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# Fish News

Dec. 21, 2010

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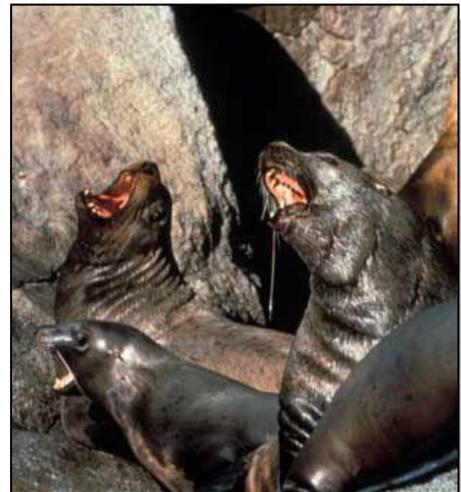
## State Sues to Overturn NMFS Decision on Western Sea Lions

The State of Alaska filed a lawsuit last week in an attempt to stop the National Marine Fisheries Service (NMFS) from restricting fishing in the westernmost Aleutian Islands. NMFS claims the fishing restrictions are needed to protect food sources for endangered Steller sea lions. However, Governor Parnell said the agency's conclusion that additional fishing restrictions are necessary is not supported by the best available scientific information.

"The drastic measures proposed by NMFS are simply not necessary given the overall health of the Steller sea lion population," Governor Parnell said in a press release. "This decision will have immediate and significant impacts on local communities and fishermen in the area."

If the NMFS plan goes forward, the decision would cause fishery losses up to \$66 million annually and would affect approximately 900 people employed by commercial mackerel and cod fisheries fleets. The state's lawsuit asks the court to issue a ruling to prevent NMFS' plan from being implemented January 1, 2011.

Governor Parnell said the state believes that NMFS committed procedural violations that limited input from the public and experts. The state further argues restricted fishing isn't



**The State of Alaska has filed a lawsuit to stop NMFS from restricting fishing in the westernmost Aleutian Islands.**

necessary because western Steller sea lions had an average annual population growth of between 1 and 1.5 percent between 2000 and 2008, and now number more than 70,000.

[Read more: Anchorage Daily News article](#)

[Read more: press release from the Governor's Office](#)

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## Highlights from the December NPFMC Meeting

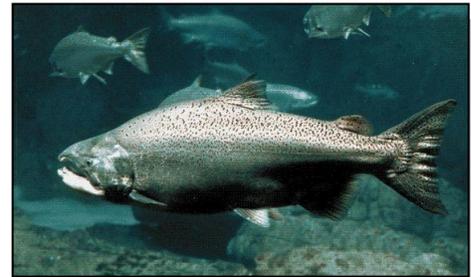
*By Sam Cotten, AEB Fisheries Consultant & NPFMC Member*

The December 2010 North Pacific Fishery Management Council meeting was well-attended by several fishermen from King Cove and Sand Point. Those who attended included Taylor Lundgren, Kylie Thompson, Paul Gronholdt, Dwain Foster, Mike Alfieri, A.J. Newman, Danny Cumberlidge, Robin Larsen, Dale Peterson and Marvin Mack.

**Chinook Salmon Bycatch** in the pollock fishery reached a record level in 2010.

Local fishermen in attendance presented several ideas, including:

- A requirement to retain all chinook salmon.
- Voluntary observer coverage for a portion of the fleet.
- Trip limits to slow down the fishery.
- Season date changes (i.e.: moving the D season into the A, B & C seasons).
- Investigating the feasibility of using salmon excluders in the trawls.



Local fishermen presented several options to the NPFMC to help lower chinook salmon bycatch numbers in the pollock fishery.

All of the salmon avoidance proposals advanced by the Sand Point and King Cove pollock fleet were incorporated into the State's motion. In addition, the motion included options for hard caps (limits that would close the fishery similar to the halibut hard caps that are already in place). The hard cap proposals would divide the cap between the

pollock and non-pollock fisheries at the rate of 75% for the pollock and 25% for non-pollock. The ranges for the cap that will be analyzed are 15,000, 22,500 and 30,000 for pollock and 5,000, 7,500 and 10,000 for non-pollock. Additionally, the motion asks for an analysis of the potential benefits of a bycatch co-op and an examination of a quota system for pollock fishermen based on their catch histories.

### **Other Council business included:**

**Steller Sea Lion regulations:** More restrictive regulations will be imposed by NMFS in the westernmost Aleutians. The Council has opposed these new measures, but the agency is moving ahead as they feel the Endangered Species Act requires additional



The Council may consider changes to the crab rationalization program.

protections for the western population. The State of Alaska disagrees, and has filed a lawsuit (see first story in newsletter).

### **Crab rationalization:**

The Council has received the 5-year review of the program and may consider changes to the program. One item

being considered separately deals with community protection, specifically the Right of First Refusal to purchase processor shares if the processor wants to sell the shares outside of the community. A new option was added requiring the community to approve any transfer.

**Cold Bay was added as a CQE community,** allowing it to purchase halibut quota and to be eligible to receive two fixed gear LLPs for western gulf P. cod.

**The Council approved the groundfish specifications for the Gulf and the Bering Sea/Aleutian Islands:** The new TACs for pollock are up for Area 610 from 26,256 metric tons (MT) to 27,031. Pacific cod federal waters are up from 20,764 to 22,785 MT. Pacific cod in state waters is up from 6,921 MT (X 2204.62 = 15,258,175 lbs) to 7,595 MT (16,744,089 lbs).

**The P. cod jig fishery will undergo some changes** as the state and federal fisheries combine. Fishermen will not be required to have an LLP to jig in federal waters. The change will not take place this year.

**The Council has appointed Katherine Reedy-Maschner to the SSC.** Dr. Maschner is well-known in the region as a hands-on anthropologist with experience on Sanak Island and has authored several publications about the eastern Aleutians and its people. Dr. Maschner will be a welcome addition to our science and statistical committee as a person with a good understanding of our area.

The Council has asked for a discussion paper to examine **the possibility of changing the opening of the P. cod trawl season from January 20 to a later date,** possibly around the 15<sup>th</sup> of February.

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## Upcoming Meetings:

- AEB Assembly Meeting: Jan. 12, 2011 via teleconference.
- NPFMC Meeting: Week of Jan. 31, 2011 - Seattle, WA - Renaissance Hotel.
- SWAMC Economic Summit & Business Meeting: Feb. 10 - 11, 2011 - Hotel Captain Cook in Anchorage.



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