

**Alternatives and options for BSAI FMP Amendment 85:  
BSAI Pacific cod sector allocations  
updated as of February 10, 2006**

**Amendment 85 Problem Statement**

**PART I: BSAI Pacific Cod Sector Allocations**

The BSAI Pacific cod fishery is fully utilized and has been allocated among gear groups and to sectors within gear groups. The current allocations among trawl, jig, and fixed gear were implemented in 1997 (Amendment 46) and the CDQ allocation was implemented in 1998. These allocations are overdue for review. Harvest patterns have varied significantly among the sectors resulting in annual inseason reallocations of TAC. As a result, the current allocations do not correspond with actual dependency and use by sectors.

Participants in the BSAI Pacific cod fishery who have made significant investments and have a long-term dependence on the resource need stability in the allocations to the trawl, jig, fixed gear, and CDQ sectors. To reduce uncertainty and provide stability, allocations should be adjusted to better reflect historic use by sector. The basis for determining sector allocations will be catch history as well as consideration of socio-economic and community factors.

As other fisheries in the BSAI and GOA are incrementally rationalized, historical participants in the BSAI Pacific cod fishery may be put at a disadvantage. Each sector in the BSAI Pacific cod fishery currently has different degrees of license requirements and levels of participation. Allocations to the sector level are a necessary step on the path towards comprehensive rationalization. Prompt action is needed to maintain stability in the BSAI Pacific cod fisheries.

**PART II: Apportionment of BSAI Pacific Cod Sector Allocations between the BS and AI**

In the event that the BSAI Pacific cod ABC/TAC is apportioned between the BS and the AI management areas, a protocol needs to be established that would continue to maintain the benefits of sector allocations and minimize competition among gear groups; recognize differences in dependence among gear groups and sectors that fish for Pacific cod in the BS and AI; and ensure that the distribution of harvest remains consistent with biomass distribution and associated harvest strategy.

## **PART I: BSAI PACIFIC COD SECTOR ALLOCATIONS**

**ALTERNATIVE 1. No Action.** BSAI Pacific cod allocations for the jig, trawl, and fixed gear (hook-and-line and pot) sectors would continue as in current regulations.

### **Allocation of BSAI Pacific Cod to Sectors**

#### **Component 1: Sectors for which allocations are established**

BSAI Pacific cod allocations will continue to be established in Federal regulations for the following sectors:

- Trawl CPs
- Trawl CVs
- Hook-and-line CPs
- Hook-and-line CVs
- Pot CPs
- Pot CVs
- Hook-and-line and pot CVs <60'
- Jig CVs

#### **Component 2: Sector Allocations**

BSAI Pacific cod allocations to the jig, trawl, and fixed gear (hook-and-line and pot) sectors would continue as determined under BSAI Amendments 46 and 77:

- **51% fixed gear**  
(80% hook-and-line catcher processors)  
(0.3% hook-and-line catcher vessels)  
(3.3% pot catcher processors)  
(15.0% pot catcher vessels)  
(1.4% hook-and-line/pot vessels <60' LOA)<sup>1</sup>
- **47% trawl gear**  
(50% trawl catcher vessels)  
(50% trawl catcher processors)
- **2% jig gear**

The BSAI Pacific cod TAC that is allocated to the above sectors is TAC less the CDQ Program reserve. In addition, the annual incidental catch allowance (ICA) for fixed gear is deducted from the aggregate amount of the BSAI Pacific cod TAC allocated to the fixed gear sectors combined. Pacific cod harvested incidentally in the non-Pacific cod directed BSAI fixed gear fisheries is attributed to the ICA. The ICA is determined annually by the NMFS Regional Administrator in the annual specifications process and has typically been 500 mt.

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<sup>1</sup>While the <60' fixed gear (hook-and-line and pot) sector receives a separate allocation of BSAI Pacific cod, these vessels fish off the general hook-and-line CV and pot CV allocations, respectively by gear type, when those fisheries are open.

### **Component 3: Seasonal Apportionments**

The seasonal apportionments of each sector's allocation would remain as shown below. Unused seasonal allowances for the trawl, pot, and hook-and-line sectors may be reapportioned to the subsequent seasonal allocation for the respective sectors. Unused seasonal allowances for the jig sector are considered for reallocation to the <60' fixed gear CV sector.

Trawl CV:	70%	(Jan. 20 – April 1)
	10%	(April 1 – June 10)
	20%	(June 10 – Nov. 1)
Trawl CP:	50%	(Jan. 20 – April 1)
	30%	(April 1 – June 10)
	20%	(June 10 – Nov. 1)
Hook-and-line gear $\geq 60'$ :	60%	(Jan. 1 – June 10)
	40%	(June 10 – Dec. 31)
Pot gear $\geq 60'$ :	60%	(Jan. 1 – June 10)
	40%	(Sept. 1 – Dec. 31)
Fixed gear <60':	No seasonal apportionments	
Jig gear:	40%	(Jan. 1 – April 30)
	20%	(April 30 – Aug. 31)
	40%	(Aug. 31 – Dec. 31)

### **Component 4: Rollovers between gear sectors**

Inseason management would retain flexibility to determine how to reallocate projected unused sector allocations (rollovers), taking into consideration the hierarchy below. NMFS takes into account the intent of the rollover hierarchy and the likelihood of a sector's capability to harvest reallocated quota.

- Projected unused trawl sector allocations are considered for reallocation to the other trawl sector before being reallocated to the fixed gear sectors.
- Reallocation of TAC from the trawl sectors to fixed gear sectors will be 0.9% to pot CP, 4.1% to pot CV  $\geq 60'$ , and 95% to hook-and-line CP.
- Projected unused allocation in the jig sector is considered for reallocation to the <60' fixed gear CV sector on a seasonal basis.
- Projected unused pot sector allocations (CPs and  $\geq 60'$  CVs) is considered for reallocation to the other pot sector before being reallocated to the hook-and-line CP sector.
- Projected unused allocation in the <60' fixed gear CV sector, both pot sectors (CP and  $\geq 60'$  CV), and hook-and-line CV  $\geq 60'$  is reallocated to the hook-and-line CP sector.

### **Component 5: CDQ Allocation of BSAI Pacific Cod**

The CDQ Program reserve is 7.5% of the BSAI Pacific cod TAC. The reserve is removed from the TAC prior to the allocation to all other sectors.

## **Apportionment of BSAI PSC to Sectors**

### **Component 6: Apportionment of trawl halibut and crab PSC to the cod fishery group**

The total amount of trawl halibut and crab PSC for the non-CDQ fisheries is determined in the annual specifications process and can vary annually. The trawl halibut PSC is typically 3,400 mt, which is apportioned between Pacific cod; yellowfin sole; rocksole/other flatfish/flathead sole; pollock/Atka mackerel/other. Generally, about 1,400 mt is apportioned to the cod trawl fishery group.

The crab PSC for 2005 and 2006 is 182,225 red king crab in Zone 1; 4,494,569 *C. opilio* in the *C. Opilio* Bycatch Limitation Zone (COBLZ); and 906,500 *C. bairdi* in Zone 1 and 2,747,250 *C. bairdi* in Zone 2. The cod trawl fishery group bycatch allowance (2005–2006) is 26,563 red king crab; 139,331 *C. opilio*, 183,112 *C. bairdi* in Zone 1; and 324,176 *C. bairdi* in Zone 2.

### **Component 7: Apportionment of the cod trawl fishery group halibut and crab PSC to trawl sectors**

There is no further apportionment of the cod trawl fishery group halibut and crab PSC to the trawl sectors (trawl CV sector and trawl CP sector).

### **Component 8: Apportionment of cod non-trawl halibut PSC**

The total amount of non-trawl halibut PSC for the non-CDQ fisheries is determined in the annual specifications process and can vary annually. The non-trawl halibut PSC allowance is typically 833 mt, which is apportioned between the Pacific cod and ‘other non-trawl’ fisheries. Generally, about 775 mt is apportioned to the cod non-trawl fishery group. No further apportionment of the halibut bycatch allowance is made between the hook-and-line CP sector and the hook-and-line CV sector.

**ALTERNATIVE 2:** Modify the current BSAI Pacific cod allocations among the jig, trawl, and fixed gear (hook-and-line and pot) sectors according to a set of catch history years or other considerations.

## **Allocation of BSAI Pacific Cod to Sectors**

### **Component 1: Sectors for which allocations will be established**

Catch history will be calculated for the following sectors. The Council may choose to establish allocations for combined sectors; however each sector’s catch history will be calculated separately.

- AFA Trawl CPs (AFA 20)<sup>2</sup>
  - Suboption a: Include catch history of the nine trawl CPs whose claims to catch history have been extinguished by Section 209 of the AFA
  - Suboption b: Exclude catch history of the nine trawl CPs whose claims to catch history have been extinguished by Section 209 of the AFA
- Non-AFA Trawl CPs
- AFA Trawl CVs
- Non-AFA Trawl CVs
- Hook-and-line CPs
- Hook-and-line CVs  $\geq 60'$
- Pot CPs
- Pot CVs  $\geq 60'$
- Hook-and-line and pot CVs  $< 60'$
- Jig CVs

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<sup>2</sup>Refers to the 20 trawl catcher processors listed in Section 208(e) of the American Fisheries Act (AFA).

Eligibility criteria for non-AFA trawl catcher vessels to be included in the AFA CV sector for purposes of the Pacific cod allocations:

Option 1.1 The holder of a license that arose from a vessel/history that made a minimum of 100 mt of Pacific cod landings during each of the years 1995–1997.

**Component 2: Sector Allocations**

For each of the years under consideration, each sector’s annual harvest share will be calculated for that individual year as a percentage of the total retained legal catch by all sectors. For each of the sets of catch history years analyzed, each sector’s harvest percentage will be calculated as the sector’s average of the annual harvest share. For purposes of determining catch history, a sector’s ‘catch’ means all retained legal catch (including rollovers) from both the Federal fishery and parallel fishery in the BSAI (less CDQ). This includes retained legal catch from both LLP and non-LLP vessels.

One set of years will be selected for all sectors. There is a suboption under each set of years to drop one year. Each sector would drop its worst year (smallest annual harvest share percentage for that sector). This results in an aggregate percentage greater than 100% for a set of years for all sectors combined; thus, the result would be scaled back to 100%.

In all options and suboptions, the <60’ fixed gear CV sector will only fish from the direct allocation to that sector.

The BSAI Pacific cod TAC that is allocated to the above sectors is TAC less the CDQ Program reserve. In addition, the annual incidental catch allowance (ICA) for fixed gear is deducted off the top from the aggregate amount of the BSAI Pacific cod TAC allocated to the fixed gear sectors combined. Pacific cod harvested incidentally in the non-Pacific cod directed BSAI fixed gear fisheries is attributed to the ICA. The ICA is determined annually by the NMFS Regional Administrator in the annual specifications process and has typically been 500 mt.

Option 2.1: 1995–2002

Option 2.2: 1997–2000

Option 2.3: 1997–2003

Option 2.4: 1998–2002

Option 2.5: 1999–2003

Option 2.6: 2000–2003

Suboption 1 (applies to Options 2.1–2.6): Drop one year.

Option 2.7: The Council can select percentages for cod allocated to each sector that fall within the range of percentages analyzed.

Option 2.8: Allocations (whether combined or separate) to the <60’ fixed gear CV sector and jig sector shall collectively not exceed:

Suboption 1: Actual catch history percentage for jig and <60’ fixed gear CVs combined (from the set of years selected for all sectors under Op. 2.1–2.7)

- Suboption 2: 2.71% (represents 2% jig allocation plus 0.71% <60' fixed gear CV allocation of non-CDQ BSAI Pacific cod TAC)
- Suboption 3: 3% (represents 2% jig allocation plus 1% <60' fixed gear CV allocation of non-CDQ BSAI Pacific cod TAC)
- Suboption 4: 4% (represents 2% jig allocation plus 2% <60' fixed gear CV allocation of non-CDQ BSAI Pacific cod TAC)

**Component 3: Seasonal Apportionments**

Unused seasonal allowances for the trawl, pot, and hook-and-line sectors may be reapportioned to the subsequent seasonal allocation for the respective sectors. Unused seasonal allowances for the jig sector are considered for reallocation to the <60' fixed gear CV sector. Options 3.1, 3.2, and 3.3 are mutually exclusive.

- Option 3.1      Status quo. Allocations determined under this amendment would be apportioned seasonally among the gear sectors as in current regulation (see Alternative 1).
  
- Option 3.2      Upon determination of the new overall allocations to the trawl and fixed gear sectors, maintain the current percentage of the ITAC allocated to the A and B seasons for trawl gear and the A season for fixed gear. Provide that any reduction in the overall trawl allocation resulting from the options would be applied only in the C season for trawl gear. Provide that any increase in the overall fixed gear allocation resulting from the options would be applied only in the B season for fixed gear.
  
- Option 3.3      Upon determination of the new overall allocations to the trawl and fixed gear sectors, maintain the current percentage of the ITAC allocated to the A season for trawl gear. Provide that any reduction in the overall trawl allocation resulting from the options would be applied only in the B and C seasons for trawl gear:
  - Suboption 1:    Reduction applied proportionately to B and C seasons
  - Suboption 2:    Reduction applied equally to B and C seasons
  - Suboption 3:    Provide that any reduction in the overall trawl allocation resulting from the options would first be applied in the C season and then in the B season. Any increase in the allocation to fixed gear would be applied in the A season. Any reduction in the trawl allocation in the B or C seasons will be made proportionately between the AFA CP, non-AFA CP, and AFA CV, non-AFA CV sectors based on their new allocation percentages. In the event that this suboption exceeds the 70% - 30% Steller sea lion seasonal apportionment, the hook-and-line CP sector's A season allocation will be adjusted as necessary by shifting A season allocation to the B season.
  
- Option 3.4      Apportion the BSAI Pacific cod jig allocation on a trimester basis as follows:
  - 60%    (Jan. 1 – April 30)
  - 20%    (April 30 – August 31)
  - 20%    (August 31 – December 31)

#### **Component 4: Rollovers between gear sectors**

Inseason management would retain flexibility to determine how to reallocate projected unused sector allocations (rollovers), taking into consideration the hierarchy below. NMFS takes into account the intent of the rollover hierarchy and the likelihood of a sector's capability to harvest reallocated quota.

**Option 4.1** Modified status quo. The suite of provisions below comprises Option 4.1.

- 4.1.1 Projected unused trawl sector allocations are considered for reallocation to other trawl sectors (AFA CP; non-AFA CP; AFA CV; non-AFA CV) before being reallocated to the fixed gear sectors (hook-and-line CP; hook-and-line CV  $\geq 60'$ ; pot CP; pot CV  $\geq 60'$ ).
- 4.1.2 Reallocation of TAC from the trawl sectors to fixed gear sectors will be 0.9% to pot CP, 4.1% to pot CV  $\geq 60'$ , and 95% to hook-and-line CP.
  - Suboption 1: Reallocation of TAC from the trawl sectors to the fixed gear sectors will be proportional to the new fixed gear allocations.
- 4.1.3 Projected unused allocation in the jig sector is considered for reallocation to the  $<60'$  fixed gear CV sector on a seasonal basis. The third trimester jig rollover should be available to the  $<60'$  fixed gear CV sector on September 1.
- 4.1.4 Projected unused pot sector allocations (CPs and  $\geq 60'$  CVs) are considered for reallocation to the other pot sector before being reallocated to the hook-and-line CP sector.
- 4.1.5 Projected unused allocations in the  $<60'$  fixed gear CV sector, both pot sectors (CP and  $\geq 60'$  CV), and hook-and-line CV  $\geq 60'$  are reallocated to the hook-and-line CP sector.

**Option 4.2** Projected unused allocations to any sector delivering inshore must be considered for reallocation to other inshore sectors before being considered for reallocation to any offshore sector. The suite of provisions below comprises Option 4.2.

- 4.2.1 Projected unused allocation in the jig sector is considered for reallocation to the  $<60'$  fixed gear CV sector on a seasonal basis. The third trimester jig rollover should be available to the  $<60'$  fixed gear CV sector on September 1.
- 4.2.2 Any unused allocation from any inshore sector will first be considered for reallocation to the jig sector and/or  $<60'$  fixed gear CV sector; then to the hook-and-line CV  $\geq 60'$  or pot CV  $\geq 60'$  sector; then to the trawl CV sectors. Any CV allocation that is not likely to be harvested through this hierarchy will be reallocated as per components 4.2.3–4.2.6 below.
- 4.2.3 Projected unused trawl sector allocations are considered for reallocation to other trawl sectors (AFA CP; non-AFA CP; AFA CV; non-AFA CV) before being reallocated to the fixed gear sectors (hook-and-line CP; hook-and-line CV  $\geq 60'$ ; pot CP; pot CV  $\geq 60'$ ).
- 4.2.4 Reallocation of TAC from the trawl sectors to fixed gear sectors will be 0.9% to pot CP, 4.1% to pot CV  $\geq 60'$ , and 95% to hook-and-line CP.
  - Suboption 1: Reallocation of TAC from the trawl sectors to the fixed gear sectors will be proportional to the new fixed gear allocations.
- 4.2.5 Projected unused pot sector allocations (CPs and  $\geq 60'$  CVs) are considered for reallocation to the other pot sector before being reallocated to the hook-and-line CP sector.
- 4.2.6 Projected unused allocations in the  $<60'$  fixed gear CV sector, both pot sectors (CP and  $\geq 60'$  CV), and hook-and-line CV  $\geq 60'$  are reallocated to the hook-and-line CP sector.

### **Component 5: CDQ Allocation of BSAI Pacific Cod**

The CDQ Program reserve for BSAI Pacific cod shall be removed from the TAC prior to the allocation to all other sectors at percentage amounts equal to one of the following options:

- Option 5.1      7.5% (status quo)
- Option 5.2      10%
- Option 5.3      15%

### **Apportionment of BSAI PSC to Sectors**

#### **Component 6: Apportionment of trawl halibut and crab PSC to the cod fishery group**

The total amount of trawl halibut PSC for the non-CDQ fisheries is 3,400 mt, which is apportioned between Pacific cod, yellowfin sole, rocksole/other flatfish/flathead sole, pollock/Atka mackerel/other. Generally, 1,400 mt is apportioned to the cod trawl fishery group, but this amount and actual use can vary annually. A significant amount of Pacific cod is taken incidentally in other trawl fisheries so the PSC use associated with that Pacific cod harvest would be attributed to a fishery group other than cod trawl. Amendment 80 will also allocate halibut PSC to the H&G trawl sector so that the amount of halibut PSC available to the remaining trawl sectors will be reduced.

#### **Component 7: Apportionment of the cod trawl fishery group halibut and crab PSC to trawl sectors**

- Option 7.1:      The annual PSC allocation to the trawl Pacific cod fishery will be apportioned to the cod trawl sectors based on the cod allocation percentages determined for each sector under Component 2.
- Option 7.2:      The annual PSC allocation to the trawl Pacific cod fishery will be apportioned to the cod trawl sectors based on the sector's directed cod fishery harvests during the qualifying period under Component 2.

#### **Component 8: Apportionment of cod non-trawl halibut PSC**

The total amount of non-trawl halibut PSC for the non-CDQ fisheries is 833 mt. The 833 mt is normally apportioned between cod hook-and-line sectors and other non-trawl fisheries during the annual specifications process. Generally, 775 mt is apportioned to hook-and-line cod fisheries and 58 mt to other non-trawl. This component would divide the halibut PSC amount apportioned to non-trawl cod between the hook-and-line CP sector and hook-and-line CV sector (for CVs  $\geq 60'$  and CVs  $< 60'$  combined).

- Option 8.1      In proportion to the BSAI Pacific cod TAC allocated to the sectors
- Option 8.2      10 mt for CVs, remainder for CPs

### **Part II:            APPORTIONMENT OF BSAI PACIFIC COD SECTOR ALLOCATIONS TO BS AND AI SUBAREAS**

**Any of Alternatives 3–6 can be selected in conjunction with Alternatives 1 or 2 from Part I. Alternatives 3–6 are mutually exclusive.**

**ALTERNATIVE 3:**      No action. A methodology to apportion the BSAI Pacific cod allocations to the jig, trawl, and fixed gear sectors between the BS and AI subareas would not be selected. (If this alternative was selected, only the approach described under Alternative 5 could be implemented by NMFS without a new regulatory or plan amendment.)

**ALTERNATIVE 4:** Sector allocations remain as BSAI (with BS and AI TACs)

No allocation to a sector of a specific percentage of a sub-area. Sectors would have a BSAI allocation (in Part I) to fish in either sub-area (BS and AI) if the sub-area is open for directed fishing and TAC is available.

**ALTERNATIVE 5:** BS and AI sector allocations based on equal percentage from BSAI sector allocations

Allocation to a sector of an equal percentage in both sub-areas. The allocation percentage of BSAI TAC a sector receives in Part I would result in that same percentage being applied to both the BS and AI sub-areas so that a sector would have the same percentage in both sub-areas.

**ALTERNATIVE 6:** **(Preliminary preferred alternative)**. BS and AI sector allocations based on a sector's historic harvest in the AI with remainder of sector's overall BSAI allocation to be caught in the BS. Sector's BSAI allocation is maintained and used in annual calculation.

Option 6.1	1995 – 2002
Option 6.2	1997 – 2003
Option 6.3	2000 – 2003
Option 6.4	2002 – 2003