion statement from the Impact Review Draft provided by Jane Di Cosimo and staff. The Impact Draft was requested by the Council in February 2010 and presented to the Council on November 5, 2010. It concluded :

*None of the alternatives are likely to change fishing patterns or harvest amounts to an extent that would result in an impact on the halibut stock, by-catch amounts, or other environmental impacts. There are no data that suggest adverse impacts would result from a higher proportion of the harvest being taken on larger vessels. The preferred alternative is expected to increase economic efficiencies of halibut IFQ operations and safety by allowing small boat IFQ's to be fished on larger vessels.*

R SNELL  
/

*Beneficiaries of the preferred alternative would include all holders of Category D QS in Area 4B. Minor administrative costs of the program would be recovered by annual cost recovery fees for the entire program. None of the proposed actions are expected to have the potential to result in a "significant action" as defined in Executive Order*

This Impact Study provides validation for the Fish-Up Proposal and considerable motivation for the Council to move it forward. This concluding statement repeats in table format providing a quick visual comparison of Alternate 1(no action) and alternate 2( fish-up proposal) . See Attachment A

#### **WHY THE FISHUP PROPOSAL SHOULD RECEIVE PRIORITY OVER AMENDMENT 102**

The "Problem Statement" section from the *Regulatory Impact Review for Proposed Amendment 102* should concern this Council, as it contains the following statement: *The Council seeks to provide sustained participation without undermining the goals of the halibut and sablefish IFQ program or precluding entry-level opportunities for fishermen residing in other fishery-dependent communities.* This was written in October, 2011.

By all indications, it will be a long time before the Adak CQE could actually be in the business of having fishermen harvesting fish with leased shares. It appears that if this Council backs Amendment 102, it would be violating its own problem statement, as the creation of CQE's would prevent entry level fishers from effectively fishing their QS for an unknown, probably lengthy, time. The Atka fishers now have access to a new processing plant run by Atka Pride Seafoods. As Everette Anderson informed the Council, they will be processing p.cod, halibut, sablefish and crab in 2012. Because Atka fishers are restricted to fishing on D class vessels, their capacity for product, gear and profits is severely restricted. Only one Atka fisher has a quota share greater than 5K lbs. Thus, their shares must either be fished collectively or combined with other product. This is why Atka entry level fishers need access to larger vessels, especially in the treacherous waters and long distances required to locate fish in area 4B. These issues have been raised and needs delineated by Everette Anderson (See Exhibit C). Also they will be processing sablefish. There are currently no D class quota shares for sablefish in the Aleutian Islands. If Atka fishermen had the fish-up proposal in place, they would immediately qualify to enter the AI sablefish fishery at an entry level position. This will not happen as long as they are hostages of the Adak CQE proposal and the Council continues to deny equal fishing rights already granted to 3B and 4C.

The fish-up proposal was on the Council desk in December 2008, the Adak CQE arrived in January 2010. The fish-up proposal was sponsored by active fishermen for safety and efficiency in their fisheries. The Adak CQE proposal is not being sponsored by an active fishing community of IFQ shareholders living in Adak. In fact, they had no IFQ shareholders at the time this amendment came to Council for consideration and most of the local fleet left Adak when the fish plant closed. The Adak establishment has accrued a clouded record in managing the fisheries of Adak. As recently as the summer of 2008, Adak had an active and highly productive small boat fleet fishing there. I was recruited by John Moller to come to Adak (See Exhibit B) to fish for p.cod. For a variety of reasons, Moller left in July and things went downhill. The greatest loss were fishermen like John Moller, Adam Lalach, Russ Ott, and myself

R SNELL

who had paid a steep price to get vessels and equipment to Adak and expected to fish there but had to move on. For others and myself, I hope the CQE is successful. I would like the opportunity to return and fish my quota shares, but more importantly, D class shareholders urgently need the fish-up proposal in place first. Having had the opportunity to fish both Adak and Sand Point, it is apparent that Sand Point, which also has the fish-up option, has successfully managed fisheries with almost all essential components needed by fishers- something Adak has not managed to achieve. Since Sand Point has had an easier time achieving success with its location, protected waters, etc., it seems fair that Adak with its far greater challenges also needs the Fish-up option. This 2008 proposal falls within the normal 3 year time frame from submission to application. Putting the Fishup option in place for the 2012 season would help relieve the financial hardships of the last 3 years.

Robert Snell  
Area 4b D class Shareholder  
F/V Barbara Jo



EXHIBIT A

Category D QS in the area, and would indirectly affect an unknown number of owners of larger vessels upon whose vessels those Category D QS may be "fished up."

Although it has not been possible to fully monetize the benefits and costs from these proposed program changes, their total net impact on the economy would be expected to be *de minimus*. The proposed action generally has little attributable costs and is expected to produce benefits in the form of small economic efficiencies, greater operational flexibility, and improved safety at sea for a few fishery participants. For these reasons, they are unlikely to adversely and materially affect the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. For those reasons, the proposed alternative is not likely to meet the economic criterion for significance under EO 12866.

A summary of benefits and costs that may be attributed to the proposed alternative, relative to the status quo, is included below in Table 11.

Table 11. Summary of the cost and benefit analysis of Action 2.

	Alternative 1. No Action	Alternative 2.
Who may be affected?	Baseline	Up to 12 halibut Category D QS holders, an unknown number of Category D vessels, and up to 17 Category C vessels
Impacts to the resource	Baseline	None
Benefits	Baseline	<ul style="list-style-type: none"> <li>likely to address safety by providing an alternative to fishing on small boats in hazardous weather</li> <li>likely to increase optimum yield of the halibut resource</li> <li>may increase landings valued at \$90,000</li> <li>may increase economic efficiencies of small and larger vessel operations</li> <li>may marginally increase the value of Category D QS</li> <li>may provide <i>de minimus</i> economic relief to large vessel owners who are experiencing difficulty acquiring halibut QS</li> </ul>
Costs	Baseline	<ul style="list-style-type: none"> <li>may decrease relative market value of Category C QS</li> <li>may decrease entry-level opportunities</li> <li>likely to not reinstate use restrictions on small vessel using Category D QS in the future</li> </ul>
Net benefits	Baseline	<ul style="list-style-type: none"> <li>likely to increase safety for small vessel operators</li> <li>likely to increase optimum yield of halibut resource</li> <li>likely to increase economic efficiency by allowing small vessel IFQs to be fished on larger vessels, along with the IFQs for that size vessel class</li> </ul>
Action objectives	Does not meet safety objectives or allow for increased resource utilization.	Best meets safety objectives or allow for increased resource utilization.

R SHELL

# EXHIBIT B

## The Highliner : Adak Fisheries - in the money | adn.com

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ALASKA'S NEWSPAPER

Anchorage Daily News  
**adn.com**



81 Year Old Mom Looks 27  
Anchorage: Mom Plucks Five Pounds  
Beard That She Angered...



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### Adak Fisheries - in the money

Posted by Highliner  
Posted: July 3, 2007 - 1:03 pm

As close followers of Alaska's fishing industry will recall, the fate of Adak Fisheries, the fish processor way out the Aleutian chain on Adak Island, was very much in question two years ago.

The company and one of its founders, Kjetil Solberg, were feuding in court with a landlord as well as estranged former partners. At one point, the plant was closed and padlocked.

Solberg ultimately regained control of the company, and reportedly it enjoyed a dandy season this year processing cod.

The Highliner was always curious, however, where the cash came from to operate the far-flung plant, particularly in light of its troubles.

The answer, at least in part, is in this month's issue of National Fisherman magazine. On page 14 is an ad from Independence Bank of Rhode Island, which says the bank is pleased to announce financing Adak Fisheries as follows:

- \$4,350,000 for fish processing equipment and working capital
- \$1,650,000 business line of credit

Here's some other news about Adak Fisheries, recently distributed by Dave Fraser, a fisherman player at Adak:

Press Release  
June 22, 2007

FOR IMMEDIATE RELEASE

#### JOHN MOLLER JOINS ADAK FISHERIES

Anchorage - June 22, 2007 - Adak Fisheries is pleased to announce and welcome John Moller to our company. John is a life long Alaskan and has participated in the Bering Sea, Aleutian Islands and Gulf of Alaska fisheries for more than 25 years. John spent ten years as the skipper of Bering Sea crab vessels.

During the past 12 years, John was the General Manager for a CDQ organization where he was instrumental in developing a small boat fleet.

John and his family live in Juneau where he is an active commercial salmon fisherman in Southeast Alaska. John's broad fisheries experience has proven valuable as he has served on the Advisory Panel to the North Pacific Fisheries Management Council for the past several years.

John joins the Adak Fisheries management team to assist with further development of our business in Adak.

Adak Fisheries' president, Kjetil Solberg, says, "John's work in the Aleutians and western Alaska for the last 25 years brings valuable experience to our team and we at Adak Fisheries are excited with John's decision to come aboard."

#### About Adak Fisheries

Adak Fisheries is an Alaskan company with headquarters in Anchorage dedicated to building a sustainable fisheries based economy in Adak, Alaska. We process cod, halibut, sablefish, crab and pollock.

### The Highliner

Commercial fishing is a bedrock industry in Alaska, and has been for more than a century. Every year scores of fishermen net millions of migrating salmon, challenge the icy Bering Sea to trap long crabs, lay miles and miles of baited hooks for halibut, and scoop up enough pollock for a zillion fish sticks. And when fishermen aren't out fishing, they're usually talking about fishing. That's what this blog by Wesley Loy has been all about for the two years he has written it.

#### Archive

- Last set 4/19/2008 / 30 pm
  - Shedding a PFED fishermen will actually wear 4/10/2008 7:26 pm
  - Advice for mariculture: Grow West 4/11/2008 7:26 pm
  - Anti-Pelagic pitch to Anglo American 4/10/2008 7:10 am
  - Safety issues send two boats back to Hoonah 4/9/2008 4:33 pm
  - Palin's board pick draws fire 4/2/2008 10:43 am
  - Cook Inlet fisherman named to board 4/1/2008 4:51 pm
  - Wrangell deal back on? 3/31/2008 4:44 pm
- Full archive »

OR SWELL

EXHIBIT C

September 19, 2011

Mr. Eric Olson, Chair  
Mr. Chris Oliver, Executive Director  
North Pacific Fishery Management Council

Re: September/October 2011 Council Meeting  
Agenda Item C-5 (c) Discussion/Direction on Area 4B Fish-up

Mr. Olson,

The Aleutian Pribilof Island Community Development Association (APICDA) is one of six Community Development Quota groups representing six villages within the Aleutian and Pribilof Island region. APICDA is a 501 (c) (3) non-profit corporation with a charitable purpose to develop stable local economies in our member communities.

APICDA's membership is composed of the fishermen's associations from Akutan, Atka, False Pass, Nelson Lagoon, Nikolski and St. George.

APICDA, through its wholly-owned for-profit subsidiary APICDA Joint Ventures (AJV), owns and operates Atka Pride Seafoods (APS). In previous testimony, we have provided you with updates regarding our APS operations and status. A few updates include:

- A dock extension is slated for completion by June 2012 – 150' dock extension will provide for a -25' depth and allow larger vessels to deliver to APS operations;
- APS is prepared for increased production of halibut, sablefish;
- APS will be processing p. cod;
- APS will be processing crab during the 2013 season

The C-5 (c) Agenda Item in front of the Council pertains to Area 4B. Atka presently has 7 active fishermen but not all have been able to harvest all of their respective IFQ due to weather, fish moving further away from land and simply safety issues associated with running smaller boats in this area of the Aleutians. Furthermore, Atka residents could use their halibut IFQ to help support p cod jig fishing activities on larger than D sized vessels.

Similar actions have taken place in Area 3B and 4C as remoteness of those areas and safety considerations were taken into account. We feel that the circumstance in Area 4B is no different.

APICDA is requesting on behalf of the Atka local fleet to move this agenda item along for final action in December 2012 allowing IFQ derived from category D quota share to be fished on category C vessels. Our fishermen would like to have safe and meaningful options available to them to fully utilize their IFQ.

Thank you for the opportunity to submit comments on this agenda item.

Sincerely,

Everette Anderson  
Business Development/Corporate Relations

R SNELL

February 1, 2012

North Pacific Fishing Management Council  
605 West 4<sup>th</sup> Suite 306  
Anchorage, Alaska 99501-2252

My name is Mark Wagner and I'm a resident of Sand Point, Alaska. I own a 48 foot boat that my wife and I use to fish cod, salmon and halibut.

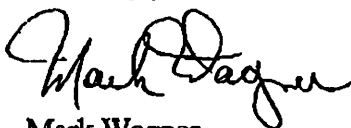
I'd like to address the IFQ halibut program that was changed in 2010. If an initial IFQ recipient bought IFQ quota after February 12, 2010, this requires them to be on the boat when the quota is fished. As an initial recipient of halibut quota, I have used the hired skipper option to harvest halibut on my boat.

On May 21, 2010 I sold 3,500 lbs. of 3B halibut and bought 8,000 lbs. of 3B halibut. I wasn't aware that by selling the smaller quota and buying a larger quota, I had given up my hired skipper rights on the purchased quota. I learned of the change in 2011, and if I had known in May 2010, I wouldn't have sold and bought quota. It's unfortunate that the fishermen in Sand Point didn't know before that this change was being considered.

I have commercially fished in Alaska for almost 40 years and the physical toll on my body has convinced me that I need to scale back. By having the option of someone else harvesting my halibut helps me and helps the younger guys. They get the experience and earn more money, which helps them in turn buy quota.

I'm asking the Council to reconsider the action taken. I believe the IFQ program worked well and no change was necessary.

Sincerely yours,



Mark Wagner  
P.O. Box 326  
Sand Point, AK. 99661

**Development of Environmental Impact Statement for Steller Sea Lion Measures based on Court Order 2/2/12**

Project Components	2012											2013											2014			
	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	
Council Meetings	Council reviews Terms of Reference for CIE review of Biop		Council may review NOI and preliminary range of alternatives, may establish and task SSL committee, may request industry proposals						Scoping Meeting in conjunction with Council meeting		Council may review SSL Committee recommendations, Scoping Report, and CIE review of Biop. Council recommends alternative SSL protection measures for analysis in EIS				Council reviews preliminary draft analysis, recommends preliminary preferred alternative, and recommends release of draft analysis to public							Council review CAR and published draft EIS. Take final action on preferred alternative				
ESA Documentation	NMFS contracts for CIE review of Biop			Complete CIE Review		CIE Steering Committee review process of compiled document		NMFS releases CIE review of Biop							Commence ESA consultation based on preliminary preferred alternative, if different than status quo				Complete consultation based on Council final action*							
NEPA			Publish NOI to Prepare an EIS	Scoping for EIS					Scoping Report to Council and post on NMFS website	Develop preliminary draft EIS			Preliminary draft EIS to Council	Revise preliminary draft EIS	Publish Draft EIS with preliminary preferred alternative, comment period beginning May 15.	60 Day Comment Period ends July 15.		Complete response to comments, develop CAR			Complete Final EIS			Publish final EIS by last week of February*		
Rule making																									Start rulemaking for 2015 implementation	
<b>Abbreviations</b> NOI=Notice of Intent CIE=Center for Independent Experts SSL=Steller sea lion EIS=environmental impact statement NEPA=National Environmental Policy Act CAR=Comment and Response Report JAM=Jeopardy of continued existence or adverse modification of critical habitat Council=North Pacific Fishery Management Council NMFS=National Marine Fisheries Service ESA=Endangered Species Act * Assumes that the preferred alternative would not result in JAM. Additional time would be required if a JAM determination is made. No final EIS completed until selected alternative does not result in JAM.																										