

Setting the Record Straight on Bering Sea Halibut Bycatch

We, as Alaska Longline Fishers, are joined by Washington State halibut fishermen who also fish Alaskan waters. In 2012, statewide, 2,009 residents and 565 non-Alaskans held halibut quotas for Alaska waters; and 1,168 crew, as well. Thousands more are deckhands.

Many longliners fish the Area 4 districts, waters of the Bering Sea, where the trawl bycatch problem is at its worst. In 2012, 308 Alaskans held 14.8 million pounds, and 186 non-Alaskans held 18.2 million; on average, the non-Alaskan holdings averaged twice what Alaskans held per person.

The Alaskan Halibut fishery started in 1888, and we have a history exceeding 90 years in the Bering Sea. Since the quota privatization program baseline years of 1992-94, after implementing Individual Fishing Quotas, the active halibut vessels declined from 3,450 to 1,013 in 2012; each vessel carrying a crew of four. Wages are down 50 percent over the last 6 years, which fits the 52 percent reduction in overall quotas in the same period.

In Areas 4A-D, over the past 10 years, halibut longliners have also endured a 73-percent cutback in Bering Sea-directed halibut catch limits, in large part because of uncontrolled selfish actions of the BERING SEAAI trawl fleet, such as the Amendment 80 vessels.

Those 20 to 25 smaller factory trawlers primarily fish yellowfin sole, rock sole, Atka mackerel and other species, on the bottom of the BERING SEAAI – critical halibut habitat. In 2013, their total wholesale revenues were \$289 million. With no ex-vessel payments for the fish gifted in trawl quotas, they must use the wholesale values, whereas longliners supply fish to others and note values as ex-vessel receipts. In

the Bering Sea, A80-CPs continue with bycatch apportionments of 5.1 million pounds, or more (5.9 million pounds last year), of non-target species, i.e. halibut, annually.

A recent NBC News article stated, "In 2014, trawlers hauled up 4.4 million pounds of halibut in the Bering Sea. They threw most of it back dead. The longline fishery, by contrast, was limited to 1.2 million pounds of halibut."

Importantly, in terms of law enforcement, longliner violations are primarily administrative, permit licensing; i.e. just paperwork blunders. Meanwhile, the trawlers' failures to mitigate bycatch are factual harms to the quantity of fish resources. Amendment 80 catcher processors now believe they should be allocated permanent bycatch quotas, or allowed to retain and sell halibut, firmly emplacing, legitimizing and rewarding ongoing harms to the environment, not mitigating.

The halibut slaughtered is merely called bycatch, or PSC – a hollow acronym – because they no longer admit nor commit to the real legal description: prohibited species catch. Prohibited, by legal standards, in order to minimize bycatch and reduce mortality, as conservation goals, too.

The quotas and bycatch limits are largely dictated by the International Pacific Halibut Commission recommendations that the North Pacific Fishery Management Council finalizes. Established in 1923, the IPHC can do nothing about the outrageous bycatch of trawlers in Alaskan waters, despite their devastation of ocean bottom habitat and its sea life like halibut. Neither can longliners, despite having authentic rights as halibut quota holders.

The NPFMC and National

Marine Fisheries Service must take serious action this year. Averaging nearly 60 million pounds of total allowable catch from 1998 to 2004, overall Alaska halibut TAC dropped to 23.3 million pounds by 2012 (4.4 million in the BERING SEA area 4), with percentage drops varying by districts across the coast.

Indiscriminate wanton waste in Bering Sea fisheries by trawlers who fail to employ halibut exclusion devices and adapt fishing methods to avoid bycatch must end. Their recklessness and greed has been supported by too many untrue talking points and outright lies by trawl interests; and soon they will attempt to lie in a petition to Governor Jay Inslee of Washington and beyond. In desperation, fraud and deceit are becoming the tools of choice.

Our halibut longline fleet's situation is evidenced by documented facts. Ten years ago, my targeted halibut quota was 230,000 pounds (109,158 of that in the Bering Sea); and that same quota is now about 64,000 annual pounds (27,252 in the Bering Sea). My overall catch revenues dropped by nearly \$1 million annually (\$475,000 in areas 4ABD), and many tens of millions more for the multistate fleet collectively in Alaskan waters.

Our product is largely consumed within the USA. In contrast, the Amendment 80 products are largely shipped to China, and USA secondary processing jobs are thereby avoided. Governors and the NPFMC should take seriously the national and regional implications of such conduct of trade, and who really benefits.

Halibut fishermen's public comments, and the honestly calculable economic losses incurred, are finally entering the NPFMC's policy options with meaningful

From the Fleet

impact. Long-term foot-dragging by the NPFMC is changing, and bycatch is finally becoming a top priority, as possible cuts in trawler bycatch of halibut by up to 50 percent enter the realm of management options.

Trawlers who call this a reallocation clearly have a distorted sense of entitlement, coupled with the greedy nerve to confuse facts with trawl fairytales.

The Amendment 80 factory trawlers are currently circulating an open petition destined for Washington's governor, Jay Inslee, to allegedly protect Washington businesses. It is a distorted set of lies, such as "Team Alaska - aka the 6 voting members of the State of Alaska delegation to the federal NPFMC, intend to reallocate 35 percent to 50 percent of the annual Halibut quota from these Washington State companies to a handful of local Alaskans - principally 25 Pribilof Island halibut permit holders."

The cutback percentages (30-50 percent) proposed for analysis are about measured, best-science-based reductions in bycatch, to which trawlers hold no legal titles (quite the contrary). The management measure is designed to follow federal standards, requirements to reduce and mitigate the harms to other fishing segments, under the MSA fishery law.

Another fabrication in the clipboard sign-on petition is that such bycatch mitigation will somehow actually reduce the A80 trawlers' own quotas and catches in other species. Wrong. They merely have to adapt, as have other fleets, and 'fish cleaner'. When they adhere to a new lower-bycatch rule, they can still build new vessels based on the same gross revenues as today. Meanwhile, the longline halibut stocks and annual fishing revenues can grow.

The petition's biggest deceit is stating "this reallocation (sic) ... over the next 10 years ... will

cause the loss of \$1.2 billion and 4,900 jobs in the Washington State fishing and shipbuilding industry." Halibut longliners, too, construct new vessels and create direct, indirect and induced jobs in Alaska and Washington, which will be ever more so given serious halibut bycatch mitigation.

It is a felony, under Title 16 U.S.C. section 1857 (I) of the Magnuson-Stevens Act section 307 - Prohibited Acts, to knowingly and willfully submit false information to the governors, NPFMC or Secretary of Commerce. If the A80 fleet's supporters do submit the petition, with the false testimonies outlined, to Governor Inslee, then Alaska's governor and attorney general should immediately challenge it as a federal felony by asking NMFS and the Secretary of Commerce, and Inspector General's office to

prosecute.

The petitioners mention Section 4 of the Washington State Constitution, in an attempt to put an official face on the effort. Alaska has much clearer constitutional provisions about the rights of all residents to benefit from a maximum net profit from the fisheries commons, as does the MSA. Distortions, false testimonies, and blatant lies must not be tolerated. In the end, it is about preserving many fisheries fleets, US jobs, and keeping Alaska's coastal communities vibrant. That future cannot include wanton waste of halibut. **EN**

*Ludger Dochtermann
F/V Stormbird & F/V North Point
Kodiak, AK*

*Co-written by Stephen Taufen,
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Becca Robbins Gisclair
 Chair
 NPMFC Advisory Panel

Friday, April 10, 15

Madam Chair,

I respectfully request that you consider tasking the Staff with developing a discussion paper that will review five components of the Charter Halibut Permit program. The program is entering its fifth year and there are several issues that we feel need to be revised to determine and promote active participation in the charter halibut fishery. We would like this discussion paper to analyze the following issues that our industry has articulated to my organization's leadership.

1) Restriction of Latent permits

IPHC	Trip Category	No. Permits	Avg Trips	Poss Trips in 100 d	Latency
2C	≤20	176	1,430	17,600	16,170
	>20	357	18,141	35,700	17,559
3A	≤20	131	1,017	13,100	12,083
	>20	309	17,719	30,900	13,181

We know that in area 2C , based on the capacity of our fleet that right now there are 176 permits that were used less than 20 times per year since program implementation. If these permits were fully utilized at 100 trips per year they would be harvesting more halibut than the existing 2C charter fleet per year. Similarly in 3A there is a latent capacity of 12,083 angler days for a possible additional harvest of 304,000 pounds of halibut or a 20% increase in harvest. This is capacity that our fleet will never have the allocation to support and this potential additional growth to the charter fleet is simply not possible based on current allocation levels or even future allocations if the Council moves forward with a compensated reallocation mechanism. We believe that excluding CQE permits and those that have been sold, if a permit has not been used in the first five years, it should be retired from the fleet. If a permit under those same constraints has been used less than 20 times it should be considered a B class permit and not be allowed to be used more than 20 times. The remaining transferable permits, should be full time A class permits. These remaining permits at their maximum carrying capacity still have unused latent capacity.



2) Reassessing the actual carry capacity of each permit verses the number of anglers initially issued to the permit.

During the qualifying time for charter halibut permits, captain and crew were allowed to fish and their harvest was entered in the log book. For this reason most of the permits issued included at least two extra seats. We feel that the carrying capacity of each permit should not exceed the maximum number of clients taken on any day over the five-year period.

3) Eliminate the practice of leasing non-transferable permits

The Council's decision was inclusive when it issued non-transferable permits, but we believe that the intent was that those non-transferable permits would be retired over time. It was not the Council's intent to allow these permits to be leased out, creating a class of original recipients that are able to realize revenues without actively participating in fishing activities.

4) Analyze the effects of fleet reduction by buyback of some active permits.

The compensated reallocation entity initial regulatory review is scheduled to come before you in October. The premise of this proposed program is that our sectors new allocation level under the Catch Share Plan is severely constraining in times of lower abundance. While it is our goal to have a compensated reallocation mechanism in place to address some of this, we request that the Council staff study buy back of some permits to help get our industry to the point of relative regulatory stability more quickly.

Perhaps in the future we can find a combination of permit buy backs and compensated reallocation to achieve our goal of a stable bag limit and less changes in other harvest measures from year to year.

5) If necessary to achieve the objectives above, we respectfully request that the AP also ask the Council to establish a control date, as soon as possible, to notice the public of possible changes to this program.

That is the frame work of the Staff tasking.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Ryan Makinster", with a long horizontal flourish extending to the right.

Ryan Makinster, Executive Director
Southeast Alaska Guides Association

North Pacific Fishery Management Council

Dan Hull, Chairman
Chris Oliver, Executive Director



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April 13, 2015

DRAFT DRAFT DRAFT

Dr. Anthony Chatwin
National Fish & Wildlife Foundation
1133 Fifteenth Street, NW
Washington, DC 20005

Dear Dr. Chatwin:

On behalf of the North Pacific Fishery Management Council (Council), I am writing in support of a proposal that has been submitted by the Alaska Longline Fishermen's Association (ALFA), in response to the Electronic Monitoring (EM) and Electronic Reporting Request for Proposals in Alaska fisheries. The ALFA proposal is entitled "Integrating electronic monitoring in Alaska's At-Sea Monitoring of Fixed Gear Fisheries: Pre-implementation support". The proposal is an expanded version of a similar proposal that was originally submitted in response to the Fisheries Innovation Fund Request for Proposals, which the Council also supported.

Electronic monitoring is an important issue in our region, and the Council has been active in pursuing the development of this technology for several years. While the Alaska groundfish and halibut fisheries already rely on various types of electronic reporting systems for management and monitoring, and there are operational video systems in place to monitor compliance in some of our catch share management programs, the Council's current priority is to integrate the use of camera systems on small fixed gear vessels (under 58 feet length overall) with the observer program, for the purpose of obtaining estimates of at-sea discards. To this end, the Council has formed a fixed gear Electronic Monitoring Workgroup, which brings together all stakeholders, including the fishing industry, management and enforcement agency representatives, and EM service providers, to design and develop EM systems consistent with the Council's needs. The Council has endorsed the Workgroup's Cooperative Research Plan for 2015, which is currently field testing several design configurations and will groundtruth the ability of an integrated EM system to provide more precise catch estimation data for fishery management.

Building on the 2015 fieldwork, the Council has set a goal for pre-implementation of an integrated EM program for small longline vessels beginning in 2016. The Council is not able to fund this effort through the monitoring fee that is assessed to vessels, and which supports the human observer program, until the final parameters of an EM program have been analyzed and amended in regulation, which would occur at the earliest in 2018. On a national level, NMFS has prioritized the development Regional Electronic Technology Plans, which identify support needed for building EM capacity across regions, but the NMFS budget also does not offer sufficient funds to support pre-implementation of an operational EM program in Alaska in 2016. Consequently, the ALFA proposal to fund EM hardware and training is directly responsive to the Council's most immediate EM priority, as it will allow the Council to extend the EM option to small vessels in 2016 and 2017 at an operational scale. For 2016, the Council is specifically focusing on vessels that have difficulty in accommodating a human observer onboard, generally because of insufficient bunk space. Additionally, the ALFA proposal provides funding for continued participation by industry

stakeholders in the Council's EM Workgroup, in order to complete the task of designing the regulatory package for integrating EM with the observer program.

The Council recognizes the ALFA proposal as responsive to the Council's immediate EM milestone of an operational pre-implementation program in place beginning in 2016, and it is also an important step to provide data necessary to completing the overall EM regulatory package required for a more permanent implementation of EM as an integrated component of Alaska fishery monitoring. We hope that you will consider this proposal favorably.

Sincerely,

Dan Hull
Chair