ACDC Pollock Proposal #1

Introduction materials

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Brief Statement of Proposal

Adopt the same area restrictions for pollock as those that applied to the pre-2010 RPA trawl cod fishery in the Aleutian Islands management area, and adopt caps on pollock removals in the in each the AI sub-areas (541, 542, 543) based on the best estimate of biomass distribution using the same rolling averages of surveys procedure that is used for to apportion the mackerel ABC.

Objectives of Proposal

The objective of the proposal is to meet the intent of Section 803 of the Consolidated Appropriations Act of 2004 which allocated pollock to the Aleut Corporation for purposes of economic development of Adak.

Problems:

100% of Critical Habitat in the AI is closed to pollock fishing. Given the bathymetry of the AI, this has effectively amounted to a total closure of the fishery, leaving no opportunity for a commercially viable fishery.

In 2004 Congress allocated the Aleutian Island pollock fishery to the Aleut Corporation for the purpose of economic development of the community of Adak. The Aleut Corporation 1st proposed alternative mitigation measures to the SSLMC in September of 2004. No formal consultation and EIS has ever been prepared to evaluate alternative measures.

Measured by CDQ Bering Sea pollock royalty payments, the AI pollock allocation could bring roughly $5,000,000 of net benefits annually to the Aleut Corporation to be used for economic development in Adak. As a result of the current RPAs the Aleut Corporation and the community of Adak have gotten virtually no economic benefit from the allocation.

Proposed Changes to Regulations:

This proposal would open critical habitat to pelagic pollock fishing in 543 and in 542 west of 178 west, outside of 10 miles of listed haulouts and rookeries. East of 178 west in 542 and in 541 it would open critical habitat to pelagic pollock fishing outside of 10 miles from rookeries and 3 miles from haulouts.

This proposal would provide for caps on pollock removals in the in each the AI sub-areas (541, 542, 543) based on the best estimate of biomass distribution using the same rolling averages of surveys procedure applied to the AI pollock ABC that is used for to apportion the mackerel ABC. The proposal would retain the Amendment 82 limit on the proportion of the AI pollock ABC that can be harvested in the A season.

Justification;

There is less overlap in diet, depth, and spatial distribution of the historic pollock fishery and SSL foraging compared to the cod fishery.

The Frequency of Occurrence of pollock in SSL scat in the central/western AI was 2.7% from 1990 to 1998 and 12% from 1999 to 2005, which is roughly half of that of cod. It is also much lower than the FO of pollock in SSL scat in the EBS or GOA.

The trawl depths of the historic AI pollock fishery is much deeper than the cod trawl fishery (only about 10% of the pollock trawl depths were shallower than 100 fathoms, while only about 5% of adult female SSL dive depths were deeper than 100 fathoms.)

The pollock fishery occurs off the shelf edge, which is further off shore than the cod fishery, resulting in a greater degree of separation from juvenile SSL foraging areas as indicated by telemetry location data from the AI.

As noted by the CIE and Bernard et al, there is no evidence that the current cod RPAs provides any benefits to SSL and thus are un-necessary under the ESA. Given that there is even less overlap between pollock fishing and SSL foraging compared to the cod fishery, it follows that if the current cod RPAs are unjustified, then the current 100% closure of CH to the pollock fishery are also unjustified.

Impacts of Proposal

Based on the CIE review and the States' Independent review there is no scientific evidence of either positive or negative effects of the AI cod fishery as managed prior to the 2010 BiOp on Steller sea lions, so for the reasons noted above it is unlikely that there would be negative effects from a pollock fishery managed on a similar basis.

The Aleutian Island community of Adak would have a more diversified economic base, more employment, a larger tax base, and the Aleut Corporation would have revenue that could be used for infrastructure work in Adak.

Supporting data and other documentation

Both the "Independent, Scientific Review of the Biological Opinion (2010)" by Bernard, et al, and the three reviews of the BiOp by the Center for Independent Experts question the basis of the 2010 BiOp RPAs. While they did not address pollock directly (because the BiOp failed to address AI pollock), their criticisms are equally applicable to pollock.

Adak Community Development Corporation's "Comments on the Draft August 2010 Groundfish Biological Opinion Submitted September 3rd, 2010 to Jim Balsiger, Regional Administrator Alaska Region, NMFS" and "Comments on the November 24, 2010 Final Groundfish Biological Opinion (RIN 0648-BA31) Submitted February 26, 2011" identified a variety of information that was either ignored or misinterpreted in the 2010 BiOp.

In particular ACDC's comments provide detailed documentation of the limited degree of competitive overlap between SSLs and the cod trawl fishery in the AI. There is information available showing a similar limited degree overlap in the 1990's AI pollock fishery:

Type of fish eaten/caught – Based on the information in Aydin's Ecosystem modeling, pollock are a small percent of the AI biomass of species in the preyfield that show up in the SSL scat.

Size of fish eaten/caught - Observer data shows that the mean size of pollock in the AI fishery is around 60 cm, which is significantly larger than the average size of pollock consumed by SSL based on scat analysis.

Depth of fishing/foraging - Observer data shows less than 10% of AI pollock hauls were <100 fathoms. New SSL dive data (Lander, 2011) still shows less than 15% of adult female dives >100 meters.

Area of fishing/foraging - 95% of locations associated with diving to > 4m stratified by distance to shore and seafloor depth in the Eastern and Central Aleutian Islands combined 29 sea lions during November-April were with 5 miles of land and in less then 100 meters seafloor depth, while less than 10% of pollock trawl location were less than 180 meters seafloor depth. 100% of juvenile winter telemetry locations in the Central/Western Aleutians were inside 10 miles of a listed CH site.

Alternative solutions

ACDC is submitting an alternative proposal for pollock based on a proposal to the SSLMC made in 2004 which only opens small areas of CH outside 3 miles around a limited number of haulouts, while leaving rookeries at 20 miles. It is sub-optimal at addressing the negative impacts of the current RPAs, and would not provide the benefit to Aleut Corporation or the community of Adak intended by Congress. There is no evidence that the alternative proposal would provide more benefit to SSL.

Justification for Council action

If the Council doesn't take action, the Aleut Corporation and Adak will continue to bear the brunt of the negative economic impact of the 100% closure to the pollock fishery of CH in the AI that are unlikely to provide significant benefit to SSL.