

May 26, 2021

Simon Kinneen, Chairman  
North Pacific Fishery Management Council  
Anchorage, Alaska

Submitted electronically

Regarding: C4 - BSAI Pacific Cod Trawl Catcher Vessel LAPP

Dear Mr. Kinneen and members of the Council:

Central Bering Sea Fishermen's Association (CBSFA) is the management organization for St. Paul Island under the Western Alaska Community Development Quota Program (CDQ). Through the CDQ Program, which was created in 1992, the Federal government awarded various species of fish, including Pacific cod, from the Bering Sea and Aleutian Islands (BSAI) commercial fisheries to six CDQ groups including CBSFA. Pursuant to the CDQ Program Statute (16 U.S.C 1855(i)(1)), the CDQ groups manage these allocations to promote social and economic development in their respective regions.

### **Background**

CBSFA is committed to developing a fishery-related economy that enhances the well-being of the community of St. Paul. In addition to its pot cod fishery investments, CBSFA owns three trawl vessels, with partners, that participate in the CV trawl cod sector.

The Saint Paul and Saint Peter (100% owned by CBSFA) are both under 60' pot cod vessels, and participate in the State-water, Federal and CDQ fisheries. The Saint Paul has been in operation since 2008 and the Saint Peter since 2012. The boats have historically fished cod from January through early April. Both boats fish the B season cod fishery starting in September and are dependent on rollover quota from other sectors. There is no B season allocation for these vessels without the rollovers.

Although CBSFA does use its CDQ cod to fund PSC needs in the pollock and flatfish fisheries, it lands the vast majority of cod through direct targeting with its under 60' pot boats. All landings are made shoreside. Some fish is landed, processed, and marketed by Village Cove Seafoods (a wholly-owned subsidiary of CBSFA). The boats also sell directly to the large shore-based processors in some seasons.

The trawl vessels Starward (75% CBSFA-owned), Starlite (75% CBSFA-owned), and Fierce Allegiance (30% CBSFA-owned) have CV trawl cod sideboard allocations and are members of the Unisea Co-op, and the United Catcher Boats.

CBSFA is also actively engaged in the directed halibut fishery in IPHC Area 4CDE (Bering Sea); in addition to fishing CDQ halibut, a number of the local residents also hold halibut IFQ. From a historic, cultural, subsistence, and commercial perspective, halibut is a critically important species to the mostly Unangan (Aleut) residents of St. Paul. CBSFA has a direct interest in ensuring that Pacific halibut stocks are equitably utilized among user groups. This includes a community and corporate commitment to reducing the use of halibut as bycatch in trawl fisheries.

CBSFA manages cod, pollock and groundfish allocations that are important to CBSFA's business operations and its ability to fund projects and programs that benefit St. Paul in furtherance of CDQ Program objectives. Given its stake in both the halibut stocks and the cod and groundfish fisheries that use halibut PSC, CBSFA is uniquely positioned to understand the balancing that is needed under the Magnuson-Stevens Act's (MSA) National Standards to provide for healthy, diversified, fisheries-based economies in BSAI communities.

## **Policy positions and information requests**

### **1. Additional initial review**

CBSFA agrees with community and fishery stakeholders that the Pacific Cod Trawl Catcher Vessel action (PCTC) would benefit from an additional initial review. This is a complex program with multiple moving parts, and stakeholders are developing additional analytical requests to help the Council and the communities understand how program elements may impact other sectors and fisheries. Numerous decision points in the various elements influence the outcomes in other elements. Certainly, the cumulative effects of a major catch share program important to Alaskans must be further analyzed before selecting a PPA.

Further, this entire program has been developed in a virtual setting and stakeholders have not had the opportunity to discuss the issue in person. The virtual setting and overall loss of in-person gathering during Council meetings and by gear groups in various Alaskan communities has hindered engagement opportunities. The chance to meet and discuss in person through another initial review is critical; denying that opportunity would be a disservice to Alaskans actively engaged in fisheries, particularly during the busy summer months.

## 2. Gear Conversion (Element 14)

Gear conversion – the voluntary ability to use pot gear to harvest trawl quota – helps meet several of the objectives in the problem statement for this action:

*“ . . . promoting safety and stability in the harvesting and processing sectors, increasing the value of the fishery, minimizing bycatch to the extent practicable, providing for the sustained participation of fishery dependent communities, and ensuring the sustainability and viability of the resource.”*

In a rationalized fishery, maximum flexibility is important to help achieve the goals of the program. Pot gear is known to have lower bycatch and discard mortality rates (DMRs) than trawl gear. The analysis should provide a table detailing the rates of bycatch and DMRs in pot and trawl cod fisheries. In addition, pot gear can produce fish quality that is superior to trawl and increase the value of cod products in this sector.

Additional information would allow the NPFMC to consider action alternatives that are most responsive to the requirements of the Magnuson-Stevens’ Act National Standard 1 (Optimum Yield) and National Standard 2 (Best Science Available), while reducing bycatch to the extent practicable under National Standard 9.

Under any circumstance, particularly low abundance scenarios, it is important to improve efficiencies to keep historical participants viable and in operation. By allowing gear conversion, trawl vessels such as CBSFA’s would not need to switch from pollock fishing to make a single cod delivery, and then back to pollock again. As CBSFA’s pot vessels are operating at the same time as the CV trawl cod fishery, it makes sense that CBSFA could target its QS/CQ with pots – again, adding value and reducing bycatch mortality.

Also, the voluntary use of pots provides flexibility in harvest, which has been identified as a need in climate-ready fisheries and overall fisheries management.

In response to perceived problems with gear conversion, the rules should make clear that any quota converted to harvest in pots would be subject to 100% observer coverage, as is the trawl-caught quota. The quota holder would not need to have a trawl LLP to harvest the quota converted to pot. Additionally, it is critical that gear conversion would be the decision of the quota holder, and not subject to the approval of other coop members. Coop formation language would need to clarify this.

## 3) Prohibited Species Catch (PSC) management (Element 3)

We support adding an option in this element to address halibut PSC through a simple Abundance-Based Management (ABM) approach such as that recently developed for the A80

sector. It is difficult to understand why the Council would not include ABM in this action. How do we set an appropriate level of PSC without factoring in the abundance of the halibut stocks?

When this cod rationalization program was first proposed, the Halibut ABM program was complex and non-transparent. With its recent simplification, the abundance-based approach to bycatch management is the most reasonable one.

Additionally, when the scope of the Halibut ABM program was reduced to apply to one sector (Amendment 80 CP trawl) the Council indicated they removed the cod trawl CV sector because they planned to deal with the CV sector upon rationalization. Over the last five years, on average, the TLAS sector has accounted for 21% of the total halibut bycatch mortality occurring in the BSAI, but this includes all targets and not just cod.

Table 2-18 on page 78 of the analysis breaks out the TLAS sector bycatch mortality when cod is targeted. The data shows that, on average over the last five years, when cod is targeted the halibut bycatch associated with that harvest accounts for 56% of the TLAS sector total halibut mortality and 12% of the total BSAI halibut bycatch.

Now is the time for the Council to make good on their commitment in a coherent and meaningful manner.

With a one-time bycatch reduction as the only option under consideration, the potential of a new cooperative program to reduce bycatch is limited from the onset. We support the inclusion of an additional option with stairstep reduction provisions similar to what was applied in the GOA when the halibut reductions were staggered over a period of three years. A staggered approach would provide the fleet the ability to adjust to the new program.

We request inclusion of 2020 halibut PSC rates in table 2-96. In 2020, the CV fleet operated in a voluntary stand-down mode when PSC rates were high, which resulted in a significant reduction in halibut PSC usage. This addition will provide an example of halibut PSC usage in an atmosphere of fleet cooperation such as that achieved in a cooperative program. As currently structured, the primary PSC information used to determine what the fleet can achieve in halibut PSC reductions is a retrospective look at past years, with analysis focused on years the fleet would have been constrained.

Also, decision-making information can be improved by looking at halibut PSC rates per MT of Pacific cod and/or groundfish in fully rationalized fisheries, and factoring in those rates to help define minimization of PSC to the extent practicable. Page 181 of the analysis discusses the

success of the rockfish program in reducing halibut PSC use from 1.5-3 kg of halibut per mt of groundfish to .25 kg. There may be other examples to demonstrate potential savings.

We support the option of the highest reduction in halibut bycatch, as the cooperative program is designed to provide the ability to avoid PSC. Operators will be able to choose when, where and how to harvest their allocation. Also, Element 7 allows full transferability of halibut PSC within and between coops, which will provide increased flexibility for the CV fleet.

Finally, the inclusion of the above recommendations and considerations surrounding Element 3 would increase this action's responsiveness to National Standard 8, sustained community participation, in this case of halibut-dependent communities, and National Standard 9, reducing bycatch to the extent practicable.

#### 4) C Season Reallocations (Element 4)

CBSFA supports leaving the C season unallocated, as that fish has historically been harvested by other sectors that depend heavily on rollovers.

We also support reassessing and updating the reallocation hierarchy. History shows that reallocations to cover PSC overages in the Amendment 80 and American Fisheries Act (AFA) catcher-processor (CP) fleets have been prioritized over reallocations to directed fall fisheries (65 million pounds since 2008). The Council may want to consider shifting emphasis to protect directed cod fisheries.

We would also ask the Council to consider mechanisms to prevent sector overages of Pcod like those currently occurring in the AFA CP sector.

This request is also consistent with the MSA requirement to develop fisheries-management policies that provide for equitable allocations among fishery users under National Standard 4.

#### 5) Ownership & Use Caps (Element 8)

We support reasonable ownership and use caps, as an important element to control over-consolidation and its potential impacts on communities. We would like to see an option to require divestment of quota over the ownership cap, and would suggest looking at examples of divestment requirements in other Councils' rationalization programs. Properly addressing this element is similarly responsive to the requirements of National Standard 4 (Equity in Allocations), and National Standard 8 (Sustained Community Participation).

6) Share Duration (Element 10)

We support the inclusion of a review and reauthorization of the program after 10 years.

7) Monitoring (Element 11)

We support 100% coverage of all vessels harvesting Pcod under this program, as well as weekly vessel level bycatch reporting.

8) Reporting (Element 12)

We support inclusion of an option for a three-year review of the program, as has been used in other new programs, particularly if the cod rationalization program is to be put in place on a shorter time schedule.

We assume it was a Council oversight not to include an Economic Data Report program with the rationalization of the cod trawl catcher vessel fishery. The Council needs economic information for its reviews of the program's outcomes regarding fishery value, product development and economic/social effects on communities and sectors.

As CBSFA is deeply invested in BSAI fisheries for multiple species and with multiple gear types, we encourage the North Pacific Council in their work to equitably support all fisheries and dependent communities through balanced consideration of the MSA National Standards. We support the objectives of the cod trawl catcher vessel sector, and have made suggestions we hope will ensure that the attainment of those objectives also protects and preserves other resources and sectors.

Best regards:



FOR  
Phillip Lestenkof, President  
Central Bering Sea Fishermen's Association