

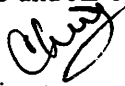
Public Testimony Sign-Up Sheet

Agenda Item C-4a GOA PCod Sector Splits

	NAME (PLEASE PRINT)	AFFILIATION
1	Paul Gronholt	AEB
2	Darius Kasprzak	Alaska Jig Association
3	Tom Miller	out of work fisherman
4	Ron Kaurerough	F/V Sylvia Star
5	Heather McIntyre	Island Seafoods
6	Jylyng Bynum	AGDB
7	Dawn Roberts	K. Bay Fisheries Assn
8	LORI SWANSON/SUSAN ROBINSON	GFF/FFI
9	Chie Vick & Fred Clustansen	GOAC3
10	Chuck McCallum	Lake & Pen
11	Stephen Tanen	(guess)
12	Jeff Stephan	WFMA
13	Jeresa Peterson	AMCC
14	Joe Childers	WGOA Fisheries
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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.

MEMORANDUM

TO: Council, SSC and AP Members
FROM: Chris Oliver 
Executive Director
DATE: September 24, 2007
SUBJECT: Gulf of Alaska Pacific Cod Sector Split

ESTIMATED TIME 10 HOURS (all C-3 items)

ACTION REQUIRED

Preliminary review of EA/RIR/IRFA for the proposed GOA Pacific cod sector splits.

BACKGROUND

This agenda item addresses the potential action to divide the Western and Central Gulf of Alaska Pacific cod TACs among gear and operation types based on historic dependency and use by each sector. At its March/April 2007 meeting, the Council adopted a problem statement and preliminary components and options for establishing sector allocations. Staff has prepared a preliminary analysis of the potential components and options, which was mailed to the Council in advance of this meeting. An Executive Summary is included as Item C-4(a)(1).

The preliminary analysis describes the Western and Central Gulf of Alaska Pacific cod fisheries during 1995 to 2006, discusses changes in participation and catch levels by the various sectors, and examines the effects of seasonal allocations on timing of catch and overall catch levels. The analysis examines the range of potential sector allocations that could be implemented depending on how the Council chooses to define qualifying catch and which years are included in calculations of catch history. The analysis then discusses options for rollovers of unused quota, options for accommodating incidental catch needs, and provisions that would supplement allocations to the jig sector to allow for growth. Finally, the paper identifies issues that the Council may wish to address to better define the alternatives. These issues include:

- Refining catcher processor sector definitions, including consideration of vessel length and/or inshore/offshore subdivisions.
- Defining qualified catch, including consideration of including meal or counting only directed or only retained catch.

EXECUTIVE SUMMARY

Gulf of Alaska Pacific Cod Sector Split Draft EA/RIR/IRFA October 2007

At its February 2007 meeting, the Council reviewed a discussion paper that outlined the goals, objectives, elements, and options for dividing the Gulf of Alaska Pacific cod TACs among various sectors and removing latent licenses from fisheries in the Gulf. After reviewing the discussion paper, the Council decided to address these issues through separate actions and take further public testimony before developing a statement of purpose and need and alternatives for consideration. In April 2007, the Council adopted a problem statement and outlined draft components and options for establishing Gulf Pacific cod sector allocations.

Purpose and Need Statement

The Gulf of Alaska Pacific cod resource is targeted by multiple gear and operation types, principally by pot, trawl, and hook-and-line catcher vessels, and hook-and-line catcher processors. Smaller amounts of cod are taken by other sectors, including catcher vessels using jig gear. Separate TACs are identified for Pacific cod in the Western, Central, and Eastern Gulf of Alaska management subareas, but the TACs are not divided among gear or operation types. This results in a derby-style race for fish and competition among the various gear types for shares of the TAC. To address these issues, the Council adopted the following problem statement in April 2007:

Gulf of Alaska Pacific Cod Sector Split Purpose and Need Statement

The limited access derby-style management of the Western Gulf and Central Gulf Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot, and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, a reduced federal TAC due to the state waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TAC. Competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of the competition for catch shares among sectors. Allocation of the catch among sectors would reduce this uncertainty and contribute to stability across the sectors. Dividing the TAC among sectors may also facilitate development of management measures and fishing practices to address Steller sea lion mitigation measures, bycatch reduction, and prohibited species catch (PSC) mortality issues.

The proposed action would divide the Western and Central Gulf of Alaska Pacific cod TACs among gear and operation types based on historic dependency and use by each sector. This action would enhance stability in the fishery, reduce competition among sectors, and preserve the historic distribution of catch among sectors. Without sector allocations, future harvests by some sectors may increase and impinge on the historic levels of catch by other sectors. Sector allocations may be a first step toward stabilizing the GOA Pacific cod fishery, and may enable the Council to begin developing a series of Gulf of Alaska management measures to address Steller sea lion issues, halibut PSC usage, and bycatch reduction.

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Cotton*

Preliminary Alternatives, and Draft Components and Options

In April 2007, the Council outlined the following preliminary components and options for the proposed action:

ALTERNATIVE 1. No Action. The Gulf of Alaska Pacific cod TACs would not be allocated to the various gear and operation types.

ALTERNATIVE 2. Allocate the Western and Central Gulf of Alaska Pacific cod TACs to the trawl, pot, hook-and-line, and jig catcher vessel and catcher processor sectors based on catch history or other criteria.

Component 1: Areas for which allocations will be established

The Western and Central Gulf of Alaska Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2.

Component 2: Sectors for which allocations will be established

The Western and Central GOA Pacific cod TACs will be allocated among the following sectors:

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
- Hook-and-line catcher vessels
- Pot catcher processors
- Pot catcher vessels
- Jig vessels
- Inshore trawl catcher processors
- Inshore hook-and-line catcher processors

Additional divisions could include:

- Pot catcher vessels <60 ft
- Pot catcher vessels ≥60 ft
- All catcher processors <125 ft
- All catcher processors ≥125 ft

Component 3: Definition of qualifying catch

The Council identified three options for defining qualifying catch:

Option 1 All retained legal catch of Pacific cod in the federal and parallel waters fisheries in the Western and Central Gulf of Alaska.

Option 2 All retained legal catch of Pacific cod in the federal and parallel waters fisheries in the Western and Central Gulf of Alaska, excluding meal.

Option 3 All retained Pacific cod harvested during the directed federal fisheries in the Western and Central Gulf, excluding meal.

Under all options, allocations to the trawl sectors will deduct incidental catch allocated to the trawl sector for the Central Gulf Rockfish program.

Component 4: Years included for purposes of determining catch history

The Council identified four options:

- Option 1 Qualifying years 1995-2005: average of best 5 years
- Option 2 Qualifying years 1995-2005: average of best 7 years
- Option 3 Qualifying years 2000-2006: average of best 3 years
- Option 4 Qualifying years 2000-2006: average of best 5 years

Component 5: Allocation of Pacific cod to jig sector

Options include setting aside 1%, 3%, 5%, or 7% of the Western and Central GOA Pacific cod TACs for the jig catcher vessel sector, with a stairstep provision to increase ~~the TACs~~ if 90% of the allocation is fished. *alloc.*

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs.

Component 6: Apportionment of Pacific cod to meet incidental catch needs¹

Option 1 Reserve the amount of Pacific cod needed to support incidental catch of cod in all other directed Gulf of Alaska fisheries off the top before allocating to the sectors; or

Option 2 Give each sector separate incidental catch allocations, and sectors will be responsible for their own incidental catch needs.

Component 7: Rollover provisions among sectors

The trawl catcher processor (CP) and catcher vessel (CV) allocations would become available to other sectors when the final trawl halibut PSC apportionment is reached. The final trawl halibut PSC apportionment becomes available on **October 1st**.

1. The trawl CV allocation would become available to other CV sectors.
2. The trawl CP allocation would become available:
 - a) To other CP sectors, or
 - b) To both CP and CV sectors, but CV catch accounts to CV allocations first, and when those allocations are fully used, they would begin accounting to the trawl CP allocation.

The hook-and-line CP and CV allocations would become available to other sectors when the final hook-and-line halibut PSC apportionment is reached. The final hook-and-line halibut PSC apportionment becomes available on **September 1st**.

1. The hook-and-line CV allocation would become available to other CV sectors.
2. The hook-and-line CP allocation would become available:
 - (a) To other CP sectors, or
 - (b) To both CP and CV sectors, but CV catch accounts to CV allocations first, and when those allocations are fully used, they would begin accounting to the hook-and-line CP allocation.

¹ Under regulation, 20 percent of the TAC of each Gulf species (including Pacific cod) can be held in reserve for later allocation to accommodate bycatch. In recent years, NOAA fisheries has not set aside a separate incidental catch allowance for cod, and has instead included the reserves as part of the GOA Pacific cod TACs.

Any quota not caught by the CV sector by November 1, November 15, or December 1 would become available to either:

1. All CV sectors
2. All sectors

Any quota not caught by the CP sector by November 1, November 15, or December 1 would become available to either:

1. All CP sectors
2. All sectors

The jig sector's allocation would become available to other sectors on:

August 1, September 1, or October 1

Management of the Pacific cod fishery in the Gulf of Alaska

Three separate area TACs are identified for Pacific cod in the Western Gulf, Central Gulf, and Eastern Gulf management subareas. Final 2006 harvest specifications apportioned 55% of the Gulf catch to the Central Gulf (28,405 mt) and 39% to the Western Gulf (20,141 mt). The GOA Pacific cod TACs are not divided among gear types, but are apportioned to the inshore and offshore processing sectors, with 90 percent allocated to the inshore component and 10 percent to the offshore component. In addition, the TACs are apportioned seasonally, with 60 percent of the TACs allocated to the A season and 40 percent to the B season. The A and B seasons were implemented in 2001 as a Steller sea lion protection measure. The A season begins on January 1st for fixed gear vessels, and on January 20th for trawl vessels. The A season ends on June 10th, but NMFS usually closes the season much earlier when the TAC has been fully fished. The B season begins on September 1st for all gear types, and ends November 1st for trawl vessels and December 31st for non-trawl vessels. However, the B season usually closes much earlier for the trawl sector, and often closes early for the hook-and-line sector as well, due to PSC halibut restrictions. Total allowable catch (TAC), acceptable biological catch (ABC), and actual catch of Pacific cod in the Federal and State fisheries in the Gulf of Alaska are summarized in Table 1.

Table 1. Pacific cod catch in the Federal and State fisheries in the Gulf of Alaska, total allowable catch (TAC), and acceptable biological catch (ABC), 1995-2006.

Year	Federal catch	Federal TAC	Percentage of TAC harvested	State catch	Total catch	ABC	Percentage of ABC harvested
1995	68,985	69,200	99.7	n/a	68,985	69,200	99.7
1996	68,384	65,000	105.2	n/a	68,384	65,000	105.2
1997	68,492	69,115	99.1	8,543	77,016	81,500	94.5
1998	62,101	66,060	94.0	10,404	72,523	77,900	93.1
1999	68,607	67,835	101.1	13,171	81,785	84,400	96.9
2000	54,492	58,715	92.8	12,031	66,560	76,400	87.1
2001	41,614	52,110	79.9	9,920	51,541	67,800	76.0
2002	42,345	44,230	95.7	12,137	54,482	57,600	94.6
2003	41,270	40,540	101.8	11,460	52,497	52,800	99.4
2004	43,183	48,033	89.9	12,921	56,194	62,810	89.5
2005	35,031	44,433	78.8	12,385	47,416	58,100	81.6
2006	37,787	52,264	72.3	9,859	47,646	68,859	69.2

Source: NMFS Blend/Catch Accounting Databases, 1995-2006.

The Western and Central Gulf A season TACs are fully utilized, and vessels race for shares of the TACs. Sector allocations would reduce competition among sectors for the A season TACs, but may not reduce competition among vessels within sectors or slow down the fishery. The GOA Pacific cod B season TACs are not typically fully fished due to halibut PSC closures, adverse weather conditions, and difficulty finding cod. Trawl vessels, and to a lesser extent, hook-and-line vessels, race against each other for shares of the GOA halibut PSC apportionments during the B season, and halibut PSC limits often constrain B season catch by these sectors.

Summary of Retained Catch of Pacific cod by Sector

Estimates of total retained catch are summarized in Tables 2 and 3. Since 1995, the proportion of catch taken by the various sectors has changed, in some cases substantially. In general, the proportion of Central and Western Gulf Pacific cod caught by trawl catcher vessels has declined, while the proportion caught by pot catcher vessels has increased. This trend is particularly apparent in the Western Gulf.

Table 2. Retained catch of Pacific cod from the Western GOA, 1995-2006.

Year	HAL CP		HAL CV		Jig CV		Pot CP		Pot CV		Trawl CP		Trawl CV	
	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total
1995	4,875	25.5	25	0.1	36	0.2	*	*	3,299	17.3	602	3.2	10,188	53.3
1996	4,199	18.0	147	0.6	32	0.1	0	0.0	4,448	19.0	632	2.7	13,914	59.5
1997	3,285	13.0	34	0.1	5	0.0	0	0.0	3,838	15.2	263	1.0	17,879	70.7
1998	2,959	13.4	61	0.3	1	0.0	0	0.0	3,820	17.3	251	1.1	15,007	67.9
1999	4,947	21.5	70	0.3	0	0.0	1,347	5.8	2,713	11.8	618	2.7	13,364	58.0
2000	4,532	22.0	54	0.3	5	0.0	193	0.9	4,392	21.3	654	3.2	10,770	52.3
2001	3,657	26.2	31	0.2	157	1.1	1,074	7.7	2,283	16.2	618	4.4	6,160	44.1
2002	5,787	34.8	38	0.2	192	1.2	*	*	4,600	27.7	419	2.5	5,073	30.5
2003	3,923	25.6	46	0.3	46	0.3	*	*	9,549	62.2	317	2.1	1,361	8.9
2004	2,811	18.6	28	0.2	183	1.2	*	*	9,715	64.2	425	2.8	1,717	11.4
2005	698	5.7	281	2.3	43	0.4	*	*	6,402	52.3	228	1.9	4,441	36.3
2006	2,473	18.1	106	0.8	*	*	*	*	5,779	42.3	206	1.5	4,917	36.0
95-05	3,789	20.4	74	0.5	64	0.4	338	2.0	5,003	29.5	457	2.5	9,079	44.8
00-06	3,412	21.6	83	0.6	*	*	633	4.3	6,100	40.9	409	2.6	4,920	31.3

Source: ADFG Fish Tickets and NMFS Weekly Production Reports.

Table 3. Retained catch of Pacific cod from the Central GOA, 1995-2006.

Year	HAL CP		HAL CV		Jig CV		Pot CP		Pot CV		Trawl CP		Trawl CV	
	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total	Catch	Percent of total
1995	216	0.5	4,546	10.6	50	0.1	0	0.0	13,760	32.2	1,859	4.3	22,330	52.2
1996	494	1.3	4,486	11.4	34	0.1	0	0.0	10,485	26.8	1,867	4.8	21,815	55.7
1997	*	*	6,401	15.4	21	0.1	0	0.0	8,418	20.3	789	1.9	25,756	62.1
1998	107	0.3	5,815	14.5	50	0.1	0	0.0	9,205	22.9	4,155	10.3	20,820	51.9
1999	314	0.7	6,145	14.4	23	0.1	2,932	6.9	12,043	28.1	1,451	3.4	19,881	46.5
2000	209	0.6	6,529	20.3	38	0.1	781	2.4	11,943	37.1	1,724	5.4	10,971	34.1
2001	*	*	5,684	20.7	11	0.0	572	2.1	3,504	12.8	2,446	8.9	15,169	55.4
2002	1,291	5.7	6,753	29.8	3	0.0	*	*	3,228	14.2	687	3.0	10,568	46.6
2003	1,257	5.3	3,497	14.7	16	0.1	*	*	3,200	13.4	1,448	6.1	14,405	60.5
2004	1,383	5.2	5,423	20.5	108	0.4	0	0.0	4,887	18.5	934	3.5	13,669	51.7
2005	284	1.2	4,271	19.3	137	0.6	0	0.0	8,169	36.8	752	3.4	8,591	38.7
2006	836	3.7	6,182	27.1	93	0.4	0	0.0	8,398	36.9	886	3.9	6,377	28.0
Avg 95-05	510	1.9	5,414	17.4	45	0.2	402	1.1	8,077	23.9	1,647	5.0	16,725	50.5
00-06	*	*	5,477	21.8	58	0.2	213	0.7	6,190	24.3	1,268	4.9	11,393	45.0

Source: ADFG Fish Tickets and NMFS Weekly Production Reports.

Potential Percent Allocations of the Pacific Cod TACs

Potential percent allocations of the Western and Central GOA Pacific cod TACs are summarized in Tables 4 and 5. The qualification period that includes earlier years (1995-2005) generally favors the trawl catcher vessel sector, particularly in the Western Gulf. The qualification period that only includes more recent years (2000-2006) generally favors the pot catcher vessel sector, and, to a lesser extent, the hook-and-line sectors. Using each sector's best years reduces the disparities among the options somewhat, but there are still strong differences depending on the range of qualifying years selected by the Council. For example, depending on which definition of qualifying catch is used, the trawl catcher vessel allocation could range from 30.9 percent to 47.7 percent of the Western Gulf TAC. Similarly, the pot catcher vessel allocation could range from 28.6 percent to 42.6 percent of the Western Gulf TAC. Differences among the various options are generally much smaller for the Central Gulf. If directed catch is used by the Council to allocate GOA Pacific cod among the sectors, a separate incidental catch allowance will need to be set aside off the top to accommodate the incidental catch needs of each sector.

Table 4. Potential percent allocations of the Western Gulf Pacific cod TACs based on 3 options for defining qualifying catch and 4 options for selecting qualifying years.

		HAL CP	HAL CV	Jig CV	POT CP	POT CV	Trawl CP	Trawl CV
All retained catch	1995-2005: Best 7 years	19.4	0.5	0.5	2.4	29.5	2.4	45.3
	1995-2005: Best 5 years	18.8	0.5	0.6	2.7	31.9	2.3	43.3
	2000-2006: Best 5 years	20.7	0.6	0.7	2.5	40.6	2.4	32.5
	2000-2006: Best 3 years	20.2	0.8	0.8	2.9	41.8	2.4	31.0
Retained catch, no meal	1995-2005: Best 7 years	19.5	0.5	0.5	2.4	29.4	2.4	45.3
	1995-2005: Best 5 years	18.8	0.5	0.6	2.7	31.8	2.3	43.2
	2000-2006: Best 5 years	20.9	0.6	0.7	2.5	40.5	2.5	32.4
	2000-2006: Best 3 years	20.4	0.8	0.8	2.9	41.7	2.4	30.9
Directed catch, no meal	1995-2005: Best 7 years	18.9	0.4	0.5	2.3	28.6	1.5	47.7
	1995-2005: Best 5 years	17.9	0.5	0.6	2.7	31.3	1.6	45.5
	2000-2006: Best 5 years	20.3	0.5	0.7	2.5	41.6	1.1	33.3
	2000-2006: Best 3 years	19.8	0.7	0.8	3.0	42.6	1.3	31.7

Table 5. Potential percent allocations of the Central Gulf Pacific cod TACs based on 3 options for defining qualifying catch and 4 options for selecting qualifying years.

		HAL CP	HAL CV	Jig CV	POT CP	POT CV	Trawl CP	Trawl CV
All retained catch	1995-2005: Best 7 years	2.5	17.3	0.2	1.5	25.2	5.3	48.0
	1995-2005: Best 5 years	3.0	17.7	0.2	1.9	25.8	5.7	45.7
	2000-2006: Best 5 years	3.7	20.8	0.3	0.9	25.2	4.9	44.3
	2000-2006: Best 3 years	4.1	19.5	0.4	1.3	27.8	5.1	42.0
Retained catch, no meal	1995-2005: Best 7 years	2.5	17.5	0.2	1.5	25.2	5.4	47.8
	1995-2005: Best 5 years	3.0	17.8	0.2	1.9	25.8	5.7	45.5
	2000-2006: Best 5 years	3.7	20.9	0.3	0.9	25.2	4.9	44.0
	2000-2006: Best 3 years	4.1	19.6	0.4	1.3	27.8	5.2	41.6
Directed catch, no meal	1995-2005: Best 7 years	2.7	19.1	0.2	1.1	26.8	4.1	45.9
	1995-2005: Best 5 years	3.3	19.5	0.2	1.4	27.3	4.5	43.7
	2000-2006: Best 5 years	4.1	23.1	0.3	0.5	28.3	3.4	40.2
	2000-2006: Best 3 years	4.5	21.5	0.4	0.7	30.5	4.1	38.3

Other Issues

Sector definitions

The Council may wish to consider refining catcher processor sector definitions. In the draft EA/RIR/IRFA, Tables 3-28 and 3-29 (p. 33) show the number of catcher processors participating in the GOA Pacific cod fisheries tallied by inshore/offshore processing sector and by vessel length (vessels <125 ft and \geq 125 ft). Some of the catcher processor sector subdivisions proposed in the draft components and options would result in sector allocations to a small number (<3) of vessels.

Definition of Qualifying Catch

One option for defining qualifying catch being considered by the Council would exclude meal. Meal is often excluded from catch estimates when certain sectors, such as smaller catcher processors, would be disadvantaged by the inclusion of meal. In cases where meal has been excluded from catch estimates, Weekly Production Reports have been used to calculate catch. However, in the Gulf of Alaska no catcher processors produced meal from Pacific cod during 1995-2006. For this reason, the Council could consider using Blend and Catch Accounting data rather than WPRs to calculate qualifying catch for catcher processors. A comparison of catch estimates based on WPRs and Blend/Catch Accounting data is provided in Appendix B (attached to this Executive Summary).

Incidental catch allowance

The Council is considering two options for accommodating incidental catch needs. Reserving an incidental catch allowance (ICA) for Pacific cod off the top of the Western and Central Gulf TACs (Option 1) is the less flexible option. If the ICA is too large, unused quota has to be reallocated at some point during the season. If the ICA is too small, it may constrain participation in other directed fisheries. Setting aside an ICA also complicates the harvest specifications process and is more difficult to manage. Option 2 is relatively straightforward to implement and manage. Each sector would receive a single allocation of cod based on historic catch levels that is sufficient to accommodate incidental catch needs. Options 1 and 2 for defining qualifying catch both include incidental catch. The Council could use either of these definitions of qualifying catch to incorporate incidental catch needs into sector allocations.

Jig allocation

Currently, the jig sector catches less than one percent of the Western and Central GOA Pacific cod TACs. The Council is currently considering an option to give the jig sector a base 1 percent allocation of each TAC, with a provision to increase allocations if 90 percent of the quota is fished during a given year. Jig catch has fluctuated considerably, and during recent years (2001, 2002, and 2004) the jig share exceeded 1 percent of the total retained catch in the Western Gulf. Under options being considered by the Council, these catch levels would trigger a stairstep increase in the Western Gulf jig allocation to 2 percent or more of the TAC. If there is concern that fluctuations in effort by the jig sector may result in unharvested TAC, the Council may wish to consider adding an option for a stairstep decrease in the jig allocation back to a base level of 1 percent if increased allocations (2 percent or more) are triggered but are not fully fished or nearly so (90 percent or more) during a period of years.

Rollover Provisions

Rollover provisions would make unused quota available to other sectors. Based on participation and catch levels in 2005 and 2006, it appears that earlier rollovers are more likely to be fished, particularly in the Western Gulf. Options also include rollovers within operation type (i.e., catcher vessel to catcher vessel) or to all vessels. Restricting rollovers to a particular operation type may result in unfished quota. For example, if both trawl and hook-and-line B seasons are closed due to halibut PSC restrictions and no other catcher processors are participating in the fishery, remaining catcher processor quota would not be fished.

APPENDIX B

Table B-1. Comparison between retained catch estimates of Western Gulf Pacific cod based on Fish Tickets and Blend/Catch Accounting data, 1995-2006.

Year	HAL Catcher Vessel			Jig Catcher Vessel			Pot Catcher Vessel			Trawl Catcher Vessel		
	Blend/Catch Accounting	Fish Tickets	Percent difference	Blend/Catch Accounting	Fish Tickets	Percent difference	Blend/Catch Accounting	Fish Tickets	Percent difference	Blend/Catch Accounting	Fish Tickets	Percent difference
1995	18.8	24.8	31.6	32.3	35.8	11.2	2,360.1	3299.0	39.8 ^a	n/a	10187.5	n/a
1996	132.4	146.7	10.8	45.1	32.2	-28.7	1,663.2	4447.6	167.4 ^a	11,941.7	13914.5	16.5
1997	51.7	33.6	-35.0	3.6	4.7	30.6	991.8	3837.9	287.0 ^a	18,053.4	17878.6	-1.0
1998	112.4	60.8	-45.9	0.0	0.7	n/a	1,617.6	3820.0	136.2 ^a	14,381.9	15006.7	4.3
1999	36.6	69.8	90.9	0.0	0.0	n/a	1,312.6	2712.6	106.7 ^a	14,334.6	13364.2	-6.8
2000	65.0	53.8	-17.2	4.4	5.2	19.7	4,670.3	4391.7	-6.0	11,283.9	10769.9	-4.6
2001	25.2	31.3	24.1	130.4	157.2	20.6	1,970.7	2263.3	14.8	6,143.4	6160.2	0.3
2002	8.6	37.8	338.6	171.8	191.7	11.6	4,340.1	4599.7	6.0	5,025.6	5072.9	0.9
2003	76.0	46.5	-38.8	46.1	46.0	-0.4	9,491.6	9548.6	0.6	1,421.6	1361.0	-4.3
2004	39.8	27.8	-30.0	177.9	183.4	3.1	9,680.0	9715.4	0.4	1,698.2	1716.9	1.1
2005	294.0	281.0	-4.4	51.9	43.1	-17.0	6,355.3	6401.8	0.7	4,386.5	4440.9	1.2
2006	130.2	105.9	-18.7	*	*	*	5,907.7	5779.0	-2.2	4,813.1	4916.5	2.1
Total	990.8	919.7	-7.2	*	*	*	50360.8	60816.7	20.8	93483.9	94602.3	1.2

Source: ADFG Fish Tickets (1995-2006) and NMFS Blend (1995-2002) and Catch Accounting (2003-2006) databases.

^aSource agencies are aware of the discrepancies between the databases and are working to resolve any errors.

Table B-2. Comparison between retained catch estimates of Central Gulf Pacific cod based on Fish Tickets and Blend/Catch Accounting data, 1995-2006.

Year	HAL Catcher Vessel			Jig Catcher Vessel			Pot Catcher Vessel			Trawl Catcher Vessel		
	Blend/Catch Accounting	Fish Tickets	Percent difference	Blend/Catch Accounting	Fish Tickets	Percent difference	Blend/Catch Accounting	Fish Tickets	Percent difference	Blend/Catch Accounting	Fish Tickets	Percent difference
1995	4,479.5	4546.0	1.5	41.2	50.1	21.6	12,962.1	13759.5	6.2	n/a	22330.2	n/a
1996	4,433.5	4485.8	1.2	7.6	34.1	349.0	10,176.2	10485.1	3.0	23,481.1	21814.7	-7.1
1997	6,137.2	6400.8	4.3	13.2	21.2	60.8	7,563.3	8417.7	11.3	25,134.9	25755.8	2.5
1998	5,852.3	5815.3	-0.6	16.0	49.7	209.7	8,689.8	9205.4	5.9	20,862.4	20819.9	-0.2
1999	6,152.8	6144.6	-0.1	29.9	23.5	-21.4	12,778.8	12043.3	-5.8	19,506.3	19881.0	1.9
2000	6,341.8	6529.1	3.0	35.2	38.1	8.3	11,423.4	11942.7	4.5	10,739.4	10971.2	2.2
2001	5,605.4	5683.8	1.4	19.6	11.4	-41.6	3,442.8	3503.7	1.8	13,749.2	15169.2	10.3
2002	6,423.3	6753.0	5.1	4.2	2.8	-32.9	2,578.6	3227.9	25.2	10,112.1	10568.3	4.5
2003	3,294.0	3497.5	6.2	42.1	15.7	-62.7	3,049.7	3200.3	4.9	13,877.4	14405.5	3.8
2004	5,509.6	5423.0	-1.6	165.7	108.3	-34.6	4,868.4	4887.4	0.4	13,669.3	13669.0	0.0
2005	4,246.2	4271.0	0.6	155.4	136.7	-12.0	8,032.5	8169.3	1.7	8,448.6	8591.3	1.7
2006	6,289.4	6182.5	-1.7	115.4	92.7	-19.7	8,272.7	8398.4	1.5	5,818.3	6376.7	9.6
Total	64765.0	65732.3	1.5	645.4	584.3	-9.5	93638.2	97240.8	3.6	165399.1	168022.7	1.6

Source: ADFG Fish Tickets (1995-2006) and NMFS Blend (1995-2002) and Catch Accounting (2003-2006) databases.

Table B-3. Comparison between retained catch estimates of Pacific cod in the Western Gulf based on Weekly Production Reports and Blend/Catch Accounting data, 1995-2006.

Year	HAL Catcher Processor			Pot Catcher Processor			Trawl Catcher Processor		
	Blend/Catch Accounting	WPR	Percent difference	Blend/Catch Accounting	WPR	Percent difference	Blend/Catch Accounting	WPR	Percent difference
1995	5632.0	4874.6	-13.4	*	*	*	587.1	602.3	2.6
1996	4368.8	4199.1	-3.9	*	*	*	787.3	631.6	-19.8
1997	3837.2	3285.4	-14.4	0.0	0.0	n/a	294.9	262.5	-11.0
1998	3167.5	2959.0	-6.6	*	*	*	276.0	251.4	-8.9
1999	5116.1	4947.1	-3.3	1423.7	1346.7	-5.4	623.2	618.2	-0.8
2000	4706.5	4531.9	-3.7	*	*	*	750.8	654.1	-12.9
2001	3869.4	3657.3	-7.9	1038.1	1073.9	3.4	670.3	617.8	-7.8
2002	6410.8	5787.1	-9.7	*	*	*	327.5	419.2	28.0
2003	4242.1	3923.0	-7.5	*	*	*	339.9	317.2	-6.7
2004	2893.5	2811.4	-2.8	*	*	*	539.0	424.5	-21.2
2005	724.2	698.1	-3.6	*	*	*	216.7	227.8	5.2
2006	2690.7	2473.4	-8.1	*	*	*	218.1	205.7	-5.7
Total	47758.8	44147.5	-7.6	*	*	*	5630.7	5232.4	-7.1

Source: NMFS Weekly Production Reports (1995-2006) and NMFS Blend (1995-2002) and Catch Accounting (2003-2006) databases.

Table B-4. Comparison between retained catch estimates of Pacific cod in the Central Gulf based on Weekly Production Reports and Blend/Catch Accounting data, 1995-2006.

Year	HAL Catcher Processor			Pot Catcher Processor			Trawl Catcher Processor		
	Blend/Catch Accounting	WPR	Percent difference	Blend/Catch Accounting	WPR	Percent difference	Blend/Catch Accounting	WPR	Percent difference
1995	133.6	216.1	61.7	0.0	0.0	n/a	1860.0	1859.2	0.0
1996	710.2	494.2	-30.4	0.0	0.0	n/a	2713.9	1866.6	-31.2
1997	*	*	*	0.0	0.0	n/a	770.0	789.2	2.5
1998	175.5	107.3	-38.8	0.0	0.0	n/a	4447.1	4154.9	-6.6
1999	312.8	314.0	0.4	2937.9	2932.2	-0.2	1595.3	1451.4	-9.0
2000	209.1	209.2	0.0	909.8	781.2	-14.1	1386.8	1724.3	24.3
2001	*	*	*	588.1	572.2	-2.7	2241.1	2446.1	9.1
2002	1637.5	1290.7	-21.2	*	*	*	835.4	686.8	-17.8
2003	1461.8	1257.3	-14.0	*	*	*	1218.8	1447.8	18.8
2004	1452.7	1382.9	-4.8	0.0	0.0	n/a	769.8	934.4	21.4
2005	266.5	264.1	-0.9	0.0	0.0	n/a	719.4	751.6	4.5
2006	896.6	836.5	-6.7	0.0	0.0	n/a	877.0	886.2	1.1
Total	*	*	*	*	*	*	19434.7	18998.4	-2.2

Source: NMFS Weekly Production Reports (1995-2006) and NMFS Blend (1995-2002) and Catch Accounting (2003-2006) databases.

John Bundy, Acting Chair
North Pacific Fishery Management Council
605 W. 4th Ave. Suite 306
Anchorage, AK 99501

RECEIVED
September 2007
SEP 26 2007

Re: Agenda item C-4 GOA Groundfish Issues

N.P.F.M.C.

Dear Members of the NPFMC,

We own and operate the 42 foot commercial fishing vessel Patricia Sue, based out of Kodiak, and participate in the salmon, halibut, pacific cod, herring and Tanner crab fisheries in the Gulf of Alaska.


As discussion continues in regards to the GOA sector split, we believe a fair and equitable distribution of this valuable species may only be met by allocating history of the directed pacific cod landings. Only during the directed fishery did all gear types have the opportunity to establish history in prosecuting the fishery.

In regards to bycatch concerns within the multiple species trawl fishery, we believe that it is important to note that the 20% incidental catch species was originally established to reduce discards and was set as 20% of an individual tow or haul. At some point overtime, this figure morphed into 20% of the load of all groundfish fisheries prosecuted with trawl gear, with the exception of arrowtooth which remained at 5%. With the pacific cod coming off the total allowable catch in order to fund the trawl sectors needs, in essence all gear types have given up the opportunity to prosecute the cod fishery to facilitate the needs of this particular gear type.

To allocate this exclusive right would most likely result in excessive share of the privilege which would violate the Groundfish FMP. At the very least, we believe the Council should conduct a basis species profile for each species which has received 20% incidental cod and work toward a better understanding of which fisheries genuinely warrant this bycatch to potentially justify allocation. In our understanding of the Rockfish Pilot Program, the pacific cod was harvested during a separate trip from the rockfish and effectively negates the age old argument that P. cod bycatch was a necessary component to reduce waste while prosecuting the rockfish.

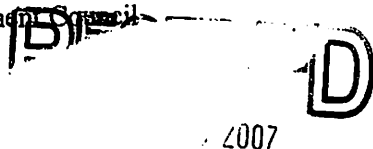
Increased, reliable observer data would greatly facilitate policy and managerial decision making abilities in regards to issues like a P. cod sector split. We encourage our Council to utilize every available means to address and remedy this problem in conjunction with analyzing a sector split. A non equitable sector split will have profound impacts on communities dependent upon fishery resources in the Gulf.

Sincerely,



Charlie and Theresa Peterson

North Pacific Fisheries Management Council
605 West 4th, Suite 306
Anchorage, Ak 99501
PH (907) 271-2809
FAX (907) 271-2817



N.P.F.M.C.

September 26, 2007

Agenda C-4A

Cod Sector Splits in the Gulf of Alaska. We are in favor of a sector split that allocates the primary targeted species and identifies & maintains a balance for the cod sectors in the GOA. A sector split should not be used to allocate bycatch (incidental catch). The council should engage in a fair and equitable distribution of resources. No particular group should be awarded an excessive share. Bycatch history has an exclusive historical catch record. The amount of bycatch needed to prosecute the fishery is questionable and only through better observer coverage would the council be able to determine the actual needs. The ability to redistribute this portion of the TAC must be reserved. Through improved fishing practices and reduced competition, the necessity for bycatch will be further reduced. Therefore the future redistribution of bycatch would then be possible and practical. Utilizing delivery patterns of the rock fish pilot program could be beneficial in evaluating the need for bycatch in a fishery with these elements. Therefore initial sector split allocations should be based on the primary species of marketable size and quality (ie. no meal or discards)

Ron & Julie Kavanaugh
FV Sylvia Star LLC
PO Box 3890 Kodiak AK 99615
sylstar@ak.net

* Kodiak Residents. pot fishing P-cod in Kodiak, Chignik, Sand Point, and Akutan with groundfish history dating back to 1990.

North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99501-2252
FAX (907)271-2817

RECORDED

SEP 26 2007

N.P.F.M.C.

Re: C-4 GOA Groundfish Issues

We own and operate the 72 ft F/V Point Omega, we live in Kodiak and fish in the GOA and have been doing so since the boat was new in 1970. Our sole source of income is fishing.

We would like to see the improved fishing conditions that the sector split of the P. Cod resource in the GOA is supposed to provide.

Some of these improved fishing conditions are supposed to result in:

1. Elimination of competition with other gear groups.
2. Increase the value of the targeted species through better fishing practices.
3. Helping to preserve the resource through reduction of bycatch and better retention of incidental species due to the ability to use greater flexibility in managing bycatch needs.

If this is the actual result, then there should be the potential to build into the program the equitable redistribution of the cod resource to gear groups that demonstrate mainly single species catch. The GOA p. cod fishery seems to be heading into a decline and by the time this sector split is a done deal we may be looking at a very much smaller TAC, in which case the adverse effects to those gear groups who depend mainly on the p. cod will be substantial. With the pilot program for Rockfish taking their Bycatch off the top of the TAC and any future allocations that may be done in this manner, it is an unfair allocation to the smaller single species operation.

There needs to be bycatch reduction and there needs to be 100% observer coverage to supply the necessary information to see that the fish stocks are being responsibly managed for the future health of the fishery. Smaller operations could use video monitoring if their space doesn't allow for an observer.

To make this sector split fair and equitable and not cause adverse effects to any gear group there needs to be better use of existing data and more future data to make decisions from. Sharing of VMS data between State and Federal agencies is necessary as is observer data. We feel that in a p. cod sector split it should only be p. cod caught in the directed fishery that is included. We believe that "top off targeting" would be easy to identify with VMS data and that data needs to be available.

In summary, we want the sector split, it needs to be fair and good for the health of the stocks and we feel existing data and future data gathering is necessary. Observer coverage is necessary, there isn't enough to make good decisions and too many loop holes to give an accurate picture of what is actually being caught. Bycatch reduction needs to be addressed so that we may continue to make the best use of the resources we have in the GOA

Thanks for your time and consideration

Ken & Chris Holland

Ken and Chris Holland
F/V Point Omega
PO Box 608
Kodiak, AK 99615



UNITED FISHERMEN OF ALASKA

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September 26, 2007

Alan Risenhoover,
Director, Office of Sustainable Fisheries, NMFS,
Attn: LAPP Guidance,
1315 East-West Highway, SSMC3,
Silver Spring, MD 20910
Fax: 301-713-1193
E-mail: LAP.Guidance@noaa.gov

Proposed Comments to NMFS request for LAPP Guidance

United Fishermen of Alaska is an umbrella organization representing 36 Alaska member fishing associations representing virtually all of the fisheries in Alaska. In response to NOAA request for comments regarding the need for guidance in developing a proposed rule for the Limited Access Privilege Programs (LAPP) provisions in the reauthorized Magnuson Stevens Act (MSA), United Fishermen of Alaska offers the following comments.

We insist that new provisions for LAPPs not interfere with regional management council's (RFMCs) authority and ability to design programs that best fit the fisheries and constituents within their regions. Additionally, allow the councils to build into their programs the ability to modify LAPPs as they see fit in the future.

There is no need for NOAA to develop any new standards for determining eligibility, or to mandate entry-level concerns, or to establish ownership caps. These concerns are all elements that are integral to any rationalization program, and they will all be automatically included in any future LAPP program. If programs are approved by RFMCs that fail to address existing National Standards or other existing U.S. law, those shortcomings will certainly be identified during agency review leading to any future proposed rules regarding new LAPPs. Any shortcomings will be identified and addressed prior to publishing a final rule.

NOAA should follow the lead of Congress regarding LAPPs and give the RFMCs the maximum flexibility to design and develop new LAPP programs for the future. RFMCs are charged with developing management measures to ensure the sustainability of US

fisheries within the bounds of existing National Standards. Reauthorization of the MSA is no reason for the agency to begin developing new National Standards for LAPPs.

We have also attached a copy of UFA's Decembet 2005 comments on Magnuson Stevens reauthorization that pertain to LAPPs.

Best regards,



Mark Vinsel
Executive Director

CC:

Chris Oliver, Executive Director, North Pacific Fisheries Management Council
Cora Crome, Office of the Governor, State of Alaska
Commissioner Denby Lloyd, Alaska Department of Fish and Game

Enclosure



UNITED FISHERMEN OF ALASKA

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December 7, 2005

Honorable Ted Stevens
 United States Senate
 522 Hart Senate Office Building
 Washington, DC 20510-0201

Dear Senator Stevens,

The United Fishermen of Alaska (UFA) Board of Directors recently met and discussed draft legislation to reauthorize the Magnuson-Stevens Fishery Conservation and Management Act. UFA has taken the following positions regarding provisions in the draft legislation:

- UFA reaffirms its opposition to processor quota shares. We feel that fishermen should be able to deliver their catch to whomever they choose, or retain the option of self marketing. However, UFA notes in this regard that in important fisheries there is a close interrelationship between harvesters, shore-based processors, and coastal communities. These relationships should be carefully considered in the crafting of Limited Access Programs.

- UFA opposes the concept of limited durability in Limited Access Programs. We feel that fishing privileges, once granted or purchased, should not expire and they do not need to be renewed.

- UFA opposes auctions of fishing privileges. We have concerns that such auctions to grant fishing privileges to the highest bidder bring the risk of loss of fishing privileges to Alaska fishermen and higher potential for outmigration of fishing privileges from Alaska communities that depend on fishery income. Auctions of fishing rights and privileges will lead to large corporations bidding for ownership and control of the harvest rights to Alaska's fishery resources.

We appreciate the tremendous amount of work that you have done to promote and protect Alaska's fisheries, and we look forward to the M-S Act reauthorization continuing the tradition of fisheries remaining a sustainable economic cornerstone of Alaska's coastal communities.

Sincerely,

Mark Vinsel
 Executive Director

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Armstrong Kela • At-sea Processors Association
 Bristol Bay Reserve • Concerned Area "M" Fishermen • Cordova District Fishermen United • Douglas Island Pink and Chum
 Fishing Vessel Owners Association • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
 North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association
 Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner Association
 Seafood Producers Cooperative • Southeast Alaska Herring Seiners Marketing Association • Southeast Alaska Fisherman's Alliance
 Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association
 United Catcher Boats • United Salmon Association • United Southeast Alaska Gillnetters • Valdez Fisheries Development Association
 Western Gulf of Alaska Fishermen



Gulf of Alaska Coastal Communities Coalition (GOAC3)
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Web: www.goac3.org Email: goaccc@alaska.net

**TESTIMONY TO
THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
October 7, 2007
Regarding: C-4 GOA Groundfish**

Chairman Olsen and members of the Council: My name is Gale Vick and I am the Executive Director of the Gulf of Alaska Coastal Communities Coalition (GOAC3.) Also joining me is Freddie Christiansen, Chairman of the GOAC3. Today we are addressing issue C4, Gulf of Alaska groundfish, specific to the proposed Sector split of Pacific cod.

The GOAC3 is extremely concerned that the proposed sector split for Pacific cod is a potential preliminary step toward a rationalization of all the groundfish of the Gulf of Alaska *without benefit of adequate and required consideration of community impacts under the new statutes enacted as part of the 2006 MSRA reauthorization.*

We have heard it said that the sector split is “community neutral.” Nobody can say that is true, especially without any analysis performed to include the considerations required in the new MSRA. In the long run, we suspect any move to change the status quo in the fishery in terms of access and privileges will not be determined to be community neutral. We are especially concerned about

- (a) creating another closed class of fishermen by reallocating all the latent licenses for the pot and jig sectors *as an economic barrier to access*¹
- (b) creating a climate for the unrestricted formation of coops without any community provisions

We believe that the intent of Congress in the recent passage of the 2006 reauthorization of the Magnuson Stevens Fishery Conservation and Management Act (MSRA) was quite clear: Protect fishing communities in significant and meaningful ways. We interpret this to mean that it is incumbent on the regional management councils to provide the most optimal provisions for community protections under any management shift – either for a new management plan or for amendments to an existing plan.

Under the banner of the revised MSRA National Standard #8², and other language evident throughout MSRA and the accompanying Senate Report, (that explained the bill in its Senate version and is carried over to the final conference report) we believe the Council

¹ P. 82; MSRA, January 12, 2007, May 2007 Second Printing Section 303A(c)3(B)(iii-iv)

² **104-297 NATIONAL STANDARD #8** Conservation and management measures **shall**, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of paragraph (2), in order to (A) provide for the sustained participation of such

- (a) must consider that a community may need access to a multi-species portfolio of fishery resources (i.e. "combination fishing") in order to be socio-economically viable over long time periods, and
- (b) must consider the sector split within the context of a *cumulative* impact assessment³ of previous rationalization programs on Gulf of Alaska fisheries-dependent communities.

In retrospect, and in light of the new MSRA, the Council would have been ahead to have re-instated a communities protection committee to examine the potential socio-economic impacts and offer a broader range of options. In the absence of such a committee, we are asking the Council to proceed with caution by respectfully requesting that the Council add to its analysis a more complete socio-economic examination of both multi-species fishing access consideration and of the cumulative impacts on traditional "combination fishing"⁴, as now required by the MSRA, for fishing communities of areas 610-640, not connected to Anchorage by a road system, with particular attention to those smaller communities whose economies of scale are extremely dependent on combination fishing and who have suffered the most from cumulative impacts.

While it may be difficult to adequately redress the significant cumulative loss of fishing effort that many Gulf of Alaska communities have experienced in the past – largely because of decisions made by the Council - that doesn't mean we should compound the past failures of certain regulatory actions to protect communities from a multitude of unintended consequences. Some particular ways that the P-cod sector split could redress cumulative loss and facilitate community participation is by

- (a) re-allocating a percentage of the latent LLP cod non-trawl licenses for *community* ownership within the remote coastal communities⁵ of the endorsement areas and an additional capability to purchase quota
- (b) providing for protections against negative impacts of potential coops through requiring any future coop to be an RFA⁶ necessitating a strong community component

Finally, we remind the Council that communities are not individuals and that the needs of communities are more complex – and fluid – than individual needs, requiring greater long-term consideration to ensure that they will not be fatally wounded by lack of access to local resources.

We thank you for your time and consideration.

communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.
 16 U.S.C. 1851-1852 MSA §§ 301-302

³ 109-479 SECTION 303 (9) CONTENTS OF FISHERY MANAGEMENT PLAN "SHALL include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and analyze the likely effects, if any, including the cumulative conservation, economic and social impacts, of the conservation and management measures on, and possible mitigation measures for – (A) participant6s in the fisheries and fishing communities affected by the plan or amendment; (B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants, and (C) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery

⁴ fishing that is dependent on a variety of species within a small boat fleet

⁵ 22 communities with populations under 1500 have been identified

⁶ regional fishery association