

AKSC Proposal 1 to SSL Committee to return to pre-2011 mackerel regulations with two changes to further reduce potential for competition with SSL

- Introduction materials – (Provide name of proposer or institution, address and telephone number of proposer, email address for primary contact)

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- Brief Statement of Proposal – (Provide a single, brief paragraph that concisely describes the action to be taken. Details will be specified in additional sections)

Modify current AI Atka mackerel RPAs to revert to areas that were open for mackerel trawling prior to 2011 with two changes: removal of the HLA regulations requiring vessels to register and be divided into HLA “platoons” and retaining the current season dates of Jan. 20 – Jun. 10 and Jun. 10 – Nov. 1.

This proposal would retain the inside of critical habitat catch limits in place prior to the 2010 Bi-op (no more than 60% of mackerel TAC can be caught inside SSL critical habitat) and the keep the areas open to mackerel fishing inside CH in 542 and 543 as they were prior to when the 2010 Bi-op measures became effective. The change to the regulations in place 2001-2010 would be that instead of having “platoons”, fishing effort inside 542 and 543 SSL CH would be spread over time by the incentives already in place with Amendment 80 cooperatives and the 2010 Bi-op Atka mackerel seasons of January 20 to June 10 and June 10 to November 1st would be retained.

- Objectives of Proposal – (Begin with a concise statement of the problem to be addressed in the proposal, and the remedy for the problem. Provide detailed description of the proposed changes to regulations, and justification for each).

The law requires measures to be in place to prevent JAM for wDPS SSL. In our opinion, the RPAs implemented in 2011 are not based on the best available science. The CIE review, the States Independent Review examined the 2010 Bi-op’s case for effects of fishing on the amount of mackerel and other SSL forage left in the water (competition). In the end, they concluded that evidence for the Bi-op’s conclusions was weak and analyses and conclusions were not made in a scientifically supported manner. The measures for the Atka mackerel fishery in place prior to 2011 adequately addressed potential for mackerel trawling to affect SSL foraging. Two changes to the regulations in place prior to 2011 are made in this proposal: (1) remove the use of “platoons” and (2) maintain the mackerel seasons implemented in 2011. Prior to 2011 “platoons”, were used to divide the vessels fishing mackerel inside the HLA areas in AI 543 and AI 542 into separate groups so that inside-HLA effort would be spread between 542 and 543. Since cooperatives came into effect in 2008, the Amendment 80 sector’s mackerel catches have been significantly more spread out over the year, especially since 2011 when the seasons for mackerel were changed to Jan 20 to June 10 and June 10 through November 1. The season change incorporated into the 2010 bi-op allowed fishing to occur over a greater extent of time and it, in combination with

Amendment 80 cooperative management, has spread catches out over time and area better than the HLA limits and seasonal openings prior to 2011. Please note that in a separate proposal, AKSC is requesting a change to the mackerel B season to extend B season from November 1 to December 31st

- Impacts of Proposal – (Briefly outline the effects that you think the proposed changes to management will have, including effects on Steller sea lions, other sectors of the fishery, and Aleutian Island communities).

The impact of the measures proposed here is that less potential competition with SSL would exist in 542 and the existing prohibition on harvesting mackerel in 543 would revert to pre-2011 limits. This proposal improves upon the pre-2010 Bi-op measures because it removes the ‘platoon system’ which was probably needed when the “race for fish” was occurring prior to Amendment 80. Today, platoons are not nearly as effective in spreading out the fishery over the season as Amendment 80 cooperatives have proven to be, particularly in combination with the changes in mackerel seasons implemented in 2011.

Prior to 2011, all of critical habitat adjacent to SSL sites was closed to mackerel fishing inside of 10 nm. Additionally, mackerel catches inside of SSL CH between 10 nm and 20 nm in 542 and 543 were limited to no more than 60% of TAC in those AI subareas. As analyzed in the final 2010 Bi-op, the harvest rate for AI 542 and 543 were low (approximately 10%) and research by AFSC’s FIT using tagging and recovery of mackerel in the 541 and 542 has shown that catches in the mackerel fishery were removing 5% or less of the local biomass of mackerel in all fishing areas except one (Amchitka). Additionally, prior to the 2010 Bi-op measures, the mackerel fishery was successfully able to target large mackerel while SSL scat data showed that SSL were concentrating on smaller mackerel. The 2010 Bi-op’s RPAs closed AI 543 to all mackerel fishing and effectively pushed the 542 mackerel fishery in 542 out to Petrel Bank where mackerel catches are now on average actually the same size as the mackerel most frequently found in SSL scat .

- Supporting data and other documentation – (Provide any relevant data or other information to support your proposal)

McDermott, S.F., L.W. Fritz, V. Haist. 2005. Estimating movement and abundance of Atka mackerel (*Pleurogrammus monopterygius*) with tag-release-recapture data. Fish.Oceanogr. 14 (Suppl.1) 113-130.;

FIT mackerel movement and local abundance report available at <http://www.afsc.noaa.gov/Quarterly/amj2002/feature3.htm>,

CIE review 2012,

Comments on 2010 Bi-op’s harvest rate analysis for Atka mackerel available in States Independent Review 2011,

comments on 2010 Bi-op by Alaska Seafood Cooperative, estimated size of mackerel in SSL diet compared to mackerel size in 542 catch (presentation to CIE review by Alaska Seafood Cooperative, August 2012),

2011 SAFE report, stock assessment for Atka mackerel (for size of 542 mackerel in fishery),

Atka mackerel catch per week in NMFS AKR database (e.g. <http://www.fakr.noaa.gov/2012/2012.htm>, BS/AI weekly catch Excel files) to compare seasonality of fishery and catch per week amounts from 2001-2012.

- Alternative solutions – (Provide other potential solutions to the problem, if any, that the Council could consider to address the problem)

The 2010 Bi-op measures are not based on the best available data and have closed extensive areas of the Aleutian Islands to mackerel fishing based on prey competition and nutritional stress theories that the CIE and States Independent Review found were not scientifically supported. Effort for Atka mackerel in AI 542 has shifted outside of SSL critical habitat where catches in the commercial fishery now show nearly the same average size as mackerel in SSL diet data. Rolling back all SSL protection measures may be warranted based on CIE finding that the case for competition with fisheries is weak, but this proposal acknowledges that measures from the 2001 Bi-op were based on a Bi-op that largely stood up to independent review. AKSC has several additional proposals to the SSL Committee that further address changes needed to the current SSL regulations affecting the mackerel fishery.

- Justification for Council action – (Provide an explanation of why Council action is required, and the consequences should the Council not take action).

In the absence of any action by the Council, NMFS will likely keep the current measures in place. This would continue the high degree of impacts on fishing communities and the Amendment 80 sector and would fail to take into account the information provided by the States Independent Review, the CIE review, and the public comment provided on the 2010 Bi-op. Regarding the need to explain why Council action is required, we could propose this change to NMFS independent of the suite of proposals that the Council is preparing for the SSL EIS. We understand, however, that the Council is in a better position to evaluate and put together a suite of proposals that balances all the different interests looking for changes in the SSL RPAs in the Aleutian Islands.