

Council Motion
Staff Tasking
April 9, 2018

The Council adopts the following purpose and need statement and initiates analysis of the following alternatives:

Purpose and Need:

Amendment 113 to the Bering Sea Aleutian Islands Fishery Management Plan was intended to address the Council's concern of the continued risk of increased processing participation by rationalized sectors in the non-rationalized Aleutian Island cod fishery. In the first year Amendment 113 was in effect changes in fishery participation patterns and total allowable catches in the Bering Sea and Aleutian Islands, resulted in the fishery progressing a manner that may have been counter to the intent of providing community protections in the Aleutian Islands. The Council intends to modify Amendment 113 such that the prosecution of the BSAI cod fishery aligns with the Council's original objective of addressing the risk that participants in BSAI rationalized fisheries may diminish the historical share of BSAI cod of other industry participants and communities that depend on shoreplant processing in the region.

Alternative 1. No action

Alternative 2. Amend CFR 679.20 (a)(7)(viii)(E) as follows (changes in **bold and underlined**):

- (1) Language is unchanged
- (2) Language is unchanged

(3) Aleutian Islands Unrestricted Fishery. Prior to March 15, vessels otherwise authorized to directed fish for Pacific cod in the Aleutian Islands may directed fish for that portion of the Aleutian Islands Pacific cod non-CDQ directed fishing allowance that is specified as the Aleutian Islands Unrestricted Fishery as determined in paragraph (a)(7)(viii)(B) of this section and may deliver their catch to any eligible processor, **provided directed fishing for Pacific cod by the catcher vessel trawl sector is allowed in the BS Subarea.**

(4) Management of Trawl Catcher Vessels in the Aleutian Islands Unrestricted Fishery. If the trawl catcher vessel sector is closed in the BS Subarea prior to March 15, only trawl catcher vessels that deliver their catch of Aleutian Islands Pacific cod to an Aleutian Islands shoreplant for processing may directed fish for that portion of the Aleutian Islands Pacific cod non-CDQ directed fishing allowance that is specified as the Aleutian Islands Unrestricted Fishery as determined in paragraph (a)(7)(viii)(B) of this section.

~~(4)~~**(5) Minimum Aleutian Islands shoreplant landing requirement.** If less than 1,000 mt of the Aleutian Islands Catcher Vessel Harvest Set-Aside is landed at Aleutian Islands shoreplants on or before February 28, then paragraphs (a)(7)(viii)(E)(1) **thru (4)** of this section will not apply for the remainder of the fishing year.

- ~~(5)~~(6) Language is unchanged

Alternative 3:

If the Aleutian Islands Catcher Vessel Harvest Set-Aside is in effect, the trawl CV sector may not engage in directed fishing for cod from the Aleutian Islands Unrestricted Fishery until the earlier of March 15 or until the entire Set-Aside is landed.

This prohibition will be removed if less than 1,000 mt of the Aleutian Islands Catcher Vessel Harvest Set-Aside has not been landed by February 28.

Alternative 4:

1) Prior to March 21, the A season trawl CV Pacific cod harvests in the Bering Sea and trawl CV Pacific cod harvests in the Aleutian Islands except harvests delivered shoreside west of 170° longitude in the AI shall be limited to an amount equal to the BSAI aggregate CV trawl sector A season allocation minus the lesser of the AI directed Pacific cod non CDQ DFA or 5,000 mt.

Upon the closure under the above provision, directed trawl CV fishing for non CDQ BSAI Pacific cod is prohibited for all trawl CVs vessels except trawl CVs delivering shoreside west of 170° longitude in the AI prior to March 21, unless restrictions are removed earlier under 3 or 4 below.

2) Prior to March 15 AI directed Pacific cod non CDQ harvests of any sector other than the CV sector delivering shoreside west of 170° longitude in the AI as defined in 1) are limited to the amount of the AI directed Pacific cod non CDQ DFA above minus the amount set aside from the trawl CV BSAI allocation under 1). Catches of those other sectors under this provision are not subject to the regional delivery requirement.

3) If less than 1,000 mt of the AI Pacific cod non CDQ TAC has been landed shoreside west of 170 longitude in the AI by February 28 the restrictions under 1) and 2) shall be suspended for the remainder of the year.

4) If prior to November 1, neither the City of Adak nor the City of Atka have notified NMFS of the intent to process non CDQ directed AI Pacific cod in the upcoming year, the Aleutian Islands shoreside delivery requirement and restriction on the trawl CV sector allocation is suspended for the upcoming year. Cities can voluntarily provide notice prior to the selected date.

Shoreside deliveries are defined as deliveries made to a facility physically located on land.

The Council also tasks staff to:

- Provide a discussion of the tradeoffs and benefits of combining this action with the BSAI CV cod action the Council will address in June
- Provide a description of the 2018 BSAI CV trawl fishery, and how it was, or was not consistent with the intent of Amendment 113.