

North Pacific Fishery Management Council Motion
C-1(b) Gulf of Alaska Pacific Cod Sector Allocations
June 2009

Note: Only the purpose and need statement and Component 10 were revised at the June meeting.

C-1(b) Gulf of Alaska Pacific Cod Sector Allocations

The GOA Pacific cod sector split action should be pursued immediately following resolution of the LLP recency issue. It is also highly desirable that the State waters parallel fishery problems be resolved. Concepts for addressing the State waters fishery issues are contained within this motion. In order to refine and incorporate recent public input into this package, the Council directs staff to develop an initial review draft of the Pacific cod sector split analysis based upon the following purpose and need statement, components, and options.

Purpose and Need Statement

The limited access derby-style management of the Western GOA and Central GOA Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, reduced Federal TACs due to the State waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TACs. The competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of the competition for catch shares among sectors. Allocation of the catch among sectors may reduce this uncertainty and contribute to stability across the sectors. Dividing the TACs among sectors may also facilitate development of management measures and fishing practices to address conservation (e.g. Steller sea lion mitigation measures, bycatch reduction, and prohibited species catch (PSC) mortality) and social objectives, including considerations for small boat sectors and coastal communities. Given that harvest sector allocations would supersede the inshore/offshore processing sector allocations for Pacific cod by creating harvest limits, the Council may need to consider regulatory changes for offshore and inshore floating processors.

The timing of the Pacific cod A and B seasons may have limited the participation of jig vessels in the parallel and Federal fisheries of the GOA. Additionally, the State waters jig allocation has gone uncaught in some years, potentially due to the lack of availability of Pacific cod inside three miles. A non-historical Federal catch award, together with the provision of access in Federal waters for the State Pacific cod jig allocations, offers entry-level opportunities for the jig sector.

The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long term participants in the sectors, while providing opportunities for new entrants who do not hold Federal permits or licenses to participate in the parallel fishery.

ALTERNATIVE 1.

No Action. The GOA Pacific cod TACs would not be allocated to the sectors.

ALTERNATIVE 2.

The GOA Pacific cod TACs would be allocated to the sectors.

Component 1: Management areas

The Western and Central GOA Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2 (the management areas could be treated differently within Component 2).

Component 2: Sector definitions

The Western and Central GOA Pacific cod TACs will be allocated among the following sectors. The Council has the option to either give a single allocation to each sector, or to divide any allocation by vessel length based on the option(s) listed below.

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
 - Option: Hook-and-line catcher processors <125 ft
 - Hook-and-line catcher processors \geq 125 ft
- Hook-and-line catcher vessels
 - Option: Hook-and-line catcher vessels <60 ft
 - Hook-and-line catcher vessels \geq 60 ft

 - Option (CG only): Hook-and-line catcher vessels <50 ft
 - Hook-and-line catcher vessels \geq 50 ft
- Pot catcher processors
- Pot catcher vessels
 - Option: Pot catcher vessels <60 ft
 - Pot catcher vessels \geq 60 ft
- Jig vessels

Option: For Western GOA only create a combined sector allocation for trawl and pot catcher vessels.
Suboption: Applies only to vessels <60 ft.

Option: Restrict vessels from participating in the GOA Pacific cod fishery using more than one operation type.

Suboption 1: Restrict CP licenses to the operation type on their license (licenses with a catcher processor designation could only fish off the catcher processor sector allocation).

Suboption 2: Add a CV/CP Pacific cod endorsement to both trawl and non-trawl CP licenses that have operated as catcher vessels during the qualifying period. These CP/CV licenses will elect to participate as either a CP or CV in the GOA Pacific cod fishery either:

- (i) annually
- (ii) as a permanent, one-time election

Component 3: Definition of qualifying catch

Qualifying catch includes all retained legal catch of Pacific cod from the Federal and parallel waters fisheries in the Western and Central GOA.

- Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.
- Under all options, incidental catch allocated to trawl catcher vessels for the Central GOA Rockfish program (currently, 2.09% of the Central GOA Pacific cod TAC) will be deducted from the Central GOA trawl catcher vessel B season allocation.
- All sector allocations will be managed to support incidental and directed catch needs.

Component 4: Years included for purposes of determining catch history

Option 1: Qualifying years 1995-2005: average of best 5 years

Option 2: Qualifying years 1995-2005: average of best 7 years

Option 3: Qualifying years 2000-2006: average of best 3 years

Option 4: Qualifying years 2000-2006: average of best 5 years

Option 5: Qualifying years 2002-2007: average of best 3 years

Option 6: Qualifying years 2002-2007: average of best 5 years

Option 7: Qualifying years 2002-2008: average of best 3 years

Option 8: Qualifying years 2002-2008: average of best 5 years

Note: The Council has the option to choose separate qualifying years for each sector and scale them to equal 100%

- When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.

Seasonal apportionment of sector allocations (different options may be selected for the management areas):

Option 1: Apportion each sector's annual allocation 60% to the A season and 40% to the B season.

Option 2: Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.

Option 3: For the WGOA, only the A season TAC will be apportioned among sectors; the B season TAC will not be apportioned among sectors.

- These seasonal apportionment options do not apply to the jig sector.

Component 5: Allocation of Pacific cod to jig sector

Set aside 1%, 3%, or 5% of the Western and Central GOA Federal Pacific cod TACs for the initial allocation to the jig vessel sector, with a stairstep provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation will be capped at 5% of the respective Western and Central GOA Federal Pacific cod TACs.

Subsequent to the jig allocation increasing, if the harvest threshold criterion described above is not met during three consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs.

The Council requests that staff continue to work with the State of Alaska and NMFS to explore considerations required to implement possible options for the jig fishery management structure (both State parallel/Federal and State) that create a workable fishery and minimize the amount of stranded quota, focusing on Option 1. Possible solutions that could be explored are:

Option 1: State parallel/Federal managed Pacific cod jig fishery. Federal allocation managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL could (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off of a single account. If the Board of Fisheries chooses not to take the jig GHL, it would roll into the Federal jig allocation.

If a combined parallel/Federal fishery is created the fishery would be managed as follows. There would be no seasonal split of the combined parallel/Federal TAC. The fishery would open on Jan 1st and close when the TAC is reached.

Option 2: If a distinct Parallel/Federal and State waters fisheries continue to exist the two fisheries will be managed as follows:

The Federal TAC would be divided into an A/B season of 60%/40%. The A season would open on Jan 1st and close when the TAC is reached or on March 15th. The State jig fishery could open either when the Federal season closes due to TAC or on March 15th. The Federal B season would open on Sept 1st.

Option 3: State managed Pacific cod jig fishery. Federal management authority delegated to the State of Alaska to manage the Pacific cod jig fisheries in the Western and Central GOA from 0-200 miles.

Component 6: Management of unharvested sector allocations

Any portion of a CV, CP, or jig allocation determined by NMFS to remain unharvested during the remainder of the fishery year will become available as soon as practicable to either:

Option 1: Other respective CV or CP sectors first, and then to all sectors as necessary to harvest available TAC.

Option 2: All sectors.

Component 7: Apportionment of hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels

Option 1: No change in current apportionments of GOA halibut PSC.

Option 2: Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total Western GOA and Central GOA Pacific cod allocations to each sector. No later than November 1, any remaining halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector.

Component 8: Community protection provisions

This component would protect community participation in the processing of Pacific cod and protect community delivery patterns established by the inshore/offshore regulations. For the purposes of Options 1, 2, and 3 under Component 8, motherships include catcher processors receiving deliveries over the side and any floating processor that does not meet the regulatory definition of a stationary floating processor in 679.2. Stationary floating processors may only process groundfish at a single geographic location during a given year.

For each management area, the mothership processing cap will be:

Option 1: No motherships.

Option 2: A percentage of the Pacific cod TAC based on the same qualification criteria as selected for the harvesting sector allocations, but calculated from mothership processing activity.

Option 3: A percentage of the Pacific cod TAC to be selected by the Council (5-10%).

- Under Option 2 and Option 3, mothership processing will end for the year when the processing cap is reached. All cod catch counts towards the cap.

Suboptions that apply to Options 1, 2, and 3:

Suboption 1: Choose different options for each management area.

Suboption 2: Applies only to directed landings of Pacific cod.

Suboption 3: Exempt motherships operating within the municipal boundaries of a community.

Option: Limit weekly processing by exempted motherships to (a) 125 mt per week, (b) 200 mt per week, or (c) 300 mt per week.

- (i) Applies to all cod landings
- (ii) Applies to directed cod landings

Component 9: To address conservation, catch monitoring, and social objectives, potential allocations to any sector based on catch history may be adjusted.

Component 10: Potential models for resolving parallel fishery issues

Option 1. Develop recommendations for the Alaska Board of Fisheries on the parallel fishery that could complement Council action, such as:

- gear limits
- vessel size limits
- exclusive registration

Option 2. Limit access to the parallel fishery for Federal fishery participants.

- Require any pot or longline vessel with an LLP or an FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.
- Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsements on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.

Suboption 1: In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates.

Suboption 2: Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP:

- a. Once per calendar year
- b. Once every eighteen months
- c. Once every three years

Additional information requested:

The Council requested additional information on pot CV catch by vessel width for vessels 50 to 60 ft LOA.