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January 24, 2017

Mr. Dan Hull, Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252

**Re: C-9: Gear and Sector Specific MRAs of GOA Skates**

Dear Chairman Hull,

The Freezer Longline Coalition (FLC) would like to offer the following comments on agenda item C-9, the discussion paper for gear and sector specific MRAs of GOA skates. The FLC appreciates the opportunity to provide input on this issue.

**About FLC**

The FLC represents the owners and operators of nearly 30 U.S.-flag vessels that participate in the freezer longline sector of the Pacific cod fishery in the BSAI and GOA. The mission of the FLC is to promote policies and practices that support the sustainable and orderly harvest of Pacific cod and other groundfish species. Since its establishment, FLC has been a leader in efforts to reduce bycatch and promote more sustainable fishing practices in the North Pacific.

**Proposed Action**

**The FLC would like to request an expanded and more comprehensive discussion paper regarding sector specific MRA for GOA skates.** Additionally, the FLC would like the Council to consider adding to the expanded discussion paper the enforcement of the GOA skate MRA at time of offload.

**Sector-specific MRAs**

The original action that reduced the MRA from 20% to 5% moved quickly through the Council process (initial review was in October 2014 and final action occurred in December 2014). The Council's Final Review Draft (December 2014), as approved stated the purpose of the original action to be *"to slow the harvest rate of skates and to decrease the incentive for vessels to "top off" on skates by reducing the MRA to levels that more accurately reflect the intrinsic rate of incidental catch of skates in the GOA."*

While the original action was for a MRA for all skates for all gear in all GOA areas, the analysis only examined the intrinsic rate for big skates in the CGOA only. The analysis had data from three years, with CP and CV catches aggregated together without

differentiation. A motion for a MRA of 7% failed at the Council in a 5-5 vote. The revised MRA of 5% went into effect in 2016 for all GOA skates in all areas for all gear.

At the April 2016 Council meeting, the FLC provided testimony during the B reports that the intrinsic rate in the analysis did not reflect the rate experienced by CP H&L vessels operating in the GOA. The average encounter rate (2011-2015) of GOA skates by FLC vessels was **9%** (and **14%** in **2016**). FLC vessels are not targeting skates and we believe this rate represents the intrinsic rate for the sector. While there is value in retained skates, it is not comparable to the value of Pacific cod. The vessels would, however, like to utilize the incidental catch of skates while Pacific cod fishing. Additionally, the FLC provided information from GOA skate SAFE that showed GOA skate biomass increasing steadily (1984-2015) with 2015 being the highest value in the time series.

Setting the MRA below the intrinsic rate serves only to increase regulatory discards – which is the opposite of the intent of the National Bycatch Strategy. With the assumption of a 100% DMR, the accounting for mortality is the same whether the skate is retained or discarded (as long as there is no targeting). On average (2011-2016), FLC vessels retain 26% of all skates encountered (with 18% retained in 2016).

The current discussion paper is intended to examine sector specific MRAs, but while the discussion paper examines some sectors, it does not include any explicit data for the CP H&L sector in the GOA. Table 2 (p. 4) only contains data for catcher vessels. Additionally, the data provided in Table 2 is sparse; once again, only three years of data are included, with only one year overlapping with Table 1. The FLC believes the current discussion paper regarding sector and gear specific MRAs does not provide the information needed to determine an MRA for our fleet. In that regard we ask the Council to request an expanded discussion paper regarding sector specific MRAs for GOA skates. The paper should include GOA skate biomass trends and skate encounter rate from the IPHC and AFSC longline survey if available.

The discussion paper does show in Table 2 that the post closure rate (proxy for intrinsic rate) is much higher in CV hook-and-line gear than for pot and trawl gear. It should also be noted that the average post closure rate for CV hook-and-line in the CGOA is 7% (i.e. above the current MRA).

#### Enforcement at Offload

The FLC would also ask the Council to consider the addition of enforcement of the GOA skate MRA at time of offload.

The discussion paper states (p. 5) that *“Enforcement of MRA limits currently takes place after offload, via reports from processors. No enforcement activities occur while vessels are at sea.”*

The discussion paper also includes *“Maximum retainable amounts are enforced instantaneously; it is unlawful for a vessel to retain species on MRA status that exceed the MRA percentage at any time during a fishing trip. A change in regulation would allow vessels to retain species that are closed to directed fishing in excess of the*

*instantaneous MRA, provided that the amount retained at the time of offload is at or below the MRA percentage with respect to the basis species retained. The Council noted that the complexity of changing the enforcement period for all MRA species in the North Pacific make a single regulatory change difficult, and preferred instead to consider MRA enforcement periods on a species by species basis."*

The enforcement of the MRA at off-load (for GOA skates only) could help reduce regulatory discards without creating additional enforcement issues. In the event that there is not sufficient information available to determine sector-specific intrinsic rates (and appropriate MRAs), then the enforcement at offload would be the only available relief for the fishing fleets.

Thank you for consideration of these comments.

Sincerely,



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