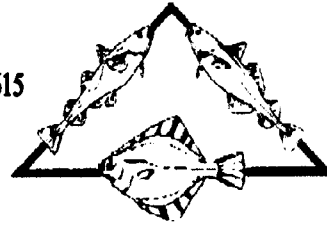


Groundfish Data Bank

Alaska

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Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: Proposals 43, 44 (potential of a jig pollock retention fishery), 45, 101 & 102

January 7, 2014

Dear Chairman Johnstone and Board Members,

Alaska Groundfish Data Bank (AGDB) is a member organization that includes the majority of both the shorebased processors located in Kodiak and catcher vessels home ported in Kodiak that participate in the Central Gulf of Alaska (CGOA) groundfish trawl fisheries.

This letter expresses our continued opposition to proposals 43 -45. We ask that the Alaska Board of Fish (BOF) reject these proposals and instead work with the North Pacific Fishery Management Council (Council) and the GOA trawl industry stakeholders to develop a Gulf of Alaska trawl bycatch management program. Any program developed within the Council process will require input from and coordination with the BOF to address the interrelationships between state-waters, parallel and federal fishery zones. We are asking that you join us in developing a vision for a new fishery management structure that will allow our industry to effectively manage and reduce bycatch while meeting optimum yield for groundfish harvests - a management plan that holds each individual vessel accountable for their fishing behavior; A management plan that benefits coastal communities, processors and harvesters. We are asking you to not disrupt our industry in the short term by adopting any of these proposals.

We are hoping that you will instead schedule a Joint Protocol meeting with the Council and yourselves, the Board of Fish, sometime late this spring so a joint working relationship for the development of a trawl bycatch management program is identified by the two regulatory bodies. This request assumes that you will not take any 'final action' on these proposals at your January 2014 meeting.

Additionally, we are opposed to proposal 101 (Closing Alitak Bay to pelagic trawling, commercial pot fishing for both cod and crab, and subsistence pot fishing for crab) and Proposal 102 (Prohibit non-pelagic trawling in state waters of the Kodiak Management Area). The proposers of these proposals assume that closing these areas will increase crab populations; there is no evidence this will occur. Crab abundance has as much to do with environmental conditions, crab year class strengths, and predator / prey relationships than crab fishing mortalities or crab bycatch mortalities. Please note that the Kodiak Fish and Game Advisory Committee also support our position on these five proposals and are opposed to all five.

Proposal 44 and the jig fleet's desire to have the BOF create a State waters jig pollock fishery

Introduction: The ADF&G Kodiak Advisory committee voted to table proposal 44 which would have created a state waters trawl pollock fishery but were divided about whether a state waters jig pollock fishery should be created instead. There seemed to be some interest by the local advisory committee to allow the jig fleet to keep all the pollock they catch while fishing for Pacific cod versus having to discard pollock if the vessel's catch is over the maximum retainable allowance (MRA). The MRA for pollock in the cod fishery is 20% of the weight of the target species on board.

AGDB members, both the trawl and processing sectors, are dependent on the GOA pollock fishery so any carve off of the federal pollock Acceptable Biological Catch (ABC) to support a jig pollock fishery will directly affect our members. This being said, our members would support entry level opportunities for jig fishermen to catch more pollock if the fishery is "proofed up" and well designed. Within the federal process we have had several experiences with creating jig fishery opportunities. It is a delicate balance to create opportunity for these participants yet not disrupt historically dependent participants; if well thought out and tested, it is possible to strike the appropriate balance for both.

We would propose that the Kodiak jig, trawl and processor sectors work together with assistance from the Department of Fish and Game staff to develop a commissioner's permit to test the viability of a jig pollock retention fishery. Objectives for the fishery should be well defined upfront so that they can be tested within the commissioner's permit fishing environment.

Depending on the test fishery results, participants may decide that a jig fishery construct makes more sense within the federal fishery management structure or within the state management structure; that increased retention limits of pollock in the jig cod fishery makes the most sense or potentially a directed jig pollock fishery. At this point it is premature to know which approach is best.

Issues to be resolved: There is a suite of questions and concerns that need to be resolved to develop a well-designed fishery with as few unintended consequences as possible. Some of these issues could be addressed through the commissioner's permit process. A sample of what needs to be thought out beforehand follows:

(1) Objectives. Is the goal full retention of pollock while cod fishing? Or is the goal a directed pollock fishery for the jig fleet?

(2) Economics. Can the jig fleet make a high volume, low value fishery such as pollock work independently of a directed cod fishery? Pollock prices have ranged from 12 – 18 cents per pound compared to cod prices which have ranged from 28 cents to more than 60 cents. Historical pollock catch/retention by the jig sector suggests there either isn't much interest in pollock or that pollock catch per unit effort (CPUE) isn't that conducive to jig gear.

(3) Catch Accounting. How will catch be accounted for within the federal fisheries (both the federal and parallel zone) as well as in the separate state cod and/or state pollock fishery? Jig is a legal gear for pollock harvest so jiggers could target pollock as a directed fishery during open time frame and also keep whatever they caught when pollock was open and they were participating in the jig cod fishery. In fact, pollock and cod IR/IU regulations (5 AAC 28.070 (e)), require 100% retention when open to directed fishing. Once pollock closes to directed fishing in the federal fisheries then pollock is managed through MRAs in that area. So should jig pollock catch count towards the federal ABC during the open period, and then count towards a state GHF when the federal fishery is closed? If both the state and

federal fisheries are closed what quota should incidental catches of pollock by jig gear in state waters accrue against?

(4) ESA. What are the Endangered Species Act (ESA) consequences of a jig pollock fishery? Pollock is one of the prey species regulated under the Biological Opinion (BIOP) for Steller Sea Lions (SSL) in the GOA.

(5) Allocations. What is the right allocation for a jig pollock fishery? Historical catch or some amount greater than historical catch? If more than historical catch, how much more? How do you prevent stranding fish since the viability of a jig fishery hasn't been proven?

(6) Seasons. What seasonal structure should be adopted for a jig pollock fishery? Presently no pollock fishing is allowed for the trawl fleet from May 31 to August 25 due to Steller Sea Lion restrictions. Should the jig fleet be exempt from these regulations? Should a pollock seasonal structure mirror the state cod fisheries? When is pollock the best grade for food quality? Should a seasonal structure be adopted to improve fish quality?

(7) Areas. Where within the state should jig pollock fisheries be created? All State management areas within the Gulf of Alaska? If no, which areas and why?

(8) Federal versus State Management. Would it be better for the jig sector to approach the North Pacific Fisheries Management Council to address their desire to keep all or most of the pollock they catch? What are the pros and cons of the two management systems when developing a jig pollock fishery? The federal system allows fishers to harvest pollock from 0 to 200 miles - regulatory areas match the present ABC allocations and don't conflict with the federal pollock management system; the state management areas definitely conflict. Stranding pollock ABC within the federal system is less likely since pollock quotas can be rolled over to other gear sectors. The State system, on the other hand, moves at a much faster pace than the federal Council process to get a fishery started.

What is involved with a Commissioner's permit?

A sample commissioner permit that allows for directed test fishery harvests is shown in appendix 1. If the objective of the BOF is to test the viability and feasibility of jig gear to target pollock then a commissioner's permit may not require much effort as long as stakeholders and area managers have clear objectives and the board has final approval of the conditions of the permit.

Existing pollock jig harvesting opportunities: Directed pollock fishing is allowed now for jig gear within the federal management system. The jig sector is bound by the same rules as trawl and other fixed gear fishery participants (in most cases under both federal and state regulations). This includes seasonal opening and closure dates and Improved Retention Improved Utilization (IRIU) regulations that require harvesters - trawlers, jiggers, pot vessels and longliners - to keep all the pollock they catch (either 100% if open for directed fishing or the allowable MRA if on bycatch status). See 5 AAC 28.070 (e).

In the GOA, when directed fishing for pollock is open then it is open for *anybody in the inshore component*, as shown in the following regulation: (i) GOA pollock. The apportionment of pollock in all GOA regulatory areas for each seasonal allowance described in paragraph (a)(5)(iv) of this section will be allocated entirely to vessels harvesting pollock for processing by the inshore component in the GOA after subtraction of an amount that is projected by the Regional Administrator to be caught by, or delivered to, the offshore component in the GOA incidental to directed fishing for other groundfish species.

The only regulatory differences for vessels participating in the inshore component by gear types are the SSL haulout and rookery closures and the Jan 1 – Jan 20 and Nov 1 to Dec 31 prohibition on directed pollock (and cod) fishing using trawl gear; neither of these restrictions apply to jig pollock fishing.

There was significant fishing days for the jig sector to harvest pollock in a directed mode over the last couple of years. The federal pollock fishery in the Kodiak area (area 630) was open for 92 days in 2012 and 65 days in 2011.

Table 1 show pollock catches by gear type for the years 2006 – 2013 for area 630 (Kodiak). On average over the last 8 years, the jig sector has harvested 7 mt (15,157 pounds) of pollock compared to an average pollock ABC of 18,907 mt (41,700,000 pounds).

Table 1. Area 630 (Kodiak area) Pollock quota and catch by gear type 2006-13

Year	630 Poll ABC/TAC	Harvest (mt)				Jig (lbs)
		Trawl	HAL	Pot	Jig	
2006	18,762	16,985	85	7	1	2,205
2007	14,850	14,320	136	15	7	15,432
2008	13,640	14,221	150	12	2	4,409
2009	10,931	12,091	123	8	10	22,046
2010	19,118	18,988	156	10	2	4,409
2011	20,235	19,676	50	9	7	15,432
2012	26,348	25,798	89	12	9	19,842
2013	27,373	29,565	71	10	17	37,479
Avg	18,907	18,956	108	10	7	15,157

When examining historic jig cod catch, actual retained pollock catch is well below what would be anticipated assuming that the allowable 20% MRA for pollock is representative of incidental catches within a jig target fishery and that jig gear is an effective gear type to harvest pollock. Table 2 below shows jig cod catches for the Kodiak area. The average catch for the period 2006 to 2013 is 1,935 mt of cod; applying the allowable pollock retention at the 20% MRA suggests that 387 mt of pollock on average could have been retained. This is an underestimate for allowed retention since the sector must keep what they catch when the directed pollock fishery is open as well. Knowing that the jig sector is required to retain all pollock catches up to the allowable limits (either 100% or 20%) suggests pollock catches are either very low for the gear type or that the sector is discarding pollock catches at sea. The average catch of 7 mt or 15,157 pounds is a long way from 387 mt or 850,000 pounds of incidental catch allowances for pollock.

Table 2. Area 630 (Kodiak area) Jig cod catches (both federal and State) for the Kodiak area for the years 2006-13 and allowable retention amounts of pollock using cod catches as a basis for MRAs

Year	Kodiak Jig Cod GHL	Jig Fed Cod Quota ¹	Total Jig Cod Quota	Jig State Cod Catch**	Jig Fed Cod Harvest (CG)	Total Jig Cod Harvest	Total Potential Pollock harvest based on 20% MRA	Actual Retained Pollock Catch (NMFS)*	Diff
2006	2,363	na	2,363	656	96	752	150	1	149
2007	2,363	na	2,363	567	36	603	121	7	114
2008	2,368	na	2,368	926	49	975	195	2	193
2009	1,971	na	1,971	1,968	37	1,968	394	10	384
2010	3,064	na	3,064	2,922	103	3,025	605	2	603
2011	3,361	na	3,361	3,237	475	3,712	742	7	735
2012	3,556	427	3,983	3,584	403	3,987	797	9	788
2013	3,080	739	3,819	252	202	454	91	17	74
Av MT	2,766	583	2,912	1,764	175	1,935	387	7	380
Avg LBS	6,097,500	1,285,293	6,418,823	3,889,026	386,084	4,264,913	852,983	15,157	837,826

*620/630 NMFS Areas; **KMA only; ¹Initial Annual quota

Jig fishery Development: Rockfish Pilot Program (RPP 2007-2011) and Rockfish Program (2012-present).

During the development of the CGOA rockfish trawl pilot catch share program the Council chose to set aside 2.5 percent of the ABC of the directed CGOA rockfishes in the aggregate (Pacific Ocean Perch (POP), Dusky rockfish, and Northern rockfish) to facilitate additional fixed gear (jig) entry level fisheries. Actual catch by the jig sector over the five year pilot program was far lower than the allocation. See Table 3 for allocations and harvests by year for the fixed gear sector.

With development of the new Rockfish Program (starting 2012) the allocations were revised to be reflective of what the fixed gear sector could possibly catch thus preventing fish from being stranded and unharvested. In the new program, 5 mt for POP, 5 mt of Northern Rockfish and 30 mt of Dusky rockfish was allocated. The regulations state that if the fixed gear (jig) vessels catch (and retain) at least 90% of the allocation, their allocation will be increased in the next year, subject to caps (Table 4). In 2013, the jig fleet has caught 11 mt of Dusky rockfish (36.7%) and essentially zero POP or Northern rockfish. After the first two years, the fixed gear sector has not met the harvest requirement needed to increase their allocation within the new program structure. A straight poundage allocation allows for much more finely tuned allocations than the alternative approach, some percent of the ABC.

Table 3. Fixed Gear allocations and jig catch for the RPP (2007-11) and the Rockfish Program (2012-2013).

Dusky Rockfish	Allocation	Jig Catch
2007	161	11
2008	176	14
2009	165	2
2010	157	1
2011	148	4
2012*	30	3
2013*	30	11

POP	Allocation	Jig Catch
2007	17	0
2008	54	0
2009	63	0
2010	120	0
2011	119	0
2012*	5	0
2013*	5	0

Northern Rockfish	Allocation	Jig Catch
2007	169	1
2008	115	1
2009	110	0
2010	115	0
2011	109	0
2012*	5	0
2013*	5	0

*New Rockfish program, revised fixed gear allocations.

Table 4. Entry Level non-trawl allocations in the Rockfish Program (starting 2012)

The allocation to the rockfish entry level non-trawl fishery of the following rockfish primary species...	For 2012 will be...	This amount will increase in each subsequent year by an additional	Provided that in the preceding year the total retained harvests in the rockfish entry level non-trawl fishery exceeded...	Except that the maximum amount of the TAC assigned to the Rockfish Program (after deducting the ICA) that may be allocated to the rockfish entry level non-trawl fishery for each rockfish primary species is...
Northern rockfish	5 mt	5 mt	90% of the allocation for that rockfish primary species	2 percent
Pacific ocean perch	5 mt	5 mt		1 percent
Pelagic shelf rockfish	30 mt	20 mt		5 percent

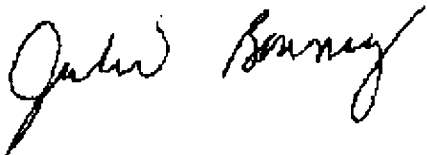
Pacific cod (Federal): Similar increased allocations and stair step provisions exist in the Central and Western GOA federal Pacific cod fishery. Amendment 83 to the GOA FMP (implemented in 2012) expanded opportunities for jig vessels by (1) providing an initial allocation that was higher than the sector's historical catch in the fishery; (2) potentially increasing the jig allocation, if a prior annual allocation is fully harvested and (3) extending the Federal jig sector seasons to allow additional access to Federal fishing zones. One consequence of any increase in the jig allocation is a proportional reduction in allocations to the other sectors. Also, in 2011, the BOF recommended regulations for each State management area that synchronize, to the extent practicable, the State waters Pacific cod GHl season opening and closing dates with the Federal jig seasons opening and closing dates to allow as much as possible concurrent jig fishing opportunities. In 2012, the first year of the cod split, the jig fleet did catch >90% of their Central GOA allocation so their allocation was increased from 1% to 2% of the Federal TAC in 2013. To date in 2013, the jig fleet has caught 202 mt of their 739 mt annual allocation (27.3%). In 2014, their allocation will remain at 2% of the CGOA TAC since they did not harvest 90% of their allocation. If the jig sector fails to catch 90% of their *previous* allocation in two years (2013 or 2014), then they step back down to 1% in 2015. So in 2013, they did not catch 90% of their current (or previous 1%) allocation. If they catch more than 90% of the previous (1%) allocation in 2014, they will stay at 2%. Because the cod allocation to the jig sector flexes up and down based on jig fishery

performance and cod allocations can roll more easily across the other gear sectors within the federal fisheries the likelihood of unharvested Pacific cod is reduced within this system. The jig allocation is capped at 6% of the federal cod quota.

Conclusion: AGDB members believe it would be wise to first determine if a jig pollock fishery is economically viable and feasible before reallocating a very important part of the trawl fleet quota portfolio to another entry level fishery. Allocating fish to the jig sector that will not get harvested impacts historically dependent harvesters, processors and communities. We support "proofing up" the viability of jig pollock fishery first via a commissioner's permit. As historical stakeholders in the federal pollock fisheries, we would be more than willing to help assist the jig sector in developing a proposal to the ADFG area groundfish manager for a commissioner's permit

AGDB members respectfully request that the Board reject proposals 43, 44, 45, 101 and 102 and instead join with the Council and the GOA trawl industry in developing a new fishery management structure for our industry. We appreciate the opportunity to comment and look forward to engaging with the Board at the upcoming Kodiak Finfish meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Bonney". The signature is written in a cursive, flowing style.

Julie Bonney
Executive Director
Alaska Groundfish Data Bank

