



# *PAVLOF FISHERIES, LLC*

## *F/V PAVLOF*

February 6, 2009

Mr. Eric A. Olson, Chairman, and  
Members of the North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

RE: Item C-5 BSAI – Review of BSAI Fixed Gear Parallel Fisheries Analysis

Dear Mr. Chairman and Members of the NPFMC:

I am writing to express my concern that the proposed solution for the problem of fixed-gear fishing for Pacific cod in state waters does virtually nothing to address this very real problem. The proposal before the Council does not prevent catching of Pacific cod allocated to the pot-catcher-processor sector by vessels without properly endorsed groundfish LLP permits, without Federal Fisheries Permits, and without observers.

Pavlof Fisheries, LLC owns and operates the F/V Pavlof, a vessel that participates in the pot catcher-processor sector of the Pacific cod fishery. As you are aware, the pot catcher-processor share of the overall catch is 1.5 percent for the BSAI cod TAC and a small number of LLP licensed vessels, including F/V Pavlof, participate in this fishery. In the last two years there have been several pot catcher-processors operating in the “parallel fishery” directly causing early closures for our sector. Our A seasons in 2008 and 2009 closed a month earlier than in 2007. I understand that the vessels participating in this parallel fishery are not required to have LLP licenses or federal fisheries permits and operate outside of current federal regulations. These vessels operating outside of federal regulations have caused severe and continuing financial losses to our company and crew and they threaten to undermine the programs we have all worked hard to build and manage.

We thank the NPFMC for its effort and the analysis used in trying to solve this problem that threatens not only our vessel and this small sector, but other industry sectors as well. I understand that the current proposal before the Council would only prevent LLP licensed and federally permitted vessels from participating in the current parallel fishery. This proposal would restrict only those vessels already subject to federal regulation and would do nothing to address or solve the problem of the other vessels without LLP’s or federal fisheries permits from participating in the state parallel fishery to the detriment of our sector.

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The NPFMC, NMFS and industry have worked hard in the past to solve the problem of over-capitalization of our fishing fleets with the License Limitation Program, sector allocations, the CDQ program, and other programs. Now many or all of these solutions seem to be threatened by this parallel fishery. If any person chooses to build a boat and fish inside three miles, it seems they can do so regardless of the programs currently in place. How will this increased effort inside three miles affect management and industry going forward? These boats are not required to report their catch on a daily basis as we are; they are not required to arrange observer coverage as we are. How can the NPFMC together with the State of Alaska and NMFS allow this to go on? I believe that the larger problem of the parallel fishery needs to be solved **before** the Council moves forward with the current proposal. If we are unable to solve this problem through the Council's process, it only seems fair that the catch taken in state parallel fisheries by vessels without LLP permits should applied against the 3.0 percent already allocated to the state-waters Pacific cod fishery in the BSAI rather than being applied against the small 1.5 percent quota allocated to our pot catcher-processor sector.

Sincerely,



John R. Boggs  
Managing Member  
Pavlof Fisheries, LLC