

SEADAWN FISHERIES, INC.
P. O. Box 352
Newport, OR 97365

May 19, 2016

Ms. Dorothy Lowman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220

RE: Agenda Item G.2. Amendment 21 At-Sea Allocation Revisions

Dear Chairperson Lowman and Council Members:

I am the managing owner of the SEADAWN which has its homeport in Newport, Oregon and has been engaged in the Mothership Whiting fishery for more than 25 years. During that time we have experienced a lot of changes to the fishery but in my view never has the fishery been more destabilized then at the current time.

Currently, the Mothership sector receives an allocation of Whiting which we manage through our Mothership Cooperative with all kinds of rules and restrictions to minimize bycatch to the maximum extent possible. However, the amount of bycatch allocated to the Mothership Whiting sector is so insufficient that no matter what we do to avoid bycatch and no matter how many times our group moves we are constantly at risk of being shut down even though we have imposed costly and stringent restrictions on ourselves.

Our Mothership Cooperative, in order to manage the harvest of our Whiting and minimize bycatch has divided the fishery into different pools with different seasonal opening dates. Our first pool opened May 15th and with less than 5% of the Whiting harvested in that pool, over 40% of the POP has already been taken. The problem isn't a result of the Whiting catcher vessels harvesting significant amounts of POP but rather it is because the amount of POP available for the Whiting fishery is so terribly insufficient. In the first pool we have over 27,000 tons of Whiting to be harvested and only 2.7 tons of POP to support it. That simply is not enough and puts the fishery in jeopardy on a day by day basis. The same is true with regards to Dark Blotch, Canary and Widows.

My vessel, like the majority of those engaged in this fishery, are family owned vessels which provide significant employment and economic benefit to the local coastal communities. We spend huge amounts of money to prepare for this Mothership Whiting fishery on an annual basis but are constantly faced with the risk of premature closures and facing large financial losses as a result. In 2014 our fishery was prematurely closed

because of a one day series of lightening strikes of Dark Blotch. Thankfully, the Council took emergency action to reopen, but we cannot rely on this kind of action on a regular basis. The Mothership Whiting fishery is a major fishery and deserves to be truly rationalized and to do so we need more bycatch.

The Mothership sector does not have the luxury that the Shoreside Whiting fishery or the traditional groundfish fishery has as a result of the Groundfish rationalization program. We do not have the ability to acquire more bycatch like the other sectors do on our own in the event of bycatch events so we are at the mercy of the Council to provide our sector with enough bycatch so we have a reasonable chance of success without the constant risk of being shut down.

The Council action in April provides a reasonable proposal that will provide the Mothership and the Factory Trawler sector relief. We are greatly appreciative of this proposal but it is imperative that the process is completed so the Mothership sector has adequate bycatch to support a rationalized Whiting fishery by the beginning of the 2017 season so that we have a reasonable opportunity to harvest our Whiting.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'F. Yeck', written in a cursive style.

Fred A. Yeck, President

SEADAWN FISHERIES, INC.
P. O. Box 352
Newport, OR 97365

May 23, 2016

Ms. Dorothy Lowman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220

RE: Agenda Item G.2. Amendment 21 At-Sea Allocation Revisions

Dear Chairperson Lowman and Council Members:

I have already submitted written comment on behalf of the SEADAWN, describing the critical need for more bycatch if the Mothership Whiting fishery is ever to be truly rationalized.

However, since the date I wrote those comments I received an email from my Captain which I am now forwarding to the Council as additional comment on this bycatch issue.

I felt that this unedited email from my Captain would be informative to the Council to see the plight and to review first hand what our vessels Captains and crew are going through on a daily basis under the current conditions.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Fred A. Yeck', with a long horizontal flourish extending to the right.

Fred A. Yeck, President

Fred Yeck

*Attachment to Public Comment letter dated May 23, 2016
of Fred Yeck (SEABOARD Fisheries)
to the PFM*

From: Rich Wyatt <rw Wyatt@comcast.net>
Sent: Saturday, May 21, 2016 12:15 PM
To: Fred Yeck
Cc: Fred Yeck Jr
Subject: 5/21 Daily

Hi Fred,

As of this morning we are on day 2.5 of running up and down the coast looking for whiting in an area where we can reasonably work with next to zero bycatch. We have run over a few nice bodies of fish but the chance of us catching even a small amount of rockfish bycatch in our tows has our fleet, in my opinion, paralyzed. As you know, as of this morning there has been less than 20 percent of available MS first pool whiting harvested while the Widow and POP rockfish totals now stand at roughly 45 percent taken.

Our fleet has made what I feel is a valiant effort to run from even minute amounts of bycatch in the hopes of finding the zero or next to zero spot where we can work but to no avail.

We ran through the C/P fleet yesterday in the hopes that what they are working on out in the deeper water could sustain us. Their catch rate has been at 10mt/hr or less which is half production for many of them. There is about as much horsepower in one C/P as in our whole C/V fleet, hence their 10 mt/hr works out to about 2.5 mt/hr for a CV. That will not work for us so we continued on. Also the C/P fleet is triggering bycatch alarms on Dark Blotched rockfish which is one of our more constraining species.

As an illustration of that same Dark Blotched rockfish constraint, I delivered a tow of whiting the other day with 10 kilos of Dark Blotched rockfish bycatch. The tow itself had 53, 000 kilos of whiting. Run the math on that for an eye opener. That tow was 2.2 times the acceptable bycatch rate of Dark Blotched rockfish needed to be maintained to prosecute the first pool fishery when it began. Very tough. Unrealistically so in my view as someone who has fished 20 plus spring whiting seasons.

I am fearing that we have dialed ourselves and been dialed down to the point where existing bycatch constraints make this fishery a very expensive gamble and not realistically a prosecutable and financially viable one.

As always we continue to keep trying and remain hopeful that we can pull this off though the numbers are stacked against us.

We are on our way north now back to where we first started our search and if we don't find something to work on between here and there will most likely join the fleets already fishing there which will raise the chances that the smoke of a trickle of bycatch where they are at will turn into a full blown fire.

Apologies for what you can tell is frustration over our situation and anxiety that I will be the one who while trying to do surgery with a butter knife will kill the patient.

I should have brought more Roloids,

Rich



2157 N. Northlake Way
Suite 210
Seattle, WA 98103

PHONE: (206) 784-5000
FAX: (206) 784-5500
www.starboats.com

Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97720

RE: Agenda Item G.2. Amendment 21 Allocations

Dear Madame Chair,

Please accept these comments on behalf of Aleutian Spray Fisheries. We manage two trawl catcher vessels (f/v Muir Milach and f/v Nordic Star) that are heavily involved in and dependent on both the at-sea mothership and shoreside Pacific whiting sectors.

We need the Council to move forward with making more bycatch available to the at-sea sector so that our vessels have a reasonable expectation of achieving their allocations. Currently we simply don't have that. With the amounts of darkblotched, canary and widow rockfish as well as Pacific Ocean Perch available to the mothership sector it is almost operationally infeasible for us to catch our fish.

Rockfish stocks have rebuilt much quicker than anticipated at the same time that the whiting TACs are at all time highs. The co-occurrence with these "choke" species while fishing whiting are increasing in spite of the herculean efforts that the mothership cooperative members employ to avoid bycatch. We are spending huge amounts on fuel as we seek out "cleaner" fishing grounds where the whiting are in high aggregation and the choke species are less plentiful. Unfortunately, when you leave one area to avoid darkblotched you end up in another area high in Pacific Ocean Perch. All the while we are attempting to avoid salmon as well.

The Council has taken this need seriously and taken several short-term actions over the last few years to make more bycatch available to the at-sea mothership sector. While we strongly supported the concept that would allow mothership cooperative members to access limited amounts of their shoreside quota, it appears that the agency now has several concerns with this approach. As an alternative, the Council forwarded a new approach in April that includes a fishery plan amendment to manage the four choke species as set-asides instead of hard caps and also increases the amount of each species available to the MS sector without causing harm to the shoreside sector. Since our vessels participate in both sectors we appreciate this proposal and believe it is a fair approach to help alleviate the problem during the next several years.



2157 N. Northlake Way
Suite 210
Seattle, WA 98103

PHONE: (206) 784-5000
FAX: (206) 784-5500
www.starboats.com

The cascading effects of all the regulations (both coop mandated and within regulations) makes operation of the mothership catcher fleet a nightmare and one that our captains are finding increasingly difficult to manage. Individually and as a fleet they are doing everything humanly and technically possible to avoid bycatch. With industry-funded gear modifications and research, with sonars and electronics and with full cooperation and monitoring within the entire catcher vessel fleet, extraordinary measures are taken in order to avoid and reduce bycatch. The Council should assist these efforts with regulations and adequate allocations of choke species to the mothership sector.

Thank you for your consideration.

Sincerely,

Craig Cross 

Jeff Lackey
PO Box 1010
Newport, OR 97365

Ms. Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

May 26, 2016

RE: Agenda Item G.2. Amendment 21 At-sea Sector Allocation Revisions

Dear Chair Lowman and Council Members:

I manage Catch Shares participating vessels Seeker and Miss Sue. The Seeker is a long time participant in both shoreside and mothership hake fisheries. The Miss Sue is a long time participant in both shoreside hake and groundfish trawl fisheries. I fully support the Council's direction in providing increased amounts of four rockfish species available to the at-sea sector in the form of set-asides.

The need for the increase for each of the four species is clear: The proposed canary and widow at-sea set-aside increases are much less than the proportional species ACL increases from 2016 to 2017. Darkblotched troubles in the at-sea hake fishery are well known, particularly after the 2014 mothership fishery was shut down. The least discussed of the four rockfish species is POP, but is becoming perhaps the most constraining.

The first eleven days of the spring mothership fishery have been far less efficient than they could be if more sufficient amounts of the four rockfish species were available. Vessels are often refraining from fishing in the most abundant hake areas and they are traveling hundreds of miles in search of other areas. POP is the species causing the most movement and fleet inefficiency. More than a third of the 2016 mothership hake quota is committed to the first pool, but on day 12 only 33% of pool #1 hake has been caught and 73% of pool #1 POP has been caught. With POP, we may well be in a similar situation to canary where a species is far more abundant than allocated amounts reflect, as it takes time for science and fishery managers to catch up. There were times in 2015 and now already in 2016 when the only significant hake congregations were off the coast of Washington, but POP catch is near certainty anywhere north of the river when targeting hake.

Even though IFQs (shoreside hake & groundfish trawl) represent a majority of the collective west coast interests of the two vessels I manage, I still strongly support the increased at-sea set-asides because these four species are allocated in amounts far more constraining for at-sea than shoreside, and this is an issue of fairness & equity. If fact, addressing inefficiencies and inequities resulting from the current inadequate at-sea allocations of these four species would be an action in line with National Standards 1, 4, 5, 7, & 8.

Thank you,

A handwritten signature in cursive script that reads "Jeff Lackey".

Jeff Lackey



ARCTIC STORM MANAGEMENT GROUP, LLC

2727 Alaskan Way, Pier 69
Seattle, Washington 98121 U.S.A.

Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR

May 26, 2016

RE: Agenda Item G.2. At-sea Sector Revision of Bycatch Allocations

Dear Chair Lowman,

Arctic Storm Management Group would like to express its appreciation and support for the action taken by the Pacific Fishery Management Council in April to consider an increase of the at-sea sector allocations of rockfish bycatch to amounts that will allow the at-sea sectors to harvest whiting in a rational manner. We hope the Council will identify a range of alternatives including a preferred alternative at its June meeting so that final action can be taken in time for implementation in the 2017 fishery. We support a preferred alternative that would increase to the MS sector bycatch of canary rockfish to 30 MT, DKB to 20 MT, POP to 15 MT and widow rockfish to 271 MT. We also fully endorse identification of these allocations as set-asides rather than hard caps.

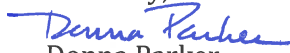
The 2016 MS whiting fishery has been a disaster since it opened 11 days ago. Within 24 hours a single tow used 33% of our first pool seasonal allocation of POP. Since that time the fleet has moved up and down and up again along the 600 miles of Washington and Oregon coastline to avoid the four rockfish bycatch species. Despite these costly moves and increased, self-imposed closure areas, the MS sector has used 75% of its POP and 55% of its widow seasonal pool allocations to harvest only 33% of its whiting.

These statistics translate into a harsh reality for participants in the fishery. Our two Motherships, the Arctic Storm and Arctic Fjord, and our fleet of six catcher vessels have travelled nearly 2000 miles up and down the coast trying to avoid bycatch. In transit a MS burns about 6,000 gallon of fuel a day and a CV about 600 gallons a day. They also incur considerable overhead to feed hundreds of people per day and insure the vessels. Travelling means little or no fishing on those days but plenty of overhead. But the worst factor is the lack of whiting coming on board daily. When the fishery is operating as it should, each of our motherships should be processing about 400 MT a day of delivered fish harvested by catcher vessels. But that's not what is happening. As seen in the attached catch reports for our two MS, the average delivered harvest in the first 11 days is 197 MT/day for the AS and 146 MT/day for the AF. When the factory has to be turned on and off to accommodate small and sporadic deliveries, recovery rates drop significantly. That means we have a lot less product to sell to the marketplace and everyone makes a lot less money per ton of fish with a much increased overhead per ton of fish.

This seems a tragic state of affairs because the whiting biomass has never been higher and the rockfish stocks needed to harvest the whiting are rebuilding at such a rapid pace that three species are already rebuilt and the remaining one seems soon to follow. Their growing biomass has also contributed to underutilization of these species in other fisheries. These circumstances were not contemplated when hard cap allocations of these species were made as part of Amendment 21. Simply, the at-sea sector's small allocation of rockfish is now insufficient while the shoreside fishery generally leaves more than 50% of its allocation of these four rockfish species in the water. The Council's proposed modest revision of these allocations to the at-sea sector, though only a small amount of the unused shoreside allocation, will make a huge difference in the at-sea sectors' ability to achieve Optimum Yield without compromising fish stock conservation goals or interfering with other fisheries. It is a win/win scenario for the west coast fisheries and complies best with National Standard 1 which seeks to strike a balance in achieving OY while sustaining the resource.

Thank you for consideration of our comments and your attention to the whiting fishery.

Sincerely,



Donna Parker

Director, Government Affairs

Arctic Storm Management Group

Attachment 1, pg. 1
Arctic Storm catch report
as of 5/25/16

Vessel	Date	Hake (mt)	Widow Rate (kg/mt)	Canary Rate (kg/mt)	Dark Blotched Rate (kg/mt)	POP Rate(kg/mt)	Chinook rate (N/mt)	Rougheye Rate(kg/mt)
Arctic Storm	05/15/16	272.815	0.095	0.000	0.018	0.000	0.000	0.264
Arctic Storm	05/16/16	0.115	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Storm	05/17/16	441.973	1.812	0.009	0.000	0.002	0.000	0.000
Arctic Storm	05/18/16	346.83	0.911	0.000	0.009	0.003	0.000	0.000
Arctic Storm	05/19/16	203.529	1.872	0.000	0.034	0.000	0.000	0.000
Arctic Storm	05/20/16	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Storm	05/21/16	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Storm	05/22/16	380.389	0.032	0.000	0.034	0.058	0.000	0.155
Arctic Storm	05/23/16	182.500	0.005	0.000	0.055	1.375	0.011	0.000
Arctic Storm	05/24/16	22.801	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Storm	05/25/16	321.388	0.560	0.000	0.009	0.000	0.000	0.000
	<i>average</i>	<i>197 mt</i>						
Totals		2172.340	0.790	0.002	0.019	0.127	0.001	0.060
	Base rate		1.66	0.08	0.09	0.10	0.04	0.33
	150 % of base		2.49	0.11	0.13	0.14	0.06	0.46
	200% of base		3.32	0.16	0.18	0.20	0.08	0.66

ENTER THE mt EACH DAY IN COLUMNS TO THE RIGHT OF THE BLACK LINE. DATA FROM CM

FORMULA WILL DO THE CALCULATION BELOW FOR YOU

HOW TO FIGURE CALCULATION:

Multiply by catch MT by 1,000. Then divide MT of Whiting to get kg bycatch per mt of whiting.

Rockfish MT= .023 mt

Example Whiting MT= 165.700 mt

23 x 1,000= 23 then 23/165.700= .139 kg/mt rockfish

Bycatch rate cells (above) will turn red if the daily bycatch rate exceeds 200% of the base rate. For **motherships** this means an immediate move
Note that other conditions defined in the MS coop agreement may also require mothership fleets to move.

Note that any tow that has a bycatch rate over the base rate, for any species other than roughye and dogfish, should be reported on the Elevat
Motherships are also required to immediately report to other mothership fleets the occurrence of any tow having any species' rate that is over

Attachment 1, pg. 12
Arctic Fjord catch report
as of 5/25/16

Vessel	Date	Hake (mt)	Widow Rate (kg/mt)	Canary Rate (kg/mt)	Dark Blotched Rate (kg/mt)	POP Rate(kg/mt)	Chinook rate (N/mt)	Rougheye Rate(kg/mt)
Arctic Fjord	05/15/16	242.282	0.161	0.000	0.021	0.025	0.000	0.078
Arctic Fjord	05/16/16	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Fjord	05/17/16	306.622	1.138	0.000	0.036	0.000	0.000	0.026
Arctic Fjord	05/18/16	279.721	1.605	0.000	0.000	0.000	0.000	0.000
Arctic Fjord	05/19/16	110.908	0.442	0.000	0.099	0.000	0.000	0.000
Arctic Fjord	05/20/16	2.067	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Fjord	05/21/16	0.993	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Fjord	05/22/16	304.298	0.020	0.010	0.062	0.102	0.000	0.187
Arctic Fjord	05/23/16	143.169	0.056	0.000	0.056	0.154	0.000	0.028
Arctic Fjord	05/24/16	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Arctic Fjord	05/25/16	217.603	1.287	0.000	0.000	0.023	0.000	0.018
	average	146 mt						
Totals		1607.663	0.734	0.002	0.034	0.040	0.000	0.057
	Base rate		1.66	0.08	0.09	0.10	0.04	0.33
	150 % of base		2.49	0.11	0.13	0.14	0.06	0.46
	200% of base		3.32	0.16	0.18	0.20	0.08	0.66

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Bycatch rate cells (above) will turn red if the daily bycatch rate exceeds 200% of the base rate. For **motherships** this means an immediate move. Note that other conditions defined in the MS coop agreement may also require mothership fleets to move.

Note that any tow that has a bycatch rate over the base rate, for any species other than roughye and dogfish, should be reported on the Elevat **Motherships** are also required to immediately report to other mothership fleets the occurrence of any tow having any species' rate that is over

Dave Smith
PO Box 902
Newport, OR 97365
(541) 270-2085

Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Agenda Item G.2.

Dear Madame Chair & Council Members

My name is Dave Smith and I own and operate the f/v Lisa Melinda. My vessel has been fishing in the at-sea and the shoreside whiting sectors for 33 years and pacific whiting is a major part of my vessel's portfolio.

If the at-sea season closes prematurely it directly impacts my business, the processor I deliver to and the people who work on my boat. It also impacts the community I live in and where I get fuel, maintenance and other services. I am an advisor to the Joint Management Committee that manages Pacific whiting through the treaty process and I also Chair the Bycatch Committee for the At-sea Mothership Cooperative.

Simply put, we need more bycatch available to the at-sea fishery in order to successfully attain our allocations of whiting. The amounts provided to us are so low that we have to take extraordinary measures in an attempt to avoid bycatch. Avoiding four rockfish species and salmon that all exist in different areas and depths in the ocean is challenging and costly. The bycatch mitigation measures employed by the at-sea cooperative members are stringent. They are mandatory and every catcher vessel that participates in the fishery must adhere to them or face punitive sanctions. The measures are well documented and reviewed each year when we complete our bycatch agreement prior to the start of the season. They have been made public on multiple occasions and I believe you have seen them previously and if you have read the multiple pages of rules you will agree that are significantly constraining.

We have record high whiting TACs and minimal bycatch allocated to our sector to catch that whiting. When I'm fishing shoreside I can simply purchase more bycatch when I need it. I don't have that luxury in the at-sea fishery. This year our problem in the first few weeks has been Pacific Ocean Perch. We have 15,868 pounds of Pacific Ocean Perch available to the entire MS sector in order to catch over 159 million pounds of whiting. How is this possibly fair and equitable?

In April the Council took action to make more bycatch available to the at-sea sector beginning in 2017. I strongly urge the Council to continue that effort and endorse the April action during the June meeting. I'm aware that the proposed changes require a plan

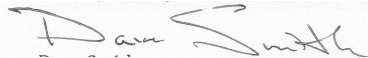
amendment and that is something that takes resources and time but the action is well justified and I believe it can be accomplished in time for the 2017 whiting season.

Please identify a range of alternatives for detailed analysis and final action in September 2016. I urge you to select a preliminary preferred alternative that reflects the proposals in April that include managing the four choke species (darkblotched, canary and widow rockfish and Pacific Ocean Perch) as set-asides for the at-sea fishery instead of hard caps to provide more flexibility to the fleet and managers. And please support a preliminary preferred alternative that increases the amounts of bycatch species available to the mothership sector that were recommended and supported by the Council:

- Canary rockfish 30 mt
- Darkblotched rockfish 20 mt
- Pacific Ocean Perch 15 mt
- Widow rockfish 261 mt

The mothership whiting fishery is an important one that contributes significant economic benefits to coastal communities. It is not fair or equitable that the fleet has such stunningly low bycatch amounts available to them with record high whiting TACs to harvest. I urge you to continue the important work that you have started so that we can be afforded at least a small amount of relief in 2017.

Thank you for your consideration.

A handwritten signature in dark ink, appearing to read "Dave Smith", is written over a light gray rectangular background.

Dave Smith
f/v Lisa Melinda



Ms. Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97

May 26, 2016

RE: Agenda Item G.2. Amendment 21 At-sea Sector Allocation Revisions

Dear Chair Lowman and Council Members:

Please accept these comments on behalf of Midwater Trawlers Cooperative (MTC) and United Catcher Boats (UCB). Collectively MTC and UCB represent the majority of catcher vessels that participate in the at-sea mothership and shoreside whiting fisheries. We wish to express our thanks to the Council for the actions taken at the April PFMC meeting to make increased amounts of bycatch available to the at-sea whiting sectors. At this meeting we recommend that the Council identify a range of alternatives for detailed analysis and identify a preliminary preferred alternative that corresponds with the range of actions taken during the April PFMC meeting, including increasing the total amounts of choke species available to the mothership sector to be as follows: canary rockfish 30 mt, darkblotched rockfish 20 mt, Pacific Ocean Perch 15 mt and widow rockfish 271 mt. We also support the Council recommendation to manage the four choke species allocations as set-asides versus hard caps. Further, we believe the Council recommendations can be analyzed and implemented for the 2017-whiting season without jeopardizing the timely implementation of the 2017-2018 specifications process.

The need for this action is urgent. As of the writing of this letter the MS fleet has dodged the daily risk of imminent and premature closure of its fishery. Within 24 hours of the whiting season opener on May 15th, a disaster tow of Pacific Ocean Perch (POP) occurred off of Washington in the mothership sector using nearly one-third of the POP available to the sector's first pool fishery. Because the allocations of bycatch to the mothership sector are so small, the annual season is divided up into five separate pools so that those fishing earlier in the season will not pre-empt those who fish later in the season. Within 10 days of the season opener the Whiting Mothership Cooperative Board held an emergency meeting in order to impose additional restrictions and closures upon the mothership fleet based on incidence of POP interactions. These restrictions are in addition to the lengthy list of bycatch avoidance measures already employed by the MS fleet and the existing, self-imposed area closures that cumulatively exceed the area of Mt. Rainier National

Park. Despite these precautionary efforts and only 12 days into the first seasonal pool allocation, the fleet has used 72.2% of the first pool allocation of POP and 55.5% of its widow allocation to catch only 28.5% of the first pool's whiting. (See attached daily Whiting Mothership Coop Report). In the 199 tows made by the MS fleet to date, bycatch rates for the four choke species have exceeded the bycatch base rate more than 82 times. The base rate is the whiting allocation divided by the specific rockfish allocation to determine the maximum average bycatch rate that would allow full harvest of the whiting allocation.

April 2016 Actions

The Council took several actions in April to address the inadequate amounts of the four constraining rockfish species utilized in the at-sea whiting sectors. First the Council recommended increases in the canary and widow rockfish allocations and this action could be addressed under the 2017-2018 groundfish specifications process. Next the Council recommended increases in the darkblotched and Pacific Ocean Perch allocations. These increased allocations require a fishery management plan (FMP) amendment because the allocations to the at-sea whiting sectors are hard-wired through Amendment 21. Lastly, the Council recommended managing all four choke species as "set-asides" instead of "hard allocations" in order to provide for maximum management flexibility. Managing the allocations to the at-sea sectors as set-asides also requires an FMP amendment.

Fishery Management Plan Amendments

Council Operating Procedure 11 describes a 3-meeting process for FMP amendments. It is our understanding based on communications with Council staff that the April PFMC meeting served as the first meeting in this process. June 2016 will serve as the second meeting where the Council will identify a range of alternatives for detailed analysis as well as select a preliminary preferred alternative if possible. The third and final meeting is currently anticipated to be in September 2016 where the Council will take final action on the plan amendment. This leaves an additional 8.5 months for completion of analysis and rulemaking prior to the start of the whiting season on May 15, 2017. In addition to Council staff, Washington Department of Fish and Wildlife (WDFW) and Oregon Department of Fish and Wildlife (ODFW) have generously provided staff support in order to assist with completion of necessary analysis so as not to overly burden NMFS staff that are working to implement the 2017-2018 groundfish specifications on time. The impacted industry also stands ready to assist with providing additional details that can help inform the analysis.

Need for Action

There is broad Council and stakeholder agreement that the amounts of bycatch available to the at-sea whiting sectors are inadequate and these low amounts of choke species threaten the at-sea sectors' ability to achieve optimum yield for their target fishery. The Council and NMFS have previously recognized the need to provide more bycatch to the at-sea sectors and have taken several short-term actions over the last two years to address the situation beginning with an emergency Council meeting in October 2014 to address a premature closure of the mothership sector that stranded millions of dollars worth of fish in the water. In 2015 the Council took inseason action to make more darkblotched rockfish available to the at-sea sectors in order to

prevent a premature closure like the one experienced in 2014. In late 2015 and early 2016 the Council moved forward a new management measure for consideration that would allow limited transfers of choke species between the shoreside and mothership sector and lastly in April of 2016 the Council landed on the actions described above in paragraph two that would make larger amounts of widow, darkblotched and canary rockfish as well as pacific ocean perch available to the at-sea sectors and managed as set-asides instead of hard allocations. There is no way to increase the at-sea allocations of Darkblotched rockfish and Pacific Ocean Perch without a plan amendment, as these allocations were hard-wired when Amendment 21 was implemented. Similarly, managing the allocations as hard caps is also a part of the management plan and transitioning management of the allocations to “set-asides” is not possible without a plan amendment.

NMFS has expressed some concern that proceeding with this plan amendment could impact the agency’s ability to meet the January 1st implementation deadline for the 2017-2018 specifications process. Compounding the concern is the hesitation regarding how to implement the 2017 specifications when some of the numbers could change based on ongoing rulemakings. After consideration of the current regulatory tools available to managers combined with a review of previous Council and agency actions related to other groundfish species, there is precedent where quota pounds could be “held back” from distribution to the shoreside fishery while a simultaneous rule-making is ongoing. This has previously occurred with halibut as well as whiting.

Current Situation

Since implementation of the Trawl ITQ program, the shoreside sector has routinely left considerable amounts of quota pounds of widow, canary and Darkblotched rockfish as well as Pacific Ocean Perch in the water as described below in Table 1.

Table 1

	2011	2012	2013	2014
Canary Rockfish				
Sector Quota LBS	57,100	57,761	87,964	90,610
Quota LBS remaining	48,975	47,386	70,724	76,017
Unharvested %	85%	82%	80%	84%
Darkblotched Rockfish				
Sector Quota LBS	552,997	548,808	587,976	613,789
Quota LBS remaining	352,733	404,338	383,323	456,086
Unharvested %	64%	74%	65%	74%
Pacific Ocean Perch				
Sector Quota LBS	263,148	263,441	241,241	247,535
Quota LBS remaining	161,715	169,015	152,657	179,310
Unharvested %	61%	64%	63%	72%
Widow Rockfish				
Sector Quota LBS	755,348	755,352	2,191,016	2,191,020
Quota LBS remaining	451,645	485,325	1,352,385	951,068
Unharvested %	60%	64%	62%	43%

While collectively the shoreside sector has stranded large amounts of allocation in the water, individuals participating in the shoreside fishery that might find themselves constrained by bycatch have the ability to obtain more bycatch through the open market, trades or otherwise. In the at-sea sector we do not have that luxury as current regulations prohibit the transfer of quota between the shoreside and at-sea sectors. On any given day there is more darkblotched rockfish for sale on the Jefferson State Auction than the entire mothership annual allocation.

The Council actions in April propose a fair and equitable solution that imposes little risk or harm to the shoreside sector while allowing the at-sea sector reasonable access to constraining species resulting in an expectation that the at-sea sectors will achieve their whiting allocations. Further, if the allocations are managed as set-asides and the set-asides were to go unused, there is an opportunity for managers to transfer the unused quota back into the shoreside sector later in the year for use in that season's fishery or as quota that could be rolled over into the following year.

We therefore request that during the June meeting the Council identify a range of alternatives for detailed analysis and identify a preliminary preferred alternative that reflects the Council's intent with their April actions. This would increase the total amount of choke species made available to the MS sector as follows; 30 mt of canary rockfish, 20 mt of DKB, 15 mt of POP and 271 mt of widow rockfish. We also fully support identification of choke species allocations to the at-sea sectors as set-asides rather than hard caps.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Heather Mann".

Heather Mann
Midwater Trawlers Cooperative

A handwritten signature in cursive script that reads "Brent C. Paine".

Brent Paine
United Catcher Boats

Robert Smith
F/V Raven
Newport, Oregon

Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 SE Ambassador Place, Suite 101
Portland, OR 97220

May 26, 2016

RE: Agenda Item G.2. At-sea Allocations

Dear PFMC Members

My name is Robert Smith and I own and operate the F/V Raven that is home ported in Newport, Oregon. The F/V Raven has been involved with the whiting fishery since the fishery's inception and I participated during the joint venture days with the Soviet Union. I traveled to the November and April PFMC meetings to testify on the topic of inadequate bycatch amounts for the at-sea mothership fishery. I support the Council moving forward with the plan amendment process to implement the recommendations that came out of the April meeting.

Specifically, I support increasing the amounts of the four constraining rockfish species to the mothership sector as follows: 30 mt for canary rockfish, 20 mt for darkblotched rockfish, 15 mt for pacific ocean perch, and 271 mt for widow rockfish. I also support managing these at-sea allocations to the mothership sector as set-asides versus hard caps.

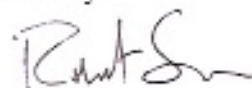
The F/V Raven participates in both the at-sea and shoreside whiting sectors. We began the 2016 season fishing shoreside and delivering into Astoria. As with the at-sea fishery, the shoreside fishery also experienced challenges with bycatch within a day of the start of the fishery. I have already had to go out to the market and purchase more canary and pacific ocean perch to support my shoreside whiting fishery. But I can't do that in the at-sea sector. When I begin fishing off-shore later this season there is no opportunity to go out and acquire more bycatch if I need it. Whether there will even be an offshore fishery later in the year is uncertain.

If the mothership fishery is closed prematurely due to hitting a bycatch cap it will strand a lot of fish in the water and that results in negative economic impacts to harvesters and their crew, to the processors and their work force, the coastal communities where the catcher vessels reside and purchase services like fuel and groceries.

The problem of too little bycatch available to the mothership sector is well documented and there appears to be council consensus that something should be done. The Council has taken several short term actions over the last two years to provide more bycatch to the at-sea fishery. It is time to take a more long-term approach and put management in place that provides maximum flexibility and allows harvesters the opportunity to achieve their allocations.

Please identify a range of alternatives for analysis at this meeting and select the preliminary preferred alternative that mirrors the Council recommendations from April (articulated above). Taking final action in September 2016 will allow at least 8 months to complete the rulemaking in time for the 2017 whiting season. Thank you for your attention to this very important matter.

Sincerely



Robert Smith
F/V Raven

F/V Pegasus
Newport, Oregon

Dorothy Lowman, Chair
Pacific Fishery Management Council
Portland, OR 97220

May 25, 2016

Dear Madame Chair and Council

The F/V Pegasus is a long-term participant in both the at-sea and shoreside Pacific hake sectors. The boat is home-ported in Newport and I traveled to both the November 2015 meet in southern California and the April 2016 Council meeting in Washington in order to provide public comment on the lack of bycatch in the mothership sector and how that negatively impacts the ability of the f/v Pegasus to harvest its hake allocation.


The Council has recognized the desperate need to make choke species more available to the mothership sector. I ask that you continue that effort at your June meeting. Please endorse the action you took in April which was widely supported by Council members this included increases in amounts of four choke species (canary, widow and darkblotched rockfish and Pacific Ocean Perch). Further the f/v Pegasus also recommends managing the choke species as set-asides for the at-sea fishery instead of hard caps. This provides managers with more flexibility and also allows unused pounds to be reallocated back to other sectors towards the end of the year.

The F/V Pegasus is a major participant in the shoreside fishery too. If we get into bycatch trouble there, we can go out on the market and obtain more quota pounds to cover what we need. The reason we so strongly supported the mothership transfer concept that had been presented and worked on over the last 1.5 years is because then we would solve any of our at-sea bycatch issues with our own fish. As it seems that proposal does not have agency support, we have shifted our focus to supporting the proposals from April. We need to have more bycatch available to the MS fishery in 2017. I'm already very concerned that we won't make it through 2016 with the ridiculously low amounts we have access to and the very high whiting TAC.

F/V Pegasus believes that the proposal currently under consideration is a fair and equitable approach to providing the at-sea mothership sector with a reasonable expectation of achieving their allocation without negatively impacting the shoreside sector. As major participants in the shoreside sector, holding the shoreside sector harmless is very important to us as well.

To conclude, we support increases in the allocations to mothership sector for the four choke species as follows: canary rockfish (30 mt), darkblotched rockfish (20 mt), Pacific Ocean Perch (15 mt) and widow rockfish (271 mt). We also support managing these allocations as "set-asides" instead of hard caps.

Thank you for your consideration.



Mike Storey
F/V Pegasus