

ALASKA BOARD OF FISHERIES
October 6-10, 2011
PACIFIC COD FOR PRINCE WILLIAM SOUND, COOK INLET, KODIAK, CHIGNIK
AND SOUTH ALASKA PENINSULA AREAS

PROPOSAL INDEX

Following is a list of proposals that will be considered at the above meeting sorted by general topic. A board committee roadmap will be developed and distributed prior to the meeting.

PROP **SUBJECT**
NO. (41)

Gulf of Alaska Pacific Cod (2)

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

Kodiak Pacific Cod (6)

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

Chignik Pacific Cod (8)

- 9 Develop regulations to coordinate state and federal Pacific cod fisheries.
- 10 Open the state-waters Pacific cod season seven days after federal Gulf of Alaska Pacific cod season closes.
- 11 Open the state-waters Pacific cod season one week after federal Pacific cod season closes.
- 12 Open the state-waters Pacific cod season one week after federal Pacific cod season closes, or March 1, whichever is earlier.
- 13 **Note: Proposal 13 was a duplicate of Proposal 96 and has been pulled.*
- 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.
- 15 Reduce pot limit in state-waters Pacific cod fishery.
- 16 Establish daily fishing period for Pacific cod fishery.
- 17 Amend regulatory description of Chignik groundfish area and districts.

Chignik and South Alaska Peninsula Pacific Cod (1)

- 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.

South Alaska Peninsula Pacific Cod (15)

- 19 Develop regulations to coordinate state and federal Pacific cod fisheries.
- 20 Open state-waters Pacific cod season seven days after federal Western Gulf of Alaska A season Pacific cod pot sector closes.
- 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.
- 22 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 Establish regulatory allocation for mechanical jigging machine gear in the state-waters Pacific cod fishery.
- 24 Establish regulatory allocation of 25 percent for state-waters Pacific cod jig fishery.
- 25 Establish regulatory allocation of 30 percent for state-waters Pacific cod mechanical jig fishery.
- 26 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
- 27 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
- 28 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
- 29 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
- 30 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
- 31 Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery.
- 32 Repeal one definition of mechanical jigging machine gear.
- 33 Amend regulatory description of South Alaska Peninsula groundfish district and sections.

Prince William Sound (6)

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

Cook Inlet (3)

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

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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 as follows:

Where the harvest and/or processing of State/Federal fisheries may intersect and reporting/licensing requirements applied, the following must first be considered;

- A) Reporting requirements must be reviewed for their full necessity and reasonable effectiveness for managing the fishery.
- B) Prior to requiring information or operating licenses it must be determined if such requirements contain redundancies among those state and federal agencies managing the fisheries, and if they can be streamlined into a common data base for agency and department use.
- C) The methodology of retrieving information should be reviewed and require minimum impact on those entities providing the information. The retrieval should also take into consideration updated data processing technologies that can be incorporated for maximum streamlining and efficient utilization of the information among State/Federal agencies.

ISSUE: There will be potential overlap of license and reporting requirement between the Federal and State parallel fisheries for fishers, processors and/or CP's that may be harvesting or buying fish from both areas. To help mitigate this it should be mandated that State and Federal agencies managing the harvest and reporting of the fishery be consistently cognizant of potential redundant and/or unnecessary reporting of information and license requirements.

WHAT WILL HAPPEN IF NOTHING IS DONE? It creates a vacuum for inefficient procurement of information by managing agencies, which then becomes overly burdensome for industry.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal is not as applicable to quality as it is to an efficient process of information.

WHO IS LIKELY TO BENEFIT? Industry and agencies/departments who manage data collections of our fisheries.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Rhonda Hubbard

(HQ-F11-354)

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 South Alaska Peninsula Area Pacific Cod Management Plan. Require a federal LLP license and observer to participate in the parallel Pacific cod fishery as follows:

(b) Each year the commissioner shall open and close, by emergency order, a parallel season in the **Prince William Sound, Cook Inlet, Kodiak, Chignik and** South Alaska Peninsula Areas to coincide with the initial federal season in the federal [WESTERN] **Central** Gulf of Alaska Area. The commissioner shall open and close, by emergency order, the parallel season during which the use of the same gear allowed in the federal [WESTERN] **Central** Gulf of Alaska Area Pacific cod season is permitted, unless use of that gear is prohibited under 5 AAC 28.050 or 5 AAC 28.530. NEW: A vessel participating in a parallel season for Pacific cod **must have a valid federal LLP for the adjacent waters** and may not be more than 58 feet in overall length in the South Alaska Peninsula.

ISSUE: The NPFMC is implementing sector allocations for Pacific cod in the GOA in 2012. The NPFMC also just implemented fixed gear agency requirements for LLPs in the GOA. The purpose and need for these actions was well understood and the state supported them. The parallel fishery allows unlimited participation by longliners and pot fishermen without an LLP which is contrary to the goals of these programs to provide stability in the cod fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen without a license (LLP and federal fishery license) and without an observer will exploit a loophole and catch cod in the parallel fishery which reduces the quota available to the sector.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen who would like to operate within an orderly fishery with a known number of participants. Those who want stability in their fishery and don't want to wait for another crisis that's about to happen.

WHO IS LIKELY TO SUFFER? Those fishermen who would like to exploit a loophole in a program and not have any costs involved with an LLP or an observer. Fishermen who don't want to invest in the federal cod fishery still have very good opportunities in the state water cod fishery and the expanded jig fishery.

OTHER SOLUTIONS CONSIDERED? The parallel fishery has been talked about for a decade. As the cod resource is fully utilized in the GOA, the seasons become more compressed, and attempts to limit participation are ongoing, it is time to address the parallel issue.

PROPOSED BY: Buck Laukitis

(HQ-F11-375)

PROPOSAL 3 - 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan. Develop regulations to coordinate state and federal Pacific cod fisheries as follows:

Regulatory provisions to address may include:

- ◆ State-waters and parallel fishery season opening and closing dates for pot and jig vessels.
- ◆ Area registration.
- ◆ Landing requirements.
- ◆ Gear storage requirements.
- ◆ Guideline harvest level (GHL) rollover and GHL clean-up provisions.

ISSUE: This proposal is a placeholder proposal to allow commercial state-waters Pacific cod fishery stakeholders an opportunity to coordinate aspects of the Kodiak Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries. Draft regulatory language will be developed following release and analysis of federal rulemaking on Pacific cod sector splits occurs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicting regulations regarding state-waters and parallel Pacific cod fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial state-waters Pacific cod fishery stakeholders.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F11-363)

PROPOSAL 4 - 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan. Address harvest overage in state-waters Pacific cod Pot Fishery as follows:

There are two approaches to this problem. First, divorce the allocations so that the overages to the pot fleet are not subtracted from the jig allocation (this is our preferred solution). Or second, address the management precision of the pot season.

There are a number of different ways to address the management precision of the pot fleet. Fishing could be slowed by reducing fishing time, reducing pot limits, or implementing trip limits. Another approach could be reserving a portion of the pot quota for the fall when fishing is slower.

ISSUE: Overage of the state waters Pacific cod pot fishery is unfairly subtracted from the state waters Pacific cod jig allocation.

In the Kodiak Area Pacific cod management plan, 12.5% of the Central Gulf of Alaska Allowable Biological Catch (ABC), is given to the state (a)(2). Out of this, the management plan states that the jig fleet is allocated 50% and the pot fleet is allocated the other 50%. The pot gear season is often very quick, lasting 2-3 weeks and the department's management prediction is plus or minus 10%. When the pot fleet overharvests their allocation, the overage is subtracted from the jig fleet allocation so that the department can manage the overall allocation. This situation is unfair, and the jig fleet requests that the Board slow this piece of the pot season so that fisheries are managed closer to their allocations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig fleet will continue to lose fishing opportunity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jig fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Jig Association (HQ-F11-351)

PROPOSAL 5 - 5 AAC 28.430. Lawful gear for Kodiak Area. Allow only jig gear onboard a registered state-waters Pacific cod jig vessel as follows:

(g) while participating in the Kodiak Area state waters jig fishery, no ground fishing gear should be allowed onboard the vessel other than jig gear (i.e., no pot, trawl, or longline gear allowed onboard).

ISSUE: Vessels using illegal gear during the commercial jig Kodiak Area Pacific cod fishery. Vessels with pot, longline, and trawl gear onboard are currently allowed to participate in the fishery. To avoid potential abuse, only jig gear should be allowed onboard the vessel while they are registered to jig.

WHAT WILL HAPPEN IF NOTHING IS DONE? Potential illegal fishing with little ability to enforce.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jig fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Jig Association (HQ-F11-352)

PROPOSAL 6 - 5 AAC 28.467. Kodiak Area Pacific Cod Management Plan. Cap jig vessels 58 feet and larger to 10 percent of the state-waters Pacific cod jig allocation as follows:

Cap the large jig vessels (vessels 58 feet and over) to their historical high harvest (10%) in the Kodiak Area.

ISSUE: In the Kodiak Area, large jig vessels (58 feet and over) taking a larger percentage of the jig GHL that has historically been a smaller vessel fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Smaller vessels will continue to lose fishing opportunity. Potential future Kodiak state waters state seasons may close earlier due to larger vessels out competing the smaller fleet. These larger vessels are able to work in more inclement weather and further offshore. This problem will be exacerbated if state-water seasons adopt “reverse parallel” concepts currently being discussed by the North Pacific Fisheries Management Council.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Small jig vessels.

WHO IS LIKELY TO SUFFER? Large vessels participating in the jig fishery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Jig Association (HQ-F11-353)

PROPOSAL 7 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan; 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan. Cap jig vessels over 58 feet to 25 percent of the state-waters Pacific cod jig allocation as follows:

As in the state Pacific cod pot fishery in Chignik and South Peninsula areas there is a 58 ft limit on the size of vessels that can fish there . Kodiak has a fleet of every size. The solution I prefer would be as in the Kodiak state pot season the vessels over 58 ft would be restricted to 25% of the Jig quota. This would not eliminate anyone from the fishery and allow enough quota for larger vessels.

ISSUE: With the short Kodiak federal Pacific cod seasons in January this opens the state waters Pacific cod around the end of January when the weather isn't at its nicest. There is a slow influx of boats over 58 ft in to the Kodiak state Pacific cod jig fishery. If this continues larger vessels who are able to fish in rougher weather taking more of the quota while smaller boats are weathered out. I believe this was intended by the state to be a small vessel entry level fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The small boat fleet will lose quota to the larger boats. A person looking to get into the fishery would think twice about investing in a small vessel to get started fishing knowing the larger vessels could take a large portion of the quota so fast making it not profitable to get in.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This would reduce the danger to smaller boats fishing in rough weather which improves quality of fish landed. It would slow down the fishery because each vessel size will know how much quota is left to each group.

WHO IS LIKELY TO BENEFIT? In the Kodiak state pot cod season the over 58 ft vessel size has not caught over the 25% as far as I know. The small boat fleet will benefit by knowing how much quota they can harvest and that the large vessels are capped at 25% and won't have to compete in bad weather.

WHO IS LIKELY TO SUFFER? I don't know if anyone would suffer, I think giving each group of vessel size a fair percentage of fish to catch would stabilize a growing problem.

OTHER SOLUTIONS CONSIDERED? There are other proposals written that don't seem fair to all vessel sizes.

PROPOSED BY: Ronald G Thompson (HQ-F11-355)

PROPOSAL 8 - 5 AAC 28.400. Description of Kodiak Area; and 5 AAC 28.404. Description of Kodiak Area Districts. Amend regulatory description of Kodiak groundfish area and districts as follows:

5 AAC 28.400. Description of Kodiak Area

The Kodiak Area consists of all waters of Alaska south of a line extending east from Cape Douglas along 58° 51.10' N. long., west of 149° 00.00' W. long., and east of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long. [(58° 51.10' N. LAT.), WEST OF 149° W. LONG., NORTH OF 55° 30.00' N. LAT., AND EAST OF A LINE EXTENDING SOUTH FROM THE SOUTHERN ENTRANCE OF IMUYA BAY NEAR KILOKAK ROCKS (156° 20.22' W. LONG.)].

5 AAC 28.404. Description of Kodiak Area Districts.

(e) Southwest District: 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., **however, not including waters of the Mainland District.**

(f) Westside District: all waters of the Kodiak Area on the west side of Kodiak Island, south of 58° N. lat., north of 57° N. lat., west of 153° W. long., and east of 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. [, BUT NOT INCLUDING THE WATERS OF THE MAINLAND DISTRICT.]

ISSUE: As commercial groundfish regulations develop over time, demarcation lines within and between management areas sometimes change independent of each other. The intent of this proposal is to standardize demarcation lines across commercial groundfish fisheries, as well as update demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen, fishery managers, and law enforcement.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-360)

PROPOSAL 9 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Develop regulations to coordinate state and federal Pacific cod Fisheries as follows:

Regulatory provisions to address may include:

- ◆ State-waters and parallel fishery season opening and closing dates for pot and jig vessels.
- ◆ Area registration.
- ◆ Landing requirements.
- ◆ Gear storage requirements.
- ◆ Guideline harvest level (GHL) rollover and GHL clean-up provisions.

ISSUE: This proposal is a placeholder proposal to allow commercial state-waters Pacific cod fishery stakeholders an opportunity to coordinate aspects of the Chignik Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries. Draft regulatory language will be developed following release and analysis of federal rulemaking on Pacific cod sector splits occurs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicting regulations regarding state-waters and parallel Pacific cod fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial state-waters Pacific cod fishery stakeholders.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-364)

PROPOSAL 10 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Open the state-waters Pacific cod season seven days after federal Gulf of Alaska Pacific cod season closes as follows:

(c) The commissioner shall open a state waters season in the Chignik Area seven days following the closure of the directed federal season in the federal Western Central Gulf of Alaska Area. The commissioner shall, by emergency order, close the state waters season opened under this subsection as follows:

ISSUE: The opening date for the Chignik Pacific cod fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? This local cod fleet will be at a disadvantage to the super 58's that come into the fishery when they are done in the Bering Sea (After March 15). Pacific cod will also be harvested at a time when they are not worth as much as they could be. Their weight average and roe content go down dramatically after March 15. The local economies will suffer due to more fish being taken by non-local boats.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the fishery will be conducted at a time when roe content and average fish weight will be at a high.

WHO IS LIKELY TO BENEFIT? Local Chignik fishermen and the local economics.

WHO IS LIKELY TO SUFFER? The large super 58's that fish traditionally fish the Bering Sea before coming the Chignik Area.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Chignik Marketing Association (HQ-F11-010)

PROPOSAL 11 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Open the state-waters Pacific cod season one week after federal Pacific cod season closes as follows:

That the Chignik Pacific cod season be opened one week after the federal Pacific cod season is over like every other Pacific cod state area (Kodiak, Sandpoint, and King Cove).

ISSUE: The March 15th opening date for the Chignik Pacific cod fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The late opening date of March 15th will lead to larger boats registering for the Chignik area, especially from the Bering Sea and the fish will be much smaller leading to a less profitable fishing season due to size and weight and fish will be more dispersed at this late of time making it harder to harvest the set quota. For the last few years the Chignik area has caught its quota, but in the years past we never did catch the quota and we left some on the table and by moving the opening date to March 15th you are taking valuable fishing time from us and setting up the chance that the quota might not be caught in the future.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, Pacific cod will be full of roe and the average weight will be higher and the canneries will pay more money for the higher quality roe.

WHO IS LIKELY TO BENEFIT? All local fishermen in the Chignik area and those who have historically fished the Chignik area from March 1st.

WHO IS LIKELY TO SUFFER? Those who traditionally show up late for the fishery, including the large boats that traditionally fish the federal fishery in the Bering Sea.

OTHER SOLUTIONS CONSIDERED? The previous proposal of opening the Chignik Pacific cod season on March 15th, because by the late starting date fish will start losing the roe and the fish will be significantly smaller in weight and size and canneries don't like this stage.

PROPOSED BY: Alfredo Abou Eid (HQ-F11-020)

PROPOSAL 12 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Open the state-waters Pacific cod season one week after federal Pacific cod season closes, or March 1, whichever is earlier as follows:

(c) the commissioner shall open, by emergency order, a state waters season in the Chignik area seven days following the closure of the directed federal season in the federal Western Central Gulf of Alaska Area, or March 1st, whichever comes first. The commissioner shall, by emergency order, close the state waters season opened under this subsection as follows:

ISSUE: The March 15th opening date for the Chignik Pacific cod fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen will not be able to harvest Pacific cod at a time when the cod are most marketable. Local Fishermen, both large and small boats, will become more vulnerable to the large Bering Sea boats that come into the Chignik State Fishery after the federal fishery in the Bering Sea closes.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, Pacific cod will be harvested at a time when the roe and average weight will be high.

WHO IS LIKELY TO BENEFIT? All Local Fishermen in the Chignik Area and those who have historically fished the Chignik Area from March 1st.

WHO IS LIKELY TO SUFFER? Those who traditionally show up late for the fishery, including the large boats that traditionally fish the federal fishery in the Bering Sea.

OTHER SOLUTIONS CONSIDERED? An opening date of April 15th. The cod become harder to catch. They are also spawned out and not as marketable.

PROPOSED BY: Aaron Anderson (HQ-F11-021)

PROPOSAL 14 - 5 AAC 28.537. Chignik Area Pacific cod Management Plan. 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 as follows:

(f) The Chignik Area is a superexclusive registration area for Pacific cod during a state waters season.

(1)A pot vessel participating in a commercial Pacific cod season immediately prior to participating in a Chignik state-waters Pacific cod season may not register for a Chignik state-waters Pacific cod season for a period of 14 days.

ISSUE: The absence of a local processor in Chignik that will process Pacific cod has put the local, shallow draft fleet out of the federal fisheries. As a result, the Federal Government has taken the unused, local fishermen's' LLPs. This has limited the local fleet to the State Pacific cod season. This, along with competition from the larger, non-local, deep drafted boats coming out of the Federal fisheries, has brought the challenge on the local economy to a critical point.

WHAT WILL HAPPEN IF NOTHING IS DONE? The local fishermen and economy will continue lose more harvest opportunity to the non-local, deep draft fleet. The cod fishery will progressively become shorter and shorter, eventually becoming a derby style fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The local, shallow draft boat fleet and economy.

WHO IS LIKELY TO SUFFER? The much larger, deep drafted boats that traditionally fish the Federal fisheries until they close, then immediately jump into the Chignik state water season.

OTHER SOLUTIONS CONSIDERED? Put restrictions on the beam and draft of boats in the Chignik state water fisheries.

It was rejected because the state is not successfully enforcing the 58 foot LOA limit in all state fisheries.

PROPOSED BY: Don Bumpus and Aaron Anderson (HQ-F11-349)

PROPOSAL 15 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Reduce pot limit in state-waters Pacific cod fishery as follows:

Boats may only fish **40 pots** [60 POTS].

ISSUE: Larger 58' boats from out of area fishing 24 hours a day.

WHAT WILL HAPPEN IF NOTHING IS DONE? Local small boat fleet miss out on opportunity to harvest cod in Chignik Area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Local small boat fleet.

WHO IS LIKELY TO SUFFER? Outside larger boats.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: City of Chignik (HQ-F11-061)

PROPOSAL 16 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Establish daily fishing period for Pacific cod fishery as follows:

Vessel may only set and pick gear between hours of 6:00 am to 6:00 pm.

ISSUE: Boats fishing 24 hours a day. Local fleet shut down because of weather.

WHAT WILL HAPPEN IF NOTHING IS DONE? Local small boat fleet miss opportunity to catch cod in Chignik Area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Small boats.

WHO IS LIKELY TO SUFFER? Larger outside boats.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: City of Chignik (HQ-F11-065)

PROPOSAL 17 - 5 AAC 28.500. Description of Chignik Area; and 5 AAC 28.505. Description of Chignik Area Districts. Amend regulatory description of Chignik groundfish area and districts as follows:

5 AAC 28.500. Description of Chignik Area.

The Chignik Area consists of all waters of Alaska on the south side of the Alaska Peninsula enclosed by **a line extending south from the Alaska Peninsula (near Kilokak Rocks) along** 156° 20.22' W. long., [(THE LONGITUDE OF THE SOUTHERN ENTRANCE TO IMUYA BAY NEAR KILOKAK ROCKS)] and a line extending 135° southeast from Kupreanof Point (55° 33.98' N. lat., 159° 35.88' W. long.).

5 AAC 28.505. Description of Chignik Area Districts.

(a) Sutwik Island District: all waters of the Chignik Area west of [THE LONGITUDE OF KILOKAK ROCKS] 156° 20.22' W. long. and north of 56° 30.00' N. lat.

ISSUE: As commercial groundfish regulations develop over time, demarcation lines within and between management areas sometimes change independent of each other. The intent of this proposal is to standardize demarcation lines across commercial groundfish fisheries, as well as update demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen, fishery managers, and law enforcement.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F11-361)

PROPOSAL 18 - 5 AAC 28.577 South Alaska Peninsula Area Pacific Cod Management Plan. Develop regulations to coordinate state and federal Pacific cod fisheries as follows:

(G) Any vessel transferring from Area O must stand down 7 days after he or she registers to Area M or Area L, unless Area O has been closed 7 days prior to the opening of Area M or Area L. You will not be able to register for 2 areas at the same time.

ISSUE: Boats transferring from a federal cod fishery to a state water cod fishery without standing down 7 days like all other vessels have to in Area M and Area L.

WHAT WILL HAPPEN IF NOTHING IS DONE? The large influx of vessels into a state water fishery make it hard for the department to manage and is not fair to the vessels that waited 7 days to get started.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Everyone will have the same advantage.

WHO IS LIKELY TO SUFFER? The vessels that sat down for 7 days to start the state water fishery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Kenneth Mack

(SC-F11-024)

PROPOSAL 19 - 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan. Develop regulations governing the state-waters Pacific cod fishery to address federal/parallel Gulf of Alaska gear sector allocations.

Regulatory provisions to address may include:

- ◆ State-waters and parallel fishery season opening and closing dates for pot and jig vessels.
- ◆ Area registration.
- ◆ Landing requirements.
- ◆ Gear storage requirements.
- ◆ Guideline harvest level (GHL) rollover and GHL clean-up provisions.

ISSUE: This proposal is a placeholder proposal to allow commercial state-waters Pacific cod fishery stakeholders an opportunity to coordinate aspects of the South Alaska Peninsula Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries. Draft

regulatory language will be developed following release and analysis of federal rulemaking on Pacific cod sector splits occurs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicting regulations regarding state-waters and parallel Pacific cod fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial state-waters Pacific cod fishery stakeholders.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-365)

PROPOSAL 20 - 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan. Open state-waters Pacific cod season seven days after federal Western Gulf of Alaska A season Pacific cod pot sector closes as follows:

The only logical and fair way to open the season being as it is a pot and jig fishery, would be somewhat as it is currently. To open seven days after the "pot" sector of the western gulf federal "A" season closes.

ISSUE: Setting a season opening after the implementation of sector splits in the federal season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Currently there is no way of knowing when the season would open with the sector split system.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, by allowing historical participants to fish as we always have we fish our state waters season into the "spawn". During this period, the fish are at their most valuable, and most accessible point of the year.

WHO IS LIKELY TO BENEFIT? All historical participants should see things go smoothly as they always have. Also, I see a major problem on the enforcement side if a pre-determined opening date is set. If the federal pot sector is open in parallel with the state waters, the issue of pot tags and a 60 pot limit would require major rule/law changes and entice morally corrupt people to cheat. That being said, if the trawl sector is still open during the state waters season it is imperative that all vessels that are dual permitted but switching to pots for the state season after trawling in the federal, be required to have no trawl gear aboard while participating in the state season. With the fish being so schooled up this time of year, it would be far too easy for a vessel to set their net, claiming it against the state T.A.C., saving their federal T.A.C. with no risk of being caught.

WHO IS LIKELY TO SUFFER? No one. Things would basically continue the way they always have.

OTHER SOLUTIONS CONSIDERED? If the season was set to open after the entire federal quota was caught, we could potentially miss the spawn. Also, there is the possibility a sector may not be caught resulting in no opening. I have also covered the aspect of a pre-determined opening date above.

PROPOSED BY: Blake Painter (HQ-F11-033)

PROPOSAL 21 - 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan. 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 as follows:

The South Alaska Peninsula State Water Pacific cod Fishery will open March 1st or 7 days after the closure of the Federal pot sector or whichever date is later.

ISSUE: Start date for state water pot cod fishery in the South Alaska Peninsula after closure of Federal pot sector which will be implemented in 2012.

WHAT WILL HAPPEN IF NOTHING IS DONE? Confusion about start times after Federal pot closure.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the resource will be harvested earlier at its peak value to fishermen and processors.

WHO IS LIKELY TO BENEFIT? Fishermen and processors.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Later start date was rejected due to decrease in value of resource to fishermen and processors.

PROPOSED BY: Kiley Thompson, Dwain Foster, Sr., Danny Cumberlodge, Arthor Homberg (HQ-F11-377)

PROPOSAL 22 - 5 AAC 28.577. Alaska Peninsula Area Pacific Cod Management Plan. 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 as follows:

Except as specified in (i) of this section the commissioner shall open, by emergency order, a state waters season in the South Alaska Peninsula Area on March 15 or 7 days following the closure of the directed Pot Federal Western Gulf season if the closure is after March 15.

ISSUE: Sector splits in the Federal Western Gulf Pacific cod season take effect in 2012. The state Pacific cod season opening date for Area M is presently 7 days after the complete closure of the Federal season. The trawl and pot sectors will probably close at different times in 2012.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be no clear regulation that specifically addresses the opening date for Area M state Pacific cod season in 2012 with the changes that the sector splits will cause in the Federal closure.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Unknown.

WHO IS LIKELY TO BENEFIT? The fishermen and processors of Area M state cod fishery will hopefully benefit by having a set date for the opening.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None

PROPOSED BY: King Cove Advisory Committee (HQ-F11-366)

PROPOSAL 23 - 5 AAC 28.577. Alaska Peninsula Area Pacific Cod Management Plan. Establish regulatory allocation for mechanical jigging machine gear in the state-waters Pacific cod fishery as follows:

I would like for the regulations to specify a quota for mechanical jig boats that would not be dependent on whether or not the pot quota is overfished. We would also like an increase in the historic [less than or equal to] 15%.

ISSUE: In the South Alaska Peninsula, there is no guaranteed quota for mechanical jig fisheries. Fishermen would like to see a guaranteed quota as well as an increase in the historical quota. The jig fleet has been rapidly increasing over the years and there are less fish to be divided between more boats.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small local boats will not have equal access to cod stocks which are more readily available for larger pot fishing boats.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It is arguable as to whether or not the quality of jig fish differs from that of pot-caught fish. However, large deliveries which happen throughout the pot cod fishery often result in fish that are held for longer periods before processing. After the pot cod

quota is caught and only jig boats remain, the catches are small enough that all fish can be processed on the same day.

WHO IS LIKELY TO BENEFIT? The jig fleet, which is comprised mostly of small local boats which mostly fish salmon, and are underutilized otherwise.

WHO IS LIKELY TO SUFFER? Larger boats who can fish pot quota but not are not equipped to catch trawl quota. Most larger boats, however, are equipped to catch cod with trawl nets and can utilize the majority of the federal cod quota through all sectors.

OTHER SOLUTIONS CONSIDERED? Under the federal fishery Amendment 83, jig boats will be allocated 1.5% up to 6% maximum. Many jig boats do not start fishing until later in the fall anyway, and the quota allocated under Amendment 83 is miniscule, comparatively. Smaller boats would rather fish later into the spring instead of starting earlier in January in inclement weather.

PROPOSED BY: Patrick Brown (HQ-F11-369)

PROPOSAL 24 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 25 percent for state-waters Pacific cod jig fishery as follows:

It should say: Jig boats are guaranteed 25% of the quota.

ISSUE: Increasing the jig quota.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig boats will suffer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jig boats.

WHO IS LIKELY TO SUFFER? Some pot boats who don't also jig.

OTHER SOLUTIONS CONSIDERED? We won't get much federal quota, we need to make it up during state season.

PROPOSED BY: Kim Gundersen (HQ-F11-379)

PROPOSAL 25 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 30% for state-waters Pacific cod mechanical jig fishery as follows:

I would like if the jig fleet was allocated 30% guaranteed of the quota instead of 15% which is not guaranteed.

ISSUE: There is not enough quota for jig boats.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig boats won't have as much fishing time. Negative economic impact to small boat fleet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Maybe.

WHO IS LIKELY TO BENEFIT? The entire jig fleet.

WHO IS LIKELY TO SUFFER? Pot cod boats which catch a substantial portion of the federal and state cod quota.

OTHER SOLUTIONS CONSIDERED? Many fishermen were in favor of asking for 50% of the quota but I thought 30% would be a good starting point to build upon.

PROPOSED BY: Rob Tripp (HQ-F11-370)

PROPOSAL 26 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery as follows:

The new regulation would say that jig boats and pot boats would get an equal allocation of 50% apiece.

ISSUE: I would like to see an increase in the jig quota for cod from 15% to 50%.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig boats will not have enough fishing time.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The jig fleet.

WHO IS LIKELY TO SUFFER? The pot fleet.

OTHER SOLUTIONS CONSIDERED? An increase in the state waters quota will guarantee fishermen have access through the summer and fall.

PROPOSED BY: Carl Carlson III (HQ-F11-371)

PROPOSAL 27 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery as follows:

It would say that jig boats will get 50% of the quota.

ISSUE: I would like to see the jig quota increased.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small boats will be left out of fishing opportunities.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jig fishermen.

WHO IS LIKELY TO SUFFER? Pot boats.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: George Jackson, Jr. (HQ-F11-372)

PROPOSAL 28 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery as follows:

The jig quota will be 50%.

ISSUE: The jig quota needs to be increased.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig boats will not have equal access to fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jig boats.

WHO IS LIKELY TO SUFFER? Pot boats.

OTHER SOLUTIONS CONSIDERED? The jig boats deserve equal access.

PROPOSED BY: Peter Shuravloff (HQ-F11-373)

PROPOSAL 29 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery as follows:

Jig boats and pot boats would equally divide the quota, 50/50.

ISSUE: To increase the jig quota to 50%. There are more boats participating.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig boats will not have equal access.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jiggers.

WHO IS LIKELY TO SUFFER? Pot fishermen, who already have a large portion of the federal quota.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Albert Spiros (HQ-F11-374)

PROPOSAL 30 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery as follows:

I would like to see jig boats sharing the quota equally with pot boats. 50% for jiggers 50% for pot boats.

ISSUE: Increasing the jig quota.

WHAT WILL HAPPEN IF NOTHING IS DONE? Jig boats will continue to get less fishing opportunity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jig boats.

WHO IS LIKELY TO SUFFER? Pot boats.

OTHER SOLUTIONS CONSIDERED? I don't see any other options.

PROPOSED BY: Wayne Gundersen (HQ-F11-380)

PROPOSAL 31 - 5 AAC 28.XXX. New Regulation. Establish regulatory allocation of 50 percent for state-waters Pacific cod jig fishery as follows:

The cod quota should be shared equally between pot boats and jiggers.

ISSUE: Jig boats don't get enough quota.

WHAT WILL HAPPEN IF NOTHING IS DONE? Equal access is not available to jiggers.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Jiggers.

WHO IS LIKELY TO SUFFER? Pot fishermen.

OTHER SOLUTIONS CONSIDERED? Increase the quota 5% per year when the quota is caught, up to 50%.

PROPOSED BY: Nick Gundersen (HQ-F11-381)

PROPOSAL 32 - 5 AAC 28.570. Lawful Gear for South Alaska Peninsula Area. Repeal one definition of mechanical jigging machine gear as follows:

(d)(2) **repealed** [A SINGLE CONTINUOUS LINE WITH NO MORE THAN 150 HOOKS].

ISSUE: This definition of legal commercial gear for jig and hand troll groundfish fisheries creates confusion among fishermen, is difficult to enforce, and is inconsistent with actual fishing practices. Additionally, this definition of mechanical jigging gear is not recognized by the National Marine Fisheries Service as a legal gear type during federal groundfish fisheries, potentially resulting in conflicting gear regulations when coordinating state- and federally-managed Pacific cod fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued uncertainty regarding legal gear configurations during commercial jig and hand troll groundfish fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All fishery stakeholders will benefit from clear and consistent regulations.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-359)

PROPOSAL 33 - 5 AAC 28.555. Description of South Alaska Peninsula Area Districts and Sections. Amend regulatory description of South Alaska Peninsula groundfish district and sections as follows:

(1) Eastern District: all waters of the South Alaska Peninsula Area east of the longitude of Scotch Cap Light (**164° 44.72' W. long**) [(164° 44' W. long)], which includes the following sections:

(A) Shumagin Islands Section: all waters of the Eastern District west of a line extending 135° southeast from Kupreanof Point (55° 33.98' N. lat, 159° 35.88' W. long) and east of 161° W. long.;

(B) Pavlof Bay Section: all waters of the Eastern District west of 161° W. long. and east of 162° W. long.;

(C) Sanak Island Section: all waters of the Eastern District west of 162° W. long. and east of the longitude of Scotch Cap Light (**164° 44.72' W. long.**) [(164° 44' W. long.)];

(2) Western District: all waters of the South Alaska Peninsula Area west of the longitude of Scotch Cap Light (**164° 44.72' W. long**) [(164° 44' W. long)].

ISSUE: As commercial groundfish regulations develop over time, demarcation lines within and between management areas sometimes change independent of each other. The intent of this proposal is to standardize demarcation lines across commercial groundfish fisheries, as well as update demarcation coordinates to reflect the best precision afforded by current technology.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued use of ambiguous demarcation lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen, fishery managers, and law enforcement.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-362)

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

Allocate the state-waters Pacific cod guideline harvest level as follows:

5 AAC 28.267(c), 5 AAC 28.267(c)(2) and 5 AAC 28.267(c)(3) add “with the exception of longline gear”.

5 AAC 28.267(c)(2) – for pots: change 60% to 90%.

5 AAC 28.267(c)(3) – add: for longline gear season will open concurrent with halibut season and close when 75% of GHF is reached, or on....etc.

ISSUE: The Board of Fisheries initiated the PWS state waters Pacific cod fishery in March, 2009. Although the GHL was reached in '09 for the first time in over a decade it also resulted in no Pacific cod quota available for jig and pot fishermen in '09. While Pacific cod landings in Cordova were over 50% of the GHL in '09 less than 2% of the GHL was processed in Cordova in 2010.

Under current regulations, PWS longliners targeting Pacific cod must discard halibut and then three weeks later PWS longliners targeting halibut must discard Pacific cod. If the two seasons were to open simultaneously discards of both species would be greatly reduced. This would not result in a loss of opportunity for either Pacific cod or halibut longliners but would maximize benefits for fishermen and processors while minimizing bycatch issues.

WHAT WILL HAPPEN IF NOTHING IS DONE? As a result of regulation 5 AAC 28.267(c)(3), nascent pot and jig fisheries have been effectively eliminated. GHL for PWS was reached in about a week in 2009 and about a week in 2010, despite a significant increase in GHL in 2010. Pacific cod landings in Cordova were well over 50% of GHL in 2009 and well under 50% of GHL in 2010. Local longline fleets were unable to access the state waters fishery because the central Gulf fleet harvested entire GHL in one week. Opportunities for PWS longliners have only been marginally improved. Because of the way the regulations are written, the central Gulf longliners only have opportunities to fish Pacific cod during the PWS Pacific cod season.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No. This proposal is quality neutral.

WHO IS LIKELY TO BENEFIT? All Pacific cod gear groups will benefit from this proposal.

The PWS State waters longline fishery is new and some adjustments need to be made to maximize benefits for local fleets, processors and other gear types. By considering this proposal, the Board of Fisheries can renew opportunity for pot and jig and also address conservation concerns associated with the longline fishery.

Statistics now show that the Pacific cod biomass is plentiful in PWS and some adjustments in regulations could maximize the benefits of Pacific cod fishery to PWS fishermen and processors.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? I considered the implications of maintaining the status quo, however this effectively eliminates pots and jigs and increases unnecessary fish wastage. In the interest of conservation and reducing fish waste, this proposal makes economic sense.

PROPOSED BY: Robert A. Smith

(HQ-F11-014)

PROPOSAL 35 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.
Establish a specific sector allocation for the jig fishery in PWS as follows:

The current regulation would be rewritten to more closely match the Pacific cod Management Plans found at 5 AAC 28.467 Kodiak and 5AAC28.267 Cook Inlet, which set specific sector allocations to the jig fishery.

ISSUE: Currently, the Pacific cod GHL for pot, longline and jig gear does not allocate a specific portion of the GHL for jig harvest. The GHL is typically reached by the longline and pot fleet before the cod are schooled in sufficient densities near shore for a viable jig fishery to occur. Additionally, if a jig allocation were set at say 10% of the GHL, the number of pounds available may not be sufficient to encourage more entry level vessels to participate.

I urge the Board to work with the Council to set a specific GHL for the jig fishery in State waters and also for the proposed Federal waters reverse parallel fishery for vessels under 60' that do not currently hold a federal LLP. I further urge the Board to open this season exclusively to vessels registered to fish with jig gear until October 30th before allowing vessels that participated in the longline or pot fisheries to reregister as jig vessels. This would give entry level participants an opportunity to create a viable fishery and still allow the entire GHL for the jig sector to be harvested.

WHAT WILL HAPPEN IF NOTHING IS DONE? The jig fishery in the Prince William Sound Management Area will effectively be excluded from participating in the Pacific cod fishery from their home ports and they will have to travel to Kodiak or Cook Inlet to have any meaningful participation in the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, this is an allocative issue intended to compliment the efforts currently being pursued at the Council level.

WHO IS LIKELY TO BENEFIT? Entry level jig sector fishermen.

WHO IS LIKELY TO SUFFER? Unless the jig allocation is taken from the pot and longline sectors, no other gear types should suffer. However, if the Council fails to provide a sector allocation above the current GHL, then there would be a reduction in the amount of cod available to pot and longline until the end of October, when they would be permitted to reregister as jig sector participants and finish harvesting the GHL.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because the jig sector is currently not economically able to participate in the fishery. Allocating a percentage of the GHL was also considered and rejected as 1) likely to be too low to encourage participation, and 2) it would result in a reduction to the pot and longline sectors which is not the intention of this proposal. The intention of this proposal is to provide jig sector allocation to the entry level vessels under 60' in the PWS area in line with proposed rules at the NPFMC.

PROPOSED BY: Gregory Gabriel

(HQ-F11-178)

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

Allow only vessels without a federal Pacific cod endorsement to participate in the state-waters Pacific cod fishery as follows:

(c) The commissioner shall open by emergency order, a state waters season in the PWS Area, **for vessels who do not have a Pacific cod endorsement in their federal groundfish license**, seven days following....

ISSUE: Many fishermen have lost federal Pacific cod endorsements and no longer have access to federal waters. They will now have to compete in state water fisheries against vessels that have access to all waters.

WHAT WILL HAPPEN IF NOTHING IS DONE? Vessels stuck without FFPS will be unable to continue to fish because they will lose access to federal waters and have to compete in a very short fishery against larger vessels that can then move back to federal waters.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? State waters fishermen who will be able to continue to fish.

WHO IS LIKELY TO SUFFER? Federal license holders will not be able to fish PWS.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Robert A. Smith (HQ-F11-378)

PROPOSAL 37 - 5 AAC 28.206. Prince William Sound area registration. Require that Pacific cod from other areas be landed before a vessel participates in the state-waters Pacific cod fishery as follows:

5 AAC 28.206. Prince William Sound Area Registration.

...

(d) A vessel validly registered for the Prince William Sound Area state waters Pacific cod season may not operate gear in that fishery while having fish from any other registration area or the exclusive economic zone on board the vessel. These fish must be landed prior to participating in the state waters Pacific cod season. A vessel operator must land fish taken in a state waters season prior to operating gear in any other registration area or the exclusive economic zone.

ISSUE: Currently, vessels may simultaneously target Pacific cod in exclusive economic zone (EEZ) and state waters fisheries. Harvest in the EEZ fishery is accounted against the federal total allowable catch (TAC) and in state waters, against a guideline harvest level (GHL). It is important

that harvests be accurately accounted to the respective management programs. Harvest incorrectly accounted against a harvest level or allocation may result in a shorter season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Inaccurate reporting can confound recordkeeping efforts and result in low quality fishery harvest data when harvests are incorrectly assigned to the respective fishery. In some instances this could result in shorter seasons and forgone harvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? There is a small likelihood that vessels ineligible for the federal license limitation program (LLP) may benefit by slightly more fishing time over vessels that are LLP-qualified and wish to exercise that privilege.

WHO IS LIKELY TO SUFFER? Vessels desiring to fish both areas simultaneously may suffer by having to land fish from one area prior to participating in the fishery in another area.

OTHER SOLUTIONS CONSIDERED? None. It is common to have a landing requirement before participating in a separate fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-293)

PROPOSAL 38 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.
Amend opening date of the state-waters Pacific cod season as follows:

Make a regulation stating that the PWS Pacific cod Fishery will not open until at least 1 week after the <50' sector in the parallel Federal Fishery catches their given allocation for that fishing season.

ISSUE: Given the Federal Sector Split for Pacific cod based on length of vessel, the PWS Pacific cod season could be subject to open a week after a certain sector in federal parallel fishery catches their given allocation.

WHAT WILL HAPPEN IF NOTHING IS DONE? This could pose an unfair disadvantage to the smaller vessels (<50') which typically participate in the PWS Pacific cod fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Larger amounts of fish move in later in the year which may accelerate the harvest. Although as fish get closer to spawning time, the flesh quality drops. This could be offset with potential market value of the Roe and Milt as by-products.

WHO IS LIKELY TO BENEFIT? This regulation will allow the smaller boat fleet to have more fishing options, since timing of their allocated harvest is expected to follow the full harvest of the other vessel categories like the 60' + sized vessels.

WHO IS LIKELY TO SUFFER? If there is no regulation the smaller vessel size (<50') fleet will suffer because they will lose an opportunity to fish the PWS cod fishery to larger vessels.

OTHER SOLUTIONS CONSIDERED? Consider a specific date but uncertain whether opportunity would be sacrificed by that.

PROPOSED BY: Ilia Kuzmin (HQ-F11-350)

PROPOSAL 39 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan. Develop regulations governing the state-waters Pacific cod fishery as follows:

Regulatory provisions to address may include:

- ◆ State-waters and parallel fishery season opening and closing dates for pot and jig vessels.
- ◆ Area registration.
- ◆ Landing requirements.
- ◆ Gear storage requirements.
- ◆ Guideline harvest level (GHL) rollover and GHL clean-up provisions.

ISSUE: This proposal is a placeholder proposal to allow commercial state-waters Pacific cod fishery stakeholders an opportunity to coordinate aspects of the Prince William Sound Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries. Draft regulatory language will be developed following release and analysis of federal rulemaking on Pacific cod sector splits occurs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicting regulations regarding state-waters and parallel Pacific cod fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial state-waters Pacific cod fishery stakeholders.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-357)

PROPOSAL 40 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Reallocate state-waters season guideline harvest level as follows:

The jig portion of the quota would start at 10% of the 90% of that amount was caught. It would increase by 5% beginning the next calendar year to a maximum of 25%. .

ISSUE: Unharvested state waters cod quota.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lost opportunity, cod quota left on “table”.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Pot fishermen.

WHO IS LIKELY TO SUFFER? Jig fishermen but only if they reach their quota which has yet to happen.

OTHER SOLUTIONS CONSIDERED? Roll over quota to net year would take cooperation of feds.

PROPOSED BY: AlRay Carroll, Glen Carroll, Alvin Swick, Chuck Piper, Matt Stover, Randy Arsenault (HQ-F11-136)

PROPOSAL 41 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Amend the opening date for state-waters season as follows:

The state waters pot season would open 24 hrs. after the closure of the directed federal pot season.

ISSUE: Opening date of Cook Inlet Area pot season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unknown.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? No one.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: AlRay Carroll, Glen Carroll, Alvin Swick, Chuck Piper, Matt Stover, Randy Arsenault (HQ-F11-137)

PROPOSAL 42 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Develop regulations governing the state-waters Pacific cod fishery as follows:

Regulatory provisions to address may include:

- ◆ State-waters and parallel fishery season opening and closing dates for pot and jig vessels.
- ◆ Area registration.
- ◆ Landing requirements.
- ◆ Gear storage requirements.
- ◆ Guideline harvest level (GHL) rollover and GHL clean-up provisions.

ISSUE: This proposal is a placeholder proposal to allow commercial state-waters Pacific cod fishery stakeholders an opportunity to coordinate aspects of the Cook Inlet Area state-waters Pacific cod fishery with newly restructured federal/parallel Pacific cod fisheries. Draft regulatory language will be developed following release and analysis of federal rulemaking on Pacific cod sector splits occurs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicting regulations regarding state-waters and parallel Pacific cod fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial state-waters Pacific cod fishery stakeholders.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-358)
