

North Pacific Management Council  
Agenda Item E1  
Staff Tasking

3/19/2017

Mr Chairman and Members of the Council,

My name is Jody Cook. I am part owner and operator of the 58' FV Cape Reliant. I have been involved with trawling out of Kodiak, King Cove, and Sand Point, for 30 years.

I am writing this letter in regards to recent and imminent closures, and appealing for relief in the Gulf of Alaska Trawl Fishery.

Reduced caps and other restrictive measures have been imposed on the GOA Trawl Fleet. Many or all of the caps have been created or reduced during the development of the Trawl Bycatch Management Plan. The caps and reductions have come with the promise and/or assumption that the trawlers would have a plan and framework that would end the race for fish and give fishers some control and stability, in regards to managing their bycatch.

With the appointment of the current Commissioner of Fish and Game, the Gulf Trawl Fishery soon found itself between a rock and a hard spot. The reduced caps were in place and the council process was delayed until the Commissioner could appoint like votes to support his personal anti-trawl/anti catch share ideals. After delaying the Bycatch Management Plan, and keeping it out of final action until the new appointed council members were in place, he crushed the plan completely. In the December meeting he made the motion to "postpone indefinitely" the Bycatch Management Plan. This,.. after many years of analysis, input and compromise, from all parties involved. The Trawl Bycatch Plan was truly a fully vetted issue,.. that was near to final action before his appointment.

I point this out simply to recount history and remind the council that we, the Gulf Trawlers, were supposed to have a workable plan to make it possible to execute a fishery under these reduced caps, and the additional costs and restrictions that observers bring. With the current vote pattern on the council I do not see the Trawl Bycatch Plan being revived soon. In fact, I don't see much hope for anything significantly favorable being passed for the trawlers. But, I still cherish my opportunity to be heard at this written testimony level.

Often, money will turn heads when voices don't. There has already been costly closures due to small unjustified chinook caps. Just this February, of this year the Western Gulf Cod fleet was informed by the Dutch Harbor NOAA office, that there would be a closure announced due to the 3000 fish cap being nearly caught. This was the result of 3 salmon being caught in random basket samples. We were able to get all boats to agree to stand down until the latest data was reported. The new data showed a lot less salmon being caught and reduced the rate, and the total estimated caught. We stood down until the rate disappeared completely.

I believe that there will be more closures going forward. I believe these closures will cause great economic hardship for the fishers, processors and communities they support. This will, in turn, mean a significant economic shortfall for a struggling State of Alaska. This will all happen to protect healthy hatchery fish stocks, largely from out of state. The owners of this economic duress will be those who pushed for these unfounded caps and reductions, and those who killed

the Trawl Bycatch Plan. I have no problem with caps,.. and bycatch and PSC control. I just don't understand why the State wouldn't allow industry to be enabled to cope.

I appeal to the council for the following:

**1. A directive to measure the component and origin of hatchery fish that impact bycatch numbers, from samples already being taken by observers.**

**2. A directive to research and monitor hatchery release numbers** in stocks impacting bycatch numbers, as a data point that may relate to bycatch impact.

**3. Re-evaluate all GOA Trawl Chinook caps in light of current genetic research and analysis.** Develop a quantitative measure that defines significant losses or gains, from caps, in a stressed stock of salmon. (for example: if 32000 salmon are caught in a year. 3% is 960 salmon. Divide this number to all the Chinook stocks in the gulf) Is this a big enough threat, to close down the trawl fishery? And if it is a threat, should other fisheries like Area M, Kodiak and Cook Inlet Salmon seining, be capped and observed also. There needs to be a protocol that protects fishers of any gear type from a baseless bycatch or intercept accusation. That protects fishers from expensive lobby efforts that sway the council, without science or significant data. The same protocol would work the other way also, protecting threatened stocks

The council is mandated to use the best science available during the development of regulations. Most of these caps had no science that was directly related to the actual bycatch origin. The caps were imposed by an anti-trawl lobby that was made up of other gear groups, and zealous environmentalists. They did not care if there was any chance of survival for the trawlers. When there was push back from the council,.. there was often rhetoric claiming that with the new catch share program, the trawlers would be able to survive with even lower caps. The council lowered the caps, based on emotion and the anti-trawl lobby. Yet, the race for fish remains, without the Bycatch Management Plan.

Now there is genetic analysis from a number of years. Caps need to be re-evaluated.

**4. Raise the Gulf wide Non-Pollock, Non Rockfish Trawl cap for Chinook salmon.**

In Western Gulf there is now actual history to base a bycatch cap on, in the Non Pollock, Non Rockfish Trawl fishery. When the cap of about 2700 fish was set, it was based on a virtually non-existent history. The ODDS partial coverage program was just getting started. There was no significant history to base anything on. Very little hard data, and even less science. As I stated earlier, we would have been shut down in February, if we had not stopped fishing for 4 days.

**5. A directive for ODDS to dis-continue or modify the new tender/plant strata separation.**

The small difference, 14%/18%, is not significant enough to warrant the amount of confusion and difficulty there is trying to make this a reality. This, along with the fact that there are so many variables that result in a changed delivery status, that the margin of error will always be greater than the 4% difference in the stratum. As long as fishers are not allowed to end a trip with a tender delivery, there will be a host of logistical challenges. I will add an

attachment to the end of this letter showing in detail several of the problems encountered in the first month of this new regulation.

**6. A Directive to ODDS to require observers in the Gulf of Alaska partial coverage for Non Pollock, Non Rockfish Trawl fishery,.. to count all Chinook salmon in each haul sampled.**

The TAC and Chinook cap are too small for the Non-Pollock, Non Rockfish Trawl Fishery to be able to depend on the normal extrapolated basket samples. The extrapolated model depends on a large number of samples to create an average that accurately represents the whole bycatch rate. There just aren't enough deliveries in much of the season, to produce enough basket samples. The risk of under or over representing are too high.

The observer could still do normal basket samples for halibut, and age and species composition. But, because Chinook salmon are a critical aspect from all perspectives, I propose that the observer do a count of **all** the salmon in **each** set/tow. So,.. for the Salmon, there would be no basket extrapolation to the tow.

All cod are normally bled and individually slid into the fish hold. There are usually 2-4 crew bleeding cod. It would be easy for the observer to watch while the set was being bled. It takes about 20 minutes for a 10-15,000lbs. It takes about an hour for 15- 30,000lbs, depending on crew size, the size of the cod, and how clean the tow is. The observer could decide if they could watch and do basket samples at the same time, depending on how big the deck is and how it is configured. Or, they could just fill a checker or their baskets and set them aside until they have watched the set be bled, and collected all salmon.

Not only does this create a perfect number to be extrapolated to the rest of the fleet, but it also brings to the table more samples for a more accurate genetic analysis. So, a huge advance in data accuracy with minimal extra effort and no extra cost.

Remember, this is a small cap based on very little data. The reality is that there is usually not a lot of salmon, but it isn't a guarantee, for every year. We caught 3 in about 30 days fishing, this cod A season. Bigger , faster boats may have caught 3 in a day. In any case, it will not over load an observer.

**7. Please,..Don't forget the Gulf of Alaska Trawl Fleet...**

At the June 2016 Council Meeting in Kodiak, trawlers had a glimmer of hope. After the State said they would try to spend time meeting directly with industry and attempt progress on the issue. Industry outlined measures they felt were important to be able to cope with reduced PSC caps and the looming possibility of high observer costs. Primarily, the end of the race for fish and a cooperative style fishery. The only thing the State really offered that was clear, was the Commissioners anti-catch share commitment.

So, by December,.. the glimmer of hope had faded with no apparent effort from the State to work with the Trawl Industry, in any significant manner. And with the December motion, it became glaringly obvious that Gulf Trawlers were literally, "Enemies of the State", w/o representation.

My hope is that I will be proven wrong. But, in the mean time I feel compelled to take advantage of this opportunity to testify. As a Gulf Trawler I feel more vulnerable than ever. I can only speak for the Western Gulf on some of these following issues. We need some form of protection or stability. With no worries about fishery history there is renewed interest in the Gulf. With aging boat owners, hired skippers are contemplating buying the boat. But a combination trawl/pot/seine package is very expensive. The highest bidder would most likely be a larger corporation or processor. The reduced PSC caps and the increase in hatchery fish abundance seems to be on a critical collision course. With seasons that are often on the edge of being closed due to these looming factors, there is fear of taking on huge financial debt. We need some bandaids to help us survive, in the moment...

In the Western Gulf, we need:

**1. Smaller trip limits** to protect the 58 foot combination vessel that makes up most of the local fleet between Sand Point and King Cove. 200,000/per day, instead of 300,000. (Just this year the cod season in Bering sea ended early and 5 bigger boats showed up that had potential to easily catch half the 610 quota.)

**2. Sea Lion no- trawl zones:** these are dinosaurs established without the scientific data that is supposed to be required for any action. Surely there could be some relief that would open up or reduce certain areas that cod aggregate during spawning. Being able to fish cod when it is schooled for spawning reduces trawl time. Also when cod school to spawn, they seem to displace most of the other species. These factors would have a direct positive affect on bycatch levels.

**3. Combine A and B Cod Season:** The Cod B season is not catchable for trawlers. It is also not hanging around the rookeries for sea lions. It is dispersed away from the shallows. It should be moved back into one season, with one TAC, to be taken anytime after the start date. At any rate this B season TAC, should be protected for the sector it was allocated to. With the council's current vote, I am afraid that less will be focused on to benefit trawlers. That more possible take aways or re-allocations will be attempted, by other gear lobbies.

**4. Pollock season re- apportionment..** re-apportion pollock seasons start and end dates to avoid times with greater PSC levels.

**5. A later start date for cod.** This would push effort closer to spawning season and have the same potential bycatch benefits noted earlier for the aggregated cod. One down side would be that fishers from the Bering sea and Kodiak may finish their seasons and have better opportunity to come to 610, with a later start date. Also, 610 fishers may go to other areas when they historically would have been fishing 610, earlier. The majority of locals seem to favor a later start date of around February 10 or later. Current start date is January 20.

Thankyou for the opportunity to submit this written testimony,..

Jody R Cook  
FV Cape Reliant

Attachment A - Real Examples of Situations for changing Delivery Stratum  
Jan. 20 - Mar. 13, 2017

After the first week I think it became obvious that all the things we claimed in testimony were actually realities and not just fishermen trying to "game the system". The following is a list of situations that happened, that make this stratum division so restrictive and crippling to the fishery:

Jan 20- 4 of us were registered for pollock trawl to a shore plant. We looked for pollock, for a day and found no fish. We tried changing from shore plant to tender, as we were going to Sanak Island to fish cod. We had to cancel and re log all of our trips with the potential to have to wait 72 hours for an observer. Fortunately it was storming and the 3 day wait wasn't a killer.

Feb 4- Lady JoAnn looked for cod near Sand Point. There was none, so he ran to Sanak. When he heard us talking on the radio about the new reg. he called AIS and was directed to enforcement. They allowed him to keep fishing this time, but warned him that he wouldn't get the same consideration next time.

Feb 6 - The Celtic was fishing cod registered to deliver to a tender. Pollock showed up and he wanted to switch to Pollock with a plant delivery. Because of the possible 72 hour wait, if selected for an observer, he chose to stay with cod and missed out on nearly a million lb average for the boats that went pollock fishing.

Feb 9 - A boat fishing in the bering sea came down and got a market with Peter Pan. They delivered to a tender. Then they were put on a "b" list and told that they were too big of a boat to use the tender. They would have to wait and see each time to see if there was room on a tender. The same happened with the Adamant a year ago, with Trident.

Feb 14- Another boat was 40 miles from Sand Point, traveling to Sanak Is. . He was told about the new regulation , on the radio. He called enforcement and they made him run all the way back to Sand Point and touch the dock, to end his trip. An 80 mile round trip.

Mar 8- The 610 cod season ends. My tender fills up the night before. Trident does not want to send another tender out and I have to go to the plant.

Mar 12- A vessel broke down near Simeonof Is., a tendered area. He had to be towed to town and delivered to the plant.

Mar 12- a vessel tore his net to shreds at Simeonof and had to run to town with an intended tender delivery

Mar13- A 3 day storm came and we all,(4 boats) ran in to the plant , when originally registered for a tender

As the season progressed it became obvious to AIS, ODDS, and enforcement, that there really were many circumstances that made changes necessary for delivery intentions. All management and enforcement parties involved relaxed and just told the fishermen to communicate as soon as possible, when they encountered circumstances that would change the end of an ODDS trip.