

ALASKA DEPARTMENT OF FISH AND GAME

**STAFF COMMENTS
ON STATEWIDE PACIFIC COD REGULATORY PROPOSALS**

**ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA**

OCTOBER 18-22, 2013



Regional Information Report No. 4K13-11

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, October 18–22, 2013 in Anchorage, Alaska and are prepared to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on commercial Pacific cod and Atka mackerel regulatory proposals. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, October 18–22, 2013 in Anchorage, Alaska to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

Key words: Alaska Board of Fisheries, staff comments, commercial, regulatory proposals, Pacific cod, Atka mackerel.

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SUMMARY OF DEPARTMENT POSITIONS

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1	S	Clarify the definition of “estimated total allowable harvest” in, <i>State-Waters Pacific Cod Management Plans</i> .
2	N	Increase the annual Cook Inlet, Kodiak, and Chignik state-waters Pacific cod guideline harvest levels.
3, 4	N	Increase the annual Chignik Area state-waters Pacific cod guideline harvest level.
5	N	Increase the annual Chignik Area state-waters Pacific cod guideline harvest level based on historical state-waters and parallel fishery harvest.
6	N	Open the Pacific cod state-waters season to longline gear in the Cook Inlet Area on July 15.
7	S	Repeal regulatory language that waives the vessel delivery requirement between federal and state-waters Pacific cod seasons.
8	N	Restrict Chignik Area state-waters Pacific cod fishery pot gear vessels that are greater than 50 feet in length to 50% of the total pot gear guideline harvest level .
9	N	Establish a daily Pacific cod trip limit of 20,000 pounds and a two-day landing requirement, not to exceed 40,000 pounds for the Chignik Area state-waters Pacific cod pot fishery.
10	N	Reduce the Chignik Area state-waters Pacific cod fishery pot limit from 60 to 30 pots.
11	N	Establish a 14-hour daily fishing period from 6:00 a.m. to 8:00 p.m. during the Chignik Area state-waters Pacific cod fishery.
12	N	Establish a maximum pot size for the Chignik Area state-waters Pacific cod fishery.
13	N	Move the Chignik Area state-waters Pacific cod guideline harvest level rollover date to August 15.
14	N	Remove the superexclusive registration designation for the Chignik Area state-waters Pacific cod jig gear fishery.
15	N	Allow pot gear vessels less than or equal to 48 feet in length the opportunity to harvest state-waters Pacific cod guideline harvest level allocated to vessels using jig gear.
16, 17	N	Create two state-waters Pacific cod management districts in the South Alaska Peninsula Area.
18, 19, 20, 21	N	Increase the annual South Alaska Peninsula Area state-waters Pacific cod guideline harvest level from 25% to 50% of the Western Gulf of Alaska Pacific cod acceptable biological catch.
22	N	Change the South Alaska Peninsula Area state-waters Pacific cod fishery from an exclusive to a superexclusive registration area.
23	N	Open the South Alaska Peninsula Area state-waters Pacific cod pot gear season seven days following closure of the federal/parallel Western Gulf of Alaska pot gear A season.
24	N	Open the South Alaska Peninsula Area state-waters Pacific cod season seven days following closure of the federal/parallel Western Gulf of Alaska pot gear A season or at 12:00 noon, March 12, whichever is later.
25	S	Amend the weather delay regulation for opening the South Alaska Peninsula state-waters Pacific cod season.
26, 27	N	Allow vessel operators to store open and unbaited groundfish pots on the fishing grounds prior to the start of the South Alaska Peninsula Area state-waters Pacific cod pot gear season.

Note: N = Neutral
 S = Support
 O = Oppose

SUMMARY OF DEPARTMENT POSITIONS (Continued)

Proposal #	Dept. Position	Issue
28	N	Close a portion of state waters near Sanak and Caton islands in the South Alaska Peninsula Area to groundfish vessels using nonpelagic (bottom) trawl gear.
29	N	This proposal would increase the Aleutian Islands (AI) District state-waters Pacific cod guideline harvest level (GHL) to 4.5% of the federal Bering Sea-Aleutian Islands (BSAI) acceptable biological catch (ABC)
30	S	Clarify the guideline harvest level rollover provision in the Aleutian Islands District state-waters Pacific cod fishery.
31	S	Clarify the Aleutian Islands District state-waters Pacific cod fishery management plan by removing language indicating state and federal jurisdictional overlaps.
32	S	Amend the <i>Aleutian Islands District Pacific Cod Management Plan</i> to prohibit simultaneous participation when a state-waters and federal Pacific cod season are open for the same gear type.
33	S	Clarify closed waters in the Aleutian Islands District state-waters Pacific cod fishery.
34	N	Place a moratorium on development or expansion of state-waters Pacific cod fisheries in the Bering Sea-Aleutian Islands.
35, 36	N	Establish a state-waters Pacific cod fishery in Bering Sea waters of groundfish Registration Area O.
37	N	Establish a state-waters Atka mackerel purse seine fishery for vessels 60 feet or less in overall length.

Note: N = Neutral
 S = Support
 O = Oppose

PROPOSAL 1 – 5 AAC 28.081. State-Waters Pacific Cod Management Plans.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the definition of “estimated total allowable harvest” in 5 AAC 28.081, *State-Waters Pacific Cod Management Plans*.

WHAT ARE THE CURRENT REGULATIONS? “Estimated total allowable harvest” is defined in 5 AAC 28.081(c)(1), *State-Waters Pacific Cod Management Plans*, as the “annual catch” established by the North Pacific Fishery Management Council (NPFMC) for Gulf of Alaska (GOA) and Bering Sea-Aleutian Islands (BSAI) Pacific cod stocks, including the harvest of Pacific cod in a state-waters season.

The term “estimated total allowable harvest” is used in the following sections of the administrative code Chapter 28, *Groundfish Fishery*: 5 AAC 28.267(e)(1), *Prince William Sound Pacific Cod Management Plan*; 5 AAC 28.367(e)(1) *Cook Inlet Pacific Cod Management Plan*; 5 AAC 28.467(h)(1), *Kodiak Pacific Cod Management Plan*; 5 AAC 28.537(h)(1), *Chignik Area Pacific Cod Management Plan*; 5 AAC 28.577(h)(1), *South Alaska Peninsula Area Pacific Cod Management Plan*; and 5 AAC 28.647(d)(1), *Aleutian Islands District Pacific Cod Management Plan*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The term used by the NPFMC, “acceptable biological catch” (ABC), would be referenced in state regulation instead of the term “annual catch”; using the federal term would reduce confusion.

BACKGROUND: State-waters Pacific cod fishery guideline harvest levels (GHLs) are based on fixed percentages of the federal BSAI or GOA Pacific cod ABCs set by the NPFMC. The term “annual catch” found in 5 AAC 28.081, *State-Waters Pacific Cod Management Plans*, is not a term used by the NPFMC; therefore, it does not directly indicate ABC and could be confused with total allowable catch. GHLs for state-waters Pacific cod fisheries are based on federal ABCs.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 2 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan; 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan; and 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Alexis Kwatchka.

WHAT WOULD THE PROPOSAL DO? Increase the annual Cook Inlet, Kodiak, and Chignik state-waters Pacific cod guideline harvest levels (GHLs) based on the 10-year average parallel fishery Pacific cod harvest.

WHAT ARE THE CURRENT REGULATIONS? The Cook Inlet, Kodiak, and Chignik state-waters Pacific cod fishery GHLs are based on 25% of the annual Central Gulf of Alaska (CGOA) Pacific cod acceptable biological catch (ABC). The total state-waters GHL is apportioned 3.75% to the Cook Inlet Area, 12.5% to the Kodiak Area, and 8.75% to the Chignik Area (Table 2-1).

Pot and jig gear are the only legal gear types in the Cook Inlet, Kodiak, and Chignik state-waters Pacific cod fisheries. Vessel length is restricted to 58 feet overall length in the Chignik Area. Vessels of any size may participate in the Cook Inlet and Kodiak state-waters fisheries, although pot vessels over 58 feet in length are restricted to harvesting no more than 25% of the annual state-waters GHLs in those areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The total state-waters Pacific cod GHL would increase from 25% of the estimated annual CGOA ABC to 35.8% of the estimated annual CGOA ABC, based on the 10-year average parallel Pacific cod catch. The Pacific cod GHL in the Cook Inlet area would increase from 3.75% to 4.45%. The Kodiak Area GHL would increase from 12.5% to 22.3%. The Chignik Area GHL would increase from 8.75% to 9.05% (Table 2-1). The proposed state-waters GHL increase would restrict 35.8% of the CGOA Pacific cod ABC to vessels that use pot and jig gear only. The federal/parallel Pacific cod fishery would experience smaller harvests, shorter seasons, and increased competition among gear sectors.

In contrast, additional GHL in the state-waters fisheries would provide additional harvest opportunity for vessels eligible to participate in the state-waters fishery. Given the disparity in catch amounts across the three state-waters management districts, this proposal would provide the most benefit to Kodiak Area state-waters fishery participants (Table 2-2).

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state waters) occur in the CGOA.

1. The federal fishery is managed exclusively by the National Marine Fisheries Service and prosecuted in federal waters (3–200 nautical miles (nmi) offshore).
2. Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0–3 nmi). The state adopts most federal rules and management actions inside state waters by emergency order during the parallel fishery.

3. The separate state-waters Pacific cod season is also prosecuted from 0–3 nmi, but is managed exclusively by the state according to Alaska Board of Fisheries (board) regulations.

National Marine Fisheries Service annually adopts an ABC for Pacific cod in each of the three federal Gulf of Alaska (GOA) management areas (Eastern, Central, and Western). The CGOA ABC is further apportioned into a total allowable catch (TAC), which limits harvest during federal/parallel fisheries, and a GHL which limits harvest during state-waters fisheries. National Marine Fisheries Service sets the federal/parallel fishery TAC, while the board sets the Cook Inlet, Kodiak, and Chignik state-waters fishery GHLs.

In 1996, the board adopted state-waters Pacific cod management plans for fisheries in five management areas, including the Cook Inlet, Kodiak, and Chignik areas (5 AAC 28.081). The initial GHL for state-waters Pacific cod fisheries was set at 15% of the CGOA ABC. The percentage of CGOA ABC allocated to state-waters fisheries was structured to increase over time such that if the 15% GHL level was reached in any calendar year, the GHL would increase the next calendar year to 20% of the CGOA ABC. If the 20% GHL level was reached in any calendar year after it had been implemented, the GHL would increase the next calendar year to the maximum 25% of the CGOA ABC. The final GHL step-up increment was achieved in 2005. There are no provisions in regulation that lower the GHL if annual state-waters GHLs are not achieved during a calendar year.

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations for the federal/parallel CGOA Pacific cod fisheries. The NPFMC action established unique Pacific cod harvest allocations for pot, jig, trawl, and longline gear vessels. Beginning in 2012, the federal/parallel Pacific cod season for each federal gear sector is prosecuted independently of other Pacific cod federal gear sectors. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a derby-style fishery. The federal/parallel Pacific cod fishery is divided into an A and B season. The A season opens for most gear sectors on January 1 and the B season opens September 1 for most gear sectors.

The Cook Inlet Area state-waters Pacific cod GHL is currently based on 3.75% of the CGOA Pacific cod ABC. From 2003–2012, state-waters harvest averaged 2.9% of the CGOA ABC (Table 2-2). Harvest below the annual GHL was primarily due to limited jig gear effort. Harvest during the Cook Inlet parallel fishery averaged 642,000 pounds per year from 2003 to 2012, which represents 0.7% of the annual CGOA Pacific cod ABC. During that time, the total state-waters harvest (combined state-waters and parallel catch) averaged 3.6% of the total CGOA Pacific cod ABC (Table 2-2).

The Kodiak Area state-waters Pacific cod GHL is currently based on 12.5% of the CGOA Pacific cod ABC. From 2003 to 2012, state-waters harvest averaged 11.6% of the CGOA ABC (Table 2-2). Years when the GHL was not fully harvested (2006–2007) was due to limited jig gear harvest. Harvest during the Kodiak Area parallel fishery averaged 8.7 million pounds per year from 2003–2012, which represents 9.8% of the annual CGOA Pacific cod ABC. During that time, the total state-waters harvest (combined state-waters and parallel catch) averaged 21.4% of the total CGOA Pacific cod ABC (Table 2-2).

The Chignik Area state-waters Pacific cod GHL is currently based on 8.75% of the CGOA Pacific cod ABC. From 2003–2012, state-waters harvest averaged 7.6% of the CGOA ABC (Table 2-2). Years when the GHL was not fully harvested was predominantly due to limited jig gear harvest. Harvest during the Chignik Area parallel fishery averaged 227,000 pounds per year from 2003–2012, which represents 0.3% of the annual CGOA Pacific cod ABC. During that time, the total state-waters harvest (combined state-waters and parallel catch) averaged 7.9% of the total CGOA Pacific cod ABC (Table 2-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. During some years, the existing jig GHL allocations in the Cook Inlet, Kodiak, and Chignik Areas are not fully harvested. If adopted, review of the GHL allocations between pot and jig gear may be warranted to ensure full utilization of Pacific cod resources.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 2-1.—Current and proposed state-waters Pacific cod GHLs for the Cook Inlet, Kodiak, and Chignik state-waters Pacific cod fisheries and current GHL allocations by gear type.

Area	Current GHL % of ABC	Proposed GHL % of ABC	Current Pot % GHL Allocation	Current Jig % GHL Allocation
Cook Inlet	3.75	4.45	85	15
Kodiak	12.50	22.30	50	50
Chignik	8.75	9.05	90	10
Total	25.00	35.80		

Table 2-2.–Cook Inlet, Kodiak, and Chignik Area Pacific cod harvest during state-waters and parallel fisheries, by all gear types as a percent of the ABC, by year, 2003–2012.

Cook Inlet		State Waters (GHL)			Parallel (TAC)			State Waters and Parallel		
Year	CGOA ABC (pounds)	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC
2003	63,934,056	19	1,453,538	2.3%	45	420,798	0.7%	56	1,874,336	2.9%
2004 ^a	78,925,490	25	2,111,685	2.7%	62	387,663 ^a	0.5%	77	2,499,348	3.2%
2005 ^a	73,010,487	17	2,318,151	3.2%	44	193,040 ^a	0.3%	53	2,511,191	3.4%
2006 ^a	83,495,672	12	1,476,115 ^a	1.8%	51	591,121	0.7%	54	2,067,236	2.5%
2007	83,495,672	17	1,442,349	1.7%	47	693,305	0.8%	52	2,135,654	2.6%
2008	83,557,402	16	2,393,541	2.9%	52	413,464	0.5%	58	2,807,005	3.4%
2009	69,491,910	18	2,532,535	3.6%	57	541,453	0.8%	65	3,073,988	4.4%
2010	108,119,103	15	3,123,626	2.9%	50	426,224	0.4%	57	3,549,850	3.3%
2011	118,643,971	40	4,400,339	3.7%	49	778,857	0.7%	70	5,179,196	4.4%
2012 ^a	125,531,212	39	4,236,395	3.4%	51	1,975,434 ^a	1.6%	74	6,211,829	4.9%
10-yr. avg.	88,820,498	22	2,548,827	2.9%	51	642,136	0.7%	62	3,190,963	3.6%

Kodiak		State Waters (GHL)			Parallel (TAC)			State Waters and Parallel		
Year	CGOA ABC (pounds)	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC
2003	63,934,056	128	8,154,867	12.8%	155	5,720,131	8.9%	242	13,874,998	21.7%
2004	78,925,490	156	10,033,889	12.7%	196	6,346,299	8.0%	283	16,380,188	20.8%
2005	73,010,487	158	8,548,163	11.7%	177	7,977,675	10.9%	272	16,525,838	22.6%
2006	83,495,672	113	6,330,518	7.6%	205	10,135,519	12.1%	258	16,466,037	19.7%
2007	83,495,672	94	6,406,965	7.7%	192	8,534,032	10.2%	235	14,940,997	17.9%
2008	83,557,402	111	10,548,875	12.6%	188	5,285,031	6.3%	248	15,833,906	18.9%
2009	69,491,910	130	8,591,477	12.4%	188	5,663,732	8.2%	260	14,255,209	20.5%
2010	108,119,103	114	13,566,306	12.5%	201	8,589,063	7.9%	260	22,155,369	20.5%
2011	118,643,971	161	15,265,244	12.9%	223	13,742,455	11.6%	307	29,007,699	24.4%
2012	125,531,212	180	15,390,839	12.3%	223	15,411,526	12.3%	320	30,802,365	24.5%
10-yr. avg.	88,820,498	135	10,283,714	11.6%	195	8,740,546	9.8%	269	19,024,261	21.4%

Chignik		State Waters (GHL)			Parallel (TAC)			State Waters and Parallel		
Year	CGOA ABC (pounds)	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC
2003	63,934,056	28	4,467,571	7.0%	16	297,379	0.5%	42	4,764,950	7.5%
2004	78,925,490	28	5,750,461	7.3%	15	213,557	0.3%	41	5,964,018	7.6%
2005	73,010,487	23	5,787,467	7.9%	17	98,190	0.1%	37	5,885,657	8.1%
2006	83,495,672	14	3,439,521 ^a	4.1%	9	121,300	0.1%	21	3,560,821	4.3%
2007	83,495,672	16	5,700,861	6.8%	6	40,578	0.0%	21	5,741,439	6.9%
2008	83,557,402	24	6,838,934 ^a	8.2%	18	208,855	0.2%	40	7,047,789	8.4%
2009	69,491,910	11	5,679,678 ^a	8.2%	17	284,720	0.4%	24	5,964,398	8.6%
2010	108,119,103	16	9,153,719 ^a	8.5%	35	564,567 ^a	0.5%	48	9,718,286	9.0%
2011	118,643,971	32	10,346,856	8.7%	29	352,903 ^a	0.3%	56	10,699,759	9.0%
2012	125,531,212	25	10,473,154	8.3%	33	87,745 ^a	0.1%	55	10,560,899	8.4%
10-yr. avg.	88,820,498	22	6,763,822	7.6%	20	226,979	0.3%	39	6,990,802	7.9%

Source: ADFG Fish Tickets (state and parallel waters)

^a Does not include confidential data.

PROPOSALS 3 and 4 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Aloys Kopun, Jr. (Proposal 3) and Raechel Allen (Proposal 4).

WHAT WOULD THE PROPOSALS DO? Proposals 3 and 4 would increase the annual Chignik Area state-waters Pacific cod guideline harvest level (GHL) from 8.75% to 17.5% (Proposal 3) or 17.0% (Proposal 4) of the Central Gulf of Alaska (CGOA) Pacific cod acceptable biological catch (ABC).

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery GHL is based on 8.75% of the annual CGOA Pacific cod ABC. Vessels may not exceed 58 feet in length and are limited to operating 60 pots or five mechanical jigging machines.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? See Chignik comments in Proposal 2. Based on the 2012 CGOA Pacific cod ABC, the proposed Chignik Area GHL, based on 17.5 or 17.0% of the ABC, would result in an additional 12.5 million (17.5%) or 11.8 million (17.0%) pounds of Pacific cod GHL (Table 3-1).

BACKGROUND: See Chignik comments in Proposal 2.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 3-1.–Chignik Area Pacific cod harvest during state waters and parallel fisheries, by all gear types as a percent of the ABC, by year, 2003–2012.

Chignik	CGOA ABC (pounds)	State Waters (GHL)			Parallel (TAC)			State Waters and Parallel		
		Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC	Vessel Count	Harvest (pounds)	Percent of ABC
Year										
2003	63,934,056	28	4,467,571	7.0%	16	297,379	0.5%	42	4,764,950	7.5%
2004	78,925,490	28	5,750,461	7.3%	15	213,557	0.3%	41	5,964,018	7.6%
2005	73,010,487	23	5,787,467	7.9%	17	98,190	0.1%	37	5,885,657	8.1%
2006	83,495,672	14	3,439,521 ^a	4.1%	9	121,300	0.1%	21	3,560,821	4.3%
2007	83,495,672	16	5,700,861	6.8%	6	40,578	0.0%	21	5,741,439	6.9%
2008	83,557,402	24	6,838,934 ^a	8.2%	18	208,855	0.2%	40	7,047,789	8.4%
2009	69,491,910	11	5,679,678 ^a	8.2%	17	284,720	0.4%	24	5,964,398	8.6%
2010	108,119,103	16	9,153,719 ^a	8.5%	35	564,567 ^a	0.5%	48	9,718,286	9.0%
2011	118,643,971	32	10,346,856	8.7%	29	352,903 ^a	0.3%	56	10,699,759	9.0%
2012	125,531,212	25	10,473,154	8.3%	33	87,745 ^a	0.1%	55	10,560,899	8.4%
10-yr. avg.	88,820,498	22	6,763,822	7.6%	20	226,979	0.3%	39	6,990,802	7.9%
Proposals 2 ^c & 5			11,360,575	9.05%						
Proposal 3 ^d			21,967,962	17.5%						
Proposal 4 ^e			21,340,306	17.0%						

Source: ADFG Fish Tickets (State and parallel waters)

^a Does not include confidential data.

^b 10-yr average percent of ABC is calculated by dividing the average harvest by the average ABC.

^c Increase GHL based on 10-year average parallel season catch, number shown is based on 2012 ABC.

^d Increase GHL to 17.5% of Central Gulf ABC; number shown is based on the 2012 ABC.

^e Increase GHL to 17% of Central Gulf ABC; number shown is based on the 2012 ABC.

PROPOSAL 5 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Dean Anderson.

WHAT WOULD THE PROPOSAL DO? Increase the annual Chignik Area state-waters Pacific cod guideline harvest level (GHL) based on historical state-waters and parallel fishery harvest.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery GHL is based on 8.75% of the annual CGOA Pacific cod acceptable biological catch.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? See Chignik comments in Proposal 2.

BACKGROUND: See Chignik comments in Proposal 2.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 6 – 5AAC 28.330. Lawful gear for Cook Inlet Area and 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan.

PROPOSED BY: Dia Kuzman.

WHAT WOULD THE PROPOSAL DO? The proposal would open the Pacific cod state-waters season to longline gear in the Cook Inlet (CI) Area on July 15 if the guideline harvest level (GHL) has not been achieved and only open it to vessels registered for the CI sablefish fishery.

WHAT ARE THE CURRENT REGULATIONS? Under current regulations, longline is not a legal gear type during the CI Area state-waters Pacific cod season. The state-waters season is only open to vessels fishing with pot or jig gear, and the GHL is allocated 85% to pot gear and 15% to jig gear. Pacific cod may be retained as bycatch up to 20%, by round weight, of directed groundfish species on board the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would increase Pacific cod fishing opportunity by creating a state-waters longline fishery in the CI Area and may reduce waste of Pacific cod caught as bycatch and discarded during the state-managed sablefish fishery. The proposal would potentially increase Pacific cod harvest up to the available GHL.

BACKGROUND: The CI state-waters Pacific cod season is managed in accordance with the *Cook Inlet Pacific Cod Management Plan* (5 AAC 28.367). The fishery GHL is calculated annually as 3.75% of the federal Central Gulf of Alaska (CGOA) Pacific cod acceptable biological catch (ABC). The CI state-waters Pacific cod fishery opens annually to pot and jig gears, with GHLs that have ranged from a low of 1.4 million pounds in 2003 to a high of 4.7 million pounds in 2012 (Table 6-1). Prior to 2005, the GHL was allocated equally to pot and jig gear. However, the pot allocation was increased in 2005. From 2005 through 2011, pot gear was allocated 75% and jig 25% of the GHL. Also beginning in 2005, a harvest limit of 25% of the GHL was placed on vessels greater than 58 feet in length fishing with pot gear. Beginning with the 2012 season, the overall allocation was changed to 85% for pot gear and 15% for jig gear, with a step-up provision for jig gear if the jig allocation is achieved. There are rollover provisions in the management plan that take effect in the fall which remove pot limits, vessel size restrictions, and exclusive registration requirements to allow pot vessels to harvest any remaining jig allocation. After 2005, the percent of the total GHL taken by vessels fishing with pots has ranged from 46% in 2007 to 92% in 2009. The CI state-waters Pacific cod GHL has only been fully achieved in 2003, although the pot allocation has been reached in all years during 2002–2012, except for 2006 and 2007. The 25% jig GHL allocation has not been achieved during the same period, with the highest harvest being 11.1% in 2011.

In 2012, significant changes in management of federal Pacific cod fisheries took effect, mainly implementation of federal gear sector splits. In order to coordinate with the federal managers, the Alaska Board of Fisheries held a special meeting in 2011 and adopted changes to the management plan that allowed for staggered seasons by gear type in parallel and state-waters

seasons in 2012. The 2012 fishery went smoothly and was prosecuted similarly to previous years in regards to season progressions.

The 2013 state-waters Pacific cod season has been different than other years. At the time of this writing, the parallel jig season is ongoing and because the federal A season rolled into the federal B season (June 10), the state-waters season has not opened to jig gear.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 6-1.–Cook Inlet state-waters Pacific cod effort, harvest, GHL, percent of GHL harvested overall and by gear type, GHL remaining (GHL-Harvest), and Pacific cod bycatch in the Cook Inlet sablefish fishery, 1997–2013.

Year	Vessels	Harvest ^a	GHL	% GHL	Pot % of GHL	Jig % of GHL ^b	GHL Remaining (GHL-Harvest)	P-cod Bycatch in Sablefish Fishery
1997	55	838,913	2,549,646	33%	11%	22%	1,710,733	883
1998	42	730,469	2,434,565	30%	22%	8%	1,704,096	547
1999	38	1,517,907	2,637,445	58%	53%	5%	1,119,538	2,366
2000	21	1,149,788	2,160,255	53%	53%	1%	1,010,467	9,095
2001	14	895,351	1,917,195	47%	46%	1%	1,021,844	9,784
2002	15	1,328,847	1,571,455	85%	83%	1%	242,608	11,728
2003	19	1,453,538	1,438,516	101%	71%	30%	-15,022	13,814
2004	25	2,111,685	2,367,765	89%	75%	14%	256,080	9,286
2005	17	2,318,151	2,737,893	85%	81%	3%	419,742	8,611
2006	12	1,477,521	3,131,088	47%	47%	^c	1,653,567	15,928
2007	17	1,442,349	3,131,088	46%	46%	0%	1,688,739	10,150
2008	16	2,393,541	3,133,403	76%	76%	0%	739,862	7,811
2009	18	2,532,535	2,606,393	97%	92%	5%	73,858	3,559
2010	15	3,123,626	4,054,466	77%	76%	1%	930,840	2,697
2011	40	4,400,339	4,449,911	99%	88%	11%	49,572	5,195
2012	39	4,236,395	4,707,420	90%	86%	4%	471,025	6,694
2013 ^d	13	2,754,265	4,074,804	68%	68%	0%	1,320,539	344

^a Harvest is reported in round pounds.

^b Includes mechanical jig and hand troll.

^c Confidential data due to limited number of participants.

^d Preliminary data through August 7, 2013.

PROPOSALS 18, 19, 20, and 21 - 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: King Cove Fish and Game Advisory Committee (Proposal 18); Raymond E. Nutt (Proposal 19); Charles Jackson, Jack D. Berntsen, William Dushkin Sr., Wilber McGlashan, Jack Foster Jr., George P. Gundersen, Paul Gundersen III, Anthony Gundersen, Amber Karlsen, Paul K. Gundersen, David D. Osterback, and George D. Karlsen (Proposal 20); and False Pass Fish and Game Advisory Committee (Proposal 21).

WHAT WOULD THE PROPOSALS DO? Proposals 18–20 would increase the annual South Alaska Peninsula Area state-waters Pacific cod guideline harvest level (GHL) from 25% to 50% of the Western Gulf of Alaska (WGOA) Pacific cod acceptable biological catch (ABC). Proposal 21 would increase the annual South Alaska Peninsula Area state-waters Pacific cod GHL from 25% to 55% of the total WGOA ABC.

WHAT ARE THE CURRENT REGULATIONS? The South Alaska Peninsula Area state-waters Pacific cod fishery GHL is based on 25% of the estimated annual WGOA Pacific cod ABC (5 AAC 28.577(h)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would reallocate an additional 25 or 30% of the WGOA Pacific cod ABC from the WGOA federal Pacific cod fishery to the South Alaska Peninsula state-waters Pacific cod fishery (Table 18-1). These proposals would restrict 50% or 55% of the WGOA Pacific cod ABC to vessels 58 feet in length or less, and to pot and jig gear only. A redistribution of WGOA ABC would result in smaller harvests, shorter seasons, and increased competition among gear sectors that participate in the WGOA federal/parallel Pacific cod fishery. In contrast, additional GHL in the state-waters fishery would likely extend the length of the season and provide additional harvest opportunity for vessels eligible to participate in the state-waters fishery.

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state waters) occur in the South Alaska Peninsula Management Area.

1. The federal fishery is managed exclusively by the National Marine Fisheries Service and prosecuted in federal waters (3–200 nautical miles (nmi) offshore).
2. Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0–3 nmi). The state adopts most federal rules and management actions inside state waters by emergency order during the parallel fishery.
3. The separate state-waters Pacific cod season is also prosecuted from 0–3 nmi, but is managed exclusively by the state according to Alaska Board of Fisheries (board) regulations.

National Marine Fisheries Service annually adopts an ABC for Pacific cod in each of the three federal Gulf of Alaska (GOA) management areas (Eastern, Central, and Western). The WGOA ABC is further apportioned into a TAC, which limits harvest during federal/parallel fisheries, and a GHL, which limits harvest during state-waters fisheries. National Marine Fisheries

Service sets the federal/parallel fishery TAC, while the board sets the South Alaska Peninsula Area state-waters fishery GHL.

In 1996, the board adopted state-waters Pacific cod management plans for fisheries in five management areas, including South Alaska Peninsula Area (5 AAC 28.081). The initial harvest level for South Alaska Peninsula Area was set at 15% of the WGOA ABC. The percentage of WGOA ABC allocated to South Alaska Peninsula Area was structured to increase over time such that if the 15% GHL was reached in any calendar year, the GHL would increase the next calendar year to 20% of the WGOA ABC. If the 20% GHL was reached in any calendar year after it had been implemented, the GHL would increase the next calendar year to the maximum 25% of the WGOA ABC. The South Alaska Peninsula Area fishery achieved the final GHL step-up increment in 2000. There are no provisions in regulation that lower the GHL if annual state-waters GHLs are not achieved during a calendar year.

National Marine Fisheries Service (NMFS) recently established sector allocations for the federal/parallel WGOA Pacific cod fisheries. The NMFS action established unique Pacific cod harvest allocations for pot, jig, trawl, and longline gear vessels. Beginning in 2012, the federal/parallel Pacific cod season for each federal gear sector is prosecuted independently of other Pacific cod federal gear sectors. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a derby-style fishery. The federal/parallel Pacific cod fishery is divided into an A and B season. The A season opens for most gear sectors on January 1 and the B season opens September 1 for most gear sectors.

The state-waters season for pot vessels opens seven days following closure of the WGOA federal/parallel pot gear season or March 7, whichever is later. The state-waters season for jig vessels opens 48 hours after closure of the WGOA federal/parallel season for jig gear, or March 15. Currently, 85% of the South Alaska Peninsula Pacific cod GHL is allocated to pot gear, while 15% of the GHL is allocated to jig gear. The South Alaska Peninsula Area state-waters GHL has been achieved most years since 2003 (Table 18-2). During years when the GHL was not fully harvested (2006–2008), jig vessels did not fully harvest the jig gear GHL allocation. The state-waters season length for pot vessels generally averages three weeks. From 2003–2012, the exvessel value of the state-waters fishery ranged from \$2.8 million to over \$7.5 million (Table 18-2).

From 2003–2012, harvest of Pacific cod during the parallel fishery ranged from a low of 9.5 million pounds to high of 19 million pounds (Table 18-3). On average, parallel harvest accounted for 23% of the total WGOA Pacific cod ABC from 2003–2012. During that time, the total state-waters harvest (combined state-waters and parallel catch) averaged 47% of the total WGOA Pacific cod ABC (Table 18-3).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. During some years, the existing jig GHL is not fully harvested. If adopted, review of the GHL allocations between pot and jig gear may be warranted to ensure full utilization of South Alaska Peninsula Area Pacific cod resources. Additionally, proposals 16 and 17 would increase the amount of Pacific cod available to state-waters participants by reallocating Pacific cod from the federal Bering Sea-Aleutian Islands Area fishery to the South Alaska Peninsula

state-waters fishery. Should the board adopt both sets of proposals, the department recommends the board balance the cumulative effects.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 18-1.—Current Western Gulf of Alaska Pacific cod ABC apportionment by fishery, and proposed allocation by year, 2003–2012.

Year	WGOA ABC (Pounds)	75% WGOA Federal TAC (Pounds)	25% State Waters GH L (Pounds)	Proposed 50% State Waters GH L (Pounds)	Proposed 55% State Waters GH L (Pounds)
2003	45,415,226	34,061,419	11,353,806	22,707,613	24,978,374
2004	49,846,517	37,384,888	12,461,629	24,923,259	27,415,585
2005	46,111,887	34,583,915	11,527,972	23,055,943	25,361,538
2006	59,205,140	44,403,855	14,801,285	29,602,570	32,562,827
2007	59,205,140	44,403,855	14,801,285	29,602,570	32,562,827
2008	57,170,274	42,877,705	14,292,568	28,585,137	31,443,651
2009	47,547,096	35,660,322	11,886,774	23,773,548	26,150,903
2010	61,034,977	45,776,233	15,258,744	30,517,489	33,569,237
2011	66,976,435	50,232,326	16,744,109	33,488,218	36,837,039
2012	61,799,981	46,349,986	15,449,995	30,899,991	33,989,990

Table 18-2.—South Alaska Peninsula state-waters Pacific cod GH L harvest, effort, exvessel value, and pot gear season dates by year, 2003–2012.

Year	GH L (Pounds)	Harvest (Pounds)	Vessel Count	Exvessel Value (\$)	Pot Season Start Date	Pot Season End Date
2003	11,353,793	11,560,663	92	\$3,117,330	24-Feb	11-Mar
2004	12,461,615	12,514,240	88	\$2,869,261	2-Mar	24-Mar
2005	11,527,958	11,436,172	73	\$2,846,795	3-Mar	24-Mar
2006	14,801,268	11,739,736	54	\$4,215,888	9-Mar	29-Mar
2007	14,801,268	12,678,151	60	\$5,940,742	15-Mar	17-Apr
2008	14,292,551	13,302,050	97	\$7,547,258	7-Mar	1-Apr
2009	11,886,760	11,594,124	72	\$3,011,443	4-Mar	4-Apr
2010	15,258,726	15,288,266	69	\$3,877,227	5-Mar	23-Mar
2011	16,744,089	16,805,160	82	\$4,905,994	25-Feb	11-Mar
2012	15,449,995	15,336,316	95	\$5,201,332	7-Mar	22-Mar

Table 18-3.—South Alaska Peninsula Area harvest of Pacific cod during state waters and parallel fisheries, by all gear types as a percent of the ABC, by year, 2003–2012.

Year	WGOA ABC (Pounds)	State Waters (GHL)			Parallel (TAC)			State Waters and Parallel		
		Vessel Count	Harvest (Pounds)	Percent of ABC	Vessel Count	Harvest (Pounds)	Percent of ABC	Vessel Count	Harvest (Pounds)	Percent of ABC
2003	45,415,226	92	11,560,663	25.5%	96	13,265,742	29.2%	148	24,826,405	54.7%
2004	49,846,517	88	12,514,240	25.1%	119	14,214,849	28.5%	149	26,729,089	53.6%
2005	46,111,887	74	11,436,172	24.8%	112	9,592,204	20.8%	142	21,028,376	45.6%
2006	59,205,140	54	11,739,736	19.8%	96	15,789,102 ^a	26.7%	107	27,528,838	46.5%
2007	59,205,140	60	12,678,151	21.4%	103	9,231,915 ^a	15.6%	123	21,910,066	37.0%
2008	57,170,274	97	13,283,307	23.2%	104	7,801,958	13.6%	153	21,085,265	36.9%
2009	47,547,096	72	11,594,124	24.4%	106	11,086,077	23.3%	134	22,680,201	47.7%
2010	61,034,977	69	15,288,266	25.0%	121	16,929,603	27.7%	138	32,217,869	52.8%
2011	66,976,435	82	16,805,160	25.1%	115	19,123,984	28.6%	139	35,929,144	53.6%
2012	61,799,981	95	15,336,316	24.8%	114	9,407,410	15.2%	150	24,743,726	40.0%
10-yr. avg.	55,431,267	78	13,223,613	23.9%	109	12,644,284	22.8%	138	25,867,898	46.7%

Source: ADFG Fish Tickets (state and parallel waters)

PROPOSAL 7 – 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan; 5 AAC 28.537. Chignik Area Pacific Cod Management Plan; and 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Repeal regulatory language that waives the vessel delivery requirement between federal and state-waters Pacific cod seasons.

WHAT ARE THE CURRENT REGULATIONS? If state-waters Pacific cod guideline harvest levels (GHLs) in the Kodiak, Chignik, or South Alaska Peninsula areas have not been fully harvested by the conclusion of the federal Gulf of Alaska pot gear B season, the department may reopen the state-waters seasons to facilitate full harvest of GHLs before the state-waters seasons close by regulation on December 31. The regulations further specify that if a vessel is participating in the federal Gulf of Alaska pot gear B season prior to targeting Pacific cod during the reopened state-waters season, that vessel is not required to deliver its catch between seasons.

Additional vessel landing requirements are defined in 5 AAC 28.471 (Kodiak), 5 AAC 28.541 (Chignik), and 5 AAC 28.581 (South Alaska Peninsula).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would correct errors in regulation and require a vessel to deliver its catch between state and federal/parallel Pacific cod fishing seasons. Delivery requirements between fishing seasons ensure accurate record keeping and catch accounting.

BACKGROUND: Major elements of the Kodiak, Chignik, and South Alaska Peninsula state-waters Pacific cod fishery management plans were revised in 2011 following implementation of federal Pacific cod gear sector allocations. At that time, inclusion of language waiving the delivery requirement between fishing seasons was erroneously adopted into regulation. In practice, the department has historically required vessel delivery during instances when a federal Pacific cod season closes and a state-waters season reopens.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 8 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Raechel Allen.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict Chignik Area state-waters Pacific cod fishery pot gear vessels that are greater than 50 feet in length to 50% of the total pot gear guideline harvest level (GHL).

WHAT ARE THE CURRENT REGULATIONS? The *Chignik Area Pacific Cod Management Plan* allocates 90% of the state-waters GHL to pot gear and 10% to jig gear (5 AAC 28.537(c)(1)(2)). Pot and jig gear allocations are not based on vessel size. State-waters Pacific cod vessels in the Chignik Area are restricted to maximum of 58 feet in overall length and limited to operating no more than 60 pots or five mechanical jigging machines (5 AAC 28.537(h)(2)(D); 5 AAC 28.537(h)(2)(A)and(B)).

If the jig GHL is not taken by the conclusion of the federal Central Gulf of Alaska pot gear B season, the state-waters season will close and immediately reopen to both pot and jig gear to facilitate full harvest of the annual GHL. If the remaining GHL has not been taken by October 30, the department may additionally remove gear and vessel length limits in an attempt to reach the GHL prior to the regulatory closure of the season on December 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close the fishing season for vessels greater than 50 feet in length, using pot gear, when those vessels take 50% of the annual state-waters Pacific cod pot gear GHL. The remaining pot gear GHL allocation would be available to pot gear vessels less than or equal to 50 feet in length.

Since 1997, harvest by pot gear vessels greater than 50 feet in length averaged approximately 84% of the total pot gear harvest in the Chignik Area Pacific cod fishery (Table 8-1). From 2009–2013, harvest by vessels greater than 50 feet in length increased to approximately 93% of the total pot harvest. This proposal would restrict larger sized vessels to 50% of the pot gear GHL allocation. During the 2013 pot gear season, this level of reduction for vessels over 50 feet represents approximately four million pounds of foregone harvest, valued at \$1.12 million.

Since 1997, harvest by pot gear vessels less than or equal to 50 feet averaged approximately 16% of the total pot gear harvest in the Chignik Area Pacific cod fishery, and 7% of the total pot gear harvest from 2009–2013 (Table 8-1). Allocating 50% of the pot gear GHL to vessels less than or equal to 50 feet in length would substantially increase harvest opportunity for vessels of that size. On average, from 1997–2013 annual harvest by pot vessels less than or equal to 50 feet in length was 630,000 pounds. Based on the 2013 Chignik Area state-waters Pacific cod GHL, the proposed vessel harvest allocation for vessels less than or equal to 50 feet would have been 4.3 million pounds.

Based on recent vessel participation in the fishery, capping harvest for vessels greater than 50 feet would, on average, restrict harvest for approximately 80% of the state-waters Pacific cod

fleet. If adopted, some vessels may opt out of the Chignik Area state-waters Pacific cod fishery and participate in other Pacific cod fisheries.

BACKGROUND: Most vessels that participate in the Chignik state-waters fishery are commercial salmon purse seine vessels that also target Pacific cod during winter fisheries. Since inception of the Chignik Area state-waters Pacific cod fishery in 1997, an average of 13 vessels greater than 50 feet in length annually participated in the fishery (Table 8-1). Participation by vessels less than or equal to 50 feet in length averaged five vessels during the same time period.

Separate pot and jig GHL allocations were adopted into regulation prior to the start of the 2000 season. From 2000–2013, the pot gear season length averaged 114 days (Table 8-2). However, from 2009–2013, harvest rates were higher compared to previous years and the average season length for pot gear decreased to 27 days. The shorter average season length generally coincides with an increase in participation by vessels over 50 feet in overall length (Figure 8-1). In comparison, the average state-waters Pacific cod season length for pot gear was 20 days in the Kodiak Area and 19 days in the South Alaska Peninsula Area, from 2009–2013.

The Chignik pot gear GHL allocation has increased over time due to higher abundance of Pacific cod in the Gulf of Alaska (Table 8-2). During this time, total annual harvest by vessels less than or equal to 50 feet in length has remained relatively unchanged (Figure 8-1). In contrast, harvest by vessels greater than 50 feet in length steadily increased.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 8-1.–Chignik Area state-waters Pacific cod effort and percent harvest by pot gear vessels greater than 50 feet in length and pot gear vessels less than or equal to 50 feet in length, 1997–2013.

Year	Vessels Greater than 50 Feet		Vessels Less than or Equal to 50 Feet	
	Vessel Count	Percent Harvest	Vessel Count	Percent Harvest
1997	4	43%	6	57%
1998	22	76%	10	24%
1999	23	78%	8	22%
2000	12	82%	8	18%
2001	10	81%	5	19%
2002	8	93%	4	7%
2003	10	86%	5	14%
2004	10	88%	7	12%
2005	10	85%	5	15%
2006	9	89%	3	11%
2007	11	89%	5	11%
2008	18	93%	4	7%
2009	10	CF	1	CF
2010	13	CF	2	CF
2011	17	90%	6	10%
2012	16	94%	4	6%
2013	15	96%	4	4%
1997-2013 avg. ^a	13	84%	5	16%
2009-2013 avg. ^a	14	93%	3	7%

CF = Confidential Data

^a Does not include confidential data.

Table 8-2.—Chignik Area state-waters Pacific cod pot gear GHL allocation, effort, harvest, and season length, 2000–2013.

Year	Pot GHL (Pounds)	Pot Vessel Count	Landings	Pot Harvest (Pounds)	Season Length (Days)	Average Pounds/Day
2000	5,712,673	20	151	1,756,305	260	6,755
2001	5,069,916	15	124	2,371,243	295	8,038
2002	4,155,625	12	139	3,903,320	305	12,798
2003	3,804,076	15	151	4,034,504	41	98,403
2004	5,870,083	17	244	5,608,763	73	76,832
2005	5,749,576	15	206	5,650,595	70	80,723
2006	6,575,284	12	202	3,439,521	184	18,693
2007	6,575,284	16	241	5,700,861	184	30,983
2008	6,580,145	23	262	6,838,934	47	145,509
2009	5,472,488	11	122	5,679,678	38	149,465
2010	8,514,379	15	160	9,153,719	36	254,270
2011	9,343,213	22	199	10,122,456	16	632,654
2012	9,885,583	20	189	10,229,969	21	487,141
2013	8,557,088	19	190	8,655,128	22	393,415
2000-2013 avg.	6,561,815	17	184	5,938,928	114	171,120
2009-2013 avg.	8,354,550	17	172	8,768,190	27	383,389

Data in **bold** denotes years when the pot gear GHL was not fully harvested.

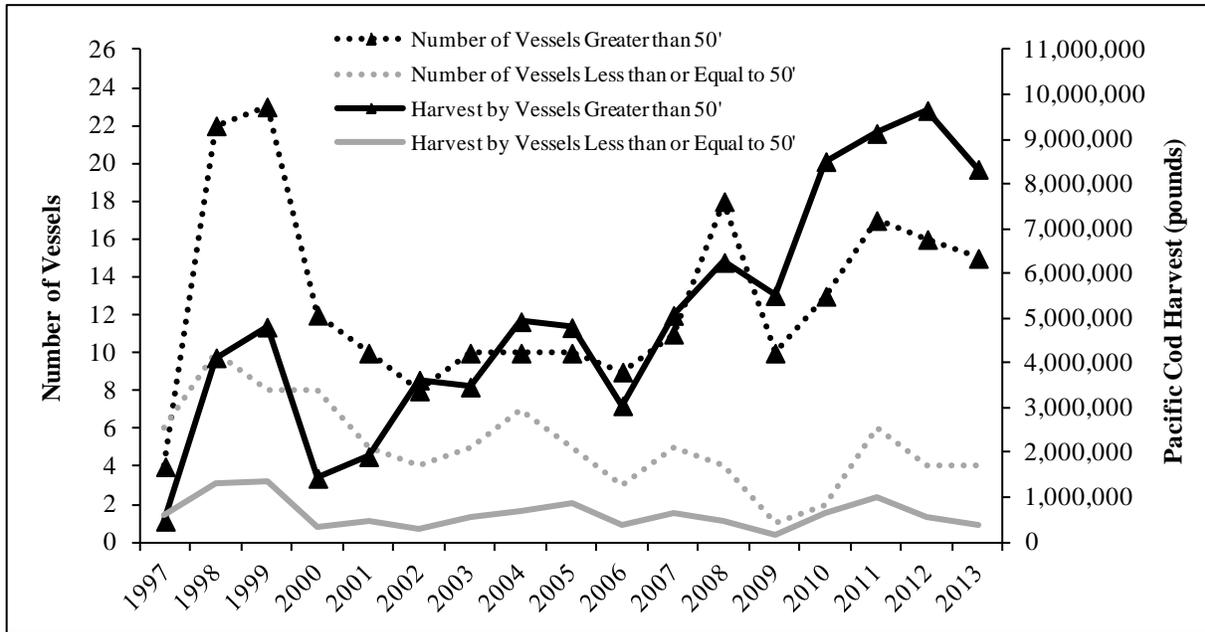


Figure 8-1.—Chignik Area state-waters Pacific cod effort (dark dashed) and harvest (dark solid) by pot vessels greater than 50 feet compared to effort (shaded dashed) and harvest (shaded solid) by pot vessels less than or equal to feet, by year, 1997–2013.

PROPOSAL 9 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Tony Gregorio.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a daily Pacific cod trip limit of 20,000 pounds and a two-day landing requirement, not to exceed 40,000 pounds for the Chignik Area state-waters Pacific cod pot fishery.

WHAT ARE THE CURRENT REGULATIONS? There are no Pacific cod trip or landing limits in the Chignik Area. In the Chignik Area, vessels may not exceed 58 feet in overall length and are limited to operating no more than 60 pots or five mechanical jigging machines (5 AAC 28.537(h)(2)(D); 5 AAC 28.537(h)(2)(A)and(B)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would prohibit pot vessels from harvesting more than 20,000 pounds of Pacific cod per day and require all pot vessels to deliver their catch every two days. Limiting vessels to 20,000 pounds of Pacific cod per day may slow the pace of harvest and extend the length of the pot gear season. A more restrictive fishery may result in less participation in the fishery, particularly by larger vessels capable of harvesting more than the proposed daily trip limit. Fewer large vessels in the Chignik Area fishery may result in increased effort in other state-waters Pacific cod fisheries, such as the Kodiak or South Alaska Peninsula state-waters Pacific cod fisheries that do not limit daily harvest.

During some years, this proposal may additionally reduce the likelihood of harvesting the full Chignik Area state-waters Pacific cod pot gear guideline harvest level (GHL). Separate pot and jig GHL allocations were adopted into regulation prior to the start of the 2000 season. From 2000–2008, Pacific cod landings averaged 22,528 pounds per vessel (Figure 9-1). The pot gear GHL allocation was not fully harvested in four of those nine years (Table 9-1). In contrast, Pacific cod landings averaged 50,862 pounds per vessel from 2009–2013. The pot gear GHL allocation was fully harvested each year during that time period.

BACKGROUND: Pacific cod harvest rates are influenced by a number of factors, including fleet composition, vessel and crew capability, fish abundance, weather, tides, tender availability, and processor production schedules. Based on these factors fishing trip lengths are variable. Some vessels may land their catch one or more times per day, while other vessels may only land their catch once every three days. Most processors require vessels to land at least once every three days to maintain quality of the catch.

The first purchaser of raw fish in Alaska is required by regulation to complete a department fish ticket at the time of landing. Fish tickets serve as the official harvest record and would be used as the basis for enforcing the proposed regulation. Information collected on a fish ticket includes the date fishing began (gear in water) and the date landed. However, the time between these dates may not reflect actual fishing days because vessels may be traveling to their offload location, moving gear, or resting. Thus, calculating the number of pounds harvested per day based on fish ticket information may not be possible.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. Should the Alaska Board of Fisheries (board) adopt this proposal, management and enforcement staff seek guidance from the board on how to calculate daily harvest and enforce the regulation. From 2009–2013, the number of annual pot gear landings during the Chignik Area state-waters Pacific cod fishery averaged 172 landings (Table 9-1). Estimating daily harvest and evaluating each landing for compliance may be prohibitive under existing staffing and budget levels, particularly while the fishery is ongoing.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 9-1.–Chignik Area state-waters Pacific cod pot gear GHL allocation, effort, harvest, and season length, 2000–2013.

Year	Pot GHL (Pounds)	Pot Vessel Count	Landings	Pot Harvest (Pounds)	Season Length (Days)	Average Pounds/Day
2000	5,712,673	20	151	1,756,305	260	6,755
2001	5,069,916	15	124	2,371,243	295	8,038
2002	4,155,625	12	139	3,903,320	305	12,798
2003	3,804,076	15	151	4,034,504	41	98,403
2004	5,870,083	17	244	5,608,763	73	76,832
2005	5,749,576	15	206	5,650,595	70	80,723
2006	6,575,284	12	202	3,439,521	184	18,693
2007	6,575,284	16	241	5,700,861	184	30,983
2008	6,580,145	23	262	6,838,934	47	145,509
2009	5,472,488	11	122	5,679,678	38	149,465
2010	8,514,379	15	160	9,153,719	36	254,270
2011	9,343,213	22	199	10,122,456	16	632,654
2012	9,885,583	20	189	10,229,969	21	487,141
2013	8,557,088	19	190	8,655,128	22	393,415
2000-2013 avg.	6,561,815	17	184	5,938,928	114	171,120
2009-2013 avg.	8,354,550	17	172	8,768,190	27	383,389

Data in **bold** denotes years when the pot gear GHL was not fully harvested.

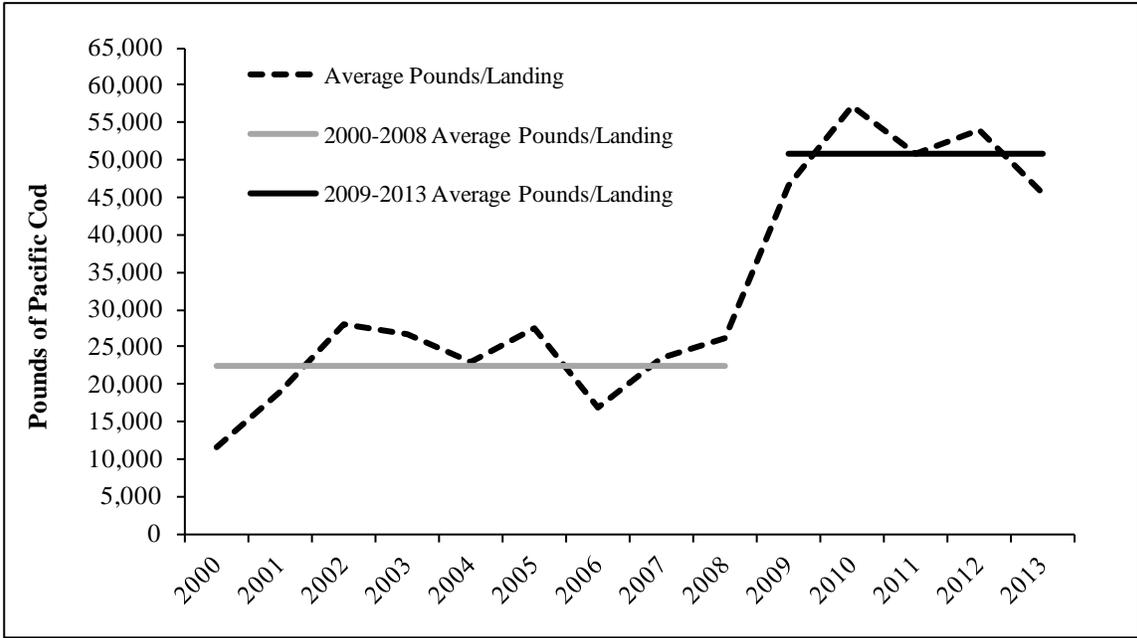


Figure 9-1.—Average pounds of Pacific cod per landing by year in the Chignik Area state-waters Pacific cod fishery, 2000–2013.

PROPOSAL 10 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? Reduce the Chignik Area state-waters Pacific cod fishery pot limit from 60 to 30 pots.

WHAT ARE THE CURRENT REGULATIONS? In the Chignik Area, vessels may not exceed 58 feet in overall length and are limited to operating no more than 60 pots or five mechanical jigging machines (5 AAC 28.537(h)(2)(D); 5 AAC 28.537(h)(2)(A)and(B)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce the Chignik Area state-waters Pacific cod fishery pot limit by 50%. The current 60-pot limit has been in effect since the Chignik Area state-waters fishery began in 1997. A lower pot limit may result in slower harvest rates and longer fishing seasons. During the 2013 pot gear season, the average number of daily pot lifts by vessels participating in the voluntary catch reporting program ranged from 40 to 176 pot lifts per vessel per day (season average = 132; Figure 10-1). The pounds of Pacific cod retained per pot lift ranged from 121 to 252 pounds. A 50% reduction in the number of allowable pots per vessel may translate into a proportional reduction in daily harvest.

Alternatively, this proposal may have a limited effect on fishery performance. Some vessels may respond to a reduced pot limit by adjusting daily fishing schedules in order to pull fewer pots more frequently. Pots would likely have less soak time between pot lifts, but shorter soak time may have little effect on harvest rates during years when Pacific cod abundance is high. Some Chignik state-waters Pacific cod participants may opt out of the fishery and transition into other Pacific cod fisheries with higher gear limits that provide more opportunity. Fewer participants would reduce competition within the Chignik state-waters fishery, particularly for smaller vessels less capable of efficiently operating the existing 60-pot limit, although displaced Chignik vessels may increase competition during Pacific cod fisheries outside of the Chignik Area. Allowable gear is capped at 60 pots per vessel in the adjacent Kodiak and South Alaska Peninsula state-waters Pacific cod fisheries. Pot vessels may operate an unlimited amount of gear during federal/parallel Pacific cod fisheries.

BACKGROUND: Pacific cod harvest rates are influenced by a number of factors, including fleet composition, vessel and crew capability, fish abundance, weather, tides, tender availability, and processor production schedules. In most years, vessels register the maximum of 60 pots; however, it is common for some smaller vessels to operate fewer than 60 pots.

The total number of pot vessels participating in the Chignik state-waters Pacific cod fishery has remained relatively stable since inception of the fishery in 1997. However, vessel size composition has changed in recent years. Prior to 2008, the majority of the fleet consisted of vessels less than 58 feet in length (Figure 10-3). Beginning in 2008, the number of 58-foot vessels participating in the fishery increased and have generally outnumbered smaller sized vessels since that time. Increased effort by 58-foot vessels coincides with faster paced fisheries

and higher average daily harvests since those vessels are often better suited for winter Pacific cod fisheries (Table 10-1; Figure 10-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 10-1.—Chignik Area state-waters Pacific cod pot gear GHL allocation, effort, harvest, and season length, 2000–2013.

Year	Pot GHL (Pounds)	Pot Vessel Count	Landings	Pot Harvest (Pounds)	Season Length (Days)	Average Pounds/Day
2000	5,712,673	20	151	1,756,305	260	6,755
2001	5,069,916	15	124	2,371,243	295	8,038
2002	4,155,625	12	139	3,903,320	305	12,798
2003	3,804,076	15	151	4,034,504	41	98,403
2004	5,870,083	17	244	5,608,763	73	76,832
2005	5,749,576	15	206	5,650,595	70	80,723
2006	6,575,284	12	202	3,439,521	184	18,693
2007	6,575,284	16	241	5,700,861	184	30,983
2008	6,580,145	23	262	6,838,934	47	145,509
2009	5,472,488	11	122	5,679,678	38	149,465
2010	8,514,379	15	160	9,153,719	36	254,270
2011	9,343,213	22	199	10,122,456	16	632,654
2012	9,885,583	20	189	10,229,969	21	487,141
2013	8,557,088	19	190	8,655,128	22	393,415
2000-2013 avg.	6,561,815	17	184	5,938,928	114	171,120
2009-2013 avg.	8,354,550	17	172	8,768,190	27	383,389

Data in **bold** denotes years when the pot gear GHL was not fully harvested.

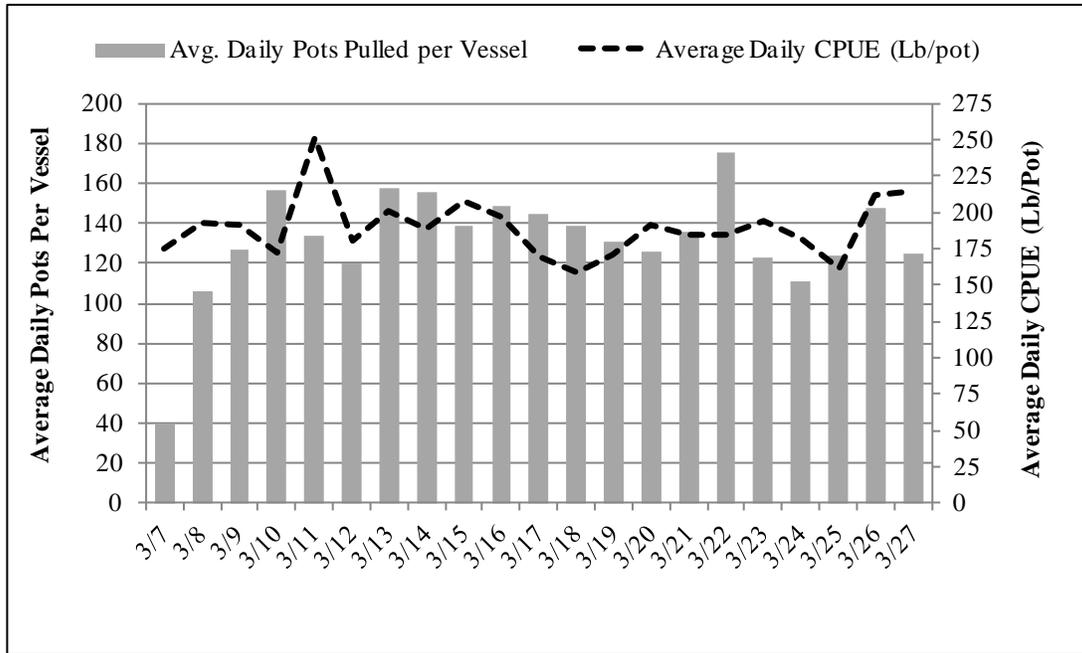


Figure 10-1.—Chignik Area state-waters Pacific cod fishery average number of daily pots pulled by vessel (solid bars) and catch per unit effort (CPUE; dashed line) as measured by the average number of Pacific cod pounds retained per pot pulled, 2013.

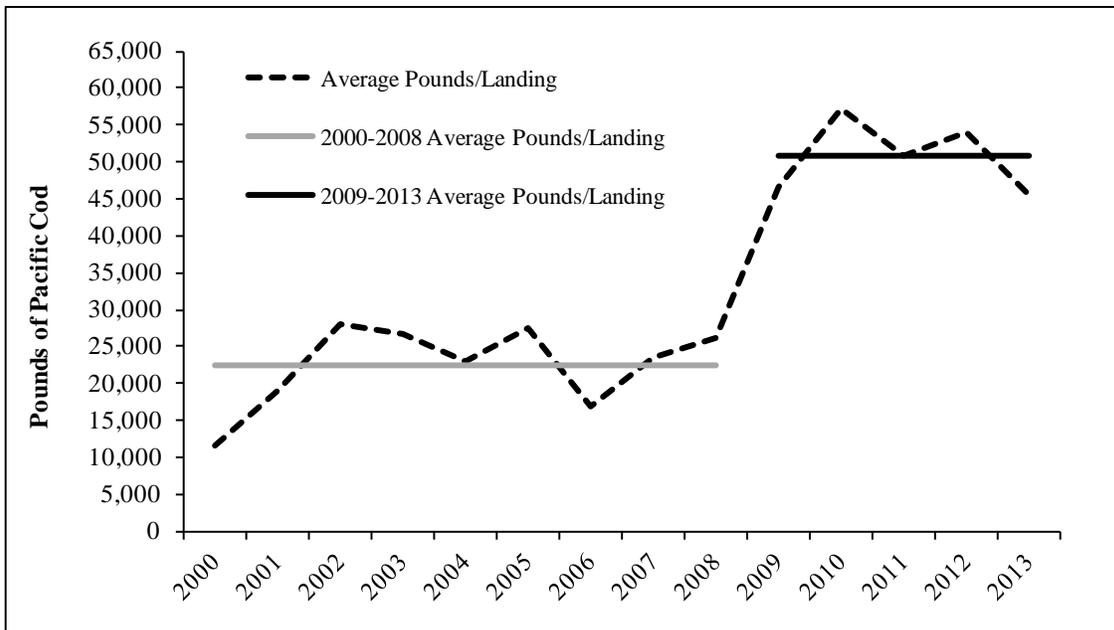


Figure 10-2.—Average pounds/landing from 2000-2008 and from 2009-2013 during the Chignik Area state-waters Pacific cod fishery.

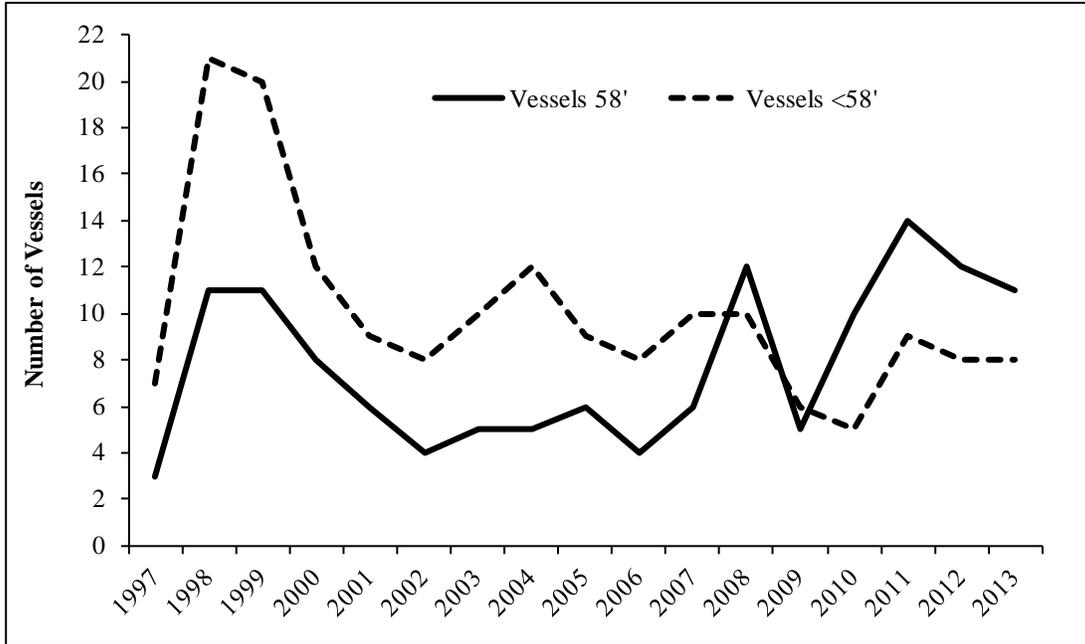


Figure 10-3.—Number of participating pot gear vessels 58 feet in length (dashed line) and less than 58 feet in length (solid line) during the Chignik Area state-waters Pacific cod fishery, 1997–2013.

PROPOSAL 11 –5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a 14-hour daily fishing period from 6:00 a.m. to 8:00 p.m. during the Chignik Area state-waters Pacific cod fishery and provide the department discretion to adjust the daily fishing period if the guideline harvest level (GHL) will not be achieved.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery. Vessels may not exceed 58 feet in overall length and are limited to operating no more than 60 pots or five mechanical jigging machines (5 AAC 28.537(h)(2)). Vessels may operate gear at any time while the Chignik state-waters Pacific cod season is open to commercial fishing. Vessel size and gear limits have remained unchanged since implementation of the fishery.

The Chignik Area state-waters Pacific cod guideline harvest level (GHL) is based on 8.75% of the federal Central Gulf of Alaska acceptable biological catch. Pot vessels are allocated 90% of the annual GHL, while mechanical jig and hand troll vessels are allocated 10% of the annual GHL.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would restrict Chignik Area state-waters Pacific cod participants from operating gear from 8:01 p.m. to 5:59 a.m. daily. Although not specified in the proposal, the department interprets this proposal such that baited groundfish pots could remain in fishing condition during the closed fishing period and could only be lifted during the daily fishing period.

A reduction in daily fishing time may result in a proportional reduction in daily harvest and result in longer fishing seasons. If the season was sufficiently protracted there could be foregone Pacific cod harvest during years when Pacific cod and salmon seasons overlap, or when the Pacific cod season extends well beyond the spring spawning period.

Some vessel operators may opt out of the Chignik Area state-waters Pacific cod fishery and fish other Pacific cod fisheries that do not have daily fishing periods in an effort to maintain historical fishing practices. Smaller vessels may benefit from longer seasons and less competition, although displaced Chignik Area pot gear vessels would increase competition in other Pacific cod fisheries outside of the Chignik Area.

BACKGROUND: From 2009 to 2013, the pot gear GHL was fully harvested (Table 11-1). During this time, harvest rates were higher compared to previous years, resulting in shorter seasons. The 2013 Chignik Area state-waters pot gear season was open for a total of 22 days, which is similar to average state-waters Pacific cod season lengths in the adjacent Kodiak and South Alaska Peninsula areas.

Multiple factors, including weather, tides, fish distribution and abundance, vessel and crew capability, gear type, and processor production schedules influence Pacific cod harvest rates

and fishing practices. During the 2011 to 2013 Chignik state-waters pot gear seasons, daily Pacific cod harvest often varied significantly based on these factors (Figure 11-1). It is unknown what percentage of historical daily harvest occurs during the proposed 6:00 a.m. to 8:00 p.m. daily fishing period.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. As written, this proposal would apply to both pot and jig gear vessels. The Chignik state-waters jig gear GHM has not been fully harvested since pot and jig gear allocations were implemented in 2000. If adopted, the department recommends the Alaska Board of Fisheries consider limiting this proposal to pot vessels only.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 11-1.–Chignik Area state-waters Pacific cod pot gear GHM allocation, effort, harvest, and season length, 2000–2013.

Year	Pot GHM (Pounds)	Pot Vessel Count	Landings	Pot Harvest (Pounds)	Season Length (Days)	Average Pounds/Day
2000	5,712,673	20	151	1,756,305	260	6,755
2001	5,069,916	15	124	2,371,243	295	8,038
2002	4,155,625	12	139	3,903,320	305	12,798
2003	3,804,076	15	151	4,034,504	41	98,403
2004	5,870,083	17	244	5,608,763	73	76,832
2005	5,749,576	15	206	5,650,595	70	80,723
2006	6,575,284	12	202	3,439,521	184	18,693
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2011	9,343,213	22	199	10,122,456	16	632,654
2012	9,885,583	20	189	10,229,969	21	487,141
2013	8,557,088	19	190	8,655,128	22	393,415
2000-2013 avg.	6,561,815	17	184	5,938,928	114	171,120
2009-2013 avg.	8,354,550	17	172	8,768,190	27	383,389

Data in **bold** denotes years when the pot gear GHM was not fully harvested.

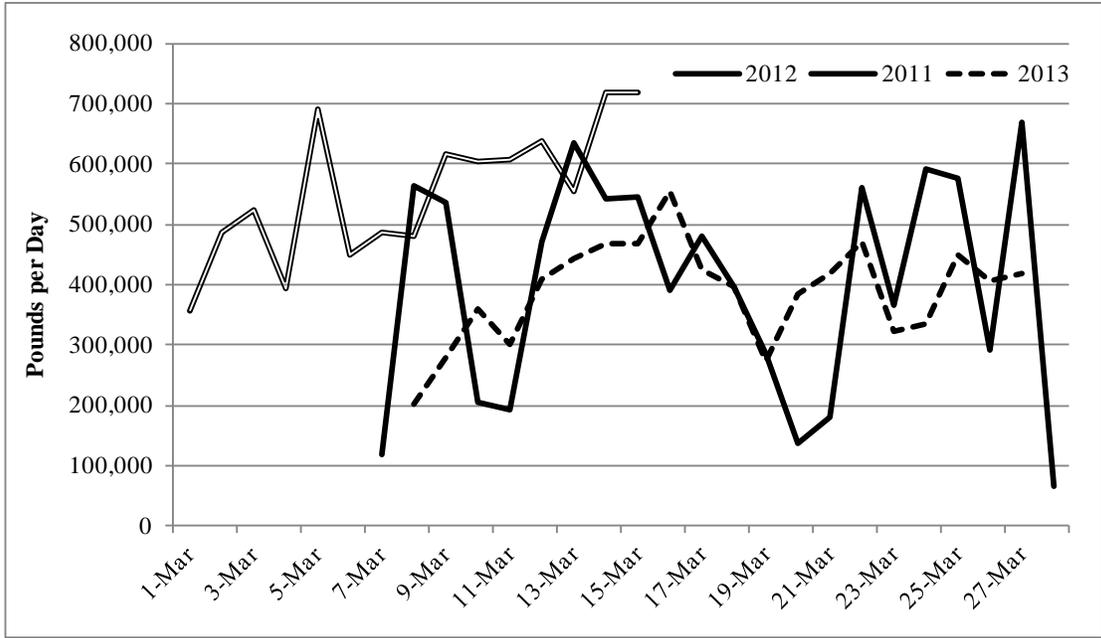


Figure 11-1.—Total daily Pacific cod harvest by pot vessels during the Chignik Area state-waters Pacific cod fishery, 2011–2013.

PROPOSAL 12 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Tony Gregorio.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a maximum pot size for the Chignik Area state-waters Pacific cod fishery. Rectangular pots would be limited to a maximum of six feet wide, six feet long, and 36 inches tall, and conical pots would be limited to a maximum six feet in diameter and four feet tall.

WHAT ARE THE CURRENT REGULATIONS? A groundfish pot is defined in regulation (5 AAC 28.050(e)) as a pot with individual tunnel eye openings that have perimeters 36 inches or less. Only the tunnel eye openings are defined for groundfish pots; the width, length, and height are not defined. State-waters Pacific cod vessels in the Chignik Area are restricted to maximum of 58 feet in overall length and limited to using 60 pots or five mechanical jigging machines.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Pot gear vessels would not be able to use rectangular pots larger than six feet wide, six feet long, and 36 inches tall, and conical pots larger than six feet in diameter and four feet tall. The department does not have data on pot size in use during the fishery. Based on anecdotal observations by department staff, the current Chignik Pacific cod fleet uses a combination of conical pots, pyramid pots, and conventional rectangular pots. Pacific cod harvest rates are influenced by a number of factors, including effort, fish distribution and abundance, weather, tides, vessel capability, and processor production schedules. Therefore, the effects of pot size on Pacific cod harvest rates are unknown.

BACKGROUND: As Pacific cod fisheries have developed, pot gear has become more specialized. Initially, it was common for vessels to use crab pots modified to comply with groundfish regulations. Since the inception of state-waters Pacific cod fisheries, many pot vessels have switched to using pots that often have unique tunnel eye openings and door configurations designed specifically for Pacific cod fishing. Smaller sized vessels often operate smaller sized pots when transporting gear to and from the fishing grounds.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Vessels that currently use pots larger than the proposed size would have costs associated with modifying or replacing existing gear. New groundfish pots built to the proposed specifications may cost upwards of \$1,000 per pot.

PROPOSAL 13 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? This proposal would move the Chignik Area state-waters Pacific cod guideline harvest level (GHL) rollover date to August 15.

WHAT ARE THE CURRENT REGULATIONS? The *Chignik Area Pacific Cod Management Plan* allocates 90% of the state-waters GHL to pot gear and 10% to jig gear. If the jig gear GHL allocation has not taken by the conclusion of the federal Central Gulf of Alaska (CGOA) pot gear B season, the state-waters season will close and immediately reopen, during which both pot and jig gear may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may provide pot vessels earlier opportunity to target unharvested Chignik Area state-waters Pacific cod jig GHL.

BACKGROUND: The Chignik Area state-waters pot gear GHL allocation is fully harvested most years. The jig gear GHL has not been fully harvested since the inception of gear-specific GHL allocations in 2000. From 2000–2011, unharvested jig GHL was made available to both pot and jig boats by regulation beginning August 15. Prior to the start of the 2012 season, the Alaska Board of Fisheries modified the Chignik Area state-waters Pacific cod management plan to accommodate changes in the management of federal Pacific cod fisheries in the Gulf of Alaska. At that time, the Chignik Area state-waters GHL rollover date was changed from August 15 to the closure date of the federal CGOA pot gear B season, which is consistent with the GHL rollover dates for the adjacent Kodiak and South Alaska Peninsula Area state-waters Pacific cod fisheries.

During years when the state-waters GHL has not been taken by August 28, the department closes the state-waters season for pot gear on August 28 prior to the start of the federal/parallel Pacific cod B season opening on September 1. This action prevents concurrent state and federal Pacific cod fisheries from occurring in the Chignik Area with the same gear type. The proposed August 15 rollover date would allow for two weeks of additional state-waters fishing opportunity by both gear types prior to the September 1 start of the federal/parallel Pacific cod B season.

Since the start of state-waters Pacific cod fisheries in 1997, pot vessels have capitalized on additional state-waters fishing opportunity after the GHL rollover during six years. Despite additional pot effort after the rollover date, the total Chignik Area state-waters Pacific cod GHL has only been achieved one year (2003).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 14 – 5 AAC 28.506. Chignik Area Registration and 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Arthur Shultz.

WHAT WOULD THE PROPOSAL DO? This proposal would remove the superexclusive registration designation for the Chignik Area state-waters Pacific cod jig gear fishery. The proposal does not specify whether the jig fishery would change to exclusive or nonexclusive registration.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery is a superexclusive registration area fishery. A vessel registered for the Chignik Area state-waters Pacific cod season may not be used to take Pacific cod in any other state-waters Pacific cod fishery during the same calendar year (5 AAC 28.005(b), (c), (d), and (e)).

A vessel registered to take Pacific cod in an exclusive registration area may not be used to take Pacific cod in any other exclusive or superexclusive registration area in the same year, but may register for a nonexclusive registration area. A vessel registered to take Pacific cod in a nonexclusive registration area may not be used to take Pacific cod in any superexclusive registration area, but may be registered for any other nonexclusive area, and one exclusive registration area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may increase jig gear effort during the Chignik state-waters Pacific cod fishery. If the Chignik Area was designated as nonexclusive registration area for jig vessels, jig vessels from all other nonexclusive areas or one exclusive area could participate. If the Chignik Area was designated as exclusive registration area for jig vessels, only jig vessels from other nonexclusive areas could participate in the same year.

BACKGROUND: State-waters Pacific cod fisheries in Alaska are open access fisheries, although each groundfish registration area is designated as superexclusive, exclusive, or nonexclusive (Table 14-1). State-waters Pacific cod area exclusivity regulations do not apply to federal/parallel Pacific cod fisheries.

From 1997–1999, the Chignik state-waters Pacific cod fishery was an exclusive registration fishery. The Alaska Board of Fisheries designated the Chignik state-waters Pacific cod fishery as a superexclusive registration area in 2000 to promote local effort and fish processing, as well as slow the pace of the fishery.

Prior to 2005, some Pacific cod harvested during the state-waters season was delivered to shorebased processors in the Chignik Area. From 2005–2008, all state-waters Pacific cod catch was tendered to shorebased processors outside of the Chignik Area. The only operational shorebased processor in the Chignik Area was destroyed by fire in 2008. From 2008–2013, state-waters harvest was delivered to a floating processor operating in Chignik or tendered to Kodiak or Sand Point. However, the floating processor only operates during the state-waters

Pacific cod pot gear season, which historically occurs prior to most jig effort. The lack of a local processor has likely contributed to low jig effort in the Chignik Area.

The Chignik Area state-waters Pacific cod guideline harvest level (GHL) is annually allocated between vessels using pot gear (90%) and vessels using jig gear (10%). Since the inception of the jig and pot gear GHL allocations in 2000, the Chignik Area jig allocation has not been fully harvested. Jig harvest has ranged from zero pounds in 2007 to approximately 433,000 pounds in 2003 (Table 14-2). When the jig gear GHL allocation is not fully harvested by the conclusion of the federal/parallel Pacific cod pot gear B season, the state-waters season is reopened to both pot and jig gear.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 14-1.–State-waters Pacific cod registration type, by area.

<u>State-Waters Pacific Cod Fishery</u>	<u>Area Registration Type</u>
Eastern Gulf of Alaska (SE Alaska)	Nonexclusive
Prince William Sound	Exclusive
Cook Inlet	Exclusive
Kodiak	Exclusive
Chignik	Superexclusive
South Alaska Peninsula	Exclusive
Aleutian Islands District	Nonexclusive

Table 14-2.—Chignik Area state-waters Pacific cod jig gear effort, landings, GHL, and harvest, 1997–2013.

Year	Vessels	Landings	GHL (Lb)	Harvest (Lb)
1997	4	14	2,950,000	35,002
1998	11	59	2,850,000	167,283
1999	11	56	4,100,000	218,408
2000	5	12	1,010,000	38,453
2001	13	55	900,000	277,411
2002	14	60	740,000	324,227
2003	16	106	680,000	433,067
2004	14	53	1,100,000	141,697
2005	8	42	630,000	136,872
2006	1	2	730,000	CF
2007	0	0	730,000	0
2008	2	3	730,000	CF
2009	1	1	610,000	CF
2010	1	20	950,000	CF
2011	10	45	1,040,000	224,400
2012	5	13	1,100,000	243,185
2013 ^a	0	0	950,000	0

^aThrough August 1, 2013.

CF = Confidential data

PROPOSAL 15 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? This proposal would allow pot gear vessels less than or equal to 48 feet in length the opportunity to harvest state-waters Pacific cod guideline harvest level (GHL) allocated to vessels using jig gear. Prior to the start of the season, vessels 48 feet or less could register to participate in either the proposed jig/small pot boat fishery or the existing pot gear fishery. Once registered for either fishery, vessels 48 feet or less could not register or participate in the other fishery.

Vessels 48 feet or less registered for the proposed jig/small boat fishery would be limited to operating no more than 30 pots per vessel. This proposal would also change the opening date of the proposed jig/small pot boat season from March 15 to March 7.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery GHL is based on 8.75% of the federal Central Gulf of Alaska (CGOA) Pacific cod acceptable biological catch (5 AAC 28.537(h)(1)). Annually, pot vessels are allocated 90% of the GHL, while mechanical jig and hand troll vessels are allocated 10% of the total GHL.

The Chignik Area Pacific cod season for pot gear opens seven days following closure of the federal CGOA pot gear A season or March 7, whichever is later. The jig season opens by regulation on March 15.

If the jig allocation is fully harvested in any calendar year, the allocation will be increased by an additional 5% of the GHL the following year (5 AAC 28.537(1)). If the jig gear allocation is fully harvested in any year thereafter, the allocation will again be increased an additional 5% the next calendar year until the allocation for jig gear reaches 25% of the GHL.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may increase harvest opportunity for pot vessels 48 feet in length or less. The number of participants and potential harvest by small pot vessels, limited to operating a maximum of 30 pots during the proposed jig/small pot boat fishery, is unknown. However, the proposed jig/small pot vessel fishery will likely be less competitive and allow for longer seasons for those smaller pot vessels compared to the existing pot gear fishery.

Historically, most pot gear effort occurs during late winter and early spring when Pacific cod are aggregated for spawning and markets are readily available. Most jig effort historically occurs after the pot gear season closes during summer months when weather is more conducive for small boat fishing. If adopted, the proposed jig/small pot boat GHL fishery may be harvested by small pot vessels prior to most jig participation, potentially excluding jig vessels from the fishery.

Current regulations incrementally increase the amount of Pacific cod available to jig vessels (up to a maximum 25% of the total Chignik Area state-water Pacific cod GHL) if the jig gear allocation is fully harvested by jig vessels during any given year. Any increase to the jig GHL

allocation will result in a proportional reduction to the pot gear GHL allocation. If adopted, this proposal may increase the likelihood of achieving the jig gear GHL allocation based on small vessel pot gear participation.

BACKGROUND: From 2009–2013, an average of three pot vessels 48 feet or less participated in the Chignik area state-waters Pacific cod pot gear season and harvested, on average, 6% (648,000 pounds) of the total pot gear catch (Table 15-1; Figure 15-1). The length of the pot gear season during those years ranged from 16 to 38 days. During that time, an average of three jig vessels participated in the fishery, averaging approximately 234,000 pounds of Pacific cod per year (Table 15-1). The Chignik Area state-waters jig gear allocation has not been fully harvested since pot and jig gear GHL allocations were implemented in 2000.

In 2003, 2005, and 2011, the combination of harvest by pot vessels 48 feet or less and jig vessels would have exceeded the proposed jig/small pot boat allocation (Table 15-1). Since 2000, harvest by pot vessels 48 feet in length or less has exceeded jig harvest every year, except 2002, when jig harvest exceeded small vessel pot harvest by 50,000 pounds (Table 15-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 15-1.–Chignik Area state-waters Pacific cod effort and harvest by pot vessels less than or equal to 48 feet in length, effort and harvest by jig vessels, and jig gear GHL allocation, 2000–2013.

Year	48' Pot Vessel Count	48' Pot Harvest (Pounds)	Jig Vessel Count	Jig Harvest (Pounds)	Jig GHL (Pounds)	Total 48' Pot & Jig Harvest (Pounds)
2000	8	323,937	5	38,453	1,010,000	362,390
2001	5	453,798	13	277,411	900,000	731,209
2002	4	275,519	14	324,227	740,000	599,746
2003	5	562,657	16	433,067	680,000	995,724
2004	7	676,134	14	141,697	1,100,000	817,831
2005	5	851,471	8	136,872	630,000	988,343
2006	3	CF	1	CF	730,000	CF
2007	5	628,580	0	0	730,000	628,580
2008	4	CF	2	CF	730,000	CF
2009	1	CF	1	CF	610,000	CF
2010	2	CF	1	CF	950,000	CF
2011	6	985,673	10	224,400	1,040,000	1,210,073
2012	4	580,314	5	243,185	1,100,000	823,499
2013	4	376,714	0	0 ^a	950,000	376,714
2009-2013 avg.	3	647,567	3	233,793	930,000	803,429

CF = Confidential Data

^a Through August 1, 2013.

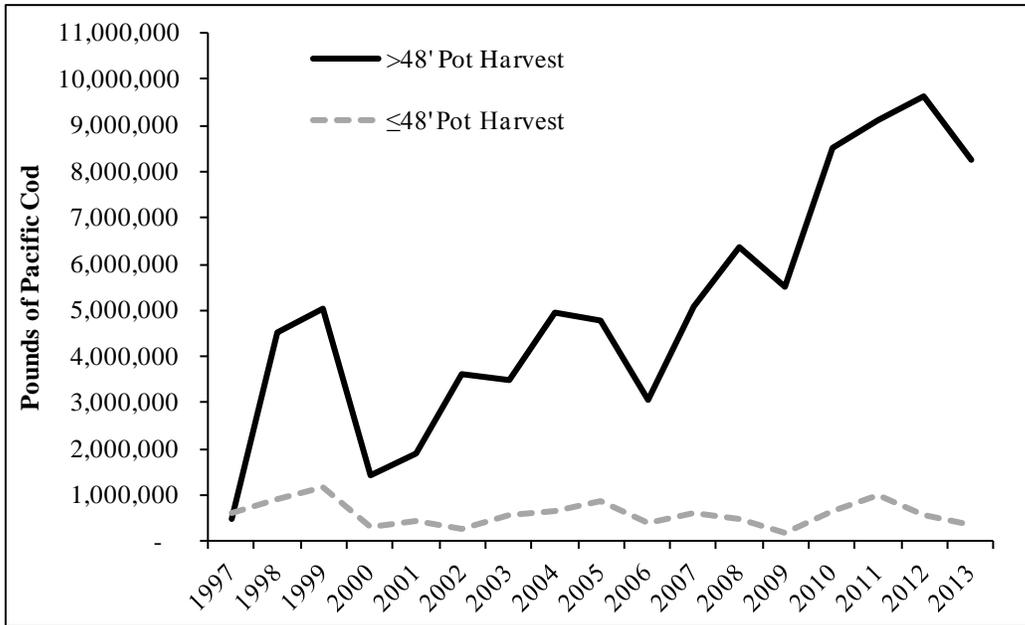


Figure 15-1.-Chignik Area state-waters Pacific cod harvest by pot vessels greater than 48 feet in length (solid line) and less than or equal to 48 feet in length (dashed line) by year, 1997–2013.

PROPOSALS 16 and 17 – 5 AAC 28.550. Description of South Alaska Peninsula Area.

PROPOSED BY: Raymond E. Nutt (Proposal 16) and Charles Jackson, Jack D. Berntsen, William Dushkin Sr., Wilber McGlashan, Jack Foster Jr., George D. Karlsen, Paul Gunderson III, Anthony Gundersen, Amber Karlsen, and Paul K. Gundersen (Proposal 17).

WHAT WOULD THE PROPOSALS DO? These proposals would create two state-waters Pacific cod management districts in the South Alaska Peninsula Area (Figure 16-1).

The proposed South Alaska Peninsula District would include Pacific Ocean waters between a line extending 135° southeast of Kupreanof Point to a line extending south of Scotch Cap Light. The Pacific cod guideline harvest level (GHL) for the proposed South Alaska Peninsula District would mirror the existing South Alaska Peninsula Area state-waters Pacific cod GHL, which is based on 25% of the Western Gulf of Alaska (WGOA) Pacific cod acceptable biological catch (ABC).

The proposed Aleutian Island District would include Pacific Ocean waters between a line extending south from Scotch Cap Light and 170° W long. The GHL for the proposed Aleutian Island District would be derived from the Bering Sea-Aleutian Islands (BSAI) Pacific cod ABC. The proposal does not define how much BSAI Pacific cod ABC would be reallocated as state-waters GHL for the proposed Aleutian Island District.

WHAT ARE THE CURRENT REGULATIONS? The state-waters Pacific cod fishery is managed according to 5 AAC 28.577, *South Alaska Peninsula Area Pacific Cod Management Plan*. The South Alaska Peninsula Area for Pacific cod includes Pacific Ocean waters between a line extending 135° southeast of Kupreanof Point and 170° W long (Figure 16-1). The South Alaska Peninsula Area state-waters Pacific cod fishery is prosecuted using a single areawide GHL based on 25% of the Western Gulf of Alaska Pacific cod ABC. The GHL is further allocated 85% for pot gear and 15% for jig gear. Vessels are restricted to a maximum of 58 feet in overall length and limited to operating a maximum of 60 pots or five mechanical jigging machines.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would increase Pacific cod harvest opportunity for state-waters fishery participants in the South Alaska Peninsula Area. The state-waters GHL that currently applies to the entire management area would be taken between Scotch Cap Light and Kupreanof Point. Creating a management district west of Scotch Cap Light with a Pacific cod GHL based on a percentage of the BSAI ABC would provide harvest opportunity to vessels that historically participate in that area; however, that change would decrease the harvest in the BSAI. BSAI and GOA Pacific cod stocks are considered separate stocks.

BACKGROUND: National Marine Fisheries Service annually adopts an ABC for Pacific cod in the Gulf of Alaska (GOA) and BSAI federal management areas. In the GOA, the ABC is allocated among the three federal GOA management areas (Eastern, Central, and Western) based on the distribution of Pacific cod observed during trawl assessment surveys. Within each federal management area, the ABC is further apportioned into a total allowable catch (TAC),

which limits harvest during federal/parallel fisheries, and a GHL which limits harvest during state-waters fisheries. The GHL for the South Alaska Peninsula Area state-waters fishery is based on 25% of the estimated WGOA ABC. National Marine Fisheries Service is the lead agency responsible for Pacific cod surveys and stock assessment.

Prior to 2007, most Pacific cod harvested during the South Alaska Peninsula state-waters Pacific cod season occurred east of Scotch Cap Light (Figure 16-1; Table 16-1). Since 2007, effort has increased in the area west of Scotch Cap Light. During years when effort occurred in this area, vessels harvested, on average, 1.8 million pounds of Pacific cod, which represents 16% of the average South Alaska Peninsula Area pot gear harvest from 2004 to 2013. During that time, jig gear harvest west of Scotch Cap Light ranged from 33,000 pounds to 173,000 pounds of Pacific cod (Table 16-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals. Should the Alaska Board of Fisheries (board) adopt these proposals, additional coordination between state and federal fishery regulatory bodies may be necessary prior to implementation since this action would reallocate Pacific cod from a federally-managed fishery to a state-managed fishery. Additionally, if the board adopts two separate management districts and Pacific cod GHGs for the South Alaska Peninsula Area, the department seeks guidance from the board on other management considerations, such as registration requirements, GHG allocations among pot and jig gear, and seasonal rollover provisions.

GOA and BSAI Pacific cod are separate groundfish stocks. The GOA is not considered within the range of the BSAI Pacific cod stock. Therefore, the department is **OPPOSED** to aspects of these proposals that would reallocate BSAI Pacific cod to the WGOA.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 16-1.—South Alaska Peninsula state-waters Pacific cod harvest and effort east and west of Scotch Cap Light by gear type and year, 2004–2013.

Year	GHL (Pounds)	East of Scotch Cap Light				West of Scotch Cap Light			
		Pot Gear		Jig Gear		Pot Gear		Jig Gear	
		Harvest (Pounds)	Vessel Count	Harvest (Pounds)	Vessel Count	Harvest (Pounds)	Vessel Count	Harvest (Pounds)	Vessel Count
2004	12,461,629	10,770,980	43	1,671,461	51	0	0	0	0
2005	11,527,972	10,206,340	39	1,229,832	31	0	0	0	0
2006	14,801,285	11,640,184	43	75,637	14	0	0	CF	1
2007	14,801,285	10,058,018	37	254,179	14	2,365,954	9	0	0
2008	14,292,568	10,081,371	41	1,367,766	48	1,819,668	7	33,245	4
2009	11,886,774	9,981,484	44	920,009	22	519,258	4	173,373	4
2010	15,258,745	12,918,733	37	2,164,023	30	CF	1	151,058	4
2011	16,744,108	14,363,262	49	2,419,009	41	0	0	CF	1
2012	15,449,995	11,030,799	46	1,987,061	47	2,336,085	7	CF	1
2013	15,586,682	11,427,455	33	2,189,143	36	1,957,379	4	CF	2
10-yr. avg.	14,281,104	11,247,863	41	1,427,812	33	1,799,669 ^a	3	357,676 ^a	2

^a Excludes confidential data and years with no harvest.

CF = Confidential data

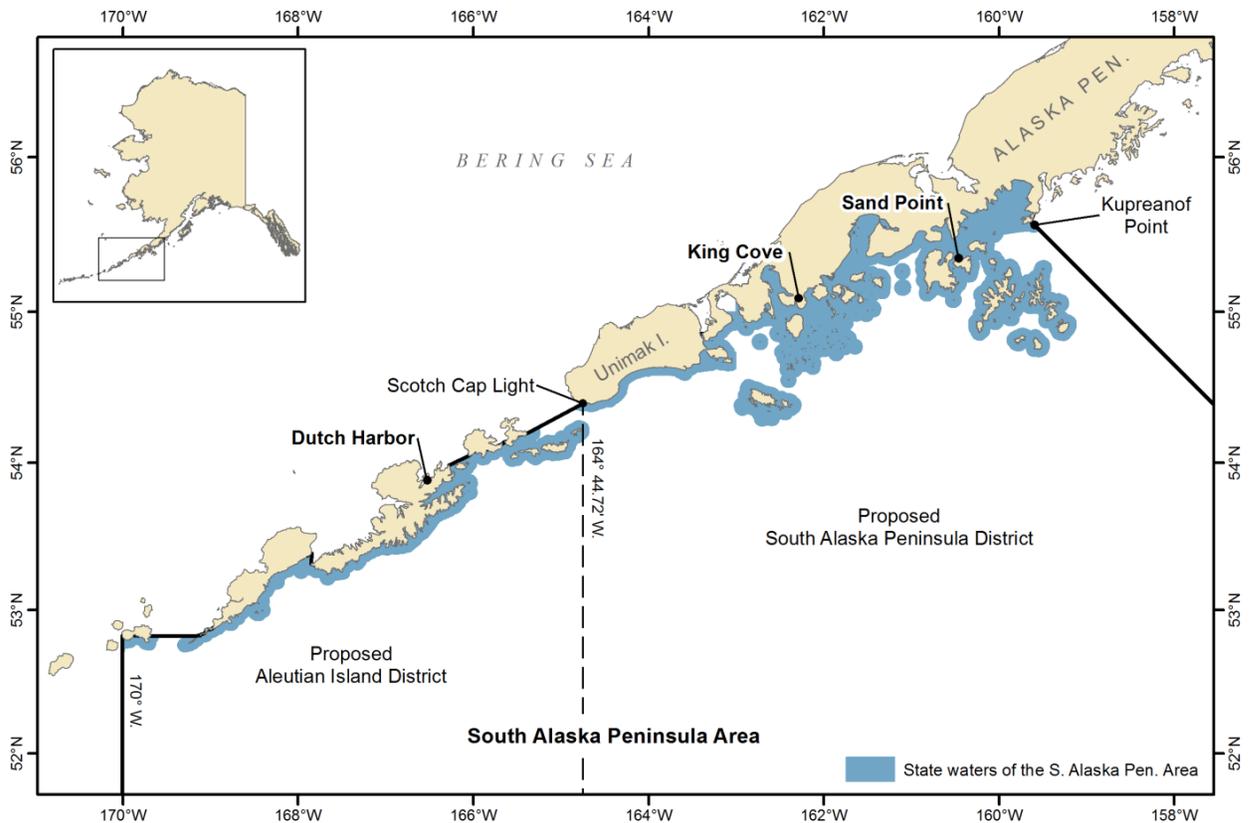


Figure 16-1.—Map depicting current (solid) and proposed (dashed) management area boundary lines for the South Alaska Peninsula state-waters Pacific cod fishery.

PROPOSAL 22 – 5 AAC 28.556. South Alaska Peninsula Area registration.

PROPOSED BY: Raymond E. Nutt.

WHAT WOULD THE PROPOSAL DO? Change the South Alaska Peninsula Area state-waters Pacific cod fishery from an exclusive to a superexclusive registration area.

WHAT ARE THE CURRENT REGULATIONS? The South Alaska Peninsula Area state-waters Pacific cod fishery is an exclusive registration area (5 AAC 28.556(a) and 5 AAC 28.577(i)). State-waters Pacific cod exclusivity regulations are contained in 5 AAC 28.005(b), (c), (d), and (e).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would restrict a vessel that registered for a state-waters Pacific cod fishery outside of the South Alaska Peninsula Area from participating in the South Alaska Peninsula state-waters Pacific cod fishery during the same calendar year. Conversely, this proposal would restrict a vessel that registered for the South Alaska Peninsula Area state-waters Pacific cod fishery from participating in another state-waters Pacific cod fishery outside of the South Alaska Peninsula Area during the same calendar year. During some years, this may reduce the number of vessels that participate in the South Alaska Peninsula Area state-waters fishery.

BACKGROUND: State-waters Pacific cod fisheries in Alaska are open access, although each groundfish registration area is designated as superexclusive, exclusive, or nonexclusive (Table 22-1). A vessel registered in a superexclusive area may not be used to take Pacific cod in any other state-waters fishery during the same calendar year. A vessel registered in an exclusive area may not be used to take Pacific cod in any other exclusive or superexclusive area in the same year, but may register for nonexclusive areas. A vessel registered in a nonexclusive area may not be used to take Pacific cod in a superexclusive area, but may be registered for other nonexclusive areas, and one exclusive area. Pacific cod area exclusivity regulations do not apply to federal/parallel Pacific cod fisheries.

The South Alaska Peninsula Area state-waters Pacific cod fishery has been an exclusive registration area fishery since the inception of state-waters Pacific cod fisheries in 1996. Currently, only vessels that participate in nonexclusive state-waters Pacific cod fisheries in the Aleutian Islands District or Eastern Gulf of Alaska Area are also eligible to target Pacific cod during the South Alaska Peninsula Area state-waters fishery in the same calendar year. To date, few vessels have participated in the nonexclusive Aleutian Islands District fishery and the exclusive South Alaska Peninsula fishery during a single year: for example, there was one vessel in 2007 and one vessel in 2012. No vessels have participated in the nonexclusive Eastern Gulf of Alaska fishery and the South Alaska Peninsula state-waters fishery in the same year.

From 2004 to 2013, pot vessels harvested the full South Alaska Peninsula state-waters Pacific cod pot gear GHG allocation (Table 22-2). During that time, pot vessel effort ranged from 38 vessels (2010 and 2013) to 53 vessels (2012). The 2013 pot gear season was the shortest pot

gear season on record, at 14 days. Jig gear effort and harvest is variable. Effort ranged from 13 vessels in 2006 to 61 vessels in 2012.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 22-1.–State-waters Pacific cod area registration type, by area.

State-Waters Pacific Cod Fishery	Area Registraion Type
Eastern Gulf of Alaska (SE Alaska)	Nonexclusive
Prince William Sound	Exclusive
Cook Inlet	Exclusive
Kodiak	Exclusive
Chignik	Superexclusive
South Alaska Peninsula	Exclusive
Aleutian Islands District	Nonexclusive

Table 22-2.–State-waters Pacific cod effort, harvest, season length, and exvessel value by gear type, 2009–2013.

Year	Pot Gear				Jig Gear				Total Exvessel Value (\$)
	Pot GHL (Pounds)	Pot Harvest (Pounds)	Vessel Count	Season Length (Days)	Jig GHL (Pounds)	Jig Harvest (Pounds)	Vessel Count	Season Length (Days)	
2004	10,592,385	10,842,778	43	22	1,869,244	1,671,461	57	44	\$ 2,869,261
2005	9,798,776	10,206,340	39	21	1,729,196	1,229,832	42	181	\$ 2,846,795
2006	12,581,092	11,640,183	43	33	2,220,193	99,552	13	175	\$ 4,215,888
2007	12,581,092	12,423,973	46	33	2,220,193	254,178	16	169	\$ 5,940,742
2008	12,148,683	11,901,039	48	24	2,143,885	1,382,268	53	172	\$ 7,547,258
2009	10,103,758	10,500,742	47	31	1,783,016	1,093,382	31	217	\$ 3,011,443
2010	12,969,933	12,973,186	38	15	2,288,812	2,315,081	47	83	\$ 3,877,227
2011	14,232,492	14,362,117	49	15	2,511,616	2,443,043	54	61	\$ 4,905,994
2012	13,132,496	13,346,432	53	17	2,317,499	1,989,884	61	111	\$ 5,201,332
2013	13,248,680	13,384,834	38	14	2,338,002	2,198,511	38	123	\$ 3,895,836
10-yr. avg.	12,138,939	12,158,162	44	23	2,142,166	1,467,719	41	134	\$ 4,431,177

PROPOSAL 23 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: False Pass Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Open the South Alaska Peninsula Area state-waters Pacific cod pot gear season seven days following closure of the federal/parallel Western Gulf of Alaska (WGOA) pot gear A season.

WHAT ARE THE CURRENT REGULATIONS? The South Alaska Peninsula Area state-waters Pacific cod season for pot gear opens seven days following closure of the WGOA federal/parallel A season for pot gear or March 7, whichever is later (5 AAC 28.577(e)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow the state-waters Pacific cod pot season to open prior to March 7 when the federal/parallel Pacific cod pot fishery closes prior to March 1. This proposal would also limit the period between the federal/parallel Pacific cod pot season and the state-waters Pacific cod pot season to seven days, thereby allowing pot gear participants to store pots at depth between closure of the federal/parallel season and the opening of the state-waters pot season.

BACKGROUND: The South Alaska Peninsula state-waters Pacific cod fishery management plan, 5 AAC 28.577, prohibits pot vessels participating in the South Alaska Peninsula Area state-waters Pacific cod fishery from exceeding 58 feet in overall length or operating more than 60 groundfish pots. Most vessels register and operate the maximum limit of 60 pots, although few vessels have the capacity to safely transport all 60 pots from storage to the fishing grounds in a single trip. Prior to the season opening, most vessels transport their gear from port to shallow water storage areas (25 fathoms or less) near the fishing grounds in multiple trips. Once the season opens, those vessels then transport their gear from the storage areas to the fishing grounds.

From 1998 to 2011, the South Alaska Peninsula Area state-waters Pacific cod season opened seven days following closure of the WGOA federal/parallel Pacific cod season. During the interval between the federal and state seasons, open and unbaited cod pots could remain on the fishing grounds (waters greater than 25 fathoms) for the seven days between the end of the federal/parallel cod season and the start of the state-waters cod season.

The South Alaska Peninsula Area state-waters Pacific cod management plan was modified in 2011 to coordinate with changes in federal Pacific cod fishery management as a result of implementation of sector management. During 2012 and 2013, the WGOA federal/parallel Pacific cod seasons for pot gear vessels closed on February 6 and January 28, respectively, resulting in a time period of four to five weeks between the end of the federal/parallel season and the start of the state-waters cod season. This amount of time precluded vessels from storing pots on the fishing grounds between seasons.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 24 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Kiley Thompson and Dwain Foster, Sr.

WHAT WOULD THE PROPOSAL DO? Open the South Alaska Peninsula Area state-waters Pacific cod season seven days following closure of the federal/parallel Western Gulf of Alaska (WGOA) pot gear A season or at 12:00 noon, March 12, whichever is later.

WHAT ARE THE CURRENT REGULATIONS? The South Alaska Peninsula Area state-waters Pacific cod season for pot gear opens seven days following closure of the WGOA federal/parallel A season for pot gear or March 7, whichever is later (5 AAC 28.577(e)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may open the South Alaska Peninsula Area state-waters Pacific cod pot gear season five days later than current regulation. Moving the fishery five days later would not change historical fishing timing (Table 24-1).

BACKGROUND: From 1998 to 2011, the South Alaska Peninsula Area state-waters Pacific cod season opened seven days following closure of the WGOA federal/parallel Pacific cod season. During the interval between the federal and state seasons, open and unbaited cod pots could remain on the fishing grounds (waters greater than 25 fathoms) for the seven days between the end of the federal/parallel cod season and the start of the state-waters cod season (5 AAC 28.571(b)).

The South Alaska Peninsula Area state-waters Pacific cod management plan was modified in 2011 to coordinate with changes in federal Pacific cod fishery management as a result of implementation of sector management. In 2012 and 2013, the WGOA federal/parallel Pacific cod seasons for pot gear vessels closed on February 6 and January 28, respectively, resulting in a time period of four to five weeks between the end of the federal/parallel season and the start of the state-waters cod season (Table 24-1).

The 2011 South Alaska Peninsula state-waters season opened February 25, 2011 (Table 24-1). The percentage of spawned Pacific cod in samples collected from 2011 South Alaska Peninsula Area commercial landings peaked at 30% on March 11, indicating most spawning may have occurred after the season closed on March 11 (Figure 24-1). The 2012 and 2013 seasons opened March 7 and 9, respectively. During both years, the number of spawned Pacific cod sampled from the commercial catch peaked at 90% on the last day of both seasons (Figure 24-1). After spawning, Pacific cod tend to disperse and fishermen may encounter higher percentages of spawned out Pacific cod, which may result in lower harvest rates or less marketable fish. Pacific cod typically aggregate in nearshore waters during late winter and early spring to spawn. Pacific cod harvest rates by pot and jig vessels tend to be highest when fishing occurs on spawning aggregations.

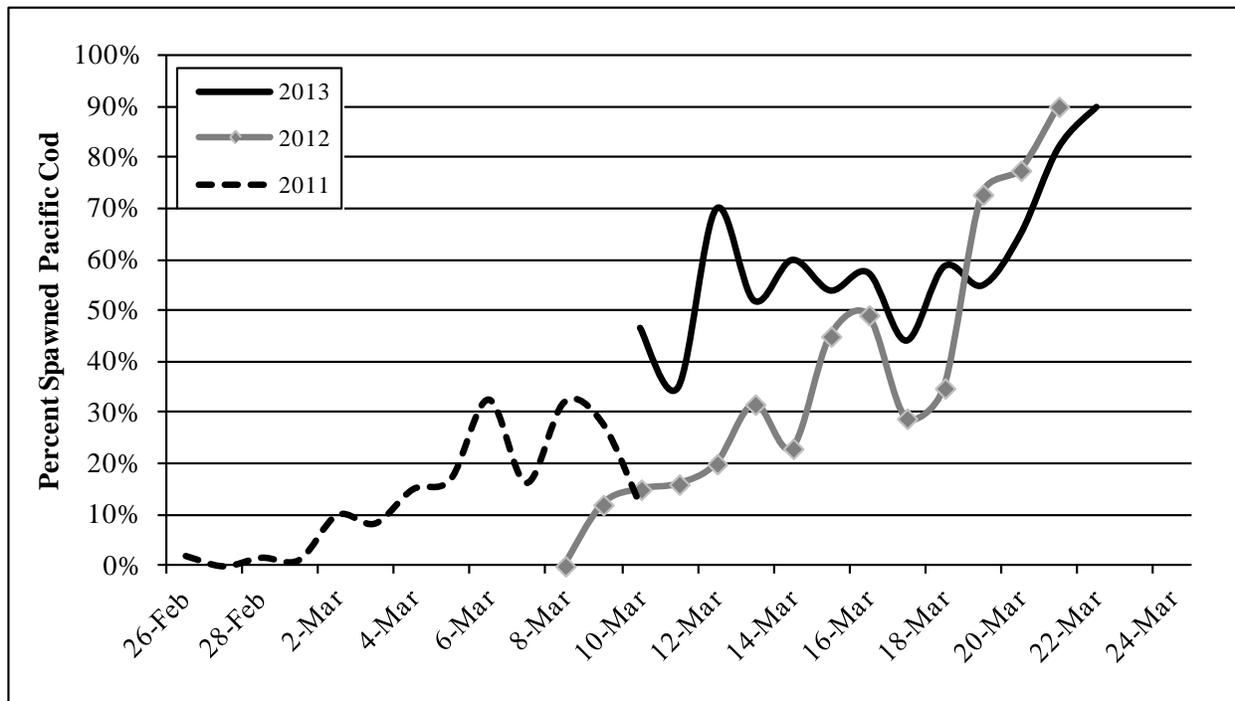
DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 24-1.–South Alaska Peninsula state-waters Pacific cod
GHL harvest, effort, and pot gear season dates by year, 2004–
2013.

Year	Pot GHL (Pounds)	Pot Harvest (Pounds)	Vessel Count	Season Open Date	Season Close Date
2004	10,592,385	10,842,778	43	2-Mar	24-Mar
2005	9,798,776	10,206,340	39	3-Mar	24-Mar
2006	12,581,092	11,640,183	43	9-Mar	29-Mar
2007	12,581,092	12,423,973	46	15-Mar	17-Apr
2008	12,148,683	11,901,039	48	7-Mar	1-Apr
2009	10,103,758	10,500,742	47	4-Mar	4-Apr
2010	12,969,933	12,973,186	38	5-Mar	23-Mar
2011	14,232,492	14,362,117	49	25-Feb	11-Mar
2012	13,132,496	13,346,432	53	7-Mar	22-Mar
2013	13,248,680	13,384,834	38	9-Mar	22-Mar

Figure 24-1.–Percentage of spawned Pacific cod sampled from the South Alaska Peninsula state-waters season commercial catch, by year, 2011–2013.



PROPOSAL 25 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Amend the weather delay regulation for opening the South Alaska Peninsula state-waters Pacific cod season to be consistent with original intent and align the gale warning definition in regulation with updated National Weather Service (NWS) gale warning definition.

WHAT ARE THE CURRENT REGULATIONS? The opening of the state-waters Pacific cod season will be delayed for 24 hours if the NWS marine forecast issued at 4:00 a.m. on the scheduled opening date for the current day and night, plus the following day and night, for the state waters between Castle Cape and Cape Sarichef contains gale force wind warnings of 35 knots or higher (5 AAC 28.577 (1)). If, after the initial delay, the following day's 4:00 a.m. NWS marine forecast for the current day and night, plus the following day and night, contains gale force wind warnings, the opening of the state-waters season will be delayed an additional 24 hours. Season opening delays may continue on a rolling 24-hour basis for seven days beyond the initial opening date, when the season will open regardless of any gale force wind forecast.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would align the weather delay regulatory language with how the department has implemented this regulation and provide clear regulatory language for fishery participants and management staff.

BACKGROUND: Weather delay provisions are intended to improve vessel safety at the beginning of the season when vessels are transporting pots to the fishing grounds. Delaying the start of the fishery due to gale warnings may additionally allow small vessels, which may be more susceptible to poor weather conditions compared to large vessels, an equal opportunity to start the fishery. The maximum vessel size for the South Alaska Peninsula Area state-waters Pacific cod fishery is 58 feet.

The NWS recently updated the definition of a gale warning in Alaska. According to the NWS, a gale warning is currently issued if sustained surface winds, or frequent gusts, in the range of 34 knots (39 mph) to 47 knots (54 mph), inclusive, are either predicted or occurring.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSALS 26 and 27 – 5 AAC 28.571. Groundfish pot storage requirements for South Alaska Peninsula Area.

PROPOSED BY: Corey Wilson (Proposal 26) and Kiley Thompson and Dwain Foster Sr. (Proposal 27).

WHAT WOULD THE PROPOSALS DO? These proposals would allow vessel operators to store open and unbaited groundfish pots on the fishing grounds (greater than 25 fathoms) for seven days prior to the start of the South Alaska Peninsula Area state-waters Pacific cod pot gear season.

WHAT ARE THE CURRENT REGULATIONS? Based on 5 AAC 28.571(b), following the closure of a parallel or state-waters season for Pacific cod, groundfish pots may be stored open and unbaited in waters greater than 25 fathoms for no more than seven days following the closure. After seven days following a closure, groundfish pots must be removed from the water or stored in waters not more than 25 fathoms deep with bait and bait containers removed and all doors secured open. Vessels with valid federal fishing licenses may store gear in federal waters (3–200 nautical miles) at any depth before or after any Pacific cod season.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Allowing vessels to place gear directly on the fishing grounds prior to the season opening would likely reduce operating costs, as well as improve safety conditions associated with transporting gear.

BACKGROUND: From 1998 to 2011, the South Alaska Peninsula Area state-waters Pacific cod season opened seven days following closure of the WGOA federal/parallel Pacific cod season. Because the interval between the federal and state seasons was seven days, open and unbaited cod pots could remain on the fishing grounds (waters greater than 25 fathoms) between the end of the federal/parallel cod season and the start of the state-waters cod season (5 AAC 28.571(b)).

The South Alaska Peninsula Area state-waters Pacific cod management plan was modified in 2011 to coordinate with changes in federal Pacific cod fishery management as a result of implementation of sector management. In 2012 and 2013, the WGOA federal/parallel Pacific cod seasons for pot gear vessels closed on February 6 and January 28, respectively, resulting in a time period of four to five weeks between the end of the federal/parallel season and the start of the state-waters cod season. This amount of time precluded vessels from storing pots on the fishing grounds (greater than 25 fathoms) between seasons.

The *South Alaska Peninsula Area Pacific Cod Management Plan*, 5 AAC 28.571, prohibits pot vessels participating in the state-waters Pacific cod fishery from exceeding 58 feet in overall length or operating more than 60 groundfish pots. Most vessels register and operate the maximum limit of 60 pots, although few vessels have the capacity to safely transport all 60 pots from storage to the fishing grounds in a single trip.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 28 – 5 AAC 39.164. Non-pelagic trawl gear restrictions.

PROPOSED BY: Association of Western Gulf Pot Sector Fishermen Inc., Kenneth Mack Sr.

WHAT WOULD THE PROPOSAL DO? This proposal would close a portion of state waters (0–3 nautical miles) near Sanak and Caton islands in the South Alaska Peninsula Area to groundfish vessels using nonpelagic (bottom) trawl gear (Figure 28-1).

WHAT ARE THE CURRENT REGULATIONS? State waters around Sanak and Canton islands, north of 54° 22.80' N. lat and east of 162° 41.83' W. long, are open to nonpelagic trawl gear during the federal/parallel Pacific cod fishery (Figure 28-1; 5 AAC 39.164(b)(3)(B)). Pot and jig gear are the only legal gear types during the South Alaska Peninsula Area state-waters Pacific cod fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Pacific cod is the primary groundfish species targeted by nonpelagic trawl vessels in the proposal area. From 2003 to 2012, during years without confidential data, Pacific cod harvest by nonpelagic trawl vessels in the proposal area ranged from approximately 56,000 pounds to over 4.4 million pounds per year (Table 28-1). If the waters around Sanak and Caton islands were closed, nonpelagic trawl vessels would fish elsewhere in federal waters within the Western Gulf of Alaska.

BACKGROUND: Most state waters are closed to nonpelagic trawl gear. In the late 1990s, the Alaska Board of Fisheries (board) opened the area identified in the proposal to bottom trawl gear based on public testimony that indicated smaller trawl vessels (less than or equal to 58 ft) desired access to nearshore waters adjacent to productive fishing grounds to safely target Pacific cod during periods of inclement weather.

In addition to Pacific cod, a commercial Tanner crab fishery occurs in the vicinity of the proposed closure area. Most Tanner crab catch and effort occurs outside of the proposal area; harvest information within the proposed area is confidential due to the limited number of participants. After an extended closure period, South Peninsula District commercial Tanner crab seasons occurred annually from 2005 through 2012. The commercial Tanner crab season in 2013 did not open because the estimated Tanner crab abundance did not meet regulatory thresholds for a commercial fishery.

Trawl vessels participating in federal/parallel groundfish fisheries are subject to federal observer requirements. Prior to 2012, vessels less than 60 feet in length were exempted from carrying observers. Beginning in 2012, vessels less than 60 feet in length were subject to federal observer requirements on a random trip selection basis. To date, no observed fishing trips by nonpelagic trawl vessels have occurred in the proposal area. Therefore, Tanner crab bycatch by nonpelagic trawl vessels in the proposal area is unknown.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

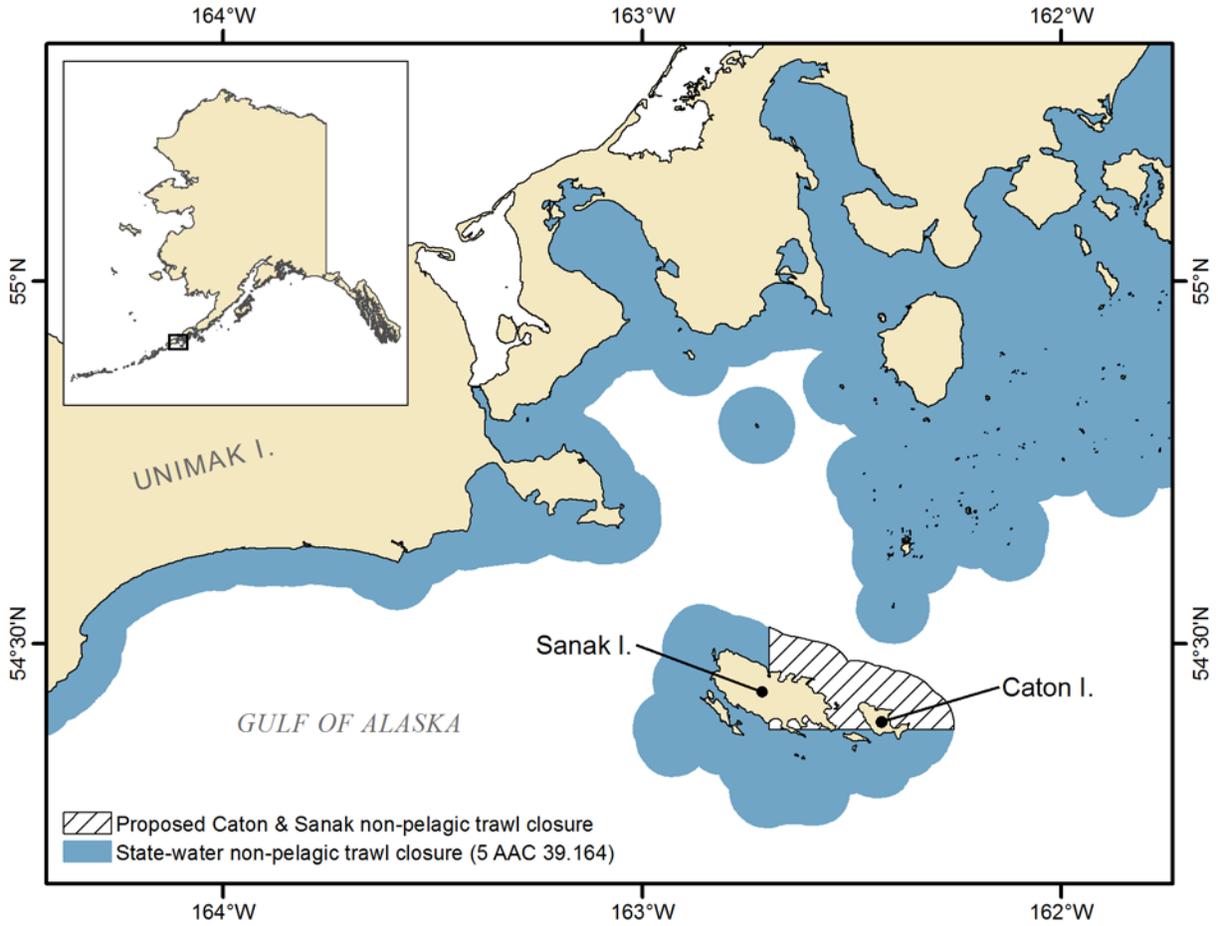


Figure 28-1.—State-waters nonpelagic closure areas (shaded) and proposed closure area (striped).

Table 28-1.–Pacific cod harvest and effort by nonpelagic trawl vessels in the proposed closure area, 2003–2012.

Year	Harvest (Pounds)	Vessel Count
2003	CF	2
2004	93,518	3
2005	1,026,865	13
2006	4,416,941	21
2007	1,157,281	10
2008	192,401	4
2009	55,701	3
2010	CF	1
2011	CF	1
2012	CF	2

CF = Confidential data

PROPOSAL 34 – 5 AAC 28.6XX. Bering Sea-Aleutian Islands Pacific Cod Management Plan.

PROPOSED BY: Jeff Steele.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to place a moratorium on development or expansion of state-waters Pacific cod fisheries in the Bering Sea-Aleutian Islands (BSAI).

WHAT ARE THE CURRENT REGULATIONS? The BSAI Area (Groundfish Registration Area O) is composed of the Aleutian Islands (AI) District and the Bering Sea District (Figure 34-1). A state-waters Pacific cod fishery is currently prosecuted in the AI west of 170° W long in the BSAI (5 AAC 28.647, *Aleutian Islands District Pacific Cod Management Plan*). No other state-waters Pacific cod fishery occurs in the BSAI. Where state-waters Pacific cod fisheries do not exist, state waters are managed under parallel fishery regulations as allowed under 5 AAC 28.086, *Parallel Groundfish Fishery Emergency Order Authority*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Existing state-waters Pacific cod fisheries in the BSAI could not be expanded and new state-waters Pacific cod fisheries could not be developed until a long-term management plan is adopted by the Alaska Board of Fisheries (board) as approved by state Fish and Game advisory committees, the North Pacific Fishery Management Council, and the Alaska Department of Fish and Game.

BACKGROUND: The AI state-waters Pacific cod fishery guideline harvest level (GHL) is based on 3% of the federal BSAI Pacific cod acceptable biological catch (ABC).

The BSAI Pacific cod ABC is divided between the AI state-waters GHL and the federal total allowable catch (TAC). The federal BSAI Pacific cod TAC is apportioned 10.7% to the Community Development Quota (CDQ) sector and 89.3% to non-CDQ fisheries, then further allocated by sector (Table 34-1; 50 C.F.R. 679.20(a)(7)(ii)(A)). National Marine Fisheries Service reallocates non-CDQ TAC inseason based on sector hierarchy and capability of a sector to harvest the reallocated amount. Seasons vary by sector, and may reopen if reallocation occurs (Figure 34-1). Federal BSAI Pacific cod harvest has been within 5% of the TAC in four of the past five seasons and an average of 180 vessels have participated (Table 34-2).

Parallel fisheries generally mirror federal seasons, bycatch limits, and gear types. Some exceptions to federal regulations apply in the parallel fishery. Vessels using longline gear in parallel fisheries may not be greater than 58 feet in overall length (5 AAC 28.690(c)). In addition, the Alaska Department of Law has advised that the board may not allocate within a gear group based on processing type; therefore, not all federal sectors are recognized in the state-waters fishery.

Participants in federal waters must have a federal fishing permit (FFP). Some vessels participating in federal waters, depending on gear type and vessel length, must also have

applicable federal licenses and endorsements through the license limitation program (LLP). Fishermen that participate in state waters only must have a parallel or state-waters fishery registration, but do not need a federal FFP, LLP, or endorsement under state regulation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because development or expansion of state-waters Pacific cod fisheries is allocative.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 34-1.–Federal BSAI Pacific cod non-CDQ sector allocations, 50 C.F.R. 679.20(a)(7)(ii)(A).

Sector	Percent allocation
Jig vessels	1.4
Hook-and-line/pot CV <60 ft OAL	2.0
Hook-and-line CV ≥60 ft OAL	0.2
Hook-and-line CP	48.7
Pot CV ≥60 ft OAL	8.4
Pot CP	1.5
AFA trawl CP	2.3
Amendment 80 sector	13.4
Trawl CV	22.1

Note: CV = catcher vessel, CP = catcher-processor vessel, AFA = American Fisheries Act, OAL = overall length.

Table 34-2.–Federal BSAI Pacific cod ABC, TAC, harvest (metric tons), and number of vessels, 2008–2012.

Year	ABC	TAC	Harvest	Percent of	
				ABC	Vessels
2008	176,000	170,720	166,136	94.4	215
2009	182,000	176,540	173,663	95.4	175
2010	174,000	168,780	168,382	96.8	165
2011	235,000	227,950	219,919	93.6	169
2012	314,000	261,000	245,823	78.3	178
Average	216,200	200,998	194,785	90.1	180

Source: <http://alaskafisheries.noaa.gov/sustainablefisheries/catchstats.htm>

Figure 34-1.—General federal BSAI Pacific cod seasons.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Non-AFA Trawl CP	[Directed fishing open]											
Trawl CV	[Directed fishing open and actively fished]											
Pot CP	[Directed fishing open and actively fished]											
Pot CV	[Directed fishing open and actively fished]											
HAL CP	[Directed fishing open and actively fished]											
HAL CV ≥ 60	[Directed fishing open]											
HAL/Pot < 60	[Directed fishing open]											
Jig	[Directed fishing open]											

Source: http://www.alaskafisheries.noaa.gov/sustainablefisheries/inseason/bsai_fishing_seasons.pdf

Notes: Seasons lengths are approximate and are subject to closure at any time.

[Light Gray Box] Directed fishing open.
 [Black Box] Directed fishing open and actively fished.

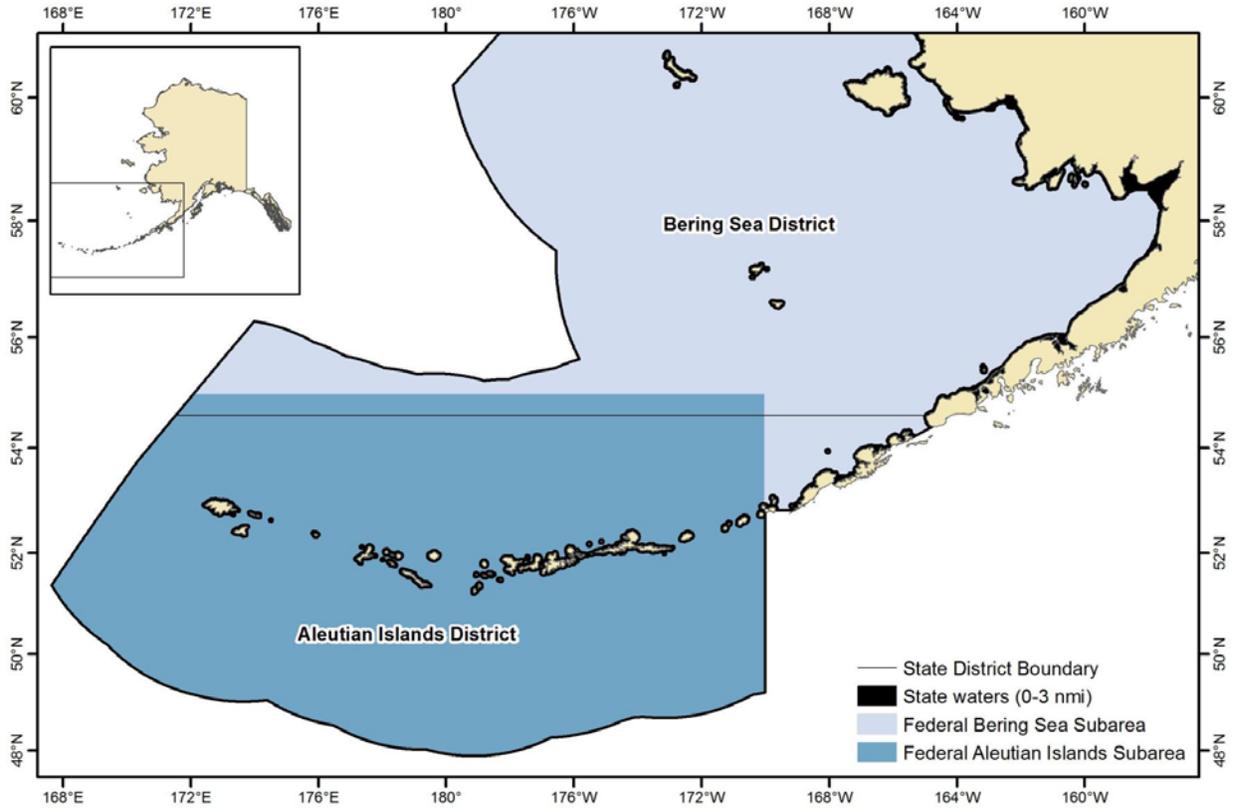


Figure 34-1.—Bering Sea and Aleutian Islands Area (Registration Area O) for groundfish management.

PROPOSAL 29 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.

PROPOSED BY: Adak Community Development Corporation.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the Aleutian Islands (AI) District state-waters Pacific cod guideline harvest level (GHL) to 4.5% of the federal Bering Sea-Aleutian Islands (BSAI) acceptable biological catch (ABC).

WHAT ARE THE CURRENT REGULATIONS? The AI state-waters Pacific cod GHL is set at 3% of the federal BSAI ABC (5 AAC 28.647(d)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The AI state-waters Pacific cod GHL, which is derived from the federal BSAI Pacific cod ABC, would increase from 3% to 4.5%. An increased allocation in the AI state-waters fishery could result in a longer state-waters season, which could provide more fishing opportunity for vessels that participate in the AI state-waters fishery. In years when the state-waters GHL is not reached, more Pacific cod may be unharvested.

An increase in the state-waters GHL would affect federal Pacific cod fisheries and could result in a 1.5% reduction in federal Pacific cod fishery allocations.

BACKGROUND: The AI state-waters Pacific cod fishery occurs in state waters of the AI west of 170° W long (Figure 29-1). When the state-waters Pacific cod fishery is closed, the AI is managed under parallel fishery regulations, whereby the state adopts most federal Pacific cod fishery rules from adjacent federal waters.

The AI state-waters Pacific cod A season opens January 1, with a maximum of 70% of the GHL available prior to June 10. The B season opens June 10, with a GHL of 30% of the initial GHL, plus rollover from the A season if the GHL was not reached. The AI state-waters Pacific cod season is open to nonpelagic trawl, pot, longline, and jig gear. Vessel size and area restrictions vary throughout the year. Vessels may harvest up to 150,000 pounds of Pacific cod per day; overages must be immediately reported to the department. The state-waters Pacific cod fishery Steller sea lion (SSL) restrictions do not mirror current parallel Pacific cod fishery SSL restrictions.

From 2006 to 2012, the state-waters Pacific cod GHL ranged from 11.5 to 20.8 million pounds. The state-waters A-season GHL was achieved in 2006, 2007, and 2010, and the B-season GHL was achieved in 2007 and 2008. In 2008, the state-waters A season was closed by emergency order based on catch estimates that the GHL would be achieved; however, the GHL was not achieved; the remaining A-season GHL was rolled over to the B season.

In 2012, neither the state-waters A season or B season-GHLs were achieved and more than eight million pounds of the total annual GHL were unharvested. The 2013 state-waters A-season GHL was not achieved and more than three million pounds of the A-season GHL were left unharvested. The 2013 A-season unharvested GHL was rolled into the B-season GHL. B-season harvest has been limited.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 29-1.—Aleutian Islands District west of 170° W long state-waters Pacific cod fishery GHL, harvest, percent of ABC, number of vessels, and number of deliveries by season, 2006–2012.

Year	Season	Initial GHL ^a	Harvest ^a	Percent of ABC	Number of	
					Vessels	Deliveries
2006	A season	8,981,540	8,502,781	1.99	26	68
	B season	3,849,232 ^b	CF	CF	5	CF
	TOTAL	12,830,772	CF	CF	30 ^c	CF
2007	A season	8,148,202	8,229,931	2.12	27	97
	B season	3,492,086 ^d	3,409,070	0.88	15	106
	TOTAL	11,640,288	11,639,001	3.00	41 ^c	203
2008	A season	8,148,202	7,477,507	1.75	30	116
	B season	3,492,086 ^e	4,241,692	1.09	18	77
	TOTAL	11,640,288	11,719,199	3.02	45 ^c	193
2009	A season	8,425,981	5,537,886	1.38	22	50
	B season	3,611,135 ^e	CF	CF	5	CF
	TOTAL	12,037,116	CF	CF	27	CF
2010	A season	8,055,608	7,959,514	2.07	16	84
	B season	3,452,404 ^e	CF	CF	3	CF
	TOTAL	11,508,012	CF	CF	16 ^c	CF
2011	A season	10,879,701	CF	CF	3	CF
	B season	4,662,729 ^e	CF	CF	4	CF
	TOTAL	15,542,430	595,289	0.11	6 ^c	19
2012	A season	14,537,132	11,462,339	1.66	20	201
	B season	6,230,200 ^e	CF	CF	3	CF
	TOTAL	20,767,332	CF	CF	22 ^c	CF

Note: CF = Confidential

^a In whole pounds.

^b ADF&G made 3.5 million pounds of the GHL available to National Marine Fisheries Service effective on September 1.

^c Some vessels participated in both seasons.

^d Overage from the A season was deducted from the B season GHL. Initial GHL shown.

^e A-season GHL was not fully harvested; remaining A-season GHL rolled over into B-season GHL. Initial GHL shown.

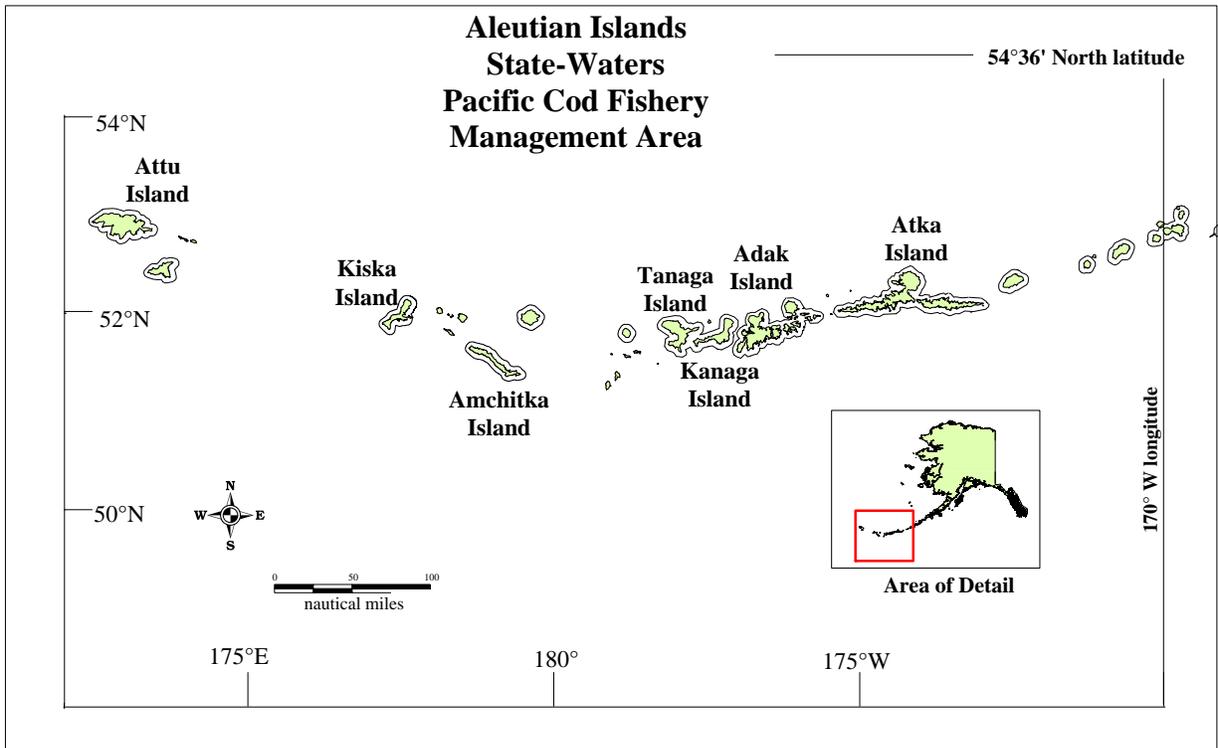


Figure 29-1.—Aleutian Islands state-waters Pacific cod fishery management area.

PROPOSALS 35 and 36 – 5 AAC 28.6XX. Bering Sea-Aleutian Islands Pacific Cod Management Plan.

PROPOSED BY: Matt Hegge (Proposal 35) and King Cove Fish and Game Advisory Committee (Proposal 36).

WHAT WOULD THE PROPOSALS DO? These proposals would establish a state-waters Pacific cod fishery in Bering Sea waters of groundfish Registration Area O. Proposal 35 would mirror the state-waters Pacific cod fishery in the South Alaska Peninsula Area. Proposal 36 would take a graduated percent of the Bering Sea/Aleutian Islands (BSAI) total allowable catch (TAC) up to 2–3% of the BSAI TAC.

Both proposals would designate the new state-waters Pacific cod fishery as exclusive registration and limit vessel size to no more than 58 feet in length, using pot and jig gear only.

WHAT ARE THE CURRENT REGULATIONS? The Bering Sea-Aleutian Islands Area (Groundfish Registration Area O) consists of the Aleutian Islands (AI) District and the Bering Sea (BS) District (Figure 35-1). Pacific cod fisheries in state waters of the BSAI consist of state-waters and parallel Pacific cod fisheries. Parallel Pacific cod fisheries in the BSAI occur in both the AI and the BS districts, whereas a state-waters Pacific cod fishery only occurs in the AI District west of 170° W long. National Marine Fisheries Service manages Pacific cod by sectors in adjacent waters of the exclusive economic zone of the BSAI. National Marine Fisheries Service assesses the Pacific cod stock in Alaska and establishes an annual acceptable biological catch (ABC) for Pacific cod fisheries. The state-waters Pacific cod fishery guideline harvest level (GHL) is derived from the federal BSAI ABC.

The South Alaska Peninsula state-waters Pacific cod fishery is open to pot and jig gear types, with a maximum 58-foot vessel length limit. Pot gear is allocated 85% of the state-waters GHL and jig gear, 15% of the GHL. The state-waters fishery registration is exclusive. The GHL is derived from 25% of the Western Gulf of Alaska ABC. The regulatory management plan for the South Alaska Peninsula, 5 AAC 28.577, details how the state-waters and parallel fisheries open and close.

The federal Steller sea lion (SSL) protection measures adopted by the state during the Pacific cod parallel season are found in Table 5 of 50 C.F.R. 679 and Table 12 of 50 C.F.R. 679. Table 5 of 50 C.F.R. 679 refers to gear-specific closures around SSL haulouts in Alaska, and Table 12 of 50 C.F.R. 679 are SSL rookeries in Alaska closed to groundfish fishing within three nautical miles of the shoreline (figures 35-1 and 35-2). An additional SSL closure is the Bogoslof area, defined in 50 C.F.R. 679.22(a)(7)(i). Walrus protection areas located around Round Island and The Twins are defined in 50 C.F.R. 679.22(a)(4) (Figure 35-2).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? A state-waters Pacific cod fishery would be established in the BS portion of the BSAI. The GHL would be derived from the federal BSAI ABC. Establishment of a new state-waters Pacific cod fishery would presumably reduce the TAC for federal fishery participants.

BACKGROUND: The AI District (Figure 35-1) includes all state waters of the BSAI south of the latitude of Cape Sarichef. The BS District includes all state waters north of the latitude of Cape Sarichef. National Marine Fisheries Service defines the AI as waters of the BSAI south of 55° N lat and west of 170° W long. The BS encompasses the remaining waters of the BSAI (Figure 35-1).

From 2003–2012, annual parallel Pacific cod harvest in state waters of the AI east of 170° W long, and the BS District, combined, has ranged from 2.2 to 8.9 million pounds, with an average harvest of 4.8 million pounds (Table 35-1). During the previous 10 years, an average of 57% of the parallel season harvest was taken by vessels using pot gear, 25% was taken by vessels using longline gear, 12% was taken by vessels using trawl gear, and 6% was taken by vessels using jig gear. An average of 46% of the parallel Pacific cod harvest was taken by vessels 58 feet or less overall length (Table 35-2).

While the area of the AI east of 170° W long and the BS District encompass a large geographical area, during the past 10 years, 50% of the parallel Pacific cod harvest has occurred on the north side of Unimak Island, 30% has occurred near Unalaska Bay, and 12% has occurred near Akutan Bay (Figure 35-3). Harvest in the BSAI, east of 170° W long, occurs primarily during January through March and in September.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 35-1.—Aleutian Islands District, east of 170° W long, and Bering Sea District parallel Pacific cod harvest in pounds and percent of harvest by gear type, 2003–2012.

Year	Pot		Longline		Jig		Trawl		Total Harvest	Percent of ABC
	Harvest	Percent	Harvest	Percent	Harvest	Percent	Harvest	Percent		
2003	4,928,411	70	788,476	11	144,329	2	1,219,562	17	7,080,778	1.44
2004	4,599,691	52	1,596,149	18	457,282	5	2,255,816	25	8,908,938	1.81
2005	3,116,586	51	1,592,316	26	205,632	3	1,160,946	19	6,075,480	1.34
2006	2,089,420	52	692,045	17	142,621	4	1,084,659	27	4,008,745	0.94
2007	1,126,652	52	638,820	29	178,714	8	227,906	10	2,172,092	0.56
2008	2,133,511	65	1,089,213	33	30,850	1	23,839	1	3,277,413	0.84
2009	1,720,371	72	586,745	24	27,693	1	70,234	3	2,405,043	0.60
2010	3,683,467	74	417,762	8	736,802	15	172,961	3	5,010,992	1.31
2011	2,224,980	47	1,377,375	29	946,814	20	219,082	5	4,768,251	0.92
2012	1,527,858	36	2,335,796	56	184,474	4	150,821	4	4,198,949	0.61
5-yr average	2,258,037	59	1,161,378	30	385,327	8	127,387	3	3,932,130	0.82
10-yr average	2,715,095	57	1,111,470	25	305,521	6	658,583	12	4,790,668	1.03

Table 35-2.—Aleutian Islands District, east of 170° W long, and Bering Sea District parallel Pacific cod harvest by vessels 58 feet or less in overall length compared to total harvest, 2003–2012.

Year	Vessels \leq 58 feet			Total		Percent of ABC
	Vessels	Harvest	Percent of Harvest	Vessels	Harvest	
2003	24	1,353,691	19	81	7,080,778	1.44
2004	32	3,069,988	34	93	8,908,938	1.81
2005	39	3,530,667	58	68	6,075,480	1.34
2006	34	1,423,091	35	84	4,008,745	0.94
2007	39	1,068,977	49	75	2,172,092	0.56
2008	40	1,393,979	43	73	3,277,413	0.84
2009	24	1,746,839	73	59	2,405,043	0.60
2010	33	2,282,352	46	62	5,010,992	1.31
2011	29	3,845,908	81	63	4,768,251	0.92
2012	24	2,411,176	57	50	4,198,949	0.61
5-yr average	30	2,336,051	59	61	3,932,130	0.82
10-yr average	32	2,212,667	46	71	4,790,668	1.03

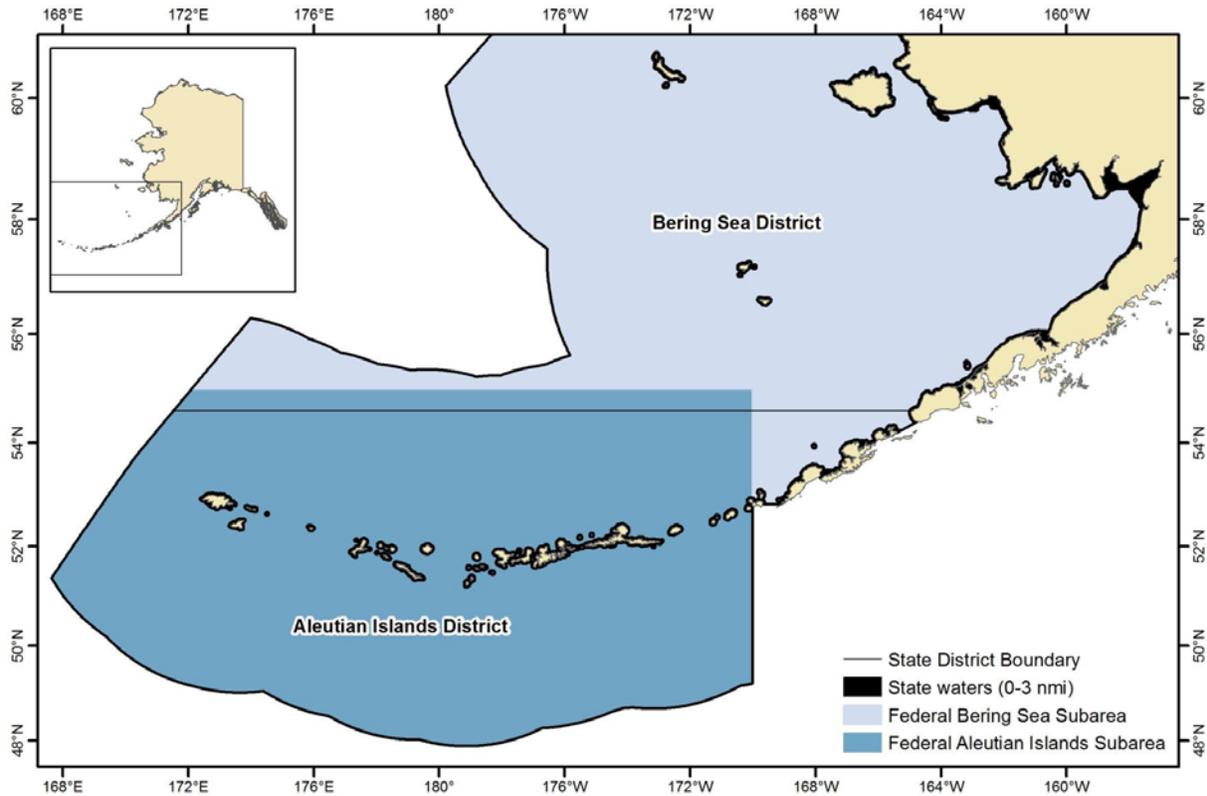


Figure 35-1.—Bering Sea and Aleutian Islands Area (Registration Area O) for groundfish management.

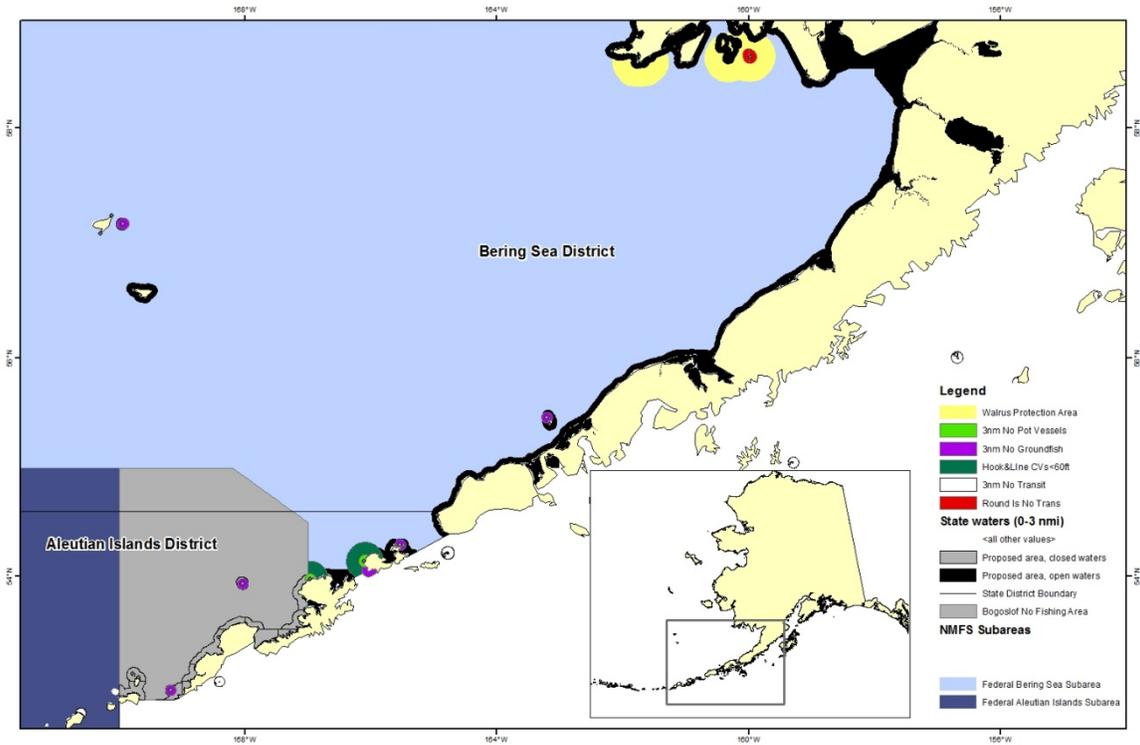


Figure 35-2.—Federal Pacific cod nontrawl Steller sea lion and habitat protection measures.

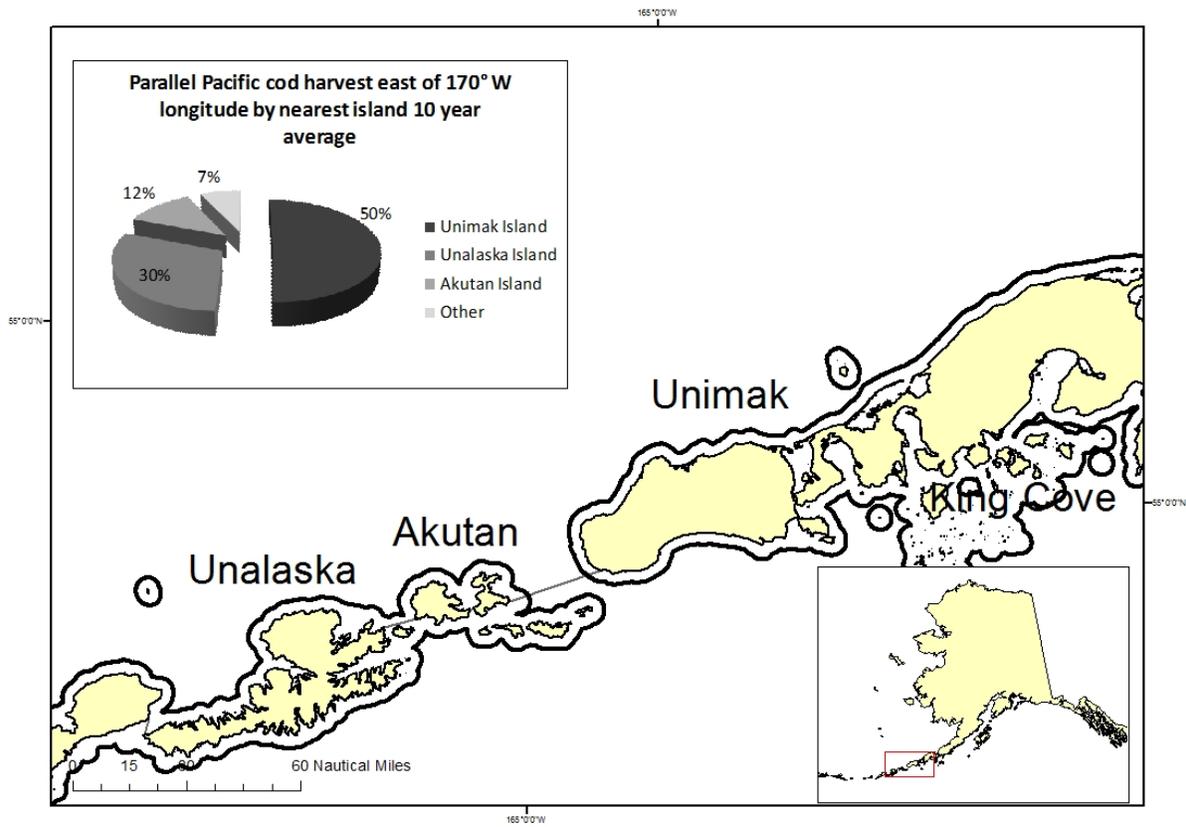


Figure 35-3.—Parallel Pacific cod 10-year average harvest, east of 170° W long, by nearest island.

PROPOSAL 30 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the guideline harvest level (GHL) rollover provision in the Aleutian Islands District (AI) state-waters Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? The AI state-waters Pacific cod A season is apportioned 70% of the total fishery GHL; the B season is apportioned 30% of the total fishery GHL. Unharvested GHL from the A season, up to a maximum of 70%, will be available for harvest in the state-waters B season (5 AAC 28.647(d)(1)(B)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would confirm the calculation of the maximum rollover from A to B season, so that a maximum of 70% of the total AI state-waters Pacific cod GHL is available in either the A or B season.

BACKGROUND: The current regulation does not clearly describe how much of the unharvested A-season GHL may be rolled over into the B season. For the 2011 fishery, the department rolled over the maximum amount so that 70% of the annual GHL was available in the B season. Without the clarification, the rollover amount could be calculated as 70% of the A-season GHL, which would be a smaller rollover.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 31 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the Aleutian Islands District (AI) state-waters Pacific cod fishery management plan by removing language indicating state and federal jurisdictional overlaps.

WHAT ARE THE CURRENT REGULATIONS? The commissioner may impose bycatch limitations and retention requirements, under a variety of circumstances, in an area where state and federal jurisdictions overlap (5 AAC 28.647(f)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would clarify that state and federal jurisdictions do not overlap within state waters. Approval of this proposal would not change current bycatch management in the fishery.

BACKGROUND: The department is responsible for management of Pacific cod within 0–3 nautical miles (nm) of Alaska, including establishing bycatch and retention requirements. The National Marine Fisheries Service is responsible for management of Pacific cod in the exclusive economic zone (EEZ) from 3–200 nm. While state management during parallel Pacific cod fisheries often mirrors federal regulations in the adjacent EEZ, the respective jurisdictions do not overlap.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 32 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the *Aleutian Islands District Pacific Cod Management Plan* to prohibit simultaneous participation when a state-waters and federal Pacific cod season are open for the same gear type. This proposal would also specify provisions to allow a vessel operator to transition to another Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? Vessels are prohibited from fishing outside of the designated registration area and a vessel may not change registration while unprocessed fish are on board the vessel (*Aleutian Islands District Pacific Cod Management Plan*, 5 AAC 28.647(d)(5)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels would be prohibited from simultaneously participating in concurrent state and federal Pacific cod fisheries. The proposal would also provide a mechanism to allow vessels to transition between state and federal Pacific cod fisheries, while allowing the department to maintain accurate catch accounting.

BACKGROUND: The *Aleutian Islands District Pacific Cod Management Plan* was designed to provide vessels with fishing opportunity and minimize concurrent state and federal Pacific cod fisheries. However, because there are multiple gear types (trawl, longline, jig, and pot) in the state-waters fishery, there may be federal fisheries open in adjacent federal waters for the same gear types.

During the 2012 Aleutian Islands state-waters Pacific cod A season, 12 of the 21 participants were eligible to participate in either the state-waters or federal Bering Sea-Aleutian Islands Pacific cod season that were open concurrently (tables 32-1 and 32-2). Because harvest in the state-waters fishery is deducted from the state-waters guideline harvest level, and harvest in federal fisheries is deducted from the federal total allowable catch, accurate catch accounting may be compromised if a vessel participated in two fisheries simultaneously.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 32-1.—Aleutian Islands District state-waters Pacific cod A-season participants by vessel length and gear type, 2012.

Vessel type	Vessel length		Total
	<60	≥60	
C/V Trawl	5	9	14
C/V Pot	5	0	5
C/V Longline	2	0	2
Total	12	9	21

C/V = catcher vessel

Table 32-2.—Federal Bering Sea-Aleutian Islands 2012 Pacific cod season dates by sector compared to Aleutian Islands state-waters Pacific cod 2012 A-season dates.

	January	February	March	April	May	June
Federal fisheries						
Federal C/V trawl						
<60' Pot/Longline						
State-waters fisheries						
175 W long - 178 W long						
West of 170 W long						

Note:  = State and federal fisheries overlap.
 = No overlap.

PROPOSAL 33 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify closed waters in the Aleutian Islands (AI) District state-waters Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? Closed waters during the parallel Pacific cod season are adopted by emergency order and apply by gear group during the state-waters Pacific cod fishery. Those closures are specified in 50 C.F.R. 679, as of 2005, and modified by a Federal Register published in 2006.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be no change to closed waters; however, the state-waters Pacific cod management plan would clearly reference applicable Federal Registers.

BACKGROUND: The current regulation, 5 AAC 28.647(g)(1), references 50 C.F.R. 679, which contains most federal commercial fishing regulations in Alaska, not just applicable closed waters. The state regulation references 50 C.F.R. 679, as of October 1, 2005; older federal regulations are not easily retrievable.

The Federal Register referenced in the regulatory management plan specifies habitat closures already in statewide regulation 5 AAC 39.167, and does not list other closed areas in 50 C.F.R. 679 that are applicable during the AI state-waters Pacific cod fishery.

When the AI state-waters Pacific cod fishery was created, the Steller sea lion (SSL) closures implemented for a state-waters season were the same as the closures in effect during a parallel season. In 2011, federal changes were made to SSL protection measures that are effective during the parallel Pacific cod season. The state-waters season SSL closures did not change; therefore, closed waters in effect during parallel Pacific cod season for SSL protection no longer align with closed waters in effect during the state-waters Pacific cod season.

The SSL protection measures the department implements during a state-waters season are found in Table 5 of 50 C.F.R. 679 in 69 Federal Register 75865 (December 20, 2004) and Table 12 of 50 C.F.R. 679 in 73 Federal Register 76136 (December 15, 2008). Table 5 of 50 C.F.R. refers to gear-specific closures around SSL haulouts in Alaska, and Table 12 of 50 C.F.R. 679 are SSL rookeries in Alaska closed to groundfish fishing within three nautical miles (figures 33-1 and 33-2).

Table 12 in 2008 did not include the SSL site at Kanaga Island/Ship Rock. However, 50 C.F.R. 679.22(a)(8)(iii) does. By referencing the Federal Register of the current federal regulation, there would no longer be a need to include a separate reference to the SSL site at Kanaga Island/Ship Rock.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 37 – 5 AAC 28.6XX. Aleutian Islands District Atka Mackerel Management Plan. Establish a state-waters Atka mackerel fishery.

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a state-waters Atka mackerel purse seine fishery between 172° W long and 180° long of the Aleutian Islands District (AI) for vessels 60 feet or less in overall length (OAL). The proposed state-waters Atka mackerel purse seine guideline harvest level (GHL) would be derived from the unutilized federal Eastern Aleutian Islands (EAI) and Bering Sea (BS) Atka mackerel jig allocation. The EAI/BS Atka mackerel jig allocation applies to National Marine Fisheries Service area 541. National Marine Fisheries Service area 541 is located between 170° W long and 177° W long, although the proposal is requesting a fishery from 172° W long and 180° long. Proposed Steller sea lion (SSL) restrictions would mirror current Atka mackerel parallel SSL fishery restrictions.

WHAT ARE THE CURRENT REGULATIONS? Atka mackerel in state waters of the AI is managed as a parallel fishery as allowed under 5 AAC 28.086, *Parallel Groundfish Fishery Emergency Order Authority*. The parallel Atka mackerel fishery is prosecuted principally by trawl gear (Table 37-1).

The Bering Sea and Aleutian Islands (BSAI) federal Atka mackerel total allowable catch (TAC) is divided among the EAI and BS, Central Aleutian Islands, and Western Aleutian Islands. The TACs are further divided among Community Development Quota (CDQ) and trawl sectors, with a portion of the TAC set aside for incidental catch (50 C.F.R. 679.20). Up to 2% of the non-CDQ TAC in the EAI portion of the EAI/BS is allocated to the jig sector.

Federal SSL restrictions adopted for the parallel fishery under 5 AAC 28.087, *Management Measures in Parallel Groundfish Fisheries for the Protection of Steller Sea Lions*, mirror federal SSL closures for trawl gear and nontrawl gear as described in 50 C.F.R. 679. Table 5 of 50 C.F.R. 679 defines SSL protection areas that are three nautical mile (nm) no transit/no groundfish fishing sites; Table 6 of 50 C.F.R. 679 defines SSL protection areas for trawl gear targeting Atka mackerel; Table 12 of 50 C.F.R. 679 defines SSL protection areas specific to trawl, hook and line, and pot gear targeting Pacific cod. An additional SSL protection area is the Segum Foraging Area found in 50 C.F.R. 679.22(a)(8)(i).

Salmon purse seine gear specifications for Area M are located in 5 AAC 09.332, *Seine specifications and operations*. A purse seine may not be less than 100 fathoms or more than 250 fathoms in length, and limited to 375 meshes deep (mesh size 3.5 inches, except the first 25 meshes above leadline may be up to seven inches). Seine lead may be 50 to 150 fathoms in length.

The parallel Atka mackerel fishery A season is typically prosecuted January through April and the B-season harvest occurs September through October.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would create a state-waters Atka mackerel seine fishery from 172° W long to 180° long in the AI District of the AI state groundfish registration area. The GHL would be based on the unused EAI/BS jig sector allocation.

BACKGROUND: Atka mackerel are a semi-demersal schooling species distributed throughout the AI. Atka mackerel migrate from the shelf edge to shallow waters to spawn in July–September (www.afsc.noaa.gov/species/Atka_mackerel.php). Eggs adhere to substrate and are guarded by males.

Parallel fishery harvest of Atka mackerel in the proposal area (172° W long to 180° long) during the past 5 years ranges from 0 to 1,273,156 pounds, with an average annual harvest of 269,209 pounds (Table 37-1). Nonpelagic trawl accounts for nearly 100% of the harvest. No jig harvest of Atka mackerel has occurred in the last five years. The jig gear sector allocation may be set at 2% of the EAI/BS Atka mackerel TAC, after subtraction of Community Development Quota reserve and incidental catch (ICA); however, the allocation has been set at approximately 0.5% since 2008 (Table 37-2). Jig allocations in the EAI/BS have ranged from 176,370 to 396,832 pounds since 2008. If the Atka mackerel jig TAC was set at 2% of the EAI/BS, the average jig sector allocation in the last five years would have been 1,161,350 pounds.

In 2012, the department issued a commissioner’s permit for experimental use of purse seine gear to harvest Atka mackerel in the EAI (170° W long to 177° W long). Nontrawl SSL protection measures specified in Table 12 of 50 C.F.R. 679 and the Seguam Foraging Area, as well as seine gear closures in Quail, Kuluk, and Hidden bays, were in effect under the terms of the permit (figures 37-2 and 37-3). The permit allowed for an Atka mackerel harvest of up to 250,000 pounds. The authorized vessel pursued Atka mackerel during a three-week period in August 2012 and made more than 20 sets. No harvest occurred under this experimental permit.

A state-waters Atka mackerel fishery would be new for the department. NMFS currently provides stock assessment and as proposed, the GHL would be from unused jig quota. Beyond managing the fishery for the GHL, the department has no dedicated funding for port sampling or bycatch documentation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 37-1.--Parallel fishery harvest of Atka mackerel by gear type, between 172° W and 180° long, 2008–2012.

Year	Harvest in whole pounds				
	Non-pelagic trawl	Longline	Pot	Jig/hand troll	Total
2008	1,273,156	0	0	0	1,273,156
2009	843	CF	0	0	CF
2010	276	CF	0	0	CF
2011	0	0	0	0	0
2012	71,336	0	CF	0	71,336
5 year average	269,122	69	18	0	269,209
Percentage of harvest by gear type	100	0 ¹	0 ¹	0	--

¹ Percent of harvest is negligible.

Table 37-2.--Federal total allowable catch and harvest by subarea for Atka mackerel in the Bering Sea-Aleutian Islands, 2008–2013.

Year	Eastern Aleutian Islands District/Bering Sea				Central Aleutian Islands District		Western Aleutian Islands District	
	Jig sector		Area total		Area total		Area total	
	TAC (lb) ^a	Percent harvested	TAC (lb) ^b	Percent harvested	TAC (lb)	Percent harvested	TAC (lb)	Percent harvested
2008	176,370	0	38,168,586	98	53,572,266	92	37,258,078	98
2009	264,554	0	52,714,669	98	71,650,150	93	37,258,078	97
2010	233,690	0	46,689,442	99	65,256,752	89	45,415,172	91
2011	396,832	0	79,174,518	101	24,868,114	95	3,306,930	14
2012	368,172	0	73,590,216	97	23,728,325	96	3,306,930	13
Average	287,923	0	58,067,486	99	47,815,121	93	25,309,038	63

Source: National Marine Fisheries Service Alaska Region, Sustainable Fisheries Catch Accounting for the Bering Sea Aleutian Islands (includes CDQ).

<http://alaskafisheries.noaa.gov/sustainablefisheries/catchstats.htm>

Notes: Percent harvested include all federal sectors (jig, trawl, ICA, and CDQ), Steller sea lion restrictions were revised in 2011 (Table 12 of 50 C.F.R. Part 679, updated January 1, 2011).

^a Eastern Aleutian Islands District jig sector TAC is set after the allocation of the CDQ reserve and ICA has been subtracted.

^b TAC shown, minus CDQ reserve and ICA.

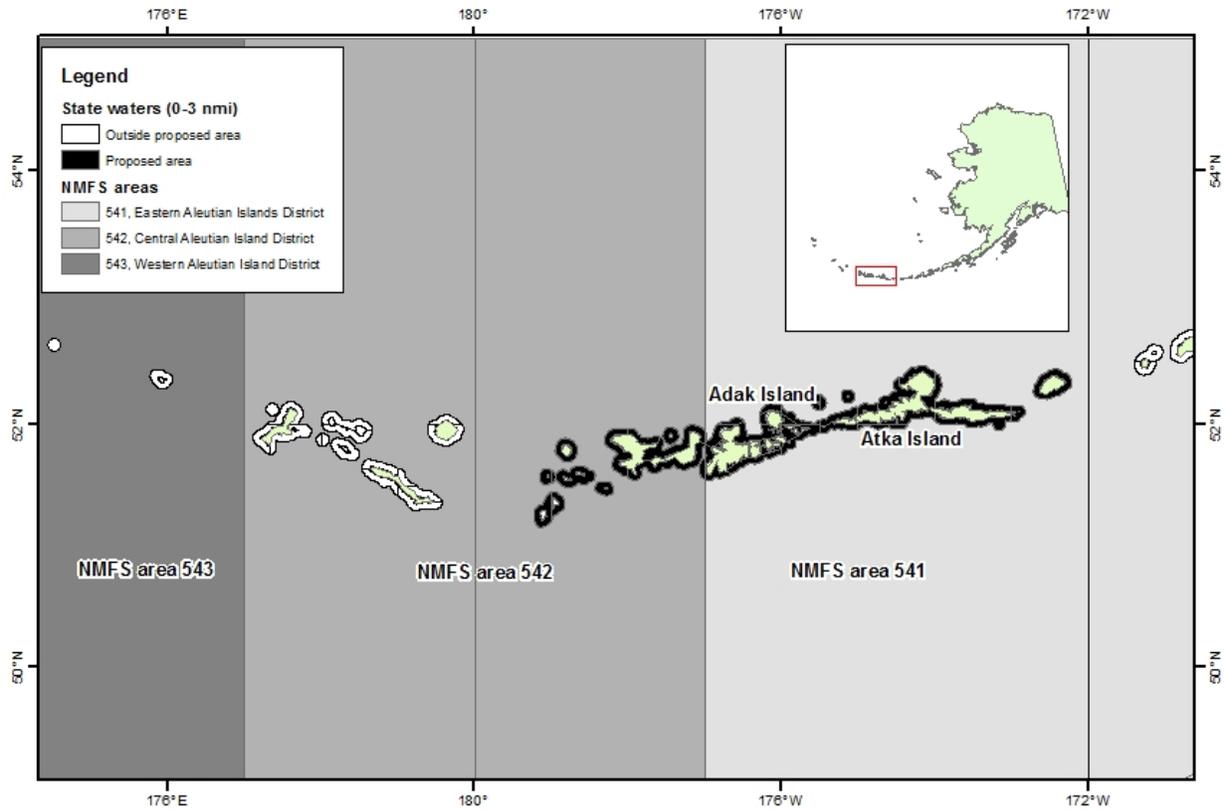


Figure 37-1.—Proposed area for state-waters Atka mackerel seine fishery, between 172° W and 180° long.

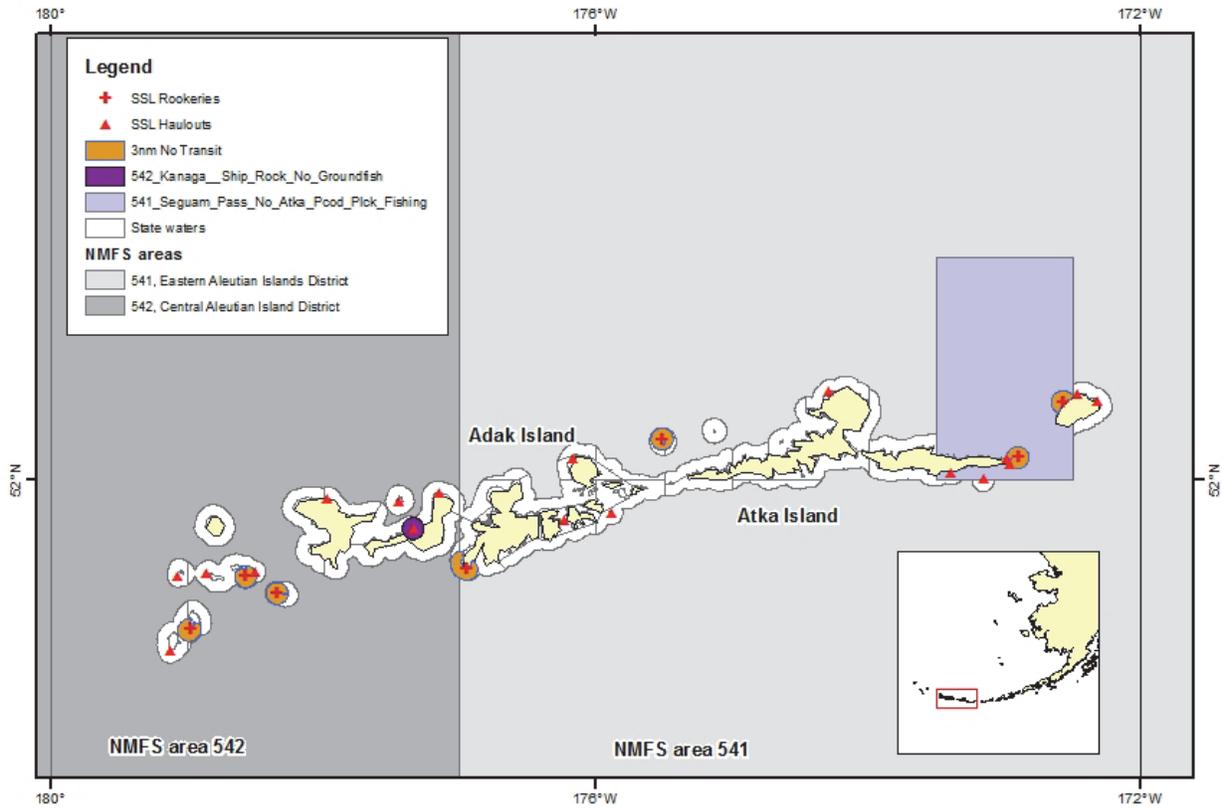


Figure 37-2.—Nontrawl Steller sea lion closures in proposal area, Table 12 of 50 C.F.R. 679.

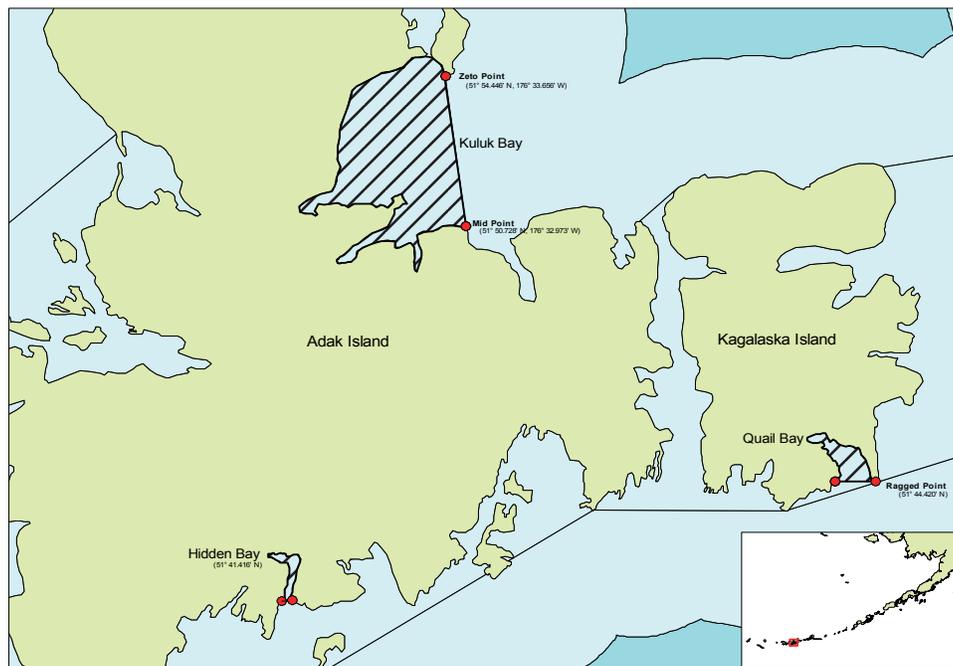


Figure 37-3.—Proposed Atka mackerel purse seine gear closures.