

FISHERY MANAGEMENT PLAN or REGULATORY AMENDMENT PROPOSAL
North Pacific Fishery Management Council – Steller Sea Lion Mitigation Committee
Provide the following information – attach additional pages as necessary:

Name of Proposer: H&G Environmental Workgroup **Date:** August 18, 2006
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Fishery Management Plan: BS/AI groundfish

Brief Statement of Proposal: Approval of Amendment 85 as per the NPFMC's final action in April 2006 will create economic harm on the non-AFA trawl CP companies that have traditionally depended heavily on the directed cod fishery. In this instance, we feel the non-AFA CP sector should be at the top of the priority list for gaining access to winter cod fishing in order to mitigate the adverse impacts. We therefore propose that 100% of the non-AFA trawl CP sector's directed cod fishery be harvestable in the first quarter of the fishing year. Many sectors of the cod fishery, both fixed and mobile gear, appear interested in increasing winter cod fishing opportunities based on the new scientific findings that winter is not necessarily any more important in terms of preventing prey field effects for sea lions. Additionally, this proposal will avoid the need for apportionment of the now minimal directed H&G cod fishery on a seasonal basis. Given the small amount of cod directed fishing retained by the H&G sector post Amendment 85, this proposal is probably the only way to make the remaining anticipated directed fishery viable from an in-season management perspective. Once Amendment 80 cooperatives are in place, the non-AFA CP sector may need to revisit how it utilizes cod, but the outcome of that is uncertain and it may in fact lead to more emphasis on directed cod fishing for a small portion of the vessels in the sector.

Objectives of Proposal (What is the problem?): Amendment 85 amounted to an extensive reallocation of cod from the non-AFA CP trawl sector to other sectors. The non-AFA trawl CPs will be allocated 13.4% of the ITAC, compared to recent usage of approximately 18%. If Amendment 85 were in place in 2007, NMFS' in-season managers believe that the sector's directed cod fishery would be approximately 4,000 MT. This represents a net loss in directed cod fishing opportunity of 10,000 MT (see attached memo by Andy Smoker). The reduction could be even greater in 2008 with new SSL regulations. This is a huge economic blow to the non-AFA CP sector and the sector is interested in pursuing any possible source of relief.

Given the sector's fishing capacity and the possibility that Amendment 80 cooperatives may not be in place when the new SSL regulations are implemented, seasonal apportionments of this now small amount of directed cod fishing opportunity could create havoc in terms of a race for fish. In all probability, the difficulty of managing catch for several small seasonal fisheries would induce in-season managers to either conclude that the fishery cannot be opened or to pre-announce a closure based on very conservative assumptions about catch rates so as to prevent a large TAC overage. This would result in an inability to fully harvest even the small amount of directed cod fishing TAC allocated to the sector.

Recent studies of SSL food habits and life history in Alaska have led to the conclusion that the emphasis on preventing food competition during the winter is not as valid as previously thought. The new scientific findings de-emphasizing the importance of preventing competition with SSL foraging in the winter (relative to other seasons such as summer) provide the possibility of removing or decreasing some of the restrictions on winter cod fishing.

This proposal would allow for the non-AFA trawl CP sector to continue to participate in a directed cod fishery, albeit for about one-third of the cod the sector has harvested in a directed fishery over the last few

years. This would somewhat help mitigate the effects of Amendment 85 for non-AFA trawl CPs who previously counted heavily on that fishery, some for as much as 50-60% of annual revenues over the last five years. Retaining the flexibility to not have to work within the framework of exceedingly small seasonal apportionments of cod as part of SSL regulations is key to the economic survival of some non-AFA trawl CP vessels prior to Amendment 80 implementation and may continue to be important post Amendment 80 cooperative management.

Need and Justification for Council Action (Why can't the problem be resolved through other channels?): As explained in the attached memo from NMFS in-season managers, the directed fishery for the non-AFA CP sector is expected to be brief at best following the re-allocation of cod through Amendment 85. This does not even take into consideration what SSL regulations requiring seasonal apportionments would do to the prospect of continuing a viable directed cod fishery for the sector. To stem at least some of the adverse social and economic consequences that the cod-dependent non-AFA trawl CP vessels will suffer from Amendment 85, the current set of seasonal apportionments affecting trawl cod fishing need to be adjusted to allow the remaining directed cod fishing opportunity for the H&G sector to occur in winter when cod fishing is most viable for trawlers. Additionally, removing seasonal divisions will allow for the H&G sector to access enough cod to allow a directed fishery to occur at all from an in-season management perspective.

Foreseeable Impacts of Proposal (Who wins, who loses?): Some of the negative impacts of the cod reallocation from Amendment 85 will be decreased for the non-AFA CP sector. Given that rationale to restrict cod fishing during the winter has decreased with the new SSL vital rates and weaning information, negative effects on SSL are thought to be less likely from winter fishing for cod and other SSL prey species. Further, allowance of even a minimal directed fishery may help reduce some of the regulatory discards resulting from this reallocation of cod. This becomes all the more important in light of the GRS constraints of Amendments 79 and 80.

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem? Assuming that the Council will not change its decision on Amendment 85 and that Secretarial approval will occur, we do not know of any other ways of reducing the economic effects of Amendment 85 on the non-AFA CP sector companies that depend heavily on directed cod fishing.

Supporting Data & Other Information. What data are available and where can they be found? Be specific and cite references. Table 1 and the memorandum from Andy Smoker (both below) document the magnitude of the expected effects of Amendment 85 on the non-AFA CP sector and the prospects for a directed cod fishery from the perspective of NMFS in-season managers. The rationale for de-emphasizing restrictions on fishing during the winter for SSL prey species is well supported by several studies presented to the SSL Committee during their review of the scientific findings since 2001.

Offsetting Measures. OPTIONAL - What protection measures might be increased in the region to offset the proposed action? None are proposed.

Signature:



Table 1: From June 28, 2006 NPFMC staff report to SSL Committee

<u>Sector</u>	<u>Current</u>	<u>Am. 85</u>
AFA trawl CP	(23.5 all	2.3
Non-AFA trawl CP	trawl CP)	13.4
Trawl CV	23.5	22.1
H&L CP	40.8	48.7
>60' H&L CV	0.2	0.2
Pot CP	1.7	1.5
>60' Pot CV	7.7	8.4
<60' H&L/Pot CV	0.7	2.0
Jig gear	2.0	1.4

*Reduced for CDQ (7.5% of TAC) and State AI cod fishery (3% of ABC).

Note: 2006 BSAI Pcod TAC = 194,000 mt; ITAC = 174,066 mt.

Memo by Andy Smoker to NMFS AK Region

From: Andy Smoker [Andy.Smoker@noaa.gov]

Sent: Friday, April 21, 2006 11:49 AM

To: Sue Salveson; Jeff Hartman; Lauren Smoker; Mary Furuness; Becky Carls; Nicole Kimball; Records Fakr; Bill Orr; Lori Swanson; Karl Haflinger

Subject: A 85 catch redux

Attachments: A80 NON-AFA TRW CP PROJECTION.xls

Hi I sent a spreadsheet out to most of you a couple of days ago. A revision is attached. I've been trying to get a handle on the impacts of the 13.4% apportionment to the h&g coalition for a better America. I've pulled some minor confidential data, included state & cdq deductions in my estimates, and tried to clarify my meanderings on the spreadsheet. I pulled the catch for that fleet from the catch accounting system which includes data from 2003-06, 06 data are through April 15. They aren't likely to loose the directed fishery all together but I'm guessing about 2/3 of it in 07. Data are from observers for the 100% fleet & WPRs for the 30% vessels. These are different data than used in the A85 analysis and are only from the last 3 years. 06 data are through April 15.

The three year average of the fleet's catch is 17.2% of full ABC (includes CDQ reduction) .

The projected 2007 ABC is 148,000 mt . which I assume will be equal to TAC though in our 06/07 specs the TAC is lower than ABC...and who knows what the ABC will really be after the Nov 06 Plan Team meeting.

Pulling 3% for state fisheries first then 10% out for the CDQ, leaves 129,204 mt. The 13.4 % apportionment yeilds 17,313 mt. The three year (03-05) average of cod catch outside of the cod target is 13,339 mt leaving a directed fishing allowance of 3,974 mt. They've taken an average of about 20,000 mt in the cod target/directed fishery over the three years analyzed.

If I average the TAC for 03-05 (= 209,667), the projected 07 ABC is about 70% of that value. Assuming that the directed fishery would have dropped proportionally to the drop in ABC, under the current rules (absent A85 regulation) the sector would expect to get about 70% of their average cod directed fishery or about 14,000 mt. (70% of 20,000 mt).

So they stand to loose about 14,000 minus 3,974 or about 10,000 mt.

Given all the assumptions. Also inseason will probably cut the directed fishery as short as we can. More than half of the incidental catch occurs after March (the directed fishery actually closes in early march lately). Therefore inseason has to be conservative with the DFA. Given that incidental catch can be variable. (its ranged from 12-14,000 mt over the years 03-05) we'll probably work to keep the directed catch just below the 3,974 mt. A day's catch in the directed fishery by this gear type averages about 375 mt and has peaked at about 600 mt. so a DFA of 3,974 mt translates to 10-11 days of average directed fishing. Might also point out that this is not a fishery that is normally targeted in sequence. It is generally taken in conjunction with rocksole & then yellowfin. It is usually targeted in late Feb/early March. Its a more complicated fishery to manage now that the halibut mortality and cod is split three ways.

A couple of points that have come up regarding PSC management. Bill & Lori thought that reduced cod might put more pressure on the rocksole fishery. The logic goes like this. Pacific cod is an alternate fishery for rocksole w/roe. The fleet fishes cod while the rocksole fishery optimizes. The variables the rocksole fishery deals with is maturation of roe, avoiding halibut, avoiding redking crab in general in zone 1 and red king crab especially in the 10 minute strip/red king crab savings subarea. Pcod functions as a relief valve of sorts in the rocksole fishery. My understanding of Bill's point is that if vessel operators think Pcod is lacking by either its availability (& I don't see inseason closing the pcod directed fishery while rocksole is open) or psc availability, a portion of the combined fishery has become scarce. Increasing scarcity promotes an individual operator to get as much rocksole as they can while they can.

With decreasing cod psc the fleet will be seeking to limit the amount of retained cod to <50% of their total catch so that the halibut psc will be accounted for in the flatfish (primarily rocksole/other flatfish/flathead sole) targets. This isn't a new trick.

Generally when the availability of an important target for this fleet is reduced I would expect impacts on other targets. The other targets this fleet participates in are Atka mackerel, yellowfin sole, rocksole, flathead, AI pop... (is this list sounding familiar?).