

# On-Time Public Comment List

Alaska Board of Fisheries Pacific Cod | Anchorage, October 18-19, 2018

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October 3, 2018

Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526

Dear Alaska Board of Fisheries Members:

The Alaska Bering Sea Crabbers (ABSC) appreciates the opportunity to comment on the cod fisheries proposals before the Alaska Board of Fisheries (Board) at their October 2018 meeting. ABSC is a trade association representing independent crab harvesters in the Bering Sea. Our members commercially fish for king, snow (opilio), and tanner (bairdi) crab with pot gear and hold approximately 70% of the quota in the Bering Sea and Aleutian Islands (BSAI) Crab Rationalization Program.

The reason for our letter is to **urge the Board to take no action on Proposals 10, 12, 13 and 14**, all of which shift allocation or management boundaries from federal to state cod fisheries. These proposals would harm well-established federal Pacific cod fisheries. These fisheries constitute a significant and integral part of the yearly operations for many crab harvesters. Large sums of money are spent on equipment targeting these activities, with specialized features to reduce crab and other species bycatch down to a minimum. In times of quota and price fluctuations, this fishery has provided much needed robustness and flexibility to countless of crab harvesters' business plans.

In addition, a shift of allocation from the federal to state fishery in Area O gives ABSC concern over the potential impacts to crab stocks, also managed by ADFG. Several BSAI crab stocks are in decline and the annual survey indicates that a substantial amount of juvenile and female crab are found in the nearshore waters of Area O.

Thank you for considering our comments.

Sincerely,

Jamie Goen  
Executive Director  
Alaska Bering Sea Crabbers  
[absc.jamie@gmail.com](mailto:absc.jamie@gmail.com)



# Alaska Whitefish Trawlers Association

P.O. Box 991  
Kodiak, AK 99615  
(907) 654-9888  
[alaskawhitefishtrawlers.org](http://alaskawhitefishtrawlers.org)

October 3, 2018

Alaska Board of Fisheries  
Alaska Department of Fish and Game  
Boards Support Section  
P.O. Box 115526  
Juneau, Alaska 99811-5526

*Via e-mail: [dfg.bof.comments@alaska.gov](mailto:dfg.bof.comments@alaska.gov)*

Re: **AWTA Comments on Proposals 1-6, 9, and 12-14**

Dear Chairman Jensen and the Alaska Board of Fisheries:

Alaska Whitefish Trawlers Association (AWTA) is a Kodiak-based trade organization that has represented independently owned trawl catcher-vessels (CVs) that operate in the Gulf of Alaska and Bering Sea for over 40 years. Most AWTA member vessels home-port in Kodiak and deliver groundfish 11 months per year from both federal and state groundfish fisheries – which allows shore-based processors to operate year-round. The majority of AWTA crew members and skippers reside in Kodiak, and our 16 member vessels have an average length of 89 feet LOA. Cod normally comprises an integral part of each vessel's business plan and is an important target species.

*PROPOSAL 1 - Repeal and replace the Aleutian Island Subdistrict Pacific Cod Management Plan with management measures found in the Dutch Harbor Subdistrict Pacific Cod Management Plan.*  
**AWTA opposes Proposal 1.** Proposal 1 effectively eliminates trawl vessel participation in the state cod GHL fishery, and is unfair to trawl vessels owners with a history of participation and dependence on this state fishery since it was created. Previous BOF actions with restrictions similar to those found in Proposal 1, including trawl vessel length and geographic operational limitations, were subsequently overturned by the Board because the Adak processing facility could not operate without the volume provided by trawl deliveries. Larger trawl vessels can handle the rough weather and tough fishing conditions in the Aleutian Islands and allow a safer and more productive fishery, which was also considered by the Board when it set a 100 foot LOA. The Board created the Aleutian Island cod fishery for all gear types and limiting the fishery to just fixed gear will greatly harm historic trawl participants and ignores their proven track record of delivering cod for processing in Adak.

*PROPOSAL 2 - Eliminate the 15-million-pound cap in the Aleutian Islands Subdistrict Pacific Cod Management Plan.*

**AWTA opposes Proposal 2.** Previous action by the Board recognized the need to balance the value of the cod fishery to both state and federal participants. The 15 million pound limit was

chosen because it allows for a successful state water GHL fishery and federal cod fishery, and helps support the Adak processing plant which relies on both federal and state fisheries cod.

*PROPOSAL 3 - Amend the Aleutian Islands Subdistrict Pacific Cod Management Plan to reduce the guideline harvest level based on processor availability.*

**AWTA support Proposal 3.** This Department proposal mirrors action taken by the North Pacific Fishery Management Council (NPFMC) to ensure cod is not stranded if there is no processor operating in Adak<sup>1</sup>. In years when there is no shore-based processor in Adak (or Atka) catcher-vessels can find offshore markets for their cod. This proposal provides flexibility to move cod from the state GHL to the federal fishery as necessary to avoid leaving fish in the water.

*PROPOSAL 4 - Decrease Aleutian Islands Subdistrict state-waters Pacific cod fishery guideline harvest level if the guideline harvest level is not fully harvested the previous year.*

**AWTA supports Proposal 4.** Proposal 4 provides flexibility to help ensure fish is not left in the water as outlined above under Proposal 3 discussion.

*PROPOSAL 5 - Increase the 2020 Aleutian Islands Subdistrict state-waters guideline harvest level if 2019 Pacific cod harvest by trawl catcher vessel participants in the federal Unrestricted Fishery diminishes access to the full Aleutian Islands Catcher Vessel Harvest Set-Aside.*

**AWTA asks that the Board not take action on Proposal 5.** This issue stems from federal fishery provisions and is being address at the NPFMC at its October 2018 and December 2018 meetings.

*PROPOSAL 6 - Limit fishing for Pacific cod in the Adak section of the Aleutian Islands Subdistrict to vessels 60 feet or less overall length and establish a guideline harvest level rollover provision.*

**AWTA opposes Proposal 6.** Proposal 6 essentially reallocates the value of the Aleutian Islands cod fishery from trawl vessels with a history of participation and dependence and gives the value to relatively new participants. The Board has previously considered and rejected similar proposals in the past, and recognized that the Adak shore-based processing plant needs trawl deliveries to be viable. Eliminating trawl vessels between 60-100 feet LOA from this fishery will harm the processor and the Adak community. See also discussion under Proposal 1.

*PROPOSAL 9 - Close waters of the Dutch Harbor Subdistrict to groundfish fishing with non-pelagic trawl gear while the Dutch Harbor Subdistrict state-waters Pacific cod season is open.*

**AWTA opposes Proposal 9.** Over the years trawl CVs and the fixed gear pot fleet in the Bering Sea have developed protocols and communication methods to reduce gear conflict and this is an issue that can be worked out on the water. Closing all waters inside 3 miles throughout the Dutch Harbor Subdistrict is unnecessary and negatively impacts federal CV trawl participants. The characterizations made in this proposal are incorrect; trawl vessels do not use other gear types as “bait stations” or tow their gear in a circle. Trawl gear functions by towing in one direction, with a slow wide turn at the end of a tow.

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<sup>1</sup> Adak has unique logistical challenges that have led to several processing companies going out of business over the years in Adak.

*PROPOSAL 12 - Increase guideline harvest level to 20 percent of the estimated total allowable harvest of Pacific cod for the federal Bering Sea Subarea.*

*PROPOSAL 13 - Increase Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level to 10% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea and expand the area eastward.*

*PROPOSAL 14 - Increase Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level to 8% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea and expand the area eastward.*

**AWTA opposes Proposals 12, 13 and 14.** Proposals 12, 13 and 14 increase the amount of cod in the state GHL, which is available only to under-60' pot boats. This takes cod away from federal fishery participants, including AWTA members, because increasing the GHL requires a corresponding decrease to the federal Total Allowable Catch (TAC). We are in unusual times for cod stocks and this is not the time to make significant allocative changes, or to take fish away from one group of Alaskan fishermen and give to another.

In 2017 cod stocks<sup>2</sup> declined by 80% in the Gulf of Alaska, and 15% in the Bering Sea. This was a significant and unanticipated decrease resulting in economic harm to many gulf communities and fishermen who rely on cod, including trawl, pot and longline in both federal and state waters. The 80% decrease in the GOA caught everyone off guard and was a huge cut, as opposed to a gradual or stair-step decrease that would have provided more stability for communities and fishermen. Fishermen who rely on cod are still reeling from reductions passed in 2017 and there is still a lot of uncertainty about why the stock declined. However, preliminary results from the 2018 NMFS summer survey show the biomass of eastern Bering Sea Pacific cod declined 21% from 2017 surveys, indicating the cod decline was not a one-time occurrence. Given precipitous declines found in cod surveys, and uncertainty about the cause of the declines, this is not the time to make significant allocative changes that could further harm communities and fishermen.

The unexpected and drastic nature of the 2017 cod reduction in the GOA largely resulted from gaps in survey data<sup>3</sup> and serves to highlight the importance of timely, accurate and consistent information needed for effective fishery management. In recent years record water temperatures, reductions in biomass and abundance, northward migration of cod and low recruitment have created significant uncertainties and questions about the status of the cod stock. At the same time it has been a continual struggle to maintain current survey levels, let alone increase frequency and geographic scope.

In addition to a lack of survey data there is no observer coverage in the Area O (Dutch Harbor Subdistrict) GHL fishery. Moving more cod out of the observed federal fishery and into the GHL will reduce data collection that is needed to better understand stock conditions and manage the fishery, particularly considering potential impacts from increased localized harvest inside 3 miles if the requested increase is approved. Expanding the Area O GHL fishery will increase harvest pressure in a concentrated geographic area at a time of low stock levels and during spawning

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<sup>2</sup> Cod stocks as used here means Allowable Biological Catch (ABC)

<sup>3</sup> Cod stocks are surveyed every other year in the Gulf of Alaska rather than every year, and the two year gap in data resulted in the sharp 80% reduction in harvestable cod in 2017.


aggregation. This could inhibit stock rebuilding and result in a long-term conservation issue that the BOF must consider, and warrants not expanding this fishery until there is a better understanding of the status of the stock and the impacts of increased Area O harvest. Again, this is not the time to make allocative changes that also reduce availability of data necessary to effectively manage the fishery.

The Area O fishery was originally created in large part to provide more opportunity to existing small-boat fishermen from Bering Sea communities. The reality has been very different and much of the GHF is being harvested by large 58' vessels (Super-8s) that are new to the fishery, and in many cases owned by persons from outside the region. This influx of new vessels is pushing out smaller vessels from pot cod fisheries in both state and federal waters and reducing harvest opportunities for historic participants.

The cod fishery is fully subscribed and Proposals 12, 13 and 14 simply take fish away from one user group and give it to another. AWTA members depend on the federal fishery and reducing their access to cod, in order to provide more fish to under-60' pot boats, will harm their businesses. These reductions would be on top of current cod reductions (passed in 2017) and anticipated reductions in response to 2018 survey results that are necessary to support conservation of the cod stock. We ask the Board to consider the significant cumulative impact of these reductions on AWTA members, and to not increase the GHF at this time. These proposals will have a direct adverse impact on Alaskan boats that rely on federal cod allocations to prosecute their fisheries, as well as communities across the state that benefit<sup>4</sup> from federal fishery operations.

Thank you for the opportunity to comment.

Sincerely,



Rebecca Skinner, Executive Director  
Alaska Whitefish Trawlers Association

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<sup>4</sup> Community benefits include stability from year-round trawl deliveries, ex-vessel revenue to fishing boats, robust and year-round processing operations, municipal severance tax, shared state fisheries taxes to municipalities, purchase of goods and services from supporting businesses (fuel, marine supplies, gear sales, mechanical and electrical services, etc.), and the value of having healthy commercial fishing businesses based in Alaskan communities.

Submitted October 3, 2018

Alaska Department of Fish and Game  
Boards Support Section – Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

Attn: Alaska Board of Fisheries

John Jensen, Chairman  
Orville Huntington  
Reed Morisky

Fritz Johnson  
Alan Cain

Israel Payton  
Robert Ruffner

*RE: Oppose Proposal 3*

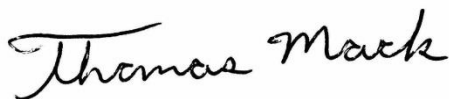
To the Members of the Alaska Board of Fisheries,

The Aleut Corporation opposes Proposal 3, which if adopted would decrease Aleutian Islands Subdistrict state-waters Pacific cod fishery guideline harvest level if the guideline harvest level is not fully harvested the previous year. The North Pacific Fisheries Management Council established Amendment 113, which assures a set-aside of 5,000 mt of cod to be processed from a shore-based processor in the Aleutian Islands Subdistrict state-waters west of 170 degrees.

Currently the on-island processor in Adak has committed to processing cod and fishermen are harvesting cod. Further, the community of Atka is also interested in processing cod on-shore.

We strongly believe that once this fishery and processor are fully established that all the cod quota for this area will be harvested and processed. We believe this would be more appropriate to visit in two years once the fishery is more established.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation

Submitted October 3, 2018

Alaska Department of Fish and Game  
Boards Support Section – Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

Attn: Alaska Board of Fisheries

John Jensen, Chairman  
Orville Huntington  
Reed Morisky

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Alan Cain

Israel Payton  
Robert Ruffner

*RE: Oppose Proposal 4*

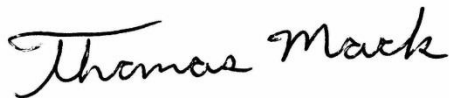
To the Members of the Alaska Board of Fisheries,

The Aleut Corporation opposes Proposal 4, which if adopted would decrease Aleutian Islands Subdistrict state-waters Pacific cod fishery guideline harvest level if the guideline harvest level is not fully harvested the previous year. The North Pacific Fisheries Management Council established Amendment 113, which assures a set-aside of 5,000 mt of cod to be processed from a shore-based processor in the Aleutian Islands Subdistrict state-waters west of 170 degrees.

Currently the on-island processor in Adak has committed to processing cod and fishermen are harvesting cod. Further, the community of Atka is also interested in processing cod on-shore.

We strongly believe that once this fishery and processor are fully established that all the cod quota for this area will be harvested and processed. We believe this would be more appropriate to visit in two years once the fishery is more established.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation



Submitted October 3, 2018

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John Jensen, Chairman  
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Reed Morisky

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Robert Ruffner

*RE: Support Proposal 5*

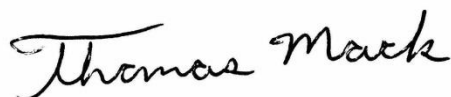
To the Members of the Alaska Board of Fisheries,

The Aleut Corporation supports Proposal 5, which if adopted would increase the 2020 Aleutian Islands Subdistrict state-waters guideline harvest level if 2019 Pacific cod harvest by trawl catcher vessel participants in the federal Unrestricted Fishery diminishes access to the full Aleutian Islands Catcher Vessel Harvest Set-Aside.

The North Pacific Fisheries Management Council established Amendment 113, which assures a set-aside of 5,000 mt of cod to be processed from a shore-based processor in the Aleutian Islands Subdistrict state-waters west of 170 degrees. Currently the on-island processor in Adak has committed to processing cod and fishermen are harvesting cod. Further, the community of Atka is also interested in processing cod on-shore. However, an accounting error occurred that reduced the amount of cod that could then be accessed from the AI CV Set-Aside. This causes uncertainty in quota availability for fishermen and processors. It also makes it difficult for both groups to plan for upcoming seasons, and invest time and money. As a result, it can cause a decrease in the ability of some to participate in these vital fisheries.

We support the Adak Community Development Corporation's proposal which will help to reinforce the need for a voluntary stand-down to protect the AI communities west of 170 degrees. We strongly believe that if there is protection to assure the 5,000 mt set aside for shore-side processing is available for these communities, fishermen, and processors the fishery can become fully established and that that intended cod quota for this area will be harvested and processed on-shore as was intended.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation

Submitted October 3, 2018

Alaska Department of Fish and Game  
Boards Support Section – Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

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John Jensen, Chairman  
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Alan Cain

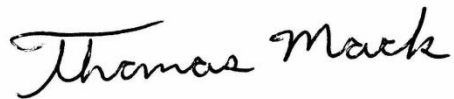
Israel Payton  
Robert Ruffner

*RE: Support Proposal 11*

To the Members of the Alaska Board of Fisheries,

The Aleut Corporation supports Proposal 11, which if adopted would establish a state-waters Pacific cod harvest allocation for jig gear vessels in the Dutch Harbor Subdistrict. We believe this is a small amount of quota that can help the development of a small fishing fleet of jig boats. It will provide an economic opportunity for a small group of people without causing a large decrease in quota for other groups.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation

Submitted October 3, 2018

Alaska Department of Fish and Game  
Boards Support Section – Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

Attn: Alaska Board of Fisheries

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Alan Cain

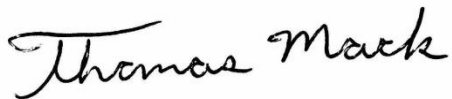
Israel Payton  
Robert Ruffner

*RE: Oppose Proposal 12*

To the Members of the Alaska Board of Fisheries,

The Aleut Corporation opposes Proposal 12, which if adopted would increase guideline harvest level to 20 percent of the estimated total allowable harvest of Pacific cod for the federal Bering Sea Subarea. This is an incredibly large request of quota for a single user group. This would take a significant amount of quota away from other participants. Further, the cod stock in the Gulf and BSAI decreased last year and we are looking at another decrease this year. This would be a double hit to those user groups whose quotas are being cut already.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation

Submitted October 3, 2018

Alaska Department of Fish and Game  
Boards Support Section – Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

Attn: Alaska Board of Fisheries

John Jensen, Chairman  
Orville Huntington  
Reed Morisky

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Israel Payton  
Robert Ruffner

*RE: Oppose Proposal 13*

To the Members of the Alaska Board of Fisheries,

The Aleut Corporation opposes Proposal 13, which if adopted would increase Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level to 10% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea and expand the area eastward. This is a large request of quota for a single user group. This would take a significant amount of quota away from other participants. Further, the cod stock in the Gulf and BSAI decreased last year and we are looking at another decrease this year. This would be a double hit to those user groups whose quotas are being cut already. In addition, we do not support the expansion of the area eastward.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation

Submitted October 3, 2018

Alaska Department of Fish and Game  
Boards Support Section – Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

Attn: Alaska Board of Fisheries

John Jensen, Chairman  
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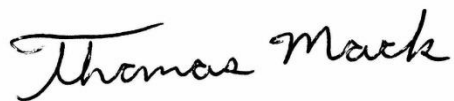
Israel Payton  
Robert Ruffner

*RE: Oppose Proposal 14*

To the Members of the Alaska Board of Fisheries,

The Aleut Corporation opposes Proposal 14, which if adopted would increase Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level to 8% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea and expand the area eastward. This is a smaller increase in quota than Proposals 12 and 13, however It would still require quota to be taken away from other participants. Further, the cod stock in the Gulf and BSAI decreased last year and we are looking at another decrease this year and we believe that this is not the time to be taking away quota from established fisheries. This would be a double hit to those user groups whose quotas are being cut already. In addition, we do not support the expansion of the area eastward.

Sincerely,



Thomas Mack  
President/CEO  
Aleut Corporation

Submitted By  
Andrew Gus Manos  
Submitted On  
10/3/2018 5:59:31 PM  
Affiliation

Phone  
9072509572  
Email  
[andrewgusmanos@gmail.com](mailto:andrewgusmanos@gmail.com)  
Address  
2110 Stanford dr  
Anchorage, Alaska 99508

Mr. Chairman and members of the Alaska Board of Fisheries;

I own and operate a 58' combination vessel that fishes the waters of the western gulf and Bering sea, and we are home ported in King Cove Alaska. I started running my own boat in these waters in 2009 at the age of 22. After a good crab season we bought a house in town and now I split my time between Anchorage and King Cove. I fish for salmon in the summers, pollock in the falls and cod in the winters. Having a diversified operation has allowed me to weather the ups and downs of the various fisheries and markets. With the 80% cod reduction in the gulf last year there were more boats than fish, which is why I moved around the corner to participate in the Area O state water cod fishery. I was not the only boat to make that move, there were more boats in area O than any of the previous years, that is why I support proposal 13, increasing the GHF from 6.4% to 10%.

The area O state water cod fishery has been a life ring during these turbulent times for Alaskan cod fisheries. There were six boats from King Cove/Sand Point area that participated in the area O state water fishery last year. This represented a significant opportunity for these boats and their communities for a couple of reasons. These local boats generally hire local crew or at least Alaskan crew, so at five people per boat that's 30 Alaskans from local communities that directly benefited from area O state waters. Secondly, with six big boats being absent from the western gulf state water fishery the local fleet was able to harvest that many more fish, which probably ended up adding two days to a seven day fishery. Between opportunity for King Cove/Sand Point boats in area O and decreased pressure in the western gulf there was an overall benefit to the local economy.

Boats from King Cove and Sandpoint have a long history of fishing in the Bering sea for Cod and Crab, most of these boats also participate in state managed salmon fisheries, which have a vessel limit of 58'. As the Bering sea fleet grew in value and vessel size a lot of local 58' boats got classed out of multiple fisheries. A 58' boat, despite the width, does not have the same capabilities as a 120' vessel. The creation of area O, a state water under 60' fishery, has made the wider 58' boat a competitive Bering Sea vessel once again. We are asking the state of Alaska to support this primarily Alaskan fleet by allocating a larger apportionment of the overall TAC to the under 60 fleet.

My vessel holds right around 150,000 lbs therefore prop 15 is not really a direct issue for my boat and business. For me personally 150,000 lbs is more a goal than a limit. I do think it is important for the board to realize that trip limits are not a substitute for increased allocation. I don't see 150,000lbs trip limits being effective in helping management or benefiting the local fleet. I don't believe that we have reached a point in this fisheries maturity that warrant trip limits.

As cod stocks decline its market value climbs. Right now cod is a lucrative ground fish for all boats fishing in the Gulf, Bering sea, and Aleutians, as such there will be significant push back from the other harvesting sectors. The under 60' area O state water cod fishery has the highest number of Alaskan ownership of any of the harvesting sectors in the Bering sea, I personally believe that it also gives the highest percentage of the catch back to Alaskans and into Alaskan communities. I would ask the board to support its residents by supporting prop 13.

Andrew Manos

Owner/Operator F/V Scotch Cap



October 3, 2018

John Jensen, Chair  
Alaska Board of Fisheries  
1255 W. 8th Street  
Juneau, AK 99811-5526

**RE: Alaska Peninsula/Chignik/Bering Sea-Aleutian Islands Pacific Cod Proposal  
Comments**

Dear Chair Jensen and members of the Board of Fisheries,

Thank you for the opportunity to comment. The At-sea Processors Association (APA) represents the interests of 16 American Fisheries Act (AFA) catcher processor vessels that primarily target pollock in the Bering Sea federal groundfish fishery; a subset of vessels also participates in the trawl limited access yellowfin sole directed fishery in the Bering Sea. One vessel is wholly owned by a CDQ corporation, while all other vessels have significant CDQ investment benefitting western Alaska communities from Norton Sound to the Aleutian Islands.

These comments oppose proposals 12, 13, 14, which request an increase in the state water GHJ for the Dutch Harbor subdistrict of the Area O fishery. Three primary concerns arise when harvests of Pacific cod from the federal fishery are moved to state water participants inside 3 nautical miles:

- 1. Growth overfishing<sup>1</sup> in nearshore waters.**
- 2. Lack of fishery information to inform stock assessments.**
- 3. Impacts to federal fishery participants in non-directed Pacific cod fisheries.**

**Growth overfishing in nearshore waters.**

Cod stocks in the Gulf of Alaska are in severe decline and there is uncertainty surrounding the future of the eastern Bering Sea stock. More than 50% of the total eastern Bering Sea biomass of cod was found in the northern Bering Sea during the 2018 bottom trawl survey conducted by NMFS. Recent surveys have also shown very little evidence of recruitment in the eastern Bering Sea cod stock. Similar low recruitment in recent years has been observed in the related Gadid species-pollock. The anomalous warmth in surface and bottom ocean waters is hypothesized to be the primary driver of the recent stock distribution and recruitment struggles.

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<sup>1</sup> Growth overfishing occurs when fish are harvested at an average size that is smaller than the size that would produce the maximum yield per recruit. A recruit is an individual that makes it to maturity, or into the limits specified by a fishery, which are usually size or age.



Prior to establishment of a state water fishery in 2014, catches of Pacific cod within state waters in the Bering Sea have averaged 0.67% of the Acceptable Biological Catch (ABC). Expansion of the state water fisheries occurred in subsequent years with recent catches (2016-2018) of Pacific cod inside state waters averaging about 8% of the eastern Bering Sea ABC.

Given the recent uncertainty in the stock, as well as anecdotal evidence from shoreside processors in Dutch Harbor indicating that state waters cod deliveries were on average much smaller fish than federal fishery cod deliveries, it is imperative that the Board of Fisheries ensure growth overfishing is not occurring in nearshore state waters fisheries of the Bering Sea Aleutian Islands before expanding effort in those fisheries. In highlighting this concern, a 2018 beach seine survey conducted at 83 sites along the western Gulf of Alaska (south of the AK peninsula) by Ben Laurel (RACE-Newport) found some of the highest catches of Age-0 Pacific cod since 2012. In a related 2018 baited camera survey in nearshore areas surrounding Kodiak Island, researchers found abundant Age 1 cod, but no older cod, further supporting the notion that younger Age-1 and Age-0 cod rear in nearshore waters of the Alaska peninsula and Kodiak Island. Given this information, younger cod may be disproportionately targeted in nearshore state water fisheries of the Bering Sea Aleutian Islands, resulting in growth overfishing.



Source: 2018 Recruitment Processes Alliance Surveys: Gulf of Alaska, Eastern Bering Sea, Arctic-presented to the joint groundfish plan team, September 2018

### **Lack of fishery information to inform stock assessments.**

The hallmark of federal fisheries management in the North Pacific realm, and in fact, the key to long term sustainability of our fisheries, is the utilization of state of the art *age-structured* stock assessments to inform fishery managers. Stock assessment models are only as good as the data that informs them. One of the most problematic Tier 3 stock assessments has historically been eastern Bering Sea Pacific cod. This is primarily due to the wide range of gear types and fishery seasons that prosecute the fishery, coupled with a paucity of data coming from small vessel fleets. *Age-structured* is italicized to emphasize the importance of fishery age composition data in informing a stock assessment model.

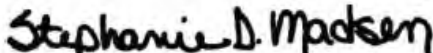


Currently, the Board of Fisheries has not directed ADF&G to undertake any data collection activities, either via shoreside sampling, or from observers in the Area O state water fisheries of the Bering Sea Aleutian Islands. Federal fishery observers are deployed aboard commercial vessels in parallel fisheries, however, the volume of catch observed within 3nm in parallel fisheries is de minimis. According to NMFS, the total volume of Pacific cod catch observed within 3nm from 2015-2017 was just 414 tons, while the total catch inside 3nm in the Bering Sea over this time period was 47,804 tons. The ratio of observed to unobserved catch within state waters is therefore 0.008, or less than 1%. If the Board of Fisheries were to expand the Area O GHL in accordance with Proposals 12, 13, or 14, without requiring any fishery data collection, it would be directly ignoring the scientific advice of the regional management authority charged with managing the Pacific cod resource. From the EBS Pacific cod SAFE chapter for 2017: “At its December 2016 meeting, the Science and Statistical Committee (of the North Pacific Fishery Management Council) recommended both: 1) using *any* existing fishery age data and 2) obtaining *additional* fishery age data.”

**Impacts to federal fishery participants in non-directed Pacific cod fisheries.**

As cod stocks decline from recent high ABC levels, coupled with continued expansion of the Bering Sea Aleutian Islands state water fisheries, federal fishery participants in non-Pacific cod directed fisheries will be increasingly constrained. The AFA catcher processor fleet historically had sideboard limits for Pacific cod that averaged 10,819 tons from 1999-2007. That amount was reduced 57% to an average Amendment 85 limit of 4,599 tons from 2008-2018. AFA catcher processors require incidental catch allocations of Pacific cod to prosecute directed pollock and yellowfin sole fisheries. In cold years, bycatch of Pacific cod in the AFA catcher processor directed pollock fishery has been as high as 4,792 tons in 2011, while the bycatch of Pacific cod in the directed yellowfin sole fishery in recent cold years (2013) has been as high as 2,369 tons. The catch of Pacific cod in both the pollock and yellowfin sole directed fisheries accrue against the total cod available to AFA catcher processors. Furthermore, AFA CPs are highly constrained by Chinook and chum salmon bycatch in the directed pollock fishery and halibut in the directed yellowfin sole fishery and have no viable mechanism to avoid Pacific cod incidental catches. Further reductions in Pacific cod allocations to federal fishery participants has the potential to reduce Alaska state landings taxes for yellowfin sole and pollock directed fisheries, as well as curtail fleet support services largely provided by and benefitting local Alaskan communities.

Sincerely,



Stephanie Madsen  
Executive Director, APA

Bering Sea Pot Cod Cooperative  
PO Box 9014  
Kodiak, AK 99615

October 1, 2018

Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526

Dear Alaska Board of Fisheries Members:

I am writing to you on behalf of the Bering Sea Pot Cod Cooperative (BSPCC). The BSPCC is an advocacy group comprised of fishermen who hold the necessary Federal Fisheries Permit (FFP) and License Limitation Program (LLP) permits to harvest Pacific cod in the Bering Sea/Aleutian Islands (BSAI) areas on vessels greater than 60' in length with pot gear in the federally managed pot cod fishery. Our membership includes approximately 75% of the active permit holders that have made deliveries over the last several years.

The reason for our letter is to urge the Board to take no action on Proposals 6, 10, 12, 13 and 14. Support for our position on these issues is as follows:

- Proposal 6 seeks to limit fishing for Pacific Cod in the Aleutian Islands (AI) with pot gear to vessels 60' overall length or less.
  - There are currently only three catcher vessels over 60' overall length or more that have the necessary endorsements to fish Pacific Cod in the AI with pot gear. The request to exclude these historical participants from the fishery seems unnecessary and arbitrary given the minimal impact these vessel have on the ability of the under 60' overall length catcher vessels to prosecute their fishery.
  - New vessels entering into the state water fishery are no longer entry-level vessels. Rather, they are 58' vessels half as wide as they are long. Many, if not most, can pack as much fish as their larger counterparts. The intent of expanding the state water fisheries is to give more opportunity for small-boat fishermen from Alaskan coastal communities. However, the reality is much of the new or increased allocation is being harvested by large, new 58' vessels. More allocation to the state fisheries is expected to further the influx of new 58' vessels, leaving less fish for the smaller, existing boats.
- Proposals 10, 12, 13 and 14 seek to either expand the Area O Dutch Harbor Subdistrict eastward, increase the state-water GHL or a combination of the two.
  - Proposal 10 calls for an expansion of Area O eastward; Proposal 14 calls for an increase to 8% of the EBS ABC (+25% increase) and eastward



expansion; Proposal 13 calls for an increase to 10% of ABC (+56% increase) and eastward expansion; and Proposal 12 calls for 20% of TAC (+213% increase, though the proposer incorrectly specifies proportion of TAC instead of ABC).

- Given the current low stock levels of Pacific Cod in both the BSAI and GOA, any shift of harvest pressure into a smaller concentrated area of the Bering Sea could very well inhibit the rebuilding of these stocks and potentially result in a long-term conservation issue. The Board has a conservation interest to not approve an expansion of the fishery until there is a better understanding of the status of the stock and the impacts of increased Area O harvest.
- An increase in the state-water GHL will compound reductions to federal allocations already anticipated for 2019 for purposes of conservation. The EBS Pacific cod ABC has been reduced -22% from 2014 to 2018 (201,000 mt) and is expected to be further reduced in 2019 (- 15% to 170,000 mt). Combined, these reductions will result in additional instability for all historic users of the resource – many of who are Alaskans.
- The federal BSAI p-cod fishery has extensive management measures in place to help ensure a sustainable Pacific cod fishery. The federal fishery has a license limitation program (LLP); has completed vessel buyback programs to reduce over-capitalization, is widely spatially dispersed, and has an A and B season (temporal dispersion). The all gear pacific cod seasonal apportionment in the BSAI is 70/30 and in the GOA 60/40.
- Similar management measures to protect the resource do not exist in the Area O Pacific cod fishery. The fishery has no limited entry, increasing participation and new capitalization and is concentrated in both time and area.
- Likewise, a shift of Pacific cod from the federal BS fishery to Area O means moving away from observed catch of the stock. In the federal fishery, 70% of EBS harvest is 100% (or more) observed (full coverage program), while coverage was at 15% under the ODDS system (partial coverage) in 2018. On the contrary, there is no observer coverage in the Area O fishery.
- No observers mean less understanding of the resource at a time of significant shifts in stock behavior and the ecosystem. Maintaining observer coverage and monitoring is critical to provide data inputs on the stocks, particularly given the uncertainty about the stocks. Any increase to the state water fishery increases the amount of cod that is unobserved.
- Several BSAI crab stocks are in a state of decline. The annual Eastern Bering Sea Trawl Survey indicates that a substantial amount of juvenile and female crab are found in the near show waters of Area O. The lack of an observer program or escape mechanism provisions raise concern



about the impact the state-waters Area O fishery is having on BSAI crab stocks, which is also managed by the State of Alaska.

- When the BOF acted to increase Area O GHF in 2015, there was no action taken to increase data collection to account for the increased harvest and the loss of data in the federal fishery.
- Port sampling is performed in GOA state-water fisheries, but not in Area O (or AI). The lack of port sampling in an unobserved fishery means no data collection in the Area O fishery, including size composition and age data that can inform analysis on the health of cod in the area.

I appreciate the opportunity to express our concerns and look forward to your support. Thank you.

Sincerely,

Digitally signed by Craig Lowenberg  
DN: cn=Craig Lowenberg, o, ou,  
email=craig@craiglowenberg.com,  
c=US  
Date: 2018.10.03 09:06:52 -09'00'

Craig Lowenberg



October 2, 2018

Mr. Sam Cotten, Commissioner  
Alaska Department of Fish & Game  
POB 115526  
1255 W. 8<sup>th</sup> Street  
Juneau, AK 99811

Sent by email: [sam.cotten@alaska.gov](mailto:sam.cotten@alaska.gov)

RE: Alaska Board of Fish Pacific Cod Proposals – October 18-19, 2018

Dear Commissioner Cotten:

As Alaska Department of Fish & Game (ADF&G) reviews the various Pacific Cod proposals before the October 18-19, 2018 Alaska Board of Fisheries (Board) meeting, we wish to make the following statements specifically regarding proposals 12, 13 & 14. These proposals all relate to increasing the geographic area and the guideline harvest of Pacific Cod in “Area O” and the concurrent reduction of total allowable catch of Pacific Cod in the federal Bering Sea fisheries. These comments also serve as our comments to the Board of Fish regarding these proposals.

1. The ADF&G position statement must include an analysis of the impact of reduced harvest in the federal cod fishery upon existing Alaskan based participants, particularly the 65 Western Alaska communities in the CDQ Program. If this analysis has not been developed or cannot be developed prior to the Board meeting, the department should consider recommending that the Board postpone consideration of the proposals until such an analysis has been completed. (Please see Item III. B. 2 of the Joint Protocol Agreement between the Alaska Board of Fisheries and the North Pacific Fisheries Management Council).
2. If ADF&G is considering a statement in support of proposals 12, 13 and or 14, we request this support require that these proposals be amended to hold current Alaskan Pacific Cod fishing interests harmless. It makes no sense for the State of Alaska to advance some Alaskan fishing interests at the expense of other Alaska interests, especially those who have invested significantly to participate in available federal fisheries.
3. Federal fisheries conducted through the National Marine Fisheries Services (NMFS) require a “regular and meaningful” tribal consultation process pursuant to Executive Order 13175. The State of Alaska also has a responsibility to consult with the tribes of the State of Alaska regarding impactful regulations. Decreasing the federal harvest of Pacific Cod, as outlined in proposals 12, 13 & 14 would potentially have an adverse impact on tribes in Western Alaska. To our knowledge, such a consultation processes on this issue has not occurred or could not meaningfully occur if such a harvest reduction is effected by the Board and the North Pacific Fishery Management Council and NMFS fail to undertake their required obligations to consult



with Tribes and Native Corporations, and to analyze the impact of such a reduction pursuant to the Magnuson Stevens Fishery Conservation and Management Act, the National Environmental Protection Act, or the Endangered Species Act. The absence of such analyses and consultations might raise serious legal, management and scientific issues.

Our groups represent more than 9,000 Alaska residents that reside along the Eastern Bering Sea coastline. The CDQ Program's central mission, as set forth in State and Federal law, is to advance economic development in one of the most impoverished areas of the State (and the United States) by engaging in fishery development and fishery investments in the adjacent waters of the Bering Sea. Removal of Pacific Cod allocation from the federally managed fishery will have negative impacts upon our business investments and, therefore, will negatively affect our efforts to assist those living in Western Alaska communities.

These Board of Fishery proposals are of great concern to us and we urge the department to proceed with caution prior to making final recommendations.

Thank you for considering our concern and we look forward to working closely with ADF&G, the Alaska Board of Fish and the North Pacific Fishery Management Council.

Norm Van Vactor, President  
Bristol Bay Economic Development Corp.

Ragnar Alstrom, Executive Director  
Yukon Delta Fisheries Development  
Association

cc: Governor Bill Walker  
Lt. Governor Byron Mallott  
Senator Lisa Murkowski  
Senator Dan Sullivan  
Congressman Don Young  
James Balsiger  
Glenn Merrill  
Senator Lyman Hoffman  
Senator Donnie Olson  
Representative Bryce Edgmon  
Representative Tiffany Zulkosky  
Representative Neal Foster  
Bristol Bay Native Association  
Association of Village Council Presidents  
North Pacific Fishery Management Council  
Alaska Board of Fish



**October 3, 2018**

**Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526**

**Dear Alaska Board of Fisheries Members:**

**We are a group of Crab Harvesters and LLP permit holders. We appreciate the opportunity to comment on the cod fisheries proposals before the Alaska Board of Fisheries (Board) at their October 2018 meeting. We commercially fish for king, snow (Opilio), and tanner (bairdi) crab with pot gear.**

**We urge the Board to take no action on Proposals 10, 12, 13 and 14. These proposals would all shift allocation or management boundaries from federal to state cod fisheries, and they would all harm well-established federal Pacific cod fisheries. On par with salmon tendering these fisheries represent a significant and integral part of the yearly operations for many crab harvesters. Large sums of money are spent on this staple part of our "toolbox", with extra care and large expense put into reducing bycatch and overall footprint. This fishery provides robustness and flexibility that makes a real difference in crab harvesters' business plans year in and year out.**

**In addition to this, a shift of allocation from the federal to state fishery in Area O gives us great concern over the potential impacts to crab stocks, also managed by ADFG. Several BSAI crab stocks are in decline and the annual survey indicates that a substantial amount of juvenile and female crab is found in the nearshore waters of Area O.**

**With no observer coverage in the state waters cod fishery, the increased effort in the state-waters Area O fishery would go unmonitored for impacts on crab. In short; these changes would shift more of this fishery to crab habitat critical areas, with more rudimentary monitoring to boot**

**Thank you for considering our comments.**

**(As we are all happily in the middle of, or preparing for another season, we will be signing and sending this letter in individually from our points of operation)**

*F/V Scandies Rose 4463335  
Dan Mattsen*



**October 3, 2018**

**Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526**

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**Thank you for considering our comments.**

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*F/U Alaska Challenge 446 3666*

*Don Mattise*





**October 3, 2018**

**Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526**

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**F/V New Venture LLC 2259  
Dan Mattsen**

Submitted By  
Dan Veerhusen  
Submitted On  
10/2/2018 9:16:24 AM  
Affiliation

Phone  
9072991395  
Email  
[veerhusen@gmail.com](mailto:veerhusen@gmail.com)  
Address  
PO Box 971  
Homer, Alaska 99603

Dear Alaska Board of Fish Members,

I've been fishing in the Bering Sea since 1970, over 48 years, and I'm a lifelong Alaskan resident. My family participates in almost every part of our business. I'm writing you to **support Proposal 13 and Proposal 6.**

My vessel, the F/V Taurus has relied on Alaska's statewater cod fishery for the past five years. The statewater cod fishery is partially why I invested nearly \$1million upgrading an old but reliable steal boat into a modern fishing vessel. No matter the season, every time I'm fishing in the Bering Sea and Aleutian Islands, I'm reminded how these are some of the toughest waters on the planet. The F/V Taurus is built to be safe for my family, skipper and crew. It is a small but mighty vessel that is the culmination of my lifelong career on the ocean, feeding my family and contributing to my state and community. I'm damn proud of my family for helping me. Alaskans and the Board of Fish should also be proud that, through guts and forward-thinking, we've created opportunities for Alaskan business families to build safe vessels for a couple millions dollars that can fish alongside \$35million factory longliners owned by Seattle-based fishing companies.

Alaska was late to the game in managing its groundfish fisheries. Empowered by Article 8 of the Alaska Constitution, the Board of Fisheries has the opportunity to create more opportunities and access to the state's natural resources for residents today and tomorrow. The statewater cod fishery is one of the most Alaskan-owned and operated fisheries in the state. Just a few years ago our fleet was less than 10. Today we're more than 30 near Dutch Harbor and a half dozen spread out in Adak. The Board of Fisheries can continue this amazing success story. **Please support Proposal 13 and Proposal 6.**

Thank you,

Dan Veerhusen  
F/V Taurus  
Homer, Alaska

**October 3, 2018**

**Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526**

**Dear Alaska Board of Fisheries Members:**

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**Thank you for considering our comments.**

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*Eric Pedersen*

Eric Pedersen

F/V Bering Star



October 3, 2018

Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

[dfg.bof.comments@alaska.gov](mailto:dfg.bof.comments@alaska.gov)

**Re: Oppose proposals 12, 13, and 14 to increase the Dutch Harbor Subdistrict Management Plan Pacific cod Guideline Harvest Levels (GHL)**

Dear Chairman Jensen,

The document on the following page is an introduction to Board of Fisheries members about the Freezer Longline Coalition (FLC). FLC members are participants in the federal Pacific cod fishery in the Bering Sea. As you can see they are a group of mostly family-owned Alaska and Washington businesses that took the federal Pacific cod sector split in 2010 and did a very smart thing. They formed a voluntary coop that allowed them to sustainably manage their harvest and become the cleanest Pacific cod fishery around. They harvest approximately 5 tons of cod per an equivalent of 10 lbs of halibut bycatch. They are 100% observed and communicate with each other to avoid higher bycatch areas. The Area O Pacific cod fishery is a race for fish that is unobserved and primarily benefits Super 8 pot boats. In short, the FLC is a great steward of the resource.

Sincerely,

Ed Dersham  
Anchorage, AK

Submitted by Ed Dersham, Gerry Merrigan and Chad See,  
on behalf of the Freezer Longline Coalition



2303 West Commodore Way Suite 202  
Seattle, WA 98199  
206-284-2522

## Freezer Longline Coalition - Key Points

- **Membership:** The Freezer Longline Coalition (FLC) represents participants in the freezer longline sector of the Alaska cod fishery in the Bering Sea and Gulf of Alaska. Our members include 11 Alaska and Washington-based entities who in 2017 operated 27 active freezer longline vessels in the fishery. Members include private, family-owned businesses and Community Development Quota (CDQ) organizations who support coastal communities across western Alaska.
- **Cooperative Management:** FLC members are participants in the Freezer Longline Conservation Cooperative (FLCC), a voluntary cooperative established in 2010 to facilitate the improved sustainability and management of the fishery. FLCC members work to ensure the efficient and responsible harvest of the Pacific cod quota allocated to the sector, including maximizing optimum yield in the fishery and minimizing bycatch of other species.
- **Employment:** FLC members employ about 1,500 officers and crew on their freezer longline vessels each year, with about 20-25 persons on board on a given trip. Vessels have one-to-two rotations of officers and crew over the course of a year. Onshore, members directly employ approximately 200 persons in the management and operations of their businesses.
- **Economic Value:** The freezer longline fleet contributed approximately \$225 million to the Alaska and Washington economies from its harvest of Alaska cod in 2017. On average, each vessel in the fleet contributed over \$8 million to the economy on its own.
- **Harvest:** The freezer longliner fleet harvested over 114,000 MT (251,000,000 lbs) of Alaska cod in the Bering Sea and Gulf of Alaska in 2017.
- **Sustainability:** The freezer longline sector is amongst the cleanest, most sustainable fisheries in the world. Our sector is certified under the Alaska Responsible Fisheries Management (RFM) program and was the first cod fishery in the world to obtain Marine Stewardship Council (MSC) certification as a sustainable, eco-friendly, and well-managed fishery. Monterey Bay Aquarium's Seafood Watch program gives our fishery its highest-level recommendation ("best choice") in its seafood consumer guide.
- **Environmental Impact:** Freezer longline vessels utilize fishing gear and methods that avoid disturbance of the ocean floor, minimizing impacts on corals, plant life and other

sea creatures. Our members are actively working to modernize their fleet, with four new and refurbished freezer longliners recently introduced into the fleet (Arctic Prowler, Northern Leader, Blue North, Flicka). These new entrants are replacing aging vessels and are equipped with cleaner, more energy efficient engines (up to 30% more efficient) and other technologies designed to minimize their footprint on the environment.

- **Bycatch:** The freezer longline sector is one of the cleanest fisheries in the world, with very low bycatch by the vessels in the fleet. Longline gear deployed by our vessels harvest with hooks, catching one fish at a time. The cooperative fishing agreement between our members allows us to implement voluntary bycatch reduction measures to ensure the future sustainability of our fishery and other species.
  - Some facts on halibut bycatch in the freezer longline fleet:
    - 1994-2017: Total PSC mortality has declined -81%
    - 2017 mortality is -57% less than the previous 5-year average
    - 2018 mortality to date (9/27) is 90 mt, 58 mt less than same time in 2017
    - 1994-2017: DMR rate has been reduced -48%
    - 1994-2017: Encounter rate has been reduced -79%
    - 2017 mortality rate = 1.26 kg/mt (-53% less than the previous 5-year avg.)
    - 2017 mortality rate = one 10 net lb halibut for every 5 mt p-cod
    - 1994: CP H&L was 17% of all gear BSAI halibut PSC use
    - 2017: CP H&L was 8.8% of all gear BSAI halibut PSC use
    - 2017: CP H&L was 3.75% of total halibut removals in IPHC Area 4
    - 2017: CP H&L (GOA+BSAI PSC) was 1.22% of total AK halibut removals
  - Tools to reduce halibut bycatch by the fleet:
    - Weekly reports within coop on vessels' PSC (clean/dirty list)
    - Vessel catch monitoring – target, bycatch data mapped in near real time
    - Careful release practices
    - Annual meeting for crew officers and crew
    - 100%+ observers and scales – full monitoring and transparency
- **Bird Takes:** The freezer longline fleet is a global leader in efforts to reduce bird takes by commercial fishing fleets. FLC members have partnered with Washington Sea Grant in the development of measures, including streamer lines that contributed to dramatic reductions in bird takes by our fleet. The fleet monitors bird takes on our fleet and provides weekly updates to our vessels, including any encounters with Short Tailed Albatross (STAL), an ESA protected species. Citing an increase in the health of STAL populations, in 2015 the U.S. Fish and Wildlife Service (FWS) increased the allowed

number of takes (from 4 to 6) of STAL by commercial fishing vessels in the North Pacific. Despite this, there have been no reported STAL taken by our fleet since 2015.

- Facts on bird takes by freezer longline fleet
  - Total bird takes in 2017 (all species): 1,486 (per Sea State)
  - Birds per 1000 hooks, 2016: 0.0256
    - Total hooks: 156,988,468
  - Takes of STAL by fleet, 2017-2018: 0 (same as 2016)



## Freezer Longline Coalition - By the Numbers

### The FLC fleet

Member companies:	11
Active vessels in FLC fleet, 2017:	27
Crew on each vessel, per trip:	20-25
Total crew employed on vessels:	~1500 <sup>1</sup>

<sup>1</sup>Vessels rotate crew during the year.

### Economic value of fishery<sup>2</sup>

**Economic value of the freezer longline Alaska cod fishery in 2016: ~\$225 million**

Avg. economic value of each vessel in 2017: ~\$8.3 million

<sup>2</sup>First wholesale value. FLC estimates based on total harvest, recovery rate, price of sale

### Alaska cod harvested by FLC fleet in 2017<sup>3</sup>

*The FLC fleet harvests nearly half the fish allocated to the federal Alaska cod fisheries*

Bering Sea and Aleutian Islands:	108,788 MT
Gulf of Alaska:	4,370 MT

<sup>3</sup>NOAA fisheries

### The Alaska cod fishery in 2015-2016 (annual avg; all sectors)<sup>4</sup>

Direct (FTE) jobs:	5,700
Secondary (FTE) jobs:	5,800
Total:	11,500
Direct labor income:	\$256 million
Secondary labor income:	\$340 million
Total:	\$596 million

<sup>4</sup>Alaska Seafood Marketing Institute (ASMI)





October 3, 2018

Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

[dfg.bof.comments@alaska.gov](mailto:dfg.bof.comments@alaska.gov)

**Re: Oppose Proposals 12, 13, and 14 to increase the Dutch Harbor Subdistrict (Area O) Management Plan Pacific cod Guideline Harvest Levels (GHL)**

Dear Chairman Jensen,

On behalf of the Freezer Longline Coalition (FLC), we would like to submit the following comments in opposition to the proposals (12, 13, and 14) that seek to increase the GHL in the Area O statewater Pacific cod fishery.

**About FLC**

The FLC represents 11 Alaska and Washington-based owners and operators of nearly 30 U.S.-flag vessels that participate in the hook-and-line CP, or freezer longline sector of the Pacific cod fishery in the Bering Sea, Aleutian Islands and the Gulf of Alaska. The freezer longline fleet is almost entirely a Pacific cod single species directed fishery fleet, and, therefore, is nearly fully reliant on Pacific cod. FLC member companies have over 30 years of history fishing for Pacific cod in Alaska. The freezer longline fleet generates over \$200 million in revenues annually and employees over 1700 full-time workers in Alaska and Washington.

**Concerns with Proposals to increase Area O GHL**

While proposals 12, 13 and 14 are allocative in nature, FLCs primary concern is that the Area O statewater fishery is already unduly concentrated in both time and area. Particularly given the current uncertainties regarding the Pacific cod resource, we believe the Board of Fisheries has a conservation interest to not approve an expansion of harvest in the fishery. The proposed actions will increase harvest pressure in the fishery at low stock levels in a concentrated time and area during spawning aggregation. These actions stand to be detrimental to the long-term health of the Pacific cod resource on which FLC members principally depend upon.

Since the Area O fishery began in 2014, the EBS survey Pacific cod biomass has subsequently gone down – **49%** and the EBS survey abundance (number of fish) has gone down **-78%**.

In the Gulf of Alaska (south and adjacent to Area O), since 2013, the survey Pacific cod biomass has gone down **-79%** and survey abundance (number of fish) has declined – **83%**.

At the same time, Pacific cod in the Bering Sea have been shifting increasingly northward (away from the Alaska Peninsula and Area O). In 2010, the Bering Sea Pacific cod distribution was 97%

in the EBS (Eastern Bering Sea) and 3% in the NBS (Northern Bering Sea). In 2017, the distribution was 68% EBS and 32% NBS. In 2018, the distribution is 49% EBS and 51% NBS.

Prior to the establishment of the Area O fishery, the all gear Pacific cod catch in EBS statewaters was less than 1% of the EBS all gear Pacific cod harvest (federal/state combined). In 2017, that amount has increased to **8%** of all EBS Pacific cod total removals occurring in statewaters.

The Dutch Harbor Subdistrict comprises less the 1% of the EBS Pacific cod fishing grounds. The current harvest inside of 3 miles is more than ten times the level of the average historic catch inside 3 miles (prior to the Area O fishery).

For pot gear only, in 2013, prior to the establishment of the Area O GHL fishery, the total cod harvest by pot gear (federal parallel fishery) inside 3 miles in statewaters was less than **>1%** of all pot Pacific cod harvest in the entire Bering Sea. In 2014, **22%** of all BS pot gear (federal and state combined) Pacific cod harvest occurred inside 3 miles. In 2016 and 2017, **37%** of all BS pot gear (federal and state combined) Pacific cod harvest occurred inside 3 miles. In 2018 (as of Aug. 1), **47%** all BS pot gear (federal and state combined) Pacific cod harvest was inside 3 miles.

Proposal 14 calls for an increase of the Area O GHL to **8%** of the EBS ABC (**+25%** increase); Proposal 13 calls for an increase of the GHL to **10%** of ABC (**+56%**); and Proposal 12 calls for increase of the GHL to **20%** of TAC (**+213%**, though the proposer incorrectly specifies proportion of TAC instead of ABC). None of these proposals address or seem to be aware of the declining stock status of the resource.

Given the warm seawater conditions in both the Bering Sea and Gulf of Alaska, and the steep declines in both survey biomass and abundance to historic lows, we believe that increased harvest pressure at low stock levels in a concentrated time and area (Area O) while fishing on a spawning aggregation will further inhibit the rebuilding of these Pacific cod stocks and may result in a long-term conservation issue.

The reallocation of harvest from federal to statewaters will also create additional instability for all historic users of the resource in the federal fisheries – many of who are Alaskans - who are already at reduced Pacific cod harvest levels for purposes of conservation.

We would also note that in 2018, of the 32 participants in the Area O fishery, 30 also have federal licenses and also participate in federal fisheries.

Thank for your consideration of these comments and the enclosed background paper.

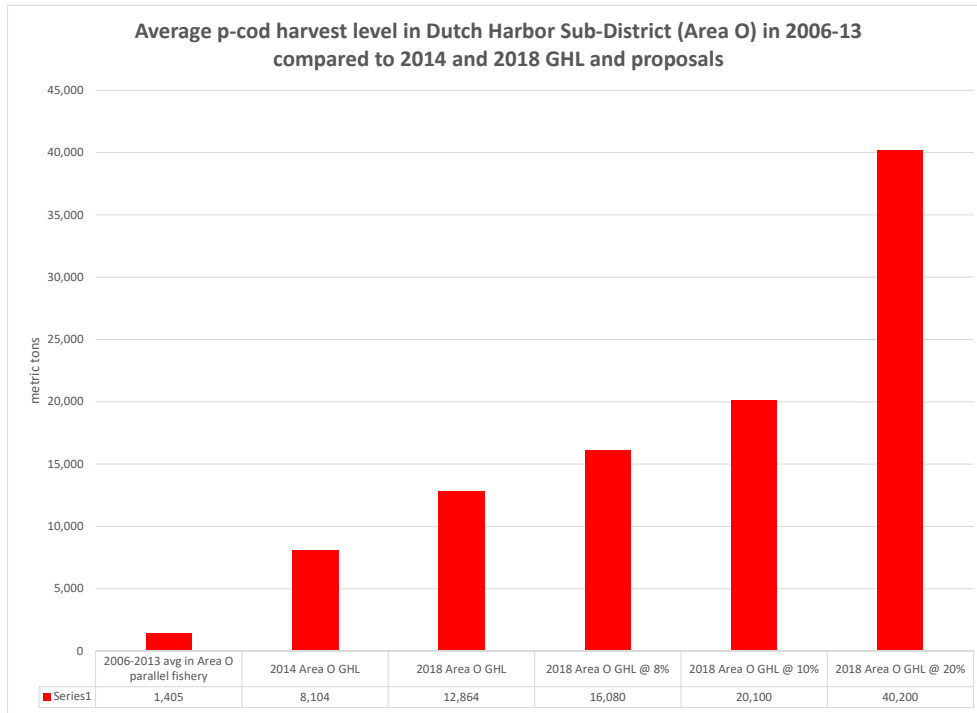
Sincerely,

Ed Dersham, Gerry Merrigan and Chad See, on behalf of the Freezer Longline Coalition  
2303 West Commodore Way Suite 202; Seattle, WA 98199  
206-284-2522

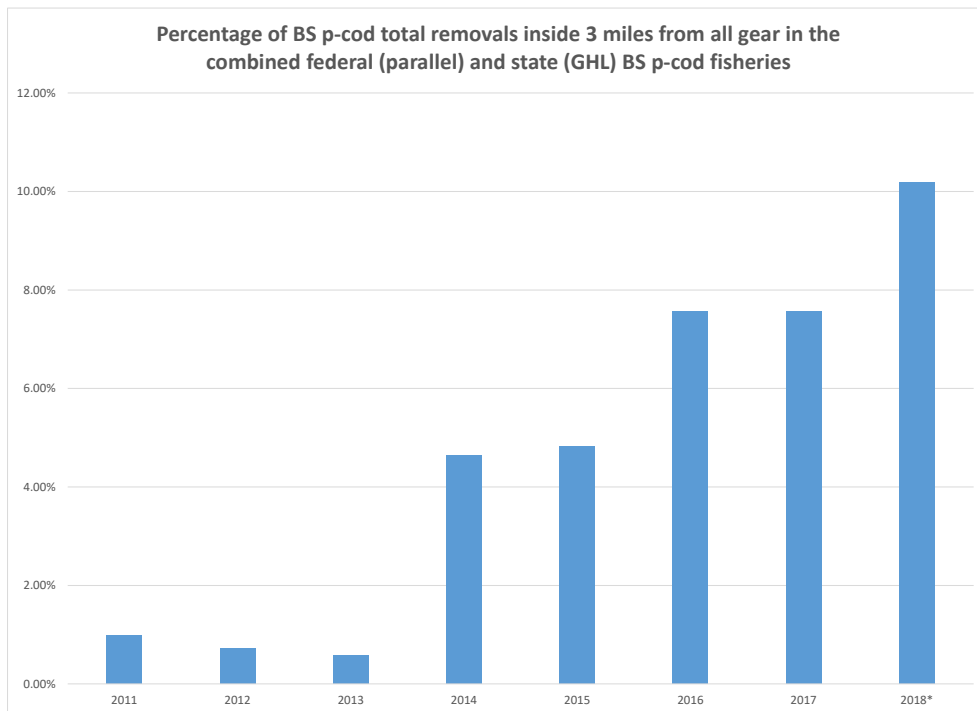
## FLC background paper for BOF on consideration of proposals to increase Area O Pacific cod GHL

- There are three proposals (12, 13, & 14) that call to increase the GHL in the Area O p-cod fishery from the current **6.4%** of the EBS p-cod ABC up to **8%/10%/20%**. **[Figure 1]**
- Prior to establishment of the Area O fishery in 2014, the average catch (2006-2013) in statewaters in the Dutch Harbor Subdistrict was **0.67%** of the BSAI p-cod ABC. The original BOF allocation in 2014 was **3%** of the EBS p-cod ABC - and later more than doubled to **6.4%** - which is 10 X times the previous historic catch inside 3 miles (0.67%).
- For comparison, when the BOF created the GOA p-cod GHL fisheries in 1996, the average cod harvest in State waters of CGOA and WGOA (1994-1996) was **22.6%**. The BOF rationale in setting the statewaters GHL similar to the existing parallel fishery catch was to prevent localized depletion of stocks and minimize conflicts.
- In 2017, the total all gear BS p-cod harvest inside 3 miles in statewaters in the BS (parallel fishery and GHL fishery combined) is now **7.6%** of all BS p-cod total removals. In 2018 (as of August 1), the p-cod catch inside 3 miles is **10.2%** of all BS p-cod total removals – more than ten times the level of the historic catch. **[Figure 2]**.
- The approximate area of the statewater Dutch Harbor sub-district is less than 1% of the area of Bering Sea p-cod fishing grounds (but with 8-10% of the total BS p-cod harvest).
- In 2013, prior to the establishment of the Area O GHL fishery, the total cod harvest by pot gear (federal parallel fishery) inside 3 miles in statewaters was less than **>1%** of all pot p-cod harvest in the entire Bering Sea. **[Figure 3]**
- In 2014, **22%** of all BS pot gear (federal and state combined) p-cod harvest occurred inside 3 miles. In 2016 and 2017, **37%** of all BS pot gear (federal and state combined) p-cod harvest occurred inside 3 miles. In 2018 (as of August 1), **47%** all BS pot gear (federal and state combined) p-cod harvest occurred inside 3 miles. **[Figure 3]**
- Proposal 14 calls for an increase to **8%** of the EBS ABC (**+25%** increase); Proposal 13 calls for an increase to **10%** of ABC (**+56%**); and Proposal 12 calls for **20%** of TAC (**+213%**, though the proposer incorrectly specifies proportion of TAC instead of ABC). **[Figure 1]**
- Proposers seek to greatly increase harvest in a small concentrated area during the time of p-cod spawning aggregation. Increased harvest pressure at low stock levels in a concentrated time and area during spawning aggregation will further inhibit the rebuilding of these stocks and may result in a long-term conservation issue.
- The reallocation of harvest from federal to statewaters will also create additional instability for all historic users of the resource in the federal fisheries – many of who are Alaskans - who are already at reduced p-cod harvest levels for purposes of conservation.

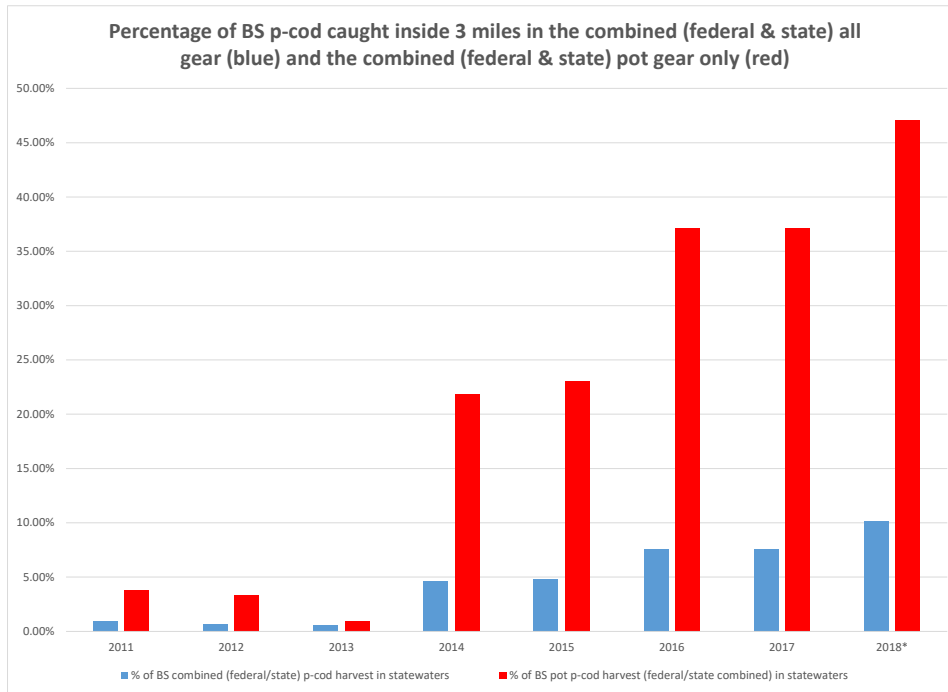
**Figure 1: Avg. p-cod harvest (2006-13) in Area O compared to 2014 & 2018 GHL and proposals**



**Figure 2: Proportion (%) of BS p-cod total removals (all gear federal & state combined) from inside 3 miles, 2011-2018. The BS p-cod all gear catch in statewaters has increased tenfold.**



**Figure 3: Proportion (%) of total BS p-cod all gear (blue) and pot gear harvest (red) from inside 3 miles, (2011-2018). Pot catch inside 3 miles has increased by a factor of 40 X times. In 2017, 37% of all BS pot gear (federal and state combined) p-cod harvest occurred inside 3 miles.**



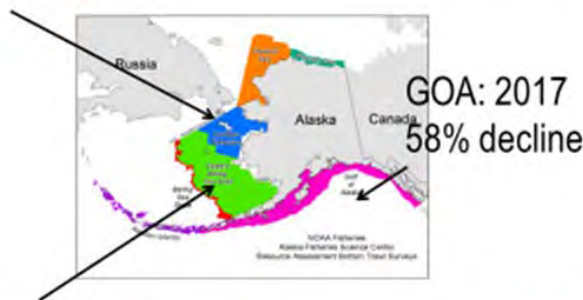
- Proposals seek to increase the GHL while both the EBS and GOA p-cod stocks are declining and at low historical levels. The p-cod biomass has decreased in both the Gulf of Alaska (GOA) and the Eastern Bering Sea (EBS), resulting in reductions in ABC and harvest for historical users with long term reliance on the p-cod resource. **[Figure 4]**
- The EBS survey biomass of p-cod has declined **-49%** since 2014. Recruitment is at the lowest level on record. The EBS p-cod ABC has been reduced **-22%** over the last two years is expected to be reduced an additional **-15% to -30%** in 2019. **[Figure 8]**
- In response to warming temperatures, the BS p-cod biomass has shifted northward to the Northern Bering Sea (NBS) in 2017/2018 (away from Area O). In 2018, 51% of the BS p-cod biomass was in the NBS. **[Figure 5]**. In 2010, 3% of the biomass was in the NBS.
- The survey biomass of GOA p-cod has declined **-79%** since 2013 and the 2017 survey biomass is at the lowest level on record **[Figure 16]**. The 2018 GOA p-cod ABC is also at an all-time low level (with a **-80%** reduction in 2018). The Area O p-cod fishery is largely on EBS p-cod stocks but also includes catch from WGOA p-cod stocks. **[Figures 19-21]**
- Biomass and abundance for both EBS and GOA p-cod are expected to continue to decline or remain at low levels for the next few years due to lack of recent recruitment primarily attributed to warm water and the effect on quantity and distribution of feed.

- There is some overlap between the EBS and GOA p-cod stocks– particularly in the vicinity of Unimak Pass. [Fig. 21]. GOA p-cod move northward through Unimak Pass with the prevailing currents [Fig. 19] and tagging studies (Shimada and Kimura 1994) concluded that emigration and immigration between the Bering Sea and WGOA were on a scale large enough to assume a homogeneous population of p-cod. [Fig. 20]

**Figure 4: P-cod biomass shifts in the Bering Sea and Gulf of Alaska (from Spies 2018)**

**In 2017 we observed shifts in distribution of Pacific cod**

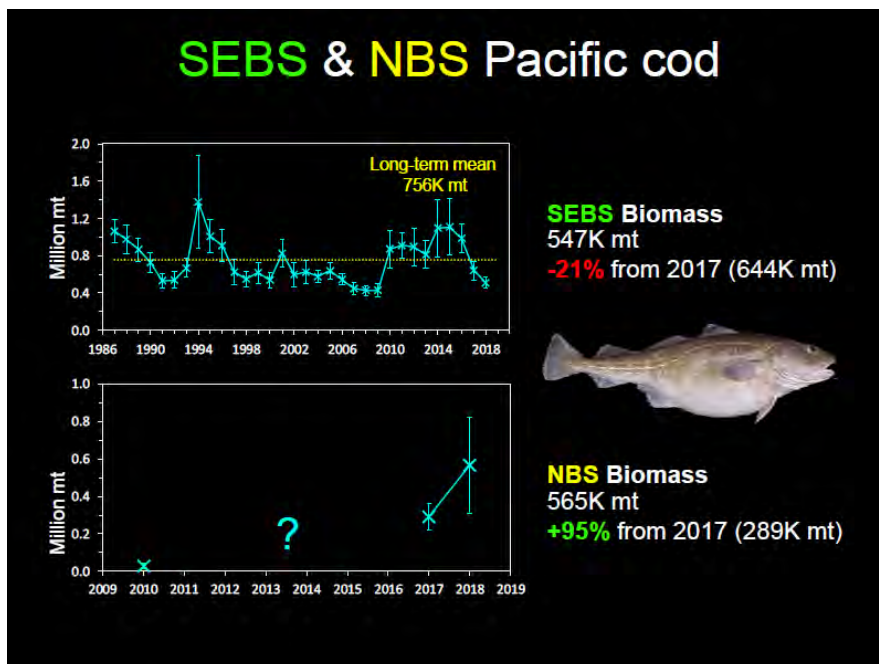
Pacific cod in the NBS increased from 28,425 t to 286,310 t between 2010 and 2017,



and decreased in the EBS by 37% since 2016, to 598,260t.



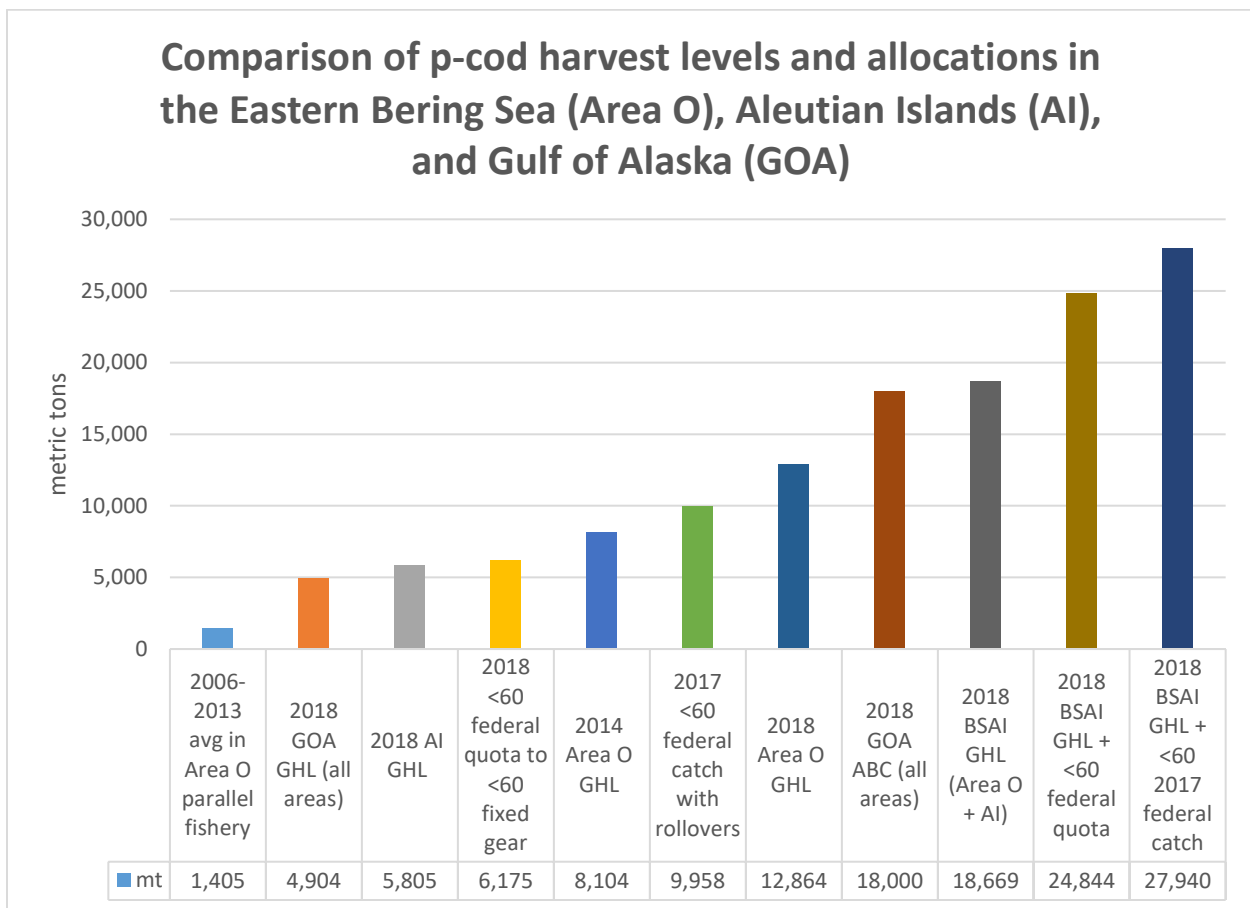
**Figure 5: 2018 Bering Sea p-cod trawl survey biomass estimates. 51% of biomass is in the NBS**



### How much p-cod is currently available to <60' pot vessels in the BSAI in 2018?

- The 2018 Area O GHL @ 6.4% (pot only) = 12,864 mt
- The 2018 Aleutian Islands GHL (all gear) = 5,805 mt
- The 2018 <60 federal fixed gear allocation (plus jig rollover) = 6,175 mt
- Total BSAI allocation available to <60 in 2018 = **24,844 mt**
- Due to rollovers, the catch in the federal BSAI <60' fishery is greater than the initial allocation. The 2017 <60 allocation (including jig) was 7252 mt; the catch was 9958 mt.
- Most of the participants in the Area O fishery also participate in the federal <60' fishery.
- 94% (30 out of 32) of the participants in the 2018 Area O fishery also have a federal LLP.

**Figure 6: Comparison of historic and current p-cod harvest levels and allocations**



- The current BSAI GHG allocation (Area O + Aleutian Islands) is 18,669 mt.
- For comparison, the 2018 BSAI GHG is greater than the entire 2018 GOA ABC for p-cod. The 2018 ABC for the GOA is 18,000 (all areas combined) with a total statewaters GHG of 4,904 mt (all areas combined) and a federal TAC of 13,096 mt (all areas combined).

- The current Area O GHL (12,864 mt) is 9 X larger than the average catch (1,405 mt) in the Dutch Harbor Subdistrict prior to the establishment of Area O.
- The total amount of p-cod available to the <60' pot sector in the BSAI in 2018 in both the federal and statewaters fishery is greater than **25,000+ mt**. In 2017, **37%** of all pot gear p-cod harvest in the entire Bering Sea occurred in Area O.
- The Area O statewaters comprises **less than 1%** of the EBS p-cod fishing grounds. **[Figure 19]**. This results in **8%** of the EBS p-cod ABC harvest occurring in 1% of the p-cod grounds (2018 GHL plus the parallel fishery). Proposals would further concentrate **10%** to **22%** of the EBS p-cod ABC in **less than 1%** of the EBS p-cod grounds.
- The federal BSAI p-cod fishery has a license limitation program (LLP); has completed vessel buyback programs to reduce over-capitalization; an observer program; is widely spatially dispersed **[Figures 23 & 24]**; and has an A and B season (temporal dispersion). The all gear p-cod seasonal apportionment in the BSAI is 70/30 and in the GOA 60/40.
- The Area O p-cod fishery has no limited entry; increasing participation and new capitalization; no observers; and is concentrated in both time and area. **[Figure 25]**
- In 2018, 32 vessels participated in the Area O fishery (up from 24 vessels in 2017). Of the 32 vessels that participated in 2018 15 (47%) were built in 2008 or after. Many of these same vessels also participate in the BSAI p-cod federal fishery. 94% (30 out of 32) of the participants in the 2018 Area O fishery also have a federal LLP.
- In 2015, in the federal p-cod fishery, 150 vessels targeted p-cod in the BSAI and 403 vessels targeted p-cod in the GOA (and many more vessels had incidental p-cod catch).
- Of the 553 total active federal vessels targeting p-cod (all gear) in the BSAI and GOA, 391 (71%) of the owners have Alaskan residency<sup>1</sup>
- BSAI p-cod in the federal fishery is allocated between twelve sectors including CDQ (Community Development Quota) for Western Alaska villages.
- CDQ groups have an ownership stake in 70 vessels, half of which fish p-cod.
- The reallocation of harvest from federal to statewaters will also create additional instability for all historic users of the resource – many of who are Alaskans - who are already at reduced harvest levels for purposes of conservation.
- Uncaught p-cod in the EBS and AI statewater GHL fisheries cannot be rolled back to the federal fishery.

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<sup>1</sup> Tables 41 and 46, 2016 Economic SAFE



### EBS p-cod stock status summary:

- **Biomass:** The survey biomass of EBS p-cod has declined **-49%** since 2014. [Figures 7& 8]
- **Abundance:** The survey abundance (number of fish) has declined – **78%** since 2014 (and is at the lowest value since 1989) [Figures 8 & 9].
- **Recruitment:** The current biomass is mostly composed of large cod with little recent recruitment. Recruitment has declined significantly (**-86%**) since 2013 [Figure 10].
- **Bottom Temperature:** The bottom temperature for the EBS has been unusually warm since 2014 [Figure 11]. The 2014-2017 average summer temperature is 3.4 degrees (C) - more than double the 2006-2013 average of 1.6 degrees (C). The 2016 bottom temperature is the warmest on record. 2018 also appears to also be a very warm year [Figure 12 & 13]. Generally, the warmer the water, the poorer the recruitment [Fig. 14].
- **Temperature and cod movement to the Northern Bering Sea (NBS) and the Northwest Strata:** In response to warming temperatures, EBS p-cod have moved farther north. Following a cold period in **2010**, the Bering Sea p-cod biomass distribution was **97% EBS** and **3% NBS**. In **2017**, following a warm water period, the biomass distribution was **68% EBS** and **32% NBS** [Figure 12] and in 2018, **49% EBS** and **51% NBS** [Figure 5]. Genetic identification work identifies the p-cod in the NBS are the same as the EBS.
- **ABC:** The EBS p-cod ABC has been reduced **-22%** from 2014 to 2018 (201,000 mt) and is expected to be further reduced in 2019 (-15% to -30% or more).
- **TAC:** The EBS TAC available to participants in the federal fishery has declined - **24%** (2014 -2018) and is expected to be significantly reduced in 2019.

### GOA p-cod stock status summary

- **GOA p-cod survey:** The 2017 GOA p-cod survey biomass and abundance are at the lowest values ever in the time series (beginning in 1984) [Figures 16 & 17].
- **Biomass:** The survey biomass of GOA p-cod has declined significantly (**-79%**) since 2013.
- **Abundance:** The survey abundance (number of fish) has declined – **83%** since 2013.
- **Temperature:** There was a persistent warm water temperature anomaly in the GOA in 2014-2017 (i.e. the Warm Blob). [Figure 18]
- **GOA ABC/TAC:** The 2018 GOA p-cod ABC and TAC was reduced **-80%** (from 2017).

**Figure 7: EBS trawl survey biomass (1982-2017):** The 2017 survey biomass of EBS p-cod has declined **-45%** since 2014. The survey biomass estimate for 2018 is **-21% less than 2017**. The 2018 biomass is **-32% below** the long term average (1982-2017).

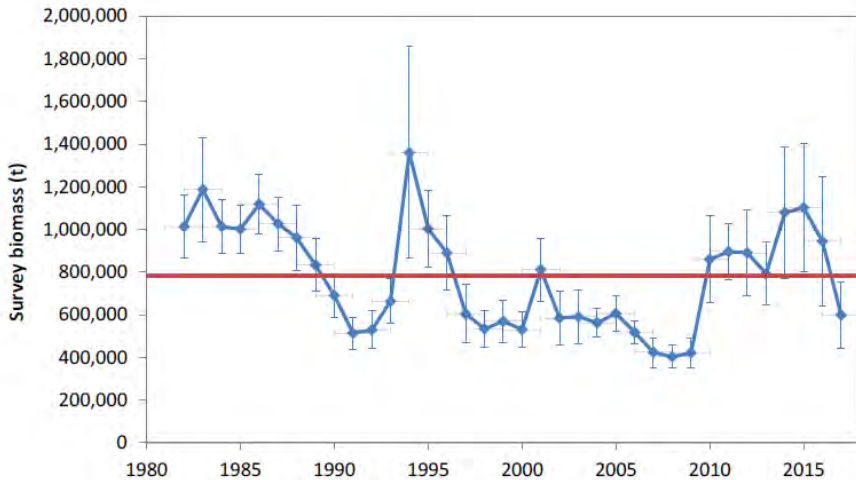
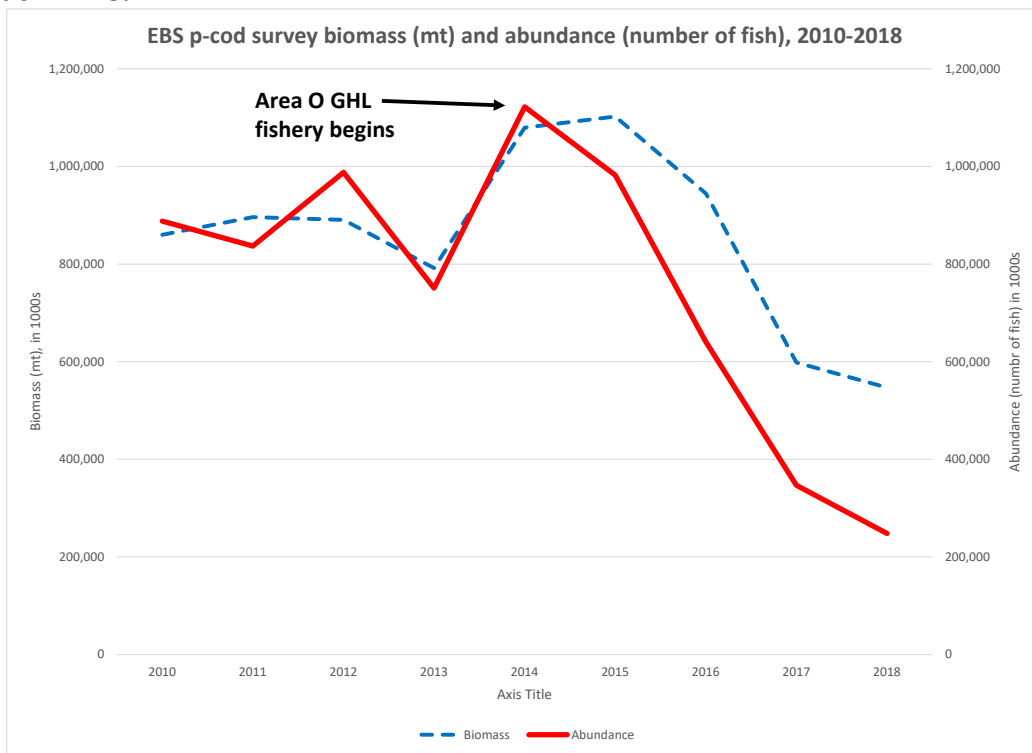


Figure 2.5—EBS trawl survey biomass estimates with 95% confidence intervals (standard area). Red line = long-term average.

**Figure 8: EBS p-cod survey biomass and abundance, 2010-2018:** From 2014 to 2018, the EBS survey biomass has gone down **-49%** and the EBS survey abundance (number of fish) has gone down **-78%**.



**Figure 9: EBS p-cod survey abundance (number of fish), 1982-2017:** The survey abundance (number of fish) has declined – 69% since 2014 (and is at the lowest value since 1989) due to poor recruitment

*EBS Pacific cod* *November 2017 Plan Team Draft*

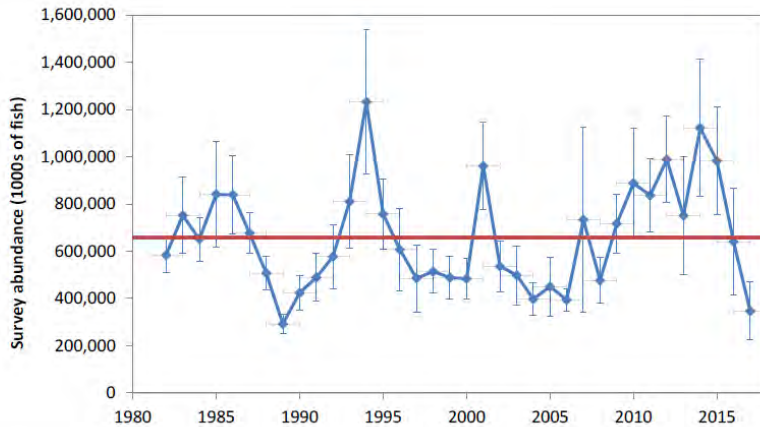


Figure 2.2—EBS trawl survey numerical abundance estimates with 95% confidence intervals (standard area). Red line = long-term average.

**Figure 10: EBS p-cod Age 0 recruitment (modeled, 1977-2016):** EBS p-cod recruitment has declined significantly (-86%) since 2013. Recruitment in 2016 is at an all-time low value. The current biomass is mostly composed of large cod with very few small Pacific cod. Preliminary results of the 2018 survey are similar (i.e. low recruitment similar to the past three years).

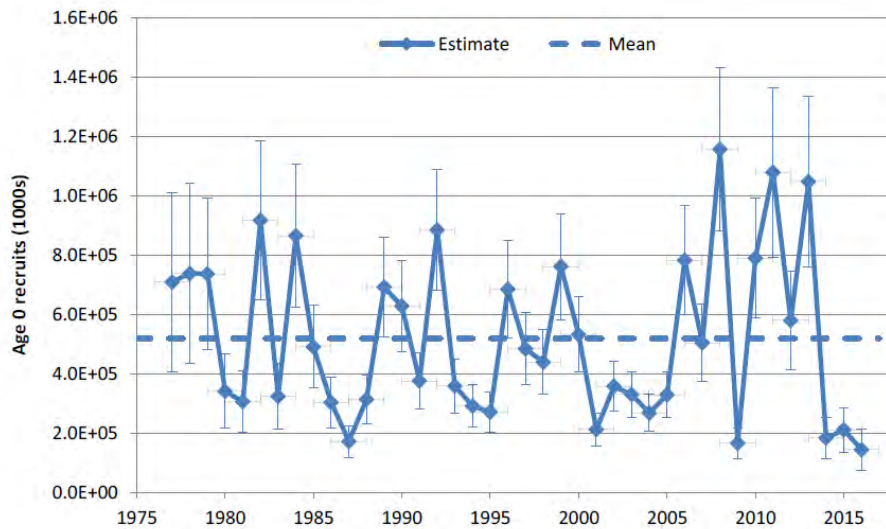
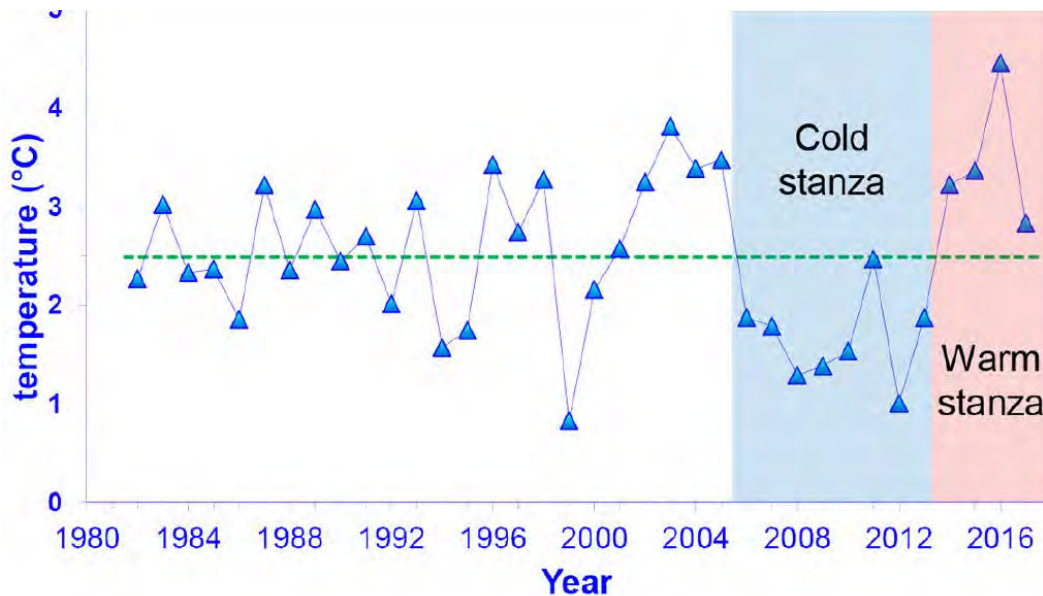
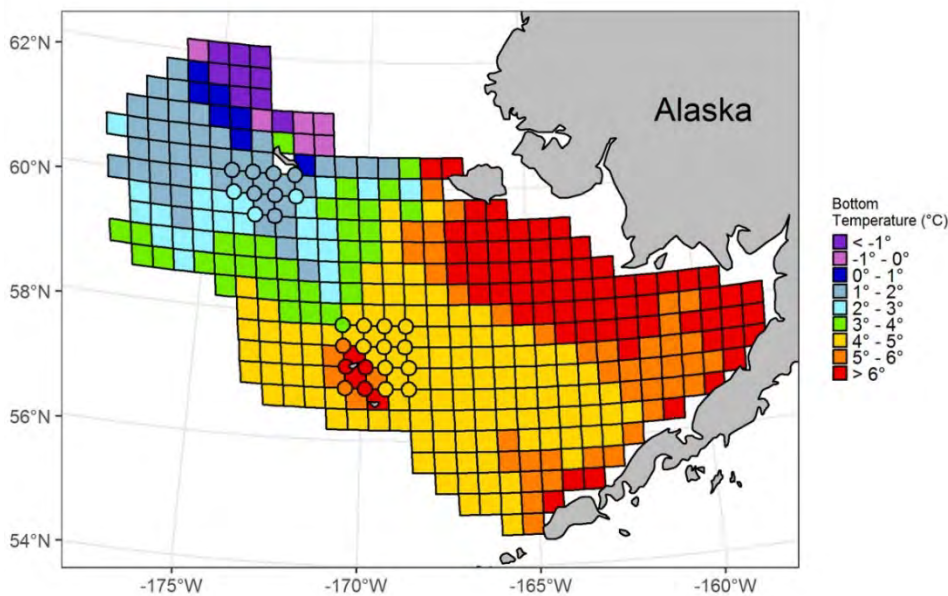


Figure 2.32—Time series of recruitment at age 0 as estimated Model 17.2.

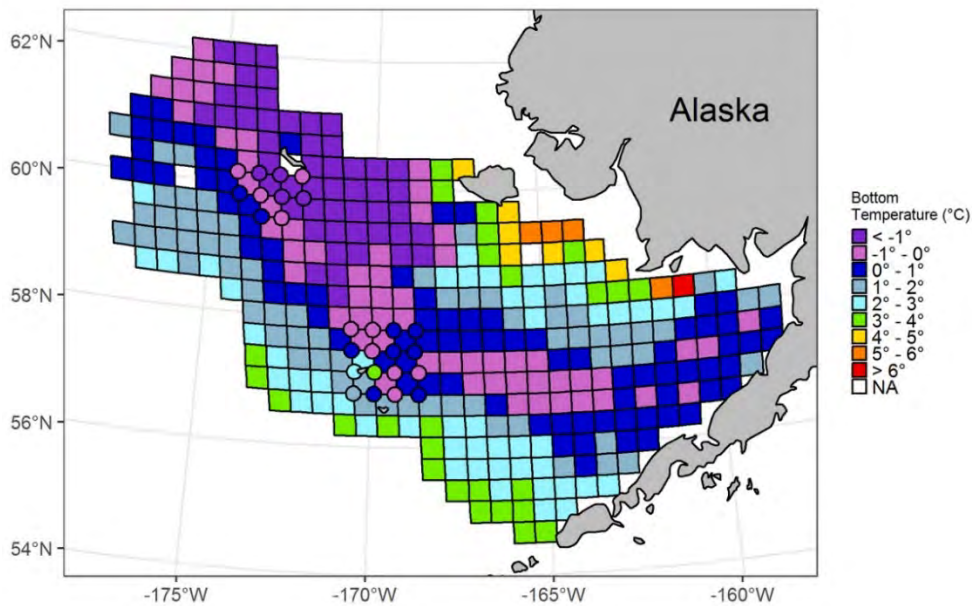
**Figure 11: EBS summer mean bottom temperature:** The bottom temperature for the EBS has been unusually warm since 2014. The 2014-2017 average summer temperature is 3.4 degrees (C) - more than double the 2006-2013 average of 1.6 degrees (C). The summer bottom temperature in 2016 is the warmest on record. 2018 appears to be a very warm year as well.



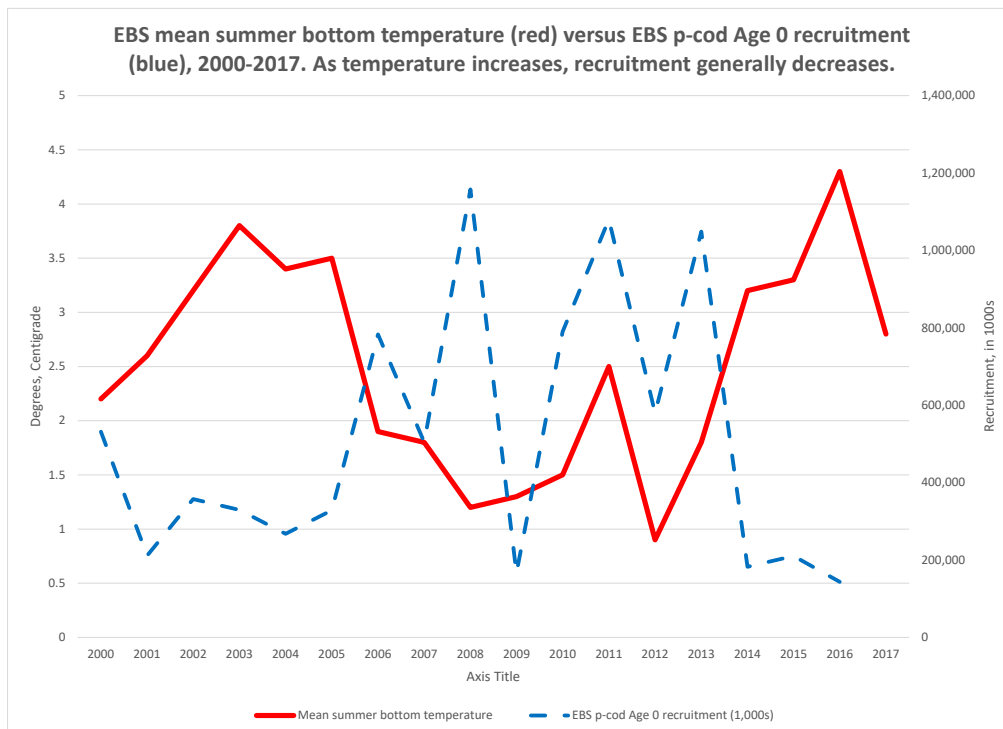
**Figure 12: 2018 EBS survey bottom temperature:** For the first time ever, there is no cold pool formation in the EBS due to unusually warm winter and the limited sea ice coverage in 2017/2018. The preliminary 2018 survey results indicate “generally lower numbers of Pacific cod that were larger, but no small Pacific cod similar to past years.”



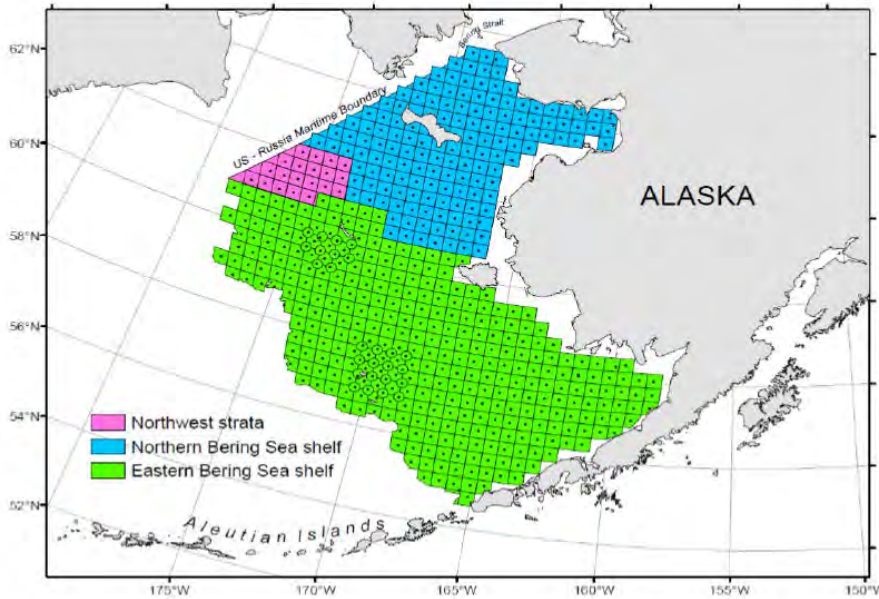
**Figure 13: 2012 EBS survey bottom temperature:** For comparison, there was extensive cold pool formation in 2012 (below). The “cold pool” is a large mass of frigid water, with a mean temperature of less than 2 degrees C. The cold pool serves as a barrier for p-cod to movement across the eastern Bering Sea shelf and to the north, towards the Bering Strait.



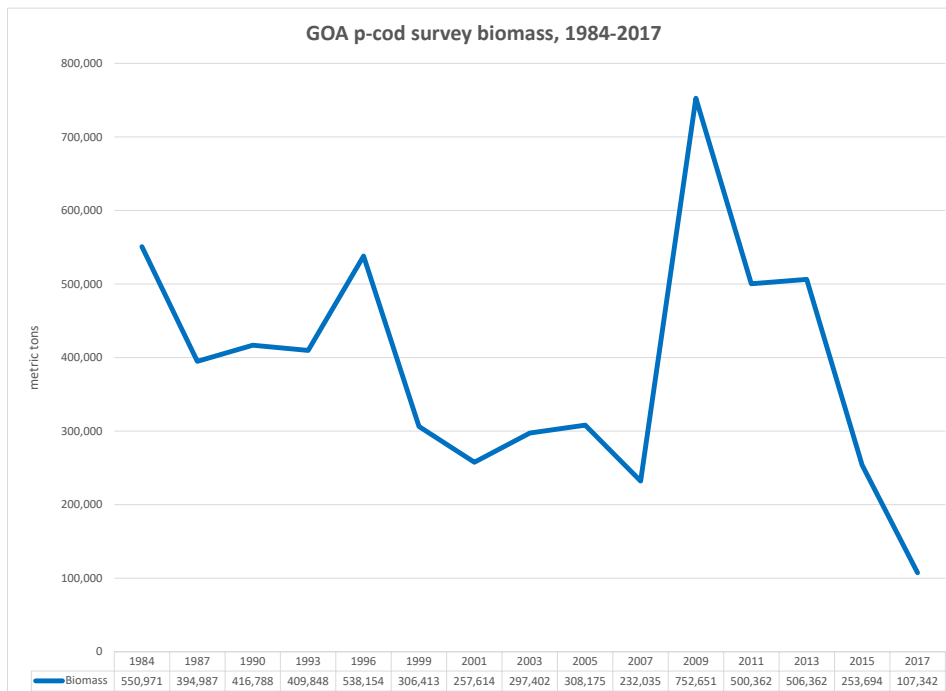
**Figure 14: EBS bottom temperature and p-cod recruitment:** Generally, the warmer the temperature, the poorer the recruitment (i.e. inverse relationship).



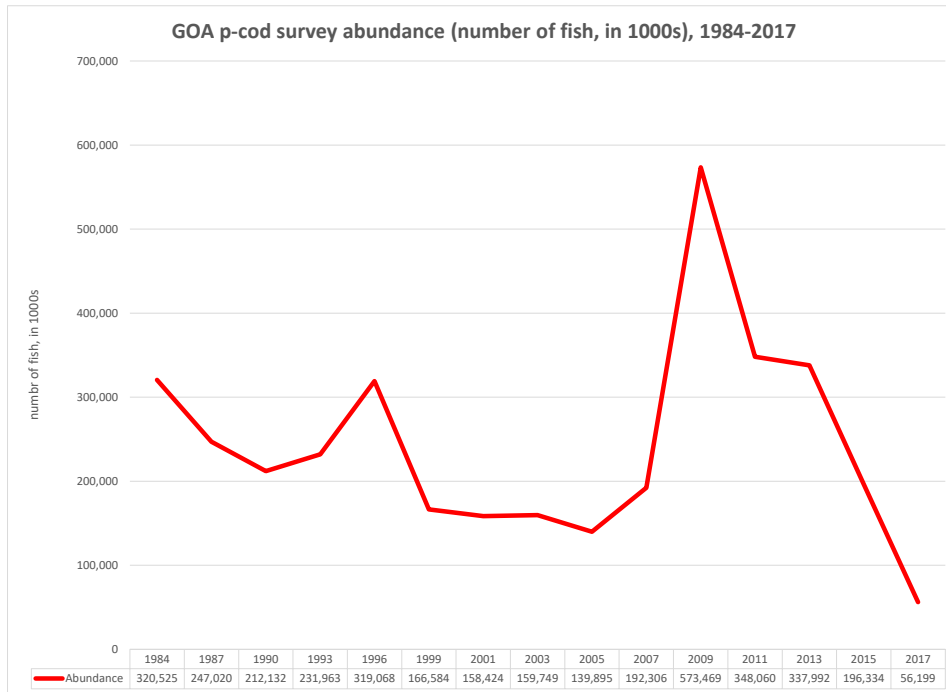
**Figure 15: Movement of Bering Sea p-cod in response to temperature:** As water temperature increases, BS p-cod move northward (away from the Alaska Peninsula and Area O) with a higher proportion of distribution in both the NW strata (pink) and Northern Bering Sea (NBS, blue). Following a cold period in **2010**, the Bering Sea p-cod biomass distribution was **97% EBS** and **3% NBS**. Following a warm period, the biomass distribution in 2018 was **49% EBS** and **51% NBS**.



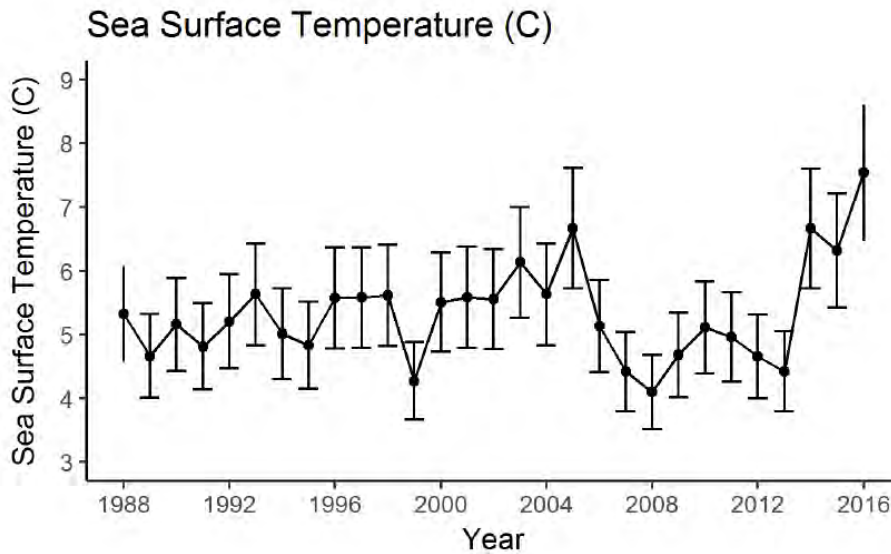
**GOA Stock Status: Figure 16: GOA p-cod survey biomass (1984-2017):** The survey biomass of GOA p-cod has declined significantly (-79%) since 2013.



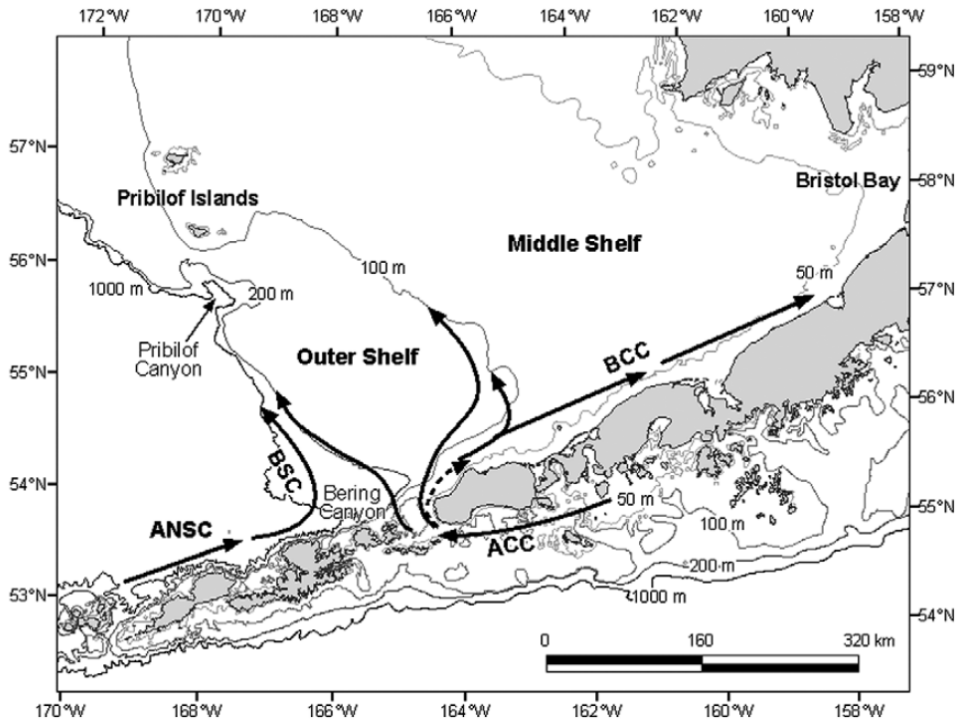
**Figure 17: GOA p-cod survey abundance (1984-2017):** The survey abundance (number of fish) has declined – 83% since 2013



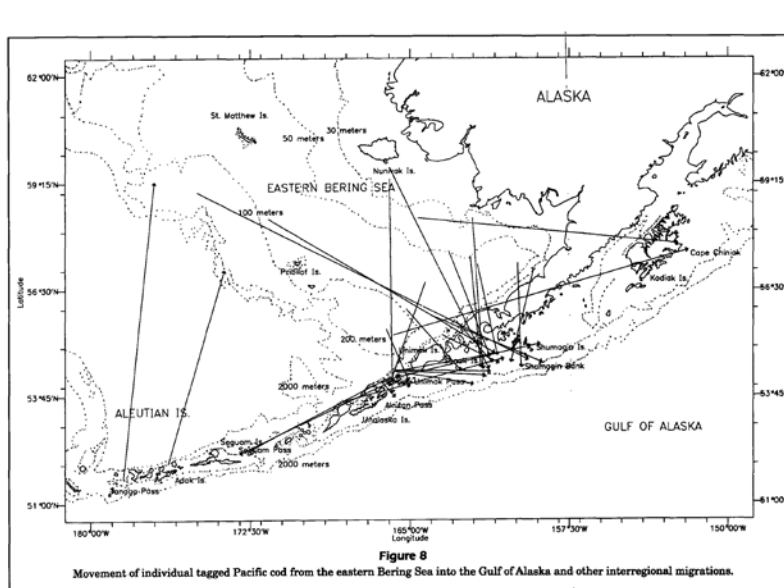
**Figure 18: GOA sea surface temperature (1988-2017):**



**Figure 19: Predominant currents of the EBS and WGOA (from Lanksbury et al. 2007):** Prevailing currents from the GOA move northward through Unimak Pass into the Bering Sea.



**Figure 20: P-cod movement between the GOA and EBS:** P-cod tagging and recovery. From Shimada and Kimura 1994, *Seasonal movements of Pacific cod in the eastern Bering Sea and adjacent waters based on tag=recapture data*. There is seasonal movement to and from spawning aggregations including Unimak Pass/Amak Island.



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Fishery Bulletin 92(4), 1994



- Shimada and Kimura (1994) concluded that emigration and immigration between the Bering Sea and Gulf of Alaska were on a scale large enough to assume a homogeneous population of Pacific cod. This result was supported by Grant et al. (1987).
- While the Aleutian Islands and EBS p-cod are considered to be discrete stocks, there is some overlap between the EBS and WGOA – particularly in the vicinity of Unimak Pass.
- Fish population distributions are rarely considered homogenous; however, stock delineations for management purposes are often defined to serve political or administrative functions with little or no biological basis.
- Every spring in the Bering Sea, Pacific cod form large aggregations at specific locations to spawn and then disperse afterwards (Shimada and Kimura 1994; Neidetcher et al.2014).
- Pacific cod form dense spawning aggregations from Unimak Pass to Amak Island, Alaska.

**Figure 21:** Spies 2011 found genetically distinct p-cod population in the AI and BS. Within the BS, there was also genetic evidence of two overlapping populations in the EBS: Unimak Pass and the Pribilofs. The Unimak Pass population encompasses the SE BS and portions of the GOA.

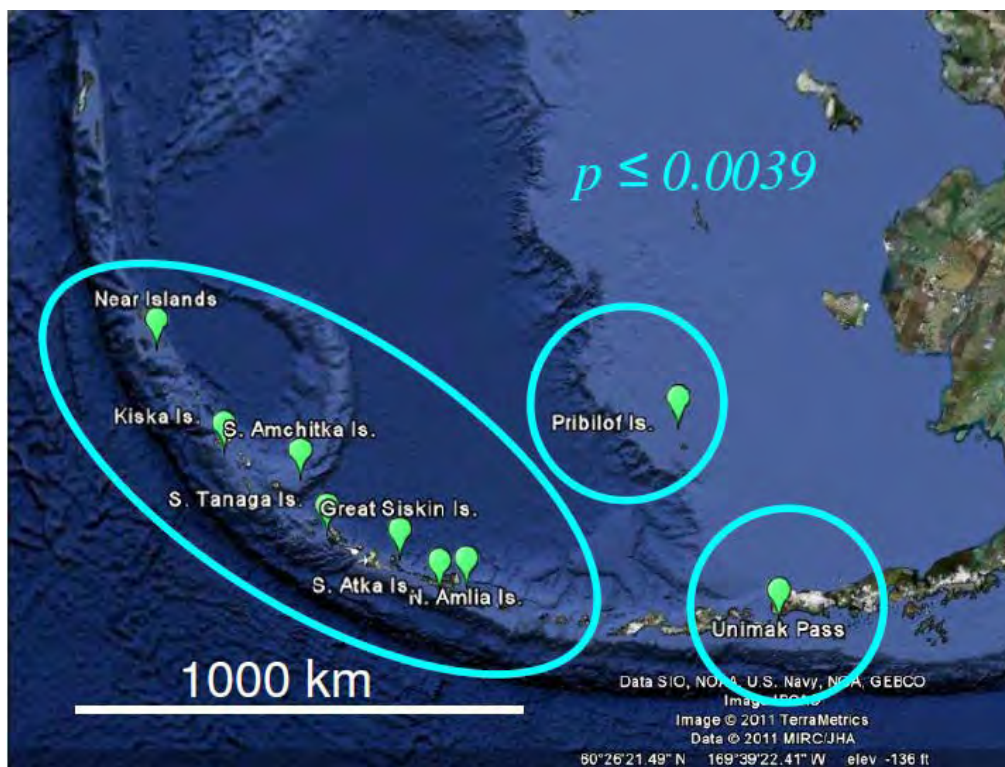
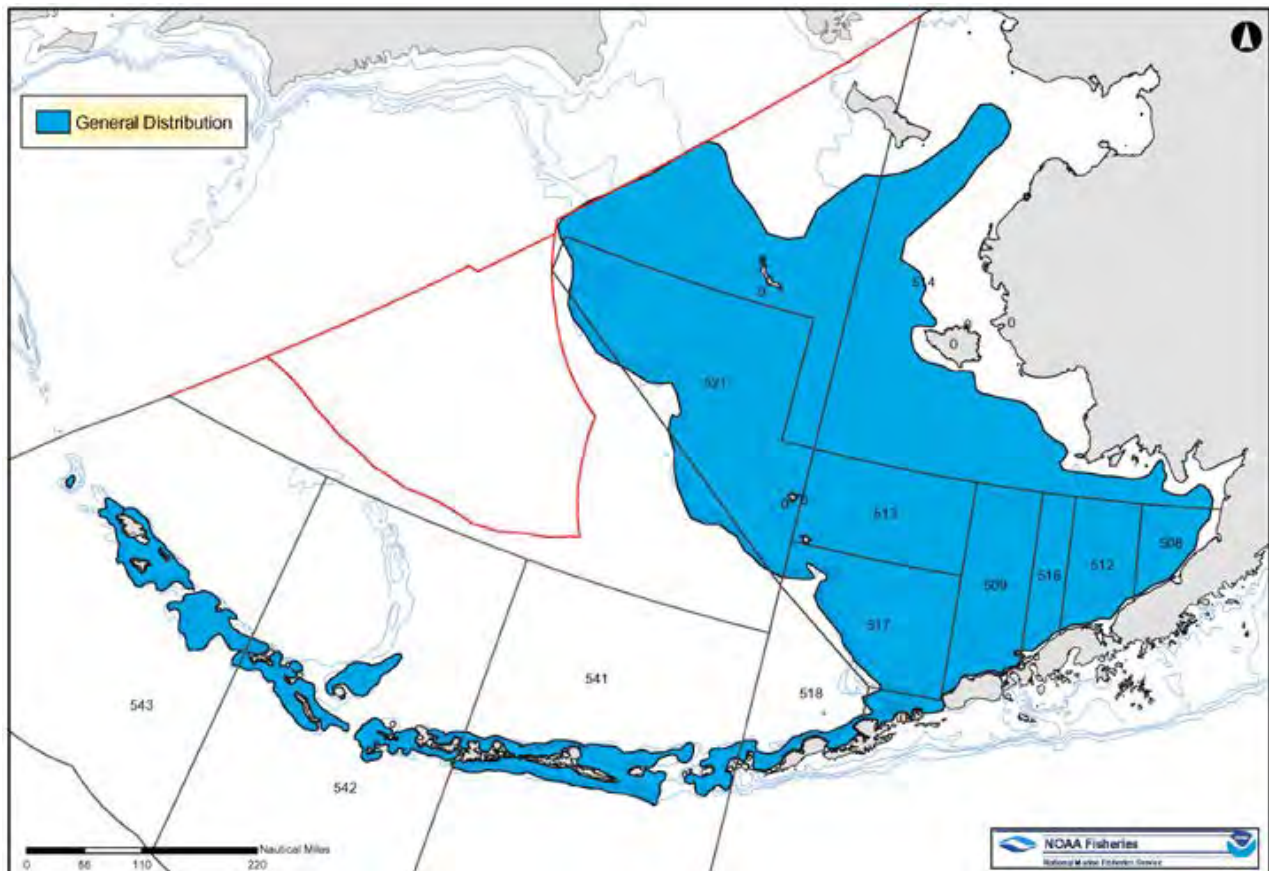
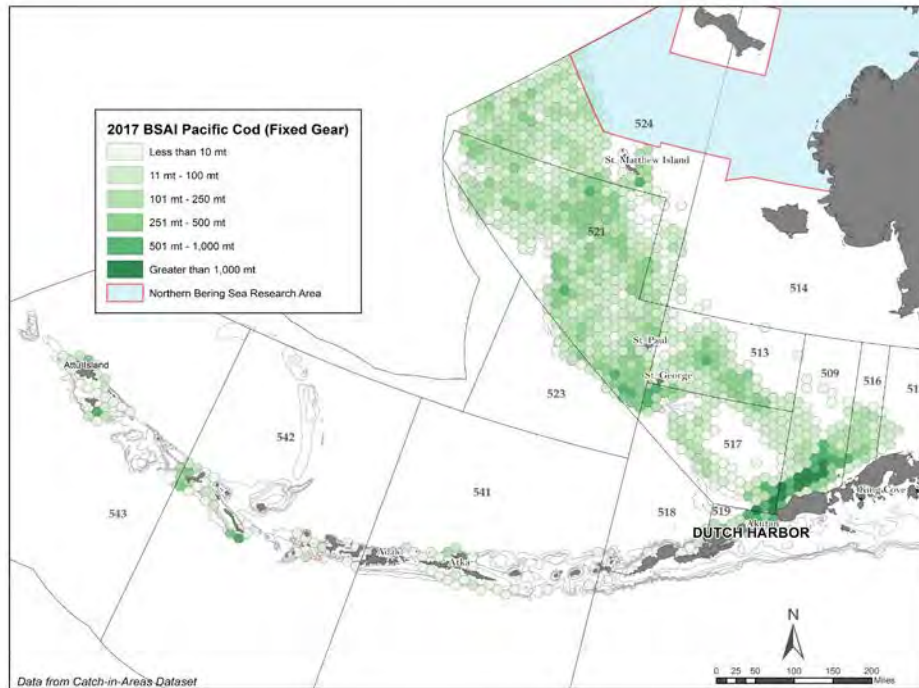


Figure 22: Essential Fish Habitat for BSAI p-cod

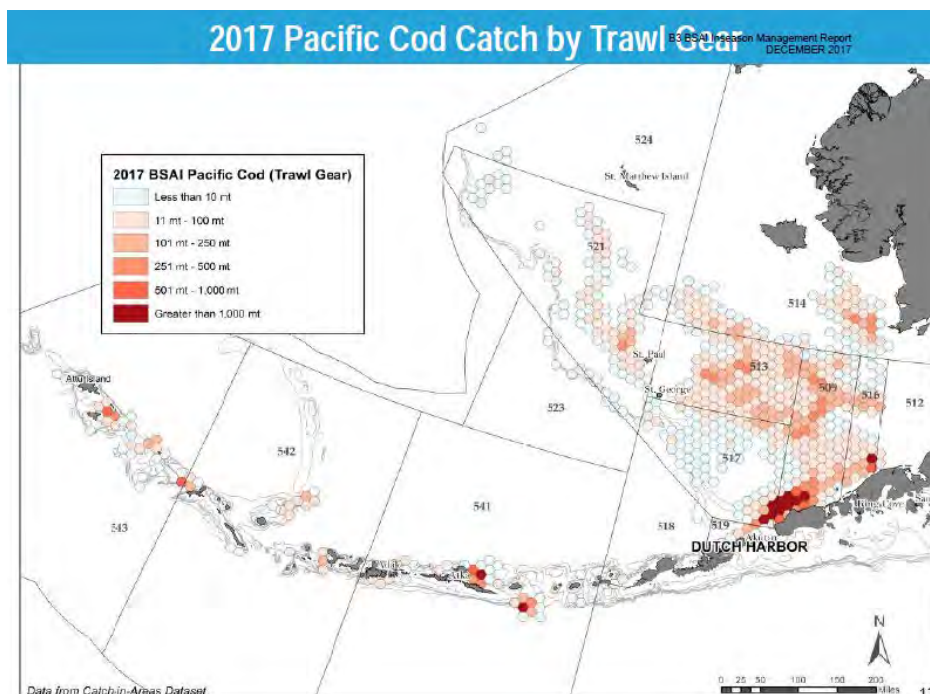


- U.S. portion of Bering Sea = 382,227 sq. miles.
- Approximately 43% is deep-water basin; 13% slope; and 44% continental shelf.
- Most cod fishing occurs on the shelf area (168,180 sq. miles) of which half of that is considered p-cod fishing grounds (**84,090 sq. mi**).
- The approximate area of the statewater Dutch Harbor sub-district is **840 sq. miles** (or < **1%** of the area of Bering Sea p-cod fishing grounds).
- The current Area O GHZ is **6.4%** of the EBS p-cod ABC (plus the parallel fishery). This results in a minimum of **8%** of EBS p-cod harvest in **less than 1%** of the EBS p-cod fishing grounds.
- The latest proposals would further concentrate up to **8% to 20%** of the EBS p-cod ABC in **less than 1%** of the EBS p-cod fishing grounds.
- In 2016 and 2017, **37%** of all BS pot gear (federal and state combined) p-cod harvest occurred inside 3 miles (in **less than 1%** of the EBS p-cod fishing grounds)

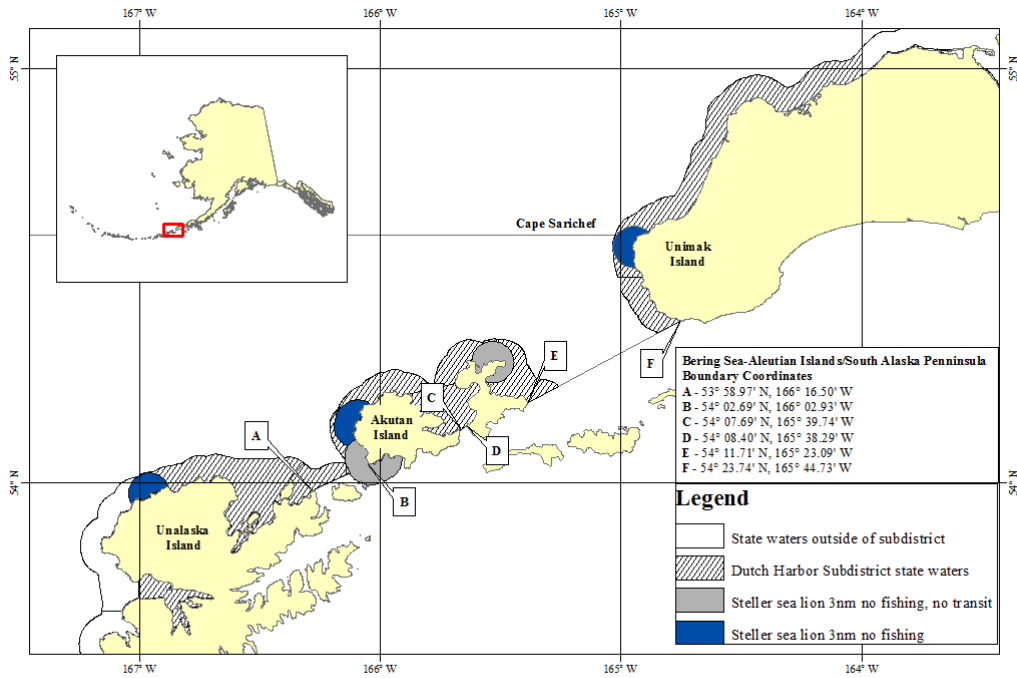
**Figure 23: 2017 spatial distribution of the BSAI federal fixed gear (pot and longline) p-cod harvest.** In the federal fishery, harvest is spread out in both time and area.



**Figure 24: 2017 spatial distribution of the BSAI federal trawl gear p-cod fishery.** Though more concentrated, federal trawl harvest is still dispersed over a broad area (and by season).



**Figure 25: ADFG Dutch Harbor sub-district:** In contrast, the Dutch Harbor Subdistrict is a small area and the Area O GHL p-cod fishery is concentrated and compressed in both time (A season only) and area.



**Figure 26: CDQ ownership of active vessels in the BSAI groundfish and crab fisheries**
**Table 2-2 CDQ Ownership in Vessels Active in Federal Groundfish and Crab Fisheries**

ADFG	Vessel Name	CDQ Group(s)	CDQ ownership	ADFG	Vessel Name	CDQ Group(s)	CDQ ownership
77470	Arctic Prowler	APICDA	25%	59687	Forum Star	CBSFA	9.9%
63333	Bering Prowler	APICDA	25%	55301	Katie Ann	CBSFA	9.9%
47952	Exceller	APICDA	100%	56618	Northern Eagle	CBSFA	9.9%
62424	Farwest Leader	APICDA	70%	60202	Northern Jaeger	CBSFA	9.9%
35687	Golden Dawn	APICDA	25%	56987	Ocean Rover	CBSFA	9.9%
39369	Gulf Prowler	APICDA	25%	75473	Saint Paul	CBSFA	100%
69625	Konrad	APICDA	100%	76769	Saint Peter	CBSFA	100%
43570	Ocean Prowler	APICDA	25%	34931	Starlite	CBSFA	75%
40920	Prowler	APICDA	25%	39197	Starward	CBSFA	75%
57621	Starbound	APICDA	20%	33696	Arctic Sea	CVRF	100%
8522	US Liberator	APICDA	20%	56016	Deep Pacific	CVRF	100%
44971	Barbara J	APICDA	50%	63484	Lilli Ann	CVRF	100%
41312	Alaska Defender	BBEDC	50%	59376	North Cape	CVRF	100%
62437	Alaskan Leader	BBEDC	50%	36047	North Sea	CVRF	100%
35844	Aleutian Mariner	BBEDC	40%	60795	Northern Hawk	CVRF	100%
57450	Arctic Fjord	BBEDC	40%	8225	Sea Venture	CVRF	100%
31792	Arctic Mariner	BBEDC	50%	38989	Alaska Rose	CVRF, NSEDC	37.5%, 37.5%
51672	Bering Defender	BBEDC	50%	40638	Bering Rose	CVRF, NSEDC	37.5%, 37.5%
74669	Bering Leader	BBEDC	50%	60655	Destination	CVRF, NSEDC	37.5%, 37.5%
70435	Bristol Leader	BBEDC	50%	37660	Great Pacific	CVRF, NSEDC	37.5%, 37.5%
8411	Bristol Mariner	BBEDC	45%	35957	Sea Wolf	CVRF, NSEDC	37.5%, 37.5%
64	Cascade Mariner	BBEDC	50%	60407	Alaska Ocean	NSEDC	38%
56676	Defender	BBEDC	50%	5992	Aleutian No. 1	NSEDC	100%
38431	Morning Star	BBEDC	50%	57228	Arica	NSEDC	9%
32858	Neahkahmie	BBEDC	40%	55921	Cape Horn	NSEDC	9%
222	Nordic Mariner	BBEDC	45%	34905	Glacier Bay	NSEDC	100%
77393	Northern Leader	BBEDC	50%	48075	Northern Glacier	NSEDC	38%
7	Pacific Mariner	BBEDC	40%	56991	Pacific Glacier	NSEDC	38%
963	Western Mariner	BBEDC	50%	35767	Patricia Lee	NSEDC	100%
965	Adventure	CBSFA	100%	51873	Rebecca Irene	NSEDC	9%
50570	Aleutian Challenger	CBSFA	9.9%	57211	Unimak	NSEDC	9%
62152	American Challenger	CBSFA	9.9%	24255	American Beauty	YDFDA	75%
59378	American Dynasty	CBSFA	9.9%	34855	Baranof	YDFDA	41%
60660	American Triumph	CBSFA	9.9%	35833	Courageous	YDFDA	90%
103	Early Dawn	CBSFA	50%	52929	Golden Alaska	YDFDA	30%

Submitted By  
Galen Jackson  
Submitted On  
10/1/2018 10:25:42 AM  
Affiliation

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To the members of the Alaska Board of Fisheries,

I am writing in **support** of **Proposal 13, Proposal 2.**

I am also writing in **opposition** of **Proposal 15.**

## Background

My name is Galen Jackson, I am a 25 year old Alaskan resident. I moved to Alaska from Washington State for the purpose of expanding my fishing career thru job opportunities along with financing options thru the state. In addition to participating in the under 60' pacific cod pot fishery I also own a bristol bay drift permit and vessel. I initially got into the pacific cod pot fishery as a way to diversify myself in the fishing industry and protect myself from down turns in bristol bay.

As I get more involved in the pacific cod fishery I have begun to understand the true value of it. Unlike so many other fisheries around the State, the pot fishery has a high Alaskan resident participation as well as a strong population of youthful participants. Finding this community of hard working, driven, professional younger Alaskans to work with and learn from has been the strongest driving force in my fishing career. The Pot Cod fishery offers a true opportunity for young people regardless of residency, with those attributes to come into the fishery and excel.

I started pot fishing on the F/V Oracle in the fall of 2016, fished the winter on the F/V Magnus Martens, and fished the fall of 2017 aboard the F/V Oracle again. Relative to many in the industry I am inexperienced, but through hardwork and determination I have shown I am a solid deck hand and my goal is to run a boat in this fishery. I am currently testing to get my 200 ton USCG masters license, I have a diesel mechanic cert. from UAF, and will be engineering and relief skippering on the F/V Magnus Martens this winter. I feel this opportunity to excel is unique to this fishery and feel privileged to participate in it.

## Proposals

I feel that **Proposal 2 and Proposal 13** are instrumentally in allowing the Dutch Harbor sub district fishery to grow to its full potential. I believe this key to help expand a fishery that benefits the State monetarily and young people in such purposeful way. Using this fishery as a example to transition to a more Alaskan beneficially fishery model around the state. It also will help show young people across the fishing industry in Alaska; that there is still a way to start at the bottom and work your way up. Not based off who you know or whose daughter/son you are but off your hardwork and determination to excel.

The Pot Cod fishery is unlike so many other fisheries around the state where I and many other younger fishers I know have become soured to the reality of the fishing rights/opportunities being controlled by a small group of wealthy, older out of state individuals/entities. This has lead to an ever increasing barrier to entry not just to purchase fishing rights but just to secure a job on deck. This is a larger issue and this is all I will touch on for this purpose. My point is to show the need to increase and expand the State managed 60' under pacific cod

pot fishery so as to increase opportunities for young Alaskans in the fishing industry.



The under 60 pot cod fleet is one of the state's best assets for capturing value from state water groundfish resources. Approximately 85% of both the permits and vessels in this fishery are owned by Alaskan residents. This is compared to 18% of the non-AFA trawl catcher vessels, less than 1% of the freezer longline fleet and 0% of non-AFA trawl catcher-processors.

The Dutch Harbor subdistrict GHL is currently just 6.4% of the acceptable biological catch. This is compared to 30% in the Western Gulf of Alaska (GOA), and 25% in the Central/Eastern GOA. This number needs to be increased to allow the fishery to grow to its full potential.

A important part of my generations fishing careers will be based off continued strong fisheries management by the State. I feel strongly for the future of so many fisheries around the state the switch to Pot Gear and away from trawl/hook and line is paramount. The entire federal pot cod fishery — all vessel types and all targets — recorded a halibut bycatch rate of 4.07 kg/mt. Non-pelagic trawl vessels specifically targeting Pacific cod averaged more than 20 kg/mt, while the hook and line sector targeting Pacific cod averaged 76.23 kg/mt of halibut bycatch. This helps show the importance of switching to pots.

**Article 8 of the Alaska Constitution clearly gives the state both the authority and responsibility to develop its natural resources as a means of providing opportunity and benefits to its people, and with standards that ensure both the utilization and long-term conservation of those resources.** The state is able to successfully meet this responsibility and its standards by taking steps to fully develop the relatively new but successful state water fishing opportunity in the Dutch Harbor subdistrict.

While this opportunity is still being developed, however, it is important to not prematurely restrict the capacity of the fleet. For this reason **I ask that you oppose the trip limits recommended in Proposal 15.** While there is a time and a place for this important discussion of in-fleet management, it should not occur until the fishery has fully developed and the industry has had the opportunity to engage in a robust conversation around the issue.

For these reasons I ask that you **Support Proposal 13** and **Proposal 2.** I also believe you should **Oppose Proposal 15**

Thank you,

Galen Jackson

F/V Magnus Martens

# Groundfish Forum

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October 2, 2018

Alaska Board of Fisheries  
Alaska Department of Fish and Game, Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526

Subj: Comments on 19 Oct 2018 Alaska Board of Fish Proposals 12, 13, and 14

Dear Chairman Jensen and the Alaska Board of Fisheries,

Thank you for this opportunity for Groundfish Forum to comment on Alaska Board of Fish proposals 12, 13, and 14 that would increase the Guideline Harvest Level (GHL) in the Area O (Dutch Harbor subdistrict) Pacific cod fishery from the current 6.4% of the Eastern Bering Sea (ESB) allowable biological catch (ABC) to 20% (proposal 12), 10% (proposal 13) and 8% (proposal 14) respectively.

Groundfish Forum is a Seattle-based trade association whose five member-companies operate 19 U.S. flagged trawl catcher processor vessels (known as the Amendment 80 or A80 fleet) in the federally managed fisheries of the Bering Sea / Aleutian Islands (BSAI) and Gulf of Alaska (GOA). Our fleet is historically and operationally dependent upon cod, but due to our very small annual allocation of cod, our fleet does not target cod. Instead, we rely upon cod as an incidental catch, the use of which allows our fleet to maximize the harvest of other species within our mixed species fisheries. Without sufficient amounts of cod, our fleet would NOT be able to harvest our allocations of yellowfin sole, rock sole, flathead sole, Atka mackerel, or Pacific Ocean perch.

We hope our comments provide a clearer understanding of how these proposed BOF actions to increase State GHL fisheries (at the expense of federal fisheries) will curtail the A80 sector's operations, negatively impact fishery dependent communities in Western Alaska, and could create conservation and management concerns for cod harvested in State of Alaska Fisheries.

## **A80 Fleet Operations**

The A80 sector prosecutes what are the most abundant flatfish and rockfish fisheries in the Nation – harvesting approximately 325,000 metric tons (716,000,000 lbs) annually from the federal waters off Alaska. These fisheries provide year-round, family wage employment to 2,100 fishermen / processing workers on our vessels and directly support fishing families, shipyards, vessel maintenance facilities, and to maritime support businesses throughout Alaska and Washington State. Our operations and economic contributions to Alaska are significant.

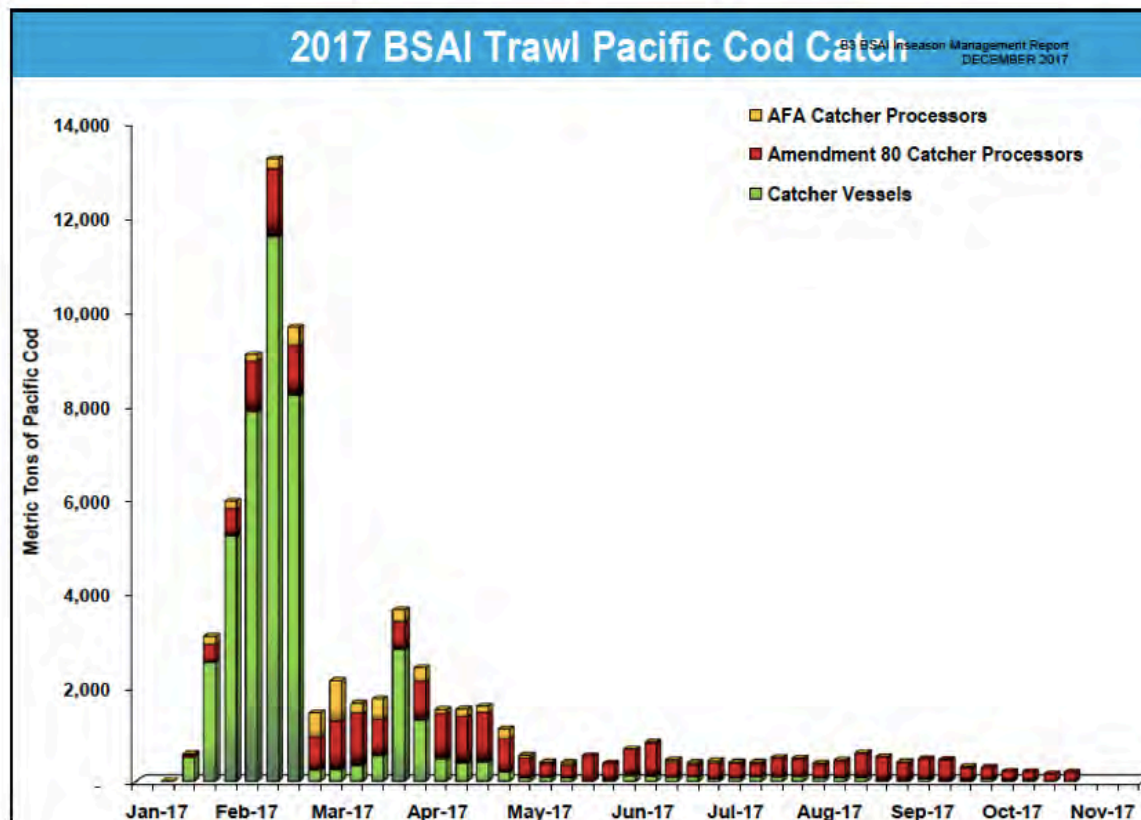




Alaska Operations: For ten months of the year, the A80 fleet harvests, processes, and freezes our catch at sea, and then delivers that frozen product to Alaskan ports where it is shipped to foreign and domestic markets. Our fleet makes approximately 500 port calls a year to Western Alaska ports - primarily in Unalaska / Dutch Harbor, Kodiak, and Adak. While in port our vessels offload a frozen and boxed product to break bulk vessels and cold storage facilities, purchase fuel and other provisions, conduct repairs and maintenance, and switch out crewmembers. According to the 2014 North Pacific Fishery Management Council’s Five-Year Review of the Amendment 80 program, these operations indirectly support ~2,900 year-round jobs throughout Alaska.

### Amendment 80’s Unique Harvest of Cod

As stated previously, the Amendment 80 sector is allocated a relatively small portion (13.4%) of the overall pacific cod federal total allowable catch – after deductions for Community Development Quota (CDQ) and State of Alaska fisheries are made. At this level of allocation, the A80 fleet cannot target cod, but instead relies upon it as an incidental catch which in turn allows us to prosecute our other fisheries, in particular flatfish.



As can be seen in the figure above, in a typical year the A80 fleet’s largest take of cod occurs from January thru April where cod is aggregated along with our flatfish targets, in particular rock sole and yellowfin sole. Despite the abundance of cod early in the year, our vessels are



typically running from cod. It is imperative for our captains not to harvest too much cod too early, and to keep enough cod “in the bank” so that we can prosecute our fisheries throughout the remainder of the year. By employing this tactic, we can continue to harvest our other allocated species, deliver product to western Alaska ports, which in turn provides year-round jobs and income to thousands of Alaskans.

Options Outside of the Bering Sea: There is limited to no flexibility for some A80 companies to shift the timing of their operations to Aleutian Island fisheries (Atka Mackerel and Pacific Ocean perch). Not all companies have quota for those AI species and cannot take advantage of those opportunities. It is also worth noting that incidental catch of cod in the AI can also be constraining, requiring vessels to move into different areas when cod catch gets too high. Similarly, there are also limited opportunities for companies to shift operations to the Gulf of Alaska. GOA open access target fisheries are frequently closed due to the Gulf’s current management structure and cannot be counted on as an option in an A80 annual fishing plan.

### **Potential Impacts to Alaskan Communities**

If cod quotas were reduced in the federal fisheries as a result of increasing State water GHL harvests, it is likely that our operations could be constrained in both the early part of the year, when incidental catch of cod is higher, and towards the end of the year, when our fleet is stretching limited cod quota. This would result in less of our target species being caught, fewer offloads, and a contraction of economic activity in western Alaska ports.

In responding to hypothetical questions regarding cod constraints, A80 captains speculated they would continue operating in the early part of the year and would tie up early in the fall. If GHL fisheries were to increase (especially for proposals 12 and 13) our analysis of past fishing years found that in most years A80 would shut down approximately eight – ten weeks earlier than a typical season. Such a reduction in Federal TAC would result in approximately 70 fewer offloads, with 70 fewer opportunities to purchase fuel and provisions, make repairs, and would result in significantly reduced landing taxes to the State of Alaska.

### **Conservation and Management Concerns**

While economic impacts to the A80 fleet and regional economies in Western Alaska are extremely important, we would argue an even more critical concern facing the Board of Fish in these proposals are the myriad conservation and significant management implications associated these proposed actions. Specifically, we are concerned with moving cod from the federal fishery (which has limited entry and observer coverage) and into the State water fishery (which does not have limited entry and does not require fishery observers).

Pacific cod stocks and fishing in the Bering Sea and Gulf of Alaska is undergoing an unprecedented level of uncertainty due to sweeping changes in environmental conditions. These changes include large increases in water temperatures, migration of fish stocks from the Southern Bering Sea to the Northern Bering Sea, and severe declines of fish stocks in the Gulf of Alaska. All of these things are all occurring at time when federal resources to conduct



surveys and stock assessments are severely restricted. Given these realities, scientific data provided to fishery managers from the North Pacific Groundfish Observer Program are even more important than ever. In the State water fishery no observers means less understanding of the cod resource at a time of significant shifts in stock behavior and the ecosystem. Maximizing observer coverage and monitoring is critical to provide data inputs on these stocks, particularly given the prevailing uncertainty. Any increase to the State water fishery increases the amount of cod that is unobserved.

A further concern with moving more cod into the State water fishery is a lack of management measures designed to control effort in that fishery. The federal BSAI cod fishery has extensive management measures in place to help ensure a sustainable cod fishery. The federal fishery has a license limitation program (LLP); has completed vessel buyback programs to reduce over-capitalization, is widely spatially dispersed, and has temporal and geographic dispersion of effort. In contrast, similar management measures do not exist in the Area O Pacific cod fishery. The State water fishery has no limited entry, has increasing participation / new capitalization and adopting any of these proposals will result in more concentrated fishing in both time and area.

These limitations in management measures are further compounded by an influx of super 58' vessels into the State water fishery, which have the catching power and hold capacity of vessels twice their size. Instead of these new vessels providing opportunity for small boat fishermen in Alaska, they are in fact taking away opportunity from long-term Alaskan participants. More allocation to the state fisheries is expected to promote the influx of new 58' vessels, leaving less fish for the smaller, existing boats.

### **Conclusions:**

The Pacific cod fishery is a fully subscribed fishery at both the federal and State level. Approving proposals 12, 13, and 14 would re-allocate cod from historic stakeholders to new participants, upending existing economic patterns and negatively impacting Alaskan communities. In the case of the A80 fleet, increases to the State water cod fishery would undermine our ability to fully harvest our mixed species fisheries and would result in economic contractions in the ports where we operate. Lastly but most importantly, shifting effort away from observed fisheries into unobserved fisheries would be reckless in the face of ongoing major changes occurring in the abundance and distribution of Pacific cod stocks.

Thank you again for this opportunity to comment.

Chris Woodley  
Executive Director, Groundfish Forum

Submitted By  
Jason Miller  
Submitted On  
9/28/2018 9:55:04 AM  
Affiliation  
F/V Aleutian Spirit Inc.

Chairman Jensen and Board Members,

I request the BOF adopt proposal 13 which increases the Pacific Cod fishery guideline harvest level to 10% and moves the East boundary to the False Pass Sea Buoy.

My company is based in Petersburg, AK and owns and operates the F/V April Lane', a 58 foot vessel that fishes the Federal Bering Sea Cod Fishery and State Waters Dutch Harbor Cod Fishery. The April Lane' tenders salmon in Sand Point and long line pot fishes blackcod in Bering Sea and Aleutian Islands too.

Pacific Cod provides a substantial part of the April Lane's revenue, so the Area O State Waters Cod fishery is extremely important to my Company, Captain, and Crew. A step up increase in GHF and Area expansion would not only help us and our communities but the entire under 60 foot cod harvesters from Alaska who fish these waters.

The Alaska communities we operate from are Petersburg, Sand Point, Akutan and Dutch Harbor, me, Captain Rick Fehst and our Crew live in these same communities and are directly impacted by this Board's decision, I ask the Board to support and adopt proposal 13.

Thank you,

Jason Miller, President

F/V Aleutian Spirit Inc.

Submitted By  
Jerri Harden  
Submitted On  
10/3/2018 10:49:39 PM  
Affiliation  
Under 60 Cod Harvesters

Members of the Alaska Board of Fisheries:

Our companies own two 58' fishing vessels that focus fishing effort longlining in the western Aleutians and in the under 60 pot cod fishery. We are writing in **opposition of proposal numbers 7 opening fishery to larger vessels and 15 limiting trips to 150,000 lbs and in support of proposals number 6 limiting the Aleutian Island fishery to vessels under 60 feet and 13 expanding the area and GHL of the Dutch Harbor Subdistrict (Area O) state water Pacific cod fishery.**

The three owners of the 2 vessels, F/V Cynosure and F/V Cerulean, came together in 2008 to build new vessels designed specifically for fishing in the Bering Sea and Aleutians. Design was based on the extensive fishing experience in the Aleutians and Bering Sea of a skipper (raised in Alaska) and a boat owner (born and raised in Alaska) experienced in shipyard projects and knowledgeable about naval architecture. Design focused on building vessels that were safe, efficient and flexible in operating. The Cynosure was launched April 2010 and the Cerulean October 2013. National Marine Fisheries has loan programs that encourage building of new vessels to replace the aging fleet like that of the Bering Sea. Owners were able to take advantage of this loan program. Vessels are based in Dutch Harbor and operate 10-11 months of the year contributing extensively to the economy of Dutch Harbor and Adak. Operations in Adak are dependent on vessels such as ours to deliver halibut, sablefish and cod. Owners have made a substantial investment and rely upon the cod fishery to remain economically viable. Our vessels operate in a sustainable manner as cod are caught in pots (avoiding bycatch) while operating with high fuel efficiency.

Owners support proposal 6 limiting the Aleutian Island fishery to vessels under 60' and strongly oppose proposal 7 allowing larger vessels to fish in state waters. Fishing in the Aleutians is difficult and poses challenges for smaller vessels. State waters need to be preserved for the under 60' vessels without competition of larger vessels when conditions are too challenging for fishing further out. Larger vessels contribute far less to local economies than the under 60' fleet.

Owners support proposal 13 to expand the area and GHL of Area O Pacific cod. The fishery has accounted for a sizable amount of the revenue and profits for our companies since 2011 when the Cynosure first participated in the cod fishery. We have seen an increase in the number of under 60' vessels participating in the fishery supporting the need to increase the area and GHL of Area O. Proposal 13 would help the under 60' fleet remain economically viable while operating around and competing with large corporate owned vessels. Under 60' vessels such as ours are closely held, family operations reflecting the independent spirit of Alaska. The home port of our vessels is Dutch Harbor and we support the local economy by buying supplies and using local vendors for repair and maintenance of our vessels.

Owners STRONGLY oppose proposal 15 to impose trip limits. Our vessels are already required to deliver within a 3 day window to maintain quality product. Trip limits would be difficult manage and penalizes boat owners that have upgraded equipment and are operating in an efficient manner with an increased carrying capacity. This would mainly impact more productive vessels during peak season. Proposal 13 which increases area would do more to provide more room for smaller vessels to operate.

The ability to efficiently catch Pacific cod allows our operation to remain economically viable during times when halibut and sablefish stocks are in a down cycle. We appreciate the support of the State of Alaska and the Board of Fish in being able to contribute the local economy of rural Alaska communities.

Thank you,

Neil Anderson & Jerri Harden

HAT LLC, F/V Cynosure and Far West Fisheries LLC, F/V Cerulean

Kavik Anderson  
Stosh Anderson  
Box 310  
Kodiak, AK 99615

23 September 2018

Alaska Board of Fisheries

Re: Pacific Cod proposal 13

Mr. Chairman and Board Members,

We are requesting the BOF adopt proposal 13 that increases the Pacific cod fishery guideline harvest level to 10% and moves the East boundary to the False-Pass sea buoy.

We own and operate the F/V Cindria Gene a 58 ft vessel that participates in the Federal and State Water Cod Fishery. The vessel also tender's for salmon and long lines for halibut. Cod provides a majority of annual revenues. With the Gulf cod fishery collapsing the area O State Waters Cod Fishery is even more important to all the State Waters Cod fisherman and the Alaska communities they are home ported in.

Alaska should never forfeit its right and responsibility to establish and allocate any and all resources in State Waters. As the Federal government established the EEZ and allocated resources that other nations were harvesting its time the State of Alaska allocates a greater portion of the ABC to State Waters Fisheries. This will benefit Alaska fishermen and the Alaska communities they home port in.

Thank you for your dedication to the fishery resources of our State and hope you will support Proposal 13.

  
Kavik Anderson

  
Stosh Anderson

Submitted By  
Keith Bell  
Submitted On  
10/3/2018 11:20:52 AM  
Affiliation

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To the members of the Alaska Board of Fisheries,

My name is Keith Bell and I'm currently a hired captain of the under 60 pot cod vessel F/V Magnus Martens, as well as the owner and operator of a Bristol Bay drift gillnet business here in Alaska. As a born and raised Alaskan resident of 30 years, I have relied on the fishing industry as my primary source of income for half of my life. I've participated in the Area O state water fishery since its inception in 2014 as have many of my fellow Alaskan peers.

Establishing a foothold as a deckhand and then working my way to vessel operation has not been an easy task. Permit and Vessel prices have climbed substantially in my lifetime and in order to obtain something that resembles a properly functioning operation one must be diversified throughout the industry. For me this meant taking on the duty as hired skipper of an Area O pot cod operation to subsidize a salmon fishing business. As permit prices fluctuate in other fisheries, the Area O access remains reasonably stable for entry level vessel operators.

Having worked in the Area O state water fishery as well as fishing for cod in the state waters around Adak I have seen a large increase in vessel participation over the last few years. In my opinion, this sudden interest is directly correlated to decreasing quota elsewhere as well as the seemingly abundant Bering sea cod stock.

Using pots to target Pacific Cod is the cleanest method we have for incurring minimal bycatch as well as preventing the destruction of our marine ecosystem. The trawl industry cannot mimic our ability in keeping bycatch to a minimum no matter what alterations they make to their gear. It's been very difficult to watch our season grow shorter and then to go online and watch a video of halibut bycatch being dumped into a dumpster by the trawl industry. This is why it is imperative that the necessary steps are taken to expand the area and distribute more of the recourse amongst the under 60 pot cod fleet.

Recently A season and the state water season for the under 60 fleet has shortened substantially. Inflicting trip limits as indicated in proposal number 15 would further disable our ability to develop our fishery with proper oversight over a longer period of time. With proposed expansion of area and quota it has yet to become evident whether or not further regulation amongst our fleet is warranted.

For this I encourage the board to vote yes on proposal number 13 and allow for the increase in area and GHZ of the Dutch Harbor Subdistrict state water Pacific cod fishery. I attempt to discourage the recommendation of trip limits put forth within proposal number 15.

Thank you for your consideration in these matters.

-Keith Bell



October 3, 2018

Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526

Dear Alaska Board of Fisheries Members:

We are a group of Crab Harvesters and LLP permit holders. We appreciate the opportunity to comment on the cod fisheries proposals before the Alaska Board of Fisheries (Board) at their October 2018 meeting. We commercially fish for king, snow (Opillo), and tanner (bairdi) crab with pot gear.

We urge the Board to take no action on Proposals 10, 12, 13 and 14. These proposals would all shift allocation or management boundaries from federal to state cod fisheries, and they would all harm well-established federal Pacific cod fisheries. On par with salmon tendering these fisheries represent a significant and integral part of the yearly operations for many crab harvesters. Large sums of money are spent on this staple part of our "toolbox", with extra care and large expense put into reducing bycatch and overall footprint. This fishery provides robustness and flexibility that makes a real difference in crab harvesters' business plans year in and year out.

In addition to this, a shift of allocation from the federal to state fishery in Area O gives us great concern over the potential impacts to crab stocks, also managed by ADFG. Several BSAI crab stocks are in decline and the annual survey indicates that a substantial amount of juvenile and female crab is found in the nearshore waters of Area O.

With no observer coverage in the state waters cod fishery, the increased effort in the state-waters Area O fishery would go unmonitored for impacts on crab. In short; these changes would shift more of this fishery to crab habitat critical areas, with more rudimentary monitoring to boot

Thank you for considering our comments.

(As we are all happily in the middle of, or preparing for another season, we will be signing and sending this letter in individually from our points of operation)

Aleutian Spray LLC

Knut Knutsen, owner





Submitted By  
Kyle Willingham  
Submitted On  
10/3/2018 9:18:08 AM  
Affiliation

Phone  
9072096274

Email  
[kwillingham27@gmail.com](mailto:kwillingham27@gmail.com)

Address  
2994 Foster Ave  
JUNEAU, Alaska 99801

To members of the Alaska Board of Fish, My name is Kyle Willingham, I am 32 years old and I have been involved in commercial fisheries all over Alaska for the past 12 years. I grew up and live in Juneau where I have recently bought property. This past year I have begun building a home. I am writing to encourage support for Proposal 13 to increase the area and GHL of the Dutch Harbor subdistrict state water Pacific cod fishery and also to discourage Proposal 15 recommending trip limits. I work on board the 58' FV Oracle as a deckhand and have participated in the Area O pot cod fishery for the past 4 years. It has been a reliable source of income for me personally as well as many of my peers who make Alaska their home. As other fisheries have fluctuated, the Area O cod season has seen encouraging results. In turn, every year more boats from around the state have begun participating in this fishery and our season has grown shorter and shorter. This year our quota was caught in less than a month, nearly half the time as the year prior. Only with our supplemental Adak season this year were we able to fish into the month of March. We sat in Dutch Harbor doing end of season gear work watching the trawlers go out for a trawl cod opening on April 1st. It is hard for me to not be cynical watching a bottom trawler at work, they catch everything on the bottom, ripping fish habitat apart, often collecting as much bycatch as the targeted species. I know this firsthand from working on a trawler for a short time and the staggering amount of indiscriminant waste and flagrant outright lies about bycatch were nothing I wanted to be a part of. By contrast, pot cod fishing has a proven record of very low bycatch and the direct impact on our ecosystem is minimal. I am proud of the fishery I am a part of and would like to see it expanded. We work very hard in this fishery and have achieved a great measure of success in delivering a quality product to the processors. Our small fleet has done a great job of harvesting quickly and efficiently. Increasing our quota will be necessary to extend our season to allow the fleet to earn income supporting these additional vessels. Cod stocks have stayed healthy in the Bering Sea, and we have seen great fishing in the past few years even with the additional increase in boats. The best fishing is in late winter from late January to April and it is important that we are able to utilize this time effeciently to catch as much as we can to benefit us, the processors, and ultimately the consumer. Imposing trip limits on our season would have a negative effect on our ability to utilize the short window of productivity. For these reasons I am today encouraging you to support Proposal 13 to increase the area and GHL of the Dutch Harbor subdistrict state water Pacific cod fishery and to discourage Proposal 15 recommending trip limits. Thank you for your time. Kyle Willingham F/V Oracle Juneau, Alaska

**October 3, 2018**

**Alaska Board of Fisheries  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526**

**Dear Alaska Board of Fisheries Members:**

**We are a group of Crab Harvesters and LLP permit holders. We appreciate the opportunity to comment on the cod fisheries proposals before the Alaska Board of Fisheries (Board) at their October 2018 meeting. We commercially fish for king, snow (Opilio), and tanner (bairdi) crab with pot gear.**

**We urge the Board to take no action on Proposals 10, 12, 13 and 14. These proposals would all shift allocation or management boundaries from federal to state cod fisheries, and they would all harm well-established federal Pacific cod fisheries. On par with salmon tendering these fisheries represent a significant and integral part of the yearly operations for many crab harvesters. Large sums of money are spent on this staple part of our "toolbox", with extra care and large expense put into reducing bycatch and overall footprint. This fishery provides robustness and flexibility that makes a real difference in crab harvesters' business plans year in and year out.**

**In addition to this, a shift of allocation from the federal to state fishery in Area O gives us great concern over the potential impacts to crab stocks, also managed by ADFG. Several BSAI crab stocks are in decline and the annual survey indicates that a substantial amount of juvenile and female crab is found in the nearshore waters of Area O.**

**With no observer coverage in the state waters cod fishery, the increased effort in the state-waters Area O fishery would go unmonitored for impacts on crab. In short; these changes would shift more of this fishery to crab habitat critical areas, with more rudimentary monitoring to boot**

**Thank you for considering our comments.**

**(As we are all happily in the middle of, or preparing for another season, we will be signing and sending this letter in individually from our points of operation)**

*LONE LARSEN LLC  
F/V PACIFIC SOUNDER*

10/03/18

*Oyster Lu*



**Bering Sea Pacific cod fishery**  
**Interaction between Federal and State of Alaska Parallel Fisheries**  
**Alaska Board of Fisheries Meeting – October 18-19, 2018**  
**NMFS Comments (Proposals 2, 4, 5, 7, 11, and 12-14)**

**Proposal 2: 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.**

**Background on Pacific cod allocations:**

Pacific cod overfishing level (OFL), allowable biological catch (ABC), and total allowable catch (TAC) are established by the North Pacific Fisheries Management Council (Council) on a yearly basis. Pacific cod in the Aleutian Islands (AI) (West of 170° W longitude) and Bering Sea (BS) are considered separate stocks and in 2014 the Council began setting separate OFLs and ABCs for each stock area. State regulation currently sets the state-waters guideline harvest level (GHL) for the Aleutian Island subdistrict (AIS) Pacific cod fishery at 27% of the federal AI ABC with step-up options (31%, 35%, and 39%) in subsequent years if the entire GHL is achieved the previous year. In addition the AIS fishery is also subject to a 15 million pound (6,804 mt) cap by state regulation regardless of the overall AI Pacific cod ABC. In 2018, catch for the GHL was fully achieved at 27% and therefore in 2019 the GHL will increase to 31% of the AI ABC.

Once the Council sets the OFL and ABC for AI and BS Pacific cod, they determine the overall TAC in both the AI and BS. Because the Council must ensure that all harvest in the entire AI and BS does not exceed the ABC, the Council must subtract the state-waters AIS GHL from the AI ABC and the state-waters Dutch Harbor subdistrict GHL fishery from the BS ABC before setting the federal TAC. In addition, 10.7% of the AI TAC and BS TAC is allocated to CDQ (community development quota) groups. After taking into account state-waters GHL fisheries and CDQ, the remainder of the Pacific cod federal TAC is allocated by gear and processing sectors. Although AI and BS Pacific cod are considered to be separate stocks (each with its own OFL, ABC, and TAC) a sector's allocation is based on the BS and AI combined TAC. There are nine sectors: catcher vessel (CV) 60 ft and over pot (8.4%), CV under 60 ft pot/hook-and-line (HAL)(2%), catcher/processor (C/P) pot (1.5%), jig (1.4%), C/P HAL (48.7%), 60 ft and over CV HAL (0.2%), CV trawl (22.1%), American Fisheries Act (AFA) trawl C/P (2.3%), and Amendment 80 trawl (13.4%).

**Potential Issue:**

In years when the AI Pacific cod ABC is high, the state-waters GHL, when calculated using the percentages in state regulation, could result in a GHL over 15 million pounds (6,804 mt). As a result, the GHL fishery would be set at 15 million pounds instead of by percentage. Proposal 2 seeks to terminate this 15 million pound cap. If the 15 million pound cap is terminated, years when the AI Pacific cod ABC is high could result in an AIS GHL fishery that is higher than 15



million pounds. Because the federal CDQ fishery and sector allocations are determined after the subtraction of the state-waters GHL fishery, this could result in an overall deduction in TAC for all BSAI Pacific cod federal sectors. Table 1 shows the Pacific cod allocations with and without the 15 million pound cap based on the Pacific cod ABC in 2018.

Pacific cod fishing provides a major source of income for many people. Many vessels are ineligible to participate in state-waters GHL fisheries due to gear and size restrictions and rely solely on federal Pacific cod fisheries. In 2018 44 unique vessels participated in the BSAI state-waters GHL fisheries. Thirty-nine of those 44 vessels also participated in federal or parallel-waters Pacific cod fisheries in the BSAI. In contrast, as of September 27, 2018, 129 vessels have participated exclusively in federal or parallel-waters Pacific cod fisheries in the BSAI and did not participate in the GHL fisheries. In addition many federal Pacific cod sectors have seen decreased season lengths in recent years, especially in the A season, which begins in January. As a result, a further decrease in the federal Pacific cod TACs could have a negative impact economically on these vessels, especially in years with already depressed ABCs.



**Table 1. BSAI allocations with and without the 15 million pound cap (6,804 mt) in metric tons using the 2018 ABC.**

Pacific Cod Sector	27% with 15 million lb cap	27% without 15 million lb cap	31% with 15 million lb cap	31% without 15 million lb cap	35% with 15 million lb cap	35% without 15 million lb cap	39% with 15 million lb cap	39% without 15 million lb cap
2018 BS ABC	201,000	201,000	201,000	201,000	201,000	201,000	201,000	201,000
2018 AI ABC	21,500	21,500	21,500	21,500	21,500	21,500	21,500	21,500
Dutch Harbor GHL fishery (6.4% of the ABC)	12,864	12,864	12,864	12,864	12,864	12,864	12,864	12,864
Aleutian Islands GHL fishery	5,805	5,805	6,665	6,665	6,804	7,525	6,804	8,385
BS TAC	188,136	188,136	188,136	188,136	188,136	188,136	188,136	188,136
BS CDQ (10.7%)	20,131	20,131	20,131	20,131	20,131	20,131	20,131	20,131
BS non-CDQ TAC	168,005	168,005	168,005	168,005	168,005	168,005	168,005	168,005
AI TAC	15,695	15,695	14,835	14,835	14,696	13,975	14,696	13,115
AI CDQ (10.7%)	1,679	1,679	1,587	1,587	1,572	1,495	1,572	1,403
AI non-CDQ TAC	14,016	14,016	13,248	13,248	13,124	12,480	13,124	11,712
Overall BSAI non-CDQ TAC	182,021	182,021	181,253	181,253	181,129	180,485	181,129	179,717
HAL/pot ICA	400	400	400	400	400	400	400	400
HAL CP	88,324	88,324	87,950	87,950	87,889	87,576	87,889	87,202
HAL CV 60 ft and over LOA	363	363	361	361	361	360	361	358
CP pot	2,720	2,720	2,709	2,709	2,707	2,697	2,707	2,686
CV pot 60 ft and over LOA	15,235	15,235	15,170	15,170	15,160	15,105	15,160	15,041
CV HAL/pot under 60 LOA	3,627	3,627	3,612	3,612	3,610	3,597	3,610	3,582
CV trawl	40,227	40,227	40,057	40,057	40,029	39,887	40,029	39,717
AFA CP trawl	4,186	4,186	4,169	4,169	4,166	4,151	4,166	4,133
Amendment 80	24,391	24,391	24,288	24,288	24,271	24,185	24,271	24,082
Jig	2,548	2,548	2,537	2,537	2,536	2,527	2,536	2,516

**Proposal 4: 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.**

**Background on Pacific cod allocations:**

As discussed in Proposal 2, Pacific cod overfishing levels (OFL), allowable biological catch (ABC), and total Allowable Catch (TAC) for Pacific cod in the Aleutian Islands (AI) are established by the North Pacific Fisheries Management Council (Council) on a yearly basis.

**Potential Issue:**

Proposal 4 seeks to create an avenue to step down the state-waters AIS GHL in subsequent years if 85% of the state GHL is not harvested by December 31. The Council meets at the beginning of December each year to determine the OFLs, ABCs, and TACs for the following year. If, by the early December meeting, it has not yet been determined if the GHL fishery will have a step-down (or step-up) the following year the Council may not be able to accurately determine the federal TAC. If it was determined after the Council harvest specification process in December that a step-down in the GHL was warranted the following year, it could result in a Pacific cod TAC lower than would have otherwise been available in the federal fishery.

There is already a potential issue with the step-up provisions currently in state regulation for the state-waters AIS fishery. The current step-up provisions take effect if the entire AIS GHL is taken by December 31. However, if it was determined that a step-up in the GHL was warranted the following year after the December Council meeting, it could result in more TAC than available being allocated to the federal fishery, thus creating a potential overage in the AI Pacific cod ABC. Although not preferable, in this scenario it is possible for the National Marine Fisheries Service (NMFS) to adjust the TACs down after the Council meeting to ensure that there is not an ABC overage. However, it would not be possible to use this same process to adjust the Pacific cod TACs up if it was discovered after the December Council meeting that the step-down provisions would be in place the following year. This is due to the two million metric ton cap on all groundfish that can be taken out of the BSAI. In recent years the combined ABCs of groundfish species has exceeded two million metric tons, and during the harvest specification process the Council must decide how to set the TACs so as not to exceed the cap. If the Council sets the combined TACs of all species at the cap, it would not be possible for an increase in the federal Pacific cod TAC to occur after the December Council meeting.

**Proposal 5: 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.**

**Background on AI Set-Aside and Unrestricted Fishery:**

In July 2016, the North Pacific Fisheries Management Council (Council) adopted Amendment 113 which was intended to provide community protections to communities west of 170° W longitude in the Aleutian Islands (AI). Amendment 113 created an AI Pacific cod set-aside equal to the lesser of 5,000 mt or the directed fishing allowance (DFA) in the AI. The set-aside is only in effect when the cities of Adak or Atka submit a notification by no later than November 1 of its intent to process AI Pacific cod during the upcoming fishing year. When in effect, the set-aside



is required to be delivered to a shoreside processor west of 170° W longitude from January 1 and ends on March 15, at the latest. In 2017 there was not an AI shoreside processor, and the set-aside provisions were not in effect. By November 1, 2017 the City of Adak notified National Marine Fisheries Service (NMFS) of their intent to process Pacific cod in 2018, thus enacting the set-aside provisions for the first time.

Amendment 113 also created an AI unrestricted fishery in years where the set-aside is in effect. The unrestricted fishery is the amount of AI Pacific cod remaining in the DFA after subtracting out the set-aside and can be delivered anywhere. Any harvest of Pacific cod in the AI that is not delivered to a shoreside AI processor accrues towards the unrestricted fishery total allowable catch (TAC). In 2018 the set-aside fishery was set at 5,000 mt and the unrestricted fishery TAC was set at 6,516 mt. Amendment 113 also established a Bering Sea (BS) trawl catcher vessel (CV) A-Season Pacific cod sector limitation. This limitation in the BS CV trawl fishery ensured that the lesser of either 5,000 mt or the AI Pacific cod DFA was available for fishing in the AI by the CV trawl sector. This provision was put in place because it was expected that for the set-aside to be fully achieved a significant portion would need to be harvested with trawl gear and delivered to an AI shoreside processing plant.

During the 2018 fishery a regulatory issue that is counter to the intent of providing community protections in the AI was identified. The AI unrestricted fishery and the set-aside fishery occur simultaneously. In 2018 AI Pacific cod was harvested by trawl gear in both the unrestricted fishery and the set-aside fishery. However, for the set-aside to be achieved, a large portion of the remaining BS CV trawl limitation available in the AI would have to be delivered to AI shoreside plants. As a result, when vessels delivered Pacific cod in the unrestricted fishery it reduced the amount of trawl fish that could be delivered in the set-aside. This made it impossible for AI shoreside plants to achieve the full set-aside amount before March 15. The Council is looking at amending Amendment 113 so that the regulations are in line with the original intent of providing AI community protections. However, these regulations will most likely not take effect until the 2020 fishing year.

Proposal 5 seeks to increase the 2020 AI state-waters guideline harvest level (GHL) if Pacific cod harvested by trawl CVs in the federal unrestricted fishery diminishes the ability for the set-aside to be achieved in 2019. The increase in the GHL fishery would match the amount of set-aside that was not achieved in the prior year.

As discussed in Proposal 2, Pacific cod overfishing levels (OFL), allowable biological catch (ABC), and total allowable catch (TAC) are established by the Council on a yearly basis.

### **Potential Issues:**

If Proposal 5 is adopted, the state-waters AIS GHL could increase in 2020 by a maximum of 5,000 mt (if the full set-aside is not achieved due to CV trawl vessels participating in the unrestricted fishery) in addition to the GHL provisions in state regulation. Because the federal CDQ fishery and sector allocations are determined after the subtraction of the state-waters GHL fishery, this could result in an overall deduction in TAC for all BSAI Pacific cod federal sectors. In addition if the AI ABC is low in 2020, this could potentially result in a state-waters AIS GHL

fishery that equals or exceeds the AI ABC. If the state-waters GHL fishery is equal to or exceeds the AI ABC, the federal AI set-aside fishery would be set at zero in 2020 and no directed federal Pacific cod fishing would be allowed in the AI by any sector.

As noted in potential issues under Proposal 2, Pacific cod fishing provides a major source of income for many people, and many vessels are ineligible to participate in state-waters GHL fisheries.

It may be difficult to determine how much Pacific cod should be added to the 2020 GHL fishery without releasing confidential data to the public during the Council harvest specification process. In 2018 both the unrestricted and set-aside harvest are confidential due to a limited number of participants. It is likely that this data will be confidential in future years as well due to a limited number of processors. This would make the harvest specification process difficult.

If this proposal were adopted it would not necessarily achieve the desired results. There is no guarantee in state regulation that any extra GHL given to the state-waters AIS GHL fishery would be delivered to an AI shoreside processor. Currently the State allows AIS GHL fish to be delivered anywhere (including ports outside of the AI and to floating processors). In addition it could encourage some vessels to participate in the federal unrestricted fishery in 2019 just so that the 2020 state-waters AIS GHL is higher.

It may also be difficult to determine whether or not participation in the federal CV trawl unrestricted fishery reasonably hampered AI shoreside plants from achieving the full set-aside. For example an AI shoreside plant may have numerous breakdowns or other issues that prevent them from processing Pacific cod at a reasonable rate thus allowing other CV trawl vessels more time to participate in the unrestricted fishery.

**Proposal 7: 5 AAC 28.087. Management measures in parallel groundfish fisheries for protection of Steller sea lions; and 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.**

**Background on Steller Sea Lions:**

Proposal 7 seeks to allow trawl vessels up to 100 feet length overall (LOA) to participate in the parallel Pacific cod fishery in the Adak section (between 175° and 178° W longitude) of the Aleutian Islands (AI). The parallel fishery is when the State of Alaska opens up state-waters (0-3nm) to vessels participating in a federal fishery. Harvest that occurs during the parallel fishery is deducted from a federal TAC. Currently the State only allows trawl vessels 60 feet or less LOA to participate in the Adak section during the parallel Pacific cod fishery.

During the parallel fishery the State generally adopts federal Steller sea lion (SSL) closures. However there is one notable exception in the AI; the Kanaga Island/Ship Rock haulout is closed 0-3 nm for all gear types in the parallel Pacific cod fishery by state regulation. However, in federal regulation this same SSL area is closed out to 10 nm for vessels using trawl gear. The Kanaga Island/Ship Rock haulout is located within the Adak section.





As noted in the 1993 final rule designating critical habitat under the Endangered Species Act (ESA) for SSL, “The critical habitat surrounding each Bering Sea and Aleutian Islands (BSAI) and Gulf of Alaska (GOA) rookery and major haulout site includes not only the aquatic areas adjacent to rookeries that are essential to females and juveniles, but also encompasses aquatic zones around major haulouts, which provide foraging and refuge habitat for non-breeding animals year-round and for reproductively mature animals during the non-breeding season. These areas are considered critical to the continued existence of the species throughout their range, since they are essential for reproduction, rest, and refuge from predators and human-related disturbance” (58 FR 45273; August 27, 1993).

The Bogoslof area was included as critical habitat in the initial 1993 designation. The area was identified at that time as an important area to conserve dense aggregations of spawning pollock and for its geographic location relative to SSL abundance centers, its importance as a SSL foraging area, its present and historical importance as habitat for large concentrations of SSL prey items (including Pacific cod) essential to the species’ survival, and because of the need for special consideration of SSL prey and foraging requirements in the management of large commercial fisheries that occurs in the area.

The 2014 Final Environmental Impact Statement for SSL protection measures for groundfish fisheries in the BSAI notes that to the extent the volume of pollock harvest provides a weak signal for the potential productivity of each of four areas analyzed for potential closure at that time, Kanaga Sound stands out with more observed production than those other areas. Kanaga Island/Ship Rock was classified as a major haulout site when critical habitat was designated in 1993 (58 FR 45269, August 27, 1993). Waters from 0 to 3 nm around rookeries were closed to directed fishing for groundfish when the 2003 SSL protection measures were implemented (68 FR 204, January 2, 2003), and the 0 to 3 nm zone around the Kanaga Island/Ship Rock site was closed to fishing with trawl gear for Atka mackerel, Pacific cod and pollock at that time. Subsequent analysis concluded that Kanaga Island/Ship Rock should be considered as a rookery for conservation purposes due to indications of high use of by non-pups and pups in the breeding season.

In 2010 the Kanaga Island/Ship Rock site was designated a functional haulout site and critical haulout/rookery, and the SSL protection measures were modified to close the 0 to 3 nm zone at that site to all groundfish harvest, including Pacific cod with non-trawl gear (75 FR 238, December 13, 2010). The 2010 final rule also revised fishing restrictions around SSL sites in the federal management area 542 (also known as the Central Aleutian District, which includes the area south of 55°00’ N latitude, west of 177°00’ W longitude, and east of 177°00’ E longitude and bounded on the south by the limits of the US EEZ) such that 1) areas from 0 to 6 nm around SSL sites were closed to non-trawl vessel year round, 2) vessels 60’ length overall (LOA) or over were prohibited from fishing for Pacific cod with non-trawl gear in waters 6 to 20 nm from SSL sites from January 1 through March 1, and 3) Pacific cod fishing with trawl gear in most of area 542 was closed 0 to 20 nm from SSL sites year round. However, SSL sites between 178° W and 177° W longitude were closed to Pacific cod fishing with trawl gear 0 to 10 nm year round.

Waters in this area were closed to fishing for Pacific cod with trawl gear from 10-20 nm during the fishery's B season (June 10 through November 1), but were open during the fishery's A season (March 1 through June 10).

In 2014 NMFS revised restrictions for fishing for Pacific cod around SSL sites in area 542 (79 FR 70286, November 25, 2014), such that the Kanaga Is/Ship Rock SSL site requires no fishing for Pacific cod with trawl gear within 10 nm and no fishing for Pacific cod with pot or hook-and-line gear within 3 nm.

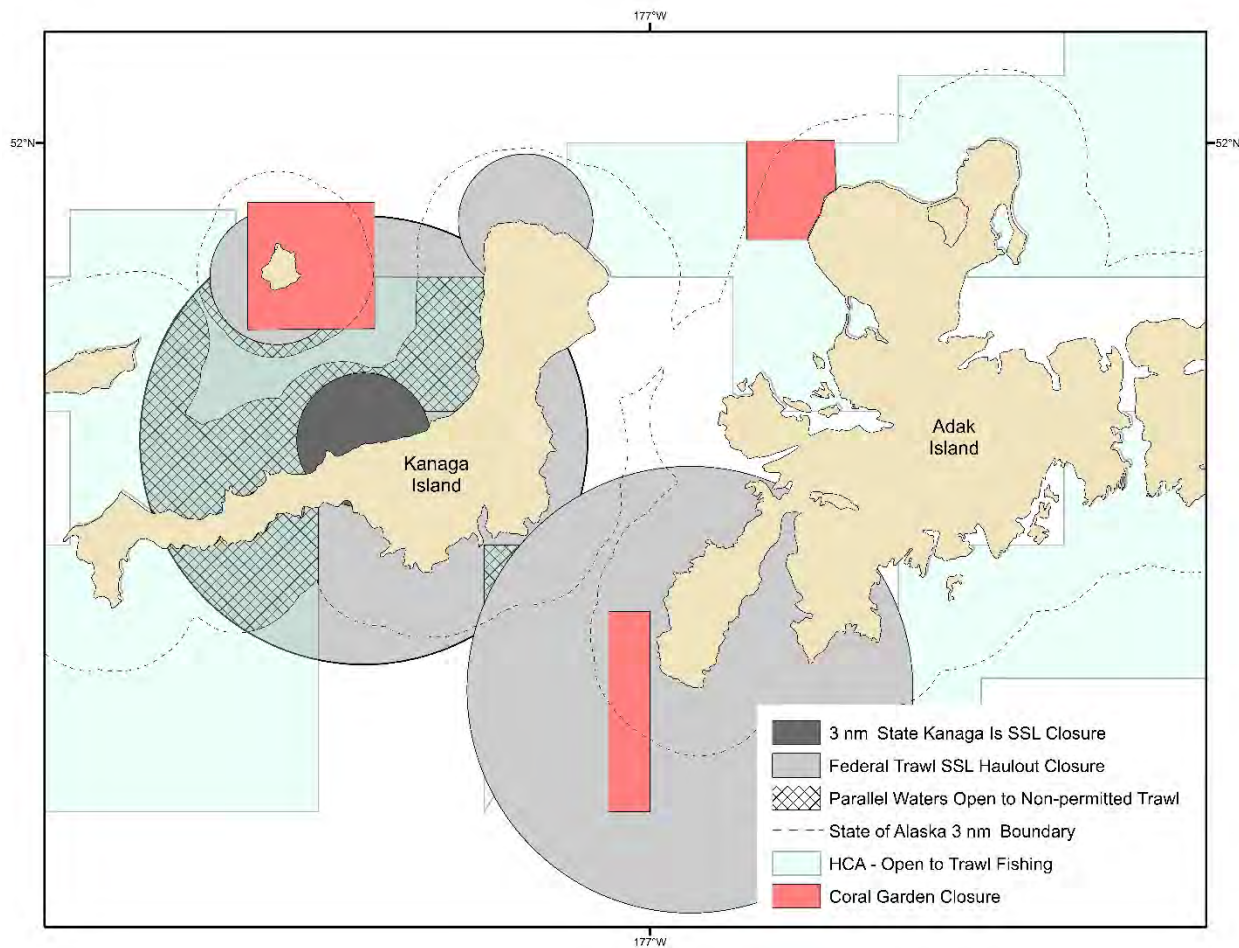
**Potential Issue:**

Should this proposal be adopted it would allow non-federally permitted trawl vessels up to 100 ft LOA who are directed fishing Pacific cod in the parallel fishery to participate inside part of the Kanaga Island/Ship Rock closure area (3-10 nm inside state waters). This may result in a need for NMFS to initiate the complicated process of consultation to determine if federal fisheries meet the requirements of the Endangered Species Act. This process is known as a Section 7 reconsultation. Potentially, if the Board were to adopt this proposal, as part of the Section 7 reconsultation process, NMFS could be obligated to impose restrictions on the federal fishery to ensure that SSL are conserved under the requirements of the Endangered Species Act. Any changes in Federal management could have adverse impacts on a range of fishery participants.

Federal regulation currently states that all federally permitted vessels that are directed fishing for Pacific cod that is required to be deducted from a federal total allowable catch (TAC) would have to abide the full closure area. However, any non-federally permitted trawl vessels could participate inside the closure area in state waters only from 3-10 nm if this proposal is adopted. Figure 1 depicts the area around Kanaga Island/Ship Rock that would be open to non-federally permitted trawl vessels (hatched area on map) during the parallel fishery that would otherwise be closed.



**Figure 1. Map of area that would be open to non-federally permitted vessels in the Kanaga Island/Ship Rock haulout closure. Hatch marked area depicts the area that would be open.**



**Proposal 11: 5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.**

**Background on federal BSAI jig Pacific cod fishery and Bogoslof foraging area:**

The federal Pacific cod jig fishery in the Bering Sea – Aleutian Islands (BSAI) is set by regulation at 1.4% of the total BSAI total allowable catch (TAC) after deducting 10.7% for the community development quota (CDQ) fishery. The jig sector has three seasons: A season (January 1 – April 30), B season (April 30 - August 31), and C season (August 31 – December 31). Table 2 shows the BSAI jig sector TACs for each season in the past ten years. Typically participation by this sector occurs in the summer months and is low during all three seasons (0-5 vessels). As a result, the BSAI jig allocation has never been achieved during any of the seasons and has remained open year round. When it is determined that the jig sector will not be able to harvest their full TAC, the NMFS reallocates the unused amount to the BSAI under 60 HAL/pot Pacific cod sector. Each year the State of Alaska establishes a parallel Pacific cod fishery in the BSAI which allows vessels to harvest Pacific cod inside state waters (0-3 nm from shore) during a federal fishery. The harvest is then deducted from the federal TAC. Because the federal BSAI jig sector never closes, a jig vessel (both federally and non-federally permitted) could participate



in the BSAI parallel fishery year round. Jig vessels (both federal and non-federally permitted) are also not subject to the Steller sea lion (SSL) haulout closures that apply to other gear types in 50 CFR part 679, Table 5. (There is one exception at the 10 nm Bishop Point haulout where the section of that haulout that extends west of 167° W longitude is closed to jig gear.) However, by federal regulation they are not allowed to harvest Pacific cod within 3nm of rookeries listed in 50 CFR part 679, Table 12 or within the SSL foraging areas (Seguam and Bogoslof).

Proposal 11 seeks to create a state-waters guideline harvest level (GHL) Pacific cod jig fishery inside the Bogoslof SSL foraging area with a GHL of 100,000 lbs (approximately 45 mt). The Bogoslof foraging area includes all of state waters in the BS between 167° W and 170° W longitude and was deemed essential for SSL foraging (as noted in the background information given under Proposal 7). The foraging area was included in the original critical habitat designation for Steller sea lions in 1993. Bogoslof is currently closed to federally permitted vessels who are directed fishing for Atka mackerel, Walleye pollock, and Pacific cod (primary SSL prey species) during a federal fishery. However, there is a small exemption area within the foraging area where catcher vessels less than 60 LOA using jig or hook-and-line gear (HAL) can target Pacific cod during the federal fishery. These vessels are limited to 113 mt of Pacific cod yearly, which is set in federal regulation. Once 113 mt has been harvested from the area NMFS closes the exemption area for the remainder of the year. The exemption area has been closed 7 times in the past 10 years, and in most years is harvested solely by vessels using HAL gear. Table 3 shows the closure dates and number of vessels in the exemption area in the past ten years.

The map in Figure 2 shows the location of the Bogoslof foraging area and the exemption area. It also shows areas that are closed in the BS due to the locations of SSL rookeries and haulouts. It should be noted that the BS no pot gear, BS HAL CVs >60 ft, and BS No HAL pot areas depicted on the map are open to jig gear. The 3 nm no transit areas and the Bogoslof foraging area (with the exception of the 113 mt available in the exemption area) are the only closures that would apply to jig gear.

### **Potential Issues:**

Because the Bogoslof foraging area is considered essential to SSLs, additional participation of directed Pacific cod fishing in the Bogoslof foraging area could require NMFS to have to initiate an SSL reconsultation. The GHL fisheries are not included in the scope of any of the SSL section 7 consultations on federal groundfish fisheries to date, because there is no federal oversight or authorization of those fisheries and the harvest is not deducted from the TAC. However, state parallel fisheries are included in the SSL section 7 consultations, since that harvest is deducted from the TAC. Therefore, opening a GHL jig fishery for Pacific cod in the Bogoslof area would not be expected to require an ESA section 7 consultation, but opening a parallel jig fishery in the Bogoslof SSL foraging area would likely result in an ESA section 7 consultation.

Should a parallel Pacific cod jig fishery be adopted instead of a state-waters GHL fishery it is possible it may not have the desired effect. By federal regulation any vessel that is federally

permitted cannot harvest Pacific cod in the Bogoslof foraging area (unless they are operating within the confines of the exemption area), even if participating in the parallel fishery. In order for a federally permitted vessel to participate in the parallel fishery inside the foraging area they would have to surrender their federal fishing permit (FFP). Once surrendered an FFP cannot be reissued for three years, which would inhibit a vessel's ability to participate in fisheries prosecuted in federal waters during that time period. If a jig GHL fishery is adopted then both federally and non-federally jig vessels could participate in the Bogoslof foraging area as long as the GHL fishery is open.

In addition, if the BOF adopts a jig GHL fishery in the BS it may decrease TAC for all sectors who participate in the federal BSAI Pacific cod directed fishery.

**Table 2. 2009-2018 BSAI jig sector allocations in metric tons by season.**

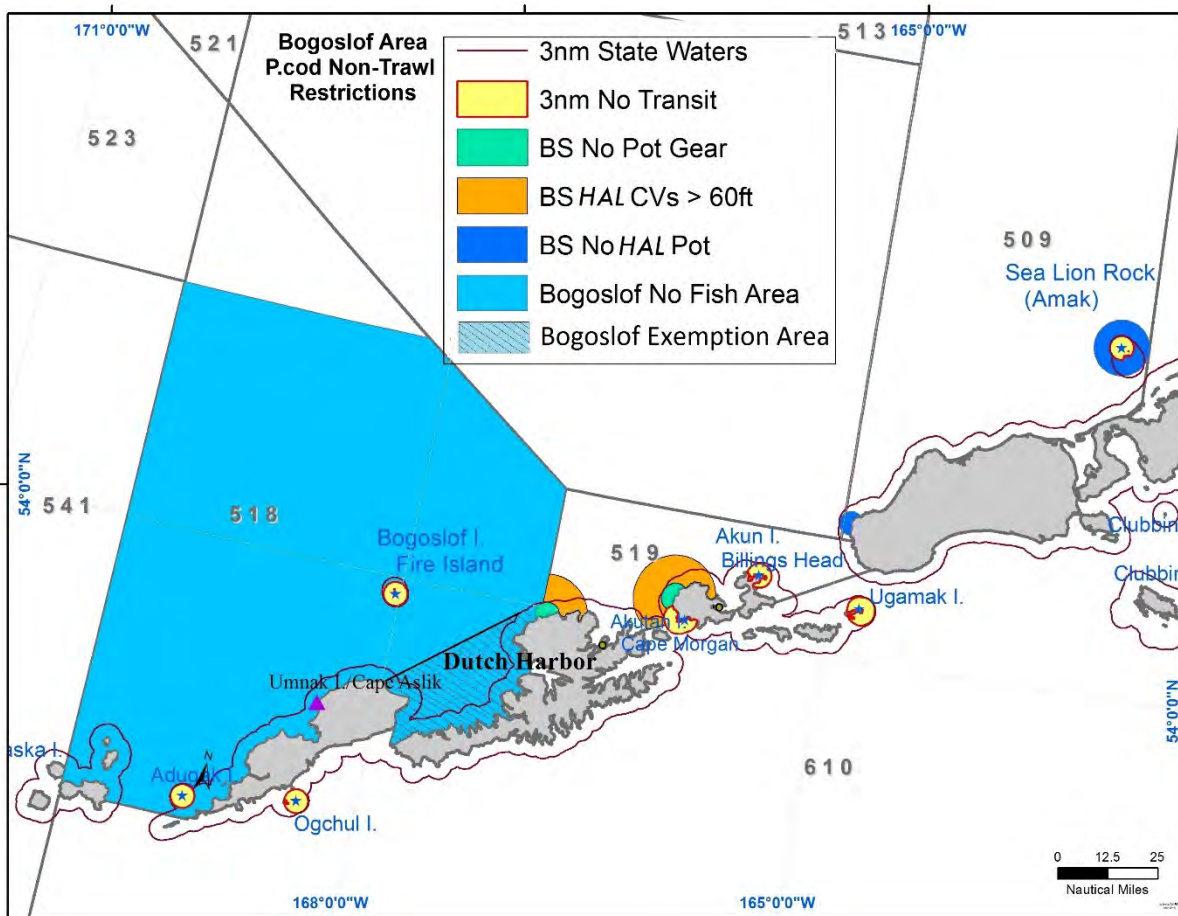
Year	A season (Jan 1-Apr 30)	B season (Apr 30-Aug 31)	C season (Aug 31-Dec 31)	Total Allocation*
2009	1,324	441	441	2,206
2010	1,266	422	422	2,110
2011	1,710	570	570	2,850
2012	1,958	653	653	3,264
2013	1,950	650	650	3,250
2014	1,905	635	635	3,175
2015	1,871	624	624	3,119
2016	1,887	629	629	3,145
2017	1,796	599	599	2,994
2018	1,529	510	510	2,549

\*Note that any unused jig TAC is reallocated inseason to the BSAI under 60 HAL/pot Pacific cod sector.

**Table 3. 2009-2018 fishery closure dates and number of vessels participating in the Bogoslof exemption area (113 mt available).**

Year	Closure Date	Number of Jig Vessels	Number of HAL Vessels
2009	February 13	0	5
2010	February 23	0	3
2011	March 3	<3	4
2012	none	0	<3
2013	March 25	0	<3
2014	March 11	0	3
2015	April 3	0	<3
2016	none	<3	0
2017	none	<3	<3
2018	April 10	0	<3

**Figure 2. Bogoslof foraging area, exemption area and other closures in the Bering Sea due to Steller sea lions. Note that the BS No Pot Gear, BS HAL CVs > 60ft, and BS No HAL Pot closure areas do not apply to jig gear.**



**Proposals 12, 13, and 14: 5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.**

**Background on Pacific cod allocations:**

As discussed in Proposal 2, Pacific cod overfishing levels (OFL), allowable biological catch (ABC), and total allowable catch (TAC) are established by the North Pacific Fisheries Management Council (Council) on a yearly basis.

**Potential issue:**

Proposals 12, 13, and 14 seek to increase the Dutch Harbor subdistrict GHL fishery from 6.4% of the BS Pacific cod ABC to 20%, 10%, or 8% of the ABC, respectively. Because the federal CDQ fishery and sector allocations are determined after the subtraction of the state-waters GHL fishery, this could result in an overall deduction in TAC for all federal BSAI Pacific cod sectors. Table 4 shows the Pacific cod allocations by sector should the state-waters GHL fishery be increased 8%, 10%, or 20% based on the 2018 federal ABC. Although Table 4 depicts sector

allocations based on the 2018 federal ABCs it should be noted that there is some indication that the BS ABC could be less in the future thus further reducing the federal allocations.

As indicated under potential issues for Proposal 2, Pacific cod fishing provides a major source of income for many people, and many vessels are ineligible to participate in state-waters GHLL fisheries. In addition, because the BS ABC is much larger than the AI ABC, increasing the GHLL fishery in the state-waters Dutch Harbor subdistrict GHLL fishery would have larger impacts on federal participants for all sectors in both the BS and AI.

**Table 4. BSAI allocations in metric tons using the 2018 ABC and based on the state-waters Dutch Harbor GHLL at 6.4%, 8%, and 20% of the BS ABC.**

Pacific Cod Sector	6.4% of ABC (status quo)	8% of ABC (proposal 14)	10% of ABC (proposal 13)	20% of ABC (proposal 12)
BS ABC*	201,000	201,000	201,000	201,000
AI ABC	21,500	21,500	21,500	21,500
Dutch Harbor GHLL fishery	12,864	16,080	20,100	40,200
Aleutian Islands GHLL fishery (27% of AI ABC)	5,805	5,805	5,805	5,805
<b>BS TAC</b>	<b>188,136</b>	<b>184,920</b>	<b>180,900</b>	<b>160,800</b>
BS CDQ (10.7%)	20,131	19,786	19,356	17,206
BS non-CDQ TAC	168,005	165,134	161,544	143,594
AI TAC	15,695	15,695	15,695	15,695
AI CDQ (10.7%)	1,679	1,679	1,679	1,679
AI non-CDQ TAC	14,016	14,016	14,016	14,016
overall BSAI non-CDQ TAC	182,021	179,150	175,560	157,610
HAL/pot ICA	400	400	400	400
HAL CP	88,324	86,925	85,177	76,436
HAL CV 60 ft and over LOA	363	357	350	314
CP pot	2,720	2,677	2,623	2,354
CV pot 60 ft and over LOA	15,235	14,993	14,692	13,184
CV HAL/pot under 60 LOA	3,627	3,571	3,498	3,139
CV trawl	40,227	39,592	38,799	34,832
AFA CP trawl	4,186	4,121	4,038	3,625
Amendment 80	24,391	24,006	23,525	21,120
Jig	2,548	2,508	2,458	2,206

\*Note that this table is based on ABC levels in 2018 but that there is an indication that the BS ABC could be lower in the future.





Submitted By  
Peter Neaton  
Submitted On  
10/1/2018 9:22:36 AM  
Affiliation

My name is Peter Neaton, age 30, captain and part owner of the 58 foot fishing vessel Oracle. I am an Alaska resident, and my wife and I own a home in Homer and a home in Unalaska. I have participated in many fisheries in Alaska including the Area O pot cod fishery every year since it began in 2014, first as deckhand and then as captain the past three years. I have also worked as a deckhand in the Adak state water pot cod fishery for 3 years. I am a member of the Under Sixty Cod Harvesters group. I have have Alaska residents and Alaska natives employed as my deckhands.

As a young fisherman, the state water pot cod fishery appeals to me in that it is open access and doesn't require a major financial investment for permit or quota. Other young fishermen who were my peers as deckhands in this fishery have advanced the same way as me, using the sea time and experience to earn a captain position in this fishery and others. This fishery has been a reliable source of income in the winter months as other fisheries throughout the year seem to fluctuate. My crewmen have used their income to invest in their own fishing vessels, quotas and property in Alaska. With an increase in quota we can continue to provide work for the family owned, Alaskan vessels.

In 2014, the first year of the Area O fishery, there was only a handful of boats participating and, working as a deckhand on another vessel, we were able to fish into the month of May, until it was time to switch to salmon fishing. In 2012 we pot fished for cod in Adak through June. This was great-- it was steady work for the boat and crew for the winter and spring. Participation has increased every year and reached over thirty vessels this year. This amount of effort shows what an important opportunity this fishery is for small vessels. But, as a result of this increase in participation the season has gotten shorter every year-- less than 30 days this year in Area O--a true derby.

This fleet of small boats has done an impressive job harvesting the allotted quota efficiently and cleanly-- with minimal bycatch impact. We will continue to see effort increase in this area, especially with the current status of Gulf of Alaska cod. This year I saw boats from King Cove, Sand Point and Kodiak participate the Area O fishery for the first time, joining the fleet of vessels hailing from Saint Paul to Petersburg. Therefore we need to increase the quota in order to extend the season and income opportunity for this fleet and crew. **I encourage you to support Proposal 13 which would expand the area and GHL of the Area O state water pacific cod fishery.**

At 58 feet long and 28 feet wide, some might not consider my vessel a 'small' vessel. Though in relation to the working conditions of the Bering Sea, it is a small vessel, but it is a safe vessel. It feels plenty small in the big weather or tied up in Akutan or Dutch Harbor next to the big trawlers. And it is a small business, owned by our Alaskan family, as are the majority of the vessels in this fleet. We keep our boat in Alaska and do business with the local vendors.

I am proud of this fishery. Targeting Pacific cod with pots is proven to be a clean, efficient method of harvest. We deliver a quality product with minimal detriment to the ecosystem. Including the Adak fishery, we were out of quota to work on by late March this year. As we were tied up in Dutch Harbor doing our end-of-season gear work, we watched the Seattle fleet of trawlers go out for the April 1 trawl cod opening. This irritated me, having no further pot fishing opportunity for the season while the trawlers got to fish in the manner that they do.

From my experience on the fishing grounds I can attest that the Pacific cod stock in the Bering Sea is in a healthy state. I have seen consistent and even improved fishing over the past few years and fish of all sizes. It is important that we are able to harvest these fish efficiently and be able to capitalize on the best fishing time of the year, typically late January through April. This is the time when we can get lots of quality product across the dock, benefiting not only us, the catcher, but the processors as well. For this reason I ask that you **oppose the trip limits recommended in Proposal 15.** While there is a time and a place for this important discussion of in-fleet management, it should not occur until the fishery has fully developed and the industry has had the opportunity to engage in a robust conversation around the issue.

In summary, I encourage you to **support Proposal 13** to increase the area and GHL of the Dutch Harbor Subdistrict state water Pacific cod fishery and **oppose Proposal 15** recommending trip limits.

Thank you,  
Peter Neaton  
F/V Oracle  
Homer, AK

**Submitted By**

Robert Johnson

**Submitted On**

10/2/2018 5:42:57 PM

**Affiliation****Phone**

9076549969

**Email**

mrsjohnson907@icloud.com

(mailto:mrsjohnson907@icloud.com)

**Address**

305 Cope St

Kodiak, Alaska 99615

PC23  
1 of 1

Dear Alaska Board of Fish Members,

I live on Kodiak Island with my family and throughout the year help skipper the F/V Taurus for statewater pot cod, salmon and federal halibut. I'm writing you to **support Proposal 13 and Proposal 6**, which help the state utilize and capture the value of our resources for its residents.

As a young skipper in this developing fishery, the statewater pot cod fishery in the Bering Sea and Aleutian Islands is extremely important to provide for my family. The statewater cod fishery grants me the opportunity for a good paying job in the winter months with strong opportunity to build my career and invest in Alaska's fisheries. As the skipper of the F/V Taurus, the statewater pot cod fishery also allows me to run the operations of a strong Alaskan business so I can build my skillset and profession.

I spent last winter's pot cod season in the Aleutian Islands district out of Adak. This fishery helps spread the Area 0 fleet out, which is especially important as more and more boats understand statewater cod's opportunity to provide year-round employment and opportunities for Alaskans. It was meaningful to help bring economic opportunity to the Adak community. We have a new processor in Adak who is providing good jobs and opening new markets for our product. Unfortunately, I was tied up to the docks multiple times this winter because large trawlers were delivering loads of cod 3-5 times the capacity of our smaller, pot cod vessels. This district is unique because large trawlers are allowed to harvest in statewaters. The under-60 fleet is now fully utilizing our allocation and it is time for statewater management to be consistent with the rest of the state by limiting the size of vessel in these waters. This will help keep Alaskan-based vessels, skippers and crew like the F/V Taurus out on the fishing grounds, and not tied to the docks.

Captain Rob Johnson

F/V Taurus

Kodiak, Alaska

Submitted By  
Ron Kavanaugh  
Submitted On  
10/3/2018 4:00:43 PM  
Affiliation  
Self

Chairman John Jensen

Alaska Board of Fisheries

Sept 25, 2017

Pacific Cod Proposals October 18-19

Proposal 1 & 2 Support

Proposal 3 Support

Proposal 4 Opposed

Proposal 5 Support

Proposal 6, 7, 8, Opposed

Proposal 9 Support

Proposal 10 Opposed

Proposal 11 Opposed

My name is Ron Kavanaugh, Kodiak Resident since 1966. Engaged in Alaskan Fisheries since 1975, our family is 100% dependent on commercial fisheries in the State of Alaska. I own & operate the 58 ft FV Insatiable and 58ft FV Sylvia Star. I started working on my granddad's boat the Lil Toot, then crewed at a setnet site on Kodiak's westside. I moved on to working the deck on salmon boats until I was able to lease a small seiner for the '82 salmon season. Two crucial state-wide events happened that lead me to participating in the federal grey cod fishery in the Gulf of Alaska and BSAI. The Exxon Valdez oil spill-which created an economic down turn for wild salmon and implementation of halibut and black cod IFQs- this took away a critical tool for diversification and were the main systemic changes that lead to this move. We were one of the first boats to fish in the Bering Sea under 60ft federal cod fishery and have pot fished since the inception of the state managed P-Cod fishery. This fishery enabled our local family run business to remain economically sound and provide year round jobs for our crewmembers. Our vessel, family, and crew are dependent on a well-managed and fully executed state water P-cod fishery. I am a proponent of low impact state water fisheries that provide access to the resource and believe the State of Alaska has an obligation to manage it's resources within the 3 mile boundary.

Proposal number 1 Due to low cod stocks in the Gulf, I have fished Adak the past two years. The management plan for this area is inconsistent when compared to other state water grey cod fisheries. A more traditional management plan that allocates quota to pot and jig gear as well as mirroring the 60ft maximum vessel length would give these participants stability and an understanding of quota available before committing to fishing the AI subdistrict. I do support a liberal pot limit of 100 pots.

Proposal number 2 is necessary to allow the AI state water fishery to reach its full potential.

Proposal number 3 I support full utilization of the state water quota. Given the fact that processing and harvesting go hand in hand some type of processing capacity needs to be available. A shore-based **OR** floating processor should be equally acceptable. The wording that states a processor should be in a specific city raises concerns.

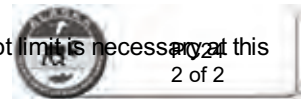
Proposal 4 Oppose

Proposal 5 Support

Proposal 6 We do not support hard on the bottom trawl fishing in a state water fishery

Proposal 7 Oppose

Proposal 8 Oppose Pot limits have their place, but the Adak fishery has not developed to the point where a 60-pot limit is necessary at this time.



Proposal number 9 Support

Proposal 10 Support We support the State of Alaska exercising its' right to manage all fisheries within the 3-mile boundary.

Proposal 11 Support I encourage the Board to support small entry level fisheries.

Proposal 13 Support

Proposal 15 Oppose This proposal disenfranchises vessels that have invested in the fishery & are built to prosecute the fishery safely.

Submitted By  
Thomas Manos  
Submitted On  
10/3/2018 4:25:17 PM  
Affiliation  
Fisherman  
  
Phone  
907 830 5150  
Email  
[manostom@gmail.com](mailto:manostom@gmail.com)  
Address  
PO Box 749  
Girdwood, Alaska 99587

Thomas Manos

PO Box 749

Girdwood, Alaska 99587

Mr. Chairman and Board Members

Re : Pacific Cod Proposals 13,15,proposa 7,4,2 3

Myself and my sons own and operate three ,58 foot fishing vessels that are home ported in King Cove Alaska, We own a house in King Cove and split our time between King Cove , Anchorage, and Girdwood. I have been fishing for Cod, Pollock, Crab, and since 1991 and Salmon since 1976. In the last 10 years I have helped to bring my 2 sons into fishing. We are active in the King Cove community, we give local preference for hiring and we support the King Cove economy . In 2017 our two wide body 58 footers participated in the area O pot Cod fishery and one of our boats stayed in the Western Gulf and participated in Cod and Pollock trawl fishery as well as the state water Pacific Cod pot fishery. I have fished in the federal water groundfish with Trawl and Pots for over 25 years in the Western Gulf, Central Gulf, Bering Sea, and Aleutian Islands and ground fish have been key for maintaining a viable business. I was affected as a Trawler when the Gulf developed the State Water Fishery and our Vessels have participated in Both Pot Cod and Trawl Cod. In hindsight the State Water Fishery has benefited the local fleet and fishing community as has the developing Area O fishery.

I encourage the Board to support proposal 13 and increase the State Water percentage to 10 %. This will benefit all The Western Alaska communities and local fishermen. I would not oppose a greater increase

I do not oppose proposal 15 because, based on our vessel size, it will only benefit us, however I do not believe the benefit will be significant because 150,000 pounds is more of a goal than a limit for the majority of the vessels . I would discourage the Board in believing that to adopt this proposal will have a meaningful impact for the local fleet.

I have participated in Aleutian Island Cod as a trawler in the late 90s and currently fish for Aleutian Island Sablefish with pots. We consider the Aleutian Island fishery to be our future and believe the resource can be harvested by the local under 60 fleet. I therefore oppose proposal 7 and proposal 4 and support Proposal 2.

Proposal 3 addresses a necessary protocol in the event that processing is not available however it is important that the State continue to encourage processor participation in the Aleutian Islands for the under 60 fleet and discourage any effort to reallocate the fish to a larger catcher processor owned fleet by not supporting processing efforts .

Thank You

Tom Manos

F/V **Alaskan Lady** F/V **Cape St Elias** F/V **Scotch Cap**

Submitted By  
Trevor Shaishnikoff, Roger Rowland, Rick Fehst  
Submitted On  
10/1/2018 8:09:44 AM  
Affiliation

September 25, 2018

To the members of the Alaska Board of Fisheries,

**We are Dutch Harbor/Unalaska residents** who are owners and skippers of vessels participating in the under 60 pot cod fleet. We are writing in **opposition of proposal 15** and **support of proposal number 13**, expanding the area and GHL of the Dutch Harbor Subdistrict (Area O) state water Pacific cod fishery, which is executed by under-60 pot vessels.

As Dutch Harbor/Unalaska residents, we can attest to the significant value this fishery offers to families and businesses in Dutch Harbor/Unalaska — those operating on and off the water. This is an essential part of our annual income, keeping our vessels and their crews working and bringing economy directly back to the city and the port. The state water fishery in particular diversifies our fishing activity during an important time of year, and allows our small businesses and the families who depend upon them to thrive. That benefit reaches throughout Alaska. With 85% of both the permits and vessels in this fishery owned by Alaskan residents, the under 60 pot cod fleet is one of the state's best assets for capturing value from state water groundfish resources. With several highly active boats and their crews based right here in Unalaska, the region is a direct recipient of the state's good work to build this fishery.

As just one of many examples, 2 of the 3 Alaskan crew members on the F/V April Lane are local to Dutch Harbor/Unalaska. This year alone, this under-60 fishing operation spent nearly \$250,000 with Unalaska vendors, using local manpower to prep the operations for Pacific cod and to fabricate the vessel for black cod pot longlining in the Aleutian Islands district. The F/V April Lane is now based in Dutch Harbor throughout the year. Continued support and development of state water fisheries are vital to sustaining these vessels and the livelihoods of resident crew, skipper and the many local vendors that support us here in Dutch Harbor.

More and more Dutch Harbor/Unalaska residents see the potential for the Area O cod fishery to feed their families and sustain their businesses — as crew, skippers, vessel owners and support businesses. We expect the fleet, which has grown in six years from single digits to now over 30 vessels, to keep expanding and the availability of allocation should too. Unfortunately, to the detriment of its resource utilization and economic prosperity, the State of Alaska was late to the game in developing its groundfish resources. Nowhere is this more true than in the Bering Sea, some of the richest groundfish habitat in the world. But it doesn't have to stay that way.

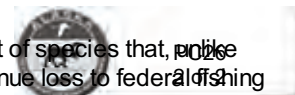
The Dutch Harbor subdistrict GHL is currently just 6.4% of the acceptable biological catch. This is compared to 30% in the Western Gulf of Alaska (GOA), and 25% in the Central/Eastern GOA. A fair and reasonable step increase three years ago recognized Area O's growing potential. It is time for this fishery to take another step toward a meaningful allocation that reflects the value this fishery could have to the fishing families of Unalaska, regional businesses and the statewide economy. An area increase is warranted to spread the effort of the fleet and ease participation for community-based vessels. This also helps to offset any issue of local depletion by opening new grounds to the fleet along the coastline. Alaska's coastline is vast, and there is no reason to limit a state water fishery to one isolated location.

**Article 8 of the Alaska Constitution clearly gives the state both the authority and responsibility to develop its natural resources as a means of providing opportunity and benefits to its people, and with standards that ensure both the utilization and long-term conservation of those resources.** Pacific cod is currently harvested largely by non-resident vessels and companies, a significant amount processed at sea, and managed outside of the state's jurisdiction despite it being well within the state's authority to do so. The state is able to successfully meet its Constitutional responsibility by taking steps to fully develop the relatively new but successful state water fishing opportunity in the Dutch Harbor subdistrict. The creation and proper development of these robust state water harvest opportunities are an essential addition to the other ways in which Alaska and its people generate value from the state's fishery resources — which include existing landings taxes and CDQ revenues. The state of Alaska must not limit itself to those isolated means for developing groundfish resources.

While this opportunity is still being developed, however, it is important to not prematurely restrict the capacity of the fleet. For this reason **we ask that you oppose the trip limits recommended in Proposal 15.** While there is a time and a place for this important discussion of in-fleet management, it should not occur until the fishery has fully developed and the industry has had the opportunity to engage in a robust conversation around the issue.

Pot gear is one of the most efficient and low-impact methods for harvesting cod, and offers a method for significant bycatch savings. It has drastically lower bycatch rates than other gear types harvesting Pacific cod. This benefit is felt throughout the state and federal fisheries of the North Pacific, and represents an important opportunity to utilize our fishery resources efficiently and with strong conservation measures.

While the state does not have a pool of unharvested Pacific cod to pull from, as they did for the previous increase, there is still flexibility within the groundfish resource to significantly mitigate impact on other sectors by transitioning to other opportunities. Under the Bering Sea Aleutian Islands Fisheries Management Plan, there is a 2 million metric ton cap on total removals from the groundfish resource through federal harvest. The total allowable biological catch of the species within this framework, however, is much more than that. This means that there are a number of groundfish species in the North Pacific that are allocated and harvested beneath their potential yield in order to keep total removals below the 2 million mt cap. The state water Pacific cod GHGs, on the other hand, come off of the total ABC for the Bering



Sea Pcod stock. A step increase for the state water fishery would open room under the cap for additional harvest of species that, unlike Pacific cod, are currently not being fully harvested. Transition to those under-harvested species would offset revenue loss to federal fishing sectors.

For these reasons we ask that you **support Proposal 13** to increase the area and GHL of the Dutch Harbor Subdistrict state water Pacific cod fishery, and **oppose Proposal 15** recommending trip limits. This fishery directly benefits the residents and businesses of Dutch Harbor/Unalaska, and is a vital opportunity for responsibly developing Alaska's state water resources.

Thank you,

Rick Fehst

F/V April Lane

Unalaska, Alaska

Roger Rowland

F/V Commitment

Unalaska, Alaska

Trever Shaishnikoff

F/V Commitment

Unalaska, Alaska

Under Sixty Cod Harvesters  
345 Sterling Highway, Ste. 204  
Homer, Alaska 99603



October 1, 2018

Mr. Chairman and Members of the Alaska Board of Fisheries:

On behalf of the Under Sixty Cod Harvesters (USCH), I am writing in **support of proposal number 13**, expanding the area and GHL of the Dutch Harbor Subdistrict (Area O) state water Pacific cod fishery, which is executed by under-60 pot vessels.

USCH represents fishing vessels under 60 feet harvesting Pacific cod with pot gear in the Bering Sea and Aleutian Islands fisheries. Our family-owned member vessels and skippers are homeported across Alaska's vast coastline — from Petersburg to Dutch Harbor to St. Paul — representing fishing-dependent jobs and businesses vital to many Alaskan communities. These waters, especially in the winter months, can be unforgiving. Just like gillnetters in Bristol Bay and seiners in Prince William Sound, our members have upgraded older vessels and invested with new vessels, all with a length-limit cap of 60 feet. Our vessels seek to maximize harvest during peak times, while most importantly keeping our families and crew safe. This a fishery and fleet all Alaskans should be proud of. We are engaged in federal and state issues impacting cod stocks and harvesters in the North Pacific. After less than a year of organizational development, we now represent nearly 50% of the Area O fishing fleet, and over half of the vessels that fish the Aleutian Islands subdistrict (Adak).

This letter provides a detailed account of USCH's support for Proposal 13, and all of our points can be tied directly to one or several of the 7 Fisheries Allocation Criteria established in Title 16 of the Alaska Statutes. Those statutory correlations are cited throughout, and the 7 Criteria are attached at the end of this letter for easy reference. In short, we ask that you support Proposal 13 based on these important points:

- **A high rate of Alaskan participation in state water cod fisheries offers a subsequent and significant value to state and regional economies.**
- **Alaska's Constitution mandates authority to the State for developing natural resources on both its land and waters.**
- **This fishery offers a high conservation value as well as a means for sustainable, efficient resource utilization.**

The under 60 pot cod fleet is one of the state's best assets for capturing value from state water groundfish resources. This is one of the most Alaskan-owned fisheries in the state with approximately 85% of both the permits and vessels in this fishery are owned by Alaskan residents. This is compared to 18% of the non-AFA trawl catcher vessels, less than 1% of the freezer longline fleet, and 0% of non-AFA trawl catcher-processors. (Allocation Criteria 2, 5 & 6).





The state water cod fishery keeps our vessels fishing and diversified throughout the year. More and more residents and vessel operations see the potential for the Area O cod to feed their families and sustain their fishing livelihoods. Investment in vessel construction and expansion through sponsoring and other fabrication is a sign of the success of this fleet. While these are still small vessels compared to the massive ships that dominate Pacific cod harvest, these important investments in vessel design are a testament to the fleet's commitment to successfully and safely harvest cod for the benefit of Alaskan communities, despite challenging Bering Sea conditions. Much like every other sector targeting groundfish in the region, we are proud that Alaska's smaller vessels have invested in the safety and capacity of their harvesting platforms.

We expect the fleet, which has grown in six years from single digits to now over 30 vessels, to keep expanding and the availability of allocation should too. Unfortunately, to the detriment of its resource utilization and economic prosperity, the State of Alaska was late to the game in developing its groundfish resources. Nowhere is this more true than in the Bering Sea, some of the richest groundfish habitat in the world. But it doesn't have to stay that way. (Allocation Criteria 1, 2, 5 & 6)

The Dutch Harbor subdistrict GHL is currently just 6.4% of the acceptable biological catch. This is compared to 30% in the Western Gulf of Alaska (GOA), and 25% in the Central/Eastern GOA. A fair and reasonable step increase three years ago recognized Area O's growing potential. It is time for this fishery to take another step toward a meaningful allocation that reflects the value this fishery could have to the state. An area increase is warranted to spread the effort of the fleet and ease participation for community-based vessels. This also helps to offset any issue of local depletion by opening new grounds to the fleet along the coastline. Alaska's coastline is vast, and there is no reason to limit a state water fishery to one isolated location.

**Article 8 of the Alaska Constitution clearly gives the state both the authority and responsibility to develop its natural resources as a means of providing opportunity and benefits to its people, and with standards that ensure both the utilization and long-term conservation of those resources.** The state is able to successfully meet this responsibility and its standards by taking steps to fully develop the relatively new but successful state water fishing opportunity in the Dutch Harbor subdistrict.

With the state largely ceding management of state water cod resources in the Bering Sea and Aleutian Islands to federal management and harvest sectors, the historic use of the state water Pacific cod resource in this region has not been developed directly for the benefit of the people and communities of the state of Alaska. It is largely harvested by non-resident vessels and companies, a significant amount processed at sea, and managed outside of the state's jurisdiction despite it being well within the state's authority to do so. The creation and proper development of robust state water harvest opportunities are an essential addition to the other ways in which Alaska and its people generate value from the state's fishery resources. While landings taxes and CDQ revenues do contribute to the economy, they alone do not satisfy the state's Constitutional mandate to develop its natural resources, which include those found in



state waters. Alaska can diversify its fishing portfolio while not restricting its own capacity to develop state resources. (Allocation Criteria 2,4,5 & 6)

While this vital fishery is still being developed, it is also important to not prematurely restrict the capacity of the fleet. For this reason **USCH asks that you oppose the trip limits recommended in Proposal 15**. USCH is comprised of approximately half “super 8” vessels and half smaller but widened vessels, and we recognize that in-season management tools are a part of the long-term dialogue of this fleet. While there is a time and a place for this review of in-fleet management, it should not occur until the fishery has fully developed and the industry has had the opportunity to engage in a robust conversation around the issue.

The current difference between the state water fishery and the dominant Pacific cod harvesting sectors is a stark one. The freezer longline sector alone receives nearly half of the federal quota — those 35 vessels harvested close to 240 million pounds in 2017. The top two earners among them, Washington-based companies Clipper Seafoods and Blue North Fisheries, garner roughly 37% percent of that sector’s allowance. (As previously stated, less than 1% of the vessels that prosecute this sector are homeported in Alaska.) While some harvesting companies have strong relationships with Alaskan CDQ groups, and Alaska’s economy is able to capture some value through those, they provide a limited spectrum of opportunity and benefit. But by reallocating a small percentage of federal quota to statewater cod, the state is able to diversify its resource utilization and provide vital opportunities for the harvesters and shoreside processors that help coastal communities to thrive. Under the current sector divisions, two freezer longline companies on their own harvest nearly double the amount of Pacific cod harvested by the Dutch Harbor and Aleutian Islands state water fisheries combined. This means that, taken together, these two extraordinarily successful companies have managed to secure as individual private businesses a greater allocation of BSAI Pacific cod than the state of Alaska, which has Constitutional authority over all waters within three miles of its coast line. This is a strong signal that the status quo is far from the ideal model for Alaska’s long term prosperity.

Pot gear is one of the most efficient and low-impact methods for harvesting cod, and offers a method for bycatch savings through gear redistribution. For example pot gear has a particularly low rate of bycatch of halibut — a species highly valued in numerous other targeted fisheries. We understand and appreciate the lengths other sectors have taken to reduce their bycatch rates. Despite those industry improvements, however, any increase in the state water fishery **decreases** the amount of bycatch taken by directed cod fisheries — while still achieving the same amount of cod harvest. Undoubtedly, when more Pacific cod is harvested using pots, we are able to decrease negative impact on the ecosystem, other fisheries stocks and the people who depend upon them. This effectively joins conservation, efficiency and thriving local economies for a benefit felt throughout the state and federal fisheries of the North Pacific, increasing the availability of fishery resources. (Allocation Criteria 4.)

Despite bycatch rates being generally very low in the pot sector, this group recognizes the value of observer programs and their efforts to monitor catch composition for the benefit of all sectors. The state does not currently have an observer program in place for this fishery, though many



vessels participating in the state water fisheries also participate in the federal cod fishery — which is observed. USCH is also supportive of and encouraged by the efforts of Alaskan fleets to pioneer electronic monitoring — an important observation tool for vessels like ours with limited capacity for additional people on board. We look forward to engaging in the developing efforts to increase accountability and science-based management tools for everyone in North Pacific fisheries. We also look forward to engaging with the Board of Fisheries who can make in-season management adjustments through emergency order should there ever be a need.

In terms of available allocation, the state does not have a pool of unharvested Pacific cod to pull from, as they did for the previous increase. There is, however, still flexibility within the groundfish resource to significantly mitigate impact on other sectors by transitioning to other opportunities. (Allocation Criteria 4.)

Under the Bering Sea Aleutian Islands Fisheries Management Plan, there is a 2 million metric ton cap on total removals from the groundfish resource through federal harvest. The total allowable biological catch of the species within this framework, however, is much more than that. This means that there are a number of groundfish species in the North Pacific that are allocated and harvested beneath their potential yield in order to keep total removals below the 2 million mt cap. In 2017 those species included Atka mackerel, Pacific Ocean perch and Arrowtooth flounder - to name just a few that had a substantial amount of unharvested quota (more than 10,000 mt). Pollock takes the lead in this group by far, however, with more than 1 million mt unharvested in the past several years.

The state water Pacific cod GHGs, on the other hand, come off of the total ABC for the Bering Sea Pacific cod stock, and the remaining available cod makes up the federal TAC and contributes to the 2 million mt cap. A step increase for the state water fishery, because it is taken from the ABC, would open room under the cap for additional harvest of species that, unlike Pacific cod, are currently not being fully harvested. Transitioning to those quota pools would allow harvesters within the federal system to continue to harvest the maximum amount of groundfish allowable under the cap, using the alternative fishing opportunities already permitted by regulation. To summarize: large trawlers and factory longliners will be able to fish other species. Any loss of revenue by federal cod reallocation to statewater cod fisheries can be dramatically mitigated through the NPFMC by an additional allocation of other species such as Atka mackerel, perch, arrowtooth flounder or Pollock.

For these reasons USCH asks that you **support Proposal 13** to increase the area and GHG of the Dutch Harbor Subdistrict state water Pacific cod fishery, and **oppose Proposal 15**.

Thank you,

A handwritten signature in black ink that reads "Todd Hoppe".

Todd Hoppe, USCH Board President

## **ADDENDUM**

From Alaska Statutes. Title 16. Fish and Game Chapter 5. Fish and Game Code Section 251. Regulations of the Board of Fisheries.

### **Allocation Criteria:**

- (1) the history of each personal use, sport, guided sport, and commercial fishery;
- (2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future;
- (3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;
- (4) the availability of alternative fisheries resources;
- (5) the importance of each fishery to the economy of the state;
- (6) the importance of each fishery to the economy of the region and local area in which the fishery is located;
- (7) the importance of each fishery in providing recreational opportunities for residents and nonresidents.



<b>Federal</b>	<b>AK Ownership</b>	<b>Allocation</b>	<b>Initial 2017 Allocation in Pounds</b>
<b>Under 60 Pots CV (Under Sixty Cod Harvesters)</b>	<b>85% Alaska Owned</b>	2%	9.3 million pounds (Shared with Under 60 HAL)
Over 60 Pots CV	26.5% Alaska Owned	8.40%	39.4 million pounds
BSAI Pcod Trawl CV (non-AFA)	18% Alaska Owned	22.10%	104.2 million pounds
BSAI Pcod HAL CP (Freezer Longline)	Less than 1% (2 of 35 vessels listed as Alaskan)	48.70%	228.6 million pounds
BSAI Pcod Trawl CP (Am 80, non-AFA)	0% Alaska owned	13.40%	63.2 million pounds
<b>State Water (Taken from top before federal is allocated)</b>	<b>Ak Ownership</b>	<b>Allocation</b>	<b>2017 Allocation in Pounds</b>
<b>Area O Current GH L (Dutch Harbor)</b>	Fleet is 85% Alaska owned (32 vessels participating 2018)	6.4% (Taken off top of EBS ABC)	33.7 million pounds
<b>Aleutian Islands Current GH L</b>	Fleet is 85% Alaska owned (5 pot, several trawl vessels participating 2018)	27% (Taken from total AI ABC)	12.8 million pounds
<b>Area O GH L With Increase (Still using 2017 numbers for comparison)</b>		10%	52.6 million pounds
<b>Using 2019 Projections</b>		<b>Allocation</b>	<b>Estimated Allocation in Pounds</b>
<b>Area O GH L With Increase (Accounts for projected decrease in Pcod TAC)</b>		10%	32.6 million pounds
<b>Area O GH L Without Increase</b>		6.4%	20.8 million pounds
CP= Catcher Processor CV= Catcher Vessel			
*With the exception of the 2019 projections, this uses data from 2017. This is not a comprehensive list of sectors or allocations, intended for general sector comparisons.			

Under Sixty Cod Harvesters  
345 Sterling Highway, Ste. 204  
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October 1, 2018

Mr. Chairman and Members of the Alaska Board of Fisheries:

On behalf of the Under Sixty Cod Harvesters, I am writing in **support of proposal number 6**, limiting the Aleutian Islands state water fishery to vessels under 60 feet.

USCH represents fishing vessels under 60 feet harvesting Pacific cod with pot gear in the Bering Sea and Aleutian Islands fisheries. Our family-owned member vessels and skippers are homeported across Alaska's vast coastline — from Petersburg to Dutch Harbor to St. Paul — representing fishing-dependent jobs and businesses vital to many Alaskan communities. These waters, especially in the winter months, can be unforgiving. Just like gillnetters in Bristol Bay and seiners in Prince William Sound, our members have upgraded older vessels and invested with new vessels, all with a length-limit cap of 60 feet. Our vessels seek to maximize harvest during peak times, while most importantly keeping our families and crew safe. This a fishery and fleet all Alaskans should be proud of. We are engaged in federal and state issues impacting cod stocks and harvesters in the North Pacific. After less than a year of organizational development, we now represent nearly 50% of the Area O fishing fleet, and over half of the vessels that fish the Aleutian Islands subdistrict (Adak).

There is a strong precedent statewide for the state water Pacific cod fisheries to be restricted to under 60 vessels. With markets now fully operating in the region, it is important that the state retain the intended nature of these state water fisheries as under-60 opportunities and maximize their value to the state and its regional economies.

Approximately 85% of both the permits and vessels in the under 60-fleet are owned by Alaskan residents, making this one of the state's best tools for capturing value from its groundfish resources. With the exception of the jig fleet, no other Pacific cod fleet in the North Pacific comes close to this. Over 60 pot vessels record approximately just 26% Alaska ownership, while BSAI trawl catcher vessels (all sizes) are 18%. Vessel size restrictions not only help to maintain opportunity for a larger number of smaller vessels, it also directly impacts resident engagement in the fishery.

The Aleutian Islands state water fishery also acts as a relief valve and pulls effort from the highly utilized Area O fishery around Dutch Harbor, spreading state water fishing activity out through the Aleutians. It is important that this fishery continue to develop to diversify the under 60 options and maximize Alaska's benefit from the Pacific cod resource.



USCH also **strongly supports Proposal 2**, eliminating the 15 million cap in the AI GHL. This is a very important step in making sure that the BSAI state water fisheries are able to continue the stair step increases already written into regulation. As it stands, the quota will hit the existing cap before achieving the full percentage already included in regulation (39%). This continues to be an important fishing opportunity for this fleet, and a vital way to spread state water effort out throughout the Bering Sea and Aleutian Islands.

In addition, USCH **strongly opposes Proposal 7**, which aims to open the fishery to larger vessels based on smaller hold capacity. USCH fully supports standards for length restrictions that maintain the under 60 nature of these fisheries. Making exceptions on a boat-by-boat basis sets a bad precedent, and would likely result in a series of special cases and waivers that not only erode the intent of the original under 60 parameters — which are a standard shared across Alaska's state water cod fisheries — but would likely continue to overly complicate the regulatory and management process with further requests and special treatment.

The additional provision for larger vessels mentioned in USCH's Proposal 6 is in respect to the department's desire not to strand fish, considering the varied history of GHL harvest of Pacific cod in this subdistrict. Previously, the Department opened the fishery to over 60 vessels to expand effort and more fully harvest the GHL. As was demonstrated in 2018, however, the under 60 fleet *is* capable of harvesting the GHL when processing is available. Considering this and the precedent for under 60 vessels, we believe it is vital that the regulation allow due time for the under 60 fleet to execute this fishery — which aligns with the original intent of the state water pcod fisheries — before or *if* it is opened up to larger vessels. Opening the fishery to larger vessels should be conditional and dependent upon under 60 capacity to harvest, not a guaranteed opening.

In **Proposal 3**, Alaska Department of Fish and Game has recommended a provision that would allow them to adjust the GHL based on processor availability, rather than in-season activity, offering a mechanism to minimize under harvest. We do not believe that both the provisions described in Proposals 3 and 6 are necessary, as one or the other would offer suitable tools should the under 60 fleet be unable to harvest the GHL. **USCH supports the provision in Proposal 3 — with a recommended change to the protocol for establishing intent to process.**

In the event that the Board adopts Proposal 3, we ask that the language be amended to **include a broad protocol for filing an intent to process directly to the Department**. As the proposal stands, the Department would determine processor availability through the NMFS process already established as part of managing for the federal Aleutian Islands Set Aside. As this is a state water fishery we believe it is important that the state maintain jurisdiction over all management elements, including the protocol for establishing intent to process. This fishery and fleet are still developing, and we believe it is important for the state to work directly with fishermen and processors on annual decisions such as these rather than through the NMFS process, giving those fishing and processing the AI GHL the best possible opportunity for utilizing this important resource and exploring market innovations. The required steps for



establishing intent to process should be comparable in substance and timing to the NMFS standard, allowing the department due time to set catch limits and coordinate with NMFS should that be necessary.

If the board chooses to adopt the Department's proposal to restrict the GHL based on processor availability, we ask that you also **restrict the AI GHL entirely to under-60 vessels, eliminating the large vessel contingency from the Aleutian Islands Subdistrict FMP.**

USCH entirely **opposes Proposal 4**, which recommends reducing the GHL based on previous years' underharvest. There are many regulatory examples of state and federal managers using rollover or reallocation mechanisms in-season or pre-season to make unharvested quota available to user groups prepared to harvest it. Thus not stranding designated quota. What is **not** typical is immediate and permanent removal of an allocation based on a single season of underharvest, which this proposes to do. Many examples exist in the federal cod fishery. For instance, when the over 60 pot vessels or the trawl cv participants or the jig vessels do not harvest the entirety of their available BSAI cod, it is not permanently removed, even after years of underharvest. That cod is simply reallocated in-season to other sectors. It seems inequitable and insensible to put a drastically more restrictive parameter on a fleet and fishery that the state has been incredibly invested in growing. Particularly one that is demonstrably so important to Alaska and the Aleutian region, and a critical part of the vision for securing in-region processing and harvest. This is a terrible precedent and does not promote the long term stability of this promising and successful fleet, which has been gradually rising to the challenge of harvesting cod to the benefit of the state despite the difficulties posed by conditions and geography. The Department has offered a viable mechanism that does not permanently penalize the sector for the harvest challenges that all BSAI sectors have faced and are continuously adapting to.

In summary, USCH asks that you **support Proposals 2 & 6, oppose Proposals 4 & 7, and accept our recommended changes on Proposal 3.** Thank you for considering these positions on the important issues facing the Aleutian Islands state water fishery.

Thank you,

Todd Hoppe, USCH Board President