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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON PRINCE WILLIAM SOUND, COOK INLET, KODIAK, CHIGNIK, AND SOUTH ALASKA PENINSULA PACIFIC COD REGULATORY PROPOSALS

ALASKA BOARD OF FISHERIES MEETING

ANCHORAGE, ALASKA

OCTOBER 6-10, 2011

Regional Information Report 4K11-12

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, October 6–10, 2011 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 regulatory proposals. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, October 6–10, 2011 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.

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TABLE OF CONTENTS

Proposal No. and Subject **Page**

Summary of Department Positions iii

Gulf of Alaska Pacific Cod

1 Review licensing and reporting requirements for parallel Pacific cod fisheries for coordination with federal Pacific cod fisheries.....1
2 Require federal LLP license and observer when participating in a parallel Pacific cod fishery. 3

Kodiak Pacific Cod

3 Develop regulations to coordinate state and federal Pacific cod fisheries.....5
4 Address harvest overage in state-waters Pacific cod pot fishery. 8
5 Allow only jig gear onboard a registered state-waters Pacific cod jig vessel.....12
6 Cap jig vessels 58 feet and larger to 10 percent of the state-waters Pacific cod jig allocation.....14
7 Cap jig vessels over 58 feet to 25 percent of the state-waters Pacific cod jig allocation.....16
8 Amend regulatory description of Kodiak groundfish area and districts. 18

Chignik Pacific Cod

9 Develop regulations to coordinate state and federal Pacific cod fisheries.....20
10 Open the state-waters Pacific cod season seven days after federal Gulf of Alaska Pacific cod season closes. 23
11 Open the state-waters Pacific cod season one week after federal Pacific cod season closes.....23
12 Open the state-waters Pacific cod season one week after federal Pacific cod season closes, or March 1, whichever is earlier. 27
13 Open the state-waters Pacific cod season one week after federal Pacific cod season closes, or March 1, whichever is earlier. 27
14 Establish 14-day stand-down period for vessels using pot gear in a Pacific cod fishery prior to registering for the Chignik state-waters Pacific cod season. 31
15 Reduce pot limit in state-waters Pacific cod fishery from 60 to 40 pots. 34
16 Establish daily fishing period for Pacific cod fishery.....37
17 Amend regulatory description of Chignik groundfish area and districts. 40

Chignik and South Alaska Peninsula Pacific Cod

18 Implement 7-day stand-down for vessels that fished Pacific cod in the BS-AI Area before registering for the Chignik or South Alaska Peninsula state-waters Pacific cod fisheries. 41

TABLE OF CONTENTS (Continued)

Proposal No. and Subject **Page**

South Alaska Peninsula Pacific Cod

19 Develop regulations to coordinate state and federal Pacific cod fisheries.....44
20 Open state-waters Pacific cod season seven days after federal Western Gulf of Alaska A season Pacific cod pot sector closes.....47
21 Open state-waters Pacific cod season on March 1, or seven days after federal Gulf of Alaska Pacific cod pot sector closes, whichever is later.....49
22 Open state-waters Pacific cod season on March 15, or seven days after federal Western Gulf of Alaska Pacific cod pot sector closes, whichever is later.....51
23 Establish regulatory allocation for mechanical jigging machine gear in the state-waters Pacific cod fishery. 53
24 Establish regulatory allocation of 25 percent for state-waters Pacific cod jig fishery.....56
25 Establish regulatory allocation of 30 percent for state-waters Pacific cod mechanical jig fishery. 59
26 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.....62
27 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.....62
28 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.....62
29 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.....62
30 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.....62
31 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.....62
32 Repeal one definition of mechanical jigging machine gear. 65
33 Amend regulatory description of South Alaska Peninsula groundfish district and sections.....66

Prince William Sound

34 Allocate the state-waters Pacific cod guideline harvest level. 67
35 Establish a specific sector allocation for the jig fishery in PWS. 69
36 Allow only vessels without a federal Pacific cod endorsement to participate in the state-waters Pacific cod fishery. 70
37 Require that Pacific cod from other areas be landed before a vessel participates in the state-waters Pacific cod fishery. 71
38 Amend opening date of the state-waters Pacific cod season. 72
39 Develop regulations governing the state-waters Pacific cod fishery. 73

Cook Inlet

40 Reallocate state-waters season guideline harvest level. 76
41 Amend the opening date for state-waters season. 78
42 Develop regulations governing the state-waters Pacific cod fishery. 79

SUMMARY OF DEPARTMENT POSITIONS

Proposal #	Dept. Position	Issue
1	**Opposed**	Review licensing and reporting requirements for parallel Pacific cod fisheries for coordination with federal Pacific cod fisheries.
2	**No action**	Require federal LLP license and observer when participating in a parallel Pacific cod fishery.
3	**No position**	Develop regulations to coordinate state and federal Pacific cod fisheries.
4	**Neutral**	Address harvest overage in state-waters Pacific cod pot fishery.
5	**Neutral**	Allow only jig gear onboard a registered state-waters Pacific cod jig vessel.
6	**Neutral**	Cap jig vessels 58 feet and larger to 10 percent of the state-waters Pacific cod jig allocation.
7	**Neutral**	Cap jig vessels over 58 feet to 25 percent of the state-waters Pacific cod jig allocation.
8	**Supports**	Amend regulatory description of Kodiak groundfish area and districts.
9	**No position**	Develop regulations to coordinate state and federal Pacific cod fisheries.
10	**Neutral**	Open the state-waters Pacific cod season seven days after federal Gulf of Alaska Pacific cod season closes.
11	**Neutral**	Open the state-waters Pacific cod season one week after federal Pacific cod season closes.
12	**Neutral**	Open the state-waters Pacific cod season one week after federal Pacific cod season closes, or March 1, whichever is earlier.
14	**Neutral**	Establish 14-day stand-down period for vessels using pot gear in a Pacific cod fishery prior to registering for the Chignik state-waters Pacific cod season.
15	**Neutral**	Reduce pot limit in state-waters Pacific cod fishery.
16	**Neutral**	Establish daily fishing period for Pacific cod fishery.
17	**Supports**	Amend regulatory description of Chignik groundfish area and districts.
18	**Neutral**	Implement 7-day stand-down for vessels that fished Pacific cod in the BS-AI Area before registering for the Chignik or South Alaska Peninsula state-waters Pacific cod fisheries.
19	**No position**	Develop regulations to coordinate state and federal Pacific cod fisheries.
20	**Neutral**	Open state-waters Pacific cod season seven days after federal Western Gulf of Alaska A season Pacific cod pot sector closes.
21	**Neutral**	Open state-waters Pacific cod season on March 1, or seven days after federal Gulf of Alaska Pacific cod pot sector closes, whichever is later.
22	**Neutral**	Open state-waters Pacific cod season on March 15, or seven days after federal Western Gulf of Alaska Pacific cod pot sector closes if that closure is later than March 15.
23	**Neutral**	Establish regulatory allocation for mechanical jigging machine gear in the state-waters Pacific cod fishery.
24	**Neutral**	Establish regulatory allocation of 25 percent for state-waters Pacific cod jig fishery.
25	**Neutral**	Establish regulatory allocation of 30 percent for state-waters Pacific cod mechanical jig fishery.
26	**Neutral**	Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
27	**Neutral**	Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
28	**Neutral**	Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
29	**Neutral**	Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
30	**Neutral**	Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
31	**Neutral**	Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.

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SUMMARY OF DEPARTMENT POSITIONS (Continued)

Proposal #	Dept. Position	Issue
32	**Supports**	Repeal one definition of mechanical jigging machine gear.
33	**Supports**	Amend regulatory description of South Alaska Peninsula groundfish district and sections.
34	**Neutral**	Allocate the state-waters Pacific cod guideline harvest level.
35	**Neutral**	Establish a specific sector allocation for the jig fishery in PWS.
36	**No action**	Allow only vessels without a federal Pacific cod endorsement to participate in the state-waters Pacific cod fishery.
37	**Supports**	Require that Pacific cod from other areas be landed before a vessel participates in the state-waters Pacific cod fishery.
38	**Neutral**	Amend opening date of the state-waters Pacific cod season.
39	**No position**	Develop regulations governing the state-waters Pacific cod fishery.
40	**Neutral**	Reallocate state-waters season guideline harvest level.
41	**Neutral**	Amend the opening date for state-waters season.
42	**No position**	Develop regulations governing the state-waters Pacific cod fishery.

PROPOSAL 1 – 5 AAC 28.XXX. New Regulation. Review licensing and reporting requirements for parallel Pacific cod fisheries for coordination with federal Pacific cod fisheries.

PROPOSED BY: Rhonda Hubbard.

WHAT WOULD THE PROPOSAL DO? This proposal requests the department review fishermen and processor groundfish reporting and licensing requirements for duplication, necessity, and effectiveness with federal agency requirements. Reporting requirements should have minimum impact on entities providing information and consider recent technologies for maximizing efficiency among state and federal agencies.

WHAT ARE THE CURRENT REGULATIONS? All groundfish landings are coordinated by the Alaska Department of Fish and Game and National Marine Fisheries Service (NMFS) by use of the Interagency Electronic Reporting System (IERS; also called eLandings). General provisions for State of Alaska groundfish registration requirements are found under 5 AAC 28.020 *Groundfish Area Registration;* landing requirements under 5 AAC 39.130 *Reports Required of Processors, Buyers, Fishermen, and Operators of Certain Commercial Fishing Vessels; Transporting Requirements;* and vessel license requirements under 5 AAC 39.120 *Registration of Commercial Fishing Vessels.* Most permitting and licensing requirements for federal fisheries are listed in federal regulation 50 CFR 679.4 (Permits) and 50 679.5 (Reporting and Record Keeping).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal is requesting department staff work with the federal government to redesign or reprogram both agencies recordkeeping and reporting requirements. No specific action is requested; however, the proposer's intent is to streamline groundfish reporting and licensing requirements

BACKGROUND: The department manages groundfish resources 0–3 nmi (state-waters and parallel groundfish fisheries) and NMFS manages most groundfish resources from 3 to 200 nmi (federal fisheries).

State licensing and reporting requirements are consistent across state-managed groundfish fisheries, whereas federal licensing and reporting requirements are consistent across federally managed fisheries.

After speaking with the proposer, her greatest concern was the number of reports required by state and federal agencies for catcher-processor vessels. The department requires an eLandings report at the time of landing, a signed copy of the fish ticket (5 AAC 39.130 (c)), and a Commercial Operators Annual Report (COAR). The annual COAR contains data on seafood purchasing, production, and both exvessel and wholesale values of seafood products.

In federal fisheries, in addition to state requirements, NMFS requires a daily production report that details how the landed fish are processed and a product transfer report for quota-share fisheries.

The proposer suggests that all of these data could be obtained through eLandings and that the agencies should develop programming so that each of these reports would be streamlined into the eLandings system.

Little of the data captured in these reports are redundant. Combining reporting into a single form may actually cause more confusion. As an example, the proposer discussed the benefit of combining the COAR with the eLandings system. Although both reports require landing data, eLandings is the report used to track fish removals, whereas the COAR is used to track price information and production data. Fish ticket data are used to complete a portion of the COAR. The difficulty with combining these systems is that not every fishery currently is fully integrated for using the eLandings system (e.g., salmon); instead, many rely on paper fish tickets. Many processors deal with both salmon and groundfish, and the ability to generate COAR would not work with their operations.

DEPARTMENT COMMENTS: The department strives to reduce redundancy and increase efficiency for the public as long as core missions are still achieved. Increased integration of the department's data collection systems, where practicable, will continue to be a long-term goal and is dependent on the availability of funding and staff resources. The department is **OPPOSED** to this proposal at the current time because not all fisheries are fully integrated with electronic landings. In addition, the Board of Fisheries does not have the authority to direct administrative, budgeting, or fiscal priorities of the department.

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 28.267. Prince William Sound Pacific Cod Management Plan; 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan; 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(B) South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Buck Laukitis.

WHAT WOULD THE PROPOSAL DO? This proposal would require participants in the parallel Pacific cod fisheries to obtain a federal fishing license through the license limitation program (LLP) and follow other federal fishing requirements as they pertain to the Federal Fishing Permit (FFP), such as observer coverage.

WHAT ARE THE CURRENT REGULATIONS? State requirements for participation in a parallel Pacific cod fishery include a Commercial Fishery Entry Commission (CFEC) interim use permit, a CFEC vessel license, and a department vessel registration.

National Marine Fisheries Service (NMFS) limits participation in federal Central Gulf of Alaska (CGOA) and Western Gulf of Alaska (WGOA) Pacific cod fisheries through the LLP. In order to participate in the Pacific cod fishery in federal waters, a vessel must have an FFP and LLP with the correct area (CGOA and/or WGOA), gear, and species (Pacific cod) endorsements. Federal regulations also set observer requirements for some vessels.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, vessels without an LLP would not be able to fish in parallel Pacific cod fisheries. This proposal would use a federal LLP to limit participation in a state fishery.

BACKGROUND: The parallel Pacific cod fishery is an open-access fishery in which parallel Pacific cod seasons are implemented by the state to coincide with adjacent federal waters Pacific cod seasons. Harvests from both federal and parallel seasons are subtracted from the federal total allowable catch (TAC).

New federal regulations that will be implemented in 2012 will require any vessel with an FFP to also have an LLP with the appropriate gear, area, and species endorsements on its LLP license in order to participate in the WGOA and CGOA Pacific cod parallel fisheries. These federally permitted vessels will be required to follow NMFS rules (e.g., observer requirement) while fishing in parallel fisheries. Nonfederally permitted vessels may not fish in federal waters, but may participate in any parallel fishery.

Vessels with an FFP participating in a federal Pacific cod fishery are required to carry an onboard observer for a percentage of time during the fishery. Observers collect data onboard vessels; these data assist NMFS in management of the fishery. The observer program is undergoing revision through the North Pacific Fishery Management Council; however, under the current plan, groundfish vessels under 60 feet length overall are not required to carry observers, groundfish vessels longer than 60 feet and shorter than 125 feet are required to carry observers 30 percent of their fishing time, and groundfish vessels 125 feet and longer are required to carry observers 100 percent of their fishing time.

DEPARTMENT COMMENTS: The Board of Fisheries lacks authority to require federal licenses in state waters and the department recommends **NO ACTION** on this proposal. CFEC has authority to regulate entry into commercial fisheries in the state under AS 16.43.100.

COST ANALYSIS: Approval of this proposal would require individuals to purchase an LLP if they wished to participate in parallel fisheries, as well as associated observer costs.

PROPOSAL 3 – 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This placeholder proposal is intended to provide the Board of Fisheries (board) and fishery stakeholders the opportunity to coordinate the Kodiak Area state-waters and parallel Pacific cod fisheries with newly restructured federal Pacific cod fisheries. To coordinate state and federal Pacific cod fisheries, the board should consider, at a minimum, the following issues:

Season Dates: Criteria to open and close parallel and state-waters Pacific cod seasons are required because restructured federal fisheries will have season dates specific to each federal gear sector.

Landing Requirements: Vessels are currently required to land all Pacific cod within 48 hours of a directed groundfish season closure. Landing requirements may need to be amended to coordinate with changes to directed state-waters and parallel Pacific cod seasons.

Gear Storage: Pot gear storage requirements are currently coordinated with closure of the parallel Pacific cod season and the opening of the state-waters Pacific cod season. The existing gear storage requirements may require modification to coordinate to new parallel and state-waters Pacific cod season dates.

Guideline Harvest Level (GHL) Rollover: On September 1, if the total Kodiak state-waters Pacific cod guideline harvest level (GHL) has not been achieved, the allocation between jig and pot gear is removed, allowing both gear types to fish on a common GHL, and the department may also relax gear and vessel size limits to promote achieving the GHL. Additionally, on October 30, the department may designate the Kodiak Area as nonexclusive. Existing GHL rollover provisions are based, in part, on historical state-waters season dates and may require modification to conform to coordinated season dates between parallel and state-waters Pacific cod seasons.

Depending on how the board chooses to coordinate state and federal Pacific cod fisheries, the department may identify issues in addition to those outlined above that require board and stakeholder consideration. Pacific cod fishery coordination is complex and it is difficult to anticipate all of the possible outcomes. However, the board and stakeholders should be aware that some changes to regulations could have other unintended effects on how fisheries are prosecuted: the department will attempt to illustrate these to the board. Additional issues may be specific to the Kodiak Area, such as amending area registration requirements. Other additional issues may be larger in scope, such as establishing unified parallel Pacific cod season dates across all state Pacific cod management areas to promote orderly fishery management and enforcement.

WHAT ARE THE CURRENT REGULATIONS?

- Kodiak Area state-waters and parallel Pacific cod fisheries are managed according to the *Kodiak Area Pacific Cod Management Plan* (5 AAC 28.467).

- Parallel Pacific cod seasons open coincident with the federal Pacific cod fisheries in the Central Gulf of Alaska (CGOA; 5 AAC 28.467 (b)).
- State-waters seasons open to both pot and jig gear 7 days following closure of the CGOA (5 AAC 28.577 (c)).
- During a state-waters season, the Kodiak Area is an exclusive registration area for Pacific cod (5 AAC 28.406 (a)).
- Vessels must land all catch 48 hours following closure of any directed groundfish season (5 AAC 28.471).
- Vessels in the state-waters season using pot gear may store pots at depth for 7 days prior to the start of a state-waters season (5 AAC 28.432 (b)). Vessel operators may have pots in excess of the pot limit for 7 days following the opening of the state-waters season in shallow water storage or onboard their vessel (5 AAC 28.467 (e)(3)(D)).
- If the state-waters Pacific cod jig GHL has not been attained by September 1, the state-waters season is opened to both pot and jig gear (5 AAC 28.467 (c)(2)).
- After September 1, the department may relax gear limits and vessel size restrictions to promote full utilization of the state-waters GHL (5 AAC 28.467 (g)(1)).
- After October 30, the department may designate the Kodiak Area as a nonexclusive registration area to further promote utilization of the state-waters GHL (5 AAC 28.467 (g)(2)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal aims to coordinate various aspects of the Kodiak Area state-waters and parallel Pacific cod fisheries with the restructured federal Pacific cod fishery. Proposals submitted by the public address some, but not all, regulations that require board coordination.

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state-waters) occur in the Kodiak Management Area (Figure 3-1).

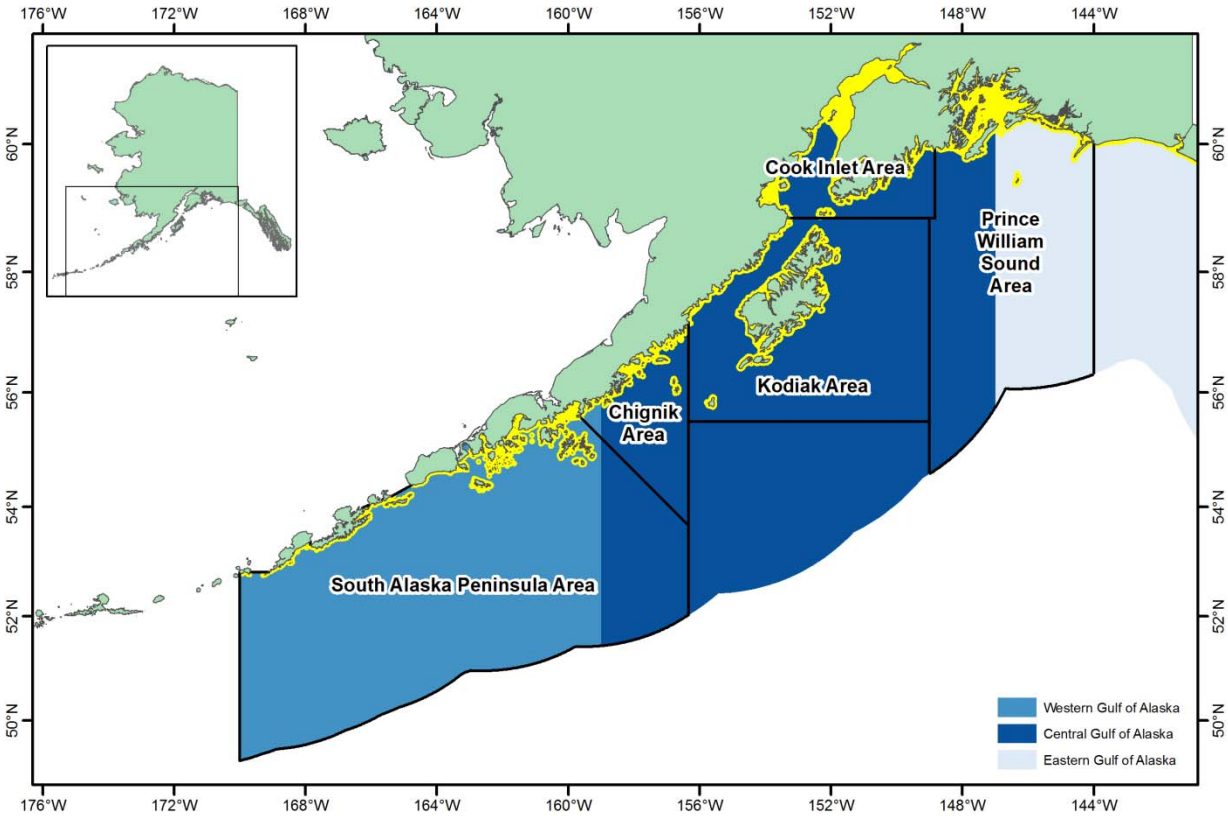
1. The federal season is managed exclusively by National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3 to 200 nmi offshore).
2. Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0 to 3 nmi). The state adopts most federal 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 to 3 nmi, but is managed exclusively by the state according to board regulations.

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations for the federal CGOA Pacific cod fisheries. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery.

At this time it is unknown to what degree the newly restructured federal Pacific cod fisheries will influence management of the Kodiak state-waters and parallel Pacific cod fisheries. However, some aspects of the Kodiak state-waters and parallel Pacific cod fisheries are known to be influenced by the federal Pacific cod fishery and thus, these regulations require alignment with new federal rules. Depending on the coordination decision on any one issue, the decision may impact other management or allocation issues. For example, if season dates are structured such that federal and state-waters Pacific cod fisheries for the same gear type are prosecuted concurrently in the same area, additional registration, management, and enforcement complexity will occur. Alternatively, nonconcurrent Pacific cod fisheries will be less complex, but may have allocative implications.

DEPARTMENT COMMENTS: Some issues identified in this proposal may be allocative. The department has **NO POSITION** on this placeholder 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.



Note: Federal management areas are shown in blue shading. State management areas are defined by black outline. State waters for both parallel and state-waters Pacific cod fisheries are in yellow shaded areas.

Figure 3-1.–Federal and state management areas within the Gulf of Alaska.

PROPOSAL 4 – 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan.

PROPOSED BY: Alaska Jig Association.

WHAT WOULD THE PROPOSAL DO? This proposal offers two alternatives for addressing overages in the state-waters Pacific cod pot fishery: (1) establish pot and jig allocations in the state-waters Pacific cod management plan such that overages in the pot fishery do not impact the jig fishery allocation, or (2) implement management measures to improve management precision in the Kodiak pot fishery.

WHAT ARE THE CURRENT REGULATIONS? Kodiak state-waters Pacific cod fisheries are managed according to the *Kodiak Area Pacific Cod Management Plan* (5 AAC 28.467). The guideline harvest level (GHL) for Pacific cod in the Kodiak Area is 12.5 percent of the Central Gulf of Alaska (CGOA) total allowable harvest. The state-waters GHL is allocated 50 percent to mechanical jigging machines (and hand troll gear) and 50 percent to vessels using pot gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There are two options listed in the proposal and the effects are different depending on which one the Board of Fisheries (board) considers.

If the board chose to structure the management plan such that overharvest in one gear's allocation would not affect the other gear's allocation, this may result in harvesting more than the total Kodiak Area GHL. Alternately, if the board chose to address the department's management precision of the pot fleet, the proposal is not specific, but offers several ideas that would likely slow the pace of the pot gear season.

- **Separate gear allocations:** Under this alternative, each gear allocation would be independent of the other. Under current regulation, the department attempts to manage as close to each gear's allocation without exceeding the overall fishery GHL. The pot fleet has greater catching power than the jig fleet and the pot fleet harvests its allocation prior to the jig fleet. During years when the pot allocation is exceeded, the pot overage is subtracted from the jig allocation to stay below the overall fishery GHL. Until 2011, the pace of the jig fishery has been slow enough that the department has been able to manage relatively closely to the remaining jig allocation. If overages from the pot fleet were not subtracted from the jig allocation, there would be years when the total Kodiak Area GHL would be exceeded. The Kodiak jig fleet has the potential to be difficult to manage because effort and catch rates can be high and the department does not have much daily harvest information. These factors occurred during the 2011 jig fishery. In addition to variable daily catch rates, on any given day, it was difficult to assess how many of the 146 registered vessels were actually fishing.

- **Pot fleet management precision:** If the board chose to slow the pace of the pot fishery, the proposal lists the following management measures:
  - **Reduced pot limits or reduced fishing time:** While catch rates would likely decline with a lower pot limit or implementation of a daily fishing period, it is unclear how much of a decline would occur in the daily catch. The individual vessel pot limit does not limit how many times a pot is lifted during a day. Some vessels may elect to lift pots after

shorter soak periods, resulting in more daily pot lifts than was projected from a lower pot limit. Similarly, reduced daily fishing periods would reduce the daily period when pots could be retrieved; however, the effect on catch is unknown.

- **Trip limits:** Trip limits place a cap on the amount of fish that can be onboard a vessel. If a trip limit was implemented, vessels could use tender vessels to offload catch while on the fishing grounds. If the trip limit was structured to restrict catch for a given period of time, it could significantly slow the fishery, but might be difficult to enforce. Some enforcement difficulties include:
    - Determining how much Pacific cod was onboard a vessel in a given day; vessels could deliver a trip limit and hold remaining fish to a subsequent day (banking toward a future limit).
    - Unless the limit restricted daily catch, as well as onboard poundage, it would be difficult to assess on which day the harvest occurred.
    - In addition to Pacific cod onboard, vessels will have fish caught in pots, which could lead to discarded fish at the end of a season.
- **Splitting state-waters pot season into an A and B season:** The rationale for splitting the annual GHL into an A and B season is because catch rates of Pacific cod tend to be slower in the fall than during the winter. The downside of splitting the season is that it would reduce the efficiency of the pot fleet and would take harvest away from the spring spawning period when fish may be more valuable to processors. It takes time and fuel to deploy pot gear and splitting the season would require the fleet to undertake this twice.

BACKGROUND: The Kodiak Area state-waters Pacific cod season GHL is split 50 percent to the pot fleet and 50 percent to the jig fleet. Both fleets open simultaneously 7 days after the closure of the federal CGOA Pacific cod A-season closure. The pot gear season is usually fast-paced, lasting as few as two weeks, whereas the jig season usually lasts several months or longer (Table 4-1).

The pot fleet has high daily catching power, although daily catch rates are extremely variable and are influenced by tides, weather, and fish behavior (e.g., spawn timing). Because of this catch variability, the department attempts to manage within plus or minus 10 percent of the pot gear allocation (Figure 4-1). When the pot fleet closure is over the pot allocation, the jig fleet's allocation is reduced.

Years that have the highest pot fleet catch rates also tend to have the most variability in daily catch rates and are most challenging to manage. Years that have the highest pot fleet catch rates are the years when the department has exceeded the pot gear allocation. Years with high pot gear catch rates also tend to be years when the jig fleet has better catch rates (Figure 4-2). In years when the jig fleet is unable to harvest its allocation (Figure 4-2), jig quota becomes available in the fall to both pot and jig gear through rollover regulations (Figure 4-3).

The state is provided 25 percent of the CGOA total allowable harvest, which is then split 12.5 percent to the Kodiak Management Area, 8.75 percent to the Chignik Management Area, and 3.75 percent to the Cook Inlet Management Area. In most years, the total allocation from the CGOA to the state is not harvested (Table 4-2).

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

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Regulations that slow the pace of the pot gear fishery would likely cause pot vessels to use more fuel and purchase more supplies.

Table 4-1.–Season length (days) for the Kodiak Area state-waters Pacific cod fishery, by gear type (excluding rollover fishing days), 1997–2011.

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Pot	30	42	38	NC	NC	57	16	16	12	12	34	28	16	17	14
Jig	NC	NC	NC	NC	NC	NC	83	73	79	178	179	186	203	119	68

Note: Seasons when a gear type did not close are denoted NC.

Table 4-2.–Total state-waters guideline harvest level for the combined Cook Inlet, Kodiak, and Chignik state-waters Pacific cod fisheries derived from Central Gulf of Alaska, total harvest, and pounds unharvested, 2007–2011.

Year	Total Allocation	Total Harvest	Pounds Unharvested
2007	20,800,000	13,581,567	7,218,433
2008	20,800,000	18,781,350	2,018,650
2009	17,400,000	16,805,242	594,758
2010	27,020,000	25,843,683	1,176,317
2011	29,660,000	28,821,833	838,167

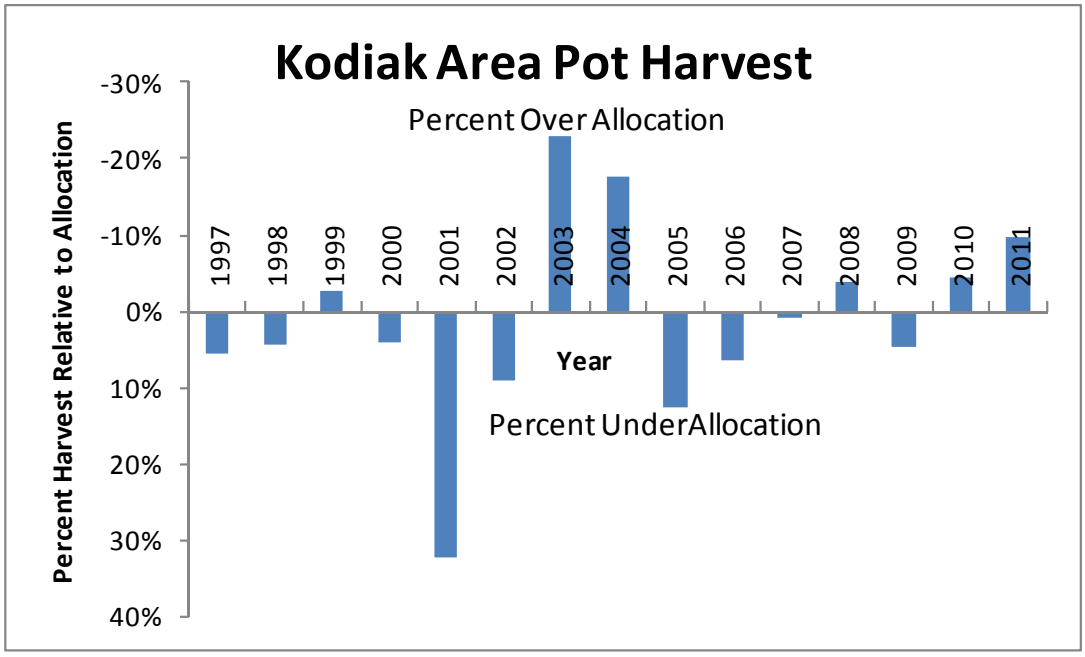
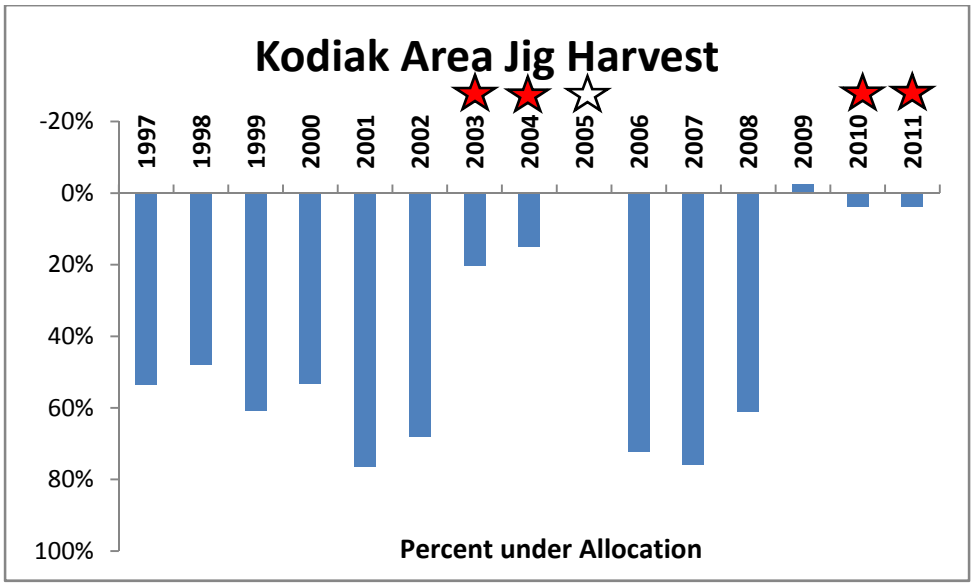
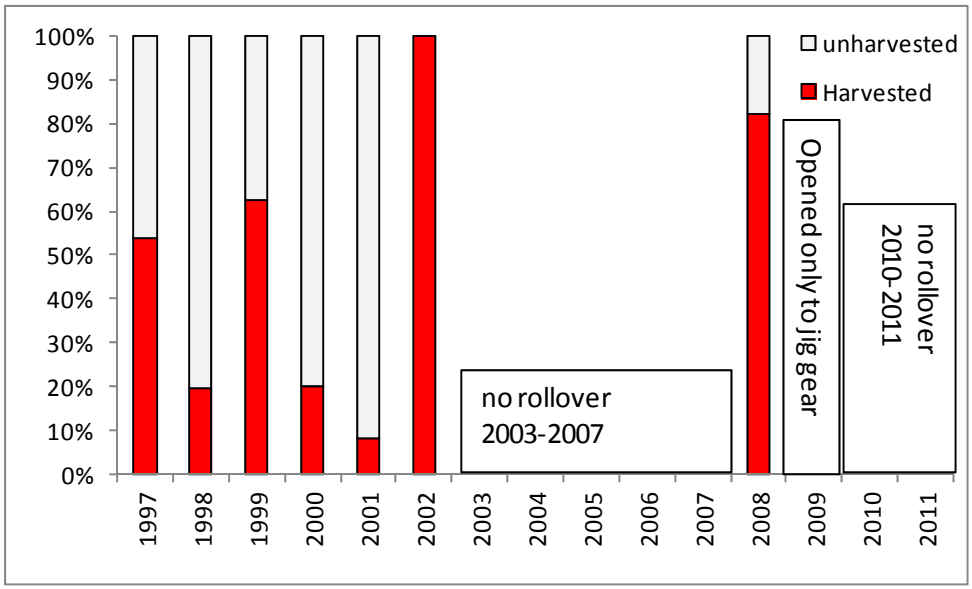


Figure 4-1.–Percentage of pot harvest over or under the pot gear allocation, 1997–2011.



Note: Stars indicate years when jig season was closed; solid (red) stars indicate years the pot fleet exceeded its allocation and the jig season was closed.

Figure 4-2. Percentage of jig harvest under the jig gear allocation, 1997–2011.



Note: In 2003, 2004, 2005, 2010, and 2011, the jig GHL was fully harvested. In 2006 and 2007 the federal B-season never closed, which did not allow an opportunity for the state-waters fishery to reopen and the fall rollover to be harvested. In 2009, so little GHL remained in the fall that the state-waters fishery was only opened to jig gear.

Figure 4-3.–Percentage of jig allocation rolled over in the fall to both gear types and harvested by the pot fleet.

PROPOSAL 5 – 5 AAC 28.430. Lawful Gear for Kodiak Area.

PROPOSED BY: Alaska Jig Association.

WHAT WOULD THE PROPOSAL DO? This proposal would limit gear aboard registered jig vessels in the state-waters Pacific cod fishery to only mechanical jigging machines or hand troll gear.

WHAT ARE THE CURRENT REGULATIONS? Vessels registered for the Kodiak Area state-waters Pacific cod fishery are limited to either pot or jig gear (5 AAC 28.467 (e)(3)). Vessels using jig gear are limited to no more than 5 mechanical jigging machines. Under the general provisions for lawful gear in the Kodiak Area (5 AAC 28.430 (f) and (g)), mechanical jigging machines are limited to no more than 5 lines, and vessels may not have more than 150 hooks deployed and no more than 500 hooks in the aggregate onboard the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would prohibit trawl, longline, or pot gear from being onboard a vessel registered in the Kodiak Area state-waters Pacific cod jig fishery. Fishermen that participate in the Kodiak state-waters Pacific cod jig fishery would have to remove all gear other than jig gear before participating in the jig fishery.

BACKGROUND: The Kodiak Area state-waters Pacific cod jig fishery has high levels of participation (146 vessels in 2011; Figure 5-1). Many vessels participating in this fishery also participate in other commercial fisheries, including the state-waters Pacific cod pot fishery. Some vessels leave other commercial fishing gear onboard their vessel while participating in the jig fishery. The department does not have data on this issue; however, the following gear types were reported to staff by participants in the jig fishery as being aboard jig vessels during the 2011 season: longline reels, trawl doors, trawl nets, and pots. Some jig fishermen have expressed concern, particularly as the fishery becomes more competitive, that allowing other gear aboard a vessel provides opportunity for vessels to fish illegal gear.

In 2010, the Alaska Wildlife Troopers (AWT) received several complaints that some vessels were using longline gear during the jig fishery. These cases were investigated, but no citations were issued. No complaints were made to AWT during the 2011 state-waters Pacific cod jig fishery.

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

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery, however, only for those persons that have to remove other gear types onboard before jig fishing.

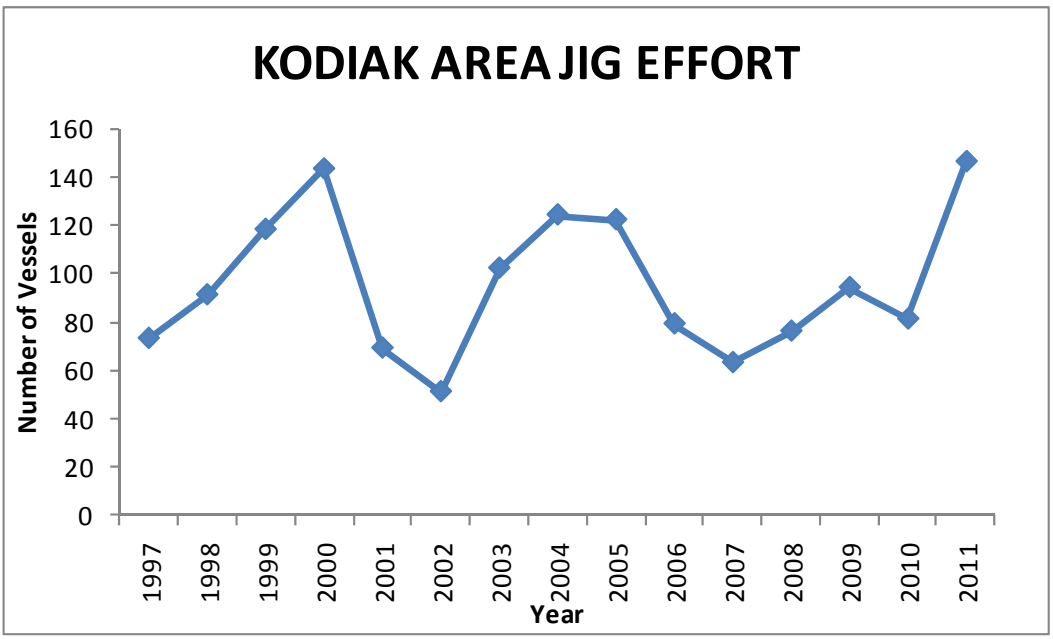


Figure 5-1.–Number of jig vessels participating in the Kodiak Area state-waters Pacific cod season, 1997–2011.

PROPOSAL 6 – 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan.

PROPOSED BY: Alaska Jig Association.

WHAT WOULD THE PROPOSAL DO? This proposal would cap harvest by vessels that are 58 feet and longer in the Kodiak Area state-waters Pacific cod jig season to 10 percent of the jig allocation.

WHAT ARE THE CURRENT REGULATIONS? The Kodiak Area state-waters Pacific cod fishery caps the allowable harvest of only those pot vessels that are greater than 58 feet. Pot vessels over 58 feet are limited to 50 percent of the pot allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels less than 58 feet would have a de facto allocation of 90%; however, small jig vessels could exceed 90 percent of the harvest if large jig vessels did not achieve their 10 percent cap before the jig fishery closed for all jig vessels.

BACKGROUND: The state-waters Pacific cod fishery management plan defines season dates, legal gear types, vessel size limits, guideline harvest level allocation and rollover provisions, vessel registration requirements, and gear storage regulations.

There are no vessel size limits for the state-waters Pacific cod fishery in the Kodiak Area. Other areas have vessel size limits; for example, the South Alaska Peninsula and Chignik management areas restrict participation to vessels no longer than 58 feet.

Vessel effort in the jig fleet has ranged from a low of 51 in 2002 to a high of 146 in 2011 (Figure 6-1). The number of jig vessels over 57-feet participating in the Kodiak Area state-waters jig fishery averaged three from 2001 to 2009, but increased to four in 2010 and 13 in 2011 (Table 6-1). The amount of Pacific cod harvested by vessels over 57 feet averaged 2.4 percent from 2001–2009 of the annual jig harvest (Table 6-1); however, the highest harvest occurred in the two most recent seasons, 2010 and 2011. In 2011, jig vessels greater than 57 feet harvested 9.6 percent of the total jig harvest.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of 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 6-1.–Average effort and harvest in the Kodiak Area jig fleet compared to average effort and harvest of jig vessels greater than 57 feet, 2001–2009; effort and harvest of the jig fleet and proportion of the jig fleet greater than 57 feet, 2010 and 2011.

Years	Average No. of vessels	Average No. > 57	Average Total Harvest	Average Harvest >57
2001–2009	87	3	2,645,321	2.4%

	No. of vessels	No. > 57	Total Harvest	Harvest>57
2010	81	4	6,504,733	3.5%
2011	146	13	7,135,538	9.6%

Note: 2001–2009 are combined due to confidentiality (fewer than three vessels).

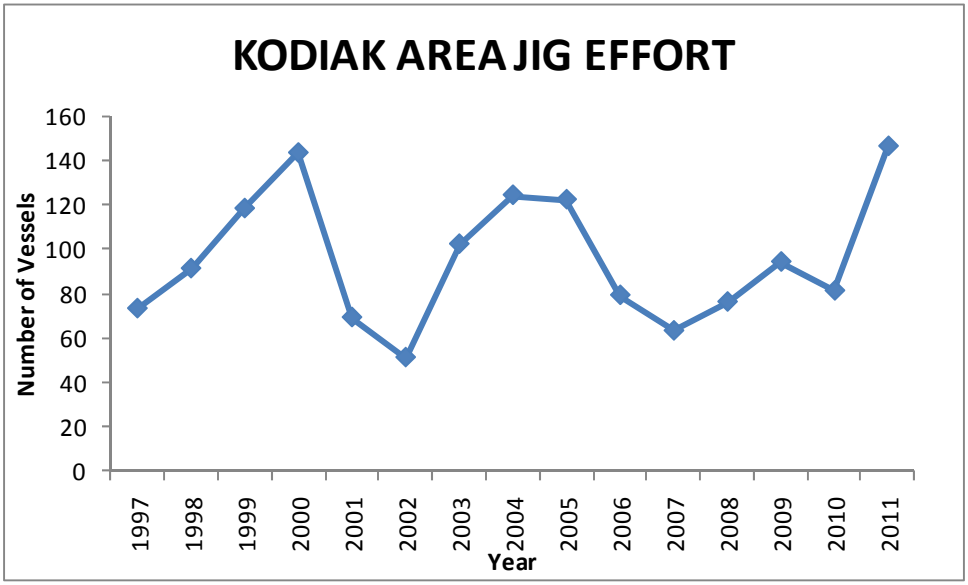


Figure 6-1.–Number of jig vessels participating in the Kodiak Area state-waters Pacific cod season, 1997–2011.

PROPOSAL 7 – 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan.

PROPOSED BY: Ronald G. Thompson.

WHAT WOULD THE PROPOSAL DO? This proposal would cap harvest by vessels that are longer than 58 feet in the Kodiak Area state-waters Pacific cod jig season to 25 percent of the jig allocation.

WHAT ARE THE CURRENT REGULATIONS? The Kodiak Area state-waters Pacific cod fishery caps the allowable harvest of only those pot vessels that are greater than 58 feet. Pot vessels over 58 feet are limited to 50 percent of the pot allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels equal to or less than 58 feet would have a de facto allocation of 75%; however, small jig vessels could exceed 75 percent of the harvest if large jig vessels did not achieve their 25 percent cap before the jig fishery closed for all jig vessels.

BACKGROUND: The state-waters Pacific cod fishery management plan defines season dates, legal gear types, vessel size limits, guideline harvest level allocation and rollover provisions, vessel registration requirements, and gear storage regulations.

There are no vessel size limits for the state-waters Pacific cod fishery in the Kodiak Area. Other areas have vessel size limits; for example, the South Alaska Peninsula and Chignik management areas restrict participation to vessels no longer than 58 feet.

Vessel effort in the jig fleet has ranged from a low of 51 in 2002 to a high of 146 in 2011 (Figure 7-1). The number of jig vessels over 58 feet participating in the Kodiak Area state-waters jig fishery has averaged two from 2001–2010 (Table 7-1). The amount of Pacific cod harvested by vessels over 58 feet averaged 2.3 percent of the entire average annual jig harvest from 2001–2010 (Table 7-1); however, the harvest by jig vessels greater than 58 feet was 5.5 percent in 2011.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of 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 7-1.–Average effort and average harvest in the Kodiak Area jig fleet compared to average effort and average harvest of jig vessels greater than 58 feet, 2001–2010; effort and harvest by jig vessels greater than 58 feet, 2011.

Years	Average No. of vessels	Average No. > 58	Average Total Harvest	Average Harvest >58
2001–2010	86	2	3,031,262	2.3%
	No. of vessels	No. > 58	Total Harvest	Harvest>58
2011	146	8	7,135,538	5.5%

Note: 2001–2010 are combined due to confidentiality (fewer than three vessels).

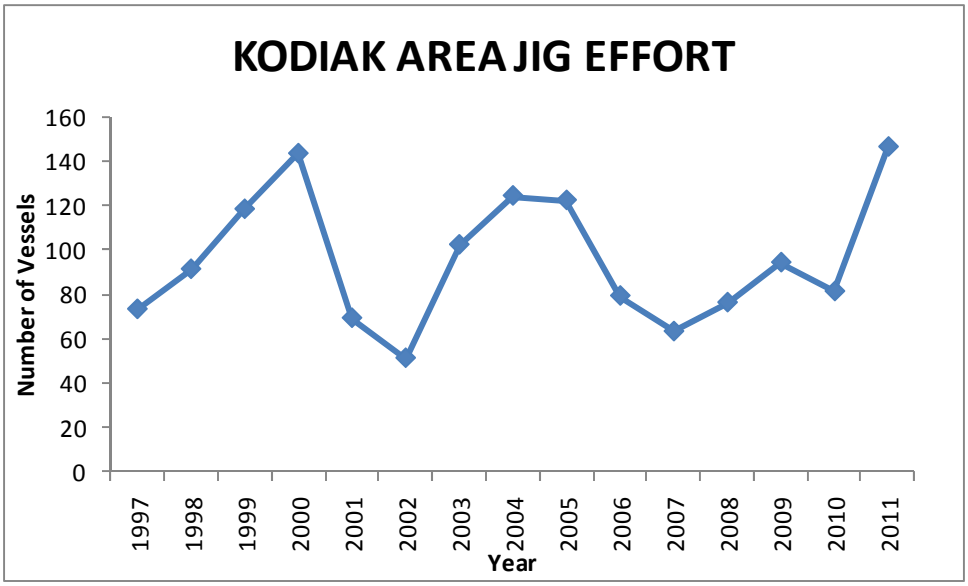


Figure 7-1.–Number of jig vessels participating in the Kodiak Area state-waters Pacific cod season, 1997–2011.

PROPOSAL 8 – 5 AAC 28.400. Description of Kodiak Area and 5 AAC 28.404. Description of Kodiak Area Districts.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would (1) standardize the description of "Kilokak Rocks," which are the western boundary of the Kodiak groundfish management area and also the eastern boundary of the Chignik Management Area; (2) move the seaward boundary of the Kodiak groundfish management area from 55°30' N lat to the exclusive economic zone (EEZ) offshore boundary; and (3) clarify the descriptions of the Westside and Southwest districts of the Kodiak groundfish management area.

WHAT ARE THE CURRENT REGULATIONS? The western boundary of the Kodiak groundfish management area is described as a line extending south from the southern entrance of Imuya Bay near Kilokak Rocks (156°20.22' W long); the seaward boundary is described as 55°30.00' N lat (5 AAC 28.400. *Description of Kodiak Area*).

The Southwest District of the Kodiak Area is defined as all waters of Olga and Alitak bays and all waters of the Kodiak Area southwest of Kodiak Island, south of 57° N lat, and west of 154° W long (5 AAC 28.404 (e)).

The Westside District of the Kodiak Area is bounded on the west by the line forming the eastern boundary of the Mainland District (a line extending through Shelikof Strait from a point at 58°51.10' N lat, 152°50.00' W long, to a point at 56°37.00' N lat, 156°20.22' W long), and additionally defined as not including the waters of the Mainland District (5 AAC 28.404 (f)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would coordinate ADF&G groundfish regulations by standardizing regulatory language describing the boundary between Kodiak and Chignik groundfish management areas, extending the Kodiak Area southward to the 200 mile limit, and clarifying the description of the Southwest District to eliminate overlap with the Mainland District. The department does not anticipate that adoption of the proposal would result in any changes in the management of Kodiak Area groundfish fisheries.

BACKGROUND: The department recently reviewed all previously established Kodiak commercial groundfish boundary descriptions in an effort to provide concise and consistent regulations. During this process, the department identified eight different variations used to describe the vicinity of Kilokak Rocks. Establishing a common reference point for this area will assist all commercial fishery stakeholders.

Current groundfish management areas were established by the Board of Fisheries in 1996. Statewide regulation 5 AAC 28.010, *Application of Groundfish Regulations*, provides authority for the state to manage to the EEZ boundary at 200 nautical miles those species not included in a federal groundfish management plan or for which a federal management plan delegates authority to the state. Waters outside of the Kodiak Area's southern boundary, but inside the 200 mile limit, are not assigned to any groundfish management area (Figure 8-1). However, in common use, the department includes these unassigned waters in the Kodiak Area.

As currently defined in regulation, the Southwest and Mainland districts partially overlap (diagonally lined corner in Figure 8-1). However, in practice, the Southwest District is interpreted to exclude any waters described as part the Mainland District. This interpretation is consistent with how shrimp and Tanner crab districts are defined.

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.

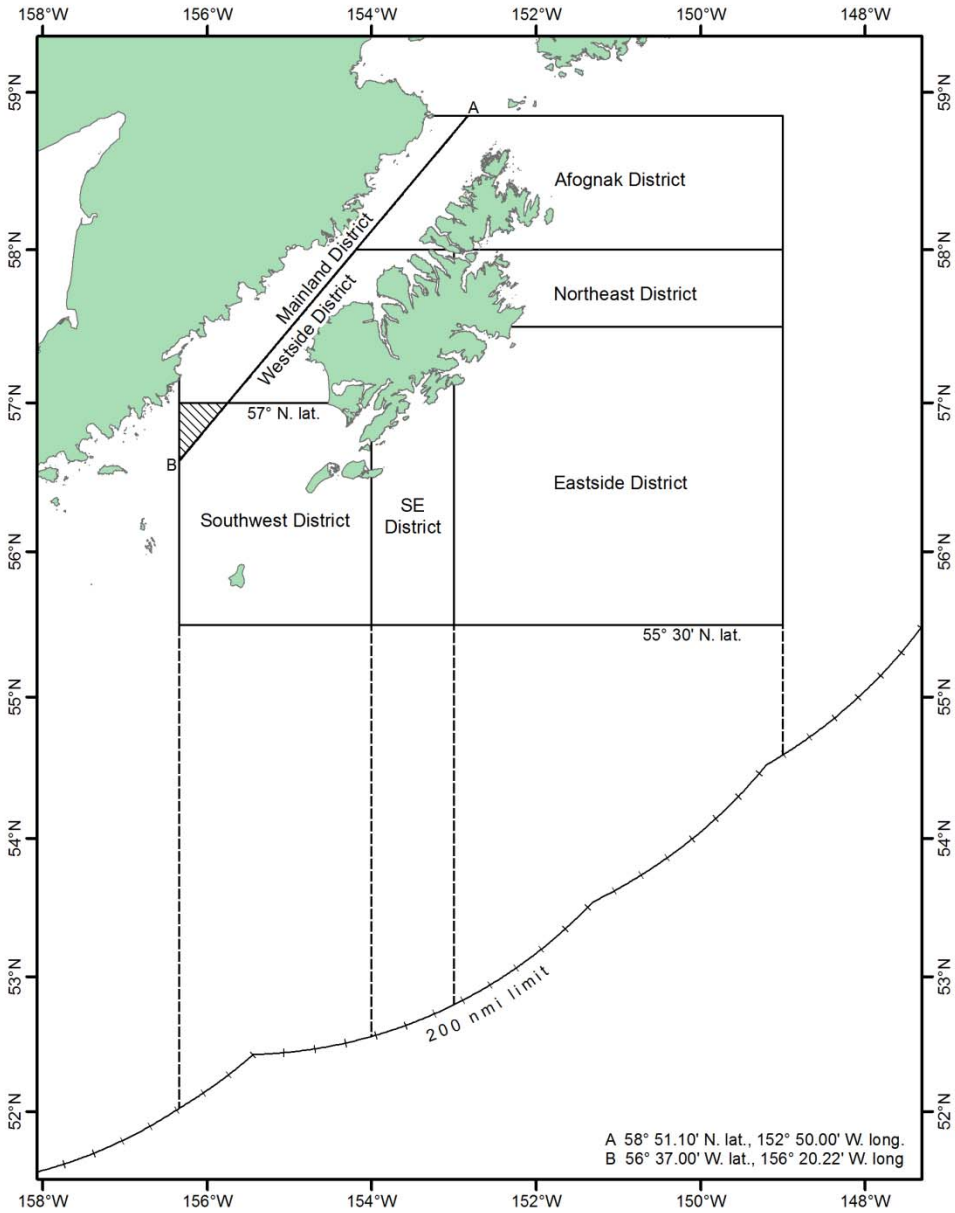


Figure 8-1.–Kodiak Management Area. The diagonally lined corner is currently interpreted to be part of the Mainland District; the southern boundary of the Kodiak Area is currently at 55°30.00’ N lat.

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

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This placeholder proposal is intended to provide the Board of Fisheries (board) and fishery stakeholders the opportunity to coordinate the Chignik Area state-waters and parallel Pacific cod fisheries with newly restructured federal Pacific cod fisheries. To coordinate state and federal Pacific cod fisheries, the board should consider, at a minimum, the following issues:

Season Dates: Criteria to open and close parallel and state-waters Pacific cod seasons are required because restructured federal fisheries will have season dates specific to each federal gear sector.

Landing Requirements: Vessels are currently required to land all Pacific cod within 48 hours of a directed groundfish season closure. Landing requirements may need to be amended to coordinate with changes to directed state-waters and parallel Pacific cod seasons.

Gear Storage: Pot gear storage requirements are currently coordinated with closure of the parallel Pacific cod season and the opening of the state-waters Pacific cod season. The existing gear storage requirements may require modification to coordinate to new parallel and state-waters Pacific cod season dates.

Guideline Harvest Level (GHL) Rollover: On August 15, if the total Chignik state-waters Pacific cod guideline harvest level (GHL) has not been achieved, the allocation between jig and pot gear is removed, allowing both gear types to fish on a common GHL. After October 30, the department may relax gear and vessel size limits to promote achieving the GHL. Existing GHL rollover provisions are based, in part, on historical state-waters season dates and may require modification to conform to coordinated season dates between parallel and state-waters Pacific cod seasons.

Depending on how the board chooses to coordinate state and federal Pacific cod fisheries, the department may identify issues, in addition to those outlined above, that require board and stakeholder consideration. Pacific cod fishery coordination is complex and it is difficult to anticipate all of the possible outcomes. However, the board and stakeholders should be aware that some changes to regulations could have other unintended effects on how fisheries are prosecuted; the department will attempt to illustrate these to the board. Additional issues may be specific to the Chignik Area, such as amending area registration requirements. Other additional issues may be larger in scope, such as establishing unified parallel Pacific cod season dates across all state Pacific cod management areas to promote orderly fishery management and enforcement.

WHAT ARE THE CURRENT REGULATIONS?

- Chignik Area state-waters and parallel Pacific cod fisheries are managed according to the *Chignik Area Pacific Cod Management Plan* (5 AAC 28.537).

- Parallel Pacific cod seasons open coincident with the federal Pacific cod fisheries in the Central Gulf of Alaska (CGOA) and Western Gulf of Alaska (WGOA; 5 AAC 28.537 (b)).
- State-waters seasons open to both pot and jig gear on March 15 (5 AAC 28.537 (c)).
- During a state-waters season, the Chignik Area is a superexclusive registration area for Pacific cod (5 AAC 28.506 (a)).
- Vessels must land all catch 48 hours following closure of any directed groundfish season (5 AAC 28.541).
- Vessels in the state-waters season using pot gear may store pots at depth for seven days prior to the start of a state-waters season (5 AAC 28.532 (c)). Vessel operators may have pots in excess of the pot limit for seven days following the opening of the state-waters season in shallow water storage or onboard their vessel (5 AAC 28.537 (e)(3)(E)).
- If the state-waters Pacific cod jig GHL has not been attained by August 15, the state-waters season is opened to both pot and jig gear (5 AAC 28.537 (c)(3)).
- After October 30, the department may relax gear limits and vessel size restrictions to promote full utilization of the state-waters GHL (5 AAC 28.537 (g)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal aims to coordinate various aspects of the Chignik Area state-waters and parallel Pacific cod fisheries with the restructured federal Pacific cod fishery. Proposals submitted by the public address some, but not all, regulations that require board coordination.

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state-waters) occur in the Chignik Management Area (Figure 9-1).

1. The federal season is managed exclusively by National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3 to 200 nmi offshore).
2. Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0 to 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 to 3 nmi, but is managed exclusively by the state according to board regulations.

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations for the federal Western and CGOA Pacific cod fisheries. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery.

At this time it is unknown to what degree the newly restructured federal Pacific cod fisheries will influence management of the Chignik state-waters and parallel Pacific cod fisheries. However, some aspects of the Chignik state-waters and parallel Pacific cod fisheries are known to be influenced by the federal Pacific cod fishery and thus, these regulations require alignment with new federal rules. Depending on the coordination decision on any one issue, the decision may

impact other management or allocation issues. For example, if season dates are structured such that federal and state-waters Pacific cod fisheries for the same gear type are prosecuted concurrently in the same area, additional registration, management and enforcement complexity will occur. Alternatively, nonconcurrent Pacific cod fisheries will be less complex, but may have allocative implications.

DEPARTMENT COMMENTS: Some issues identified in this proposal may be allocative. At this time, the department has **NO POSITION** on this placeholder 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.

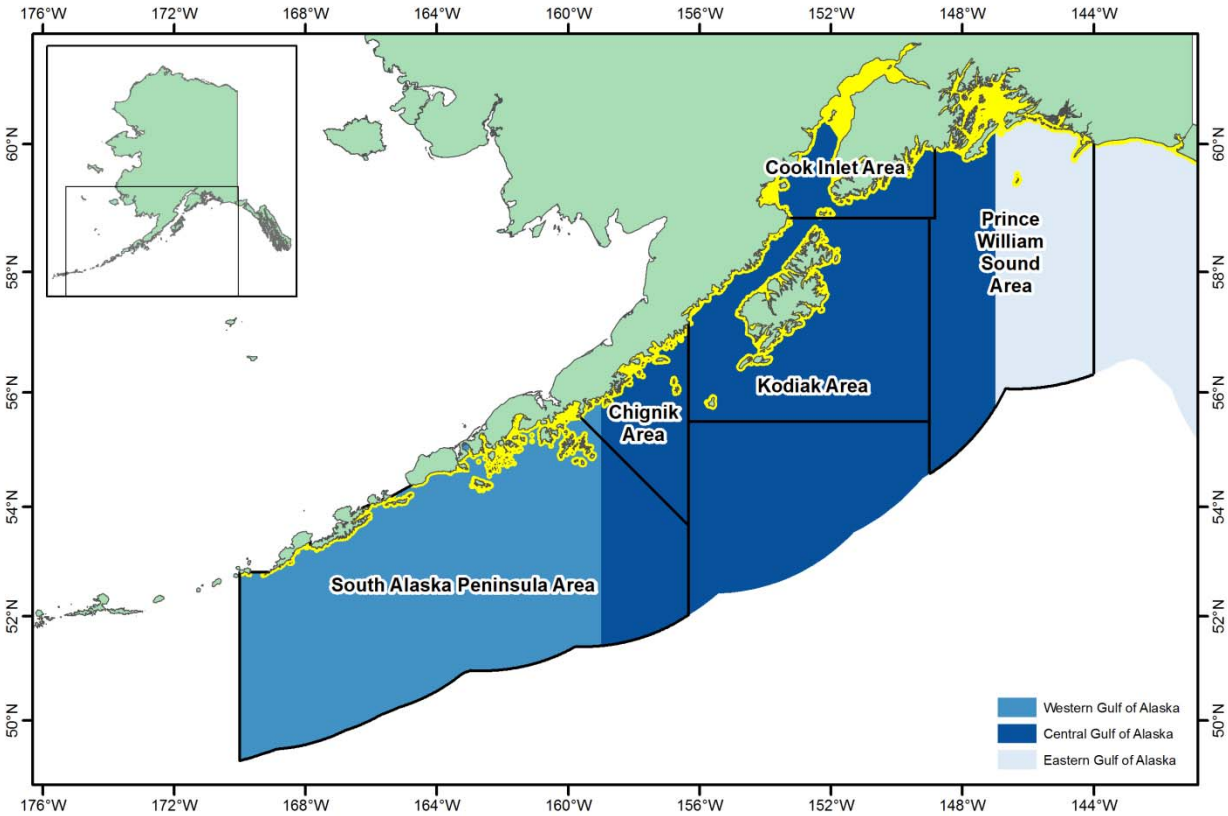


Figure 9-1.–Federal groundfish management areas (shaded) and state-waters groundfish management areas (black outline) within the Gulf of Alaska.

PROPOSALS 10 and 11 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Chignik Marketing Association and Alfredo Abou Eid, respectively.

WHAT WOULD THE PROPOSALS DO? These proposals would open the Chignik Area state-waters Pacific cod season seven days after the closure of a designated Gulf of Alaska federal/parallel Pacific cod season. The proposals do not specify which federal Pacific cod area (Central Gulf of Alaska (CGOA) or Western Gulf of Alaska (WGOA)) and which federal sector closure (pot, jig, trawl, or longline) would trigger the Chignik Area state-waters Pacific cod season opening. These proposals would open the Chignik Area state-waters season for both pot and jig gear on the same date.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod season opens by regulation on March 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Several effects could occur:

- **Decreased effort – small vessels:** An earlier Chignik state-waters season start date could reduce harvest opportunity for smaller vessels since those vessels may be more susceptible to inclement weather common to the Chignik Area during winter months. Table 10-1 provides recent season dates for the federal CGOA and WGOA Pacific cod A-seasons and projections for the Chignik state-waters Pacific cod season opening under the assumption that the Chignik fishery would open seven days after the closure of the federal season.

- **Decreased effort – large vessels:** An earlier Chignik state-waters season start date may decrease opportunity for those larger pot gear vessels commonly referred to as "super 58" vessels. Most federal Pacific cod fishery A-seasons in the Gulf of Alaska (GOA) and Bering Sea have been closed to directed fishing either in February or early March. During some years, larger pot vessels that fished in federal/parallel Pacific cod fisheries outside of the Chignik Area have been able to participate in the later-occurring Chignik state-waters Pacific cod fishery. An earlier Chignik state-waters season start may reduce opportunity for "super 58" vessels because they may still be participating in other federal/parallel Pacific cod fisheries.

- **Increased harvest – all vessels:** This proposal may result in higher harvest rates for all participating vessels in the Chignik state-waters Pacific cod fishery. Pacific cod typically form spawning aggregations in the GOA from January through March. Fish are most concentrated while spawning, which typically results in strong harvest rates and fast paced fisheries. After spawning, Pacific cod tend to disperse and move offshore. From 2007 to 2010, most Pacific cod sampled from Chignik commercial landings had spawned by mid-March (Figure 10-1). Fishermen may encounter higher concentrations of prespawning Pacific cod during seasons that start earlier in the year, resulting in better fishing or more marketable fish.

The proposals do not specify which federal Pacific cod fishery area (CGOA or WGOA) and federal gear sector should prompt the start of the Chignik Area state-waters season. From 2009 to 2011, the federal CGOA Pacific cod season closed to directed fishing in late January, which, under the provisions of these proposals, would have resulted in a Chignik state-waters season start date in early February (Table 10-1). For those same years, the federal WGOA Pacific cod season closed to directed fishing in mid to late February, which, under the provisions of these proposals, would have resulted in a Chignik state-waters season start date in late February or early March.

BACKGROUND: The North Pacific Fishery Management Council (NPFMC) established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and WGOA management areas. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery. At this time it is unknown how, or to what degree, the newly restructured federal Pacific cod fisheries will influence management of state-waters Pacific cod fisheries.

From 2002 to 2011, the Chignik state-waters Pacific cod season opened on March 1. The Chignik state-waters season opening date was amended at the March 2011 Board of Fisheries meeting to begin March 15. All vessels that participate in the Chignik state-waters fishery may not exceed 58 feet in overall length and are limited to using no more than 60 pots or 5 mechanical jig machines.

The Chignik Area state-waters Pacific cod guideline harvest level (GHL) is based on 8.75 percent of the federal CGOA acceptable biological catch (ABC). Pot vessels are allocated 90 percent of the annual GHL, and mechanical jig and hand troll vessels are allocated 10 percent of the annual GHL. From 2008 to 2011, the pot gear GHL was fully harvested (Table 10-2). During those years, pot gear harvest rates increased, resulting in consecutively shorter seasons. The 2011 pot gear season was 17 days in duration, which was the shortest Chignik Area state-waters pot season on record. The jig gear GHL has not been fully harvested in any year since the inception of Chignik GHL gear allocations in 2000.

DEPARTMENT COMMENTS: Coordinating state-waters Pacific cod season dates with federal Pacific cod season dates is not expected to negatively influence inseason fishery management or negatively impact the Pacific cod stock. If adopted, these proposals may benefit some vessels more than others during the state-waters fishery. The department is **NEUTRAL** on the allocative aspects of these 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 10-1.–Season dates for federally managed directed Pacific cod fisheries in the Central Gulf of Alaska (CGOA) and Western Gulf of Alaska (WGOA) and example season start dates for the Chignik Area state-waters Pacific cod fishery by year, 2007–2011.

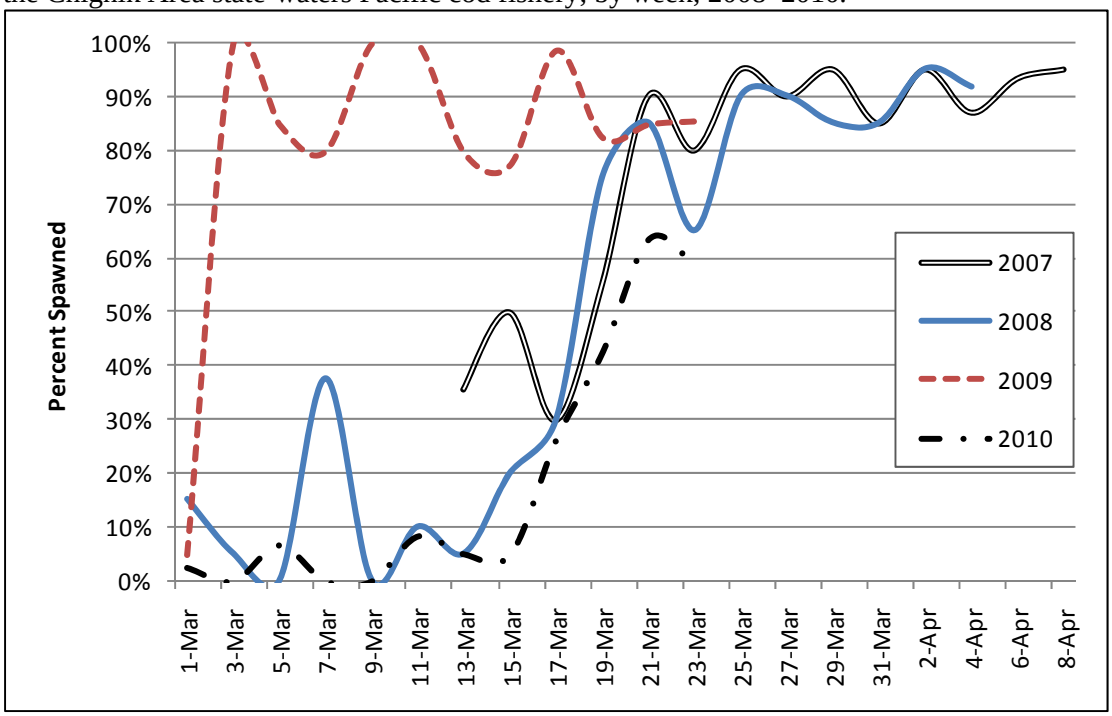
	Federal CGOA 'A' Season Dates		**Example Chignik Area State-Waters Season Start Date (Based on CGOA)**	**Federal WGOA 'A' Season Dates**		**Example Chignik Area State-Waters Season Start Date (Based on WGOA)**
	Open	Close		Open	Close	
2007	1-Jan	27-Feb	**6-Mar**	1-Jan	8-Mar	**15-Mar**
2008	1-Jan	20-Feb	**27-Feb**	1-Jan	29-Feb	**7-Mar**
2009	1-Jan	27-Jan	**3-Feb**	1-Jan	25-Feb	**4-Mar**
2010	1-Jan	31-Jan	**7-Feb**	1-Jan	19-Feb	**26-Feb**
2011	1-Jan	29-Jan	**5-Feb**	1-Jan	16-Feb	**23-Feb**

Table 10-2.–Chignik Area state-waters Pacific cod pot gear guideline harvest level, effort, harvest, and season dates by year, 2000–2011.

Year	**Pot GHL (millions Lb)**	**Vessels**	**Harvest (Lb)**	**Season Opening Date**	**Season Closure Date**
2000	5.70	20	1,756,305	15-Apr	31-Dec
2001	5.10	15	2,371,243	11-Mar	31-Dec
2002	4.17	12	3,903,320	1-Mar	31-Dec
2003	**3.83**	**15**	**4,034,504**	**1-Mar**	**11-Apr**
2004	**5.80**	**17**	**5,608,763**	**1-Mar**	**13-May**
2005	**5.75**	**15**	**5,650,595**	**1-Mar**	**10-May**
2006	6.57	12	3,439,521	1-Mar	31-Dec
2007	6.57	16	5,700,861	1-Mar	31-Dec
2008	**6.58**	**23**	**6,690,109**	**1-Mar**	**17-Apr**
2009	**5.47**	**11**	**5,679,676**	**1-Mar**	**8-Apr**
2010	**8.51**	**15**	**8,491,185**	**1-Mar**	**6-Apr**
2011	**9.34**	**23**	**9,370,870**	**1-Mar**	**17-Mar**

Note: **Bold** denotes years when the full pot gear GHL was harvested

Figure 10-1.–Percentage of spent (spawned out) Pacific cod from samples collected during the Chignik Area state-waters Pacific cod fishery, by week, 2008–2010.



PROPOSALS 12 and 13 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Aaron Anderson and David Lofland, respectively.

WHAT WOULD THE PROPOSALS DO? These proposals would open the Chignik Area state-waters Pacific cod season seven days following the closure of a designated Gulf of Alaska federal/parallel Pacific cod fishery for a specified gear sector or March 1, whichever is earlier. The proposals do not specify which federal Pacific cod area (Central Gulf of Alaska (CGOA) or Western Gulf of Alaska (WGOA)) and gear sector closure (pot, jig, trawl, or longline) should trigger the Chignik Area state-waters season opening. These proposals would open the Chignik Area state-waters Pacific cod season for both pot and jig gear on the same date.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod season opens by regulation on March 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? During years when the federal/parallel Pacific cod season closes on or before February 21, the state-waters season would open seven days after the federal closure. However, if the federal closure has not occurred by February 22, the state-waters fishery would open on March 1.

Several effects could occur:

- **Decreased effort – small vessels:** An earlier state-waters start date could reduce harvest opportunity for smaller vessels since those vessels may be more susceptible to inclement weather common during winter months. Table 12-1 provides recent season dates for the federal CGOA and WGOA Pacific cod A-seasons and projections for the Chignik state-waters Pacific cod season opening under the assumption that the Chignik fishery would open seven days after closure of the federal season.

- **Decreased effort – large vessels:** An earlier Chignik state-waters season start date may decrease opportunity for those larger pot gear vessels commonly referred to as "super 58" vessels. Most federal Pacific cod fishery A-seasons in the Gulf of Alaska (GOA) and Bering Sea have typically closed to directed fishing either in February or early March. During some years, larger pot vessels that fished in federal/parallel Pacific cod fisheries outside of the Chignik Area have been able to participate in the later-occurring Chignik state-waters Pacific cod fishery. An earlier Chignik state-waters season start may reduce opportunity for these "super 58" vessels because they may still be participating in other federal/parallel Pacific cod fisheries.

- **Increased harvest – all vessels:** This proposal may result in higher harvest rates for all participating vessels. Pacific cod typically form spawning aggregations in the GOA from January through March. Fish are most concentrated while spawning, which typically results in strong harvest rates and fast-paced fisheries. After spawning, Pacific cod tend to disperse and move offshore. From 2007 to 2010, most Pacific cod sampled from Chignik commercial landings had spawned by mid-March (Figure 12-1). Fishermen may encounter higher concentrations of prespawning Pacific cod during seasons that start earlier in the year, resulting in better fishing or more marketable fish.

These proposals do not specify which federal Pacific cod season (CGOA or WGOA) and gear sector closure should prompt the start of the Chignik Area state-waters season. From 2009 to 2011, the federal CGOA Pacific cod season closed to directed fishing in late January, which, under the provisions of these proposals, would have resulted in a proposed Chignik state-waters season start date in early February (Table 12-1). For those same years, the federal WGOA Pacific cod season closed to directed fishing in mid to late February, which, under the provisions of these proposals, would have resulted a Chignik state-waters season start date in late February or early March.

During some years, the federal Pacific cod seasons in the Central and WGOA have extended into March (Table 12-1). Provisions of these proposals may open the Chignik state-waters season on March 1, before the federal season closes. In this scenario, the Chignik state-waters Pacific cod fishery would be open concurrent to the federal Pacific cod fishery. During concurrent Pacific cod fisheries, state-waters regulations would supersede federal/parallel fishery regulations within state-waters (0–3 nmi).

During years when the federal Pacific cod season closes just prior to March 1 (i.e., February 28), these proposals would trigger a Chignik Area state-waters season opener on March 1. Prior to participating in the state-waters season, pot vessels participating in a federal/parallel fishery must deliver all federal/parallel Pacific cod catch, register with the department for the state-waters season, and store and configure gear to comply with state regulations (i.e., buoy tags). If adopted, the board should consider current landing (5 AAC 28.541) and pot storage (5 AAC 28.532) regulations to accommodate state-waters seasons.

BACKGROUND: The North Pacific Fishery Management Council (NPFMC) established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and WGOA management areas. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery. At this time it is unknown how, or to what degree, the newly restructured federal Pacific cod fisheries will influence management of state-waters Pacific cod fisheries.

From 2002 to 2011, the Chignik Area state-waters Pacific cod season opened on the fixed regulatory date of March 1. The season opening date was amended to March 15 during the 2011 Chignik Area finfish board meeting, although the March 15 start date was not placed into regulation until after the 2011 pot season. During the Chignik Area state-waters fishery, vessels may not exceed 58 feet in overall length and are limited to using no more than 60 pots or 5 mechanical jig machines.

The Chignik Area state-waters Pacific cod guideline harvest level (GHL) is based on 8.75 percent of the federal CGOA acceptable biological catch. Pot vessels are allocated 90 percent of the annual GHL, and mechanical jig and hand troll vessels are allocated 10 percent of the annual GHL. From 2008 to 2011, the pot gear GHL was fully harvested (Table 12-2). During those years, pot gear harvest rates increased, resulting in consecutively shorter seasons. The 2011 pot

gear season closed on March 17, which was the shortest Chignik Area state-waters pot season on record. The Chignik state-waters jig gear GHL has not been fully harvested since the inception of GHL allocations in 2000.

DEPARTMENT COMMENTS: Coordinating state-waters Pacific cod season dates with federal Pacific cod season dates is not expected to negatively influence inseason fishery management or negatively impact the Pacific cod stock. If adopted, these proposals may benefit some vessels more than others during the state-waters fishery. The department is **NEUTRAL** on the allocative aspects of these 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 12-1.–Season dates for federally managed directed Pacific cod fisheries in the Central Gulf of Alaska (CGOA) and Western Gulf of Alaska (WGOA) and example season start dates for the Chignik Area state-waters Pacific cod fishery by year, 2007–2011.

	Federal CGOA 'A' Season Dates		**Example Chignik Area State-Waters Season Start Date (Based on CGOA)**	**Federal WGOA 'A' Season Dates**		**Example Chignik Area State-Waters Season Start Date (Based on WGOA)**
	Open	Close		Open	Close	
2007	1-Jan	27-Feb	**6-Mar**	1-Jan	8-Mar	**15-Mar**
2008	1-Jan	20-Feb	**27-Feb**	1-Jan	29-Feb	**7-Mar**
2009	1-Jan	27-Jan	**3-Feb**	1-Jan	25-Feb	**4-Mar**
2010	1-Jan	31-Jan	**7-Feb**	1-Jan	19-Feb	**26-Feb**
2011	1-Jan	29-Jan	**5-Feb**	1-Jan	16-Feb	**23-Feb**

Table 12-2. Chignik Area state-waters Pacific cod pot gear guideline harvest level (GHL), effort, harvest, and season dates by year, 2000–2011.

Year	**Pot GHL (millions Lb)**	**Vessels**	**Harvest (Lb)**	**Season Opening Date**	**Season Closure Date**
2000	5.70	20	1,756,305	15-Apr	31-Dec
2001	5.10	15	2,371,243	11-Mar	31-Dec
2002	4.17	12	3,903,320	1-Mar	31-Dec
2003	**3.83**	**15**	**4,034,504**	**1-Mar**	**11-Apr**
2004	**5.80**	**17**	**5,608,763**	**1-Mar**	**13-May**
2005	**5.75**	**15**	**5,650,595**	**1-Mar**	**10-May**
2006	6.57	12	3,439,521	1-Mar	31-Dec
2007	6.57	16	5,700,861	1-Mar	31-Dec
2008	**6.58**	**23**	**6,690,109**	**1-Mar**	**17-Apr**
2009	**5.47**	**11**	**5,679,676**	**1-Mar**	**8-Apr**
2010	**8.51**	**15**	**8,491,185**	**1-Mar**	**6-Apr**
2011	**9.34**	**23**	**9,370,870**	**1-Mar**	**17-Mar**

Note: **Bold** denotes years when the full pot gear GHL was harvested

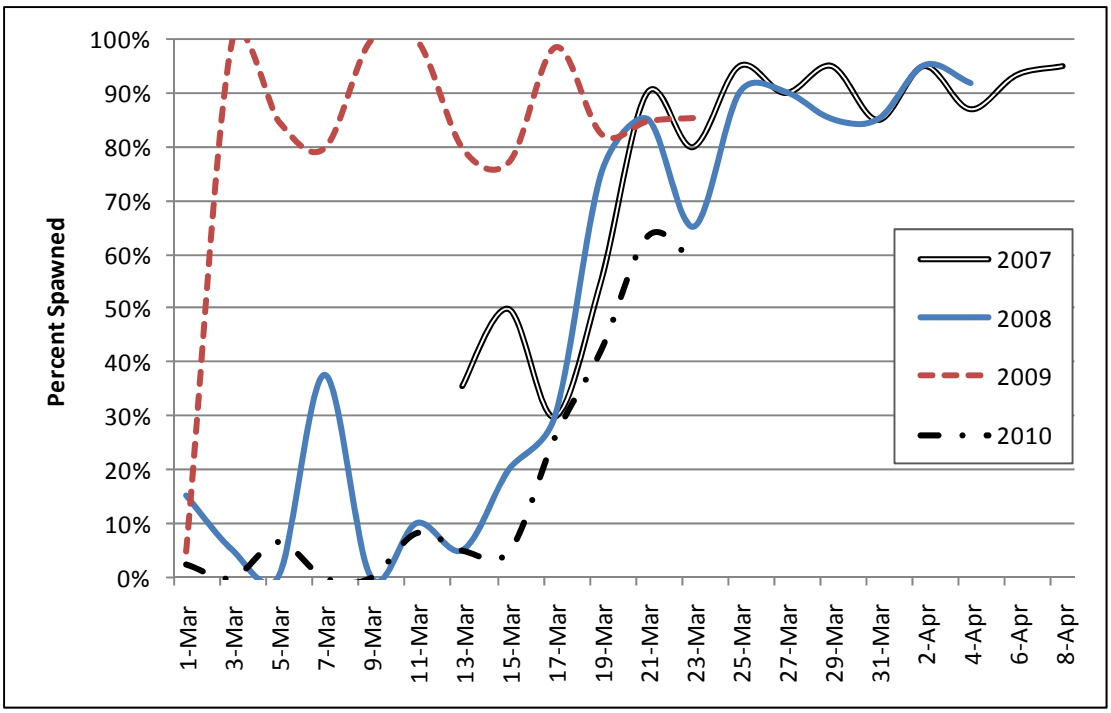


Figure 12-1.–Percentage of spent (spawned out) Pacific cod from samples collected during the Chignik Area state-waters Pacific cod fishery, by week, 2008–2010.

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

PROPOSED BY: Don Bumpus and Aaron Anderson.

WHAT WOULD THE PROPOSAL DO? This proposal would require a 14-day stand-down period for vessels that participate in a federal/parallel Pacific cod pot fishery before they could register for the Chignik state-waters Pacific cod pot fishery.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery opens by regulation on March 15. All vessels participating in the Chignik state-waters Pacific cod fishery are limited to a maximum 58 feet in length and may only use pot or jig gear. Vessels must obtain a superexclusive vessel registration prior to participating in a Chignik Area state-waters Pacific cod season. Currently, there is no stand-down period between a federal/parallel Pacific cod fishery and the Chignik Area state-waters Pacific cod fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may delay or exclude vessels participating in a parallel/federal Pacific cod fishery from participating in the Chignik state-waters Pacific cod fishery. Delaying entry or excluding vessels from entering the Chignik state-waters Pacific cod fishery may reduce state-waters vessel effort in some years.

BACKGROUND: The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery. Once a vessel registers for the Chignik Area, that vessel may not be used to fish in any other state-waters Pacific cod fishery for the remainder of the calendar year. Similarly, if a vessel registered for a state-waters Pacific cod fishery outside of the Chignik Area, that vessel is not eligible to participate in the Chignik Area state-waters season during the same calendar year. State-waters vessel registration requirements do not apply to a federal/parallel Pacific cod fishery. Federal/parallel Pacific cod fisheries include the Central Gulf of Alaska (CGOA), Western Gulf of Alaska (WGOA), and Bering Sea-Aleutian Islands (BSAI) fisheries.

Beginning in 2003, the BSAI Pacific cod stock was allocated among the various federal gear types and fishing operations (sectors). Under the sector program, BSAI catcher vessels less than 60 feet in length using fixed gear (pot and longline) are allocated a percentage of the total annual federal BSAI Pacific cod total allowable catch (TAC). From 2007 to 2011, the BSAI under 60-foot fixed gear sector closed to directed fishing prior to the closure of the Chignik Area state-waters season, allowing BSAI vessels an opportunity to participate in the Chignik state-waters fishery (Table 14-1). On average, during years when catch information is not confidential, BSAI vessels harvested 12 percent of the total Chignik Area state-waters Pacific cod pot gear guideline harvest level (GHL).

Similarly, federal Pacific cod fisheries in the CGOA and WGOA closed to directed fishing prior to closure of the Chignik Area state-waters season, allowing CGOA and WGOA vessels an opportunity to participate in the Chignik state-waters fishery. During some years, CGOA (Table 14-2) and WGOA (Table 14-3) Pacific cod vessels also participated in the Chignik state-waters

Pacific cod fishery. Due to the limited number of participants, catch information is confidential (Tables 14-2 and 14-3).

DEPARTMENT COMMENTS: Implementing a stand-down period is not expected to adversely influence inseason fishery management or negatively impact the Pacific cod stock. If adopted, this proposal may benefit some vessels more than others during the state-waters fishery. The department is **NEUTRAL** on the allocative aspects of 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 14-1.–Bering Sea-Aleutian Islands (BSAI) and Chignik season dates, and percentage of the harvest of Pacific cod in the Chignik state-waters fishery by vessels that also participated in the less than 60-foot BSAI federal/parallel Pacific cod catcher-vessel fishery by year, 2007–2011.

	BSAI Federal < 60' Catcher Vessel Season		**Chignik Area** State-Waters Season		Number of BSAI vessels that also fished during the Chignik Area state-waters season	Percentage of Chignik Area state-waters GHL caught by BSAI vessels
Year	**Open Date**	**Close Date**	**Open Date**	**Close Date**	**# Vessels**	**% Harvest**
2007	1-Jan	30-Mar	1-Mar	31-Dec	0	0%
2008	1-Jan	21-Mar	1-Mar	17-Apr	3	14%
2009	1-Jan	16-Mar	1-Mar	8-Apr	1	Confidential
2010	1-Jan	25-Mar	1-Mar	6-Apr	3	13%
2011	1-Jan	8-Mar	1-Mar	17-Mar	4	12%

Table 14-2.–Central Gulf of Alaska (CGOA) and Chignik season dates, and percentage of the harvest of Pacific cod in the Chignik state-waters fishery by vessels that also participated in the CGOA federal/parallel Pacific cod catcher-vessel fishery by year, 2007–2011.

	Central Gulf of Alaska federal Pacific Cod Season (Fixed Gear)		**Chignik Area** State-Waters Season		Number of CGOA vessels that also fished during the Chignik Area state-waters season	Percentage of Chignik Area state-waters GHL caught by CGOA vessels
Year	**Open Date**	**Close Date**	**Open Date**	**Close Date**	**# Vessels**	**% Harvest**
2007	1-Jan	27-Feb	1-Mar	31-Dec	1	Confidential
2008	1-Jan	20-Feb	1-Mar	17-Apr	2	Confidential
2009	1-Jan	27-Jan	1-Mar	8-Apr	0	Confidential
2010	1-Jan	31-Jan	1-Mar	6-Apr	1	Confidential
2011	1-Jan	29-Jan	1-Mar	17-Mar	0	Confidential

Table 14-3.–Western Gulf of Alaska (WGOA) and Chignik season dates, and effort and percentage of the harvest of Pacific cod in the Chignik state-waters fishery by vessels that also participated in the WGOA federal/parallel fishery, 2007–2011.

	Western Gulf of Alaska federal Pacific Cod Season (Fixed Gear)		**Chignik Area** State-Waters Season		Number of WGOA vessels that also fished during the Chignik Area state-waters season	Percentage of Chignik Area state-waters GHL caught by WGOA vessels
Year	**Open Date**	**Close Date**	**Open Date**	**Close Date**	**# Vessels**	**% Harvest**
2007	1-Jan	8-Mar	1-Mar	31-Dec	0	Confidential
2008	1-Jan	1-Feb	1-Mar	17-Apr	2	Confidential
2009	1-Jan	25-Feb	1-Mar	8-Apr	2	Confidential
2010	1-Jan	19-Feb	1-Mar	6-Apr	1	Confidential
2011	1-Jan	16-Feb	1-Mar	17-Mar	1	Confidential

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 reduce the Chignik Area state-waters Pacific cod fishery pot limit from 60 to 40 pots.

WHAT ARE THE CURRENT REGULATIONS? No more than 60 groundfish pots may be operated by a vessel registered for the Chignik Area state-waters Pacific cod fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce the Chignik state-waters Pacific cod fishery pot limit by 33 percent. 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 2011 pot gear season, the average number of daily pots lifts by vessels participating in the voluntary catch reporting program ranged from 60 to 135 pot lifts per vessel per day (season average = 97; Figure 15-1). The pounds of Pacific cod retained per pot lift ranged from 299 to 448 pounds. A 33% reduction in the maximum number of allowable pots per vessel may translate into a proportional reduction in daily harvest.

Currently, allowable gear is capped at 60 pots per vessel in the adjacent Kodiak and South Alaska Peninsula state-waters Pacific cod fisheries. Eligible pot vessels may operate an unlimited amount of gear during federal/parallel Pacific cod fisheries. Some Chignik state-waters Pacific cod participants may opt out 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 that are less capable of efficiently operating the existing 60-pot limit, although displaced Chignik vessels would increase competition in Pacific cod fisheries outside of the Chignik Area.

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.

BACKGROUND: The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery. Only vessels 58 feet in overall length or less may participate. Pot and jig gear are the only legal gear types and vessels may not operate more than 60 pots or 5 jig machines. Vessel size and gear limits have remained unchanged since implementation of the fishery in 1997.

The Chignik Area state-waters Pacific cod guideline harvest level (GHL) is based on 8.75 percent of the federal Central Gulf of Alaska acceptable biological catch. Pot vessels are allocated 90 percent of the annual GHL, and mechanical jig and hand troll vessels are allocated 10 percent of the annual GHL. From 2008 to 2011, the pot gear GHL was fully harvested (Table 15-1). During those years, harvest rates increased, resulting in consecutively shorter seasons.

The 2011 pot gear season closed on March 17, which was the shortest Chignik Area state-waters pot season on record. The 2011 Chignik Area state-waters pot gear season was open for approximately 17 days in 2011, compared to 14 days in the Kodiak Area and 15 days in the South Alaska Peninsula Area. The jig gear GHL has not been fully harvested during any year since the inception of GHL allocations in 2000.

Buoy tags issued by the department are required for all pot gear during the Chignik state-waters Pacific cod season. Buoy tags assist in monitoring and enforcing vessel pot limits. Most vessel operators request the maximum allowable number of buoy tags (60) during vessel registration; the department does not record the actual number of pots operated by each vessel.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Should this proposal be adopted, a reduced pot limit is not expected to adversely influence inseason management or negatively impact the Pacific cod stock.

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 15-2.–Chignik Area state-waters Pacific cod pot gear guideline harvest level (GHL), effort, harvest, and season dates by year, 2000–2011.

Year	Pot GHL (millions Lb)	Vessels	Harvest (Lb)	Season Opening Date	Season Closure Date
2000	5.70	20	1,756,305	15-Apr	31-Dec
2001	5.10	15	2,371,243	11-Mar	31-Dec
2002	4.17	12	3,903,320	1-Mar	31-Dec
2003	**3.83**	**15**	**4,034,504**	**1-Mar**	**11-Apr**
2004	**5.80**	**17**	**5,608,763**	**1-Mar**	**13-May**
2005	**5.75**	**15**	**5,650,595**	**1-Mar**	**10-May**
2006	6.57	12	3,439,521	1-Mar	31-Dec
2007	6.57	16	5,700,861	1-Mar	31-Dec
2008	**6.58**	**23**	**6,690,109**	**1-Mar**	**17-Apr**
2009	**5.47**	**11**	**5,679,676**	**1-Mar**	**8-Apr**
2010	**8.51**	**15**	**8,491,185**	**1-Mar**	**6-Apr**
2011	**9.34**	**23**	**9,370,870**	**1-Mar**	**17-Mar**

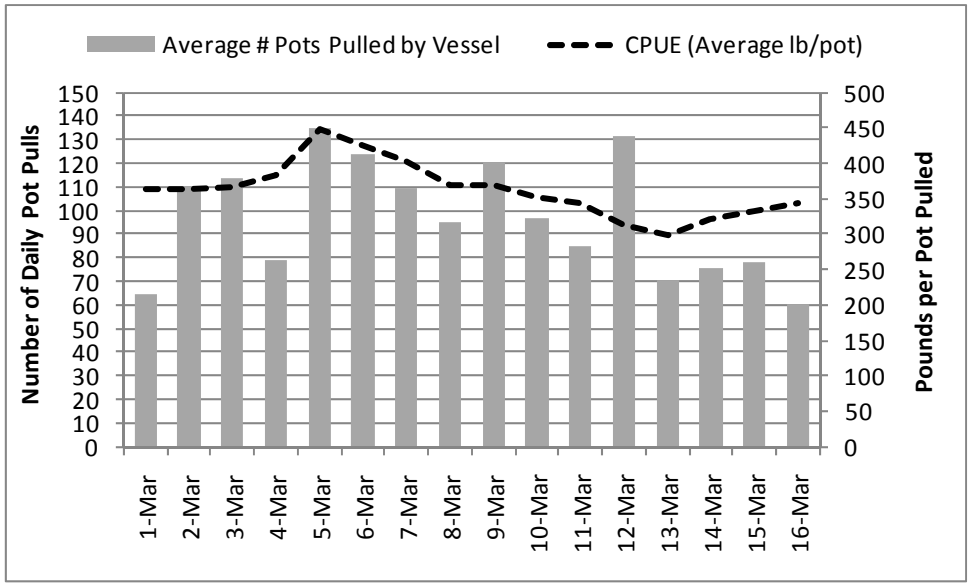


Figure 15-1.–Chignik state-waters Pacific cod fishery average number of daily pot pulls (solid bars) and catch per unit effort (dashed line), as measured by the number of Pacific cod pounds retained per pot pulled, 2011.

PROPOSAL 16 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? This proposal would implement a 12-hour daily fishing period from 6:00 a.m. to 6:00 p.m. during the Chignik Area state-waters Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? Vessels may operate gear at any time while the Chignik state-waters Pacific cod season is open to commercial fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would restrict Chignik state-waters Pacific cod participants from operating gear from 6:01 p.m. to 5:59 a.m. daily. Although not specified in the proposal, the department interprets this proposal to mean that baited groundfish pots could remain in fishing condition during the closed fishing period, and that these pots could be lifted only during the daily fishing period.

A 50 percent reduction in daily fishing time may result in a proportional reduction in daily harvest and 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.

Similar to Proposal 15, if adopted, some vessel operators may opt out of the Chignik Area state-waters Pacific cod fishery and fish other Pacific cod fisheries without 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 could increase competition in other Pacific cod fisheries outside of the Chignik Area.

BACKGROUND: The first state-waters Pacific cod fisheries occurred in 1997. The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery. Only vessels 58 feet in overall length or less may participate. Pot and jig gear are the only legal gear types and vessels may not operate more than 60 pots or 5 jig machines. 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 percent of the federal Central Gulf of Alaska acceptable biological catch. Pot vessels are allocated 90 percent of the annual GHL, and mechanical jig and hand troll vessels are allocated 10 percent of the annual GHL.

From 2008 to 2011, the pot gear GHL was fully harvested (Table 16-1). During 2008 to 2011, harvest rates increased, resulting in consecutively shorter seasons. The 2011 pot gear season closed on March 17, which was the shortest Chignik Area state-waters pot season on record. The 2011 Chignik Area state-waters pot gear season was open for approximately 17 days, compared to 14 days in the Kodiak Area and 15 days in the South Alaska Peninsula Area. The jig gear GHL has not been fully harvested during any year since the inception of GHL allocations in 2000.

During the 2009 to 2011 Chignik state-waters pot gear seasons, daily Pacific cod harvest often varied substantially (Figure 16-1). Multiple factors, including weather, tides, fish abundance, vessel and crew capability, gear type, and processor production schedules, may influence daily Pacific cod fishing practices. It is unknown what percentage of historical daily harvest occurs during the proposed 6:00 a.m. to 6:00 p.m. daily fishing period.

DEPARTMENT COMMENTS: Should this proposal be adopted, a daily fishing period is not expected to adversely influence inseason management or negatively impact the Pacific cod stock. If adopted, this proposal may disproportionally impact state-waters vessels of different size. The department is **NEUTRAL** on the allocative aspects of this proposal.

As written, this proposal would apply to both pot and jig gear vessels. The Chignik state-waters jig gear GHL has not been fully harvested since GHL allocations were implemented in 2000. If adopted, the department recommends the board 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 16-1.–Chignik Area state-waters Pacific cod pot gear guideline harvest level (GHL) effort, harvest, and season dates by year, 2000–2011.

Year	Pot GHL (millions Lb)	Vessels	Harvest (Lb)	Season Opening Date	Season Closure Date
2000	5.70	20	1,756,305	15-Apr	31-Dec
2001	5.10	15	2,371,243	11-Mar	31-Dec
2002	4.17	12	3,903,320	1-Mar	31-Dec
2003	**3.83**	**15**	**4,034,504**	**1-Mar**	**11-Apr**
2004	**5.80**	**17**	**5,608,763**	**1-Mar**	**13-May**
2005	**5.75**	**15**	**5,650,595**	**1-Mar**	**10-May**
2006	6.57	12	3,439,521	1-Mar	31-Dec
2007	6.57	16	5,700,861	1-Mar	31-Dec
2008	**6.58**	**23**	**6,690,109**	**1-Mar**	**17-Apr**
2009	**5.47**	**11**	**5,679,676**	**1-Mar**	**8-Apr**
2010	**8.51**	**15**	**8,491,185**	**1-Mar**	**6-Apr**
2011	**9.34**	**23**	**9,370,870**	**1-Mar**	**17-Mar**

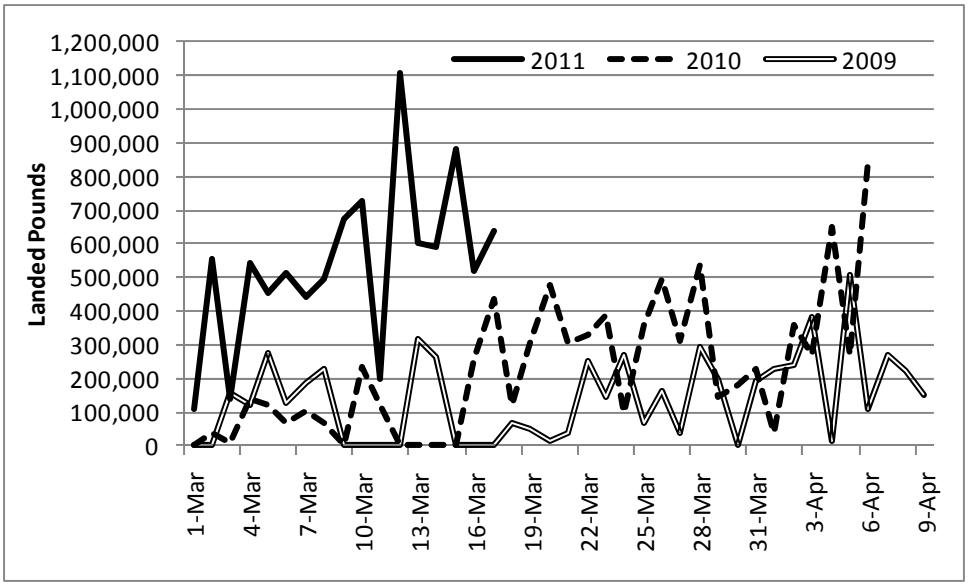


Figure 16-1.–Landed pounds by pot vessels during the Chignik Area state-waters Pacific cod fishery by day, 2009–2011.

PROPOSAL 17 – 5 AAC 28.500. Description of Chignik Area and 5 AAC 28.505. Description of Chignik Area Districts and Sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would standardize the regulatory description of the Chignik groundfish boundary line at Kilokak Rocks as **a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156°20.22 W long.** This proposal would not change the boundary, only clarify the boundary description.

WHAT ARE THE CURRENT REGULATIONS? The eastern boundary of the Chignik Groundfish Area is described in 5 AAC 28.500 as "156°20.22' W long, the longitude of the southern entrance to Imuya Bay near Kilokak Rocks;" the same boundary line is described in 5 AAC 28.505 as "the longitude of Kilokak Rocks (156°20.22' W long)."

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would coordinate groundfish regulations by standardizing the description of the Kilokak Rocks boundary line. The geographic coordinates for the eastern boundary of the Chignik Area would remain unchanged. Thus, there would be no change to management or commercial groundfish fishing practices.

BACKGROUND: As commercial groundfish regulations develop, demarcation lines within and between management areas change independently of each other. The department recently reviewed all previously established Chignik commercial groundfish boundary descriptions in an effort to provide concise and consistent regulations. During this process, the department identified multiple language variations used to describe the Kilokak Rocks area. Establishing a common reference point for this area will assist all commercial fishery stakeholders.

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 18 – 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: Kenneth Mack.

WHAT WOULD THE PROPOSAL DO? This proposal would require a seven day stand-down period for vessels that participate in the Bering Sea-Aleutian Islands Area (BSAI) federal/parallel Pacific cod fishery before they could register to fish a state-waters Pacific cod season in either the Chignik or South Alaska Peninsula areas (Figure 18-1).

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod season opens to pot and jig gear by regulation on March 15. The South Alaska Peninsula Area state-waters Pacific cod season opens to pot and jig gear seven days after the Western Gulf of Alaska federal/parallel Pacific cod season closes. All vessels participating in the Chignik and South Alaska Peninsula state-waters Pacific cod fisheries are limited to no more than 58 feet in length. Vessel operators in both fisheries are not subject to a stand-down period between state-waters and federal/parallel Pacific cod fisheries. The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery with respect to other state-waters Pacific cod fisheries. The South Alaska Peninsula Area is an open access, exclusive registration area fishery with respect to other state-waters Pacific cod fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may delay or exclude vessels participating in the BSAI parallel/federal Pacific cod fishery from participating in state-waters Pacific cod fisheries in the Chignik or South Alaska Peninsula areas, and thus, reduce vessel effort in state-waters fisheries.

The Chignik Area state-waters Pacific cod annual jig guideline harvest level (GHL) has not been fully harvested since the jig allocation was established in 2000.

BACKGROUND: A vessel registered for the superexclusive state-waters Pacific cod fishery in the Chignik Area may not register to fish in any other state-waters Pacific cod fishery for the remainder of the calendar year. Similarly, a vessel registered for a state-waters Pacific cod fishery outside of the Chignik Area may not participate in the Chignik Area state-waters Pacific cod season during the same calendar year.

A vessel registered for the exclusive South Alaska Peninsula state-waters Pacific cod fishery may not fish in any other exclusive or superexclusive state-waters Pacific cod fishery for the remainder of the calendar year. Similarly, a vessel registered for an exclusive or superexclusive state-waters Pacific cod fishery outside of the South Alaska Peninsula Area may not participate in the South Alaska Peninsula Area state-waters season during the same calendar year. State-waters vessel registration requirements do not apply to federal/parallel Pacific cod fisheries.

Beginning in 2003, the BSAI Pacific cod total allowable catch (TAC) was allocated among various federal gear types and fishing operations (sectors). Under the sector program, BSAI catcher vessels less than 60 feet in length using fixed gear (pot and longline) are allocated a percentage of the total annual federal BSAI Pacific cod TAC. From 2007 to 2011, the federal

BSAI under 60-foot fixed gear sector season closed to directed Pacific cod fishing prior to closure of the Chignik Area state-waters Pacific cod season, allowing BSAI vessels an opportunity to participate in the Chignik state-waters Pacific cod season (Table 18-1). In 2007, there was no effort by Bering Sea vessels in the Chignik Area; however, on average, during years when catch information is not confidential (2008–2011) BSAI vessels harvested 12 percent of the total Chignik Area state-waters Pacific cod pot gear GHL.

Similarly to the Chignik Area, the federal BSAI Pacific cod under 60-foot fixed gear sector closed to directed fishing prior to the closure of the South Alaska Peninsula Area state-waters season allowing BSAI Pacific cod vessels an opportunity to participate in the South Alaska Peninsula state-waters Pacific cod season (Table 18-2). On average, during years when catch information is not confidential (2007–2009), BSAI vessels harvested 14% of the total South Alaska Peninsula Area state-waters Pacific cod pot gear GHL (Table 18-2).

DEPARTMENT COMMENTS: Should this proposal be adopted, implementing a stand-down period is not expected to adversely influence inseason fishery management or negatively impact the Pacific cod stock. If adopted, this proposal may restrict or prevent certain vessels from participating in a state-waters fishery. The department is **NEUTRAL** on the allocative aspects of 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 18-1.–Bering Sea-Aleutian Islands (BSAI) and Chignik season dates, and percentage of the harvest of Pacific cod in the Chignik state-waters fishery by vessels that also participated in the less than 60-foot BSAI federal/parallel Pacific cod catcher-vessel fishery by year, 2007–2011.

	BSAI Federal < 60' Catcher Vessel Season		**Chignik Area** State-Waters Season		Number of BSAI vessels that also fished during the Chignik Area state-waters season	Percentage of Chignik Area state-waters GHL caught by BSAI vessels
Year	**Open Date**	**Close Date**	**Open Date**	**Close Date**	**# Vessels**	**% Harvest**
2007	1-Jan	30-Mar	1-Mar	31-Dec	0	0%
2008	1-Jan	21-Mar	1-Mar	17-Apr	3	14%
2009	1-Jan	16-Mar	1-Mar	8-Apr	1	Confidential
2010	1-Jan	25-Mar	1-Mar	6-Apr	3	13%
2011	1-Jan	8-Mar	1-Mar	17-Mar	4	12%

Table 18-2.–Bering Sea-Aleutian Islands (BSAI) and South Alaska Peninsula Area season dates and percentage of the harvest of Pacific cod in the South Alaska Peninsula Area state-waters fishery by vessels that also participated in the BSAI federal/parallel Pacific cod catch-vessel fishery by year, 2007–2011.

	BSAI Federal < 60' Catcher Vessel Season		**South Alaska Peninsula** state-waters season		Number of BSAI vessels that also fished during the South Alaska Peninsula Area state-waters season	Percentage of South Alaska Peninsula Area state-waters GHL caught by BSAI vessels
Year	**Open Date**	**Close Date**	**Open Date**	**Close Date**	**# Vessels**	**% Harvest**
2007	1-Jan	30-Mar	15-Mar	17-Apr	10	23%
2008	1-Jan	21-Mar	7-Mar	1-Apr	7	6%
2009	1-Jan	16-Mar	4-Mar	4-Apr	6	14%
2010	1-Jan	25-Mar	5-Mar	23-Mar	2	Confidential
2011	1-Jan	8-Mar	25-Feb	11-Mar	2	Confidential

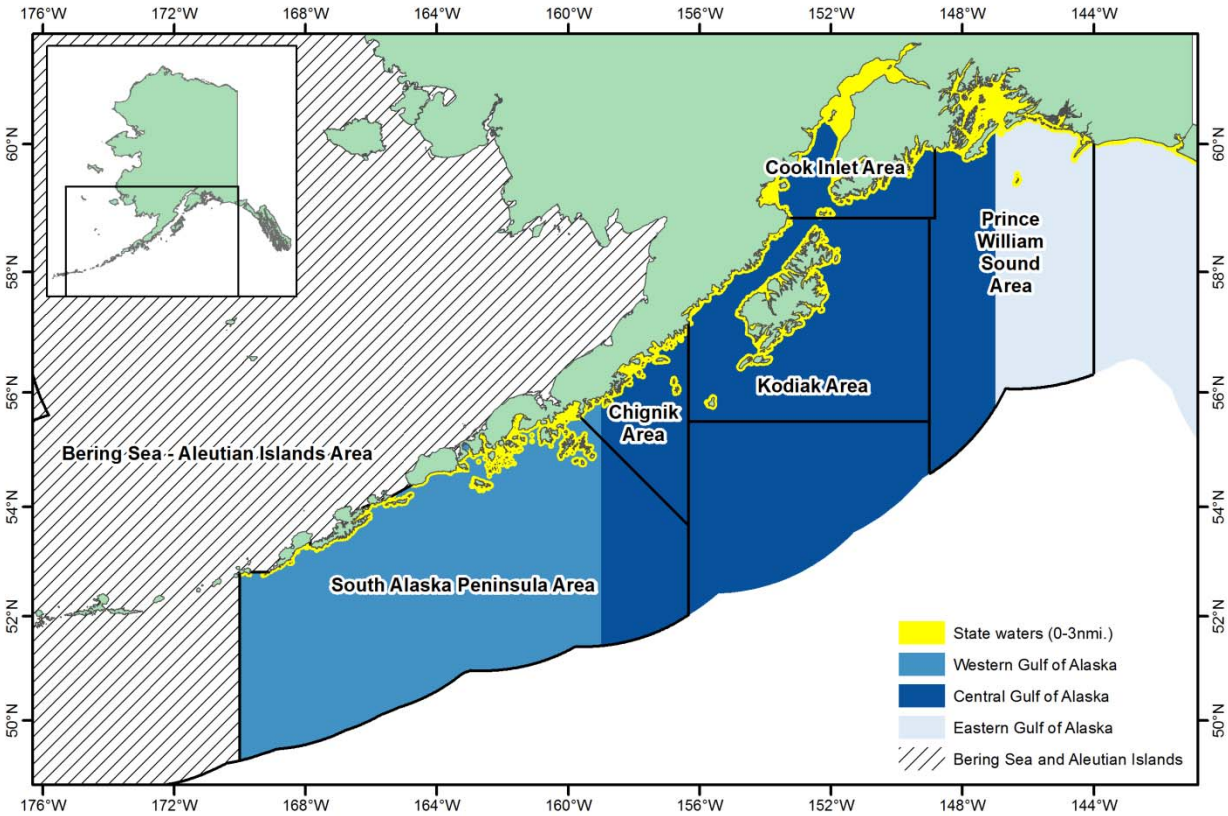


Figure 18-1.–Map depicting federal groundfish management areas (shaded in Gulf of Alaska; striped in Bering Sea-Aleutian Islands) and state Gulf of Alaska groundfish management areas (depicted by black outline).

PROPOSAL 19 – 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? This placeholder proposal is intended to provide the Board of Fisheries (board) and Pacific cod fishery stakeholders the opportunity to coordinate the South Alaska Peninsula (SAP) Area state-waters and parallel Pacific cod fisheries with newly restructured federal Pacific cod fisheries. To coordinate state and federal Pacific cod fisheries, the board should consider, at a minimum, the following issues:

Season Dates: Criteria to open and close parallel and state-waters Pacific cod seasons are required because restructured federal fisheries will have season dates specific to each federal gear sector.

Landing Requirements: Vessels are currently required to land all Pacific cod within 48 hours of a directed groundfish season closure. Landing requirements may need to be amended to coordinate with changes to directed state-waters and parallel Pacific cod seasons.

Gear Storage: Pot gear storage requirements are currently coordinated with closure of the parallel Pacific cod season and the opening of the state-waters Pacific cod season. The existing gear storage requirements may require modification to coordinate to new parallel and state-waters Pacific cod season dates.

Guideline Harvest Level (GHL) Rollover: Beginning October 31, the department may relax gear and vessel size limits to promote achieving the GHL. On October 31, if the total state-waters South Alaska Peninsula Pacific cod guideline harvest level (GHL) has not been achieved, the allocation between jig and pot gear is removed, allowing both gear types to fish on a common GHL. Existing GHL rollover provisions are based, in part, on historical state-waters season dates and may require modification to conform to coordinated season dates between parallel and state-waters Pacific cod seasons.

Weather Delay: The start of the state-waters season (pot and jig gear combined) is delayed in the event of inclement weather on the opening day. The weather delay provision may need to be addressed to reflect coordinated gear specific-, or multiple state-waters, season start dates.

Depending on how the board chooses to coordinate state and federal Pacific cod fisheries, the department may identify issues in addition to those outlined above that require board and stakeholder consideration. Pacific cod fishery coordination is complex and it is difficult to anticipate all of the possible outcomes. However, the board and stakeholders should be aware that some changes to regulations could have other unintended effects on how fisheries are prosecuted; the department will attempt to illustrate these to the board. Additional issues may be specific to the SAP Area, such as amending area registration requirements. Other additional issues may be larger in scope, such as establishing unified parallel Pacific cod season dates across all state Pacific cod management areas to promote orderly fishery management and enforcement.

WHAT ARE THE CURRENT REGULATIONS?

- The SAP Area state-waters Pacific cod fishery is managed according to the *South Alaska Peninsula Area Pacific Cod Management Plan* (5 AAC 28.573).
- Parallel Pacific cod seasons open coincident with the federal Pacific cod fisheries in the Western Gulf of Alaska (WGOA) A-season (5 AAC 28.577 (b)).
- State-waters seasons open to both pot and jig gear seven days after closure of the initial federal WGOA Pacific cod season. (5 AAC 28.577 (c)).
- During a state-waters season, the SAP Area is an exclusive registration area for Pacific cod (5 AAC 28.556 (a)).
- Vessels must land all catch 48 hours following closure of any directed groundfish season (5 AAC 28.581).
- Vessels using pot gear may store pots at depth for seven days prior to the start of a state-waters season (5 AAC 28.571 (b)(2)). Vessel operators may have pots in excess of the pot limit for seven days following the opening of the state-waters season in shallow water storage or onboard their vessel (5 AAC 28.577 (e)(3)(E)).
- If the jig GHL has not been attained by October 31, the state-waters season is opened to both pot and jig gear (5 AAC 28.577 (c)(2)).
- After October 30, the department may relax gear limits, vessel size restrictions, and registration requirements to promote full utilization of the state-waters GHL (5 AAC 28.577 (g)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal aims to coordinate various aspects of the SAP Area state-waters Pacific cod fishery with the restructured federal Pacific cod fishery. Proposals submitted by the public address some, but not all, regulations that require board coordination.

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state-waters) occur in the SAP Management Area (Figure 19-1).

1. The federal season is managed exclusively by National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3 to 200 nmi offshore).
2. Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0 to 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 to 3 nmi, but is managed exclusively by the state according to board regulations.

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations for the federal Western and Central Gulf of Alaska Pacific cod fisheries. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery.

At this time it is unknown to what degree the newly restructured federal Pacific cod fisheries will influence management of the SAP state-waters and parallel Pacific cod fisheries. However, some aspects of the SAP state-waters and parallel Pacific cod fisheries are known to be influenced by the federal Pacific cod fishery and thus these regulations require alignment with new federal rules to provide for seamless fisheries. Depending on the coordination decision on any one issue, the decision may impact other management or allocation issues. For example, if season dates are structured such that federal and state-waters Pacific cod fisheries for the same gear type are prosecuted concurrently in the same area, additional registration, management, and enforcement complexity will occur. Alternatively, nonconcurrent Pacific cod fisheries will be less complex, but may have allocative implications.

DEPARTMENT COMMENTS: Some issues identified in this proposal may be allocative. At this time, the department has **NO POSITION** on this placeholder 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 20 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Blake Painter.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the South Alaska Peninsula (SAP) Area state-waters Pacific cod pot gear season to open seven days following closure of the directed federal Western Gulf of Alaska (WGOA) pot gear season.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod season for pot and jig gear opens seven days following closure of the federal WGOA Pacific cod season for all gear types, unless delayed by weather (5 AAC 28.577 (i)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would coordinate the start of the SAP state-waters pot gear season with the season closure of the initial federal WGOA Pacific cod pot gear season. It would ensure the SAP state-waters pot season would open after closure of the federal WGOA pot gear season, allowing eligible pot vessels to participate fully in each fishery.

BACKGROUND: The North Pacific Fishery Management Council (NPFMC) established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and Western Gulf of Alaska management areas. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery. At this time, it is unknown to what degree the newly restructured federal Pacific cod fisheries will influence management of state-waters Pacific cod fisheries.

The SAP Area state-waters Pacific cod guideline harvest level (GHL) is based on 25 percent of the federal WGOA acceptable biological catch. The SAP Pacific cod management plan allocates 85 percent of the GHL to the pot fleet, with a de facto 15 percent allocation to jig gear. The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL. The pot gear GHL has been fully harvested every year since 2000 (Table 20-1). During 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record.

DEPARTMENT COMMENTS: Coordinating state-waters Pacific cod season dates with federal Pacific cod season dates is not expected to negatively influence inseason fishery management or negatively impact the Pacific cod stock. If adopted, this proposal may restrict or prevent certain vessels from participating in a state-waters fishery. The department is **NEUTRAL** on the allocative aspects of 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 20-1. South Alaska Peninsula Area state-waters Pacific cod pot gear guideline harvest level (GHL) effort, harvest, season dates, and value by year, 2000–2011.

Year	Pot GHL (millions Lb)	No. Vessels	Pot Harvest (Lb)	Season Opening Date	Season Closure Date	Exvessel Value ($)
2000	12.90	65	14,286,151	11-Mar	8-Apr	$4,272,728
2001	11.39	55	10,421,593	6-Mar	13-Apr	$2,604,110
2002	10.50	50	10,669,572	5-Mar	24-Mar	$2,237,422
2003	9.69	41	7,927,656	24-Feb	11-Mar	$2,112,174
2004	10.60	44	10,842,778	2-Mar	24-Mar	$2,479,296
2005	9.80	39	10,206,340	3-Mar	24-Mar	$2,532,478
2006	12.58	43	11,640,183	9-Mar	29-Mar	$4,187,737
2007	12.58	46	12,423,973	15-Mar	17-Apr	$5,843,650
2008	12.15	48	11,901,039	7-Mar	1-Apr	$6,605,446
2009	10.11	47	10,500,742	4-Mar	4-Apr	$2,708,636
2010	12.96	38	12,973,186	5-Mar	23-Mar	$3,290,806
2011	14.23	49	14,363,265	25-Feb	11-Mar	$4,216,530

PROPOSAL 21 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Kiley Thompson, Dwain Foster Sr., Danny Cumberlidge, and Arthur Holmberg.

WHAT WOULD THE PROPOSAL DO? This proposal would open the South Alaska Peninsula (SAP) Area state-waters Pacific cod pot gear season on March 1 or seven days following closure of the directed federal Western Gulf of Alaska (WGOA) pot gear season, whichever comes later.

During years when the federal WGOA Pacific cod pot gear season closes prior to February 22, the state-waters pot gear season opening would be delayed until March 1. During years when the federal WGOA Pacific cod pot gear season closes on or after February 22, the state-waters pot gear season would open seven days following closure of the federal WGOA pot gear season, which would be March 1, or later.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod season for pot and jig gear opens seven days following closure of the federal WGOA Pacific cod season for all gear types, unless delayed by weather (5 AAC 28.577 (i)). Provisions in the management plan delay the start of the state-waters season for up to seven days if the National Weather Service marine forecast contains gale force wind warnings (35 knots or higher).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would open the SAP Area state-waters Pacific cod season for pot vessels no earlier than March 1. This proposal would ensure the SAP state-waters season opens after closure of the federal/parallel WGOA pot gear season, allowing eligible vessels to participate fully in each fishery.

Depending on the federal/parallel WGOA pot gear closure date, this proposal may result in a conflict with existing state-waters fishery regulations and fishing practices. Currently, pot vessels may leave open, unbaited groundfish pots on the fishing grounds (greater than 25 fathoms) during the seven days between closure of the federal WGOA and the start of the state-waters Pacific cod season. If adopted, this proposal may result in an extended period of time between the federal WGOA pot season and the SAP state-waters pot season; if federal WGOA pot season closes February 15, the state-waters fishery would not open until March 1, resulting in a two-week gap between seasons. In these situations, vessel operators would be required to remove all pots from the fishing grounds and place gear into storage between seasons (5 AAC 28.571 (b)(2)).

BACKGROUND: The North Pacific Fishery Management Council (NPFMC) established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and WGOA management areas. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single

derby-style fishery. At this time, it is unknown to what degree the newly restructured federal Pacific cod fisheries will influence management of state-waters Pacific cod fisheries.

The SAP Area state-waters Pacific cod guideline harvest level (GHL) is based on 25 percent of the federal WGOA acceptable biological catch. The SAP Pacific cod management plan allocates 85 percent of the GHL to the pot fleet, with a de facto 15 percent allocation to jig gear. The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL. The pot gear GHL has been fully harvested every year since 2000 (Table 21-1). In 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record. Since 2007, the state-waters Pacific cod season opening has ranged from February 25 to March 15 (Table 21-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Should this proposal be adopted, the amended season dates are not expected to adversely influence inseason management or negatively impact the Pacific cod stock.

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 21-1.–South Alaska Peninsula Area state-waters Pacific cod pot gear guideline harvest level (GHL), effort, harvest, season dates, and value by year, 2000–2011.

Year	Pot GHL (millions Lb)	No. Vessels	Pot Harvest (Lb)	Season Opening Date	Season Closure Date	Exvessel Value ($)
2000	12.90	65	14,286,151	11-Mar	8-Apr	$4,272,728
2001	11.39	55	10,421,593	6-Mar	13-Apr	$2,604,110
2002	10.50	50	10,669,572	5-Mar	24-Mar	$2,237,422
2003	9.69	41	7,927,656	24-Feb	11-Mar	$2,112,174
2004	10.60	44	10,842,778	2-Mar	24-Mar	$2,479,296
2005	9.80	39	10,206,340	3-Mar	24-Mar	$2,532,478
2006	12.58	43	11,640,183	9-Mar	29-Mar	$4,187,737
2007	12.58	46	12,423,973	15-Mar	17-Apr	$5,843,650
2008	12.15	48	11,901,039	7-Mar	1-Apr	$6,605,446
2009	10.11	47	10,500,742	4-Mar	4-Apr	$2,708,636
2010	12.96	38	12,973,186	5-Mar	23-Mar	$3,290,806
2011	14.23	49	14,363,265	25-Feb	11-Mar	$4,216,530

PROPOSAL 22 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: King Cove Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would open the South Alaska Peninsula (SAP) Area state-waters Pacific cod pot gear season on March 15 or seven days following closure of the directed federal Western Gulf of Alaska (WGOA) pot gear season, whichever comes later.

During years when the federal WGOA Pacific cod pot gear season closes on or before March 8, the state-waters pot gear season would not open until March 15. During years when the federal (WGOA) Pacific cod pot gear season closes after March 8, the state-waters pot gear season would open seven days following closure of the federal WGOA pot gear season.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod season for pot and jig gear opens seven days following closure of the federal WGOA Pacific cod season for all gear types, unless delayed by weather (5 AAC 28.577 (i)). Provisions in the management plan delay the start of the state-waters season for up to seven days if the National Weather Service marine forecast contains gale force wind warnings (35 knots or higher).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would open the SAP Area state-waters Pacific cod season for pot vessels no earlier than March 15. The proposal would ensure the SAP state-waters season opens after closure of the federal WGOA pot gear season, which would allow eligible vessels to participate fully in each fishery.

Since 2000, the SAP Area state-waters season generally opened in late February or early March (Table 22-1). The proposed state-waters opening date would result in a later season start date than has traditionally occurred. Smaller-sized vessels that participate in the state-waters fishery may benefit from a later start date if weather conditions were less severe later in the season.

A later start date may provide more opportunity for vessels that participate in the federal/parallel Bering Sea–Aleutian Islands (BSAI) Pacific cod fishery to also participate in the SAP state-waters Pacific cod season. The federal/parallel BSAI season for vessels 60 feet in length or less typically closes to directed fishing in late February or early March. During some years, BSAI vessels have transitioned into the SAP state-waters fishery when the two seasons did not overlap.

Depending on the federal WGOA pot gear closure date, this proposal may result in a conflict with existing state-waters fishery regulations and fishing practices. Currently, pot vessels may leave open, unbaited groundfish pots on the fishing grounds (greater than 25 fathoms) during the seven days between the federal WGOA and state-waters Pacific cod season (5 AAC 28.571 (b)(2)). If adopted, this proposal may result in an extended period of time between the federal WGOA and SAP state-waters Pacific cod fisheries; i.e., if the federal WGOA pot season closes February 15, the state-waters fishery would not open until March 15, resulting in a four-week

gap between seasons. In this situation, vessel operators would be required to remove all gear from the fishing grounds and place it into gear storage between seasons (5 AAC 28.571 (b)(2)).

BACKGROUND: The North Pacific Fishery Management Council (NPFMC) established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and WGOA management areas. The NPFMC's 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 will be prosecuted independently of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery. At this time, it is unknown to what degree the newly restructured federal Pacific cod fisheries will influence management of state-waters Pacific cod fisheries.

The SAP Area state-waters Pacific cod guideline harvest level (GHL) is based on 25 percent of the federal WGOA acceptable biological catch. The SAP cod management plan allocates 85 percent of the GHL to the pot fleet, with a de facto 15 percent allocation to jig gear. The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL. The pot gear GHL has been fully harvested every year since 2000 (Table 22-1). In 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record. Since 2007, the state-waters Pacific cod season opening has ranged from February 25 to March 15 (Table 22-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Should this proposal be adopted, the amended season opening is not expected to adversely influence inseason management or negatively impact the Pacific cod stock.

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.–South Alaska Peninsula Area state-waters Pacific cod pot gear guideline harvest level (GHL), effort, harvest, season dates, and value by year, 2000–2011.

Year	Pot GHL (millions Lb)	No. Vessels	Pot Harvest (Lb)	Season Opening Date	Season Closure Date	Exvessel Value ($)
2000	12.90	65	14,286,151	11-Mar	8-Apr	$4,272,728
2001	11.39	55	10,421,593	6-Mar	13-Apr	$2,604,110
2002	10.50	50	10,669,572	5-Mar	24-Mar	$2,237,422
2003	9.69	41	7,927,656	24-Feb	11-Mar	$2,112,174
2004	10.60	44	10,842,778	2-Mar	24-Mar	$2,479,296
2005	9.80	39	10,206,340	3-Mar	24-Mar	$2,532,478
2006	12.58	43	11,640,183	9-Mar	29-Mar	$4,187,737
2007	12.58	46	12,423,973	15-Mar	17-Apr	$5,843,650
2008	12.15	48	11,901,039	7-Mar	1-Apr	$6,605,446
2009	10.11	47	10,500,742	4-Mar	4-Apr	$2,708,636
2010	12.96	38	12,973,186	5-Mar	23-Mar	$3,290,806
2011	14.23	49	14,363,265	25-Feb	11-Mar	$4,216,530

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

PROPOSED BY: Patrick Brown.

WHAT WOULD THE PROPOSAL DO? This proposal would create a South Alaska Peninsula (SAP) Area state-waters Pacific cod jig gear allocation above the current 15 percent de facto allocation. The proposal does not specify the allocation level for jig gear, although any increase in jig allocation would decrease the pot gear allocation.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod guideline harvest level (GHL) is based on 25 percent of the federal Western Gulf of Alaska (WGOA) acceptable biological catch. The SAP Pacific cod management plan allocates 85 percent of the GHL to pot vessels, resulting in a de facto 15 percent allocation to jig vessels. The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL.

If the jig GHL is not taken by October 30, the state-waters season closes and the state-waters fishing season immediately reopens for both pot and jig gear. Similarly, if at any time after October 30 the department determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used by a vessel, and if necessary, without restriction on vessel size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would establish in regulation an allocation for jig vessels in the SAP state-waters Pacific cod fishery. If the jig allocation exceeded 15 percent a concurrent decrease in the pot gear harvest allocation would be necessary. On October 31, unharvested jig GHL would revert back to both gear types.

BACKGROUND: When the *South Alaska Peninsula Area Pacific Cod Management Plan* (5 AAC 28.577) was adopted in 1996, no harvest allocation by gear type (pot and jig) was specified in the management plan. As the fishery developed, pot vessels harvested the majority of the Pacific cod GHL before most jig vessels started fishing for the season. The Board of Fisheries (board) established the pot allocation at 85% of the annual GHL following the 1999 season to provide more opportunity for jig vessels; however, the board did not provide a direct allocation for jig gear. At that time, a rollover date of October 31 was implemented in the event jig vessels were unable to harvest the remaining GHL.

SAP Area pot vessels have achieved the full pot gear allocation during most years since the harvest allocation was established in 2000 (Table 23-2). In 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record. From 2005 to 2009, jig vessels did not harvest the remainder of the annual GHL. During those years, market availability, poor fishing conditions, or access to other fisheries (i.e., salmon and halibut) may have limited jig participation. During the 2011 season, jig vessels harvested 2.51 million pounds of Pacific cod, which represented 14.6 percent of the total 2011 state-waters GHL (Table 23-2)

The department manages the state-waters Pacific cod season so that overall harvest does not exceed the total state-waters GHL. Although the state-waters season for both pot and jig vessels has historically opened at the same time each year, the pot season typically closes before most jig vessels start fishing. As a result, during years when pot harvest exceeds the pot allocation, the jig fleet has less of the GHL to harvest (Table 23-2). Conversely, during years when the pot season is closed prior to achieving the full pot allocation, unharvested pot allocation is available for jig vessels. During recent years, actual harvest by pot vessels has closely aligned with the pot GHL allocation (Table 23-2).

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and Western Gulf of Alaska (WGOA) management areas. The NPFMC's action established unique Pacific cod harvest allocations for pot, jig, trawl, and longline gear sectors. Beginning in 2012, the federal WGOA Pacific cod season for each gear sector will be prosecuted independently of the other gear sectors. Prior to federal sector allocations, all gear types competed for Pacific cod during a single derby-style fishery. Derby-style fisheries were typically fast-paced and often occurred during times of the year that marginalized jig vessel effort.

Starting with the 2012 federal season, jig vessels will receive 1.5 percent of the WGOA Pacific cod total allowable catch, which will provide additional harvest opportunity for jig vessels in the WGOA. If the initial 1.5 percent federal WGOA jig sector harvest allocation is achieved, the following year's federal WGOA jig harvest allocation will increase by an additional one percent. Annual step-ups in jig sector harvest allocation may occur up to six percent of the total federal WGOA Pacific cod total allowable catch.

DEPARTMENT COMMENTS: Should this proposal be adopted, a jig gear GHL allocation is not expected to adversely influence inseason management or negatively impact the Pacific cod stock. If adopted this proposal would reallocate Pacific cod GHL from one gear type to another. The department is **NEUTRAL** on the allocative aspect of 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 23-1.–Current state-waters Pacific cod GHL allocations, by gear type and management area.

	Management Area				
Gear Type	Chignik	Kodiak	**South Alaska Peninsula**	Cook Inlet	Prince William Sound
Pot	90%	50%	**85%**	75%	60%
Jig	10%	50%	**15%** [a]	25%	40% [b]

[a] GHL allocation for South Alaska Peninsula jig gear not in regulation.

[b] 40% of the Prince William Sound's Pacific cod GHL is available to both jig and longline gear types.

Table 23-2.–South Alaska Peninsula Area state-waters Pacific cod guideline harvest level (GHL) (millions of pounds), number of vessels, and harvest by gear type, 2000–2011.

		Pot Gear				Jig Gear			
Year	Total GHL	85% Pot GHL	Number of Vessels	Actual Harvest	Actual Pot GHL	15% Jig Allocation	Number of Vessels	Actual Harvest	Actual Jig GHL
2000	15.18	12.90	65	14.29	94.1%	2.28	28	0.76	5.0%
2001	13.40	11.39	55	10.42	77.8%	2.01	69	3.40	25.4%
2002	12.36	10.50	50	10.67	86.3%	1.86	66	2.05	16.6%
2003	11.49	9.69	41	7.93	69.0%	1.80	65	3.63	31.6%
2004	12.50	10.60	44	10.84	86.7%	1.90	51	1.67	13.4%
2005	11.53	9.80	39	10.21	88.6%	**1.73**	**39**	**1.23**	**10.7%**
2006	14.80	12.58	43	11.64	78.6%	**2.22**	**12**	**0.01**	**0.1%**
2007	14.80	12.58	46	12.43	84.0%	**2.22**	**14**	**0.25**	**1.7%**
2008	14.29	12.15	48	11.90	83.3%	**2.14**	**51**	**1.38**	**9.7%**
2009	11.89	10.11	47	10.50	88.3%	**1.78**	**26**	**1.09**	**9.2%**
2010	15.25	12.96	38	12.97	85.0%	2.29	34	2.32	15.2%
2011	16.74	14.23	49	14.36	85.8%	2.51	42	2.44	14.6%

Note: **Bold** denotes years when the state-waters jig season did not close to commercial fishing.

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

PROPOSED BY: Kim Gunderson.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the South Alaska Peninsula (SAP) Area jig gear Pacific cod harvest allocation from 15 percent to 25 percent of the total SAP Area state-waters guideline harvest level (GHL). This proposal would decrease the pot gear GHL allocation from 85 percent to 75 percent.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod guideline harvest level (GHL) is based on 25 percent of the federal Western Gulf of Alaska (WGOA) acceptable biological catch. The SAP Pacific cod management plan allocates 85 percent of the GHL to pot vessels, resulting in a de facto 15 percent allocation to jig vessels (Table 24-1). The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL.

If the jig GHL is not taken by October 30, the state-waters season closes and the state-waters fishing season immediately reopens for both pot and jig gear. Similarly, if at any time after October 30 the department determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used by a vessel, and if necessary, without restriction on vessel size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide a direct GHL allocation to jig vessels which would be greater than the current de facto allocation of 15 percent, and would decrease the allocation for pot vessels in the South SAP state-waters Pacific cod fishery. On October 31, unharvested jig GHL would revert back to both gear types.

BACKGROUND: When the *South Alaska Peninsula Area Pacific Cod Management Plan* (5 AAC 28.577) was adopted in 1996, no harvest allocation by gear type (pot or jig) was specified in the management plan. As the fishery developed, pot vessels harvested the majority of the Pacific cod GHL before most jig vessels started fishing for the season. The Board of Fisheries (board) established the pot allocation at 85% of the annual GHL following the 1999 season to provide more opportunity for jig vessels; however, the board did not provide a direct allocation for jig gear. At that time, a rollover date of October 31 was implemented in the event jig vessels were unable to harvest the remaining GHL.

SAP Area pot vessels have achieved the full pot gear allocation during most years since the harvest allocation was established in 2000 (Table 24-2). In 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record. From 2005 to 2009, jig vessels did not harvest the remainder of the annual GHL. During those years, market availability, poor fishing conditions, or access to other fisheries (i.e., salmon and halibut) may have limited jig participation. During the 2011 season, jig vessels harvested 2.51 million pounds of Pacific cod, which represented 14.6 percent of the total 2011 state-waters GHL (Table 24-2).

The department manages the state-waters Pacific cod season so that overall harvest does not exceed the total state-waters GHL. Although the state-waters season for both pot and jig vessels has historically opened at the same time each year, the pot season typically closes before most jig vessels start fishing. During years when pot harvest exceeds the pot allocation, the jig fleet has less of the GHL to harvest (Table 24-2). Conversely, during years when the pot season is closed prior to achieving the full pot allocation, unharvested pot allocation is available for jig vessels. During recent years, actual harvest by pot vessels closely aligned with the pot GHL allocation (Table 24-2).

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and Western Gulf of Alaska management areas. The NPFMC's action established unique Pacific cod harvest allocations for pot, jig, trawl, and longline gear sectors. Beginning in 2012, the federal WGOA Pacific cod season for each gear sector will be prosecuted independently of the other gear sectors. Prior to federal sector allocations, all gear types competed for Pacific cod during a single derby-style fishery. Derby-style fisheries were typically fast-paced and often occurred during times of the year that marginalized jig vessel effort.

Starting with the 2012 season, jig vessels will receive 1.5 percent of the WGOA Pacific cod total allowable catch (TAC), which will provide additional harvest opportunity for jig vessels in the WGOA. If the initial 1.5 percent federal WGOA jig sector harvest allocation is achieved, the following year's federal WGOA jig harvest allocation will increase by an additional one percent. Annual step-ups in jig sector harvest allocation may occur up to six percent of the total federal WGOA Pacific cod TAC.

DEPARTMENT COMMENTS: Should this proposal be adopted, a jig gear GHL allocation is not expected to adversely influence inseason management or negatively impact the Pacific cod stock. If adopted, this proposal would reallocate Pacific cod GHL from one gear type to another. The department is **NEUTRAL** on the allocative aspect of 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 24-1.–Current state-waters Pacific cod GHL allocations, by gear type and management area.

	Management Area				
Gear Type	Chignik	Kodiak	**South Alaska Peninsula**	Cook Inlet	Prince William Sound
Pot	90%	50%	**85%**	75%	60%
Jig	10%	50%	**15%** [a]	25%	40% [b]

[a] GHL allocation for South Alaska Peninsula jig gear not in regulation.

[b] 40% of the Prince William Sounds Pacific cod GHL is available to both jig and longline gear types.

Table 24-2.–South Alaska Peninsula Area state-waters Pacific cod guideline harvest level (GHL) (millions of pounds), number of vessels, and harvest by gear type, 2000–2011.

		Pot Gear				Jig Gear			
Year	Total GHL	85% Pot GHL	Number of Vessels	Actual Harvest	Actual Pot GHL	15% Jig Allocation	Number of Vessels	Actual Harvest	Actual Jig GHL
2000	15.18	12.90	65	14.29	94.1%	2.28	28	0.76	5.0%
2001	13.40	11.39	55	10.42	77.8%	2.01	69	3.40	25.4%
2002	12.36	10.50	50	10.67	86.3%	1.86	66	2.05	16.6%
2003	11.49	9.69	41	7.93	69.0%	1.80	65	3.63	31.6%
2004	12.50	10.60	44	10.84	86.7%	1.90	51	1.67	13.4%
2005	11.53	9.80	39	10.21	88.6%	**1.73**	**39**	**1.23**	**10.7%**
2006	14.80	12.58	43	11.64	78.6%	**2.22**	**12**	**0.01**	**0.1%**
2007	14.80	12.58	46	12.43	84.0%	**2.22**	**14**	**0.25**	**1.7%**
2008	14.29	12.15	48	11.90	83.3%	**2.14**	**51**	**1.38**	**9.7%**
2009	11.89	10.11	47	10.50	88.3%	**1.78**	**26**	**1.09**	**9.2%**
2010	15.25	12.96	38	12.97	85.0%	2.29	34	2.32	15.2%
2011	16.74	14.23	49	14.36	85.8%	2.51	42	2.44	14.6%

Note: **Bold** denotes years when the state-waters jig season did not close to commercial fishing.

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

PROPOSED BY: Rob Tripp.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the South Alaska Peninsula (SAP) Area jig gear Pacific cod harvest allocation from 15 percent to 30 percent of the total SAP Area state-waters guideline harvest level (GHL). This proposal would decrease the pot gear allocation from 85 percent to 70 percent.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod guideline harvest level (GHL) is based on 25 percent of the federal Western Gulf of Alaska (WGOA) acceptable biological catch. The SAP Pacific cod management plan allocates 85 percent of the GHL to the pot vessels, resulting in a de facto 15 percent allocation to jig vessels (Table 25-1). The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL.

If the jig GHL is not taken by October 30, the state-waters season closes and the state-waters fishing season immediately reopens for both pot and jig gear. Similarly, if at any time after October 30 the department determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used by a vessel, and if necessary, without restriction on vessel size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide a direct GHL allocation to jig vessels that would be greater than the current de facto allocation of 15 percent, and would decrease the allocation for pot vessels in the SAP Area state-waters Pacific cod fishery. On October 31, unharvested jig GHL would revert back to both gear types.

BACKGROUND: When the *South Alaska Peninsula Area Pacific Cod Management Plan* (5 AAC 28.577) was adopted in 1996, no harvest allocation by gear type (pot or jig) was specified in the management plan. As the fishery developed, pot vessels harvested the majority of the Pacific cod GHL before most jig vessels started fishing for the season. The Board of Fisheries (board) established the pot allocation at 85% of the annual GHL following the 1999 season to provide more opportunity for jig vessels; however, the board did not provide a direct allocation for jig gear. At that time, a rollover date of October 31 was implemented in the event jig vessels were unable to harvest the remaining GHL.

SAP Area pot vessels have achieved the full pot gear allocation during most years since the harvest allocation was established in 2000 (Table 25-2). In 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record. From 2005 to 2009, jig vessels did not harvest the remainder of the annual GHL. During those years, market availability, poor fishing conditions, or access to other fisheries (i.e., salmon and halibut) may have limited jig participation. During the 2011 season, jig vessels harvested 2.51 million pounds of Pacific cod, which represented 14.6 percent of the total 2011 state-waters GHL (Table 25-2).

The department manages the state-waters Pacific cod season so that overall harvest does not exceed the total state-waters GHL. Although the state-waters season for both pot and jig vessels has historically opened at the same time each year, the pot season typically closes before most jig vessels start fishing. During years when pot harvest exceeds the pot allocation, the jig fleet has less of the GHL to harvest (Table 25-2). Conversely, during years when the pot season is closed prior to achieving the full pot allocation, unharvested pot allocation is available for jig vessels. During recent years, actual harvest by pot vessels closely aligned with the pot GHL allocation (Table 25-2).

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and WGOA management areas. The NPFMC's action established unique Pacific cod harvest allocations for pot, jig, trawl, and longline gear sectors. Beginning in 2012, the federal WGOA Pacific cod season for each gear sector will be prosecuted independently of the other gear sectors. Prior to federal sector allocations, all gear types competed for Pacific cod during a single derby-style fishery. Derby-style fisheries were typically fast-paced and often occurred during times of the year that marginalized jig vessel effort.

Starting with the 2012 season, jig vessels will receive 1.5 percent of the WGOA Pacific cod total allowable catch (TAC), which will provide additional harvest opportunity for jig vessels in the WGOA. If the initial 1.5 percent federal WGOA jig sector harvest allocation is achieved, the following year's federal WGOA jig harvest allocation will increase by an additional one percent. Annual step-ups in jig sector harvest allocation may occur up to six percent of the total federal WGOA Pacific cod TAC.

DEPARTMENT COMMENTS: Should this proposal be adopted, a jig gear GHL allocation is not expected to adversely influence inseason management or negatively impact the Pacific cod stock. If adopted this proposal would reallocate Pacific cod GHL from one gear type to another. The department is **NEUTRAL** on the allocative aspects of 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 25-1.–Current state-waters Pacific cod GHL allocations, by gear type and management area.

	Management Area				
Gear Type	Chignik	Kodiak	**South Alaska Peninsula**	Cook Inlet	Prince William Sound
Pot	90%	50%	**85%**	75%	60%
Jig	10%	50%	**15%** [a]	25%	40% [b]

[a] GHL allocation for South Alaska Peninsula jig gear not in regulation..

[b] 40% of the Prince William Sounds Pacific cod GHL is available to both jig and longline gear types.

Table 25-2.–South Alaska Peninsula Area state-waters Pacific cod guideline harvest level (GHL) (millions of pounds), number of vessels, and harvest by gear type, 2000–2011.

		Pot Gear				Jig Gear			
Year	Total GHL	85% Pot GHL	Number of Vessels	Actual Harvest	Actual Pot GHL	15% Jig Allocation	Number of Vessels	Actual Harvest	Actual Jig GHL
2000	15.18	12.90	65	14.29	94.1%	2.28	28	0.76	5.0%
2001	13.40	11.39	55	10.42	77.8%	2.01	69	3.40	25.4%
2002	12.36	10.50	50	10.67	86.3%	1.86	66	2.05	16.6%
2003	11.49	9.69	41	7.93	69.0%	1.80	65	3.63	31.6%
2004	12.50	10.60	44	10.84	86.7%	1.90	51	1.67	13.4%
2005	11.53	9.80	39	10.21	88.6%	**1.73**	**39**	**1.23**	**10.7%**
2006	14.80	12.58	43	11.64	78.6%	**2.22**	**12**	**0.01**	**0.1%**
2007	14.80	12.58	46	12.43	84.0%	**2.22**	**14**	**0.25**	**1.7%**
2008	14.29	12.15	48	11.90	83.3%	**2.14**	**51**	**1.38**	**9.7%**
2009	11.89	10.11	47	10.50	88.3%	**1.78**	**26**	**1.09**	**9.2%**
2010	15.25	12.96	38	12.97	85.0%	2.29	34	2.32	15.2%
2011	16.74	14.23	49	14.36	85.8%	2.51	42	2.44	14.6%

Note: **Bold** denotes years when the state-waters jig season did not close to commercial fishing.

PROPOSALS 26–31 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.

PROPOSED BY: Carl Carlson III, George Jackson, Jr., Peter Shuravloff, Albert Spiros, Wayne Gunderson, Nick Gunderson.

WHAT WOULD THE PROPOSALS DO? These proposals would increase the South Alaska Peninsula (SAP) Area jig gear Pacific cod harvest allocation from 15 percent to 50 percent of the total SAP Area state-waters guideline harvest level (GHL). These proposals would decrease the pot gear allocation from 85 percent to 50 percent.

WHAT ARE THE CURRENT REGULATIONS? The SAP Area state-waters Pacific cod GHL is based on 25 percent of the federal Western Gulf of Alaska (WGOA) acceptable biological catch. The SAP Pacific cod management plan allocates 85 percent of the GHL to pot vessels, resulting in a de facto 15 percent allocation to jig vessels (Table 26-1). The department manages the state-waters pot fishery for 85 percent of the GHL. Jig vessels have opportunity to harvest the remaining GHL.

If the jig GHL is not taken by October 30, the state-waters season closes and the state-waters fishing season immediately reopens for both pot and jig gear. Similarly, if at any time after October 30 the department determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used by a vessel, and if necessary, without restriction on vessel size.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would provide a direct GHL allocation to jig vessels that would be greater than the current de facto allocation of 15 percent, and would decrease the allocation for pot vessels in the SAP Area state-waters Pacific cod fishery. On October 31, unharvested jig GHL would revert back to both gear types.

BACKGROUND: When the *South Alaska Peninsula Area Pacific Cod Management Plan* (5 AAC 28.577) was adopted in 1996, no harvest allocation by gear type (pot and jig) was specified in the management plan. As the fishery developed, pot vessels harvested the majority of the Pacific cod GHL before most jig vessels started fishing for the season. The Board of Fisheries (board) established the pot allocation at 85% of the annual GHL following the 1999 season to provide more opportunity for jig vessels; however, the board did not provide a direct allocation for jig gear. At that time, a rollover date of October 31 was implemented in the event jig vessels were unable to harvest the remaining GHL.

SAP Area pot vessels have achieved the full pot gear allocation during most years since the harvest allocation was established in 2000 (Table 26-2). In 2011, pot vessels harvested 14.36 million pounds of Pacific cod in fewer than 15 days, which was one of the shortest seasons on record. From 2005 to 2009, jig vessels did not harvest the remainder of the annual GHL. During those years, market availability, poor fishing conditions, or access to other fisheries (i.e., salmon and halibut) may have limited jig participation. During the 2011 season, jig vessels harvested

2.51 million pounds of Pacific cod, which represented 14.6 percent of the total 2011 state-waters GHL (Table 26-2).

The department manages the state-waters Pacific cod season so that overall harvest does not exceed the total state-waters GHL. Although the state-waters season for both pot and jig vessels has historically opened at the same time each year, the pot season typically closes before most jig vessels start fishing. During years when pot harvest exceeds the pot allocation, the jig fleet has less of the GHL to harvest (Table 26-2). Conversely, during years when the pot season is closed prior to achieving the full pot allocation, unharvested pot allocation is available for jig vessels. During recent years, actual harvest by pot vessels closely aligned with the pot GHL allocation (Table 26-2).

The North Pacific Fishery Management Council (NPFMC) recently established sector allocations within the federal Pacific cod fisheries that occur in the federal Central and WGOA management areas. The NPFMC's action established unique Pacific cod harvest allocations for pot, jig, trawl, and longline gear sectors. Beginning in 2012, the federal WGOA Pacific cod season for each gear sector will be prosecuted independently of the other gear sectors. Prior to federal sector allocations, all gear types competed for Pacific cod during a single derby-style fishery. Derby-style fisheries were typically fast-paced and often occurred during times of the year that marginalized jig vessel effort.

Starting with the 2012 season, jig vessels will receive 1.5 percent of the WGOA Pacific cod total allowable catch (TAC), which will provide additional harvest opportunity for jig vessels in the WGOA. If the initial 1.5 federal WGOA jig sector harvest allocation is achieved, the following year's federal WGOA jig harvest allocation will increase by an additional one percent. Annual step-ups in jig sector harvest allocation may occur up to six percent of the total federal WGOA Pacific cod TAC.

DEPARTMENT COMMENTS: Should these proposals be adopted, a jig gear GHL allocation is not expected to adversely influence inseason management or negatively impact the Pacific cod stock. If adopted, these proposals would reallocate Pacific cod GHL from one gear type to another. The department is **NEUTRAL** on the allocative aspects of these 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 26-1.–Current state-waters Pacific cod guideline harvest level (GHL) allocations, by gear type and management area.

	Management Area				
Gear Type	Chignik	Kodiak	**South Alaska Peninsula**	Cook Inlet	Prince William Sound
Pot	90%	50%	**85%**	75%	60%
Jig	10%	50%	**15%** [a]	25%	40% [b]

[a] GHL allocation for South Alaska Peninsula jig gear not in regulation.

[b] 40% of the Prince William Sounds Pacific cod GHL is available to both jig and longline gear types.

Table 26-2.–South Alaska Peninsula Area state-waters Pacific cod guideline harvest level (GHL) (millions of pounds), number of vessels, and harvest by gear type, 2000–2011.

		Pot Gear				Jig Gear			
Year	Total GHL	85% Pot GHL	Number of Vessels	Actual Harvest	Actual Pot GHL	15% Jig Allocation	Number of Vessels	Actual Harvest	Actual Jig GHL
2000	15.18	12.90	65	14.29	94.1%	2.28	28	0.76	5.0%
2001	13.40	11.39	55	10.42	77.8%	2.01	69	3.40	25.4%
2002	12.36	10.50	50	10.67	86.3%	1.86	66	2.05	16.6%
2003	11.49	9.69	41	7.93	69.0%	1.80	65	3.63	31.6%
2004	12.50	10.60	44	10.84	86.7%	1.90	51	1.67	13.4%
2005	11.53	9.80	39	10.21	88.6%	**1.73**	**39**	**1.23**	**10.7%**
2006	14.80	12.58	43	11.64	78.6%	**2.22**	**12**	**0.01**	**0.1%**
2007	14.80	12.58	46	12.43	84.0%	**2.22**	**14**	**0.25**	**1.7%**
2008	14.29	12.15	48	11.90	83.3%	**2.14**	**51**	**1.38**	**9.7%**
2009	11.89	10.11	47	10.50	88.3%	**1.78**	**26**	**1.09**	**9.2%**
2010	15.25	12.96	38	12.97	85.0%	2.29	34	2.32	15.2%
2011	16.74	14.23	49	14.36	85.8%	2.51	42	2.44	14.6%

Note: **Bold** denotes years when the state-waters jig season did not close to commercial fishing.

PROPOSAL 32 – 5 AAC 28.570. Lawful Gear for South Alaska Peninsula Area (d)(2).

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would repeal the mechanical jigging gear definition that provides for a single continuous line with not more than 150 hooks in the South Alaska Peninsula (SAP) Area.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 28.570 (d) *Lawful Gear for South Alaska Peninsula* allows mechanical jigging machines to have either 5 lines with a maximum of 30 hooks per line or a single continuous line with not more than 150 hooks.

5 AAC 39.105 (25) *Types Of Legal Gear* defines mechanical jigging machines as a device that deploys a line with lures or baited hooks and retrieves that line with electrical, hydraulic, or mechanically powered assistance; a mechanical jigging machine allows the line to be fished only in the water column; a mechanical jigging machine must be attached to a vessel registered to fish with a mechanical jigging machine; the mechanical jigging machine may not be anchored or operated unattached from the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would prohibit jig gear that is defined as a single continuous line with 150 hooks. To date, there has been no documented use of a single continuous line in a SAP Area state-waters Pacific cod or rockfish fishery. This proposal would not modify the current definition of mechanical jig machines or the practice of using 5 machines with 30 hooks per line.

BACKGROUND: The Board of Fisheries (board) amended the definition of jig gear in response to a user whose testimony described a continuous loop of line with 150 hooks that was fished across the deck and under the hull amidships. The odd amidships setup has not been adopted into use, nevertheless, the definition has proven misleading because of reports that fishermen are using 150-hook jig gear as longline gear, which is illegal.

Similar proposals were adopted by the board during the most recent Kodiak, Chignik, and Cook Inlet board meetings.

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 33 – 5 AAC 28.555. Description of South Alaska Peninsula Area Districts and Sections (1)(C)&(D).

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would update coordinates of the Scotch Cap Light groundfish boundary line from 164°44' W long to 164°44.72' W long.

WHAT ARE THE CURRENT REGULATIONS? Current South Alaska Peninsula (SAP) Area groundfish regulation 5 AAC 28.555, subsections (1), (1)(C), and (2), identify the longitude of Scotch Cap Light at 164°44' W long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would update the groundfish boundary line coordinate at Scotch Cap Light to best reflect the actual location of Scotch Cap Light. The proposed coordinate change will additionally align the definition of Scotch Cap Light in groundfish regulations with the definition of Scotch Cap Light in the *U.S. Coast Guard Light List*. The department does not anticipate this proposal will change any current groundfish management or fishing practices.

BACKGROUND: As commercial groundfish regulations develop, demarcation lines within management areas change independently. The department recently reviewed all previously established SAP Area commercial groundfish boundary descriptions in an effort to provide concise and consistent regulations for commercial fishery stakeholders. During this process, the department determined the regulatory description of Scotch Cap Light varied slightly.

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 34 – 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

PROPOSED BY: Robert A. Smith.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would reallocate Prince William Sound (PWS) state-waters season Pacific cod among gear types and align the opening date for longline gear with the federal halibut season opening date. The state-waters Pacific cod season for pot gear would close when 90% of the guideline harvest level (GHL) was achieved and longline gear would close when 75% of the GHL was achieved.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a state-waters Pacific cod season to jig, pot, and longline gear seven days following closure of the initial federal Central Gulf of Alaska Pacific cod season. Vessel registration is exclusive and gear is limited to a maximum of 60 pots or five jigging machines with no more than 30 hooks per line. Jig gear closes when the GHL is achieved. Pot gear closes if 60% of the GHL is achieved prior to October 1, and longline gear closes when the GHL is achieved or May 1, whichever occurs first. For pots, the season may reopen October 1 to any unharvested GHL. In addition, to provide additional opportunity for the GHL to be achieved, the plan gives the department emergency order authority to relax, after October 30, both the exclusive registration and gear limits.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would result in a later opening date of the state-waters Pacific cod season to longline gear in most years and the 75% longline allocation would result in availability of a harvestable surplus for pot and jig gear. Other effects are uncertain.

BACKGROUND: First opened in April 1997, the PWS state-waters Pacific cod season is managed via the *PWS Pacific Cod Management Plan* (5 AAC 28.267). The fishery GHL is calculated annually as 25% of the federal Eastern Gulf of Alaska total allowable Pacific cod harvest level. Fishery GHLs have ranged from approximately 488,000 lb in 2009 to 2.9 million lb in 2000. During the years 1997 through 2008, harvest and effort ranged from zero in 2002 to approximately 419,000 lb (49% of the GHL) from nine vessels in 1998 (Table 34-1) and seasons remained open either all year or until closed to provide for a subsequent opening of the parallel season. Although harvest by pot gear prior to October 1 was restricted to a maximum of 60% of the GHL, this gear has never taken more than 45% in an entire season. The Board of Fisheries adopted longline gear for this fishery beginning in 2009, and this gear has harvested the GHL every year since adoption, with harvest and effort ranging from approximately 705,000 lb from 19 vessels in 13.5 days in 2009 to 1.6 million lb from 25 vessels in 18 days during 2011. Due to low participation, harvest by gear type is confidential in most years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Due to the upcoming implementation of the federal sector splits in 2012, the topic of season opening date will be reviewed in other proposals. As a practical matter, given the demonstrated effectiveness of longline gear in this fishery, it is very unlikely that the 90% pot allocation would be achieved before the 75% longline allocation is.

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.–Prince William Sound state-waters Pacific cod effort, harvest, guideline harvest level (GHL), and % GHL harvested, 1997–2011.

Year	Vessels	Harvest (lb)	GHL (lb)	% GHL
1997	9	200,520	881,849	23%
1998	9	418,994	859,803	49%
1999	7	394,134	931,453	42%
2000	12	291,142	2,948,683	10%
2001	3	228	2,617,989	0%
2002	0	0	1,904,243	0%
2003	[1]	[1]	705,479	[1]
2004	[1]	[1]	970,034	[1]
2005	[1]	[1]	896,620	[1]
2006	[1]	[1]	910,730	[1]
2007	3	345,684	910,730	38%
2008	4	7,557	586,340	1%
2009[2]	19	704,866	487,746	145%
2010	24	825,226	784,735	105%
2011	25	1,594,590	1,435,195	111%

[1]Confidential data; harvest by gear type is confidential in most years.

[2]Longline gear allowed beginning in 2009.

PROPOSAL 35 – 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

PROPOSED BY: Gregory Gabriel.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would adopt an unspecified jig allocation in the Prince William Sound (PWS) state-waters Pacific cod fishery. The proposal also requests the Board of Fisheries (board) to work with the North Pacific Fishery Management Council on the "reverse parallel" fishery idea currently under consideration by that body.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a state-waters Pacific cod season to jig, pot, and longline gear seven days following closure of the initial federal Central Gulf of Alaska Pacific cod season. Vessel registration is exclusive and gear is limited to a maximum of 60 pots or five jigging machines with no more than 30 hooks per line. Jig gear closes when the GHL is achieved. Pot gear closes if 60% of the GHL is achieved prior to October 1, and longline gear closes when the GHL is achieved or May 1, whichever occurs first. For pots, the season may reopen October 1 to any unharvested GHL. In addition, to provide additional opportunity for the GHL to be achieved, the plan gives the department emergency order authority to relax, after October 30, both the exclusive registration and gear limits.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would provide some opportunity for jig gear in the PWS state-waters Pacific cod fishery.

BACKGROUND: First opened in April 1997, the PWS state-waters Pacific cod season is managed via the *PWS Pacific Cod Management Plan* (5 AAC 28.267). The fishery GHL is calculated annually as 25% of the federal Eastern Gulf of Alaska total allowable Pacific cod harvest level. Fishery GHLs have ranged from approximately 488,000 lb in 2009 to 2.9 million lb in 2000. During the years 1997 through 2008, harvest and effort ranged from zero in 2002 to approximately 419,000 lb (49% of the GHL) from nine vessels in 1998, and seasons remained open either all year or until closed to provide for a subsequent opening of the parallel season. Although harvest by pot gear prior to October 1 was restricted to a maximum of 60% of the GHL, this gear has never taken more than 45% in a season. Jig harvest peaked in 1999, with that gear catching 14% of the GHL, and the second highest harvest of 6% was in 1998. In all other years, jig gear caught 2% or less of the GHL, with no harvest in seven of those years since the fishery began in 1997. The board adopted longline gear for this fishery beginning in 2009, and this gear has harvested the GHL every year since adoption, with harvest and effort ranging from approximately 705,000 lb from 19 vessels in 13.5 days in 2009 to 1.6 million lb from 25 vessels in 18 days during 2011. Due to low participation, harvest by gear type is confidential in most years.

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 36 – 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

PROPOSED BY: Robert A. Smith.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would prohibit participation in the Prince William Sound (PWS) state-waters Pacific cod fishery by vessels holding a federal fishery license with a Pacific cod endorsement.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a state-waters Pacific cod season to jig, pot, and longline gear seven days following closure of the initial federal Central Gulf of Alaska Pacific cod season. Registration for the fishery is exclusive, which restricts a vessel registered for the PWS fishery from participating in any other exclusive or superexclusive state-waters Pacific cod registration area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is uncertain what effect this proposal might have.

BACKGROUND: The PWS state-waters Pacific cod fishery is an open-access fishery and vessel participation is restricted only by the exclusive area registration requirement.

DEPARTMENT COMMENTS: The board lacks authority to restrict participation in a fishery in the manner proposed and the department recommends **NO ACTION** on this proposal. The Commercial Fisheries Entry Commission has authority to regulate entry into commercial fisheries in the state under AS 16.43.100.

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 28.206. Prince William Sound Area Registration.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would require that Pacific cod harvested in other fisheries, other registration areas, or outside of Prince William Sound (PWS) state-waters be landed prior to participating in the state-waters Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide for harvest of Pacific cod in a PWS state-waters season in area waters including the Inside District and those Outside District waters located west of 146°15.12'.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal will restrict the free movement of federally licensed vessels that wish to participate in the PWS state-waters Pacific cod fishery and the Pacific cod fishery in adjacent federal waters of the Eastern Gulf of Alaska (EGOA) area by requiring they land fish from one area before fishing in another area. In addition, the proposal will facilitate accurate catch accounting between Pacific cod fisheries.

BACKGROUND: The PWS state-waters Pacific cod season opens seven days following closure of the initial federal Central Gulf of Alaska Pacific cod season. Since 2002, season opening dates have ranged from early February to mid-March. In the recent three year period, seasons opened February 3, 7, and 5, and season duration has ranged from 13 to 18 days. The Pacific cod season in the federal EGOA opens January 1 and typically remains open for the entire calendar year. Pacific cod harvest from state waters is accounted against the state guideline harvest level (GHL), while Pacific cod harvest from federal waters is accounted against the federal total allowable catch (TAC). Because seasons are concurrent, the opportunity for both errors and misreporting exists.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The state-waters Pacific cod season is relatively short, and accurate catch accounting is important.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery by requiring additional run time to deliver product prior to moving between fisheries.

PROPOSAL 38 – 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

PROPOSED BY: Ilia Kuzmin.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would open the Prince William Sound (PWS) state-waters Pacific cod season one week after the <50' longline gear sector closes in adjacent federal Central Gulf of Alaska waters.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a state-waters Pacific cod season to jig, pot, and longline gear seven days following closure of the initial federal Central Gulf of Alaska (CGOA) Pacific cod season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Effects of adoption of this opening date are uncertain.

BACKGROUND: Changes to federal Pacific cod management scheduled for implementation in 2012 include allocation of this resource by creating separate harvest levels for each of several gear "sectors", including pot, trawl, jig, and longline for vessels greater than and less than 50' in overall length. This contrasts with current federal management in which all gear types compete for a single harvest level. The PWS state-waters season currently opens seven days following closure of the federal Pacific cod season in the adjacent CGOA waters, but under the new management scheme, seasons for each gear sector are expected to close at different times. This proposal seeks to react to imminent changes to Pacific cod management in federal CGOA waters by aligning the PWS state-waters Pacific cod season opening date with the federal season for longline vessels <50 feet.

DEPARTMENT COMMENTS: The proposal may prove allocative to a gear type or vessel size group, and the department is **NEUTRAL** on its adoption.

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 39 – 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This placeholder proposal is intended to provide Pacific cod fishery stakeholders the opportunity to coordinate aspects of the Prince William Sound (PWS) Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries, particularly new Central Gulf of Alaska (CGOA) sector splits. Proposals submitted by the public address some, but not all, regulations that require Board of Fisheries (board) coordination. The department seeks guidance on the following issues from the board and fishery stakeholders.

Season Dates: Criteria to open and close parallel and state-waters seasons for pot, jig, and longline gear require consideration given the restructured federal fisheries will have different season dates for each gear sector.

Landing Requirements: Landing requirements may need to be amended to reflect coordinated season dates for each gear type.

Gear Storage: State-waters pot gear storage requirements are currently coordinated with the season opening and closing date of the state-waters fishery. The existing gear storage requirements may require modification to conform to coordinated season dates.

GHL Rollover: On October 1, if the guideline harvest level (GHL) has not been achieved, but the pot season had already closed due to the 60% pot allocation being reached, the pot allocation is removed by emergency order (EO), allowing both gear types to fish the remainder of the GHL. After October 30, the department may relax gear requirements and designate the PWS Area as a nonexclusive registration area for Pacific cod. Existing GHL rollover provisions may require modification to conform to coordinated season dates.

WHAT ARE THE CURRENT REGULATIONS?

- Pacific cod managed in PWS state waters are managed according to the *PWS Pacific Cod Management Plan* (5 AAC 28.267), which creates two seasons: parallel and state-waters.
- Parallel Pacific cod season dates coincide with the initial federal Pacific cod season (A-season) in the CGOA (5 AAC 28.267 (b)).
- A state-waters season opens seven days after closure of the initial federal CGOA Pacific cod season (5 AAC 28.267 (c)).
- State-waters season attributes are:
  - Exclusive area registration.
  - GHL calculated as 25% of the federal Eastern Gulf allowable biological catch (ABC).
  - Legal gear is 60 pots, five jigging machines, or longline.
  - Allocations:
    - 60% to pot gear prior to October 1.
    - None for jig or longline, but longline closes May 1.
  - Pacific cod may be taken in the waters of the PWS Area, except those waters east of 146°15.12 W long (5 AAC 28.267(e)(1)).

- After October 30, the department may relax gear limits and registration requirements to promote full utilization of the state waters GHL (5 AAC 28.267 (g)).

- The plan allows the department to open and close fishing seasons by EO at times other than those specified in the management plan if the GHL has been reached and a federal season is ongoing in adjacent federal waters, or the department determines it is necessary to adapt to unanticipated openings or closures of the federal season, maintain sustained yield management, or provide for orderly fisheries (5 AAC 28.267 (d)).
- Landing requirements: Vessels participating in a directed groundfish fishery must land their catch 24 hours following the closure of that fishery (5 AAC 28.271).
- Gear storage: Pots may be stored in a designated area 10 days prior and 10 days following a state-waters season (5 AAC 28.232 (b)). All groundfish pots must be removed from the water following the closure of the parallel season (5 AAC 28.232 (a)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Failure to coordinate the PWS Area state-waters Pacific cod fishery with the restructured federal Pacific cod fishery may result in conflicting or incompatible Pacific cod regulations or unintended consequences for participants.

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state-waters) occur in the PWS management area (Figure 39-1). The federal season is managed exclusively by National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3 to 200 nmi offshore). Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0 to 3 nmi). The state opens the parallel Pacific cod fishery using an EO that adopts federal seasons and allowable gear types. The separate state-waters Pacific cod season is also prosecuted within state waters (0 to 3 nmi), but is managed by the department according to state regulations.

The North Pacific Fishery Management Council (NPFMC) recently established gear sector allocations for the federal CGOA Pacific cod fishery. The NPFMC's 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 will be prosecuted independent of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery.

At this time it is unknown how, or to what degree, the newly restructured federal Pacific cod fisheries will influence management of the PWS state-waters Pacific cod fishery. However, some aspects of the PWS state-waters Pacific cod fishery are influenced by the federal Pacific cod fishery, and thus, these regulations require alignment with new federal rules to provide for seamless fishery management.

DEPARTMENT COMMENTS: Some issues identified in this proposal may be allocative. At this time, the department has **NO POSITION** on this placeholder 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.

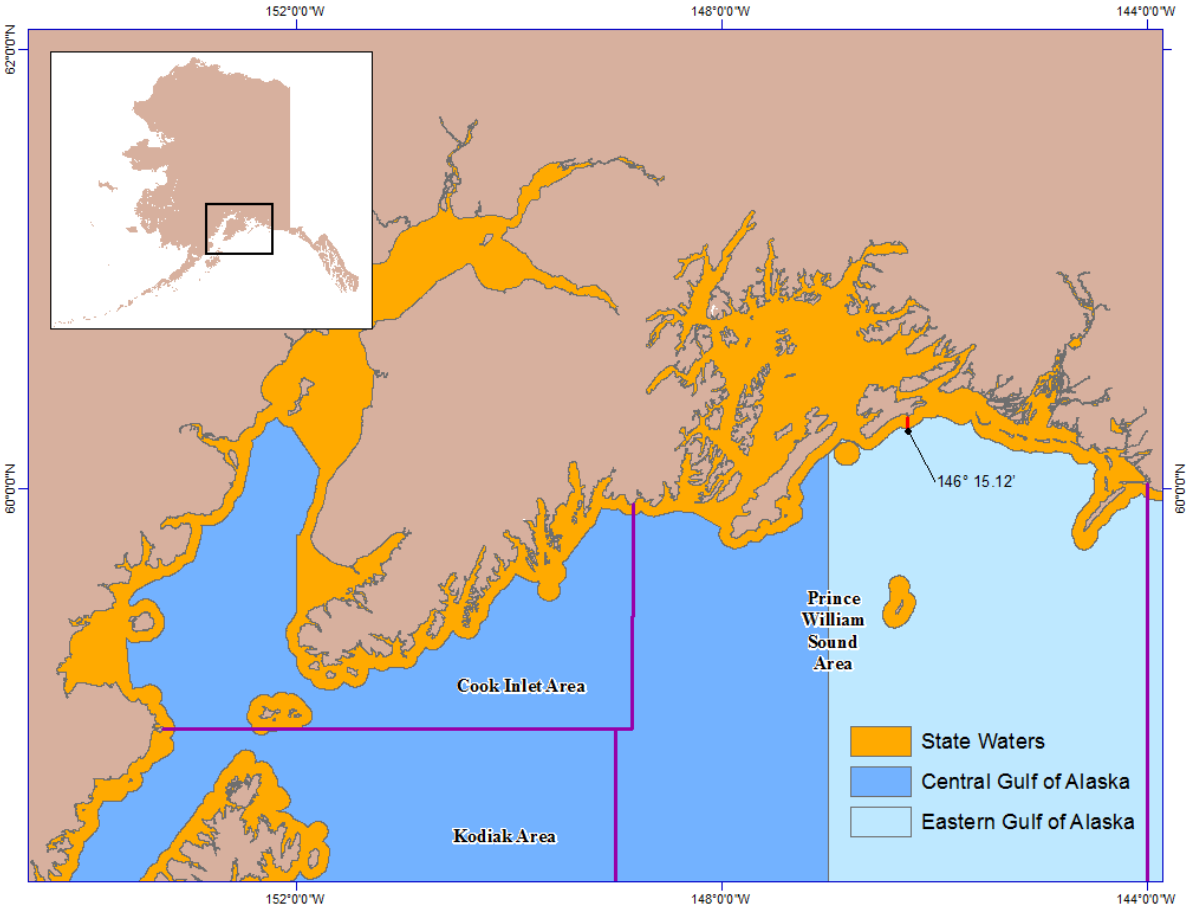


Figure 39-1.–The PWS management area and surrounding federal and adjacent state management areas within the Gulf of Alaska. Pacific cod may not be taken east of 146°15.12'W long during a PWS state-waters season.

PROPOSAL 40 – 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan.

PROPOSED BY: AlRay Carroll, Glen Carroll, Alvin Swick, Chuck Piper, Matt Stover, and Randy Arsenault.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would reduce the Cook Inlet state-waters Pacific cod jig allocation to 10% and implement a 5% "step-up" provision each year that at least 90% of the jig allocation is achieved until the full allocation reaches the current 25% level.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allocate the Cook Inlet state-waters Pacific cod guideline harvest level (GHL) 75% to pot gear and 25% to jig gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would increase Pacific cod fishing opportunity and extend the season for pot gear. The proposal may reduce jig fishing opportunity for Pacific cod.

BACKGROUND: The Cook Inlet state-waters Pacific cod season is managed via 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) total allowable Pacific cod harvest level. The Cook Inlet 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 4.4 million pounds in 2011 (Table 40-1). Initially, the GHL was allocated equally to pot and jig gear, but in 2005 was changed to 75% for pot gear and 25% for jig gear. The pot gear harvest allocation was first reached in 2002 and has been achieved eight of the recent ten years. In the two years (2006 and 2007) the allocation was not achieved, all harvest during the September through December period was accounted for under a parallel season. Jig harvest has been consistently low in recent years because of a lack of jig fishermen participating in the fishery, except for those years in which the pot allocation was achieved early, resulting in some vessels fishing pot gear transitioning to jig gear. During the 2010–2011 cycle, the Board of Fisheries failed a proposal to establish fixed pot/jig allocations of 90/10 percent. The 2011 Cook Inlet state-waters Pacific cod season witnessed an increase in both effort and harvest by vessels fishing jig gear. Current jig harvest is 492,020 lb from 187 landings by 29 vessels. This was the second highest jig harvest since the fishery's initial season and almost half of the jig allocation (11% of the total GHL).

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 40-1.–Cook Inlet state-waters Pacific cod effort, harvest, GHL, and percent of GHL harvested overall and by gear type, 1997–2011.

Year	Vessels	Harvest	GHL	% GHL	Pot % of GHL	Jig % of GHL
1997	55	838,913	2,549,646	33%	11%	22%
1998	42	730,469	2,434,565	30%	22%	8%
1999	38	1,517,907	2,637,445	58%	53%	5%
2000	21	1,149,788	2,160,255	53%	53%	1%
2001	14	895,351	1,917,195	47%	46%	1%
2002	15	1,328,847	1,571,455	85%	83%	1%
2003	19	1,453,538	1,438,516	101%	71%	30%
2004	25	2,111,685	2,367,765	89%	75%	14%
2005	17	2,318,151	2,737,893	85%	81%	3%
2006	12	1,477,521	3,131,088	47%	47%	[1]
2007	17	1,442,349	3,131,088	46%	46%	0%
2008	16	2,393,541	3,133,403	76%	76%	0%
2009	18	2,532,535	2,606,393	97%	92%	5%
2010	15	3,123,626	4,054,466	77%	76%	1%
2011[2]	35	3,986,347	4,449,911	90%	79%	11%

[1]Confidential data

1997-2004, Cook Inlet Area GHL is allocated equally between pot and jig gear.

Starting in 2005, Cook Inlet Area GHL is allocated 75/25 pot/jig gear.

Pot vessels greater than 58' can harvest up to 25% of the total GHL.

[2]Fishery ongoing.

PROPOSAL 41 – 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan.

PROPOSED BY: AlRay Carroll, Glen Carroll, Alvin Swick, Chuck Piper, Matt Stover, and Randy Arsenault.

WHAT WOULD THE PROPOSAL DO? Approval of this proposal would open the Cook Inlet state-waters Pacific cod season 24 hours after closure of the initial federal Central Gulf of Alaska (CGOA) season for Pacific cod with pot gear.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a state-waters Pacific cod season to pot and jig gear 24 hours after closure of the initial federal CGOA Pacific cod season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effect of this proposal is uncertain because it is difficult to estimate season length under impending changes to federal Pacific cod regulations.

BACKGROUND: Changes to federal Pacific cod management scheduled for implementation in 2012 include allocation of this resource by creating separate harvest levels for each of several gear "sectors", including pot, trawl, jig, and longline. This contrasts with current federal management in which all gear types compete for a single harvest level. The Cook Inlet state-waters season currently opens 24 hours following closure of the federal Pacific cod season in the adjacent CGOA waters, but under the new management scheme, the season is expected to close at different times for each gear sector. This proposal seeks to react to the imminent changes to Pacific cod management in federal CGOA waters by aligning the Cook Inlet state-waters Pacific cod season opening date with the new federal season for pot vessels.

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 42 – 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This placeholder proposal is intended to provide Pacific cod fishery stakeholders the opportunity to coordinate aspects of the Cook Inlet Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries, particularly new Central Gulf of Alaska (CGOA) sector splits. Proposals submitted by the public address some, but not all regulations that require Board of Fisheries (board) coordination. The department seeks guidance on the following issues from the board and fishery stakeholders.

Season Dates: Criteria to open and close parallel and state-waters seasons for pot and jig gear require consideration given the restructured federal fisheries will have different season dates for each gear sector.

Landing Requirements: Landing requirements may need to be amended to reflect coordinated season dates for each gear type.

Gear Storage: State-waters pot gear storage requirements are currently coordinated with the season closing date of a fishery. The existing gear storage requirements may require modification to conform to coordinated season dates.

GHL Rollover: On September 1, if the guideline harvest level (GHL) has not been achieved, but the pot season had already closed due to the 75% pot allocation being reached, the pot allocation is removed by emergency order (EO), allowing both gear types to fish the remainder of the GHL. After October 30, the department may relax gear requirements and designate the Cook Inlet Area as a nonexclusive registration area for Pacific cod. Existing GHL rollover provisions may require modification to conform to coordinated season dates.

WHAT ARE THE CURRENT REGULATIONS?

- Pacific cod are managed in Cook Inlet Area state waters according to the *Cook Inlet Pacific Cod Management Plan* (5 AAC 28.367), which creates two seasons: parallel and state-waters.
- Parallel Pacific cod season dates coincide with the initial federal Pacific cod season (A-season) in the CGOA (5 AAC 28.367 (b)).
- A state-waters season opens to jig and pot gear 24 hours after the closure of the initial federal CGOA Pacific cod season. (5 AAC 28.367 (c)).
- State-waters season attributes are:
  - Exclusive area registration.
  - GHL calculated as 3.75% of the federal CGOA allowable biological catch.
  - Legal gear is 60 pots or five jigging machines.
  - Allocations
    - 75% to pot gear prior to October 1.
      - 25% cap on vessels longer than 58’.
      - Closes May 1 and reopens June 15 if allocation not achieved.

    - 25% to jig gear.
  - After October 30, the department may relax gear limits and registration requirements to promote full utilization of the state-waters GHL (5 AAC 28.367 (g)).
- The plan allows the department to open and close fishing seasons by EO at times other than those specified in the management plan if the GHL has been reached and a federal season is ongoing in adjacent federal waters, or the department determines it is necessary to adapt to unanticipated openings or closures of the federal season, maintain sustained yield management, or provide for orderly fisheries (5 AAC 28.367 (d)).
- Landing requirements: Vessels participating in a directed groundfish fishery must land their catch 24 hours following the closure of that fishery (5 AAC 28.371).
- Gear storage: Pots may be stored in the Cook Inlet Area up to five days after the closure of a season (5 AAC 28.332).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Failure to coordinate the Cook Inlet Area state-waters Pacific cod fishery with the restructured federal Pacific cod fishery may result in conflicting or incompatible Pacific cod regulation or unintended consequences for participants.

BACKGROUND: Three Pacific cod fisheries (federal, parallel, and state-waters) occur in the PWS management area (Figure 42-1). The federal season is managed exclusively by National Marine Fisheries Service (NMFS) and prosecuted in federal waters (3 to 200 nmi offshore). Concurrent to the federal fishery, the state opens a parallel fishery inside waters under state jurisdiction (0 to 3 nmi). The state opens the parallel Pacific cod fishery using an EO that adopts federal seasons and allowable gear types. The separate state-waters Pacific cod season is also prosecuted within state waters (0 to 3 nmi), but is managed by the department according to state regulations.

The North Pacific Fishery Management Council (NPFMC) recently established gear sector allocations for the federal CGOA Pacific cod fishery. The Council's 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 will be prosecuted independent of other Pacific cod federal gear sectors, likely resulting in staggered federal season closure dates. Prior to federal sector allocations, all gear types competed for federal/parallel Pacific cod during a single derby-style fishery.

At this time it is unknown how, or to what degree, the newly restructured federal Pacific cod fisheries will influence management of the Cook Inlet state-waters Pacific cod fishery. However, some aspects of the Cook Inlet state-waters Pacific cod fishery are influenced by the federal Pacific cod fishery, and thus, these regulations require alignment with new federal rules to provide for seamless fishery management.

DEPARTMENT COMMENTS: Some issues identified in this proposal may be allocative. At this time, the department has **NO POSITION** on this placeholder 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.

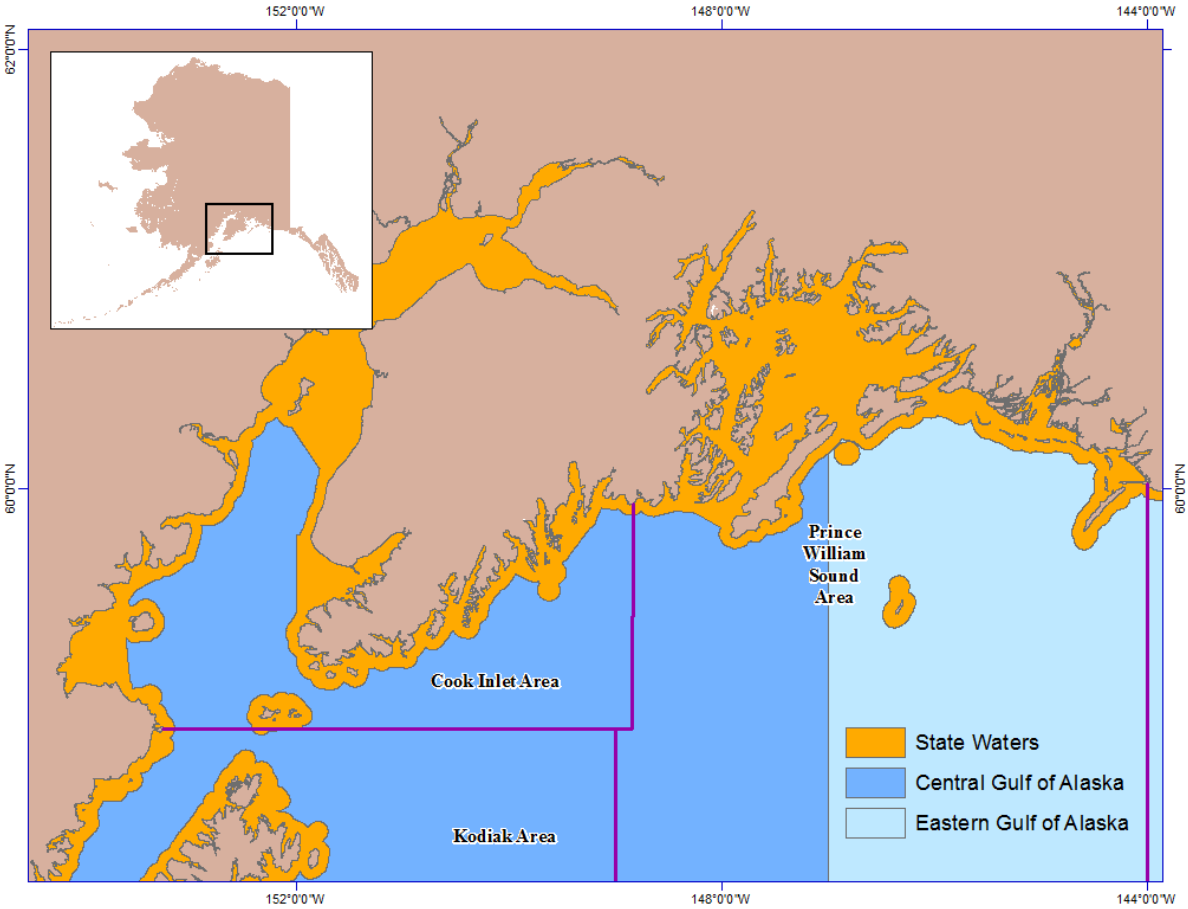


Figure 42-1.–The Cook Inlet management area and surrounding federal and adjacent state management areas within the Gulf of Alaska.