

AKSC Proposal 7 to SSL Committee to modify Pacific Cod seasons in the Aleutian Islands and possibly Bering Sea (noting Pcod is managed BSAI-wide) to allow retention above the MRA in November and December

- Introduction materials – (Provide name of proposer or institution, address and telephone number of proposer, email address for primary contact)

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- Brief Statement of Proposal – (Provide a single, brief paragraph that concisely describes the action to be taken. Details will be specified in additional sections).

Modify the November 1 closure to directed cod trawl fishing to keep the cod fishery open until the end of the year. This would be accomplished by changing the cod C season from June 10 – November 1<sup>st</sup> to June 10 to December 31. This will allow full retention of Pacific cod by trawlers from November 1-December 31<sup>st</sup>. While trawlers do not target cod in the fall/winter, some hauls targeting other species occasionally catch more than the 20% maximum retainable amount (MRA) of cod. Catch amounts over 20% must be discarded when the directed fishery is closed. The change will not increase Pcod catches from November 1 to December 31 but will reduce cod discards.

- Objectives of Proposal – (Begin with a concise statement of the problem to be addressed in the proposal, and the remedy for the problem. Provide detailed description of the proposed changes to regulations, and justification for each).

Trawl effort in the Aleutian Islands occurring after November 1<sup>st</sup> each year is nearly all done by Amendment 80 vessels fishing for arrowtooth, Kamchatka flounder, and rockfish. The Amendment 80 fleet has a hard cap on the amount of cod it can catch in the BS/AI and all of its cod catch, whether retained or discarded, counts toward that cap. This proposal would effectively remove the current prohibition on retention of Pacific cod in excess of the MRA percentage (20%) from November 1 to December 31<sup>st</sup>. This proposed change would eliminate discards of cod due to MRA regulations when the directed cod fishery is closed. Because cod is managed BS/AI-wide, the reason for making the change in the Bering Sea is equally valid.

- Impacts of Proposal – (Briefly outline the effects that you think the proposed changes to management will have, including effects on Steller sea lions, other sectors of the fishery, and Aleutian Island communities).

Some hauls targeting flatfish and rockfish can include significant amounts of cod, exceeding the 20% maximum retainable amount. Under the current regulations, after November 1 this creates regulatory discards of a valuable resource with no tangible benefit to SSL because the fishing for non-cod species is still going to occur even if the cod must be discarded. This proposal is therefore narrowly focused on reducing and hopefully eliminating the need to discard cod caught in tows targeting other species when cod in excess of the 20% MRA allowance is encountered. The Amendment 80 fleet has a hard cap on the amount of cod it can catch in the BS/AI and all of its cod catch, whether retained or discarded, counts toward this hard cap.

Because the current regulations for trawl cod seasons are BS/AI, the scope of this proposal may need to extend to the Bering Sea. Extending this proposal BS/AI is not problematic because the

circumstances facing trawling for cod and other species after November 1<sup>st</sup> in the Bering Sea are essentially the same as in the Aleutian Islands. Extending the proposal to the BS would avoid having two separate cod seasons for a species that is managed BS/AI. Additionally, extending to the Bering Sea does not change any of the underlying circumstances such as the lack of target fishing for cod by trawlers from November 1 to December 31<sup>st</sup> (same as in the Aleutians, Bering Sea cod target trawling occurs nearly all in the spring months). In our opinion, extending the scope to the Bering Sea would only increase the benefits in terms of preventing discards of cod that is already going to be caught while prosecuting non-cod fisheries. Because this proposal would not increase catch of cod, we believe this proposal does not in any way have negative effects on Steller sea lions assuming, as the 2010 Bi-op does, that cod fishing can affect SSL.

- Supporting data and other documentation – (Provide any relevant data or other information to support your proposal)

Cod discard data from 2001-present; regulations for reporting catches and recording trips in the DLCP.

- Alternative solutions – (Provide other potential solutions to the problem, if any, that the Council could consider to address the problem)

There are two ways the regulatory discard problem described above could potentially be remedied. One way is to increase the MRA percentage for cod. Another is to simply change the trawl cod seasons in the SSL regulations to remove the closure to directed fishing that occurs on November 1<sup>st</sup> each year. In our view, the latter approach is better because it directly addresses the problem and it avoids the need to come up with an alternative MRA percentage to which the regulations would be adjusted.

- Justification for Council action – (Provide an explanation of why Council action is required, and the consequences should the Council not take action).

In the absence of any action by the Council, NMFS will likely keep the current measures in place. This would continue to require discards of valuable cod with no benefit to SSL. We could propose this change to NMFS independent of the suite of proposals that the Council is preparing for the SSL EIS. We understand, however, that the Council is in a better position to evaluate and put together a suite of proposals that balances all the different interests looking for changes in the SSL RPAs in the Aleutian Islands.