

Gulf of Alaska Trawl Groundfish Bycatch Management Environmental Impact Statement

Scoping Report



Photo credit: Keeley Kent

**United States Department of Commerce
National Oceanic and Atmospheric Administration
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Alaska Region**

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Introduction

The North Pacific Fishery Management Council (Council) is considering establishing a new bycatch management program for the Gulf of Alaska (GOA) trawl groundfish fisheries. The purpose of the program is to improve management of all species caught in the GOA trawl groundfish fisheries by creating vessel-level and/or cooperative-level incentives to avoid and reduce bycatch, and to create accountability measures for participants when utilizing target and bycatch species. The Council also intends for the program to improve operational efficiencies, reduce incentives to fish during unsafe conditions, and support the continued participation of coastal communities that are dependent on the fisheries.

The Council and National Marine Fisheries Service (NMFS) are considering preparing an Environmental Impact Statement (EIS) because the effects of some important aspects of a bycatch management program on target and bycatch species and their users may be uncertain or unknown. This could result in significant impacts on the human environment not previously analyzed by the Council and NMFS. Therefore, the Council and NMFS initiated scoping for an EIS in the event an EIS is needed.

NMFS published a notice of intent to publish an EIS on July 14, 2014. NMFS invited the public to comment on the range of issues that should be considered by the Council and NMFS in the development of a GOA trawl bycatch management program – to scope the issues. On July 28, 2016, NMFS reopened the public comment period because the Council and NMFS expanded the scope of the EIS. The reopened scoping period closed on September 26, 2016 (81 FR 49614). This report summarizes the comments received during the July 14, 2015, to August 28, 2015, scoping period and the July 28, 2016, to September 26, 2016, scoping period for the GOA Trawl Groundfish Bycatch Management EIS.

If the Council's action proceeds, an EIS must be prepared in accordance with the National Environmental Policy Act (NEPA). An EIS will serve as the central decision-making document for management measures being developed by the Council to create a new bycatch management program in the GOA trawl groundfish fisheries. The EIS will provide decision-makers and the public with an evaluation of the environmental, social, and economic effects of alternatives for managing bycatch in the GOA trawl groundfish fisheries.

This report summarizes the issues the public raised with the proposed action as it has been developed by the Council thus far. This report also describes alternative management measures raised in public comments during the scoping process. The purpose of this report is to inform the Council and the public of the results of scoping and to assist in the development of the range of alternatives for analysis in the draft EIS.

The NMFS Alaska Region web site contains additional information on this EIS at <http://www.alaskafisheries.noaa.gov/>. Once published, the draft EIS will be available for download at this site. This site also contains both notices of intent, this scoping report, and related information.

What is this Action?

The proposed action to be analyzed in the EIS is a new bycatch management program for the GOA trawl groundfish fisheries. The program would provide participants with incentives to effectively manage and reduce bycatch and promote increased utilization of groundfish harvested in the GOA. The program is intended to mitigate the impacts of a “race for fish” derby fishery by establishing a program that allocates Chinook salmon and Pacific halibut prohibited species catch (PSC) limits and/or allowable groundfish harvest to individuals, cooperatives, or other entities. The proposed action is intended to improve stock conservation by providing mechanisms for participants to control and reduce bycatch in the trawl groundfish fisheries to the extent practicable, creating incentives to eliminate wasteful fishing practices, imposing accountability measures for utilizing PSC and/or target and incidental species, and improving safety of life at sea and operational efficiencies.

Draft Purpose and Need for this Action

In October 2012, the Council unanimously adopted a purpose and need statement, and goals and objectives, to support the development of a new bycatch management program that would allocate allowable harvest to individual, cooperatives, or other entities. In June 2016, the Council modified the purpose and need statement and the goals and objectives for the program. The Council determined that this kind of management program would mitigate the adverse effects of the current management program by removing disincentives to control and reduce PSC, and providing a more flexible and efficient management program for participants to better manage and utilize groundfish species in the GOA trawl fisheries.

Management of Gulf of Alaska (GOA) groundfish trawl fisheries has grown increasingly complicated in recent years due to the implementation of measures to protect Steller sea lions and reduced Pacific halibut and Chinook salmon Prohibited Species Catch (PSC) limits under variable annual total allowable catch (TACs) limits for target groundfish species. These changes complicate effective management of target and non-target resources, and can have significant adverse social and economic impacts on harvesters, processors, and fishery-dependent GOA coastal communities.

The current management tools in the GOA Groundfish Fishery Management Plan (FMP) do not provide the GOA trawl fleet with the ability to effectively address these challenges, especially with regard to the fleet’s ability to best reduce and utilize PSC. As such, the Council has determined that consideration of a new management regime for the GOA trawl fisheries is warranted.

The purpose of the proposed action is to create a new management structure which allocates prohibited species catch limits and/or allowable harvest to individuals, cooperatives, or other entities, which will mitigate the impacts of a derby-style race for fish. It is expected to improve stock conservation by creating vessel-level and/or cooperative-level incentives to eliminate wasteful fishing practices, provide mechanisms to control and reduce bycatch, and create

accountability measures when utilizing PSC and/or target and secondary species. It will also increase at-sea monitoring in the GOA trawl fisheries, have the added benefit of reducing the incentive to fish during unsafe conditions, and improve operational efficiencies.

The Council recognizes that GOA harvesters, processors, and communities all have a stake in the groundfish trawl fisheries. The new program shall be designed to provide tools for the effective management and reduction of PSC and bycatch, and promote increased utilization of both target and secondary species harvested in the GOA. The program is also expected to increase the flexibility and economic efficiency of the GOA groundfish trawl fisheries and support the continued direct and indirect participation of the coastal communities that are dependent upon those fisheries. These management measures could apply to those species, or groups of species, harvested by trawl gear in the GOA, and/or to PSC. This program will not modify the overall management of other sectors in the GOA, or the Central GOA rockfish program, which already operates under a catch share system.

Overarching Goal and Objective:

The overarching goal of the Gulf of Alaska Trawl Bycatch Management program is to provide the fleet tools for the effective management and reduction of PSC and bycatch, and promote increased utilization of both target and secondary species while minimizing economic barriers for new participants by limiting harvest privileges that may be allocated (target species and/or prohibited species) in order to maintain opportunity for entry into the GOA trawl fisheries.

Goals and Objectives:

- 1. Balance the requirements of the National Standards in the Magnuson Stevens Act*
- 2. Increase the ability of the groundfish trawl sector to avoid PSC species and utilize available amounts of PSC more efficiently by allowing groundfish trawl vessels to fish more slowly, strategically, and cooperatively, both amongst the vessels themselves and with shore-based processors*
- 3. Reduce bycatch and regulatory discards by groundfish trawl vessels*
- 4. Authorize fair and equitable access privileges that take into consideration the value of assets and investments in the fishery and dependency on the fishery for harvesters, processors, and communities*
- 5. Balance interests of all sectors and provide equitable distribution of benefits and similar opportunities for increased value*
- 6. Promote community stability and minimize adverse economic impacts by limiting consolidation, providing employment and entry opportunities, and increasing the economic viability of the groundfish harvesters, processors, and support industries*
- 7. Improve the ability of the groundfish trawl sector to achieve Optimum Yield, including increased product retention, utilization, landings, and value by*

- allowing vessels to choose the time and location of fishing to optimize returns and generate higher yields*
- 8. Increase stability relative to the volume and timing of groundfish trawl landings, allowing processors to better plan operational needs as well as identify and exploit new products and markets*
 - 9. Increase safety by allowing trawl vessels to prosecute groundfish fisheries at slower speeds and in better conditions*
 - 10. Include measures for improved monitoring and reporting*
 - 11. Increase the trawl sector's ability to adapt to applicable Federal law (i.e., Endangered Species Act)*
 - 12. Include methods to measure the success and impacts of all program elements*
 - 13. Minimize adverse impacts on sectors and areas not included in the program*
 - 14. Promote active participation by owners of harvest vessels and fishing privileges*

Preliminary Alternatives for this Action

NMFS, in coordination with the Council, will evaluate a range of alternative bycatch management programs for the GOA trawl groundfish fisheries. NMFS and the Council recognize that implementation of a GOA trawl bycatch management program allocating PSC limits and/or allowable harvest would result in substantial changes to the current management program for the groundfish fisheries. The EIS will analyze these changes as well as alternative ways to manage target and incidental groundfish species and PSC in the GOA groundfish fisheries. The following briefly summarizes the potential alternatives already identified for the EIS.

Alternative 1

The existing management program (no action).

Alternative 2

Alternative 2 is a bycatch management program that would allocate exclusive harvest privileges to participants in the GOA trawl groundfish fisheries who voluntarily join a cooperative. Participants who do not choose to join a cooperative would have the opportunity to participate in the current limited access management system under the groundfish license limitation program (LLP).

In Alternative 2, the Council is considering allocating exclusive harvest privileges to cooperatives. Alternative 2 contains several elements and options for determining eligible participants, groundfish and PSC species to be allocated, and methods for determining allocations to cooperatives and the limited access fishery. Alternative 2 also includes elements and options for cooperative formation and membership that are intended to provide incentives for participation by harvesters and processors to improve coordination and operational efficiencies. Alternative 2 also contains a number of elements that are intended to provide for fishery dependent community stability, such as harvest privilege consolidation limits and area- and port-specific delivery requirements.

Alternative 3

Alternative 3 is a bycatch management program that would allocate Chinook salmon and Pacific halibut PSC to participants in the GOA trawl groundfish fisheries who voluntarily join a cooperative. Participants who do not choose to join a cooperative would have the opportunity to participate in the current limited access management system under the groundfish LLP.

Alternative 3 contains several elements and options for determining eligible participants and methods for determining PSC allocations to cooperatives and the limited access management fishery. Alternative 3 also includes elements and options for cooperative formation and membership that are intended to provide incentives for participation by harvesters and processors to improve coordination and operational efficiencies.

Alternative 4

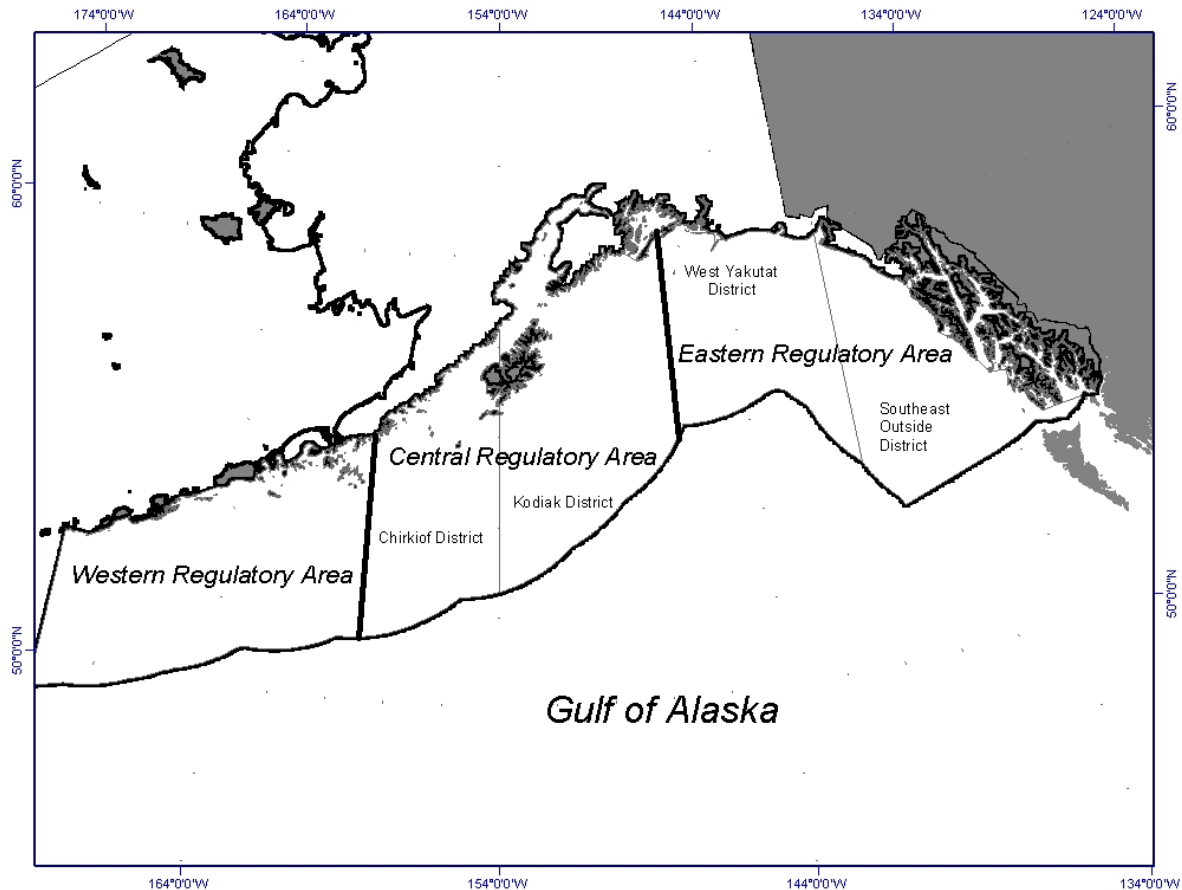
Alternative 4 is a bycatch management program that would allocate exclusive harvest privileges to fishery participants who voluntarily join a cooperative and either 1) a Community Fishing Association as defined in section 303A(c)(3) of the Magnuson-Stevens Act or 2) an Adaptive Management Program. Participants who do not choose to join a cooperative would have the opportunity to participate in the current limited access management system under the groundfish LLP.

In Alternative 4, the Council is considering allocating exclusive harvest privileges for target groundfish species and PSC to cooperatives and either a Community Fishing Association or to persons who meet the criteria established for an Adaptive Management Program. The allocation to a Community Fishing Association or Adaptive Management Program would meet objectives that include providing for sustained participation of fishing communities, promoting conservation measures, and assisting vessel owner-operators, captains, and crew who want to enter and participate in the GOA trawl groundfish fisheries.

The Action Area

The proposed action would apply to participants in Federal groundfish fisheries prosecuted with trawl gear in the following areas: (1) The Western GOA Regulatory Area (Western GOA), (2) the Central GOA Regulatory Area (Central GOA), and (3) the West Yakutat District of the Eastern GOA Regulatory Area (West Yakutat District). These areas are defined at 50 CFR 679.2 and shown in Figure 3 to 50 CFR part 679. See Figure 1 for a map of the action area.

Figure 1. Gulf of Alaska Regulatory Areas



Statutory Authority for this Action

Under the Magnuson-Stevens Act (16 USC 1801, et seq.), the United States has exclusive fishery management authority over all marine fishery resources found within the exclusive economic zone, which extends between 3 and 200 nautical miles from the baseline used to measure the territorial sea.

The management of these marine resources is vested in the Secretary of Commerce and in the Regional Councils. In the Alaska Region, the Council has the responsibility for preparing Fishery Management Plans (FMP) and FMP amendments for the marine fisheries that require conservation and management, and for submitting their recommendations to the Secretary of Commerce. Upon approval by the Secretary of Commerce, NMFS is charged with carrying out the Federal mandates of the Department of Commerce with regard to marine and anadromous fish.

Management of the Federal groundfish fisheries in the GOA is carried out under the FMP for Groundfish of the Gulf of Alaska. The FMP, its amendments, and implementing regulations (found at 50 CFR part 679) are developed in accordance with the requirements of the Magnuson-

Stevens Act and other applicable Federal laws and executive orders, notably the NEPA and the Endangered Species Act (ESA).

Public Participation – Scoping

Development of the GOA trawl groundfish bycatch management EIS provides the opportunity for public participation. Scoping is the term used for involving the public in the NEPA process at its initial stages. Scoping is designed to provide an opportunity for the public, agencies, and other interest groups to provide input on potential issues associated with the proposed action. Scoping is used to identify the environmental issues related to the proposed action and identify alternatives to be considered in the EIS. Scoping is accomplished through written communications and consultations with agency officials, interested members of the public and organizations, Alaska Native representatives, and State and local governments.

The formal scoping period began with the publication of a notice of intent in the *Federal Register* on July 14, 2015 (80 FR 40988). Public comments were due to NMFS by August 28, 2015. Based on the comments received on the July 14, 2015, notice of intent and on public input received by the Council, NMFS and the Council decided to seek additional public input to assist them in determining the appropriate range of management alternatives for the EIS. NMFS published a notice of intent to reopen the scoping period on July 28, 2016 (81 FR 49614). Public comments were due to NMFS by September 26, 2016. In the notices of intent, NMFS requested written comments from the public on the range of alternatives to be analyzed and on the environmental, social, and economic issues to be considered.

Additionally, members of the public have the opportunity to comment during the Council process. The Council started considering a new bycatch management program in the GOA trawl groundfish fisheries in 2012. Since then, the Council has noticed the public when it is scheduled to discuss GOA bycatch issues. The Council process, which involves regularly scheduled and noticed public Council meetings, ad-hoc industry meetings, and Council committee meetings, started before this formal scoping process and will continue after this formal scoping process is completed. This scoping report summarizes issues and alternatives from the formal scoping process and summarizes, to the extent possible, issues raised in the Council process through the June 2016 Council meeting. The EIS will address the relevant issues identified during scoping and the Council processes. The Council and NMFS will consider all public input received through the scoping period and at Council meetings as the complete record.

Cooperating Agencies

The Council for Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA emphasize agency cooperation early in the NEPA process. NMFS is the lead agency for this EIS. The State of Alaska Department of Fish and Game (ADF&G) is a cooperating agency and has agreed to participate in the development of this EIS and provide data, staff, and review for this analysis. ADF&G has an integral role in the development this EIS because it manages groundfish fisheries in state waters in the GOA and the commercial salmon fisheries, in addition to collecting and analyzing salmon biological information.

During the October 2014 and February and October 2015 Council meetings, representatives of the U.S. Coast Guard, Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, the U.S. State Department, and the U.S. Fish and Wildlife Service were notified of the intent to prepare an EIS and will be informed throughout the development of the document through staff presentations at Council meetings.

Summary of Alternatives and Issues Identified During Scoping

NMFS received 60 written comments from the public and interested parties and an additional 26 mailing campaign letters from members of the public. Due to the volume of information provided in these letters, it is not practical to append these documents to this scoping report. The letters are available for review by going to www.regulations.gov and entering NOAA-NMFS-2014-0150 in the search screen. Alternatively, the letters can be accessed on NMFS' web site at <http://www.alaskafisheries.noaa.gov/>. The comments identified the following alternatives and issues for analysis in the EIS.

Alternatives and Options Recommended in Public Comments

The Council and NMFS will consider the alternatives identified during scoping in the EIS. The Council and NMFS will determine the range of alternatives to be analyzed in the EIS that best accomplish the proposed action's purpose and need. The EIS will also describe the alternatives raised during scoping that were considered but not carried forward, and discuss the reasons for their elimination from further detailed study.

Generally, the comments received during scoping addressed: 1) the scoping process and EIS development; 2) the purpose and need and goals and objectives for the proposed action; 3) the preliminary alternatives identified by the Council; and 4) other alternative management measures and issues that should be analyzed in the EIS.

Comments Addressing the Scoping Process and EIS development

The comments expressed specific concerns about the notice of intent to reopen the scoping process published on July 28, 2016, (81 FR 49614) and the development of the Preliminary Alternatives.

- Prior to October 2015, the Council undertook an effective public process and made significant progress toward designing a bycatch management program consistent with its purpose and need. Since October 2015, the Council has introduced new alternatives for EIS with little or no opportunity for public comment and virtually no analysis. The manner in which these alternatives were developed and adopted are not consistent with Magnuson-Stevens Act procedures for public engagement or the issues identified in the original scoping process.
- The July 28, 2016, notice of intent vaguely describes the reasons for reopening the scoping process and the relevant issues that should be addressed in the EIS. The notice of

intent should have stated scoping process was reopened to address shortcomings with the process for developing alternatives for analysis in the EIS.

- The notice of intent describes that the scoping process was reopened due to stakeholder comments expressing concerns about the impacts of the proposed action on fishery dependent communities and new entry. These comments do not represent the views of participants in the GOA trawl groundfish fisheries. The notice of intent does not consider comments from persons who directly participate in the fisheries and the numerous elements and options the Council has incorporated into the Preliminary Alternatives that address the potential or perceived economic effects of the alternative on fishery dependent communities and new entry into the GOA trawl groundfish fisheries. The EIS should incorporate and consider the public testimony to the Council throughout the development of the proposed action.

Comments Addressing the Purpose and Need and Goals and Objectives for the Proposed Action

Purpose and need and goals and objectives

The comments addressed the purpose and need for a GOA trawl bycatch management program. Several comments noted that the purpose and need identified by the Council was appropriate for the GOA trawl bycatch management program and should be the basis for alternatives to analyze in the EIS.

- The EIS should analyze how the alternatives address the program goals of mitigating the impacts of the derby-style race for fish, improving the ability of the groundfish trawl sector to achieve optimum yield, and providing opportunities for new entry in the future.
- The program should not devalue one sector's capital assets to benefit another sector. The program should foster cooperation between harvesters and processors to balance the interests of both sectors.
- The objective(s) of the program should be explicit and the alternatives must be consistent with these objectives.
- Consider the broader interests of non-trawl users of fishery resources in bycatch reduction, including recreational, commercial, subsistence, and conservation interests.
- The program should provide for meaningful bycatch reduction, robust individual vessel accountability measures, viable entry opportunities, and community stability measures.
- The program should reduce bycatch without unduly harming the coastal communities dependent on the GOA fisheries.
- Analyze how participation in the fishery will influence the conditions for allocation of access privileges.
- Clarify the intent of including "participation in the fishery" as a consideration in the allocation of harvesting privileges in the fourth goal and objective identified for the proposed program.

Some comments cited specific goals that should be included in the purpose and need for the program.

- Minimize adverse impacts on sectors and areas not included in the program.

- Consider equity among all halibut resource users.
- Minimize the impact of halibut and Chinook salmon bycatch in the trawl fisheries on other users of the fish resources and the ecosystem. Coastal communities are dependent on these species and the program should reduce bycatch to benefit recreational, non-trawl commercial and subsistence fisheries throughout the GOA.
- Implement 100 percent observer coverage on the GOA trawl fleet to reduce bycatch and improve PSC estimates.

Overarching goal and objective

Several comments addressed the overarching goal and objective adopted by the Council in June 2016. These comments generally recommended that the EIS analyze the degree to which the Preliminary Alternatives address the overarching goal and objective for the proposed program. The comments noted that this analysis may identify the need to further refine the alternatives.

- Analyze the relationship between the overarching goal and objective and National Standard 5 in the Magnuson-Stevens Act.
- Analyze potential contradictions between the overarching goal and objective to promote increased utilization of groundfish species and limiting harvest privileges.
- Clarify the intent of the overarching goal with respect to the rest of the purpose and need statement and the identified goals and objectives and specify whether the Preliminary Alternatives will be modified in response to the addition of the overarching goal. This clarification is critical to proceed with the EIS.
- Comprehensively analyze whether each alternative is consistent with the purpose and need and the identified goals and objectives.
- Analyze the relationship between the overarching goal and objective and the remaining goals and objectives, particularly the goals and objectives to mitigate the negative impacts of the race for fish, promote community stability and minimize adverse economic impacts by limiting consolidation, provide employment and entry opportunities, and increase the economic viability of the groundfish harvesters, processors, and support industries.
- Analyze whether the overarching goal and objective shifts the primary purpose of the program from bycatch management to maintaining opportunity for new entrants, regardless of the impacts on the fishery, fishery participants, and the bycatch goals for the program. The EIS should describe that the overarching goal and objective was based on input from stakeholders who do not participate in the GOA trawl groundfish fisheries and discounts input from current participants in the fisheries.
- Analyze the effects of the provisions in the Preliminary Alternatives that address the overarching goal and objective by limiting the value and flexibility of the harvest privilege (e.g., regional or port landing requirements, active participation requirements, and transferability limitations).
- Analyze the current pathway to entering the GOA trawl groundfish fisheries under the existing management program and how this process might change under the alternatives, recognizing that people will only enter a fishery that is stable and economically viable.
- The EIS should address the overarching goal and objective as comprehensively as possible. The analysts should consult those with experience in the fisheries to obtain

information on current and future potential mechanisms for new entry to the fisheries under a new management structure.

- Analyze the impacts of establishing new entry an overarching goal and objective for the GOA trawl groundfish fisheries when a number of other limited entry and catch share programs have been implemented that did not have the same overarching goal and objective.
- Analyze additional limitations on harvest privileges that the Council might consider beyond the 10-year limit on duration of limited access privilege programs specified in the Magnuson-Stevens Act.
- The EIS should incorporate the 2014 Council evaluation of an option for quota share allocations of a limited duration to limit the value of harvesting privileges and reduce the economic burdens of new entry. The Council decided not to pursue limited duration allocations because public testimony and preliminary analysis outlined several concerns and challenges with this approach. For example, limited duration quota share likely would provide disincentives for information sharing among vessels and cooperatives, which is a critical catch share program element for minimizing bycatch to the extent practicable.
- Clarify whether the overarching goal and objective means the Council does not support any program that would increase the value of harvest privileges for the GOA trawl groundfish fishery. The EIS analysis should consider that the allocation of harvest privileges to a specific entity is the critical component in any limited access privilege program that allows participants to realize the conservation and economic benefits from a rationalized fishery. A management change that makes the fishery more stable, secure, and economically viable will necessarily increase the value of the harvest privilege for that fishery.
- Analyze the environmental, social, and economic issues surrounding the question of barriers to new entrants. Evaluate whether specific management measures in the GOA trawl bycatch management program would be an effective and appropriate response to issues and concerns that have arisen in other fisheries, such as the State of Alaska salmon fisheries, Bering Sea and Aleutian Islands crab fisheries and halibut and sablefish individual fishing quota share fisheries.

Comments Addressing the Preliminary Alternatives

The comments addressed general and specific issues regarding the Preliminary Alternatives. The comments related to specific elements of a Preliminary Alternative are organized below by the alternative to which they apply. The comments are further organized, to the extent possible, by the elements identified by the Council in June 2016 for each of the alternatives. Comments that propose management measures not included in the Preliminary Alternatives are presented under the *New Management Measures* section.

General comments on the Preliminary Alternatives

- The Preliminary Alternatives are a reasonable range of alternatives that are sufficient to analyze a GOA trawl bycatch management program.
- The EIS should thoroughly evaluate whether the Preliminary Alternatives are consistent with the purpose and need and for the proposed program.

- Analyze a timeline to achieve zero discards of edible fish.
- Analyze elements and options that lead to meaningful bycatch reductions for Chinook salmon, halibut, and Tanner crab beyond the status quo and a reduction in regulatory discards.
- Analyze reducing salmon and halibut bycatch by 25 percent over a 3-year period.
- Consider more narrowly tailored management measures such as area closures to reduce PSC in the GOA trawl groundfish fisheries.
- Analyze the improvement to halibut PSC estimates that will occur with the requirement for 100 percent observer coverage in the GOA groundfish fisheries.
- Increase the Chinook salmon PSC limits for the trawl fisheries in the GOA and consider the ESA limit of 40,000 Chinook salmon as the upper bound instead of the current limit of 32,500 Chinook salmon. Increasing the PSC limit would have no adverse effect on Chinook salmon stocks and would allow the GOA trawl fleet to prosecute the groundfish fisheries more effectively.
- Evaluate the Chinook salmon PSC limits based on new genetic information available for the GOA trawl fisheries as required by National Standard 2 of the Magnuson-Stevens Act.
- Hatchery Chinook salmon should not accrue toward PSC limits because they distort the impact of GOA trawl groundfish fisheries on Chinook salmon stocks of concern.
- Analyze mandatory use of nets to exclude halibut and Chinook salmon.

Comments on Alternative 1

Alternative 1 is the existing management program for the GOA trawl groundfish fisheries (no action). Several comments described concerns with Alternative 1.

- The GOA trawl fleet needs new management tools to stop the race for fish and reduce bycatch and PSC discards.
- The existing management program results in early season closures due to reduced PSC limits. This underutilization of groundfish species negatively impacts fisherman, processing workers, and communities. For example, Chinook PSC limits in the non-pollock fisheries were reduced without providing the fleet with the necessary tools to reduce bycatch and harvest groundfish TACs.
- Under the present race for fish, small vessel owners will be increasingly unable to compete with larger vessels and will not be able to stay in the fishery.
- The existing management program requires discards of non-PSC species (e.g., prohibition on targeting Pacific cod from June 10 to September 1 and pollock trip limits). Modifying these regulations would allow the fleet to reduce waste and discards while harvesting the pollock and Pacific cod TACs.
- The Kodiak trawl fleet has taken a number of measures to improve bycatch reduction, including gear modifications and voluntary catch share agreements. The fleet needs additional tools in the form of groundfish and PSC allocations to effectively manage and reduce PSC and utilize groundfish species.
- The race for fish under the existing management program negatively affects bycatch, vessel safety, and product quality.
- Analyze the fleet consolidation that has taken place under the existing management program.

Comments on Alternative 2

Alternative 2 is a bycatch management program that would allocate exclusive harvest privileges to participants in the GOA trawl groundfish fisheries who voluntarily join a cooperative.

Support to analyze Alternative 2

- Several comments supported including Alternative 2 for analysis in the EIS.
 - Alternative 2 is a reasonable alternative and is consistent with the Council's purpose and need for the action.
 - Alternative 2 was developed over several public Council meetings with significant input from fishery participants, communities, and fisheries managers.
 - Alternative 2 establishes a cooperative management structure coupled with allocations of target and bycatch species to provide the necessary tools to meet bycatch reduction goals while still providing the opportunity to achieve optimum yield of target species as required by the Magnuson-Stevens Act.
 - A cooperative management system is the best way to manage a fishery as it benefits all stakeholders, not just one particular group. Existing cooperative management programs have greatly reduced bycatch and at-sea discards and increased the value of target species.
 - Alternative 2 includes components to provide community protections and new entry opportunities. Provisions for catch share use caps avoid over consolidation. Regional delivery requirements make sure that communities and processors maintain historical levels of participation.
 - Alternative 2 would increase catch per unit effort because fishermen could choose to fish later when Pacific cod are schooled for spawning. This would result in significant fuel savings and reductions in bycatch.
 - Alternative 2 would end the race for fish and make significant progress toward stabilizing and protecting the fisheries, improving bycatch management, and creating safer conditions because fishermen can avoid fishing in bad weather.
 - Alternative 2 could improve market conditions because processors could work with fishermen to schedule deliveries to optimize efficiency and product quality.
 - Alternative 2 would allow fishermen to share information on when and where bycatch is occurring to avoid and reduce bycatch.
 - Alternative 2 would reduce risk associated with a business investment because assigned quota shares provides more security, making it easier to get loans through a financial institution to perform necessary vessel repairs and maintenance and alleviating risk of mechanical breakdowns.

Opposition to analyze Alternative 2

Some comments opposed analysis of Alternative 2 because it would allocate exclusive harvest privileges to current fishery participants. The commenters suggested that Alternative 2 would reduce entry opportunities for future generations of fishermen because it allocates exclusive access to the fishery and creates a valuable asset for current participants. This creates barriers to entry because new entrants must purchase harvest privileges to access the fishery.

Specific comments on the elements of Alternative 2

Element 1: Observer coverage and monitoring

- Analyze the impacts of placing all GOA trawl vessels in the 100 percent observer coverage category.
- Analyze immediate implementation and utilization of electronic monitoring in place of human observers on all fishing vessels in the program. When human observers are used, they should be allowed to embark and disembark to tender vessels in the fishery.
- 100 percent observer coverage would impose a financial hardship on small trawl fishery operations from Sand Point and King Cove. Analyze these economic impacts as part of the program.

Element 2: Trawl sector eligibility

- Analyze participation criteria that define eligibility for the purchase of trawl LLP licenses, fishing history, and quota share allocated under the program. Alternative 2 would require persons (defined as individuals and corporate, government, and community entities) to document a fishing vessel to hold and purchase an LLP license and quota share. The EIS should analyze different eligibility criteria for community entities to hold quota share.
- Analyze the benefits of reserving a portion of quota share for allocation to active crew and skippers.

Element 3: Allocated species

- Analyze the allocation of pollock and Pacific cod as target species and the allocation of some secondary species in a cooperative style management program.
- Alternative 2 should allocate pollock, Pacific cod, Pacific ocean perch, northern rockfish, and dusky rockfish as target species. The fisheries for these species typically close when the TACs are reached; they are not typically closed because the PSC limits have been reached. If these target species are not allocated then the fleet will continue to race to harvest these species rather than fishing more slowly and strategically to avoid PSC.
- Alternative 2 should not allocate flatfish species because the TACs have never been fully harvested in the GOA. These unallocated flatfish species would provide an incentive for the fleet to improve utilization of PSC in all target fisheries to increase harvests of underutilized flatfish species. The allocation of flatfish should be evaluated in the first review of the program if the TACs have been more fully utilized and a race for flatfish has developed.
- Analyze the allocation of species in the following order of priority:
 - Halibut and Chinook salmon PSC
 - Rex sole and sablefish as secondary species
 - Pacific cod and pollock as target species

Element 4: Sector allocations of target and secondary species

- Analyze the following methods of allocating target and secondary species:
 - Pacific cod and pollock based on historical landings
 - Rex sole and sablefish based on historical landings
- Analyze the current options for qualifying years.

- Expand the options for qualifying years beyond 2012 to analyze the impacts of allowing participants who recently acquired GOA trawl groundfish LLP licenses to qualify for the trawl sector under the program. Alternatively, analyze an exemption from the qualifying years for these participants.
- Analyze a broader range of qualifying years prior to 2003 for sector allocations of target and secondary species. This would include vessels with a long history of participation before 2003 that are still participating in the fishery.
- Analyze allocating secondary species to sectors based on total catch (retained plus discarded) in addition to retained catch. Secondary species that are managed by MRAs can change management status over the calendar year from bycatch status (can be retained in amounts up to the MRA) to PSC status (must be discarded), so using retained catch to allocate secondary species may not be appropriate for all sectors because the existing management program forces regulatory discards.
- Allocations between the catcher vessel and catcher-processor sectors should be based on historical participation by each sector.
- For underutilized species, analyze measures to fairly allocate future harvest opportunities between the sectors while addressing bycatch usage and needs for each sector.
- Analyze the allocation of constraining target species to provide the fleet with more flexibility to fully harvest groundfish TACs. Consider alternatives for allocation methods or revisions to existing management measures to minimize the likelihood that specific species will constrain groundfish harvests.
- Analyze allocations to the catcher/processor sector based on both total catch and retained catch to understand the impacts across historical participants. Small catcher/processors could be significantly harmed if program allocations are based on retained catch instead of total catch.

Element 5: Sector allocations of PSC

- Analyze the following PSC allocation methods:
 - Allocate halibut and Chinook salmon PSC based on groundfish harvests to ensure individual accountability and reduce the likelihood that poor PSC performance by one vessel will adversely impact other vessels with good PSC performance.
 - Allocate halibut PSC based on all groundfish landed.
 - Allocate Chinook salmon PSC based on pollock and non-pollock landings.
 - Allocate an amount of pollock TAC that is sufficient to reduce Chinook salmon PSC in the Pacific cod and pollock fisheries by 50 percent and annually allocate pollock to quota share holders on the basis of their relative success at avoiding Chinook salmon.
- Analyze modifications to PSC limits:
 - Include a broader range of PSC limit reductions beyond the current options for Chinook salmon and halibut to reflect significant resource uncertainties and address ongoing inequity caused by placing the conservation burden primarily on directed fishery user groups. Consider PSC reductions of up to 50 percent to respond to declines in PSC species stocks. These reductions could be modified in the future if scientific information indicates PSC stocks have increased in abundance.

- Analyze total catch versus retained catch for allocations of PSC to individual LLP licenses and clearly describe how total catch has been determined. The EIS should examine difference in the allocation formula to understand the impacts across participants. Small catcher/processors could be significantly harmed if program allocations are based on retained catch instead of total catch.

Element 6: Voluntary inshore cooperative structure

- Analyze the following elements of the voluntary cooperative structure in Alternative 2:
 - Eligible LLP license holders may choose to join a cooperative in association with their historical processor or participate in the limited access fishery.
 - Eligible LLP license holders may be in one cooperative in each region (Western GOA and the Central GOA/West Yakutat District).
 - Each cooperative must comply with annual cooperative formation, contract filing, and reporting requirements.
- Analyze the benefits of a cooperative structure to manage bycatch; increase efficiency, flexibility and safety in the fishery; and allow for improved utilization of the cooperative species.
- The EIS should describe that cooperative programs provide the fleet with the tools, accountability, and management structure necessary to manage and control bycatch, achieve optimum yield, and provide greater economic stability and opportunity for harvesters, processors and communities.
- Analyze the benefits of using a cooperative management structure to collectively alter fishing strategies and fishing behavior and slow down the race for fish. The best tools to avoid bycatch utilize temporal, spatial, and collective decision making by the harvester coupled with a cooperative harvest structure that employs personal and collective accountability to avoid bycatch.
- Analyze a cooperative management program that does not include permanent quota share allocations, similar to the voluntary agreement that Western GOA trawl fishermen have used to limit bycatch of Chinook salmon in recent years. This cooperative management program would annually allocate target species and PSC to individual vessels and work in conjunction with the LLP and current target species sector allocations to enable fishermen to utilize PSC more efficiently and encourage best fishing practices.
- Analyze the impacts of including community sign-on requirements for cooperative contracts.
- Analyze how the initial linkage between processors and harvesters based on historical landings would function.
- Analyze barriers to new entrants in the processing sector.
- Analyze whether the initial linkage between harvesters and processors based on historical landings is authorized under the Magnuson-Stevens Act.
- Analyze an option for pot gear vessels to join GOA trawl cooperatives to harvest Pacific cod as part of a larger gear conversion effort.
- Cooperatives should be developed to help participants avoid bycatch by information sharing and formal participation in bycatch avoidance programs
- Analyze the effects of cooperative formation on processors.

Element 7: Voluntary catcher/processor cooperative structure

- Analyze the catcher/processor fleet's history in and dependence on the GOA groundfish trawl fishery. Many vessels were pioneers in GOA fisheries before shoreside markets developed and have made significant investments in the fishery. Several vessels in the catcher/processor fleet are dependent on GOA groundfish fisheries and the ability of these vessels to participate in the fisheries at current levels must be preserved.
- Analyze the impact of proposed monitoring measures and increased observer coverage on small catcher/processors that have limited space on and below deck. The EIS should evaluate the increased monitoring and compliance costs for these vessels and identify potential mechanisms to mitigate the impacts.
- Analyze the impacts of increasing observer coverage on catcher/processors to 200 percent on crew and vessel ergonomics. Reducing space for crew on an already small catcher/processor could affect the vessel's production.
- Analyze the costs of requiring full retention of groundfish in order to conduct a census for Chinook salmon, specifically for catcher/processors that are not equipped for this monitoring requirement in the Amendment 80 and Rockfish Program fisheries. Analyze less costly monitoring options for small catcher processors.
- If the exempted fishing permit for deck sorting halibut is successful in the Bering Sea and Aleutian Islands, analyze the vessel-specific requirements and costs to implement deck sorting in the GOA trawl bycatch management program.
- Analyze the impact on the F/V GOLDEN FLEECE's Amendment 80 sideboards if it is replaced with a platform less than 124 maximum length overall or greater than 124 ft maximum length overall. The current rebuild restriction for the F/V GOLDEN FLEECE is not necessary under Alternative 2 because the vessel will be constrained by its PSC allocations.

Element 8: Fishery dependent community stability

- Consolidation limits
 - Analyze the impacts of vessel use caps on the fleet.
 - Incorporate flexibility into the vessel use caps so the industry can expand and contract based on fishery TACs and the economic conditions of the fishery.
 - Analyze the impact of consolidation of LLP licenses on fewer trawl vessels on the total amount of harvest, the associated landing taxes and processing revenues, the processing employment opportunities, the number of available crew jobs, the shares paid to crew, and the amount of demand for shore-based support services.
 - Analyze quota share holding (ownership) cap options beyond the current low end of the range (3 percent) to account for persons who own multiple LLP licenses and vessels.
 - Include a "grandfather" provision to authorize initial issuance of quota share in excess of ownership caps to eligible participants that would exceed the caps.
 - Analyze the effects of processing caps.
 - Analyze possible divestiture mechanisms for ownership and use caps.
 - Conduct further analysis of a grandfather provision for quota share holdings and processing levels in excess of the caps, including an analysis of a sunset provision

- to specify a time period after which quota share holdings in excess of the cap must be divested.
- Analyze the effect of Alternative 2 on consolidation of quota share holdings by non-Alaskans.
- Analyze the effects of regionalization of quota shares on historical delivery patterns. Regionalization is a measure to preserve historical delivery levels to shoreside processors in each management area. Analyze the benefits of regionalization in maintaining processing levels and the associated employment opportunities at or near historical levels.
- Port-of-landing requirements
 - Analyze the effects of port-of-landing requirements on vessel safety and bycatch reduction goals. Port-of-landing requirements and regionalization of landings have been used in other rationalized fisheries with mixed results.
 - Analyze the effects of port-of-landing requirements and regionalization for fisheries that are not currently or historically fully utilized. Port-of-landing requirements may provide a windfall to communities if deliveries from a groundfish fishery that has not been fully utilized in the past increase and must be delivered to a specific port.
 - Analyze a broader range of ports to be included in the port-of-landing analysis beyond Kodiak, consider including Seward as well.
- Active participation requirements
 - Analyze the active participation criteria of requiring trawl vessel ownership or participation as crew to determine if these options meet the stated goals of the bycatch management program and whether these active participation criteria can be enforced.
 - Analyze options for including an active participation requirement for individuals to acquire and retain quota shares, with an exemption for community entities such as Community Quota Entities and Community Fishing Associations.
 - Analyze benefits of active participation requirements in maintaining entry level opportunities for fishermen.

Element 9: Transferability

No public comments addressed this element.

Element 10: Gear conversion

- Analyze incentives for the permanent transfer of trawl quota share to gear types with less impact on the ocean floor.
- Analyze the benefits of gear conversion in creating conservation benefits across the GOA and in other areas through a shift to gear types with lower bycatch levels and mortality rates and reduced habitat impacts.
- Analyze the benefits to bottom habitat of banning all trawl gear in the GOA groundfish fisheries.
- Analyze an option for all Pacific cod to be harvested with fixed gear to reduce halibut bycatch.
- Analyze an option to require a minimum percentage of Pacific cod trawl quota share to be harvested with pot gear within a certain number of years after implementation of the proposed program.

Element 11: Limited access trawl fisheries (catcher vessel and catcher/processor)

One comment supported continued analysis of the limited access trawl fishery, recognizing the potential difficulties in managing a limited access fishery with a relatively small TAC.

Element 12: Sideboards

No public comments addressed this element.

Element 13: Program review

- Develop program review options. An established structure for review and adaptation is important for the continued sustainability of this fishery.

Element 14: Cost recovery and loan program

- Develop a cost recovery program structure for consideration in the proposed program.

Additional management measures to analyze under Alternative 2

- The objective for the bycatch management program should be to reduce the amount of all fish that are discarded, not just PSC species. The analysis of Alternative 2 should describe the tradeoffs of relieving Maximum Retainable Amount (MRA) regulations for secondary species as well as changes in other fishery regulations that force discards. Relieving MRA regulations would allow the fleet to fish when target species aggregations are high and bycatch rates may be lower. This management change could reduce gear conflicts between the trawl and fixed gear sectors and improve opportunities for the fleet to coordinate deliveries with processors.
- Analyze the feasibility and effects of 1) requiring 100 percent retention of pollock and Pacific cod for the trawl catcher vessel sector from January 20 – November 1, and 2) increasing the MRAs for pollock and Pacific cod in other target species fisheries for the period November 1 – December 31 to reduce regulatory discards.
- Analyze changing groundfish season dates to avoid bycatch in the fall when large amounts of halibut gather with Pacific cod.

Comments on Alternative 3

Alternative 3 is a bycatch management program that would allocate Chinook salmon and Pacific halibut PSC to participants in the GOA trawl groundfish fisheries who voluntarily join a cooperative.

Several comments addressed general and specific elements of Alternative 3. No comments specifically supported analysis of Alternative 3 or a bycatch management program that allocates only PSC. Comments opposing analysis of Alternative 3 or a bycatch management program that allocates only PSC suggested that it would not end the race for fish and would not promote individual accountability for PSC reduction.

Opposition to analyze Alternative 3 or a bycatch management program that allocates only PSC to an individual or cooperative

- The proposed program must allocate target species and PSC allocations as a package. An allocation of PSC without an allocation of target species would not be consistent with the Council's purpose and need. Alternative 3 would destabilize the fishery because annual allocations of only PSC will undermine the benefits of cooperative structure and fishing behavior.
- Alternative 3 should not be analyzed because it would not improve management of the GOA trawl groundfish fisheries and is not supported by participants in fisheries.
- Individual or cooperative bycatch quota shares (IBQs) would not stop the race for fish in the GOA pollock and Pacific cod fisheries that are already fully prosecuted. An IBQ program could provide incentives for individual vessels to improve PSC performance, but would not foster fleet-wide cooperation to reduce PSC. The potential for PSC reduction is greater with fleet-wide cooperation through the use of PSC "hot spot" reporting and sharing information on technology improvements for excluder devices, electronics, and fishing gear.
- An IBQ program would not provide the necessary tools for the fleet to achieve optimum yield of target species while also reducing bycatch. Other IBQ programs result in less than full utilization of target species catch because participants hold their IBQ instead of trading it to facilitate the prosecution of the fishery. Costs for the industry are greater with an IBQ fishery due to monitoring needs, costs of purchasing IBQ, and costs for cooperative management. Without the other incentives and tools that come with an allocation of target and secondary species, the IBQ program will not meet all of the stated goals of the Council for a bycatch management program.
- An IBQ program would compel fishermen to participate in a race for fish for target species rather than take actions to reduce bycatch if those actions reduce overall groundfish catch. Allocating target and bycatch species would end the race for fish and make the program much more likely to be effective in meeting its stated goals. IBQ programs are also unlikely to capture the ancillary benefits from exclusive harvest privilege programs like cooperatives, individual fishing quota shares and Territorial Use Rights for Fishing. Furthermore, the performance of IBQ programs is unknown and untested.

Specific comments on the elements of Alternative 3

- Analyze the impacts of Alternative 3 on the race for fish, and how it would provide tools to allow the fleet to harvest groundfish TACs within the established PSC limits.
- Analyze revisions to Alternative 3 that would slow the race for fish.
- Analyze how Alternative 3 meets the Magnuson-Stevens Act National Standard 9 practicability requirements for bycatch reduction measures and what incentives it creates for the fleet to organize and communicate on the fishing grounds.

Voluntary inshore cooperative structure

- Analyze the option to allocate PSC in a cooperative based on vessel dependency to determine if it would encourage the influx of capacity by vessels from outside the area that have little to no history in the GOA trawl groundfish fisheries but have revenue from participation in other fisheries.

- Analyze the impacts of options that do not allocate PSC in a cooperative based on historical participation. Allocations to entities that are not historical participants with a dependence on the fisheries further destabilizes the fully subscribed and well-capitalized fishery and runs counter to the requirements of the Magnuson-Stevens Act.
- Analyze the effects of the option to allocate PSC in a cooperative based on equal shares.
- Analyze the effects of an annual reallocation of harvest privileges with respect to the known benefits of cooperative structure and behavior.
- Analyze the impacts of Alternative 3 on the cooperative and vessel-level incentives to harvest groundfish under a PSC-only allocation. Alternative 3 would not slow the race for fish, but would incentivize participants to maximize their harvest of groundfish as quickly as possible before reaching the PSC limit. Failing to slow the race for fish is counter to the goals and objectives of the proposed program.

Comments on Alternative 4

Alternative 4 would allocate exclusive harvest privileges to fishery participants who voluntarily join a cooperative under Alternative 2 and either 1) a Community Fishing Association (CFA) or 2) an Adaptive Management Program. The comments below are specific to the options to allocate exclusive harvest privileges to a CFA or an Adaptive Management Program. The comments addressing Alternative 2 are included in the *Alternative 2* section and are not repeated here.

General comments on Alternative 4

- Do not analyze Alternative 4 because it would allocate harvest privileges to persons that have not historically or recently been involved in the GOA trawl groundfish fisheries.
- Analyze how Alternative 4 would achieve the State of Alaska's policy objective to avoid creating new economic assets by allocating exclusive harvest privileges.

Specific comments on the elements of Alternative 4

Option 1: Community Fishing Association (CFA)

Some comments expressed general support for the CFA option. Some comments recommended analyzing the costs and benefits of a CFA and the regulatory burden associated with possible program designs. Additionally, the comments recommended an examination of the transparency of CFA operations, the costs for community entities to join a CFA, and the responsibilities of fishermen that participate in the CFA. Some comments requested a more thorough examination of the intent for and the goals and objectives of the CFA option.

Element 1: Quota allocation

- Analyze the effects of a range of initial allocations to a CFA.
- Compare the effects of an option where a CFA is given an initial allocation versus an option where CFA is eligible to purchase quota shares after allocation.

Element 2: Number of CFAs

No public comments addressed this element.

Element 3: Goals and objectives of a CFA

- Address whether ensuring community access to the GOA trawl fisheries into the future is a primary goal of the proposed program.
- Compare and contrast how communities are protected under a CFA option with the community protection elements incorporated into Alternative 2; regionalization, port-of-landing requirements, consolidation limits, and active participation requirements.
- Analyze the potential benefits of adding a Right of First of Offer program for quota share sale or lease to create opportunities for new entrants into the fishery.
- Analyze the benefits of a CFA option on strengthening the relationships among the captain, vessel owner, and crew with the community; providing opportunity for future generations to enter the fishery; and encouraging equitable crew compensation.
- Analyze the benefits of a CFA option in directly anchoring fishing quota share to fishing communities.
- Consider whether and to what extent providing an initial allocation to a CFA is critical to the success of the CFA option and the broader goals of the proposed program.
- Analyze the ways in which an initial allocation to one or more CFAs would meet program goals instead of allowing a CFA to purchase quota shares.
- Analyze the proposed program's potential attainment of the Council's goals and objectives with and without a CFA option.
- Analyze how a CFA option would protect the communities that are historically dependent on the GOA trawl groundfish fisheries and create new entry opportunities without adversely impacting historical participants in the fishery and stakeholders.

Element 4: Communities eligible for participation in the CFA

- Eligibility criteria should specify that communities eligible to participate in a CFA are those with current or historical participation in GOA trawl groundfish fisheries.
- Analyze the impacts of allowing communities that are not engaged in and dependent on the GOA trawl groundfish fisheries to participate in a CFA on those communities that are dependent on the fisheries. The EIS should also describe how the option to allow non-dependent communities in the CFA is consistent with the goals and objectives for the proposed program.
- Evaluate whether the community eligibility criteria in Alternative 4 are consistent with fishing community allocation provisions in section 303A(c)(3) of the Magnuson-Stevens Act.
- Evaluate whether the CFA community eligibility criteria in Alternative 4 would achieve the community stability goals and objectives of the proposed program.

Element 5: Community sustainability plan

- Analyze possible structures for a CFA.
 - Mechanisms for harvesters to lease quota share from a CFA.
 - General operation and staffing of CFAs.
 - Methods of funding a CFA.

- Analyze mechanisms for new entry as a component of a CFA.
 - Analyze a mechanism to sever a segment of catch history from an active LLP license and apply it to a latent LLP license to allow for new entry at a lower cost than purchasing an active LLP license.
- Analyze mechanisms to anchor quota share in communities as a component of a CFA.
- Analyze a mechanism to protect equitable crew compensation as a component of a CFA.
- Analyze the economic viability of the option for a CFA to utilize proceeds from leasing quota share and how these lease proceeds could enhance entry level opportunities within eligible communities as specified in Alternative 4.
- Analyze whether the scale and economics of the GOA groundfish fisheries are sufficient to establish one or more CFAs within the goals and objectives of the proposed program. The EIS should evaluate the groundfish fishery resources that would be available in the GOA and what economic benefits can reasonably be expected to flow from a CFA allocation.
- Analyze the financial viability of a CFA that is funded by leased fishing quota under a range of groundfish ex-vessel prices. The analysis should evaluate the impacts of requiring the person who leases CFA quota shares to pay their crew at a specified level.

Element 6: Annual report

No public comments addressed this element.

Element 7: CFA cooperative program integration

- Analyze an option to require that a representative from the community receiving delivery of CFA fishing quota shares is a signatory to the cooperative contract. This would allow the community in which the processor is located to support cooperative practices that meet community goals and objectives. Analyze the option of community participation and approval of CFA cooperative contracts. Explore the option of requiring the cooperatives to provide quarterly performance reports to the community.
- Analyze methods for distributing quota share from a CFA to a cooperative to be fished.

Option 2: Adaptive management program

Many comments requested further analysis of the adaptive management option of Alternative 4. The elements for further examination include the responsibility of participating fishermen and communities in an adaptive management program. One comment suggested that the adaptive management option cannot be analyzed without significant further development. The comment recommended removing this option from further analysis if further development does not occur.

Element 1: Goals and objectives

- Analyze the potential benefits of an adaptive management plan.
- Examine whether there is an additional benefit from an adaptive management program compared to the community protection elements in Alternative 2; regionalization, port-of-landing requirements, consolidation limits, and active participation requirements.

Element 2: Process for allocating quota shares

- Analyze a formulaic approach to trigger distribution of fishing quota to the adaptive management program when specific conditions are met in comparison to using a board of directors or similar structure to determine the use of fishing quota in the program.

Element 3: Program review and evaluation

- Develop a structure for program review and evaluation.
- Analyze options for review and evaluation of program performance with opportunities to modify and improve the program.

Other alternatives proposed

- Analyze an alternative that would allocate harvest privileges with a fixed-term (e.g., 1-5 years).
- Analyze an alternative that provides an annual allocation of non-transferable target species and bycatch to LLP license holders to stop the "race for fish" in conjunction with the pre-assigned trip limit system the GOA trawl fleet has used voluntarily in recent years. This alternative may provide flexibility to meet the proposed program's overarching goal and objectives. Allocations under the alternative should be based on factors such as historical participation, active participation, and specific environmental and social performance standards. This alternative would avoid the consolidation of wealth, maintain jobs in the harvesting and processing sectors, and protect and enhance the GOA groundfish fisheries and coastal communities.
- Analyze an alternative that does not privatize the fishery resource by allocating exclusive harvest privileges and create valuable assets for initial recipients.

Additional management measures for consideration

- Trip limits
 - Analyze the impacts of increasing the pollock trip limit from 300,000 pounds (136 metric tons) to 350,000 (159 metric tons) to reduce waste and discards.
 - Analyze the impacts of increasing the pollock trip limit to between 350,000 pounds (159 metric tons) and 400,000 pounds (181 metric tons) to improve operating efficiencies and decrease at-sea discards. Most vessels in the Kodiak fleet have more hold capacity than the current trip limit and an increase in the limit would help improve operating efficiencies while maintaining a trip limit. This increase would reduce at-sea discards because most vessels in the fleet have holding capacities within this range.
- Analyze the ramifications of eliminating pollock trip limits as an option under a new bycatch management program. The need for trip limits may be eliminated under a new management program, and removing trip limits would improve the safety of harvesters and reduce their overall carbon footprint by reducing the number of trips needed to fully execute the fishery.
- Habitat protections
 - Analyze habitat protection options for a new bycatch management program.
- State and Federal fishery coordination
 - Analyze provisions under Alternatives 2 and 3 to enable participants in the Federal voluntary cooperative program to continue to have access to State of Alaska waters to harvest pollock without creating a race for fish.

- Analyze measures to mitigate the cumulative impacts of the proposed program and other catch share programs on areas supporting remaining open-access fisheries, including fisheries in State of Alaska waters.
- Analyze how management of groundfish fisheries in State of Alaska waters would respond to the proposed action. This is critical to ensuring that the proposed program operates as intended.
- Sunset clause
 - Analyze a sunset clause that automatically ends the bycatch management program in 5 years unless the Council votes to extend the program after a review to address unforeseeable outcomes or unintended consequences that arose following implementation.
- Sideboards on Bering Sea vessels
 - Analyze sideboards on vessels that participate in the Bering Sea groundfish fisheries and have GOA LLP licenses to prevent fishing in both areas.

Issues Identified During Scoping

The comments suggested a range of issues for further analysis. To the extent practicable and as appropriate, the EIS will take these issues into account.

Analytic approach

One comment encouraged the Council to complete quantitative analyses of crucial aspects of the alternatives. The comment noted that the EIS workplan relies on qualitative analysis rather than quantitative analysis for many program elements. The comment recognized that there are data limitations in some areas, but encouraged the Council to seek quantitative analyses of specific aspects of the alternatives in the EIS, such as the effects of provisions for annual or equal share allocations of harvest privileges (Alternative 3), the impacts of not including community landing requirements for cooperative fishing quota on communities that are dependent on the GOA groundfish fisheries (Alternatives 2 and 4), and the impacts of reallocating landings away from communities that are dependent on the GOA groundfish fisheries communities to communities that are not dependent on the fisheries (Alternative 4).

Bycatch accountability

The comments suggested evaluating the alternatives according to their effectiveness at creating individual accountability for bycatch.

Environmental impacts

The comments suggested analyzing the alternatives with respect to their environmental impacts, including the impacts of trawl gear and climate change on the environment.

Economic impacts

- Analyze the impacts of the alternatives on global markets and supply chains for the harvesting and processing sectors in the GOA trawl groundfish fisheries.

- Analyze the effects of the alternatives on the capital investments made by harvesters, processors, and communities dependent on the GOA groundfish fisheries. Specifically, analyze the value of quota share created under a new bycatch management program and how it would impact historical harvesting and processing investments made in the GOA groundfish fisheries. The EIS should describe that if initial recipients receive allocations of quota share are substantially greater in value than the investments in harvesting and processing assets, the initial allocation creates a windfall for the owners of those assets.
- Analyze the impact of the alternatives on markets and pricing for participants in the jig fishery.
- Compare how the alternatives encourage or discourage economic stability and how stability affects ancillary business, public infrastructure, and the resident base in affected communities.
- Analyze how the alternatives would stabilize the working waterfront in GOA fishing communities.
- Analyze whether the use caps in Alternative 2 are sufficient to prevent a significant transfer of wealth to current fishery participants.

Social and community impacts

Many comments suggested extensive analysis of the social impacts of the alternatives. The specific types of social impacts proposed for analysis include the impacts on community participation in fisheries, community stability, and community vulnerability to management changes. The comments suggested utilizing the [*Community Profiles for North Pacific Fisheries*](#) to forecast the impact of a new bycatch management program on communities within a larger social impact assessment. One comment proposed using a social impact assessment for the Aleutians East Borough ([*Social Impact Assessment of the Western Gulf of Alaska*](#)) to provide information on the trawl fleet in Sand Point and King Cove and the impact of fishery management actions on the region.

Social and community impacts proposed for analysis included:

- Analyze the potential impacts of the alternatives on small, independent vessels in the fishery and the creation of barriers to enter the GOA groundfish fisheries under the alternatives.
- Analyze mechanisms to maintain the existing composition of the fleet and anchor fishing quota share in communities.
- Analyze foreseeable impacts of the alternatives on future generations of fishermen and fishing-dependent communities in addition to the immediate and near-term impacts of any new management program.
- Update and improve previous methodologies for measuring impacts to directed fishery users and consider and utilize multi-use fisheries models that are available. Utilize and/or develop a methodology that provides a reasonable evaluation of economic impacts to recreational fisheries.
- Analyze the non-economic value of halibut taken as PSC in the GOA groundfish fisheries.
- Analyze the role of independent, community-based fishermen in GOA communities
- Evaluate options to keep fisheries accessible to new entrants.

- Analyze options to support an owner operator fleet. This would prevent absentee quota share ownership and avoid requiring active participants to lease quota share from inactive participants.
- Analyze the alternatives based on the expected changes to the costs of entry if quota share has to be leased or purchased. Quota share lease and purchase fees are often the highest costs that fishermen incur, and these costs reduce profitability. Absentee ownership of quota share, coupled with marginal profits due to lease fees, make it unlikely that fishermen would choose more sustainable fishing practices if those practices cut into their already marginal profits.
- Evaluate options to minimize, if not entirely avoid, fleet consolidation.
- Analyze the effects of the alternatives on crew compensation.
- Analyze the importance of the GOA trawl groundfish fisheries to Sand Point and King Cove. The EIS should highlight the importance of local revenue sources like fishing to these communities in times of declining state assistance programs.
- Analyze the economic, social, and cultural impacts to fishing communities from the loss of access to fisheries.
- Analyze the community impacts of making fishing businesses more stable and valuable.

Allocation impacts

- Analyze how the allocation methods under Alternatives 2 and 3 may affect ownership and participation in the fishery, the geographic distribution of the fleet, fleet diversity, employment opportunities in the fleet, new entry into the processing sector, and the possibility for expansion of value-added processing in the GOA groundfish fishery.
- Analyze the allocation methods under Alternatives 2 and 3 with respect to historical dependence and social and economic impacts.
- Analyze the resource allocation impacts of the alternatives on non-trawl users, including: recreational, commercial, subsistence, and conservation interests.

Impacts on harvesting sector

The comments recommended an analysis of the effects of Alternatives 2 and 3 on the historical dependency of harvesters on the GOA groundfish trawl fisheries and how harvesters could benefit from stability created by a new bycatch management program.

Impacts on processing sector

The comments recommended an analysis of how Alternatives 2 and 3 would affect the processing sector, specifically impacts on the value of investments made over the years prior to the implementation of a new program.

Review of existing catch share programs

- Analyze existing catch share programs with a cooperative structure to determine how successfully or unsuccessfully these programs have met program goals such as: achieving optimum yield, improved business planning, reducing improving safety on the fishing grounds, achieving conservation goals, increasing operational flexibility, improving product quality, reducing impacts on habitat, and protecting community interests.

- Fully analyze the benefits and costs of catch share programs that have been implemented in Pacific and North Pacific fisheries.

New entrants

- The EIS should define the term “new entrant” for purposes of the proposed program. The definition of this term must be clear in order to create reasonable goals and objectives for future entry opportunities in the GOA trawl groundfish fisheries.
- Analyze program alternatives that provide realistic entry opportunities for young fishermen.
- Analyze the impact of the alternatives on new entry into the GOA processing sector and how the alternatives would promote or prevent processor consolidation and potential barriers to entry.
- Analyze an option to allocate a portion of quota share to vessel captains as a new entry opportunity.

Stakeholders

- Define the term “stakeholder” with respect to affected participants in the GOA trawl groundfish fisheries. Some comments suggested that a stakeholder should be defined a person that is directly participating and engaged in the GOA trawl groundfish fisheries. Other comments suggested that GOA coastal communities and their residents should be recognized as stakeholders in the development of the proposed program.
- Evaluate and describe the impacts of the alternatives on persons directly involved and invested in the fishery versus people live in affected communities but are not directly involved or invested in the GOA groundfish fisheries. Those who are involved and invested in the fisheries should be the primary recipients of program benefits.
- The community of Kodiak is a stakeholder with equal weight and importance to all harvesting and processing interests that would be affected by a new GOA trawl bycatch management program.

List of Preparers and Persons Consulted

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