

April 3, 2009- Anchorage, Alaska
North Pacific Fishery Management Council Motion- Final Action

C-1 Gulf of Alaska Fixed Gear Recency

Western GOA and Central GOA Pacific cod fisheries are subject to intense competition, particularly during the A season, when fish are aggregated and of highest value. Competition among fixed gear participants in the Western GOA and Central GOA Pacific cod fisheries has increased for a variety of reasons, including increased market value of Pacific cod products, a declining ABC/TAC, increased participation by harvesters displaced from other fisheries and introduction of capital that has been accrued from participation in rationalized fisheries. The possible future entry of latent effort would have detrimental effects on LLP holders that have exhibited participation in, and dependence on, the fixed gear Pacific cod fisheries. Many fixed gear vessel owners have made significant investments, have long catch histories, and are dependent on the Western GOA and Central GOA Pacific cod resources. These long-term participants need protection from those who have little or no recent history and who have the ability to increase their participation in the Pacific cod fisheries. At the same time, retaining Federal waters opportunities for small community quota eligible (CQE) communities dependent on access to a range of fishery resources and expanding opportunities in Federal waters for small capacity jig operations is valued to promote community protections at a level that imposes minimal impact on historic catch shares of recent participants.

The intent of the proposed amendment is to prevent the future entry or re-entry of latent fixed gear groundfish fishing capacity that has not been utilized in recent years into the Pacific cod fisheries. This requires prompt action to promote stability in the fixed gear sectors of the GOA Pacific cod fisheries, and is expected to be implemented concurrently with the division of GOA Pacific cod among sectors which is currently under consideration. However, this action cannot address continued growth in the waters managed by the State of Alaska.

ALTERNATIVE 2.

Add non-severable, gear-specific Pacific cod endorsements to fixed gear licenses. Pacific cod endorsements would limit entry into the directed Pacific cod fisheries in Federal waters in the Western and Central Gulf of Alaska.

Component 1— Areas included

Western Gulf

Central Gulf (current LLP endorsement includes West Yakutat)

Component 2— Identify and define sectors

The sector definitions for awarding Pacific cod endorsements may be different from those used for the GOA Pacific cod sector split action. The purpose of sector definitions in this action is to allow the Council to select different catch thresholds for the different gear types, operation types, and vessel lengths. Individual licenses may qualify for any combination of a jig, hook-and-line, and pot endorsement if the license meets the respective threshold(s) for the appropriate gear type, operation type, and vessel length.

- Hook-and-line CP
 - Hook-and-line CV
- Option: Hook-and-line ≥ 60
Hook-and-line < 60

- Pot CP
- Pot CV
 - Option: Pot CV ≥ 60
 - Pot CV < 60
- Jig
 - Exempt vessels using jig gear from the LLP requirement (including the Pacific cod endorsement requirement) that use a maximum of 5 jigging machines, 5 lines, and 30 hooks per line.
- CV LLPs that qualify for a pot endorsement that have an MLOA of < 50 ft will be increased to 50 ft MLOA.

Component 3 – Qualifying years

Option 2: 2002-2006

Option 3: Add the qualifying period January 1, 2007 through:

Suboption 2: December 8, 2008

- If a GOA hook-and-line catcher processor LLP license holder was a voluntary non-participant in the Freezer Longliner Coalition informal PSC co-op efforts of 2006, 2007, or 2008, the LLP would receive a Pacific cod endorsement. If gear-specific Pacific cod endorsements are a result of this action, the licenses would receive a hook-and-line Pacific cod endorsement, but would only be allowed to participate in the offshore fishery.

Component 4 – Catch thresholds

Thresholds shall be based on legally retained directed Pacific cod catch in the aggregate during all of the qualifying years in the Federal and parallel fisheries (excluding IFQ catch). Separate and distinct thresholds may be determined for each defined sector.

Jig = 1 landing

Hook-and-line CV < 60 ft MLOA and Pot CV < 60 ft MLOA = 10 mt

Hook-and-line CV ≥ 60 ft MLOA and Pot CV ≥ 60 ft MLOA = 50 mt

Hook-and-line CP and Pot CP = 50 mt

For licenses with an MLOA of ≥ 60 ft but assigned to vessels with an LOA of < 60 ft, those licenses that do not meet the higher threshold (i.e., ≥ 60 ft) can qualify at the lower threshold, however the MLOA of the license will be changed to match the LOA of the vessel if an application for a Pacific cod endorsement is submitted. The LLP licenses must have been assigned to a vessel < 60 ft LOA during the entire qualifying period. The recipient would need to certify the LOA of the vessel as of the effective date of the rule.

Directed Pacific cod catch is defined as landings made when the directed Pacific cod fisheries are open. For purposes of catch accounting, licenses are credited with deliveries or processing activity recorded up to 7 days after the directed Pacific cod season closes.

Component 5 – Stacked license provisions

Where there are multiple LLPs registered to a single vessel, also known as ‘stacking’ of LLPs, groundfish harvest history will be fully credited to all stacked licenses, each carrying its own qualifying endorsements and designations.

Component 7 – CQE communities

Qualified Community Quota Entities (CQEs) in the Central and Western Gulf of Alaska shall be eligible to request, from NMFS, non-transferable fixed gear groundfish licenses with a Pacific cod endorsement for the management area in which the community is located. Each qualified CQE may request additional fixed gear LLPs up to the number listed for each CQE in the table below. These licenses shall have an MLOA of 60 ft and gear designations will be assigned as follows:

- Western GOA LLPs will be endorsed for pot gear
- In the Central GOA, CQEs will have 6 months after implementation to notify NMFS regarding the gear endorsement (pot or hook-and-line) that will be assigned to CQE LLPs. However, if the CQE does not notify NMFS, the following rule will be applied to assign gear endorsements: for each CQE, LLPs will be split 50% pot gear and 50% hook-and-line gear. If there is an odd number of licenses then the additional LLP will be assigned a pot designation.

The LLP is issued to the CQE and the CQE designates the vessel to which the LLP license is assigned. Prior to requesting a LLP, the CQE shall provide NMFS with a detailed plan for soliciting and determining recipients of the CQE permit (similar to the plan requirements of Amendment 66). The CQE shall determine who may use the LLP license and provide them with a letter of authorization. The CQE will attest to NMFS-RAM that the authorized person meets residency requirements as under Amendment 66, with the exception of the IFQ crew member sea-days requirement. The LLP license issued cannot designate more than one vessel per LLP per calendar year.

CQEs that request LLPs shall be required to submit annual reports to the Council and NMFS similar to those required under the CQE halibut and sablefish program. Reports shall be provided separately from reports on the CQE halibut and sablefish program. For example, the reports shall provide information on the distribution of LLPs to community residents, vessels assigned to LLPs, number and residency of crew, and any payments made to CQEs for use of the LLPs.

Table 1. Maximum number of licenses that may be requested by each CQE community, as shown in the third column of the bottom table of the staff handout dated April 3, 2009.

<u>Central GOA Licenses</u>		<u>Western GOA Licenses</u>	
Akhiok*	2	Ivanof Bay	2
Chenega Bay*	2	King Cove*	7
Chignik	2	Perryville*	2
Chignik Lagoon	4	Sand Point*	10
Chignik Lake	2	Total	21
Halibut Cove	2		
Karluk	2		
Larsen Bay*	2		
Nanwalek*	2		
Old Harbor*	2		
Ouzinkie*	7		
Port Graham*	2		
Port Lions	6		
Seldovia	6		
Tyonek	2		
Yakutat*	3		
Tatitlek	2		
Total	50		

*Eligible communities that have formed CQE