

From
Barry Cohen

From: fishmancohen <fishmancohen@aol.com>
To: FishmanCohen <FishmanCohen@aol.com>
Subject: Table Of Contents
Date: Mon, May 6, 2019 2:15 pm

11/16/18

Trawl IQ Program & "Trawl Blackcod" 36 Line

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From: fishmancohen <fishmancohen@aol.com>

To: FishmanCohen <FishmanCohen@aol.com>

Subject: Letter to the Council

Date: Mon, May 6, 2019 1:30 pm

Trawl IQ Program & Southern Blackcod

To: PFMC Council Members,

My name is Barry Cohen.

This is a little history of and my thoughts, concerning the "southern" blackcod:

1. First of all some background about myself: In 1965 I started my fishing career in Avila Beach, Ca., trolling for salmon. After the salmon season, I bought a small 38 foot trawler, the "Bluejay". It was a shallow water trawler and I fished mostly for halibut, sandsole, and starry flounder. At that time there was not a three mile requirement from shore. After a few years of fishing the Bluejay, I moved up to a larger boat. I bought the Sharon Craig, a 65 foot trawler from Morro Bay. It was a great sea boat and allowed me to make trips from Avila Beach to Santa Barbara and out to 300 fathoms. I fished the Sharon Craig quite a few years and then sold it. I bought the Point Loma, a 78 foot trawler. I had that boat about 20 years. I had the Point Loma during the qualifying years for the Trawl "IQ" Program. Which takes me to the IQ discussion:

2. I was on the "Council's GAP for over 15 years. I was on the Gap when the discussions took place with the council for a "Trawl I Q program". These are the points that I believe were agreed upon between the Trawlers, the Gap, and the Council to initiate the "Trawl IQ Program". This was a "Trawler/Council management program" to self manage our fishery with a minimal amount of discards and waste.

A. This would benefit the trawlers by allowing them to catch their quota whenever they wanted.

B. This would benefit the trawlers by allowing them to catch their quota especially blackcod with whatever gear they chose so long as it was legal. (Pot caught Blackcod brought more money).

C. This would benefit the trawlers by allowing them to trade or sell their quota so long as the trade or sale was legal.

D. For these benefits the fishermen agreed to allow the council to track the fishermen's daily take of fish to insure no unreported waste or illegal activities. (Observers, at sea and unloading). This would provide for a "cleaner" fishery; much less discards and fish waste.

3. Now for the Southern Blackcod: Here is a bit of Blackcod History. Why is there such a thing as "Southern Blackcod"? It was only a temporary name given to the blackcod population below the 36 line because the scientists had not yet surveyed the blackcod population below the 36 line and they did not want their survey results misconstrued by some to think it had included the blackcod population below the 36 line. The establishment of the "Blackcod 36 Line was in 1994.

Later, in 2002, the surveys were extended and included the "southern blackcod". The scientists found that the "Southern Blackcod" were genetically the same as the Blackcod above and so the two Blackcods were the same specie. So, really the name need not be used any longer. It's the same specie and it's not over fished. Another bit of "Blackcod information" is that the Blackcod is a migratory specie. In one instance a "tagged" blackcod was captured 1500 miles from where it was tagged. So as the law reads: the 36 line is used to separate the Southern from the Northern Blackcod and different rules apply. It's ironic that that is still the case, since we know that the fish themselves are the same specie and that the fish migrate across the line, at will, for hundreds of miles in any direction. So after learning those facts, we should have faced the reality that the 36 line is now a meaningless burden on the fishermen. **There is no Biological or Scientific reason NOT to eliminate the Blackcod 36 line.**

After the surveys and analysis, the actual name, Blackcod should have been restored and the pseudo-name, "Southern Blackcod" should have been eliminated. That would have saved a lot of problems for the fishermen. So, now there is no reason that it can not be included in the coastwide term "Blackcod". There are "Blackcod" from Alaska to Mexico. NOT Blackcod in Alaska, Blackcod in Canada, Blackcod in Washington, Blackcod in Oregon, Blackcod in California down to the 36 line, Southern Blackcod from the 36 line to the Mexican border, and Blackcod in Mexico. I think you can agree how silly that is. Especially since there is no longer any reason for it!!!

I guess the question is: "What purpose does the 36 Line now serve?" None? Today it is only a deterrent depriving the trawlers access to much needed blackcod that is readily available, but not legally accessible!!!**

****Today there are tons and tons of dormant blackcod quota south of the 36 Line because there are not enough fishermen that are able to fish the quota.**

4. As I said before in 2. D. This would benefit the trawlers by allowing them to trade or sell their quota so long as the trade or sale was legal.

Calling Blackcod Southern Blackcod and treating it as if it's a different specie (when it's not) sure puts a "ka bosh" on that benefit. Also, when the initial allocation was first made, all trawlers received some Southern Trawl Blackcod. For those trawlers that live and fish in the North and have not traded that quota, it's worthless to them. **And that's really silly because it's the exact same specie that they are already fishing!!!**

Here we are, some trawlers are restricted from catching their full quota because they don't have enough trawl blackcod to allow them to continue fishing. Yet we

have surplus trawl blackcod not being made available only because of a "temporary" adjective (southern) added to their name until a survey (which was made years ago) was made. Please, Council, fix that long overdue correction.

There is dormant southern trawl blackcod around that could be put to good use and help trawlers that need it to finish their quota.

That's what this program was all about; "Trawlers, you help the Council by reducing discards and waste and we'll help you."..... "Ok Council we're reducing discards and putting up with observers, how about helping us with some more trawl blackcod that's readily available, but simply not accessible." It's only in the Council's hands to fix this problem and make it right by the trawlers. It's really hard to be trawling on the North side of the 36 line and become short of trawl blackcod and not able to finish a trip when we see the boats to the South of us have a surplus of trawl blackcod and don't even have the boats to catch them. Something is really wrong with this picture!!!

5. This was and is a Trawl IQ Program between the Council and the Trawlers: This is the Council and Trawler's agreement and they are the only parties that gain and lose directly. The trawlers gave up things and the Council gave up things. I like a lot of the pot fishermen. In fact I'm friends with a lot of fishermen period. I was a fisherman and/or fish buyer for more than 52 years and made a lot of friends. However, in this case the pot fishermen and other non trawl fishermen are not party to this agreement. In my opinion this whole discussion should only be between the trawlers and the Council. The trawlers did not have direct input or involvement in the "Blackcod Pot Program", the Crab Pot Fishery, Salmon Fishing, etc.,etc.!!!! **So, why are so many getting involved in the Council/Trawler IQ Program?** The Pot fishermen or any fishermen have every right to buy/lease/fish, etc. trawl blackcod, but they are second party only. They have nothing to say about how this is managed. **It is still an IQ Program between the Council and the Trawlers. I believe the Council has an obligation to do what's best for the trawlers and that's to help them, where possible, to maximize their ability to catch their full quota. The Council should, where possible, remove all restrictions preventing the trawlers from maximizing their legal catch. As they "Expect the Trawlers" to do their best to minimize "Waste and Discards".** Considering the agreement made, it would not be in good faith to deny the needed trawl blackcod for the trawlers when the Council requires the Trawlers to live up to their part of the agreement and reduce or eliminate discards.

Another factor the Council must consider is what and who depends upon the good health and survival of the Trawlers: The processors, the fuel facilities, the tourism, in fact the health of the coastal communities as a whole have a stake in the health and survival of the Trawlers. The Trawlers are the "backbone" of a healthy fishing community along our coast.

In Conclusion:

I believe: i. The 36 line should be removed for "southern" blackcod..

- ii. Southern Blackcod should just be blackcod and available to be traded coastwide.
- iii. If a trawler wants to use any legal method to catch his quota he should be free to do so (as was initially agreed).
- iv. If a trawler wants to sell or lease his quota or any part of his quota to any other legal gear type fisherman, he should be free to do so.
- v. This should always remain a Trawl IQ Program as it was meant to be.

When we see an efficient and healthy trawl fishing industry that has close to zero waste, is well managed, and the fishermen make a fair profit; then the Council has done its job well with the Trawlers, the pot fishermen, the Processors, the other shore side facilities, and the communities.

Thank you for your time and consideration,

Barry A. Cohen

From: fishmancohen <fishmancohen@aol.com>
To: FishmanCohen <FishmanCohen@aol.com>
Subject: Think About This
Date: Mon, May 6, 2019 2:21 pm

11/23/18

2. Think About This.....

Trawlers:

1. Freedoms/Options we gained from the Trawl IQ program
 - a. To catch our quota when **we** want to go fishing.
 - b. To be able to catch our quota by means **other than trawling**, so long as the other methods are legal methods.
 - c. To be permitted to sell or lease our quota or any part of our quota to any legal party **that we desire** so long as the lease and/ or sale is also legal.

2. What we "agreed to" and "gave up" for those Freedoms/Options:
 - a. Agreed to a new fishing strategy to reduce or eliminate waste and discards.
 - b. Agreed to take and pay for observers.
 - c. Agreed to deliver to "Licensed" processors only.

It's very hard to get any additional freedoms these days, especially in the fishing industry. So I would **hang on tight** to the ones we now have that are listed above under #1. We already paid for them under #2. If we give one away, the odds are that we'll never get it back. Then we're also taking a chance that they'll put their sights on the next one, and on and on until, who knows where it will stop. All gone??? That's not far fetched. It's part of our history. Ask me.

So which one do you want to "give up first? 1.C.?

Right now some people think we shouldn't be able to sell or lease our quota to whoever we want to sell or lease it to.

That 's not what I want. I don't want someone else telling me who I have to sell or lease to. That means the value of my quota will go down. The Council said that we would own

our quota and that we could sell or lease it as we saw fit; so long as it was legal. If I can't sell it to who I want to then I guess it wasn't really mine to start with. Also, maybe I could have sold it for \$5.00, but the Government says you have to sell it to Company X. They will pay you \$2.00. So I say, "No thank you. I'd rather run my own business". This is only one example. We can't imagine what will come up. But we should keep our cards so we can still be in the game.

You never can tell what the future will bring. It may be soon that you will be very happy that you helped save this freedom/option for you and the other trawlers Remember, our history says, "once gone, never returned"

So, at this time, I'm not willing to give up any of my negotiated freedom/options.

Well, how about it. Want to give up 1.B.?

So do we want to give away our opportunity to "gear switch"? If so, you can be sure we made such a "big stink" about it, that if we allow this to be taken from us we will "never, ever, never," see it again. Anyhow, As I have learned over the years is that if you have any fishing options / freedoms hang on to them. ***you will need them sometime*** "Down the road".

This is such a great option: It gives us a lot of flexibility. Just think about all the possibilities this brings to the table. If you need or want, you can have some other fisherman help you get some of your quota even though he is not a trawler. If you get sick or hurt that could be a big blessing! Options are Good!!! More unnecessary Regulations are not good and they hurt us!!!

Remember, you control your quota. If you don't want pot boats to own any of your blackcod, don't sell it to them. But you can lease it to them for a year for extra money. Or lease it to other trawlers. Maybe even your market will want to lease some for a year. Either way you don't have to sell it. You control it. Also, if the Council removes the 36 line and you have some of that "Southern Blackcod", you could just add that to you blackcod "POT". Yes, pun intended!!!
Hook & Line Rockcod, Pot Blackcod. All lease able if you want to, or have to make extra money . It's like paid insurance policies. You wouldn't give those away..... Same thing!!!
Don't give it away.

You never can tell what the future will bring. It may be soon that you will be very happy that you helped save

this freedom/option for you and the other trawlers Remember, our history says, "once gone, never returned"

So, at this time, I'm not willing to give up any of my negotiated freedom/options.

We haven't been asked to catch our quota on a time line. YET!!! 1.A.

However, we just got out of that fiasco. Monthly or bi-monthly limits!!! Oh my g_d, we don't want to go back to that again.

You never can tell what the future will bring. It may be soon that you will be very happy that you helped save this freedom/option for you and the other trawlers Remember, our history says, "once gone, never returned"

So, at this time, I'm not willing to give up any of my negotiated freedom/options.

And that "pesty" 36 line: Where if you catch blackcod below the 36 line then you have to unload below the 36 line (that is if you have the "Southern" Blackcod quota). And the same in reverse if you catch blackcod above the 36 line. Unload above the 36 line. *Funny thing is that it's the same blackcod.* Initially it was only given the Southern name, South of the 36 line, to separate it from the Northern Blackcod, North of the 36 line, for a survey purpose. Now it's an absolutely unnecessary regulation!!! We have enough regulations. we don't need unnecessary regulations. Also, this Regulation is restricting our access to much needed blackcod that would really help most of us get more of our quota. There is no scientific or management necessity for this regulation. "Southern Blackcod" came from the blackcod survey before they surveyed below the 36 line. This "Trawl Blackcod 36 line" should have been removed after the science committee finished it's survey work below the 36 line. Since that time the 36 line has caused much needed blackcod to become unavailable to the Northern Trawlers. It has caused unnecessary and burdensome regulations, unloading inconveniences, and formed a divided fishery that unintentionally gave a competitive edge to some fishermen over other fishermen for the same specie of fish, also caused all the Northern Trawlers that were in the IQ Trawl program to receive a worthless fish, to them, in their quota mix. It was called the "Southern Blackcod", actually *it is the same specie* as the much sought after "Blackcod", but can only be caught below the 36 line. Frustrating and silly. It caused

less catch for the large majority of fishermen, less fish for almost all the processors, less work for their employees, hurt the coastal communities, etc.

I don't think these negative results were wanted or expected to happen, by anyone.

But, These Were The Unforeseen And Unintended Consequences Of Maintaining The "Trawl Blackcod" 36 Line.

I hope everyone can agree we need to fix this ridiculous, unnecessary, and harmful restriction.

We need to keep what we got: And get rid of the "Trawl Blackcod" 36 line

All of us as fishermen need to get together and work this out between us. If we stick together we can come out with the best possible results. All of you know this saying, but fishermen have a problem living it. So we usually wind up shooting ourselves in the foot. We are all Fishermen First; Gear Differences Later. We have enough enemies without fighting each other.

Remember, **"United we stand, Divided we fall"**. I just think it would be the wrong move to give up anything we fought so hard to get. **If we did give up anything, what would we get in return?**

If anyone wants to talk with me about any of this my phone # is (831) 760 - 2126

From: fishmancohen <fishmancohen@aol.com>

To: FishmanCohen <FishmanCohen@aol.com>

Date: Tue, May 7, 2019 2:17 pm

3. Gear Switching

11/23/18

TRAWL IQ PROGRAM GEAR SWITCHING OPTION

A. Benefits:

1. A Trawler can decide to use other types of "legal" gear to catch some of their quota; such as blackcod with pots.
 - a. Pot Blackcod warrants more money.
 - b. The Trawler could do selective fishing with little, if any, by-catch. Hook & Line, Pots, etc.
2. A Trawler can decide to lease some of their quota to non-trawlers that can legally fish trawl fish. This can help prevent leaving fish "on the table" at the end of the year, catch some of the quota if the Trawler is unable to fish, etc.
3. These options 1. and 2. listed above, with the option that the Quota Owner has the right to sell or trade their quota (so long as the sale is legal), makes the quota more valuable.

B. Negatives: I can't think of any valid negatives as of now.

Now some of the Trawlers will argue that the pot fishermen will buy all or most of all the blackcod that comes up for sale or lease (Southern Blackcod for one). They say the pot fishermen get more money for their fish so they can afford to pay more to get it. Well. If

you really think that through, the trawlers get much more return on their dollar of purchased blackcod than the pot fishermen. The pot fishermen gets more money per pound, however, they can only catch the number (1 for 1) of pounds that they bought. On the other hand, the Trawler gets to catch the equal number of pounds of blackcod that he bought (like the pot fishermen) plus the Trawler can catch all the other associated quota species that were dependent upon the additional blackcod pounds.

Example: So, If I was trawling today and needed 500 pounds of blackcod to catch my full quota, I would not complain about the "pot fishermen offering more" for the blackcod.

I'd have the pot fishermen complaining about the "trawlers offering more". And I'd have my needed 500 pounds..... If you get my "drift"!!! It's called "Competition". It's the American Way.

Remember, The Pot fishermen are getting "Trawl Blackcod" only from Trawlers. The Trawlers should want the value of the blackcod to remain good or even get better. It's a good thing that pot fishermen "want" to buy or lease "trawl" blackcod. It helps to keep the value up. So, if any trawlers need blackcod, they should lease it or buy it (before letting the pot fishermen lease or buy it). The Trawlers that want to maintain control of their blackcod always have the option to only lease their quota on a yearly basis.

All Blackcod fishermen, (Trawlers, Pot, and Hook & Line) should support eliminating the 36 Line which will help all Blackcod Fishermen, Processors, and Communities from the 36 Line North without taking away from anyone below the 36 Line. (Especially now. There are tons and tons of dormant Southern Trawl Blackcod. There are very few Trawlers left in the South and the cost of required Observers has proven too expensive for the smaller pot boats.)

In conclusion: The Gear Switching Option is a good thing. Don't be afraid of it. Use it to your benefit.

From: fishmancohen <fishmancohen@aol.com>
 To: FishmanCohen <FishmanCohen@aol.com>
 Subject: Questions To Ask About The 36 Line
 Date: Wed, May 15, 2019 1:25 pm

4. Questions to ask about The 36 Line

5/15/19

Questions To Ask About The 36 Line

A. Leave Status Quo - 36 Line Stays:

1. Who benefits:

a. The Pot fishermen below the 36 line? The very few that are still fishing. There are now tons and tons of dormant "Trawl" Blackcod. After inquiring about the reason, I was told that the smaller fishing boats that fished the "trawl" blackcod with pots found that they could not make a profit.

HOW?

i. The very few larger pot boats that are still fishing "trawl" blackcod can continue to buy or lease "trawl" blackcod at a discounted rate. This keeps their operation costs much lower than the similar fishermen above the 36 line.

ii. This lower cost allows for these "trawl" blackcod pot fishermen to have an unfair competitive edge over the other "trawl" blackcod pot fishermen fishing above the 36 line.

iii. This also causes unfair competition concerning sales prices for both pot caught and trawl caught blackcod north of the 36 line.

b. The Trawl fishermen below the 36 line? The answer is NO!!!

Who are they? Where are they? I will venture a guess there are only a hand full or so of Trawlers left below the 36 line. And they are probably mainly shallow water Trawlers.

And if there are any, that do fish for blackcod, then they most likely already have their own quota and don't have to lease it. They can just continue fishing, except now they have to dodge pot buoys.

2. Who loses:

a. The Trawl fleet above the 36 line that need more trawl blackcod to access their full quota.

b. The processors that need to keep their plants operating and more trawl caught blackcod means more bottomfish.

c. The shore side facilities such as fuel, ice, and marine stores, etc.

d. The coastal communities that supply the workers, attract the tourists, schools, support facilities, the Seafood eating public, etc.

e. Any trawlers in the south will not have the same value for their "trawl" blackcod that the rest of the trawlers on the whole coast have for theirs.

So, Status Quo: (36 Line stays) Southern pot fishermen leasing "trawl" blackcod get a big benefit.

Southern Trawlers get no benefit only negative consequences.

The Northern Trawlers get no benefits only less Blackcod which relates to less quota.

In some cases the Northern Trawlers are restricted from obtaining their full quota only because some of the blackcod (called "Southern Blackcod") are unavailable to them. Initially, "Southern Blackcod" was given that name simply to separate it at the 36 line from the Blackcod North of the 36 line for survey purposes. At that time the Surveys stopped at the 36 line. Later the surveys were extended to the South, coast wide past the 36 line. When the surveys were completed the "Trawl Blackcod" 36 Line should have been removed!!! Its purpose was served.

The Processors, coastal communities, the Seafood eating public, etc. are also losers because of the 36 line.

see above; 2. b, c, & d.

As you can see, not removing the "Trawl Blackcod" 36 line, after the needed surveys, was a big mistake. Continuing the "Trawl Blackcod" 36 line is even a bigger mistake, especially now that we see all the people that are getting unnecessarily hurt by it.

B. Remove the 36 line.

1. Who benefits:

a. The trawlers above the 36 line? Yes

HOW?

- i. They can lease or purchase additional "trawl" blackcod to facilitate accessing more of their quota.
- ii. It will allow for trawling both below, above, and across the 36 line without restriction.
- iii. It will make trawling for "trawl" blackcod *FAIR and Equal* for all trawlers wherever they catch the blackcod. ie. If a Trawler is north of the 36 Line (or any new Line) he would have equal access to "trawl" blackcod the same as the other Trawl Vessel he sees trawling South of him below the 36 Line.
- iv. It will allow the Trawler to unload at the harbor of his choice (not where the blackcod was caught - North or South of the 36 line).

b. The trawlers below the 36 line? Yes

HOW?

It will make their "trawl" blackcod quota more valuable.

c. The Processors, shore side facilities, coastal communities, and the general Seafood eating public, etc.

2. Who loses:

Maybe the pot fishermen only below the 36 line who lease or buy "trawl" blackcod.

Why? Because the "trawl" blackcod quota will be more valuable to the owner. But, also, maybe not. Maybe The Nature Conservancy will hold the prices down for the "Southern Trawl Blackcod" pot fishermen that they created. I think it's common knowledge that the Nature Conservancy does not want Trawlers on the ocean. That's why they created such a mess of the Central Coast of California by buying out all the trawlers they could find. The last I heard from a reliable source is that they bought thirteen trawlers, permits, and their quotas. Basically, that was

the end of a viable trawl industry on the Central Coast. So now the Trawl Fleet was converted to a Pot Fleet using Southern Trawl Blackcod. Since then, the Nature Conservancy dispersed all or most of the permits and quota to various ports along the Central and Southern coast of California. The Ports may have a few options. One, if the prices go up, they can "up" their prices. Second, they can just "subsidize" their pot fleet???? We'll just see what happens.

Either way, they can still fish all they want. They may just have to be more in line with the rest of the coast as far as the cost of buying or leasing "trawl" blackcod quota. Which will just make things more fair.

So, remove the 36 Line:

- a. The Trawlers get a big benefit by having additional access to more blackcod.
- b. The Processors get more bottom fish.
- c. The Coastal Communities have more income from the fisheries and tourism.
- d. The "Southern" Trawlers now have the same value for their blackcod quota as the rest of the coast.

The "Southern" trawl blackcod pot fishermen may have to pay more to buy or lease the "trawl" blackcod quota.

* Note: I hear some people have a fear that there will be a big shift of the "trawl" blackcod from below the 36 line to the NORTH if the 36 line is removed. So my questions and comments are:

1. Where will all this "trawl" blackcod come from:
 - a. My understanding is that the Nature Conservancy bought 13 trawlers, their permits and quota. Also, they dispersed much of it to different Ports in the South. I doubt that's leaving to go North. Other than that I'm not sure where all this "trawl" blackcod (that we're worried about) is coming from.
 - b. We should find out.
2. Say all the "trawl" blackcod that is there now, stays there. Where are the "trawlers" that are going to catch it? I know from my experience of 52+ years of buying trawl fish in Avila Beach, they won't be coming from the North!!! Or is the "trawl" blackcod going to be the southern "trawl" blackcod pot fishery?
3. What good will it do the trawlers to have all this "trawl" blackcod unavailable to trawlers?
4. Let's say for example that a lot more "trawl" blackcod effort does get shifted to the North:
 - a. It means that the southern area will be like a big MPA (that's what it is already) for blackcod. That should make some people very happy, like the environmentalists.
 - b. It may mean that the Council would have to adjust the yearly catch limit for blackcod. (Since they already do that, it's nothing new).
 - c. I doubt if that will drive boats to the South because there are still a lot more fish in the North. And there are no longer any fish plants in the South; filleters are rare, etc. So even if you catch the fish, (dover, english, rex, etc.) who is going to buy it?
 - d. So, all in all, I'd say there will probably be some effort shift to the North, but there are a lot of miles between Monterey, Ca. and Seattle, Wa. and most all the trawlers would love to have

more blackcod. I think some "southern" blackcod will get spread out along the coast, but not enough to cause an insurmountable problem.

Remember, The fish don't move, only the accounting of the fish. So a little here, a little there, and before you know it from Monterey to Seattle we've "doled out" a lot of "Southern Blackcod".

The reality of it is that the temporary name "Southern Blackcod" has already served its purpose. It is no longer relevant. It is genetically the same as the blackcod of the North. There is no biological reason to keep it separate.

Now it only serves as an impediment to the Trawlers ability to catch their full quota.

Please remove the 36 Line so we can have a more successful, reasonable, fair and equal fishery again.

Thank You for your consideration,

Barry A. Cohen