

*Aleutians Islands Subdistrict Pacific Cod Management Plan (4 proposals)*

**PROPOSAL 1**

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

Coordinate season opening dates, clarify reporting and landing requirements, and require pot vessels to deliver their catch prior to hauling stored gear after the fishery closure, as follows:

AAC 28.647(c)(2)(A) is amended to read:

(c) The commissioner shall open and close, by emergency order, a state-waters season in the Aleutian Islands Subdistrict as follows:

...

(2) all waters of the Aleutian Islands Subdistrict shall open as follows:

(A) for nonpelagic trawl gear, pot gear, longline gear, hand troll gear, and mechanical jigging machines four days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel greater than or equal to 60 feet in overall length pot gear fishery is closed **or at 12:00 noon Alaska standard time on March 15, whichever is earlier;**

(B) for vessels over 60 feet in overall length using nonpelagic trawl gear and vessels over 100 feet in overall length using pot gear, at 12:00 noon **Alaska standard time** on March 15;

5 AAC 28.647 is amended to read:

(d) During a state-waters season,

...

(3) a vessel used to harvest Pacific cod when

...

(B) all waters all waters of the Aleutian Islands Subdistrict are open under (c)(2) of this section, with

(iii) nonpelagic trawl gear, may not be more than 60 feet in overall length prior to 12:00 noon **Alaska standard time** on March 15, and may not be more than 100 feet in overall length after 12:00 noon **Alaska standard time** on March 15;

(iv) pot gear, may not be more than 100 feet in overall length prior to 12:00 noon **Alaska standard time** on March 15 and may not be more than 125 feet in overall length prior to 12:00 noon **Alaska standard time** on March 15;

...

(6) a vessel may harvest up to 150,000 **round** pounds of Pacific cod per day and may not have more than 150,000 **round** pounds of unprocessed Pacific cod on board the vessel at any time; a vessel may not have on board the vessel more processed fish than the round weight equivalent of the fish reported on ADF&G fish tickets; [A VALIDLY REGISTERED VESSEL MUST REPORT DAILY TO THE DEPARTMENT THE POUNDS OF PACIFIC COD TAKEN AND ON BOARD THE VESSEL;]

...

**(8) once an offload begins, a vessel may not operate groundfish gear until all Pacific cod onboard the vessel has been delivered. Partial deliveries may occur as described in 5 AAC 28.070; however, vessels may not operate groundfish gear in between partial deliveries including partial deliveries to shorebased processors, floating processors, tenders, transporters, or motherships;**

**(9) in the state-waters season, a participating vessel owner or operator must report, as specified on the registration form, to the local representative of the department**

**(A) the amount of gear operated by the vessel during the designated period;**

**(B) the number of pounds of Pacific cod retained during the designated period; and**

**(C) any other information that the commissioner determines is necessary for the management and conservation of the fishery.**

**(k) At the time of the closure for the Aleutian Islands Subdistrict Pacific cod state-waters season, all fishing gear must be completely removed from the water, except that pot gear may be stored in the water with all bait and bait containers removed and doors secured fully open. Pot gear stored in the water after closure of the state-waters season may not be retrieved until all Pacific cod onboard the vessel has been delivered.**

**(l) For the purposes of this section,**

**(1) “day” means the 24-hour period of time between 12:00 midnight and 11:59 p.m. of the same calendar day;**

**(2) “harvest” or “catch” means the total weight (or total number) of fish or shellfish removed from the water by commercial fishing operations.**

**What is the issue you would like the board to address and why?** Currently, the Aleutian Islands Subdistrict (AIS) state-waters Pacific cod management plan provides for three triggered season opening dates based on geographic location, vessel size, and gear type. The second triggered season opening date was established in 2020 and opens the AIS to pot gear vessels between 61 and 100 feet overall length (OAL) four days after the federal/parallel Bering Sea and Aleutian Islands “A” season for catcher-vessels greater than or equal to 60 feet OAL pot gear fishery closes. This opening also expands the fishery from waters of the Adak Section (state waters between 175° and 178° W longitude) to all waters of the AIS to all other vessels eligible to fish at that time (pot, nonpelagic trawl, and jig gear vessels less than or equal to 60 feet OAL and longline vessels 58 feet OAL or less). The third triggered opening occurs on March 15 and allows trawl gear vessels up to 100 feet OAL and pot gear vessels up to 120 feet OAL to enter the fishery.

Since 2010, the federal over 60 pot gear closure needed to trigger the second AIS season opening predominantly occurred before March 15, except in 2015 and 2016 when the fishery closed on June 10. As written, if the federal over 60 pot fishery does not close at the time of the third regulatory AIS season opening date on March 15, only pot vessels over 100 feet OAL and nonpelagic trawl gear vessels over 60 feet OAL are permitted to fish outside the Adak Section which is inconsistent with historical practice and intent of this management plan. Therefore, the department seeks to clarify that if the second AIS triggered season opening date has not occurred at the time of the third triggered opening on March 15, the second opening date becomes null and all waters of the AIS shall open at 12:00 noon on March 15 to all vessels eligible to participate in the AIS. Additionally, since the subdistrict covers two time zones, the department seeks to clarify that all closure and opening times are in Alaska time, not Hawaii-Aleutian time.

Regulations governing partial offloads that occur during the season are poorly specified in the AIS state-waters Pacific cod management plan. Vessels are required to retain all Pacific cod brought onboard during a directed Pacific cod fishery and are limited to harvesting or delivering no more than 150,000 round pounds per day. Occasionally, vessels are unable to deliver their full 150,000 harvest limit due to processor or tender capacity limits and an unreported amount of Pacific cod remains onboard the vessel after a partial landing. Existing regulation is unclear on whether a vessel can resume fishing after a partial offload occurs. Inseason management and harvest limit compliance depend on accurate catch accounting. Therefore, the department seeks to clarify that all Pacific cod onboard must be delivered before a vessel can start fishing again and that a vessel may not operate groundfish gear in between partial deliveries.

Harvest reporting requirements are poorly defined in current regulation. Clarifying reporting times, what information the department requires, and how vessels provide fishery reports will assist the department in managing this fishery. Landing requirements at the time of season closure are additionally undefined in regulation. Adding provisions that requires all trawl, longline, and jig gear be removed from the water and pot gear be either removed from the water or open and unbaited at the time of the closure will aid enforcement and catch accounting for this fishery. Also amending regulation to specify that pot vessels must deliver all fish onboard before retrieving stored gear after the fishery closure is consistent with other regional state-waters fishery regulations.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F22-043)

\*\*\*\*\*

**PROPOSAL 2**

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

Restrict legal gear to pot and mechanical jigging machines, increase pot limit, and limit total harvest by vessels greater than 58 feet in length, as follows:

Open the entire AI P cod Management area on Jan 1st to pot vessels (100' and less) and jig vessels (58' and less) as the only legal gear type in the AI P cod fishery. Removing all other triggers for opening dates. Limit pots to single line gear with a total number of 120 pots. And last item, limit 59' to 100' pot vessels to a maximum 25 % of the GHL

**What is the issue you would like the board to address and why?** I wish to align the AI management plan with other State Water P cod management plans.

**PROPOSED BY:** Ronald J Kavanaugh (EF-F22-075)

\*\*\*\*\*

**PROPOSAL 3**

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

Change season start date from March 15 to March 1 for trawl gear vessels over 60 feet in length, as follows:

Amend as follows:

(c) The commissioner shall open and close, by emergency order, a state-waters season in the Aleutian Islands Subdistrict as follows:

(1) the Adak Section shall open January 1;

(2) all waters of the Aleutian Islands Subdistrict shall open as follows:

(A) for nonpelagic trawl gear, pot gear, longline gear, hand troll gear, and mechanical jigging machines four days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel greater than or equal to 60 feet in overall length pot gear fishery is closed;

(B) for vessels over 100 feet in overall length using potgear, at 12:00 noon on March 15,

(C) for vessels over 60 feet in overall length using trawl gear, at 12:00 noon on March 1

...

**What is the issue you would like the board to address and why?** The AI subdistrict Pacific Cod Fishery has historically included trawl vessels. The trawl vessels that have participated in the AI P Cod fishery have both developed and relied upon the fishery. The March 15th opening of the fishery to trawl boats 60' OAL and greater has negatively impacted vessels that have previously been important participants and have relied on this fishery.

Trawl vessels are only successful at P Cod fishing in the AI when the fish are aggregated. This happens very quickly and in late winter. Limiting entrance of historic trawl participants to a start date of March 15th has resulted in the vessels missing the cod aggregations and therefore missing fishing opportunities; in years where other gear types are less successful, this could result in a poorly executed fishery. Allowing a start date of March 1 for trawl vessels 60' OAL and greater would both allow a reasonable amount of time for vessels under 60' OAL (and pot vessels under 100' OAL) to fish alone and allow a little extra time for trawlers to be able to fish while the important cod aggregations are occurring. (Trawl vessels over 100' OAL are never allowed in the AI P Cod fishery)

All recent scientific evidence indicates changing ocean conditions and changing P Cod migration patterns. During times of such flux, limiting the fisheries by gear type has the potential to impact the execution of the fishery. Allowing trawl vessels that are historical participants to fish beginning March 1 will help execute the fishery and avoid leaving potentially stranded fish in the water.

The BOF proposal which led to this regulation states that the intent is to "Give fishermen operating vessels 60 feet or less overall length (OAL) for trawl, jig, and pot gear and 58 feet or less OAL for vessels operating longline gear, more opportunity to harvest Pacific cod in the Adak Section of the AIS prior to larger vessels entering the fishery." However, pot vessels of 100' OAL are now allowed an earlier start date than trawl vessels 60' OAL and, as such, LARGER vessels are in fact starting earlier than many trawl vessels that are SMALLER. Further, regardless of the OAL of a vessel, ALL vessels are limited to the 150,000 lb trip limit. The regulation, as it stands, was adopted by the BOF out of cycle at a meeting that very few cod trawl participants could attend because the meeting occurred right as the federal BSAI cod trawl season was opening; these fishermen had to get prepared to go fishing. This resulted in little to no advocacy for the trawl fleet at the time the proposal was adopted.

The F/V Miss Leona is an example of a cod trawl vessel that has extensive fishing history in Adak and has been fishing the state AI fishery since its inception. We are a family owned and operated 87' vessel that has fished in Alaska since the 1970's. The owner began working on the vessel as a deckhand and eventually purchased the vessel; he spent 40 years on this vessel. The vessel is now run by the owner's son, who lives in Alaska, and has Alaskan residents as crew, all of whom have been hurt by this regulation. The vessel has slips in Dutch Harbor and Kodiak where it stays year round, purchases all food and supplies in these two ports and has repair and maintenance done in Alaska. In the last few years alone, the vessel has done a several month long shipyard project in Dutch Harbor and has been hauled out in Kodiak. We support Alaskan fishing communities and have always delivered shoreside in Adak when a plant was available. We embody the ideals that the BOF and ADF&G attempt to support when supporting "small" fishing vessels..

**PROPOSED BY:** Chris Allinson (EF-F22-062)

\*\*\*\*\*

**PROPOSAL 4**

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

Change season start date from March 15 to March 1 for trawl gear vessels over 60 feet in length, as follows:

Allow trawl vessels to begin fishing the AI subdistrict P Cod fishery on March 1

Amend as follows:

c. The commissioner shall open and close, by emergency order, a state-waters season in the Aleutian Islands Subdistrict as follows:

1. the Adak Section shall open January 1.

2. all waters of the Aleutian Islands Subdistrict shall open as follows:

A. for nonpelagic trawl gear, pot gear, longline gear, hand troll gear, and mechanical jigging machines four days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel greater than or equal to 60 feet in overall length pot gear fishery is closed.

B. for vessels over 100 feet in overall length using pot gear, at 12:00 noon on March 15,

**C. For vessels over 60 feet in overall length using trawl gear, at 12:00 noon on March 1**

...

**What is the issue you would like the board to address and why?** The AI subdistrict Pacific Cod Fishery has historically included trawl vessels. The trawl vessels that have participated in the AI P Cod fishery have both developed and relied upon the fishery. The March 15th opening of the fishery to trawl boats 60' OAL and greater has negatively impacted vessels that have previously been important participants and have relied on this fishery.

Trawl vessels are only successful at P Cod fishing in the AI when the fish are aggregated. These aggregations happen very quickly and in late winter. Limiting entrance of historic trawl participants to a start date of March 15th has resulted in the vessels missing the spawn aggregations and therefore missing fishing opportunities; in years where other gear types are less successful, this could result in a poorly executed fishery. Allowing a start date of March 1 for trawl vessels 60' OAL and greater would both allow a reasonable amount of time for vessels under 60' OAL (and pot vessels under 100' OAL) to fish alone and allow a little extra time for trawlers to be able to fish while the important spawn aggregations are occurring. (Trawl vessels over 100' OAL are never allowed in the AI P Cod fishery)

All recent scientific evidence indicates changing ocean conditions and changing P Cod migration patterns. During times of such flux, limiting the fisheries by gear type has the potential to impact the execution of the fishery. Allowing trawl vessels that are historical participants to fish beginning March 1 will help execute the fishery and avoid leaving potentially stranded fish in the water.

The BOF proposal which led to this regulation states that the intent is to "Give fishermen operating vessels 60 feet or less overall length (OAL) for trawl, jig, and pot gear and 58 feet or less OAL for vessels operating longline gear, more opportunity to harvest Pacific cod in the Adak Section of the AIS prior to larger vessels entering the fishery." However, pot vessels of 100' OAL are allowed an earlier start date than trawl vessels 60' OAL and, as such, LARGER vessels are in fact starting

earlier than many trawl vessels that are SMALLER. Further, regardless of the OAL of a vessel, ALL vessels are limited to the 150,000 lb trip limit. The regulation, as it stands, was adopted by the BOF out of cycle at a meeting that very few cod trawl participants could attend because the meeting occurred right as the federal BSAI cod trawl season was opening; these fishermen had to get prepared to go fishing. This resulted in little to no advocacy for the trawl fleet at the time the proposal was adopted.

The F/V Golden Pisces is an example of a cod trawl vessel that has extensive fishing history in Adak and has been fishing the state AI fishery since its inception. The F/V Golden Pisces is a 98 ft trawler, homeported in Dutch harbor, using local vendors for support, repairs, etc. with a fishing history in the Aleutians that dates to 1983, years before the start of the state cod fishery in 06. We have participated in the state fishery since inception excluding a few years when a market was unavailable and will continue to participate as the state cod fishery has been a large part of our fishing plan since 2006.

**PROPOSED BY:** Steve Beard

(HQ-F22-033)

\*\*\*\*\*