

**Bering Sea Pacific cod fishery**  
**Interaction between Federal and State of Alaska Parallel Fisheries**  
**Joint Protocol Committee Meeting – May 21, 2014**  
**NMFS Presentation**

The annual total allowable catch (TAC) of Bering Sea Pacific cod is divided among nine sectors. One of those sectors is for hook-and-line and pot catcher vessels that are less than 60 feet in length overall. This sector receives 2 percent of the TAC each year, and a portion of any unused quota from other sectors through reallocations during the year. The harvest by this sector has been growing in recent years. Much of the catch is coming from inside State of Alaska (State) waters during the State parallel fishery.

Under the State's Emergency Order authority, parallel fisheries are opened at the start of the year and typically remain open until Federal managers close fisheries to a specific gear type. The State's Emergency Order authority does not extend to specific operating classes, such as catcher vessels or catcher/processors. This means that even if the Federal TAC is reached for the sector for hook-and-line and pot catcher vessels that are less than 60 feet in length overall, vessels less than 60 feet in length can continue fishing in State waters after the closure of the Federal fishery as long as there is a parallel fishery for that gear type still open. In recent years, the hook-and-line catcher/processor sector has remained open all year. ***This means that the hook-and-line catcher vessels less than 60 feet in length can continue fishing throughout the year in State waters even after their Federal allocation has been reached.*** Small pot vessels do not have this option because pot gear in Federal waters typically closes early in the season.

This activity poses two main challenges for management of the Bering Sea Pacific cod fishery.

**Allocations** – NMFS has been able to accommodate the recent increased harvests in small boat hook-and-line fishery because there has been enough unused quota in other sectors to “balance the books” at the end of the year and avoid exceeding the TAC. However, this situation is unlikely to continue for several reasons. First, some sectors are improving their ability to fully use their allocations, leaving less unused quota on the table for reallocation. Second, the Bering Sea TAC is likely to decrease relative to its historically high numbers which means that sectors will be using more of their allocations. Third, there is increasing growth and interest in this small boat hook-and-line fishery. Since 2011, the number of vessels fishing in parallel waters has increased from 1 to 5 and the amount harvested within the parallel fishery has increased each year. So far this year, catch is twice the amount for all of last year (specific data cannot be released due to confidentiality). NMFS and State staff have received inquiries from persons interested in building or buying vessels with auto-baiting systems to access Pacific cod fisheries in the parallel fishery. ***Increasing harvests by the small boat hook-and-line fishery in State waters could result in NMFS limiting other fisheries if the total catch by these small boat vessels would cause the Bering Sea TAC to be exceeded. The Council and NMFS established sector allocations for Pacific cod specifically to avoid these types of allocative conflicts.***

**Harvests in Steller Sea Lion Critical Habitat** – There are several areas within State waters where small boat hook-and-line vessels are active. Many of these areas are near Steller sea lion haulouts, specifically near Pt. Bishop outside of Unalaska. NMFS has anticipated current and reasonably foreseeable future Pacific cod harvest levels within State waters as part of its recently completed Endangered Species Act (ESA) consultations. However, if these harvests by small boat hook-and-line vessels continue to increase beyond those projections, NMFS may need to reconsider the impact of these harvests through a new ESA consultation process. *The result of a future ESA consultation process could be that additional modifications or changes in Pacific cod management, including restricting harvests, are required for all Federally permitted vessels, not simply for the small boat hook-and-line fishery.*

**Potential Changes** -- The Board of Fisheries could consider changes in parallel fishery management to limit the potential growth of harvests by small boat hook-and-line vessels if it felt such changes were appropriate.

NMFS believes this issue will not pose a concern in 2014, but increasing harvests could have impacts on allocations and ESA consultations in coming years. A range of management approaches are possible. One approach that shows promise would be to close Parallel waters to hook-and-line gear after NMFS closes fishing for the pot and hook-and-line catcher vessel less than 60' sector. This would still provide vessels an opportunity to harvest within State waters, limit catch to the sector allocation, ensure that the overall Federal TAC is not exceeded, and avoid increased harvests in Steller sea lion critical habitat.

If the Board did not take action, the Council and NMFS would continue to accommodate current and future harvests in the parallel fishery in the Federal fishery to ensure the Bering Sea Pacific cod TAC is not exceeded and to meet our legal requirements under the ESA.