

Alaska Board of Fisheries
October 18-19, 2018 | Anchorage, Alaska
Pacific Cod Proposals

PROPOSAL 1

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Repeal and replace the *Aleutian Island Subdistrict Pacific Cod Management Plan* with management measures found in the *Dutch Harbor Subdistrict Pacific Cod Management Plan*, as follows:

The recently created Dutch Harbor Subdistrict state-waters Pacific cod fishery has been very successful and proved that 58-foot pot vessels can efficiently and effectively harvest cod in the Bering Sea. To improve access for traditional state-waters fishermen, I recommend the Board of Fisheries repeal the Aleutian Island Subdistrict Pacific cod management plan and replace it with the same management measures found in the Dutch Harbor Subdistrict Pacific cod management plan (5 AAC 287.648). This would follow a proven and consistent management approach and will align the Aleutian Islands Subdistrict with all the other state-waters Pacific cod fisheries around the state.

What is the issue you would like the board to address and why? The Aleutian Islands Subdistrict state-waters Pacific cod management plan is overly complex and inconsistent with all other state-waters Pacific cod fisheries in Alaska. State-waters Pacific cod fisheries were established to support local fixed gear (pot and jig) cod fishermen by specifically allocating cod quota to each gear type which provides stability for local fleets and allows for long term investment into the fishery. In the Aleutian Islands state-waters fishery, pot, jig, longline, and bottom trawl vessels up to 100 feet in length can participate. Bottom trawling inside state-waters is almost exclusively prohibited in all other areas of the state. Additionally, the Aleutian Islands state-waters GHL is not allocated to the different gear types which makes it difficult to commit to traveling to one of the most remote fishing locations in Alaska without any understanding on how much fishing time will be available to you once you get there.

With the recent collapse of cod stocks in the Gulf of Alaska, processors are available and 58- foot pot vessels are ready and capable of catching the full GHL. Access to these fish will be critical for traditional state-waters Pacific cod participants for the foreseeable future.

PROPOSED BY: Ron Kavanaugh

(HQ-F18-005)

PROPOSAL 2

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Eliminate the 15-million-pound cap in the *Aleutian Islands Subdistrict Pacific Cod Management Plan*, as follows:

5 AAC 28.647 is amended to read:

...

(d) During a state-waters season,

(1) the guideline harvest level for Pacific cod in the Aleutian Islands Subdistrict is 27 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea; if the guideline harvest level established under this paragraph is achieved in a calendar year, the guideline harvest level will be increased to 31 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year; if the guideline harvest level is achieved in a calendar year thereafter, the guideline harvest level will be increased to 35 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar next year; if the guideline harvest level is achieved in a calendar year thereafter, the guideline harvest level will be increased to a maximum of 39 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year; [A GUIDELINE HARVEST LEVEL ESTABLISHED UNDER THIS PARAGRAPH MAY NOT EXCEED 15 MILLION POUNDS;]

What is the issue you would like the board to address and why? The Aleutian Islands Subdistrict state-waters Pacific cod GHL was initially set at 27% of the Aleutian Islands Pacific cod ABC. The management plan allows the state-waters GHL to increase by 4% per year for 3 years if the GHL was caught previous year. However, the overall GHL is also capped at 15 million pounds by regulation. The 2018 Aleutian Islands Pacific cod ABC was 47 million pounds and at 29% of the ABC the 2018 GHL totaled 12.8 million pounds. The 2018 GHL was caught which will increase the GHL from 29% to 31% of the ABC for 2019. If cod abundance levels are similar or higher in 2019, the GHL will hit the 15 million pound cap after just 1 of 3 potential GHL increases. The potential for higher GHLs provides incentive for fishermen and allows the state-waters fishery to develop over time. Capping harvest at 15 million pounds unnecessarily restricts the state-waters fishery and is inconsistent with incrementally increasing the GHL when the fishery is fully utilized.

PROPOSED BY: Ron Kavanaugh (HQ-F18-030)

PROPOSAL 3

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Amend the *Aleutian Islands Subdistrict Pacific Cod Management Plan* to reduce the guideline harvest level based on processor availability, as follows:

5 AAC 28.647 is amended to read:

...

(d) During a state-waters season,

(1) the guideline harvest level for Pacific cod in the Aleutian Islands Subdistrict is 27 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea;

(A) if the guideline harvest level established under this [PARAGRAPH] subsection is achieved in a calendar year, the guideline harvest level will be increased to 31 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year; if the guideline harvest level is achieved in a calendar year thereafter, the guideline harvest level will be increased to 35 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year; if the guideline harvest level is achieved in a calendar year thereafter, the guideline harvest level will be increased to a maximum of 39 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year;

(B) [A] a guideline harvest level established under this [PARAGRAPH] subsection may not exceed 15 million pounds;

(C) if a processor in the City of Adak or City of Atka is not available to process Pacific cod in the Aleutian Islands Subdistrict during the upcoming fishing year, the guideline harvest level for Pacific cod in the Aleutian Islands Subdistrict is 13.5 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea. Processor availability in the City of Adak or City of Atka is determined by an official notification of intent to process Aleutian Islands Pacific cod during the upcoming fishing year as submitted to the National Marine Fisheries Service Alaska Region no later than October 31 as specified in 50 C.F.R. 679.20(a)(7)(viii)(D). If a timely and complete intent to process notification is submitted during a calendar year when the guideline harvest level is 13.5 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea, the guideline harvest level the following calendar year will return to 27 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea.

...

What is the issue you would like the board to address and why? The Aleutian Islands Subdistrict Pacific cod management plan allows the state-waters Pacific cod GHL to increase by four percent each year for a total of four years if the previous year's GHL was fully achieved. Largely due to limited processing capacity in the region, the Aleutian Islands District GHL has only been achieved three seasons since inception of the fishery in 2006. Years when the GHL was fully harvested correspond to years when at least one processor was operational in the City of Adak or Atka.

Lower Pacific cod abundance in the Bering Sea and Gulf of Alaska combined with an operational processor in Adak have recently renewed interest in the Aleutian Islands state-waters Pacific cod fishery. Higher participation in this fishery will increase the likelihood of achieving annual GHLs and allow future GHLs to increase over time. Each time the state-waters GHL increases, a corresponding decrease in federal Pacific cod total allowable catch is necessary to prevent exceeding the combined Aleutian Islands Subarea Pacific cod ABC. In recent years, pot and trawl catcher vessels 58 feet in length or less harvested the majority of state-waters Pacific cod in the Aleutian Islands Subdistrict. Without a mechanism to decrease the GHL, the state-waters fishery may become underutilized if adequate processing capacity becomes unavailable. In this situation the state-waters fishery would

encumber a disproportionate percentage of the Aleutian Islands Pacific cod ABC that would otherwise be available to typically larger federal/parallel Pacific cod fishery participants that may have improved capacity to harvest and process fish.

Federal regulations allow for additional harvest and processing opportunity in the federal/parallel Aleutian Islands Pacific cod fishery contingent upon adequate regional processing capacity. Additional federal opportunity becomes available, in part, when the City of Adak or Atka provides a notification of intent to process Pacific cod prior to the season opening the following calendar year. This proposal would use the same processor notification of intent to determine if a state-waters fishery GHL reduction is warranted such that if no processor was available for the upcoming season, the GHL would be reduced to 13.5 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea. If a processor becomes available any year after the GHL was reduced to 13.5 percent, the GHL for the following calendar year would increase to 27 percent of Pacific cod for the federal Aleutian Islands Subarea.

This change would allow for responsive management of the Aleutian Islands Pacific cod stock by realigning harvest opportunity for all participants during periods of low state-waters fishery productivity while still maintaining a sufficient guideline harvest level for future state-waters fisheries.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F18-027)

PROPOSAL 4

5 AAC 28.647 Aleutian Islands Subdistrict Pacific Cod Management Plan.

Decrease Aleutian Islands Subdistrict state-waters Pacific cod fishery guideline harvest level if the guideline harvest level is not fully harvested the previous year, as follows:

(d) during a state-waters season

(1) the guideline harvest level for Pacific cod in the Aleutian Islands Subdistrict is 27 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea; if the guideline harvest level established under this paragraph is achieved in a calendar year, the guideline harvest level will be increased to 31 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year; if the guideline harvest level is achieved in a calendar year thereafter, the guideline harvest level will be increased to 35 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subareas beginning the next calendar year; if the guideline harvest level is achieved in a calendar year thereafter, the guideline harvest level will be increased to a maximum of 39 percent of the estimated total allowable harvest of Pacific cod for the federal Aleutian Islands Subarea beginning the next calendar year; a guideline harvest level established under this paragraph may not exceed 15 million pounds; **if the guideline harvest level established under this paragraph is not achieved in a calendar year (<85% harvested), the guideline harvest level will be reduced 4 percentage points from the previous year's guideline harvest level percentage of the estimated total allowable harvest of Pacific cod for the federal Aleutian**

Islands Subarea beginning the next calendar year; a guideline harvest level established under the paragraph may not be less than 11% of the federal ABC.

What is the issue you would like the board to address and why? At present, the Aleutian Islands Subdistrict GHL is set at 27% of the federal Aleutian Islands Pacific cod acceptable biological catch (ABC or total allowable harvest) and if the GHL is achieved it increases 4 percentage points per year each year it is achieved to a maximum of either 39% of the federal ABC or 15 million lbs. The amount of the GHL is deducted from the Pacific cod federal quota such that Pacific cod ABC – Pacific cod GHL = maximum Pacific cod total allowable catch in the federal fisheries.

Under current Alaska Administrative Code, the Aleutian Islands Subdistrict GHL remains static (27%, 31%, 35%, 39% or 15 million lbs) if the GHL is not achieved and there is no mechanism to roll unused GHL to the federal fisheries or to decrease the GHL if it is not being utilized. In past years, this has stranded unused GHL that could have been harvested in the federal fisheries and this negatively impacts harvesters in the federal CDQ and non-CDQ Pacific cod fisheries as well as the State of Alaska and communities through reduced tax revenue. Allowing for a mechanism to decrease the GHL in the event it isn't utilized allows for the full harvest in the federal fisheries while preserving an opportunity for state-water participants until they achieve the GHL. The intent of this change is that the Aleutian Islands Subdistrict Pacific cod GHL either remains static or changes in +/- 4 percentage point increments from the preceding year's GHL depending on whether the GHL is achieved or not.

PROPOSED BY: Aleutian Pribilof Island Community Development Association (EF-F18-097)

PROPOSAL 5

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Increase the 2020 Aleutian Islands Subdistrict state-waters guideline harvest level if 2019 Pacific cod harvest by trawl catcher vessel participants in the federal Unrestricted Fishery diminishes access to the full Aleutian Islands Catcher Vessel Harvest Set-Aside, as follows:

What is the issue you would like the board to address and why? The NPFMC established an Aleutian Islands Catcher Vessel Harvest Set-Aside of Pacific cod (Amendment 113) to help sustain AI communities west of 170 degrees by providing priority access to that AI CV Set-Aside. Amendment 113 regulations also allowed participants in the AI Unrestricted Fishery to harvest Pacific cod for processing other than by AI shorebased plants.

In 2018 an accounting issue was discovered which resulted in CV trawl catch of cod in the Unrestricted Fishery reducing the amount of cod that could then be accessed from the AI CV Set-Aside. The NPFMC is working to close this unintended loophole, but the regulatory amendment may not be implemented before the 2019 fishery.

The NPFMC asked participants in the Unrestricted Fishery to honor the Council's intent through a voluntary stand-down during the 2018 season, but some participants chose not to stand-down. We ask the Board of Fish to help reinforce the need for a voluntary stand-down to protect the AI communities.

PROPOSED BY: Adak Community Development Corporation/City of Adak (EF-F18-089)

PROPOSAL 6

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Limit fishing for Pacific cod in the Adak section of the Aleutian Islands Subdistrict to vessels 60 feet or less overall length and establish a guideline harvest level rollover provision, as follows:

"In the Adak Section, vessels using trawl, pot, and jig gear must be 60 feet or less OAL and vessels using longline gear must be 58 feet or less OAL."

STRIKE the following language: "When the state-waters season is open in all state waters west of 170° W long, vessels using trawl gear may not exceed 100 feet OAL, vessels using groundfish pot gear may not exceed 125 feet OAL, and vessels using mechanical jig or longline gear may not exceed 58 feet OAL."

In addition, establish a rollover provision that would open fishing to other vessel lengths through Emergency Order if there is not meaningful participation from the under-60 fleets by a date certain. This provision should give adequate time for under-60 fleets to show intent to harvest the GHL through active participation in the early season. Through coordination between industry, and state and federal managers, distinct alternatives for dates and trigger amounts will be developed and submitted to the Board for consideration via Record Copy.

What is the issue you would like the board to address and why Maintain opportunity for boats under 60 feet to harvest Pacific cod in the Aleutian Islands Subdistrict state-water fishery.

This fishery was established in 2006 to provide economic opportunity to small boats and local processors in the Aleutian region, but lack of in-region processing capacity has often made it difficult for the small boat fleet to prosecute this GHL. Due to underharvest, the management plan was recently amended to include larger vessels in the Adak section once all state-waters west of 170° W long open for Pacific cod. However, recent changes have improved effort by and processing capacity for under-60 vessels, and over time they have demonstrated that given opportunity and a viable market, the under-60 fleets can successfully harvest this quota. Therefore it is important that inclusion of the larger vessel fleets be an optional condition predicated on a significant lack of participation from the under-60 fleet, not a guaranteed opening.

Precedent for these state-water fisheries establishes priority opportunity for small-boat harvests and delivery to shore-based processors, which generates an important benefit for the region and the state of Alaska. Upholding the initial vessel length limitations, with the inclusion of a rollover provision, maintains the original intent of these state-water fishery resources, recognizes the increased capacity for harvest and processing by small boats and shore-based plants, and provides reasonable contingencies that will prevent underharvest.

PROPOSAL 7

5 AAC 28.087. Management measures in parallel groundfish fisheries for protection of Steller sea lions; and 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Increase vessel size limit to 100 feet overall length for trawl gear vessels during parallel and state-waters Pacific cod seasons in the Adak Section of the Aleutian Islands Subdistrict, as follows:

5 AAC 28.087. Management measures in parallel groundfish fisheries for protection of Steller sea lions.

(b) Notwithstanding (a) of this section, during a parallel season for Pacific cod (3) in the Bering Sea-Aleutian Islands Area, the state-waters between 175 W long. and 178 W long. shall be open to fishing with [TRAWL,] pot, mechanical jigging machine, and hand troll gear by vessel that are no more than 60 feet in overall length, to fishing with trawl gear by vessels that are no more than 100 feet in overall length and capable of packing no more than 250,000 pounds, and to fishing with longline gear by vessels that are no more than 5 8 feet in overall length ...

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

(d) During a state-waters season,
(3) a vessel used to harvest Pacific cod when
(A) only the Adak Section is open under (c)(l) of this section,
(ii) [NONPELAGIC TRAWL GEAR], mechanical jigging machines, or pot gear may not be more than 60 feet in overall length;
(iii) nonpelagic trawl gear gear may not be more than 100 feet in overall length and may not be capable of packing no more than 250,000 pounds;

What is the issue you would like the board to address and why? As a measure to protect safety of vessel and life, we propose that the Board consider allowing fishing with trawl gear by vessels of no more than 100 feet in length overall in the parallel groundfish fisheries between 175 W long. and 178 W long. In order to lessen any adverse impact on the 60-foot and under trawl vessels already allowed under 5 AAC 28.087, we would suggest a further limitation that the 100-foot or less vessels not be capable of packing more than 250,000 pounds per load. Vessels such as the MISS LEONA, which is 86.5-feet in overall length, cannot fish safely in the very rough weather outside of three miles. The MISS LEONA has never packed more than 218,000 pounds, and normally stops with a load of 150,000 to 180,000 pounds. On the other hand, a number of 60-foot vessels already in the parallel fishery can pack 250,000 pounds easily. If the regulation is not amended, greater than 60-foot vessels such as the MISS LEONA, but which have far less packing capacity than some 60-foot boats, will continue to be forced to fish outside in weather that is too rough to be safe. We considered proposing a limit of 90 feet instead of 100 feet, but consider that such a limitation could continue to cause serious risks to some vessels of up to 100 feet. Therefore, we are proposing a 100-foot limit. We also considered proposing a historic dependence qualification. The MISS LEONA is a legacy Pacific cod boat, with up to three generations of

family on board. Our vessel qualified as one of the few greater than 60 feet LOA non-AF A trawl vessels to receive a federal Aleutian Island area endorsement under 50 CFR 679.4(k)(4)(ix), based on historic dependence. However, we also consider that a historic dependence limitation could endanger other smaller-packing vessels, and therefore decided not to propose a historic dependence limitation. Therefore, we have proposed the amendment specified.

PROPOSED BY: Omar and Christopher Allinson

(HQ-F18-029)

PROPOSAL 8

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

Establish a pot limit for the Aleutian Island Subdistrict state-waters Pacific cod fishery, as follows:

5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

(d) During a State-water season

(2) Pacific cod maybe taken only with ground fish pots, mechanical jigging machines, longline, non pelagic trawl, and hand troll gear **no more than 60 groundfish pots may be operated from a vessel registered to fish for pacific cod**

What is the issue you would like the board to address and why? Put a groundfish pot limit on the Aleutian Island Subdistrict Pacific Cod State Water Fishery (Adak).

At present there is no regulation to limit groundfish pots in this district.

All other State Water Pacific Cod Fisheries have a 60 groundfish pot restriction. If left unrestricted there could be a saturation of unattended gear-- ghost gear from a single vessel taking up valuable fishing grounds in an area that is already limited. A 60 groundfish pot limit would help eliminate this problem and ensure maximum use of gear.

PROPOSED BY: Dan Veerhusen

(EF-F18-110)

PROPOSAL 9

5 AAC 28.650 Closed waters in Bering Sea-Aleutian Islands Area.

Close waters of the Dutch Harbor Subdistrict to groundfish fishing with non-pelagic trawl gear while the Dutch Harbor Subdistrict state-waters Pacific cod season is open, as follows:

A total closure to trawling in Bering Sea state waters while the Area O state waters pot cod season is open.

What is the issue you would like the board to address and why? Our boats continually lose pots to draggers in the Bering sea pot cod fisheries. In the federal fishery this can perhaps be mitigated but it seems less avoidable.

Within state waters and in our very own Alaskan Area O pot cod fishery we shouldn't have to contend with super huge trawlers using us as bait stations and circling our gear.

There should be no trawling in state waters while our fishery is being prosecuted.

PROPOSED BY: Robert Magnus Thorstenson Jr

(EF-F18-042)

PROPOSAL 10

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Extend the eastern boundary of the Dutch Harbor Subdistrict, as follows:

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

(a) This management plan governs the harvest of Pacific cod in the Dutch Harbor Subdistrict. For the purposes of this section, the Dutch Harbor Subdistrict is comprised of the state waters in the Aleutian Islands District east of 170° W. long. and the state waters of the Bering Sea District that are west of 162° 30' W. long.[164° W. long.], east of 170° W. long., and south of 55° 30' N. lat., except that the waters of the Dutch Harbor Subdistrict south of 53° 06.11' N. lat. are closed to taking Pacific cod during a state-waters season.

What is the issue you would like the board to address and why? We would like to provide local BSAI vessels expanded opportunity to harvest Pacific cod in State-waters more accessible to the local fishing communities. The Dutch Harbor Subdistrict Pacific Cod fishery has been tremendously successful, in that the GHL has been easily achieved, and the fishery gives the local under 60 foot vessel pot gear fleet an opportunity to fish locally. Expanding the fishing area up the beach northeast to Moffet Point will create more opportunity for local vessels, and provide much needed cod for the local shore-based processors.

PROPOSED BY: King Cove Fish and Game Advisory Committee

(EF-F18-043)

PROPOSAL 11

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Establish a state-waters Pacific cod harvest allocation for jig gear vessels in the Dutch Harbor Subdistrict, as follows:

100,000 lbs of jig quota, state waters non exclusive sub area from 167W to 170W.

What is the issue you would like the board to address and why? If the Makushin area is closed jig boats could still fish and for jig boats to be able to fish the North side of Umnak Island as pot boats in the summer. Jig boats only need a small amount of quota as this just gives us more opportunity and if not caught it is a small amount of the overall quota. Follow all the same rules that apply to the State waters pot fishery, just be non exclusive. If regulation not changed we cannot fish on the N side on Umnak island and if the Makushin area is closed due to longliners early this whole area is shut down for jig boats.

PROPOSED BY: Adam Lalich

(HQ-F18-028)

PROPOSAL 12

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Increase guideline harvest level to 20 percent of the estimated total allowable harvest of Pacific cod for the federal Bering Sea Subarea, as follows:

The Area O under 60 pot cod fishery would be increased to 20% of the Bering sea TAC. The state has been behind in every season except 2014. In 2015 we were closed early. In 2016 we were closed early. We've lost tens of millions of pounds of cod that could have been harvested by pots, thus significantly reducing bycatch in the Bering sea both of Bering sea salmon and halibut but also in salmon and halibut originating as far away as Washington and Oregon. Even saving a few southeast alaska Kings seems to be putting an enormous financial burden on other commercial fishermen and sports and charter users as well. Long gone are the days we can ignore the rampant impacts of drawling and factory longlining in the Bering sea and impacts across the entire state of Alaska and the Pacific Northwest.

Any underutilized quota would be transferred to the over 60 pot fleet.

What is the issue you would like the board to address and why? The pot cod quota for area O needs to be raised to 20% of the total Bering sea TAC. The current state waters season was closed March 1. In 2014, we fished the inaugural stare waters season until May 1 and it remained open long after that. While I and my crew and fishing partners have been grateful for the privilege of harvesting pacific cod in a way that creates a de minimus bycatch. This has been the single most economic expansion for Alaskan small boat fishermen since limited entry or the advent of IFQs. Every pound of cod we catch will produce benefits far beyond that single pound. For it negates the bycatch impact that another pound of cod caught with any other gear type.

PROPOSED BY: Robert Magnus Thorstenson Jr

(EF-F18-040)

PROPOSAL 13

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod.

Increase Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level to 10% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea and expand the area eastward, as follows:

Increase the Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level from 6.4% to 10% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea. Increase the area of the Dutch Harbor Subdistrict eastward, to include state waters to Longitude line 163 degree 30 minutes west (False Pass sea-buoy).

What is the issue you would like the board to address and why? Provide additional harvest opportunity for the 58-foot and under pot cod fleet, in order to better capture the value this fleet offers to Alaska through harvest of its near-shore resources.

The Dutch Harbor Subdistrict state-waters Pacific cod fishery is a fully utilized fishery that has provided meaningful economic benefits to boats and businesses operating in Western Alaska since

it began in 2014. The modest 3% initial allocation to this fishery in its pilot stages allowed managers to test the fishery's viability and industry effort. After showing strong participation from the under-58 pot cod fleet, this fishery received another modest uptick in GHL during the 2016 board cycle. In keeping with this precedent for step-up development, a GHL increase at this time is an appropriate next step in the evolution of this successful state-water fishery. In addition, an area increase is a valuable tool for spreading out the effort of an expanding fleet, which has grown steadily from its 2014 pilot stages into a vibrant and promising fishery. This new area can and should be established with appropriate considerations for marine mammal protected areas and other important habitats, in collaboration with industry representatives, and state and federal managers.

The under-58 pot cod fleet is largely comprised of vessels that are owned, crewed and maintained by Alaskans. They utilize gear with very low bycatch rates, and through their economic activity, provide a high value directly to the state, Alaskan communities and Alaskan fishermen. Interest in the fishery has consistently increased, and its ongoing success offers a meaningful opportunity for the state and its residents. The potential and strengths of this fishery have outgrown the modest allocations that they started with, warranting an allocation increase and area expansion.

PROPOSED BY: Under Sixty Cod Harvesters

(EF-F18-065)

PROPOSAL 14

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Increase Dutch Harbor Subdistrict state-waters Pacific cod fishery guideline harvest level to 8% of the acceptable biological catch for Pacific cod in the federal Bering Sea subarea and expand the area eastward, as follows:

(a) This management plan governs the harvest of Pacific cod in the Dutch Harbor Subdistrict. For the purposes of this section, the Dutch Harbor Subdistrict is comprised of the state waters in the Aleutian Islands District east of 170° W. long. and the state waters of the Bering Sea District that are west of 162° 30' W. long.[164° W. long.], east of 170° W. long., and south of 55° 30' N. lat., except that the waters of the Dutch Harbor Subdistrict south of 53° 06.11' N. lat. are closed to taking Pacific cod during a state-waters season.

(e) During a state-waters season, (1) the guideline harvest level for Pacific cod in the Dutch Harbor Subdistrict is **8 percent** [6.4 percent] of the estimated total allowable harvest of Pacific cod for the federal Bering Sea Subarea

What is the issue you would like the board to address and why? Local vessels fishing for Pacific cod in the Dutch Harbor Subdistrict State-waters fishery are looking to expand the fishery so that is more accessible to the local fishing communities, by expanding the fishing area and GHL. The Dutch Harbor Subdistrict Pacific Cod fishery has been successful and the GHL has been fully harvested year after year. This fishery gives the local under 60 foot vessel pot gear fleet a chance to fish locally. Expanding the fishing area further northeast to Moffet Point and raising the GHL by an amount proportionate to the expanded fishing area will create more opportunity for our local vessels, and provide much needed cod for the growing local shore-based processors.

PROPOSED BY: Ernie Weiss

(EF-F18-094)

PROPOSAL 15

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

Limit the amount of Pacific cod that may be onboard a vessel participating in the Dutch Harbor subdistrict Pacific cod fishery to 150,000 pounds and require daily harvest reports, as follows:

5 AAC 28.648. Dutch Harbor Subdistrict Pacific Cod Management Plan.

...

(e) During a state-waters season,

(A) the guideline harvest level for Pacific cod in the Dutch Harbor Subdistrict is 6.4 percent of the estimated total harvest of Pacific cod for the federal Bering Sea Subarea;

(B) A vessel may not have more than 150,000 round pounds of unprocessed Pacific cod onboard the vessel at any time; a vessel may not have onboard the vessel more processed fish than the round weight equivalent of the fish reported on ADF&G fish tickets; a validly registered vessel must report daily to the department the pounds of Pacific cod taken and onboard the vessel;

What is the issue you would like the board to address and why? The increasing size and efficiency of the 58' and under Bering Sea Area O pot cod fishery is increasingly putting the smaller vessels that prosecute the fishery at a greater disadvantage. The size of the largest 58' foot vessels prosecuting the fishery does not resemble a small boat fishery. A change in regulations is needed to slow the pace and increase the season length.

If nothing is done larger boats will continue to take an increasingly large proportion of the GHL making smaller and entry level vessels increasingly less economically viable in prosecuting the fishery.

Capacity size restrictions were considered and rejected. Larger vessels are safer and more comfortable to work from and the Larger capacity can be utilized in other fisheries.

PROPOSED BY: Andrew Wilder

(EF-F18-092)

PROPOSAL 16

5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

Resolve conflict in season opening dates between Chignik Area state-waters and parallel Pacific cod fisheries, as follows:

5 AAC 28.357 is amended to read:

...

(d)(4) the state-waters season shall reopen 48 hours after the closure of the federal Central Gulf of Alaska jig gear “B” season if the mechanical jigging machine and hand troll gear allocation has not been taken; if the commissioner determines that the mechanical jigging machine and hand troll gear allocation or pot gear allocation will not be taken by August 14, the commissioner may close, by emergency order, the state-waters season for mechanical jigging machine and hand troll gear and immediately reopen a state-waters season during which all state-waters Pacific cod legal gear may be used and **may** [SHALL] close the state-waters season for all gear types on August 28 or when the annual guideline harvest level is achieved, whichever occurs first.

...

What is the issue you would like the board to address and why? Season dates for the Chignik Area state-waters and federal/parallel Pacific cod seasons have been historically coordinated to avoid concurrent fisheries for the same gear type. The Chignik Area Pacific Cod Management Plan contains provisions to roll over unharvested jig gear GHL to pot gear vessels late in the season to promote full harvest of the GHL. This rollover traditionally occurred after the fall federal/parallel B season concluded for the year to avoid overlap across seasons. During the 2013 and 2015 board cycles, the state-waters Pacific cod management plan was modified and the GHL rollover date and other related provisions were moved from October 30 to August 15.

Longstanding regulations instruct the department to close the state-waters season on August 28 and open the parallel B season on September 1. During years when a state-waters GHL rollover occurs, this results in a state-waters pot gear season that opens on August 15 then closes on August 28 prior to the parallel B season opening. A two week late summer pot gear season typically does not yield enough effort to harvest the remaining GHL consistent with the intent of the rollover regulations. Moreover, gear limits, permit and reporting requirements, and closed waters differ across the state waters and parallel fisheries which may limit access for some participants depending on which fishery is open. Therefore, the department seeks guidance from the board and fishery stakeholders as to which fishery, state waters or parallel, should open during August and September.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F18-019)

PROPOSAL 17

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

Repeal weather delay provision for jig gear vessels during the South Alaska Peninsula Area state-waters Pacific cod fishery, as follows:

5 AAC 28.577 is amended to read:

...

(l) The opening of the state-waters season **for vessels using pot gear** will be delayed for 24 hours if the National Weather Service marine forecast issued at 4:00 a.m. on the scheduled opening date specified in [(d)(1) AND] (e)(1) of this section for the current day and night or the following day and night for the state waters between Castle Cape and Cape Sarichef contains a gale warning. If, after the initial weather delay, the following day's 4:00 a.m. National Weather Service marine forecast for the current day and night or the following day and night contains a gale warning, the opening of the state-waters season will be delayed an additional 24 hours. The season opening delays may continue on a rolling 24-hour basis for seven days beyond the initial opening date, when the season will open regardless of any gale warning forecast.

...

What is the issue you would like the board to address and why? Regulations that delay the start of Pacific cod seasons due to severe weather are intended to provide adequate opportunity for smaller sized vessels to fully participate in competitive fisheries. The South Alaska Peninsula Area state-waters Pacific cod jig gear GHL allocation has not been achieved since 2014 and in recent years the season was open from mid-March through December. Delaying the start of jig gear season for up to seven days due to poor weather does not significantly reduce competition or improve access to the fishery.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F18-021)
