Fishery Management Plan for the Kodiak Area State-Waters Pacific Cod Season, 2017

by Nathaniel Nichols

January 2017

Alaska Department of Fish and Game

Divisions of Sport Fish and Commercial Fisheries



Symbols and Abbreviations

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FISHERY MANAGEMENT REPORT NO. 17-01

FISHERY MANAGEMENT PLAN FOR THE KODIAK AREA STATE-WATERS PACIFIC COD SEASON, 2017

by

Nathaniel Nichols

Alaska Department of Fish and Game Division of Sport Fish, Research and Technical Services 333 Raspberry Road, Anchorage, Alaska, 99518-1565

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The Fishery Management Reports series was established in 1989 by the Division of Sport Fish for the publication of an overview of management activities and goals in a specific geographic area, and became a joint divisional series in 2004 with the Division of Commercial Fisheries. Fishery Management Reports are intended for fishery and other technical professionals, as well as lay persons. Fishery Management Reports are available through the Alaska State Library and on the Internet: <u>http://www.adfg.alaska.gov/sf/publications/</u>. This publication has undergone regional peer review.

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ABSTRACT

This document provides an overview of regulations effective for the 2017 Kodiak Area state-waters Pacific cod *Gadus macrocephalus* fishery. The Kodiak Area state-waters Pacific cod season for pot gear is scheduled to open 7 days after closure of the Central Gulf of Alaska (CGOA) federal/parallel Pacific cod pot gear sector A season. The Kodiak Area state-waters Pacific cod season for jig gear is scheduled to open 48 hours after closure of the CGOA federal/parallel Pacific cod jig gear sector A season; however, if the CGOA jig gear sector has not closed by March 15, the state-waters jig gear season may open based on assessment of effort, harvest rate, and remaining federal jig quota. Legal gear for the state-waters Pacific cod season is limited to pot, mechanical jigging machine, and hand troll gear. No more than 60 groundfish pots or 5 mechanical jigging machines may be operated from a vessel. The 2017 Kodiak Area state-waters season Pacific cod guideline harvest level (GHL) is 12,174,904 pounds; pot and jig vessels are each allocated 50% of the total GHL or 6,087,452 pounds.

Key words: Pacific cod, *Gadus macrocephalus*, Kodiak Area, management plan, regulations, jigging machine, pot, guideline harvest level, parallel season, state-waters season

INTRODUCTION

AREA DESCRIPTION

The Kodiak groundfish registration area consists of all waters south of the latitude of Cape Douglas (lat 58°51.10′ N), west of long 149° W, and east of a line extending south from the Alaska Peninsula near Kilokak Rocks (long 156°20.22′ W; Figure 1).

OVERVIEW

Two distinct fisheries for Pacific cod *Gadus macrocephalus* occur within state waters (0–3 nmi) of the Kodiak Area. The parallel fishery is prosecuted concurrent to the federal Central Gulf of Alaska (CGOA) Pacific cod fishery and is managed by adopting most National Marine Fisheries Service (NMFS) regulations and management actions. The Kodiak Area state-waters Pacific cod fishery is prosecuted independent of the federal/parallel fishery and is managed exclusively by the Alaska Department of Fish and Game (ADF&G) under guidelines developed by the Alaska Board of Fisheries.

Parallel Pacific Cod Fishery

When the federal (3–200 nmi) CGOA area is open to directed Pacific cod fishing, the State of Alaska opens a concurrent parallel fishery inside state waters (0–3 nmi). Unless specifically prohibited, the same gear types in the federal Pacific cod fishery are allowed in the parallel fishery, although nonpelagic trawl vessels are prohibited from fishing inside all state waters in the Kodiak Area (5 AAC 39.164(b)(1) *Nonpelagic trawl gear restrictions*).

With the exception of vessels using jig gear, all vessels that participate in the parallel Pacific cod fishery must have an activated vessel monitoring system (VMS; 5 AAC 28.087(c)). Steller sea lion *Eumetopias jubatus* restrictions during the parallel fishery match federal management measures, except for the Cape Barnabas haulout, which is open for pot and jig vessels during the parallel season (5 AAC 28.087); Figure 2).

Vessels that fish exclusively in the Kodiak Area parallel Pacific cod fishery are not required to possess a federal fishing permit (FFP) or a Pacific cod gear endorsement administered through the federal License Limitation Program (LLP). Vessels with an FFP should be aware of federal regulations regarding observer coverage, catch reporting, and LLP requirements prior to participating in the Kodiak Area parallel Pacific cod fishery.

The parallel Pacific cod fishery is divided into 2 seasons: the A season and B season. The parallel Pacific cod A season opens January 1 to pot, longline, and jig gear sectors. The Pacific cod jig gear sector B season opens June 10. The B season for all other gear sectors begins September 1.

Pacific cod harvested during the parallel season are deducted from the federal gear-specific sector harvest allocation. Parallel Pacific cod seasons for the pot and longline sectors close when their respective sector harvest allocations are achieved. The parallel Pacific cod A season for the jig gear sector closes when the jig gear sector harvest allocation is achieved; however, if the A season jig sector harvest allocation has not been achieved by March 15, the parallel jig gear season may close on or about March 15 to allow the Kodiak Area state-waters jig gear season to open.

For additional information regarding federal Pacific cod regulations and harvest updates, contact NMFS Sustainable Fisheries Division (1-800-304-4846 #3), NMFS Office of Law Enforcement (907-486-3298), or the NMFS Observer Program (206-526-4195). For other information regarding the parallel fishery, contact ADF&G in Kodiak (907-486-1840; Appendix A1).

State-Waters Pacific Cod Fishery

State-waters (0–3 nmi) Pacific cod fisheries are open access fisheries and are prosecuted independent of federal/parallel fisheries. Information specific to the 2017 Kodiak Area state-waters Pacific cod fishery is outlined below.

STATE-WATERS PACIFIC COD SEASON

OVERVIEW

Regulations pertaining to the Kodiak Area Pacific cod fisheries begin on page 40 of the 2016–2017 Statewide Groundfish Commercial Fishing Regulations booklet. ADF&G manages the Kodiak Area state-waters Pacific cod season in accordance with the *Kodiak Area Pacific Cod Management Plan* (5 AAC 28.467). Following is a summary of important regulations that govern the 2017 season.

2017 GUIDELINE HARVEST LEVEL

The guideline harvest level (GHL) for the Kodiak Area state-waters Pacific cod season is based on 12.5% of the CGOA Acceptable Biological Catch for Pacific cod. The 2017 GHL for the Kodiak Area state-waters Pacific cod fishery is 12,174,904 pounds. By regulation, 50% of the total GHL or 6,087,452 pounds is allocated to pot gear vessels and 50% of the total GHL or 6,087,452 pounds is allocated to jig gear vessels. Harvest by pot gear vessels greater than 58 feet in length is capped at 25% of the total guideline harvest level or 3,043,726 pounds.

SEASON DATES AND GHL ROLLOVER PROVISIONS

Pot Gear

The 2017 Kodiak Area state-waters Pacific cod season for pot gear will open 7 days after closure of the CGOA federal/parallel Pacific cod pot gear sector A season. The state-waters season for pot gear will close when the Kodiak Area Pacific cod pot gear GHL allocation has been harvested.

If the state-waters pot gear GHL allocation has not been fully harvested by August 28, the statewaters pot gear season will close on August 28 to allow the CGOA parallel Pacific cod pot gear sector B season to open September 1. If the state-waters season is reopened after the federal CGOA pot sector B season closes, the harvest cap on pot vessels over 58 feet in length will be removed. A summary of state-waters and parallel season dates is located in Appendix B1.

Jig Gear

The Kodiak Area state-waters Pacific cod season for jig gear will open 48 hours after closure of the CGOA federal/parallel Pacific cod jig gear sector A season. If the CGOA federal/parallel jig gear sector A season has not closed by March 15, ADF&G may close the parallel (0–3 nmi) jig sector season on or after March 15 and open the Kodiak Area state-waters Pacific cod season for jig gear. ADF&G will close the parallel season based on the department's ability to provide for an orderly fishery through assessment of effort, harvest rate, or remaining federal/parallel Pacific cod jig gear quota.

If the state-waters jig season opens prior to closure of the federal jig sector season, the Kodiak Area state-waters season (0–3 nmi) will be prosecuted concurrent to the federal (3–200 nmi) CGOA jig gear sector Pacific cod season. Vessels that participate in the Kodiak Area state-waters season will be subject to state fisheries regulations, and all Pacific cod harvested will be deducted from the Kodiak Area state-waters jig gear GHL allocation. Vessels that participate in the federal CGOA jig gear sector season will be subject to federal fisheries regulations, and all Pacific cod harvested will be deducted from the federal CGOA jig gear sector season will be subject to federal fisheries regulations, and all Pacific cod harvested will be deducted from the federal CGOA jig gear sector harvest allocation.

When the Kodiak Area state-waters and CGOA federal Pacific cod seasons are open concurrently for the same gear:

- vessels may not simultaneously participate in a Kodiak Area state-waters season and any other Pacific cod season;
- vessel operators registered for a state-waters season must invalidate their ADF&G Kodiak Area state-waters Pacific cod registration prior to participating in a federal Pacific cod season;
- vessel operators participating in a federal Pacific cod season must register with ADF&G prior to participating in the Kodiak Area state-waters Pacific cod season;
- all Pacific cod must be delivered prior to validating or invalidating a Kodiak state-waters Pacific cod registration; and
- vessel operators may validate or invalidate vessel registrations by contacting ADF&G in Kodiak (907-486-1840) during normal state business hours (Monday–Friday, 8 AM to 5 PM).

The Kodiak Area state-waters Pacific cod season for jig gear will close when the Kodiak Area Pacific cod jig gear GHL allocation has been harvested. If the Kodiak Area state-waters jig gear GHL allocation has not been fully harvested by June 8, the state-waters jig gear season may close on June 8 based on inseason assessment of effort, harvest rate, or remaining state-waters GHL to allow the CGOA federal/parallel Pacific cod jig gear sector B season to open June 10. After closure of the federal/parallel CGOA jig gear B season, the state-waters jig gear season will reopen if the state-waters jig gear GHL allocation has not been achieved. A summary of state-waters and parallel season dates is located in Appendix B1.

GHL Rollover Provisions

The Kodiak Area Pacific cod management plan provides additional late season fishing opportunity when the GHL is not fully harvested. If a substantial portion of the total state-waters season GHL remains unharvested on or after September 1, gear limits may be removed to facilitate full harvest of the GHL. If the total Kodiak Area state-waters Pacific cod GHL has not been harvested upon closure of the federal/parallel CGOA pot gear sector B season, ADF&G may reopen the state-waters season to both jig and pot gear with all gear allocations removed. Additionally, the Kodiak Area may be designated as a nonexclusive registration area for Pacific cod after October 30 if projected harvest indicates the GHL will not be fully harvested by the regulatory season closure date on December 31. All actions pertaining to rollover provisions will be announced by ADF&G news release.

VESSEL REGISTRATION REQUIREMENTS

The Kodiak Area is an exclusive registration area for Pacific cod. Once a vessel is registered for the 2017 Kodiak Area state-waters Pacific cod season, that vessel may not be used to take Pacific cod in any other exclusive or superexclusive state-waters Pacific cod management area during 2017. Conversely, a vessel registered for an exclusive or superexclusive state-waters Pacific cod season outside of the Kodiak Area, may not participate in the 2017 Kodiak Area state-waters Pacific cod season unless the Kodiak Area is designated as a nonexclusive registration area after October 30. The Kodiak Area exclusive registration requirements do not apply during a parallel Pacific cod fishery.

Pacific cod vessel registrations may be obtained in person or by fax at the Kodiak ADF&G office. A 2017 Commercial Fisheries Entry Commission (CFEC) interim-use miscellaneous finfish permit card for the appropriate gear type must be obtained prior to registration. CFEC and other fishery related contact information is provided in Appendix A1.

Tender vessel operators must obtain a tender vessel registration for the state-waters Pacific cod season. Tender operators may target Pacific cod with either pot or jig gear while operating as a tender vessel. Separate fish tickets must be completed for fish landed by the tender vessel and for fish taken from other fishing vessels.

LEGAL GEAR, GEAR LIMITS, AND POT BUOY TAGS

Pot, jig, and hand troll gear are the only allowable gear types during the state-waters Pacific cod season. Vessels may not use pot and jig gear at the same time. However, vessel operators may change gear registration by contacting the Kodiak ADF&G office (Appendix A1).

During the state-waters season, groundfish pots of any size may be used to take Pacific cod, although individual tunnel eye openings on pot gear may not exceed 36 inches in perimeter. All pots must be equipped with a biodegradable escape mechanism (5 AAC 39.145 *Escape Mechanism for Shellfish and Bottomfish Pots*). The biodegradable escape mechanism is an opening 18 inches or greater in length placed within 6 inches of the bottom of the pot and secured closed by a single length of untreated, 100% cotton twine no larger than 30 thread count. No more than 60 groundfish pots may be operated from a vessel, unless the pot limit has been rescinded by emergency order on or after September 1.

Buoy tags are required for pot gear when the 60-pot limit is in effect. Tags must be placed on the main or trailer buoy and are available at a cost of \$1.50 per tag from the Kodiak ADF&G office.

If buoy tags are lost during the season, replacement tags may be obtained by contacting ADF&G in Kodiak. The vessel owner, operator, or agent must complete and submit an affidavit form to ADF&G that describes how tags were lost and the location and unique number(s) of each lost tag. Pots with lost tags may remain in the water, but those pots must be secured open with bait and bait containers removed until replacement tags are attached.

A vessel using mechanical jigging machines is restricted to operating no more than 5 machines unless the gear limit has been rescinded by emergency order on or after September 1. No more than 30 hooks may be attached to each machine. There are no limits on the amount of hand troll gear that may be operated from a vessel. Jig vessel operators may use both hand troll and mechanical jigging gear at the same time; however, separate CFEC permit cards and fish tickets are required for each gear type at the time of landing.

POT BUOY MARKING REQUIREMENTS

Buoys attached to groundfish pots must be marked with the permanent ADF&G number of the vessel operating that gear (5 AAC 28.050 and 5 AAC 28.430(b)). The buoy containing the 5-digit ADF&G number may not be marked with any additional numbers; however, symbols and letters are acceptable. Trailer buoys used to mark ownership or string sequence may be marked with any desired numbers, symbols, or letters.

POT STORAGE AND GEAR CONFIGURATION

All pot gear must be open and unbaited at the time of a parallel or state-waters season closure. Open and unbaited pots may be stored at any depth for a maximum of 7 days following the closure date. After 7 days, pots must be removed from the water or stored opened and unbaited in waters 25 fathoms or less.

When the state-waters season opens, the 60-pot limit is in effect. During the 7 days after the state-waters season opens, a vessel may store or transport pots in excess of the 60-pot limit only if those pots are stored open and unbaited in waters 25 fathoms or less or being transported onboard a vessel. After the 7-day period, registered vessels may not operate more than the maximum allowable 60 pots for the remainder of the state-waters season. Following closure of the state-waters season vessel operators may not stack out or move gear into storage while Pacific cod is on board the vessel (5 AAC 28.070 (c)(1)).

Contact NMFS Enforcement (Appendix A1) regarding gear storage in federal waters.

LANDING REQUIREMENTS

Vessels participating in the state-waters Pacific cod season are required to deliver their catch within 48 hours after a closure unless 1) cod were harvested as allowable bycatch in another directed fishery, or 2) the vessel is delayed due to extraordinary circumstances and the vessel operator has contacted an ADF&G representative within 48 hours following the closure and has been granted additional time to reach the port of landing (5 AAC 28.471).

Вусатсн

In state waters (0–3 nmi), ADF&G adopts the NMFS maximum retainable bycatch percentages applicable in federal waters (3–200 nmi) for groundfish species that are not actively managed by the State of Alaska. Federal retainable bycatch percentages are subject to change and may differ between species. Updated retainable bycatch percentages for federally managed species can be

found on the NMFS Alaska Region website at <u>http://www.alaskafisheries.noaa.gov/</u>or by contacting NMFS Enforcement in Kodiak (Appendix A1).

While targeting Pacific cod, vessels using jig gear may retain lingcod *Ophiodon elongatus*, black rockfish *Sebastes melanops*, and dark rockfish *S. ciliatus* up to 20% by weight of Pacific cod onboard the vessel. Jig vessels may not simultaneously target black rockfish and Pacific cod at the same time. Vessels using pot gear may retain lingcod, black rockfish, and dark rockfish up to 5% by weight of Pacific cod onboard the vessel. For both gear types, lingcod may only be retained from July 1 to December 31, and all retained lingcod must be 35 inches or greater in length from tip of snout to tip of tail. Octopus may be retained as bycatch up to 20% by weight of retained Pacific cod and must be landed on the same miscellaneous finfish card used to deliver Pacific cod (5 AAC 38.417). Contact the ADF&G office in Kodiak (907-486-1840) regarding retainable bycatch percentages for state-managed species.

CATCH REPORTING

ADF&G will manage the Kodiak Area state-waters Pacific cod pot gear season using inseason catch reports provided by vessel operators. Vessel operators using pot gear are encouraged to make daily reports of the harvest location, number of pot lifts, and pounds of Pacific cod retained in the previous 24-hour period (midnight to midnight). Inseason catch reports allow ADF&G to consider how changes in effort, tides, and weather influence harvest rates. Catch reports will be satellite (907-486-1840), taken by dispatch (0715),phone email or (nathaniel.nichols@alaska.gov). Reporting worksheets will be issued to vessel operators during registration.

Reports taken by dispatch will occur between 9:00 AM and 10:00 AM daily.

INSEASON ANNOUNCEMENTS

All actions pertaining to regulatory changes in the state-waters season will be communicated to the fleet by dispatch, distributed via the ADF&G news release email subscription service (<u>http://www.adfg.alaska.gov/index.cfm?adfg=cfnews.main</u>), placed on the ADF&G record-a-phone (907-486-4559 #1), and relayed through participating processors and National Weather Service marine weather VHF forecasts when possible. ADF&G will make every effort to provide sufficient advance notice prior to a closure; however, the potential exists for a short advance notice closure.

A weekly harvest update will be distributed each Monday after 4:00 PM while the state-waters season is open. Weekly harvest updates are available on the ADF&G website at <u>http://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareakodiak.groundfish#harvest</u> or from the ADF&G groundfish management office in Kodiak.

FIGURES

ALASKA DEPARTMENT OF FISH AND GAME website: http://www.adfg.alaska.gov/index.cfm?adfg=fishingCommercialByArea.southwest **Kodiak Office** Mail address: 351 Research Court Physical address: 351 Research Court Phone: (907) 486-1840 Kodiak, Alaska 99615 2nd floor, Kodiak, Alaska Record-a-phone: (907) 486-4559 Fax: (907) 486-1824 Mark Stichert Westward Region Shellfish/Groundfish Management Coordinator mark.stichert@alaska.gov Kodiak, Chignik, Alaska Peninsula Area Shellfish/Groundfish Biologist nathaniel.nichols@alaska.gov Nathaniel Nichols Natura Richardson Kodiak, Chignik, Alaska Peninsula Assistant Area Shellfish/Groundfish Biologist natura.richardson@alaska.gov **Dutch Harbor Office** Mail address: P.O. Box 920587 Physical address: F.T.S. building, 2nd floor Phone: (907) 581-1239 Dutch Harbor, Alaska 99692 Airport Beach Road, Dutch Harbor Fax: (907) 581-1572 **DIVISION OF ALASKA WILDLIFE TROOPERS** website: http://www.dps.state.ak.us/AWT/ **Kodiak Office** Mail address: 2921 A Mill Bay Road 2921 A Mill Bay Road Phone: (907) 486-4762 Physical address: Kodiak, Alaska 99615 Kodiak, Alaska Fax: (907) 486-5480 Shane Nicholson larry.nicholson@alaska.gov Sergeant **COMMERCIAL FISHERIES ENTRY COMMISSION** website: http://www.cfec.state.ak.us/ P.O. Box 110302 8800 Glacier Highway #109 Phone: (907) 789-6150 Mail address: Physical address: Juneau, Alaska 99811-0302 Juneau, Alaska Fax: (907) 789-6170 NATIONAL MARINE FISHERIES SERVICE - ALASKA REGION website: http://www.alaskafisheries.noaa.gov/ **Sustainable Fisheries Division** Phone: (800) 304-4846 #3 Juneau Office **Dutch Harbor Office** Phone: (907) 581-2062 **NOAA Fisheries Enforcement Dutch Harbor Office** Phone: (907) 581-2061 Kodiak Office Phone: (907) 486-3298 **NOAA Observer Program** Phone: (206) 526-4795

Appendix A1.–List of fishery contacts by agency and location.

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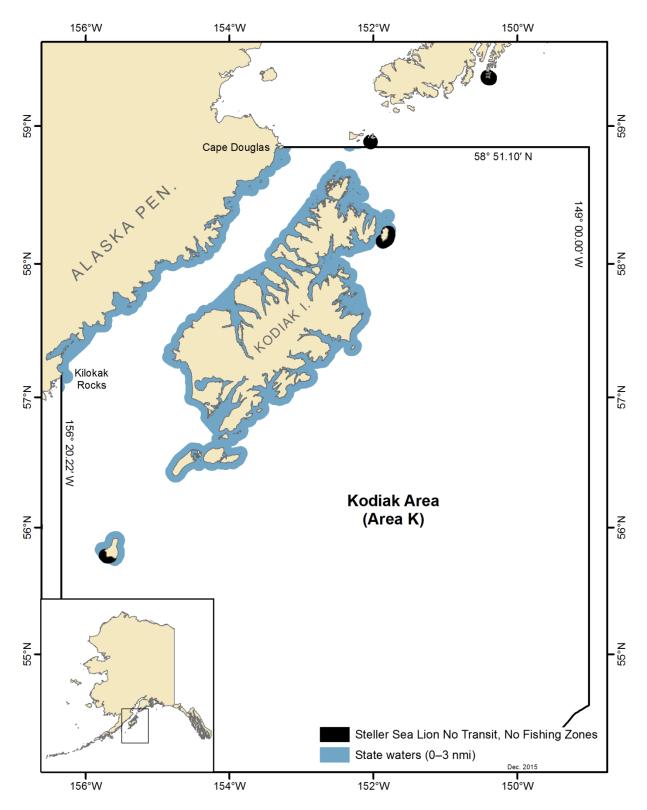


Figure 1.-Kodiak Area for state-waters Pacific cod.

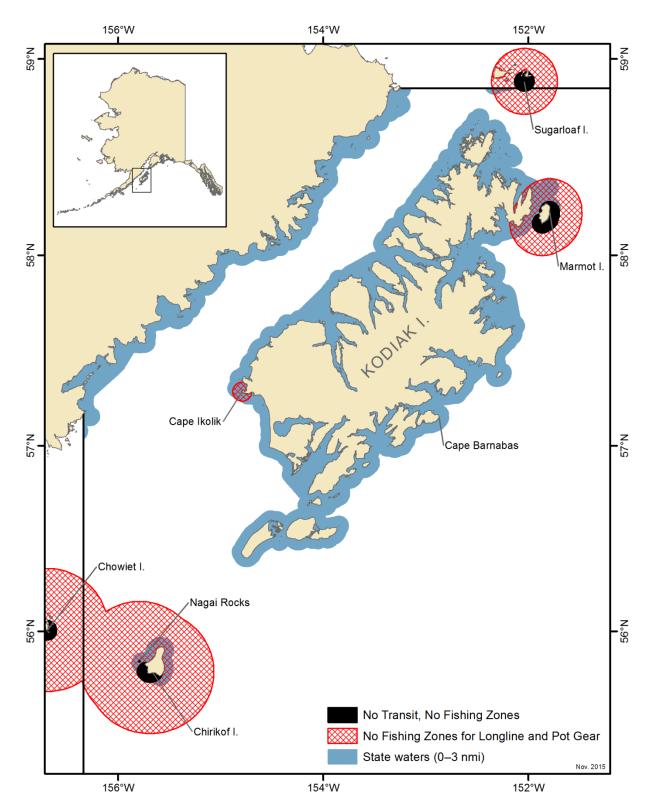


Figure 2.-Steller sea lion closure areas for longline and pot gear during the parallel Pacific cod season in the Kodiak Management Area.

APPENDIX A. LIST OF FISHERY CONTACTS BY AGENCY AND LOCATION

APPENDIX B. SUMMARY OF DATES AND STATE-WATERS GUIDELINE HARVEST LEVELS

Appendix B1.-Summary of Kodiak, Chignik, and South Alaska Peninsula parallel and state-waters Pacific cod season dates and state-waters guideline harvest levels by gear type.

Pacific Cod Season	Kodiak		Chi	gnik	South Alaska Peninsula		
Opening Dates	Pot	Jig	Pot	Jig	Pot	Jig	
Federal/Parallel A Season	January 1	January 1	January 1	January 1	January 1	January 1	
State-Waters Season	7 days after Federal CGOA pot A Season	48 hours after Federal CGOA jig A Season ^a	March 1 or seven days after closure of CGOA pot A Season, whichever is later	March 15	March 7 or seven days after closure of WGOA pot A Season, whichever is later	48 hours after Federal WGOA jig A Season ^b	
Federal/Parallel B Season	September 1	June 10	September 1	June 10	September 1	June 10	
State-Waters GHL Rollover	Following Federal CGOA pot B Season	Following Federal CGOA pot B Season	August 15	August 15	Following Federal WGOA pot B Season	Following Federal WGOA pot B Season	
State-Waters GHL 12,174,904 (whole pounds)		8,522,432 (whole pounds)		24,002,142 (whole pounds)			
GHL By Gear Type	6,087,452 (50%)	6,087,452 (50%)	7,670,189 (90%)	852,243 (10%)	20,401,820 (85%)	3,600,321 (15%)	

Notes: CGOA = Federal Central Gulf of Alaska Management Area; WGOA = Federal Western Gulf of Alaska Management Area

^a If the CGOA federal/parallel A-season jig sector harvest allocation has not been achieved by March 15, the parallel (0–3 nmi) jig gear sector A season may close and the Kodiak Area state-waters season for jig gear may open on March 15 or later depending on ADF&G's ability to provide for orderly fisheries based on inseason assessment of effort, harvest rate, or remaining federal jig quota.

^b If the WGOA federal/parallel A-season jig sector harvest allocation has not been achieved by March 15, the parallel (0–3 nmi) jig gear sector A season may close and the South Alaska Peninsula Area state-waters season for jig gear may open on March 15 or later depending on ADF&G's ability to provide for orderly fisheries based on inseason assessment of effort, harvest rate, or remaining federal jig quota.

This document is for general information purposes only; it is not intended to be a complete list of fishery regulations, nor does it replace or supersede existing regulations. Vessel owners and operators are responsible for understanding all state and federal regulations. For additional information, contact ADF&G in Kodiak at (907) 486-1840 or NMFS Sustainable Fisheries Division at (800) 304-4846 #3.