

**Board of Fisheries CGOA pollock workgroup meeting**  
**Agenda Item #6 – Coordination between State and Federal Fisheries**  
**April 16, 2014**

**Purpose of the proposed action**

The North Pacific Fishery Management Council (Council) is the management body responsible for conservation and management of fishery resources in federal waters (3 nm – 200 nm) under federal law. The Council started considering a new management structure for the Central and Western Gulf of Alaska trawl fleet in federal waters in October 2012, as the current management tools in the fishery do not provide the fleet the ability to further reduce bycatch of important species like Chinook salmon, halibut, and crab. **The primary objectives of this action are to reduce trawl bycatch by allowing vessels to fish more slowly, strategically, and cooperatively; to achieve optimum yield in the groundfish fisheries; and to promote community stability and minimize adverse economic impacts by limiting consolidation and maintaining historical delivery patterns.**

The proposed action would create a new management structure (a form of a ‘catch share’ system) which allocates allowable harvest of target and bycatch species to cooperatives of harvesters and processors, or other entities, to mitigate the impacts of a race for fish. It is expected to improve stock conservation by creating vessel-level and cooperative-level incentives to eliminate wasteful fishing practices, provide mechanisms to control and reduce bycatch, and create accountability measures when utilizing bycatch, target, and incidental species. It will also have the added benefit of reducing the incentive to fish during unsafe conditions and improving operational efficiencies.

**Preliminary program design**

To achieve the stated objectives, the Council is considering a system of **cooperative management**. Shorebased cooperatives would be made up of processors and harvesters, and offshore cooperatives would be comprised of vessels that process their own catch. **Cooperatives are intended to facilitate a flexible, responsive, and coordinated effort among vessels and processors to avoid bycatch through information sharing and formal participation in bycatch avoidance programs** (such as: hotspot programs, gear modifications, excluder use, incentive plan agreements). Each cooperative would receive annual allocations of target species and bycatch species, and create an annual fishing plan and bycatch management plan for the vessels within the cooperative. The race for fish would be eliminated.

**State waters issues**

There are a number of decision points for the Board of Fisheries (BOF) upon development and implementation of a federal catch share program. Currently, trawl fisheries in state waters are managed by the state under a ‘parallel’ system, in which the state generally applies the same overall management measures imposed on the federal fishery to the adjacent state waters fishery. Both federal and state waters open at the same time and close concurrently when the total allowable catch (TAC) for the sector is taken (all vessels stop fishing at the same time). All harvest comes off of the federal TAC.

Alternatively, when adjacent federal fisheries are managed using a catch share system, fishing is allowed within a defined season and each vessel can choose when to fish within that season. Concurrent opening and closing of state waters for the parallel season would no longer be possible because each vessel stops fishing at a different time (when the vessel’s cooperative allocation is taken); thus, there is no single date on which the parallel fishery would be closed for the entire sector. A catch share system relies upon allocations of an amount of TAC to each eligible entity, in this case cooperatives, at the beginning of the year. Without knowing what amount of the total TAC would be taken in state waters

(where a catch share system cannot be implemented) before the season begins, one cannot know the amount to be allocated to these entities at the beginning of the year.

**As an alternative to the existing parallel fishery system, the state could set a limit for trawl harvest in state waters using a state-managed Guideline Harvest Level (GHL).** This appears to be the most effective approach for catch accounting if a catch share program exists in federal waters. It allows for continued opportunity in state waters by existing participants (and any new participants that meet state requirements), avoids exacerbating a race for fish in state waters, and meets the overall goals of reducing bycatch in the GOA trawl fisheries. Some decision points for the state follow:

- **Does the state want to implement and manage trawl pollock and Pacific cod fisheries in state waters of the Central and Western Gulf of Alaska?**
  - If no, then upon implementation of a federal catch share program, the BOF could close state waters to trawl gear for pollock and cod fisheries. (This may be the most appropriate approach for cod regardless, as very little cod is currently taken in state waters with trawl gear and there are other gear types that can be used to prosecute cod. Almost no Central Gulf trawl cod and <10% of the Western Gulf trawl cod is taken in state waters.)
  - If yes, then the state could develop a new GHL trawl pollock (and/or cod) fishery in the Central and Western Gulf. (Further decision points are specific to pollock).
- **How would catch accounting work between a federal catch share program and a GHL fishery?**

Below is a summary of the most feasible approach thus far analyzed in Council staff discussion papers.

  - NMFS could issue quota to cooperatives with member vessels at the beginning of the year. A person that holds federal quota could fish in federal or state waters (if the GHL fishery is open). NMFS would deduct any catch from the person's federal quota, regardless of whether they were in federal or state waters. This catch would not be deducted from the GHL.<sup>1</sup> This approach allows for  $TAC - GHL = \text{federal quota}$ .
  - Only state water harvests by persons that do not hold federal quota at the time the landing is made would be deducted from the GHL.
  - When the GHL is taken, state waters are closed to all participants, and those with remaining federal quota can only fish in federal waters.
  - This structure requires significant state and federal coordination to ensure that landings made in a GHL fishery are deducted from the appropriate allocation (GHL vs federal quota account). A check-in/check-out requirement may be necessary.

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<sup>1</sup> Staff explored the option of deducting all catch in state waters from federal quota holders' accounts and the GHL. However, this would double-count federal participants' harvest, and in order to avoid severely under-harvesting the TAC, would require either 1) estimating the amount of fish that would be taken by federal quota holders in the GHL fishery at the start of the year and increasing the federal quota shares by that amount; or 2) calculating the amount of fish harvested by federal quota holders in the GHL fishery after the GHL fishery closes and adjusting federal catch share amounts accordingly mid-season. The cost, complexities and uncertainties associated with this option make it a less appealing management system.

- **On what basis should a GHL be set?** If the BOF wanted to pursue a pollock trawl GHL fishery in the GOA, it would need to develop a fishery management plan. Primary decision points include the level of the GHL and any additional necessary measures (observer coverage or other monitoring measures, bycatch limits). Future analysis would support BOF decision making on the appropriate GHL.
  - Council analysis provides the amount of historical harvest taken in state waters in the parallel trawl fisheries (2009 – 2012: CG pollock 10% – 36%; WG pollock 53% – 74%). This harvest has been taken by federally licensed participants in the past. Setting a GHL based on historic harvest may only be appropriate in a scenario where the federal quota holder’s harvest in state waters is deducted from both the GHL and their federal allocation, which is not proposed as the best accounting method (see above).
  - If the catch accounting system developed deducts a federal quota holder’s catch in state waters only off their federal quota (and not the GHL), as described above, then the GHL could be a smaller percentage of the ABC that represents historic harvest only by those not given credit in the federal program (and/or to support new entrants).

**Potential schedule for Council action**

The Council has not yet initiated a formal analysis of alternatives and options; that could occur no earlier than late 2014. Final decision on the program would occur after the analysis is completed and likely no earlier than late 2015. Once the Council makes a final decision on a program, implementation of federal regulations is expected to take at least a year.