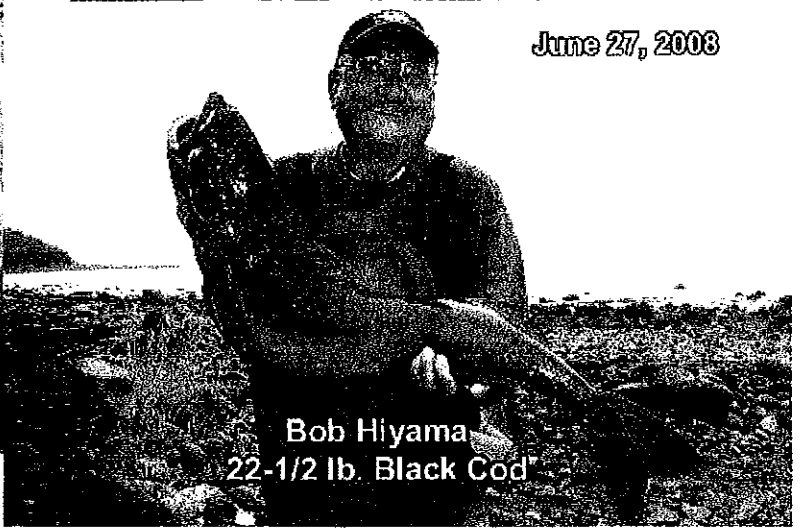
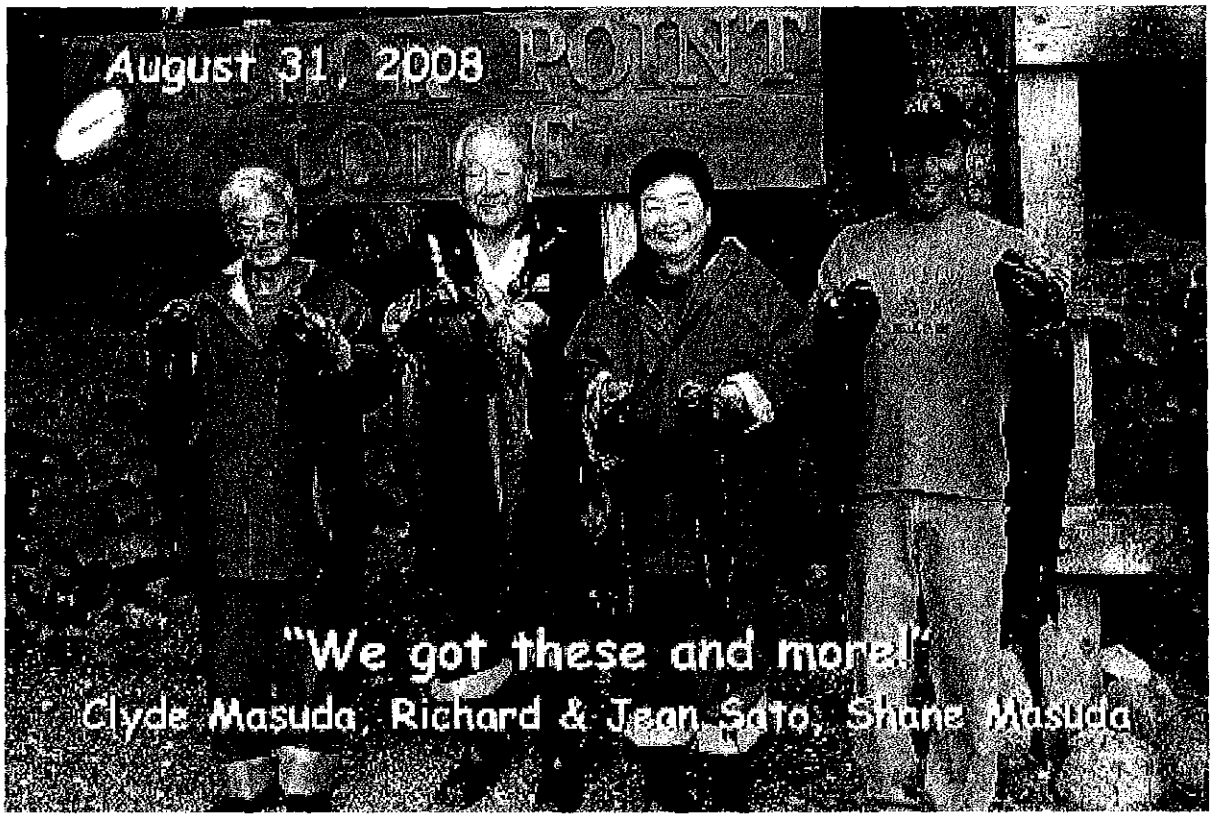
RC 227

O'Connell 2/22/2009 http://www.shelterlodge.com/photo_album/SH2008Photos



- ADF&G estimates 3% of the ABC (~48,000 lbs in 2008) is used by personal use/subsistence/and other bycatch fisheries combined (this would include sportfish) and takes this off the TAC before setting directed fishing level. The 2008 NSEI quota was 1.5 million pounds, with 97 permit holders – this represents a 50% decline since 2000. Sablefish live to be 94 years old and are undergoing low recruitment gulf wide.
- The sablefish longline fishery is the most valuable state managed groundfish fishery in the State, in operation since the early 1900's! Ex-vessel price exceeds $4/lbs. Lingcod and yelloweye have 1 or 2 fish bag limits. To set a bag limit above 1 or 2 fish per day serves to devalue sablefish in the eyes of the angler, and will allow a new fishery to develop on the backs of an existing fishery. Coho and pink salmon have a 6 fish bag limit because there are few conservation concerns for these species – The Department has said sablefish are in steep decline and has conservation concerns. This is not a "scrap fish" please value it with a daily bag limit, not to exceed 2.
- Just For this ONE LODGE: 100 day season, 16 clients/day, ~50 fishable days 2- 10 lbs fish/day= 16,000 lbs, 1% of TAC, 10 fish per day = 80,000 lbs, 7% of TAC (see above)! Given that there are numerous lodges that are within running distance of Chatham and Clarence Straits even a 2 fish bag limit could seriously impact the resource and the longline fishery. We heard testimony that lodges wish to develop a sport fishery for sablefish now is the time to set a boundary on that fishery. Two fish daily gives an ample sport fishing opportunity.

Consider annual limit for non resident



http://www.anchorpointlodge.com/AP2008Photos/083008.htm

NO RC 228

O'Connell 2/23/09 proposal 341 RC229

Table 341-1.–Demersal shelf rockfish (DSR) total allowable catch (TAC), over fishing limit (OFL) and harvests by year in metric tons. Sport catch for 2008 is considered preliminary.

Year	OFL	TAC (mt)	Directed Fishery Landings	Non directed groundfish and halibut landings and testfish	Halibut Discard Mortality	Sport Mortality	Subsistence	Total SEO Mortality
1982			106	14		28		148
1983			161	15		29		205
1984			543	20		15		578
1985			395	100		13		512
1986			451	43		20		514
1987			803	52		18		873
1988		660	515	37		21		573
1989		420	356	119		15		490
1990		470	207	136		17		360
1991		425	386	119		18		523
1992		550	364	189		16		569
1993	967	800	345	272		20		637
1994	1680	960	283	154	175	34		646 5%
1995	1044	580	177	112	108	25		422 4%
1996	1702	945	345	85	179	28		637 4%
1997	1450	945	267	87	217	38		609 6%
1998	950	560	241	117	190	47		594 8%
1999	950	560	235	112	174	73		594 12%
2000	420	340	183	94	148	80		505 16%
2001	410	330	172	147	122	71		511 14%
2002	480	350	136	153	140	87		516 17%
2003	540	390	102	174	107	74		457 16%
2004	690	450	173	155	179	104	23	634 16%
2005	640	410	42	195	162	90	16	505
2006	650	410	0	205	21	77	24	327
2007	650	410	0	198	20	60	21	299
2008	611	382	42	148	15	70	21	296

Basis for allocation decision
% sport of total

11%
15%
16%

RC 185 lists sport catch as a percent of TAC for years 2000-2005 but this was not how the allocation decision was made. It was made based on the sport% of the total SEO mortality - we looked at the years 1994-2004 as those were the years where total mortality was estimated. The percent ranged from 4 to 17% (never exceeded 18%). The directed fishery was closed in SEO in 2005 because the sport fish numbers indicated a very high catch and there was concern the OFL would be exceeded.

The Committee sent two allocation plans to the full BOF – 20/80 to allow some growth and 16/84 to cap the fishery at current levels (no growth). The BOF decided on the 16/84 split and asked the Department for tools to keep the catch at that level.

The BOF official summary of the Discussion states: "The department noted previous conservation concerns for yelloweye rockfish. The Board discussed the history of this and surrounding fisheries. The board then examined the nature and numbers of bycatch. There was a discussion of possible economic impacts and how to quantify them.

From 2006 BOF meeting

ADF&G Statement on Conservation of DSR RC 83

The department has an immediate conservation concern for DSR.

These fish have extreme longevity (yelloweye can reach 120 years), they are habitat specific and non-migratory so local depletion is a problem and they suffer embolism mortality when caught. Along the west coast of North America and Canada they are considered overfished or categorized as species at risk and consequently all saltwater fisheries are impacted in an effort to control catch. According to the Pacific Fishery Management Council website there is a risk that all bottom fishing on the continental shelf where yelloweye rockfish reside may need to be closed or modified in the near future to protect yelloweye. The coastwide OY for yelloweye in Washington, Oregon, and California is 13.7 mt, in total.

Demersal shelf rockfish is managed in the Southeast Outside Section based on an ABC and an Overfishing Level. When approaching ABC, fisheries are put on bycatch only status, when ABC is reached species become prohibited, and if OFL is reached it triggers a closure of all fisheries that take significant catch of yelloweye - likely the commercial halibut fishery and the sport fishery in areas of high bycatch.

In 2004, the estimated catch was within 40 mt of Overfishing.

The Department supports methods of reducing harvest and incidental mortality of DSR in all fisheries to stay within ABC

The commercial halibut fishery is currently capped at 10% bycatch (natural background bycatch rate) and that fishery has disincentives to topping off so their catch has been relatively stable fluctuating with halibut quotas. There is an increasing catch trend in the sport catch and 73% of this catch is non resident. The directed commercial fishery was closed in two areas of the outer coast in 2005 and closed entirely for the 2006 season (which would have opened in January) because, for the first time in 2006, based on the best estimate of sport fish catch from 2004 of 104 mt and the estimated catch in the halibut fishery of 349 mt we will exceed the 2006 ABC by 40 mt even in the absence of a directed commercial fishery.

From 2006 BOF meeting

RC 46

Regulatory Options for attaining various levels of allocation of Demersal Shelf Rockfish (DSR) in the Southeast Alaska Outside water Sport and Commercial Fisheries.

Data used in this analysis:

Average DSR Total Mortality from 2001-2005= 514mt
Average commercial mortality=430mt.
Average sport fish mortality=84mt.
ABC=410mt (2006).

Allocation options for Commercial:Sport are:

1) 84:16 would be 344mt (Commercial) and 66mt (Sport)
2) 80:20 would be 328mt (Commercial) and 82mt (Sport)

Under a user group specific allocation the following actions could be taken to control harvest if allocations were projected to be exceeded.

The Commercial Fisheries Division would:

1) Close directed commercial fishing for DSR.
2) Implement time and area closures to reduce bycatch;
   - analyze commercial halibut landings by more specific area, depth and time to better estimate DSR bycatch (for instance look at distribution of catch by depth, season, and habitat)
   - monitor landings and estimated unreported catch in-season and project potential catch for the next quarter.

The Sport Fish Division would:

At a 16% allocation:

1) Reduce the bag and possession limit for nonresidents to 3 DSR, only one of which could be a yelloweye; the first three DSR caught must be retained.
2) Prohibit retention by charter operators and crew (proposal 231).

At a 20% allocation:
1) Non-retention by charter operators and crew (proposal 231).

The emergency order authority that the department would need to implement additional restrictions to the sport fishery are:

From 2006 BOF meeting

Substitute language:

5 AAC 47.0XX. Rockfish delegation of authority and provisions for management

(a) If the commissioner determines that the rockfish regulations must be modified for conservation purposes, the commissioner may establish by emergency order: 1) annual limits for Demersal Shelf Rockfish (DSR) for nonresident and/or resident anglers; 2) require that all DSR caught by nonresident and/or resident anglers must be retained until the bag limit is reached; and 3) operator and crew members of a charter vessel may not retain DSR while clients are on board the vessel.

P-0230

To: Vince Webster, Vice Chair Alaska Department of Fish and Game Board of Fisheries and members of the Board.

Re: Proposal 341 concerning reallocation of Demersal Shelf Rockfish.

I call to your attention that the Pacific Fisheries Management Council (down in America) attempts to maintain fisheries while implementing high levels of protection of Yelloweye Rockfish. The recovery of Yelloweye Rockfish has closed commercial trawl fisheries from Mexico to Canada in depth swaths from about 50 fathoms to 150 fathoms. Likewise, the Pacific Council implemented Yelloweye Rockfish Conservation Areas for recreational fisheries. The Northcoast Yelloweye Rockfish Conservation Area is closed for rockfish and halibut to prevent bycatch. This area is approximately 18 miles by 19 miles, although irregular in shape.

I suggest the Board should firmly establish the authority within ADFG Sport Fish Division to close "hot spots", high abundance areas, and other areas with wide latitude of discretion. The trigger for closing areas could include high bycatch rates as determined in season, as well as chronic high catch areas.

I have enclosed the information from NMFS/NW detailing the area closures along the pacific coast, both commercial and recreational.

Sincerely,

Joel Kawahara

Rockfish Conservation Areas
Rockfish Conservation Areas, or RCAs, are large-scale closed areas that extend along the entire length of the U.S. West Coast. The RCA boundaries are lines that connect a series of latitude/longitude coordinates intended to approximate particular depth contours. RCA boundaries for particular gear types are likely to differ between the northern and southern areas of the coast. RCA boundaries are also likely to change at different times of the year. The locations of the RCA boundaries are set in order to minimize opportunities for vessels to incidentally take overfished rockfish by eliminating fishing in areas where and times when those overfished species are likely to co-occur with mores healthy stocks of groundfish. RCAs may change during the year. This website will be updated with any changes.

Schedule of RCA boundaries:

- Trawl (Groundfish and Non-Groundfish) RCA boundaries
- Non-Trawl RCA boundaries
- Recreational RCA boundaries

Coordinates:
Current coordinates for all of the RCA boundary lines are listed in federal regulations at 50 CFR 660.390 through 660.394.

R-C231

AN ASSESSMENT OF THE FORMATION OF AN EQUAL HARVEST SHARE PURSE SEINE SAC ROE HERRING FISHERY AT SITKA

Part # 1

PREPARED FOR:
ALASKA SEINE BOAT OWNERS ASSOCIATION

McDowell GROUP
Research-Based Consulting
Juneau
Anchorage

DECEMBER 2005

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McDowell Group, Inc. was commissioned by the Alaska Seine Boat Owners Association (ASBOA) to assess the potential impacts of an equal harvest share (EHS) fishery in the Sitka sac roe purse seine herring fishery. An equal harvest share fishery would divide the annual Sitka guideline herring harvest level (GHL) equally among the 51 limited entry permit holders.

The scope of work includes a discussion of potential impacts to processors, harvesters, crewmembers, support industry (spotter planes, tenders, cork boats, etc.), the Southeast Alaska region, and the community of Sitka. Management implications for the Alaska Department of Fish and Game are also addressed.

If an equal harvest share (EHS) fishery were to be adopted by the Alaska Board of Fish, a new fishery management plan would be developed with input from many parties. Many issues would be determined, such as to what extent – if at all – permit-stacking (allowing one vessel to fish for two or more permit holders) would be allowed, and if, so, at what guideline harvest level (GHL). Readers are cautioned that the analysis in this report is based on available data. Due to limitations of available data, much of the discussion is qualitative in nature and not intended to give precise answers, such as changes in the number of processing jobs, for example.

Methodology

McDowell Group interviewed herring processors, fishermen, and local business operators to analyze economic impacts of the proposal. ADFG personnel were interviewed to assess impacts to fishery management and costs, anticipated length of the fishery, and product quality. Accident assessment was addressed through interviews with the Coast Guard, the Purse Seine Vessel Owners Association, and fishermen. The Canadian Department of Fisheries and Oceans was contacted for information regarding similar equal harvest share herring fisheries in British Columbia.

Economic data was obtained from the Alaska Department of Labor and Workforce Development, ADFG Division of Commercial Fisheries (Commercial Operators Annual Report), and McDowell Group background research on the Sitka economy. Finally, the study's project manager observed the fishery onsite in March of 2005.

Study Findings

Impacts to Fishery Management

- No fishery management change will alter the time period during which roe herring are suitably ripe for harvest. Harvesting activity will be more frequent under EHS management, but total duration of harvesting activity is not expected to change from the typical one to three week period under current management.
- Additional fishing days are expected under EHS fishery management. In each year between 2001 and 2004, harvesters fished competitively on just three days because of the high fleet capacity in the current fishery. In these same years, spawn was observed on between 19 (2001, 2004) and 42 (2003) days. Several additional fishing days are likely as harvesters pace their activity to match processor capacity and maximize roe content.
- Individual fishery openings are expected to be longer and over a larger area, including some opportunities to harvest high yield roe content herring that had previously been precluded because of the exceptional harvesting power of the competitive fleet.
- Roe yield is expected to increase over that of the current fishery, enhancing the value of the resource at both ex-vessel and first wholesale levels. ADFG, processors, and harvesters generally agree that roe content will increase by 0.5 to 1.0 percent over the current competitive fishery five-year average of 11 percent. That is, roe yield in an EHS fishery is expected to increase to 11.5 to 12.0 percent. This represents a 5 to 10 percent increase in the volume of consumer-ready product produced from the fishery. The anticipated gain in roe content is consistent with the increase resulting from the shift to EHS management in Canadian herring fisheries.
- Biologists report that female roe content peaks at 25 to 26 percent of body weight, meaning that peak *biologically possible* roe content of a given school is 12.5 to 13.0 percent. Maximum practical roe content would likely be less.
- Operations costs of fishery management to ADFG are expected to remain the same in the near future, according to the department.
- An EHS herring fishery may allow for improved coordination of the management between commercial and subsistence harvests.

Impacts to the Harvesting Sector

- Over the long term, the fishery should be more profitable to permit holders because of higher roe yield, lower total operating costs, and potential additional self-tendering revenue.

- Harvester profits are expected to increase by more than the increase in roe content, as there is no additional cost associated with catching the same tonnage of higher-yield fish.
- While a number of harvesters already self-tender, the relaxed non-competitive harvest schedule would allow for more opportunity to do so, earning extra income for harvesters who choose to self tender.
- Fishing crew income will become stable because harvest shares are assured for each vessel.
- Currently, no legal prohibition prevents permit stacking, a logical cost savings measure for harvesters in an EHS fishery, particularly in lower GHL years.
- Permit stacking may be limited to some degree by the typically brief period of peak roe content, when harvesters have to be ready on short notice.
- If permit stacking occurs:
    - The number of crew jobs will decline, as fewer vessels will participate in harvesting activity.
    - Remaining crewmembers will earn higher crew shares as they will be crewing for two or more permit holders.
    - The percentage of total ex-vessel value earned by crewmembers will likely decline, following the practice common in the IFQ fisheries.
- The pace of fishing will be slower and less competitive, resulting in fewer collisions and a safer fishery.
- Historically, about one-third of the economic value of the fishery is ex-vessel income. This is not expected to change.

Impacts to Processors

- Processing activity of the Sitka sac roe herring fishery accounts for about two-thirds of the fishery's economic value at the first wholesale level. This is not expected to change.
- Relative to the competitive fishery, product quality, and, therefore, first wholesale unit value will increase.
- Processor profit will be greater than the increase in roe content as no additional costs are associated with processing the same tonnage of higher-roe-percentage fish.
- According to processors, more herring will be landed and processed in Southeast Alaska, and Sitka in particular, because harvests can be paced – to some degree, at least – to the limited regional processing capacity. Processors and harvesters expect less fish to be tendered outside the region to Canada.
- Processors will benefit from additional fishing days because capacity constraints will be less of a factor, and fish can be processed immediately upon harvest, increasing quality.

- Processor plant employment and shared fisheries business tax to the processing communities in the region will increase to the extent that more fish can be processed in the region.
- Processors with fishermen who harvest above the fleet average anticipate some loss in herring volume under an EHS system. Interestingly, all processors interviewed thought their fishermen were above average.
- Processors can anticipate cost savings through the ability to match materials, processing and tender capacity to a pre-determined volume of herring under the EHS fishery, eliminating economic waste due to uncertainty.
- Custom processing activity may increase for new herring buying ventures, including direct marketing by fishermen.

Impacts to Fishing Support Services

- While many harvesters currently self-tender, additional permit holders may opt to self-tender, shifting some income to harvest vessels. As a result, tender vessel numbers would decline, according to some processors and permit holders.
- Tenders serving processors located in ports other than Sitka, where the majority of processing currently occurs, are still expected to operate. In the absence of competitive time pressure, some harvesters selling to processors in ports other than Sitka may elect to self-tender.
- Under an EHS plan, excess tender capacity will be reduced (even without a shift to self-tendering), and remaining tender vessels will have more certainty for employment.
- Spotter plane use is expected to decline by half, from about 15 to 8 planes – one for each likely processor.
- The number of cork boats will decline consistent with any reduction in harvesting vessels, depending on the level of permit stacking.

Impacts to the Southeast Regional Economy

- Overall, the regional economy is likely to benefit, primarily from more processing in the region and from higher ex-vessel and first wholesale values that would result from higher roe content and improved quality in an EHS fishery.
- Regional harvesting income and profit should increase due to cost savings, increased roe content, and better efficiency than is currently experienced in the competitive fishery.
- Benefits of harvester income will continue to accrue primarily to the Southeast Alaska region where the majority of permit holders reside.
- Regional processing income and profit should increase due to cost savings, increased roe content, and efficiencies that will arise from dealing with a known quantity of herring under EHS management.

- Tendering (both contract and self-tendering) to other ports within Southeast Alaska is likely to replace at least some of the processing activity that now occurs in Canada.
- Shared fisheries business tax revenue to regional communities should increase due to higher fishery value and additional volume being processed in the region.
- Assuming permit stacking occurs, the number of crewmember jobs is likely to decrease but the average crewmember income should increase.
- The fishery is primarily a resident Alaskan fishery. Of 51 permit holders, 36 are Alaska residents, and over one-half (27) reside in the Southeast region. Regional permit holders reside in Petersburg (9), Ketchikan (8), Sitka (6), and one each in Wrangell, Metlakatla, Klawock, and Juneau.

Impacts to the Sitka Economy

- The actual scale of the reduction of harvest-related economic activity at Sitka will be a function of the level of permit stacking that occurs. With or without permit stacking, the same amount of harvesting activity will occur but over more fishing days.
- With permit stacking, Sitka would experience some harvest-related economic loss due to fewer vessels lying idle at Sitka during closed periods.
- Processing activity and employment are expected to increase at Sitka, because more fishing days means more days to process fish through the limited local processing capacity. Under the competitive fishery, an estimated two-thirds of the catch is tendered to distant ports, partly because of limited local capacity.
- Shared fisheries business tax revenue should increase from higher value herring and from increased landings of herring for processing in Sitka.
- In comparison to both the Sitka economy and the local seafood industry, the potential economic impact of permit stacking may be modest. During the month of March it could be significant for those businesses that traditionally cater to harvest-related participants. However, this represents only a minor portion of the total Sitka economy.
- Some Sitka businesses interviewed for this study anticipated a major reduction in their March business volume, *because they believed the number of vessels harvesting herring would be drastically reduced.* The actual number of participating vessels is yet to be determined.

Sitka Herring Sac Roe Fishery

Management: The Sitka Sound purse seine sac roe herring fishery occurs in March, occasionally extending into early April. The ADFG monitors herring roe maturity as the fish move into Sitka Sound. As roe content increases, the department puts the fleet on increasingly shorter notice of an impending fishery opening. Due to the large fishing power of the fleet (51 vessels), openings can last just 15 minutes. Vessels jockey for position, with the aid of spotter pilots. Competition is extraordinarily vigorous and when the opening begins, collisions between vessels maneuvering to catch the same school of herring are common.

Total fishing time for competitive fisheries ranged from 1 hour in 2001 to 6.8 hours in 2002. Fisheries were cooperatively fished for part of 2002 and 2005 to harvest small remainders of quota left on the Guideline Harvest Level (GHL).

Economic Value: From 2001 to 2005, the fleet harvested an annual average 10,000 tons of herring worth an ex-vessel value of $4.3 million. Average roe percent during that period was 11 percent. For the period 2001-2004, non-confidential ADFG data for 2001-2004 show an average ex-vessel price of $0.20 per pound, and average first wholesale value of $0.59 per pound. Processors freeze the herring and ship it to Asia for final processing. A significant proportion (two-thirds) of the fishery's total economic value accrues as a result of processing activity. In the current fishery an estimated 30 to 40 percent of initial processing occurs at Sitka.

Statistical Summary of Sitka Sound Herring Sac Roe Fishery
2001 to 2005

Year	Total Competitive Fishing Hours	Total Co-op Fishing Hours	Harvest, Tons	Quota, Tons (GHL)	Roe %	Ex-Vessel Value (millions $)	Permits Fished	Average Gross Income/ Vessel
2001	1.0		12,034	10,597	11.3%	$5.7	47	$121,277
2002	6.8	41.5	9,922	11,042	10.9%	$3.0	50	$60,524
2003	2.8		7,071	6,969	10.7%	$2.7	50	$54,305
2004	2.2		10,556	10,618	10.8%	$4.6	46	$100,970
2005	5.7	18.5	11,425	11,192	11.5%	$5.4	51	$106,409
Avg.	3.7		10,202	10,084	11.0%	$4.3	49	$88,168

Source: Alaska Department of Fish and Game

Processor/harvester Relationships: Each processor buys herring from a regular group of fishermen. Fishermen often create harvesting partnerships and divide gross earnings of the group evenly. For example, if a partnership has 4 permit holders delivering herring, and their combined catch was 2,000 tons worth $200,000, then each vessel would receive $50,000. This mitigates some of the financial risk for individual permit holders. However, each partnership group is racing for fish against every other group, so the fishery remains extremely competitive.

Proposed Plan: Under the proposed EHS plan, ADFG would continue to monitor roe content and open appropriate areas as they do now. However, the race for fish would be reduced because each permit holder would be assured the opportunity to catch an equal share of the harvest. Absent the time pressure of competition,

If regulations are changed to allow permit stacking, permit holders would have incentive to operate harvesting partnerships as efficiently as possible, reducing operating expenses including crew shares. For example, if a fishing group of 6 permit holders only needs 4 vessels for harvesting, the 6 permit holders may combine to fish on the 4 vessels. Harvesters may elect to self-tender more of their catch because of the decreased competitive pressure to continue fishing, shifting some tendering income from tender to harvest vessel owners. Harvesters interviewed for this report had mixed opinions on whether a significant number of tenders would be displaced by increased self-tendering, or by tendering in each group by harvesters with idle vessels.

Economic Impacts: An EHS fishery would have approximately the same amount of total economic activity as the current fishery, though consumer spending by idle vessels and their crews would be reduced if permit stacking occurs.

An EHS fishery would likely result in more fishing days and an increase in local processing volume. Harvesting activity could be better matched to the limited local processing capacity. Similarly, harvesting activity could also be matched to regional processing capacity, reducing the need to tender fish to Canada when regional plants are at capacity.

Economic Overview

The seafood industry is an important part of the Southeast regional economy, and the region is unique in the extent of fishery diversity and interdependence. Most harvesters participate in more than one fishery, many of them relying on several for their overall livelihood. The Sitka sac roe herring fishery is as very brief, but important fishery, occurring over a two to three week spring period when herring roe content is at its peak. Harvesters typically earn over $4 million in ex-vessel income and processors triple that figure at the first wholesale level.

Sitka: Sitka is a community of about 8,800 residents located on the western side of Baranof Island on Sitka Sound. The community has one of the region's more diversified economies with the major industries being health care, commercial fishing, seafood processing, tourism, government, and education. Sitka recorded total business sales of $312 million, annual equivalent employment of 4,500 (plus another 400 in commercial fish harvesting), and total payroll of $137 million in 2004. While the herring fishery is a short blip on the community's overall economic radar screen, it is important to a number of local businesses during that time, and is a major community event in March as winter fades to spring.

Sitka Seafood Industry: In 2004, 451 Sitka resident permit holders fished 780 permits, generating about $34 million in ex-vessel value (payment to harvesters for raw fish), and delivered to many Alaska ports including Sitka. This total included a sac roe herring harvest by 6 Sitka herring permit holders worth $760,000 ex-vessel value, about 2 percent of Sitka residents' seafood harvest value. Seafood processing provided an average of 204 annual equivalent jobs in 2004, with seasonal variation.

According to NOAA reports, raw fish landings at Sitka in 2004 totaled 37 million pounds with an ex-vessel value of $43 million, ranking the community 9th in the nation in landed value. The ex-vessel value of the Sitka herring sac roe fishery that year was $5 million. An estimated 30 percent of that harvest was processed at Sitka, valued at about $5 million at the first wholesale level.

RC232

AN ASSESSMENT OF THE FORMATION OF AN EQUAL HARVEST SHARE PURSE SEINE SAC ROE HERRING FISHERY AT SITKA

Part #2

PREPARED FOR:
ALASKA SEINE BOAT OWNERS ASSOCIATION

McDowell GROUP
Research-Based Consulting
Juneau
Anchorage

DECEMBER 2005

Summary

Pros and Cons: ADFG, processors, and fishermen all agree that roe content is likely to increase in an EHS harvest strategy, and therefore increase the ex-vessel and first wholesale value of the fishery. Consolidation of multiple permits on fewer vessels, self-tendering by permit holders, and a lower likelihood for collisions should further reduce fishing costs to permit holders.

Generally, fishermen who harvest above the average harvest are negatively impacted by an EHS plan. However, the combination of reduced annual uncertainty, increased value of herring harvested, and reduced operational costs appear to override the reduction in gross value received in an average year for several of the "highliners" that support the plan. Furthermore, chance plays a major role in the fishery. It is widely recognized that a highliner one year may be a lowliner the next.

Some of the cost savings to industry is money that might have otherwise represented consumer spending in the Sitka economy during the herring season. The herring fishery can drag on for a month or more waiting for the herring to arrive and ripen. Some fishery participants spend an extended period of time in Sitka buying gear and groceries, eating at restaurants, patronizing bars and movie theatres, and paying transient moorage fees, regardless of whether they make a profit during their stay. This influx of money to the economy occurs during a period of otherwise quiet economic activity, and some of it will be lost in an EHS fishery. However, these losses could be offset or exceeded by increased processing activity and employment in the region during the herring season.

Biological Limitations: The biology of the Sitka herring fishery acts as a practical limitation to potential consolidation under EHS management. Regardless of any management plan, herring will continue to enter Sitka Sound, ripen and spawn on their own schedule. Industry must still maintain the harvest, tender and processing capacity to deal with a harvest that has recently averaged over 10,000 tons of herring. An EHS fishery does nothing to reduce this time pressure of biology. However, an EHS fishery may maximize the ability of fishermen to harvest the highest value herring during the biological window.

Economic Value: Finally, while ex-vessel value is a widely used measure of commercial fishery value, first wholesale value is actually a more complete measure of the economic activity associated with a fishery. First wholesale value represents payment received by a seafood processor upon sale of product to a buyer outside their affiliate network. Such payment must cover the cost of fish (payment to harvesters) *and* the full spectrum of expenditures associated with converting it from live fish to salable food product. Such spending includes labor, materials, goods and services, local utilities, etc.

The Sitka herring fishery is a cultural and economic event in Sitka. Fishing vessels, tenders, spotter planes, and industry support staff arrive en masse in March. Kids take VHF radios to school, and leave school to watch the fishery or jump on their boat to work when an opening is announced. Vehicles line Halibut Point Road to watch the fishing. Visitors come to Sitka just to see the herring fishery.

As herring move into Sitka Sound, ADFG monitors herring maturation, and strives to open the fishery when roe content is at its peak. Fishery openings are permitted in a relatively small area for short duration (as little as 15 minutes). This is to focus effort on ripe herring and control the volume harvested.

Prior to the opening, vessels jockey for position near a school of herring, usually with the aid of a spotter pilot. At the moment the fishery opens, each vessel attempts to purse a school of herring, and then awaits processor staff to assess roe quality. If roe quality is acceptable, the herring are transferred to a tender vessel and the fishing vessel makes another set if time permits. If roe quality is not sufficient, the vessel releases the herring and attempts to make another set. Small vessels, called "cork boats", assist in keeping a full purse seine cork line above water by adding floats to prevent fish from escaping. Other skiffs are employed to transport processing staff.

For the permit holder and their crew, the herring fishery is a major gamble. Vessels may wait weeks for a chance to fish. Short openings may allow for only one set on a school of herring. If those herring are of poor roe content, the set is released, and the vessel harvests no herring during that opening. To mitigate this risk, groups of vessels commonly form harvesting partnerships and at the end of the Sitka herring season, divide the group income equally.

From 2001 to 2005, all 51 permit holders participated in the fishery, though on average, only 49 made landings. It is significant to note that in some years, such as 2001 and 2004, several vessels made no landings. A total of 36 permit holders are Alaska residents, including six Sitka residents. Average annual harvest per permit was 200 tons, with an average annual ex-vessel value of $88,000. Most seine vessels employ the permit holder and four crew.

Statistical Summary of Sitka Sound Herring Sac Roe Fishery
2001 to 2005

Year	Quota (GHL)	Harvest	Roe%	$/Ton	Ex-Vessel Value	Vessels Landing Fish	Avg. $/Vessel Landing Fish
2001	10,597	12,034	11.3%	$474	$5,700,000	47	$121,277
2002	11,042	9,922	10.9%	$305	$3,026,210	50	$60,524
2003	6,969	7,071	10.7%	$384	$2,715,264	50	$54,305
2004	10,618	10,556	10.8%	$440	$4,644,640	46	$100,970
2005	11,192	11,425	11.5%	$475	$5,426,875	51	$106,409
Average	10,084	10,202	11.0%	$416	$4,302,598	49	$88,168

Source: Alaska Department of Fish and Game

The fishery is also a gamble for tender vessels. Like permit holders, tenders may wait weeks on standby for the fishery to begin. Tender vessel usage depends on the volume of herring harvested by a processor's fleet, so all tenders that register do not necessarily get paid to haul fish. An average of about 86 vessels registered to tender herring in recent years, according to ADFG. Tenders are generally paid by the amount of fish hauled (about $175/ton to Sitka in 2005). Like fishing vessels, processors often pay tenders cooperatively, splitting compensation among the contracted tender vessels.

About 15 spotter pilots flew in 2005, according to ADFG. Approximately 50 to 60 cork boats operated during the fishery, and are usually paid on a daily contract, but only during fishing openings.

Processing herring is a gamble as well. Processors wait for weeks to buy an unknown volume of herring from their fishermen. Processors often mobilize excess tender capacity as a contingency plan for dealing with an unexpectedly large harvest by their fleet. If harvest is normal or smaller than anticipated, the excess capacity sits idle. If the processor's fleet does better than expected and plugs the primary plant, overflow is tendered to more distant plants, including Prince Rupert, B.C. Tenders traveling to distant ports have been turned back by poor weather. Herring must be processed within two or three days or quality and value are significantly reduced.

A total of eight processors bought herring in Sitka in 2005, including Icicle Seafoods, Sitka Sound Seafoods, Alaska General Seafoods, Icy Straits Seafoods, Oceans Fisheries, Flagship (Wrangell Seafoods), Annette Island Packing and Snopac. Processing locations included Sitka, Petersburg, Wrangell, Annette Island, Ketchikan and Prince Rupert, British Columbia. Daily processing capacity was about 1,800 tons in Southeast Alaska and 2,000 tons in Prince Rupert.

The first spawn of herring generally marks the date at which herring are acceptable for harvest. However, in a competitive fishery, managers must consider several factors before opening a fishery. A school of herring may show excellent roe content, but be too large to allow an opening without exceeding the GHL or processor capacity. Samples may show small schools of harvestable herring throughout the area, with schools of unripe herring in other areas, causing managers to hold off from an opening to avoid a harvest of herring with low average roe content. In most years, fisheries occur just a few days out of potentially several weeks of acceptable quality roe content.

Fishing Days and Date of First and Last Observed Spawn for Sitka Sound Herring, 2001-2004.

Year	Date of First Spawn	Date of Last Spawn	Number of Days of Spawn Observed	Number of Days of Competitive Fishing
2001	March 23	April 10	19	3
2002	March 24	April 26	35	3
2003	March 23	May 6	42	3
2004	March 27	April 14	19	3

Source: ADFG

Fishery openings are expected to be longer and over a larger area in most seasons under an EHS program than under the current plan, according to ADFG herring biologist Dave Gordon. He expects that an EHS herring fishery would last from one to two weeks in most years, with the harvest period dependent upon the development of the spawn. The biological process will not change under any harvest share arrangement, and harvesting will need to occur according to roe maturity.

Mr. Gordon expected that roe recovery might be higher by 0.5 percent to 1.0 percent over time under an EHS plan, compared to the five-year average of 11 percent. Gordon expects little change in the cost to ADFG for managing the fishery if the EHS plan is adopted. ADFG will need to monitor fishing activity very closely as they do now. Dockside verification of landing may be required, which could increase costs to the state if that cost is not borne by the industry.

Fishermen supporting the EHS plan are more optimistic. They believe they can conduct a deliberate, selective harvest of higher quality herring over most of the length of the spawn – perhaps 3 weeks or more in most seasons. They believe the fleet can change its focus from maximizing harvest to maximizing value, increasing processing opportunity for Southeast Alaska processors and the value of the fishery to all participants.

History of Canadian EHS Roe Herring Fishery

Like the Sitka Sound herring fishery, British Columbia roe herring fisheries were characterized by short intense fisheries, in which the fleet harvested an overall area quota in a competitive fishery. Equal harvest share management was introduced in 1998 as a management tool for controlling harvest. According to the Canadian Division of Fisheries and Oceans (DFO), the system reduced catch overages, increased profitability in the roe industry by limiting overhead costs (fishing gear, and packing costs), and improved quality.

Roe percent in Commercial Seine Catch for British Columbia Herring Fisheries Competitive and EHS Fisheries 1994-2005

	Year	Roe Recovery
	1994	11.3%
	1995	11.6%
	1996	11.5%
	1997	11.6%
EHS Fishery Begins ▸	1998	11.5%
	1999	12.2%
	2000	12.3%
	2001	12.8%
	2002	12.8%
	2003	11.7%
	2004	10.5%
	2005	12.2%
Competitive Average		**11.5%**
EHS Average		**12.0%**
EHS Average (Less 2004)		**12.2%**

Source: Canadian Herring Processor

DFO now regulates fisheries to achieve a GHL, and allows industry to dictate when areas are fished based on roe sampling. Female herring have a maximum roe content of about 25 percent. If a school of fish is evenly split, then peak roe yield will be about 12.5 percent (25 percent roe yield in females + 0 roe yield in males = 12.5 percent). Of course, schools that have more females can yield roe content above 12.5 percent. Canadian processors have a goal of achieving at least a 12 percent roe recovery.

According to Canadian processors, sac roe seine fisheries in British Columbia achieve roe recoveries higher than at Sitka because they have a higher processing capacity, allowing them to harvest larger volumes of herring during a given time period than can occur in Sitka. Processors and fishermen wait until herring are at their peak, and then take the full quota as quickly as possible. In 2005, for example, the seine fishery in the Strait of Georgia harvested over 7,700 tons in less than 2 consecutive days of fishing, and 10,800 tons in less than one day in 2003.

At Sitka, ADFG manages the competitive fishery at a pace commensurate with processing capacity, usually with 3 competitive openings per season with a GHL of about 10,000 tons. Fishing must therefore occur before, during and after roe yield peaks in order to accommodate limited processor capacity. Improved roe yields can be expected in an EHS fishery, but achieving yields on par with Canada will largely depend on processing capacity, as that relates to harvest timing for peak-roe-content fish.

Permit holders (and their crew) that harvest above the fleet average would lose gross income and those in the lower quartiles would increase income under an EHS plan. In 2004, for example, about half the fleet earned an average $57,000, or roughly 50 percent of the fleet-average income of $112,000. Under an EHS system, about half the fleet could see gross earnings decline, while the other half would see their earnings nearly double. It should be noted that all 51 vessels usually participate each year, but several make no landings. Therefore, the 4th quartile under-represents the number of permits and over-estimates average earnings of the entire fleet.

Quartile Earnings, Sitka Sound Herring Fishery, 2004

Quartile	Permit Holders	Percent of Total Permits	Total Ex-Vessel Earnings (millions)	Percent of Total Earnings	Avg Earnings per Permit	Crew Members	Avg Crew Share @ 9% each
1	5	11%	$1.20	23%	$239,500	20	$21,000
2	8	17%	$1.37	27%	$171,000	32	$15,000
3	11	24%	$1.34	26%	$122,000	44	$11,000
4	22	48%	$1.25	24%	$ 57,000	88	$5,000
Total	**46**	**100%**	**$5.16**	**100%**	**$112,000**	**184**	**$10,000**

Source: Commercial Fisheries Entry Commission, State of Alaska

It is important to note that with respect to consistent performance, the Sitka herring fishery is unique among seine fisheries, according to several permit holders. In salmon fisheries, for example, the same fishermen tend to perform well above the fleet average year after year. The Sitka herring fishery is different. With such short openings, small areas, and vigorous competition, consistent performance is far more difficult to achieve. Individual operators may be in the top quartile one year, and in the bottom quartile the next.

Furthermore, small relative increases in herring roe and herring value may represent much larger increases in profitability of the fishery to permit holders. The costs for a vessel to harvest 9 percent herring or 12 percent herring are essentially the same. Therefore, an incremental increase in revenues relative to increased roe value may translate to a doubling of profit for the permit holder

Although permit holder employment will remain the same, crew employment will decline if there is fleet consolidation through permit stacking. If regulations allow, Sitka herring EHS permit holders may reduce their costs by consolidating two or more permit holders aboard the same vessel. This will eliminate 4 crew jobs from each inactive vessel and will likely displace one crewmember per permit holder on each active vessel. Remaining crewmembers in an EHS fishery may make a higher individual average crew share as compared to the current system because they will be harvesting multiple permit shares.

Total percentage paid to crew is likely to decline in an EHS fishery in which permit stacking occurs. History and economics suggest that this is a likely scenario. Other individual quota fisheries, including halibut and sablefish, show a trend of decreasing crewshare percentages upon conversion to a quota shares.

Processors anticipate that more herring of higher quality would be processed in Alaska, and particularly more in Sitka, under an EHS plan. Currently, the Sitka herring harvest exceeds Alaska processing capacity during most openings, with surplus fish tendered for processing to Prince Rupert, British Columbia. Pacing the harvest to match regional processing capacity should increase product volume, product value, processing employment, and state shared fisheries business tax in the Alaska communities where herring are processed.

An EHS plan provides both increased and decreased certainty for the processing sector, depending on the type of processor. On one hand, established processors with an established fleet could precisely predict the amount of tender capacity, materials, and processing labor required to handle their fleet's harvest. This has obvious advantages with respect to reducing cost and increasing profit.

On the other hand, opportunistic processors – those that enter the fishery only when quotas are large – could be at a disadvantage under an EHS system. Under the current system, they enter the Sitka fishery in years of higher quotas because there are vessels willing to sell to them. Under an EHS system, the number of vessels fishing would decline if permit stacking were allowed. Opportunistic processors interviewed for this study expressed concern that fewer harvest vessels would translate to reduced opportunities to purchase herring. However, there would still be 51 permit holders in the EHS fishery, each with the opportunity to harvest a specific tonnage of herring. It is logical to assume permit holders would negotiate individually to sell their share of the harvest, regardless of whether or not it was caught on their own boat. Several permit holders believe processing opportunities may increase because an EHS fishery will give all processors who can contract with fishermen a known volume of herring to purchase.

The level to which the harvesting fleet can be reduced and still take all the GHL is a significant variable for processors. To realize maximum value, herring in the Sitka fishery must be harvested under precise conditions. A minimum number of vessels will be required to harvest the quota during the short period when those conditions exist. That number can change substantially from year to year based on development of the spawn.

Processors interviewed had widely differing views on other effects from the proposed EHS plan. Three processors said that operations outside of Sitka could suffer, as more of the harvest would be processed in town to save the tendering cost to distant ports. Another processor outside of Sitka said he may contract a floating processor to operate on site in Sitka Sound, in addition to processing at his own plant. Floating processors need minimum guarantees to mobilize, and under the current system this is not possible, as processors cannot predict their fleet's performance with a reasonable degree of certainty.

More than one processor believed their fleet was "above average" and that they would lose some volume compared to past fisheries. (This would indicate that other processors have "below average" fishermen, which is doubtful, but humorous). One processor thought his loss in volume would be mitigated to some degree through contracted custom processing for other buyers, including fishermen direct marketing their own catch.

Current fisheries harvest most of the herring in only a few days, and herring surplus to Southeast Alaska capacity is tendered to Canada. Although fishermen and fishery managers may disagree on the season length available under an EHS plan, a harvest that occurs commensurate with processing capacity could double or triple plant employment days in Southeast Alaska in most seasons, with little need to process herring outside the region.

The costs to process low-yield herring versus high-yield herring are essentially the same; therefore, an incremental increase in herring roe content may mean all of the incremental revenue accrues at no additional production cost. For example, the revenue that results from an increase from 11 percent to 12 percent in roe content accrues at no additional production cost.

By necessity, all processors must prepare for potentially high harvests by their fishing groups in the current competitive fishery. As a result, tender capacity for the fishery exceeds need because processors do not know beforehand how much their fishing group will harvest.

Processors and fishermen interviewed agreed that that an EHS plan would provide more efficient use of tenders, and reduced need for cork boats and spotter pilots. Harvesters and processors will be able to more closely match tender capacity to need, and provide more certainty of work to tenders. The number of tenders required in an EHS fishery will also be affected by the likelihood that at least some harvesters will self-tender. Self-tendering is more likely in an EHS fishery because the time pressure of competition will be absent.

Although the number of tenders required for the fishery may be reduced under an EHS plan, most tenders working the fishery will logically be from Southeast Alaska due to high fuel costs. In 2005, about 50 percent of the tenders registered for the Sitka fishery were from Southeast Alaska, 17 percent from other areas of Alaska, and the remaining 33 percent from outside the state.

The need for spotter planes is expected to decline from about 15 to 8 planes, according to several fishing permit holders. Fewer cork boats will be needed during most years because fewer fishing vessels will be harvesting fish during each opening.

RC233

AN ASSESSMENT OF THE FORMATION OF AN EQUAL HARVEST SHARE PURSE SEINE SAC ROE HERRING FISHERY AT SITKA

Part #3

PREPARED FOR:
ALASKA SEINE BOAT OWNERS ASSOCIATION

McDowell GROUP
Research-Based Consulting
Juneau
Anchorage

DECEMBER 2005

Approximately two-thirds of the economic activity associated with the Sitka sac roe herring fishery occurs as a result of processing operations. Ex-vessel value (payment to harvesters) represents about one-third of the fishery's total economic activity.

During 2001 – 2004, the average ex-vessel value of herring harvested in the Sitka sac roe fishery was 20 cents per pound (Aggregate 2001-2004 ex-vessel value per ADFG).

During the same period, average first wholesale value of herring produced from the fishery averaged 59 cents per pound (Aggregate per-pound first wholesale value, non-confidential data from ADFG Commercial Operators Annual Report 2001-2004).

Using first wholesale value as the measure, processing operations account for two-thirds (66 percent) of direct economic activity associated with the Sitka herring sac roe fishery.

While ex-vessel value is a widely used measure of commercial fishery value, first wholesale value is actually a much more complete measure of the economic activity associated with a fishery. Ex-vessel value only represents payment to harvesters for raw fish. First wholesale value represents payment received by a seafood processor upon sale of product to a buyer outside their affiliate network. Such payment must cover the cost of fish (payment to harvesters) *and* the full spectrum of expenditures associated with converting it from live fish to salable food product. Such spending includes labor, materials, goods and services, local utilities, etc.

From a private business standpoint these expenditures are simply costs. But from a regional standpoint, they represent economic activity that drives the coastal economies of Southeast Alaska. Accordingly, regulatory change that results in more herring being processed in-region represents a more significant gain in regional economic activity than would be indicated by ex-vessel value alone.

Although few accident reports are filed annually with the Coast Guard or insurance companies, every permit holder interviewed for this study concurred that collisions occur during virtually every competitive opening in the fishery. These collisions vary from boat to boat contact (with and without major damage) to collisions between boat and skiff, boat and net, skiff and net, and all manner of variations involving seine boats, seine skiffs, tender vessels, and nets. Collisions between boat and net are significant for damage to the net and for potential to submerge the cork line, allowing herring in the net to escape en masse.

An EHS fishery is expected to reduce incidence of collisions by removing the intense time pressure of the existing competitive harvest and by expanding open fishing areas.

Sitka is a community of about 8,800 residents located on the western side of Baranof Island on Sitka Sound (ADLWD 2004). Sitka has one of the region's more diversified economies. Health care and the seafood industry are the most important in terms of employment and income. The Southeast Alaska Regional Health Consortium (SEARHC) is the community's largest employer.

Gross business sales totaled $312 million in 2004. Sitka employment totaled about 4,500 annual average equivalent jobs, and payroll, $137 million in 2004. These Alaska Department of Labor and Workforce Development figures do not include 420 seafood harvesting annual average equivalent jobs nor the skipper and crew share income of these harvesting jobs.

Seafood processing provided 207 annual average equivalent jobs in 2004, with significant seasonal variation. In 2004, 451 Sitka resident permit holders fished 780 permits, generating about $34 million in ex-vessel value (payment to harvesters for raw fish). This translates to about 420 annual average equivalent jobs. Ex-vessel income for the six Sitka-resident permit holders in the Sitka herring sac roe fishery accounted for $760,000 in 2004, about 2 percent of Sitka resident fishermen's earnings.

Federal government is an important source of year-round jobs, especially the U.S. Coast Guard and the U.S. Forest Service. Tourism is a growing segment of Sitka's economic base, now directly accounting for approximately one in ten local jobs.

Education (including Sheldon Jackson, Mt. Edgecumbe High School, UAS, and other employers) also plays a key role in the economy, directly generating 10 percent of local employment.

Sitka has a well-developed retail sector, and an excellent marine industry service sector. Sitka is also home to retail outlets that cater to visitors.

The relative role of the herring fishery in Sitka's total economy and seafood industry is minor, and a moderate reduction in the economic activity associated with it would have only modest consequences. However, several factors make this a very visible and important economic activity for a brief period in Sitka's yearly economy.

First, the herring fishery occurs in a very condensed period of time so its visibility is center stage. The herring fishery is also a major local cultural as well as economic event and preoccupies the community in the month of March. For timing, it could not come at a more opportune time when local businesses are still experiencing traditionally slow winter sales. For the permit holders, crews, processors, tenders, spotter plane, and cork boat operators the fishery occurs well before most other fisheries and provides income at a slow time. For a brief period of time, the herring fishery is dominant.

City and Borough of Sitka Employment, by Industry, 2004

Sector	Annual Average Employment	Total Local Employment (%)
Health Care [1]	**836**	**17.1**
Seafood [2]	**641**	**13.1**
Seafood Harvesting*	420	8.6
Aquaculture	14	0.3
Processing	207	4.2
Education [3]	**467**	**9.5**
Government [4]	**701**	**14.3**
Local	186	3.8
State	71	1.5
Federal	375	7.7
Tribal	69	1.4
Wholesale and Retail Trade [5]	**451**	**9.2**
Wholesale Trade	33	0.7
Retail Trade	418	8.5
Tourism [6]	**520**	**10.6**
Construction	**238**	**4.9**
Transportation and Utilities [7]	**150**	**3.1**
Manufacturing [8]	**75**	**1.5**
Marine Construction	45	0.9
Other Manufacturing	30	0.6
Services [9]	**675**	**13.8**
Finance Activities	**140**	**2.9**
Total Industry	**4,894**	**100%**

Source: Compiled by McDowell Group, Inc. based in part on Alaska Department of Labor and Workforce Development (DOL&WD) data.
1. Includes SEARHC, Pioneer Home, SEREMS, Sitka Community Hospital, Center for Community, and other private health care services. Does not include social services.
2. Includes self-employed fishermen, local hatcheries, and local processor employment.
3. Includes Sheldon Jackson College, Mt. Edgecumbe High School, Public Safety Academy, Sitka School District, and UAS- Sitka campus.
4. Total government figures have been adjusted. Local government employment is as reported by DOL&WD less Sitka Community Hospital jobs and Sitka Borough School District jobs. State government is as reported by DOL&WD, less UAS, Mt. Edgecumbe HS, Public Safety Academy, and Pioneers' Home jobs. Federal government as reported by ADOL, plus active duty US Coast Guard and less federal health care jobs.
5. Trade jobs as reported by DOL&WD, less 150 tourism-related jobs.
6. Estimated tourism employment based on DOL&WD. Includes jobs in Retail, Transportation and the Leisure & Hospitality sectors.
7. Transportation, Utilities and Information jobs as reported by DOL&WD, less 150 tourism-related jobs.
8. Manufacturing jobs as reported by DOL&WD, less seafood processing jobs.
9. Service (including Professional & Business Services, Social Services, Leisure & Hospitality and Other Services) jobs as reported by DOL&WD, less 250 tourism-related jobs.
* Includes permit holders and crew. Estimate accounts for various seasons and is an annual average. Total participation in commercial fishing is significantly higher, including 589 permit holders and 517 crew that reported Sitka as their place of residence.

Impacts to the Sitka Economy

Although the majority of Sitka business operators interviewed – including fuel suppliers, restaurants, grocery stores, coffee shops, hotels, and gear stores – perceived that an EHS herring fishery would have significant negative impacts on their businesses, the actual scale of the reduction of harvest-related economic activity will be a function of the level of permit stacking allowed. The level of harvest fleet support (tenders, planes, cork boats, etc.) required by an EHS fishery will also influence the scale of economic loss. Negative economic impacts to the community are likely to be offset by growth in local processing activity and increased fisheries business tax revenues resulting from higher ex-vessel value.

In comparison to both the Sitka economy and the local seafood industry, the potential economic impact of permit stacking may be modest. During the month of March it could be significant for those businesses that traditionally cater to harvest-related participants. However, this represents only a minor portion of the total Sitka economy.

Some Sitka businesses interviewed for this study anticipated a major reduction in their March business volume, *because they believed the number of vessels harvesting herring would be drastically reduced.* The actual number of participating vessels is yet to be determined.

Processing Companies

Annette Island Packing
Icy Straits Seafoods
Oceans Seafoods, Canada
Silver Spring Seafood, Canada
Alaska General Seafoods, Washington State
Sno Pac, Washington State
Wrangell Seafoods/Flagship Seafoods
Sitka Sound Seafoods
Icicle Seafoods

Government

Alaska Department of Fish and Game, Sitka and Juneau
17th District Coast Guard Office, Juneau and Sitka
Sitka Harbormaster Office
Mayor of Sitka
Canadian Department of Fisheries and Oceans

Sitka Businesses

Sitka Economic Development Association
Highliner Coffee
Murray Pacific Marine Supply
Sitka Hotel
Super 8 Hotel
Shee Atika Westmark Hotel and Restaurant
Van Winkles Restaurant
Petro Marine

Southeast Alaska Herring Seine Permit Holders

Scott McCallister
Troy Denkinger
John Barry
Dean Haltiner
Nick Johanson
Bud Marrese
Chip Treinen
Joe Lindholm
Chuck Olson
Bill Glenovich

Other

United Fishermen of Alaska
Purse Seine Vessel Owners Association Insurance Pool

RC 234

Proposal 227- Response to the Committee B Report

1. Comments specifically stated in the committee were not written or accurately reflected in the report.

   It was stated more than once, that there was ample access to Stikine bound Chinook through the spring time troll openings which are open nearly continuously through all of May and June when 98% of all Stikine Chinook are returning for spawning.

   It was also stated that trollers have caught a significant number of Stikine Chinook during these Spring-Time troll openings thus refuting any notion that trollers sacrificed to rebuild the stocks. Historical data available through the dept of Fish & Game will show numbers harvested by trollers of Stikine Chinook taken in the Spring-Time troll fisheries.

2. The proposal was considered as is with no amendments available or considered by the committee or for the public to consider through any part of the process. Any amendment or deviation from proposal 227 should be given full opportunity by the public for consideration.

3. The Stikine King Salmon Fishery Workgroup appointed by the Board of Fish # 2005-241-FB made up of charter, sport, gillnet, troll along public fishing interests worked diligently to create the current troll fishery on the Stikine. This proposal deviates significantly from that local process and was not vetted through any similar local workgroup. The current troll access on the Stikine for Chinook was just implemented three years ago with only two years of actual fishing time. Readjusting that workgroup's difficult planning is premature altogether.

Submitted by Chris Knight, Executive Director
USAG

BOF Workgroup document on back

ALASKA BOARD OF FISHERIES
Charge to Stikine King Salmon Fishery Workgroup
 # 2005-241-FB

Purpose: The objective of the Stikine King Salmon Fishery Workgroup is to develop an abundance based management plan to guide management of commercial and sport fisheries that target Stikine River Chinook salmon in District 8.

Membership: The Stikine King Salmon fishery Workgroup will consist of two gillnetters, two trollers, two sport charter, two unguided sport, one member from the Wrangell Advisory Committee and one member from the Petersburg Advisory Committee. The workgroup will consist of similar numbers of people from the communities of Petersburg and Wrangell selected by the board from nominations submitted through the Department of Fish and Game by each group or organization. Board member John Jensen will be the board liaison to the Stikine workgroup. Final membership will be submitted to the board prior to the first workgroup meeting.

Workgroup members will attend meetings at their own expense. The Department of Fish and Game will assist the group by providing a meeting space and any requested information about the fisheries or effects of proposed regulations.

Specific issues to be considered in the management plan include:

1. Develop guidelines for the commercial gillnet and troll fisheries to harvest Stikine king salmon surplus to escapement goals, at various abundance levels. Guidelines should include season opening dates and opening time for the commercial fisheries.
2. Determine sport fishing regulations to be implemented at various abundance levels to utilize harvestable surplus of Stikine king salmon. Options include bag limits, size limit, annual limits, methods and means, time and area closures, and differential regulations between charter and unguided anglers as well as residents and nonresidents.
3. Reduce conflicts between commercial and sport fisheries utilizing time and area restrictions. Guidelines for commercial fisheries should include specific days of the week openings could occur, maximum number of fishing days allowed any week, if and when a "derby closure" should occur the week before Memorial Day, areas that should be closed and the times and dates of these closures.
4. Reduce incidental mortality of steelhead in the commercial fishery utilizing time and area restrictions, and gear modifications. Guidelines for commercial fisheries should include minimum gillnet mesh sizes allowed, and increasing closed waters around key steelhead systems.

The workgroups recommendations will be presented to Board of Fisheries at the Southeast Finfish meeting in Ketchikan, January 22-February 1, 2006.

Dated: October 13, 2005
Girdwood, Alaska

Art Nelson, Chair

Vote: 6 – 0 - 1
(Andrews absent)

RC 235

List of Proposals Jensen conflicted out on

As of 2/23/09

Prop. #	Action requested	Committee
199	Close commercial herring fisheries in Areas 1A thru 16.	A
205	Set a 25 percent allocation of herring to gillnet fishery.	A
211	Require permit holders to be present only during placement and harvest of product.	A
212	Allow use of multiple permits and aggregating units of gear in herring roe on kelp fishery.	A
214	Change date of required removal of pounds and gear to July 1 in sections 12A and 13C.	A
220	Adjust allocation to guided sport fishery by amount over or under previous year's allocation.	B
221	Apply the one king salmon per day bag limit to both residents and nonresidents.	B
222	Close guided sport fishery in areas of high king salmon abundance during years of low overall abundance.	B
225	Double sport bag limit for king salmon in all hatchery troll access corridors.	B
226	Double bag limits in all troll access corridors for May and June in the Ketchikan area.	B
227	Open troll fishery 7 days per week in District 8 when transboundary river fishery is open.	B
228	Open portion of Frederick Sound to trolling during May and June.	B
230	Open troll fishery 7 days per week in District 11when transboundary river fishery is open.	B
231	Open troll fishery throughout District 11 when transboundary river fishery is open.	B
244	Exclude from allocation formula the enhanced salmon production from private nonprofit associations not receiving enhancement tax revenues.	E & G
245	Modify enhanced salmon allocation plan for Northern Southeast Alaska.	E & G
246	Close Coffman Cove to commercial trolling, gill netting, and seining.	E & G
247	Provide for reopening closed waters for troll fishery in District 8 to match drift gillnet openings.	E & G
248	Uncouple troll and set gillnet openings in the Yakutat area.	E & G
249	Allow gillnet and troll gear on board vessel while participating in either fishery.	E & G
250	Allow only one unit of troll gear and one unit of gillnet gear to be on board vessel simultaneously.	E & G
251	Add gear stowage requirements for dual licensed vessels and allow salmon harvested from only one gear type onboard.	E & G
252	Require vessels participating in both troll and gillnet fisheries deliver product from one fishery before starting the next.	E & G
253	Increase length limit for Southeast salmon seine vessels to 75 feet.	E
255	Provide incentive for dual permit use by allowing additional fishing time or gear in drift gillnet fishery.	E
256	Allow dual permit use and use of additional 100 fathoms of gillnet.	E
260	Open Zimovia Straits concurrently with openings in District 8 gillnet fishery north of Pt. Nemo and south of Chichigof Pass.	E
261	Develop pink salmon management plan for Districts 11, 12, and 14 to allow series of openings based on migration and stock identification.	E
262	Amend Northern Southeast seine salmon fishery management plans.	E
263	Allow purse seine vessels to carry an extra net onboard.	E
264	Close commercial salmon fishing from July 1-15 in Klawock area.	E
265	Change the opening and closing dates for sockeye season in Klawock area.	E
267	Allocate equal time between seine and gillnet fishing in Nakat Inlet Special Harvest Area.	E
268	Modify allocation of seine and gillnet time for Neet's Bay Special Harvest Area.	E
269	Expand boundary of terminal king salmon harvest area in the Neets Bay fishery, establish a two fish bag limit and liberalize the annual limit.	E
271	Modify ratio of seine and gillnet openings for Anita Bay area.	E
272	Address Gunnuk Creek Hatchery area management plan.	E
273	Use a 1:1 ratio for gillnet and seine openings in Deep Inlet for 2009 to 2011.	E
274	Allocate equal time between seine and gillnet fishing in Deep Inlet Special Harvest Area for three years.	E
286	Define possession limit as the maximum number of fish a person may have in your possession until returning to their domicile	D
287	Define possession limit as the maximum number of fish a person may have in your possession until returning to his/her domicile	D
288	Establish an annual limit of 12 coho for nonresidents and require a harvest record	D
294	Close regional aquaculture association terminal harvest areas to guided sport harvest of salmon species not financed by state.	D
302	Prohibit catch and release fishing in guided sport fishery	D
309	Establish allocation of coho salmon for guided sport fishery based on past 10 years of harvest.	D
320	Allow uncaught Chinook quota to be available during spring troll fishery.	G
321	Adjust guideline harvest level in winter salmon troll fishery for hatchery component.	G
322	Remove closure in winter salmon troll fishery for District 8.	G

Prop. #	Action requested	Committee
323	Repeal Cross Sound pink and chum troll fishery.	G
324	Allow fishing 7 days a week until June 30 in Cross Sound.	G
325	Extend closing date for Coho Salmon Troll Fishery to September 30.	G
326	Lengthen coho commercial troll season.	G
327	Extend closing date for troll fishery in portion of Behm Canal and Clarence Straight to September 30.	G
328	Allow holders of transferable hand troll permits to use two powered troll gurdys.	G
329	Increase allowable number of handtroll gurdies to four after July 1 west of Cape Spencer.	G
331	Close guided sport and commercial bottom fisheries in Port Frederick between Christ Point and Cannery Point.	F
332	Close area around Naha Bay to all bottom fish fishing.	F
333	Raise guideline harvest level for lingcod in central outside Southeast Alaska area.	F
336	Amend lingcod possession and landing requirements in Eastern Gulf of Alaska to include Central Southeast Outside Section.	F
337	Make surplus dinglebar quota available to troll fleet.	F
338	Allow trollers to retain lingcod as bycatch during April in Icy Bay District.	F
341	Increase sport allocation of demersal shelf rockfish to 25 percent	F
345	Adjust bycatch allowance for demersal shelf rockfish.	F
346	Allow only bycatch of demersal shelf rockfish and provide for variable limits.	F
351	Require release of demersal shelf rockfish at or near bottom of water in commercial fishery.	F
354	Allow sale black rockfish that are retained as required in Eastern Gulf of Alaska Area.	F
368	Establish possession limits for nonresidents at one daily bag limit for all species.	D

RC 236

Proposal 230-Reponse to Committee B Report and potential RCs not vetted in public process

1. Any deviation from the proposals in the form of an RC amendment at this stage in the BOF process is blatantly unjust as the public has had no opportunity to provide any input. Not recorded in the Committee B Report, the Juneau AC was asked if there was any support for amended versions of proposal 230 or 231 and the Juneau AC responded nearly unanimously in opposition to amending the proposals.

2. The Juneau AC which is made up of primarily sport interests voted in heavy opposition to Prop. 230 and Prop. 231.

   Not recorded in the Committee B Report: A BOF member asked if there was any support to amend the proposal and not one person responded within the panel.

3. Current plan for troll access in the district 11 was implemented by the Taku King Salmon Fishery Workgroup #2005-242-FB, which was comprised of troll, gillnet, charter, sport, territorial sportsmen and other public seats, to create a troll access fishery on District 11 chinook. This task force spent a great deal of time to come up with the existing troll corridor in order to limit as little interaction between commercial and Juneau sport users of Taku Chinook. To aggressively pursue more time and more area by trollers under Prop. 230 and Prop. 231. without vetting any concerns within a similar workgroup, has created significant outrage amongst Juneau-local sports fishermen and gillnetters.

4. Most arguments by the troll association for additional access are based upon anecdotal catch information and any notion that the commercial trollers sacrificed harvest of Taku Chinook is blatantly false. Commercial trollers have been harvesting Taku Chinook in the Spring-Time troll fishery for more than 20 years as nearly all (95%) of migrating Chinook travel through Icy Straits. This troll access fishery on Chinook in Icy Straits is open in nearly all of May and all of June when 98% of all Chinook return to the Taku River (District 11). Data for Spring-Time troll harvests of Taku Chinook averages close to 2000 fish per year since 1979.

Submitted by Chris Knight, Executive Director
USAG

BOF workgroup document on back

ALASKA BOARD OF FISHERIES
Charge to Taku King Salmon Fishery Workgroup
 # 2005-242-FB

Purpose: The objective of the Taku King Salmon Fishery Workgroup is to develop an abundance based management plan to guide management of commercial and sport fisheries that target Taku River Chinook salmon in District 11.

Membership: The Taku King Salmon Fishery Workgroup will consist of at least two gillnetters, two trollers, two sport charter, two unguided sport, and one member of the Juneau-Douglas Advisory Committee. Board member Rupe Andrews will be the board liaison to the Taku workgroup. The Taku workgroup will be formed through the Juneau-Douglas Advisory Committee chaired by Kathy Hansen. Final membership will be submitted to the board prior to the first workgroup meeting.

Workgroup members will attend meetings at their own expense. The Department of Fish and Game will assist the group by providing a meeting space and any requested information about the fisheries or effects of proposed regulations.

Specific issues to be considered in the management plan include:

1. Develop guidelines for the commercial gillnet and troll fisheries to harvest Taku king salmon surplus to escapement goals, at various abundance levels. Guidelines should include season opening dates and opening time for the commercial fisheries,.
2. Determine sport fishing regulations to be implemented at various abundance levels to utilize harvestable surplus of Taku king salmon. Options include bag limits, size limits, annual limits, methods and means, time and area closures, and differential regulations between charter and unguided anglers as well as residents and nonresidents.
3. Reduce conflicts between commercial and sport fisheries utilizing time and area restrictions. Guidelines for commercial fisheries should include specific days of the week openings could occur, maximum number of fishing days allowed any week, if and when a 'derby closure' should occur the week before Memorial Day, areas that should be closed and the times and dates of these closures.
4. Reduce incidental mortality of steelhead in the commercial fishery utilizing time and area restrictions, and gear modifications. Guidelines for commercial fisheries should include minimum gillnet mesh sizes allowed, and increasing closed waters around key steelhead systems.

The workgroups recommendations will be presented to Board of Fisheries at the Southeast Finfish meeting in Ketchikan, January 22-February 1, 2006.

Dated: October 13, 2005
Anchorage Alaska

Art Nelson, Chair

Vote: 6 – 0 - 1
(Andrews absent)

RC 237

John H. Littlefield III
4102 Halibut Point Road
Sitka, AK 99835

2/17/200923

Dear Chairman Morris and members of the Herring Committee,

Here are my recommendations for the Herring Committee:

1. Repeal 5 AAC 27.160(g) in its entirety and return Sitka Sound to the same generalized herring harvest strategy used in all other areas of Southeast Alaska. (adopted in 1997, average values shown for the two time periods)

	Period	DBM (tons)	LMS (miles)	LMS/DBM (%)	(Tons) to produce 1 LMS
a.					
b.	1978 to 1996	32,992	56.4	0.19%	587
c.	1997 to 2008	58,158	54.4	0.11%	1,119

2. Establish a harvest cap of 6,600 tons (20% harvest rate of 1978 to 1996 average spawning biomass, DBM, in tons) until an updated science based methodology and strategy can be developed, including peer review of the Southeast Alaska generalized harvest strategy for herring.

3. For more successful subsistence harvests and in the interest of conservation, I recommend:

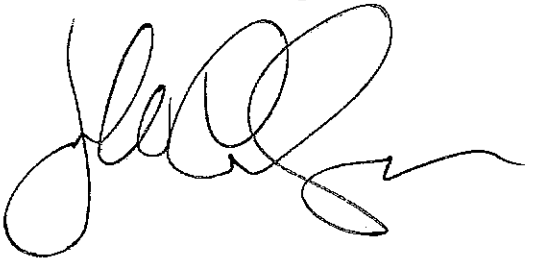
    a. The fleet not conduct any test setting with purse seines, some mid-water trawl test sets may be acceptable, but I don't think they are necessary if,

    b. The fleet does not fish until a major spawning event has occurred naturally, i.e., not test setting induced spawning events.

    c. The entire fishery must be completed as quickly as possible, preferably in a day or two.

4. Recommend to the legislature that they increase and direct funding to the Department dedicated for the research and management of the Southeast Herring stocks and, in particular, for the Sitka Sound herring stock.

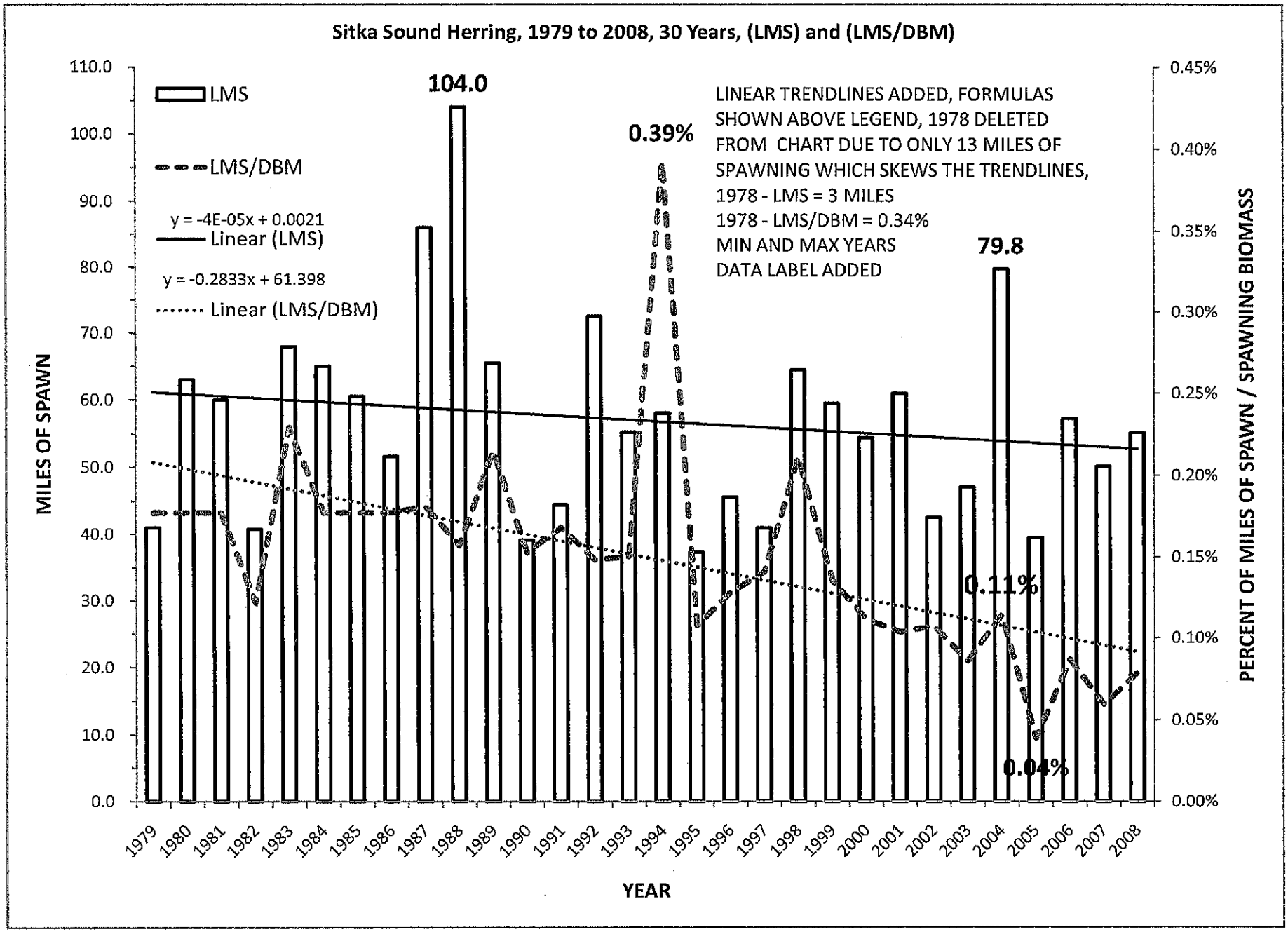
Thank you,



John H. Littlefield, III

907-747-6866

JHL 01


Sitka Sound Herring, 1979 to 2008, 30 Years, (LMS) and (LMS/DBM)
LMS
LMS/DBM
y = -4E-05x + 0.0021
Linear (LMS)
y = -0.2833x + 61.398
Linear (LMS/DBM)
104.0
0.39%
79.8
0.11%
0.04%
LINEAR TRENDLINES ADDED, FORMULAS SHOWN ABOVE LEGEND, 1978 DELETED FROM CHART DUE TO ONLY 13 MILES OF SPAWNING WHICH SKEWS THE TRENDLINES,
1978 - LMS = 3 MILES
1978 - LMS/DBM = 0.34%
MIN AND MAX YEARS DATA LABEL ADDED
MILES OF SPAWN
PERCENT OF MILES OF SPAWN / SPAWNING BIOMASS
YEAR
110.0
100.0
90.0
80.0
70.0
60.0
50.0
40.0
30.0
20.0
10.0
0.0
0.45%
0.40%
0.35%
0.30%
0.25%
0.20%
0.15%
0.10%
0.05%
0.00%
1979
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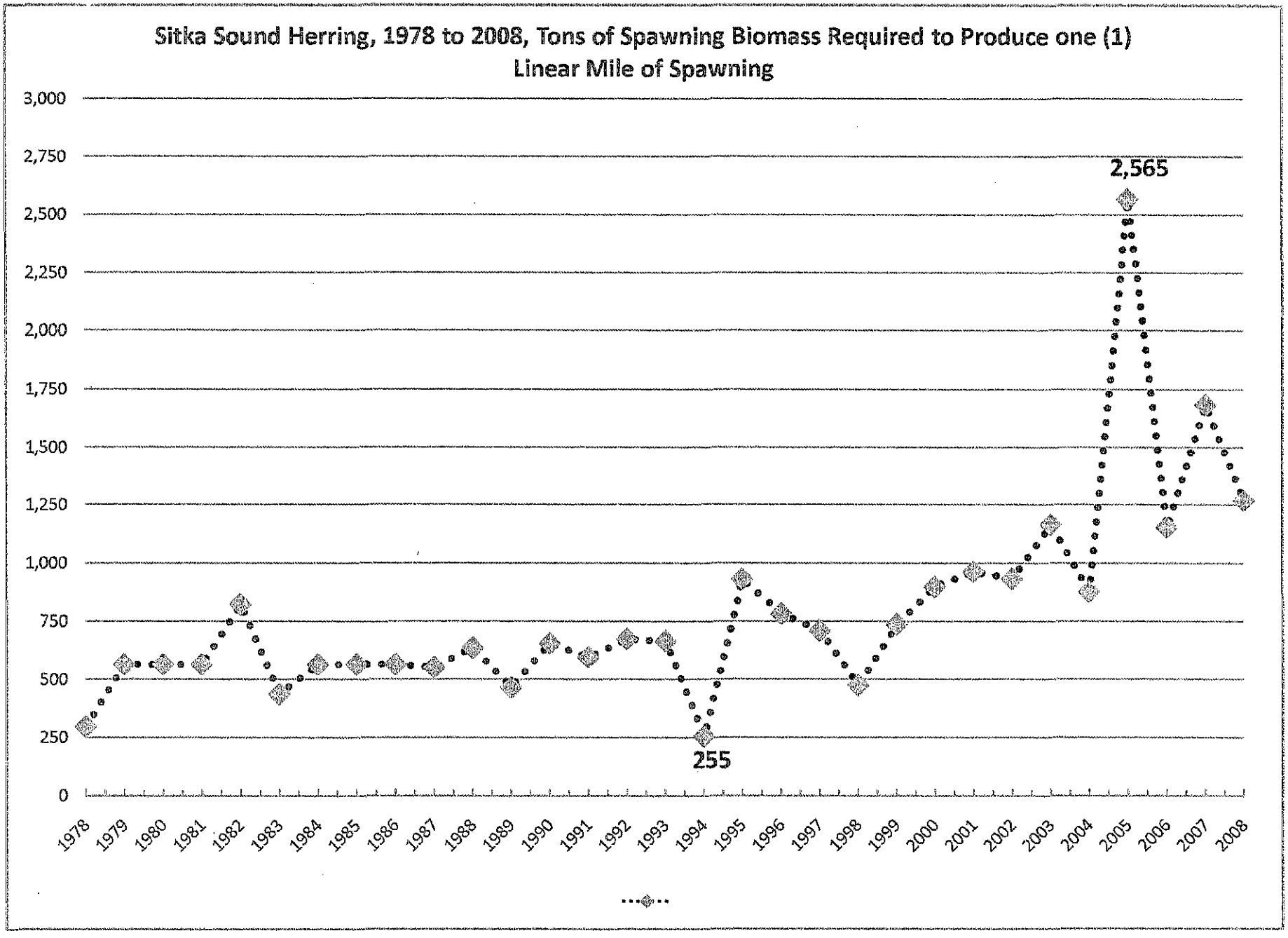
Sitka Sound Herring, 1978 to 2008, Tons of Spawning Biomass Required to Produce one (1) Linear Mile of Spawning
3,000
2,750
2,500
2,250
2,000
1,750
1,500
1,250
1,000
750
500
250
0
2,565
255
1978
1979
1980
1981
1982
1983
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2006
2007
2008

RC 238

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

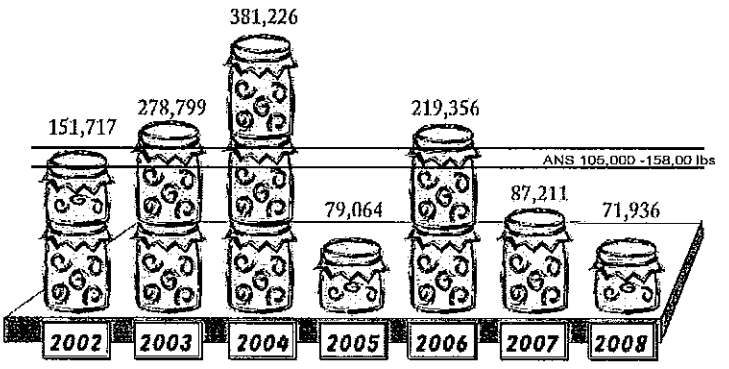
February 23, 2009

Response to Report of Committee A

Proposal 234: STA supports ADF&G's Option D to adopt a range of 193,000 to 322,000 pounds (rounded to 200,000 to 325,000 pounds) as the amount reasonably necessary for subsistence (ANS).

- This is a range based on data gathered through STA and ADF&G's annual customary and traditional herring egg harvest survey.
- This range is based on the mean estimated harvest in 2002, 2003, 2004 and 2006, the years in which reasonable opportunity has been provided to subsistence users (as indicated when the estimated harvest has exceeded the low range of the current ANS).
- Survey data indicating a reduced participation by subsistence harvesters of herring eggs is best explained by the reduced number of days of spawn, not a reduced interest in subsistence herring eggs.
- In STA's 2008 Tribal Needs Assessment conducted in coordination with McDowell group, 15% of the 187 households responding reported, despite attempting to harvest or attain herring eggs in 2008, their household had no herring eggs in 2008.
- STA believes the statement contained in Committee Report A from ADF&G Subsistence division regarding why ANS is not being achieved[1] (in 2005, 2007 and 2008) is irrelevant to establishing the appropriate ANS level and as such should be struck from the record. If included in the record, STA would like to contribute that our position is that in years where reasonable opportunity has not been provided it is because the commercial sac roe fishing has impacted the duration of herring spawn and the location of spawn distribution. This is the basis (in addition to conservation concerns) for STA's efforts to put forth Proposals 203 and 204.

The table to the right was created by ADF&G's Division of Subsistence and illustrates recent subsistence harvests compared to the existing ANS.



Total estimated pounds of herring spawn harvested by subsistence users in Sitka, 2002–2008.

Mike Turek, ADF&G Division of Subsistence, Juneau, 2008.

[1] Changes in stock abundance due to natural fluctuations, harvest by other fisheries, duration of spawn, spawn distribution, weather, changes in demand, availability of other resources and reduction in participation in harvest monitoring program or underreporting are possible reasons for not achieving ANS.

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

February 23, 2009
Response to Report of Committee A

Proposal 235: STA opposes 235 because it is duplicative of the current herring egg harvest survey being conducted by STA and ADF&G and a permit system would result in less accurate data being collected than that currently being obtained.

- STA and ADF&G's annual herring egg harvest survey is a collection of the best available data regarding actual subsistence herring egg harvest.[2]
- A report documenting the collaborative federal/state/tribal review of subsistence harvest data found: "*Although **Southeast Alaska fisheries managers do not make use of subsistence harvest data** in managing commercial fisheries, they do express **some concern about the quality of subsistence data that they collect.***"[3] The **only annual subsistence harvest data being collected** by the Southeast fisheries managers interviewed for the project was attained through **returned subsistence harvest permit**.
- The Sitka ADF&G Commercial Fish Division requires subsistence harvesters to attain permits for spawn on kelp. When this permit data is compared to the harvest estimates attained by our annual herring egg harvest survey there is as much as a **50%** difference in harvest estimates attained. The average annual variation over the seven year survey period has been **34.7%**, with **permits under reporting annual harvest each year**.
- Public confidence in the ADF&G and STA annual subsistence herring egg survey could be bolstered by ADF&G securing consistent funding for their participation in the survey.
- In 2005 the Sitka Tribe collaborated with the Division of Subsistence to compare permit data to survey data specifically in Sitka. While still in draft form, review copies of the final report are being circulated which show: Harvest estimates from the **salmon permit system** were only **41%** of the subsistence harvest estimates made through the face-to-face surveys.[4]
- One report published by ADF&G's Division of Subsistence cites research conducted by ADF&G, the USFS and ISER which found: "*In 1988, researchers with ADF&G, USFS, and Univ. of Alaska's Institute of Social and Economic Research conducted face-to-face surveys of randomly sampled households in Southeast, Alaska communities to document harvest and use of all wild resources for the previous 12-month period. Estimates of harvest of salmon for home use based on these harvest surveys can be compared to permit harvest reports for the same year. Harvest estimates provided during the personal interviews resulted in a regional harvest estimate that is several times larger than that based on returned permits: **based on the permits, an estimated 30,737 salmon** were harvested for home use in rural Southeast Alaska in 1987, compared with an estimated **172,293 salmon based on face to face interviews**. The researchers gave several reasons for, what they concluded was, more accurate information from the interviews: they offered confidentiality to respondents, provided broader coverage in terms of gear types, and in a number of households providing information made it easier for users to respond with information.*"[5]

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[2] According to comparisons of survey and permit data from the subsistence spawn on kelp in Sitka and three published reports (available upon request), subsistence permits do not accurately reflect the amount of subsistence resources being taken. *See* ADF&G Technical Paper No. 340, The Validity and Reliability of Fisheries Harvest Monitoring Methods, Sitka 2005, Michael F. Turek, and Brad Robbins; Alaska Department of Fish and Game. 2002. *Alaska Subsistence Fisheries: 2000 Annual Report.* Division of Subsistence. Juneau, Alaska; Statewide Subsistence Fisheries Harvest Monitoring Strategy, Study Number FIS 00-017, Final Report, James A. Fall and Roland Shanks.

[3] Office of Subsistence Management, US Fish and Wildlife Service. "Statewide Subsistence Fisheries Harvest Monitoring Strategy." Study Number FIS 00-017. Fall, James A and Roland Shanks. December 2000.

[4] Alaska Department of Fish and Game. Division of Subsistence. "The Validity and Reliability of Fisheries Harvest Monitoring Methods, Sitka 2005." Turek, Michael F. and Brad Robbins. Draft, August 2008.

[5] Alaska Department of Fish and Game. Division of Subsistence. "Alaska Subsistence Fisheries: 2000 Annual Report."

ALASKA FEDERATION OF NATIVES

February 12, 2009

Mr. John Jensen
Chairman, Alaska Board of Fisheries
P.O. Box 681
Petersburg, Alaska 99833

Dear Mr. Jensen:

On behalf of the Board of Directors of the Alaska Federation of Natives, I am writing to each Member of the Board of Fisheries (with copies to the Fish Board's Executive Director and the Federal Subsistence Board) to convey the Native community's grave concern about Proposal 235 on Southeast herring.

The AFN Board met in Juneau on February 11, 2009 and thoroughly discussed Proposal 235. It then adopted a motion to convey to the state and federal boards its **"...support for the customary and traditional use of subsistence resources and its vehement opposition to any means or regulations to "individualize" subsistence pursuits, such as a subsistence permitting system that is embodied in Alaska Board of Fish Proposal 235, which would require permits to harvest herring eggs."**

Any individualized system of subsistence permitting destroys the concept of "customary and traditional" uses embodied in Title VIII of ANILCA, which gives a community-wide priority to rural subsistence users in times of shortage. Adoption of Proposal 235 would further entrench the legal differences between the two conflicting systems and guarantee that the current dual management regime will continue indefinitely. Such action would merely postpone any return to a unitary system, a goal the State has sought for years. It would also exacerbate the deep alienation between urban and rural Alaska, which has been the most emotionally divisive issue in state politics for 20 years.

AFN urges the Board of Fisheries to reject Proposal 235 at its upcoming meetings. Thank you for your consideration of this critical issue.

Sincerely,

Julie E Kitka

Julie Kitka,
President, Alaska Federation of Natives
1577 C Street, Suite 300, Anchorage, Alaska 99501
Phone: 907-274-3611

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-08

Title: Opposing ADF&G Board Proposal 235, to Expand Permit and Reporting Requirement for All Harvest of Herring Spawn in Sitka Sound Area

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, as a result of the enactment of HR 39-Title VIII of ANILCA, Alaska Natives strongly believe and assert their rights to priority use and access to gather, hunt, and fish Alaska's natural resources and its fish and wildlife.

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by opposing Alaska Board of Fisheries Proposal 235 to Expand Permit and Reporting Requirement for All Harvest of Herring Spawn in Sitka Sound Area.

Rural Alaska Community Action Program, Inc.
P.O. Box 200908, Anchorage, AK 99520-0908
(907) 279-2511 ◇ Fax: (907) 278-2309
www.ruralcap.com

January 2, 2009

BOF Comments
Boards Support Section
Alaska Dept. of Fish and Game
PO Box 115526
Juneau, AK 99811-5526

RE: Opposition to Proposal #235, Subsistence Fishing Permits

Dear Members of the Board of Fish:

The Rural Alaska Community Action Program, Inc. (RurAL CAP) is a statewide nonprofit organization that has been advocating on behalf of low-income and rural Alaskans since 1965. RurAL CAP is governed by a 24-member Board of Directors with representatives including publicly elected officials and representatives from every region of Alaska.

During its quarterly meeting on December 11, 2008, the RurAL CAP Board of Directors discussed the subsistence harvest of herring eggs. The consensus of the Board is that traditional uses of fish and game continue to be a mainstay of Alaska Native culture and vital to the well-being of rural communities. The subsistence harvest of herring eggs is integral to ensuring that rural and Alaska Natives continue to have access to a resource that has been utilized for thousands of years.

Alaska's indigenous people continue to see erosion in their opportunities to harvest fish and game resources for traditional uses as a result of changing regulations and more competition for resources. Proposal #235 requiring permits and reporting for all harvest of herring spawn in Sitka Sound is one more attempt to discourage traditional uses. There is no consensus on such a requirement and it only serves to place another unnecessary burden on harvesters. The RurAL CAP Board of Directors **opposes** the Sitka Herring Association's Proposal #235.

For more information about this issue, please contact our Deputy Director, Sarah Scanlan, at 907-865-7365.

Sincerely,

David Hardenbergh, Executive Director
Rural Alaska Community Action Program, Inc.

Richard Curran 2/23/2009 proposal 137 RC 239

Please consider:
Sablefish are a long lived species (97 years maximum) that has slow growth and sporadic recruitment. It is the most valuable groundfish fishery managed by the State of Alaska and it is currently at historic low abundance. Management changes in 2009 will result in lower quotas even if stock levels remain stable.

ADF&G has conservation concerns for this resource: From staff comments: *"**Survey and biomass data for the Chatham Strait blackcod stock suggest that the stock is in a period of significant decline and the department has taken very conservative management actions in the commercial fishery**"*
From Region I Commercial Fisheries News Release 6/11/2008:
Harvest Rate and Quota Determination Considerations
In order to review our current stock assessment methods and explore the possibility of using an age structured analysis the Department contracted with a consultant. That work **revealed that the stock level in Chatham is at a low level relative to the historic biomass** and that the harvest rate used in 2007 and now in 2008 is unsustainably high for a population at this level. For this reason the **Department intends to proceed with caution and conservatism with regard to the harvest of sablefish from Chatham Strait,** … Therefore fisherman can expect that in 2009 the Department will use a more conservative harvest rate such as F45% or F40% adjusted. These harvest rates are used by other agencies managing sablefish on the west coast. Additionally, in 2009 the Department intends to begin deducting testfish removals from the ABC. However, the Department will explore options to minimize the impact to permit holders regarding the deduction of testfish removals by integrating EQS harvest into testfish fishing. **The Department has taken into consideration that there has been no definitive evidence of strong recruitment into Chatham Strait, that there has been a reduction in the TAC for the federal fishery, and that Canadian sablefish fishermen are seeing declines in abundance there.**

Substitute Language for 137:

5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA

(x) For blackcod (sablefish, butterfish):
i. non-guided Alaska residents: 2 per day, no size limit;
ii. nonresidents and guided anglers: 2 per day, with an annual limit of four blackcod;
iii. immediately after landing a blackcod the nonresident or guided angler shall record, in ink, all blackcod harvested either on the back of their sport fishing license or on a nontransferable harvest record;
iv. charter operators will record the number of blackcod harvested in their charter logbook
v. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain blackcod while clients are on board the vessel.

RC 240

Amendment to 314

The fraise Situk-Ahrnklin Estuary is a commercial set-net area. Proposal 314 is for in river bag limits. The word Estuary needs to be changed to RIVERS. To have this passed as Estuary would serve no cause.

Proposal 314 should read as follows: Lower the bag limit for sockeye salmon from 6 per day 12 in possession to 3 per day 6 in possession in the Situk and Ahrnklin RIVERS.

Yakutat AC Jeff Fraker Date-2-23-09.

Sport

WHO IS LIKELY TO SUFFER? The guided sportfishing industry is likely to feel inconveniences by this activity, particularly at the beginning.

(R SOLUTIONS CONSIDERED? We asked if inspections could be done without a regulation, but were informed that voluntary compliance has not worked that well.

PROPOSED BY: Alaska Trollers Association (HQ-08F-233)

****

PROPOSAL 313 - 5 AAC XX.XXX. New section. Establish a system to monitor and inspect freezer facilities associated with charter fishing as follows:

Establish a system to monitor and inspect freezer facilities at lodges and bed and breakfasts associated with charter fishing.

ISSUE: Sport and subsistence resources being sold through lodge facilities. Current law requires probable cause for inspections by protection officers.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lodges will continue to harvest sport/subsistence fish to serve to paying clients in lodges and be and breakfasts to the detriment of local grocers and sportsmen.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It would enhance commercial sales by forcing lodges to buy from licensed fisher products currently being stolen.

..O IS LIKELY TO BENEFIT? Local sportsmen and commercial fishers would face less illegal competition from unscrupulous guides.

WHO IS LIKELY TO SUFFER? No honest person.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Signid Rutter (HQ-08F-019)

****

PROPOSAL 314 - 5 AAC 47.021. Special provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area. Lower bag limit for sockeye in Situk-Ahrnklin Estuary as follows:

Lower the initial bag limit for sockeye salmon from 6 per day 12 in possession to 3 per day 6 in possession in the Situk-Ahrnklin Estuary. Bag limits will be raised depending on in-season run length, up to the region-wide limit of 6/day. change to RIVERS

ISSUE: Prior to 1997 sport sockeye harvest in the Situk River was under 1% of the commercial harvest. Since 1997 there have been two emergency closures and a peak in the sport harvest was ched in 2004 when 35% of the sport/commercial take was attributed to sport fisheries. The Situk er hit a new low water mark of 39 CFS in 2007. Low water conditions create conditions that

RC 241

Southeast Alaska Fishermen's Alliance
9369 North Douglas Highway
Juneau, AK 99801
Phone 907-586-6652
Fax 907-523-1168 Website: http://www.seafa.org E-mail: seafa@gci.net

February 23, 2009

Board Support Section
Alaska Dept of Fish and Game
John Jensen, Chair
1255 West 8th Street
Juneau, AK 99811-5526

Dear Chairman Jensen and Board of Fish Members,

RE: Committee E & G – SHA/THA Management Plans and Allocation Plans

We are providing some draft regulatory language crafted from the joint RPT industry consensus agreement and a finding of other items contained in the RPT consensus agreement and the considerations for the adoption of this agreement. In the process of writing this up, we have provided at the end of the document some issues for the board to be aware of regarding the RPT consensus agreement.

DRAFT Regulation

Adopt Proposal #273 with Amended substitute language:

5 AAC 33.376(b) (1) (B) District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan
The time ratio for gillnet openings to seine opening is two to one; for 2009, 2010 and 2011 the ratio is one to one after the third Sunday in June.

5 AAC 33.383(d) (3) District 7: Anita Bay Terminal Harvest Area Salmon Management Plan
In establishing emergency order season openings for the seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of 2 to 1, however, if approximately equal numbers of salmon are not being harvested by the two gear groups, the ratio and timing of openings may be altered; for 2009, 2010 and 2011 the ratio is one to one.

5 AAC 33.370 (b) (2). District 1: Neets Bay Hatchery Salmon Management Plan
(2) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows: The time ratio for gillnet openings to seine openings is one to one after June 20th.
(A) openings for seines and gillnets must be rotated between net gear groups with a closure of at least 18 hours between openings; the first opening must be for gillnets;
[(B) A GILLNET OPENING MUST BE NO LESS THAN 24 HOURS IN DURATION AND A SEINE OPENING MUST BE NO LESS THAN 12 HOURS IN DURATION;]

ALASKA BOARD OF FISHERIES
Finding on SHA/THA Proposals Regarding
Southeast Alaska Enhanced Salmon Allocation Plan

At the February 2009 Alaska Board of Fisheries Meeting in Sitka on Southeast and Yakutat finfish, the Board considered numerous changes to the Southeast Alaska Enhanced Salmon Allocation Plan. The Board heard public testimony, considered written comments submitted before and during the meeting, considered reports of committee meetings where public panels presented additional information to the committees and considered the application of the Southeast Alaska Salmon Enhanced Allocation Plan 5 AAC 33.364, the application of the Board's Sustainable Salmon Management Policy 5 AAC 39.222, and the application of the Board's allocation criteria 91-129-FB to current and proposed regulations affecting the Southeast Alaska Enhanced Salmon Allocation Plan.

The Board also considered a package of long and short term recommendations addressed to the ADF&G Commissioner from the Southeast Alaska Joint Regional Planning Team. These recommendations were based on the need to address current imbalances and the long-term trends in the distribution of enhanced fish. It was clearly portrayed to the Board that this is a package deal that was contingent upon acceptance of all components while recognizing that some elements are beyond the Boards authority.

The Board accepted the Joint Regional Planning Team recommendations for immediate adjustments to the special harvest areas in Deep Inlet, Anita Bay and Neets Bay. This is in acknowledgement that the seine fishery has been below their allocation range for the last three 5-year rolling averages and the gillnet fleet has been above their range for the last four 5-year rolling averages and the troll fleet has never been in their range for a 5-year rolling average. The Board recognizes that this is the first time since 1994 that both net fleets are out of their range in opposite directions.

The Southeast Enhanced Allocation plan suggests that production for the gear groups below their range be considered as a way to address the imbalance, therefore the Board encourages the hatchery operators to try to increase production in a way that will provide additional opportunities to harvest fish by the troll and seine fleets.

The Board would also encourage the hatchery operators, ADFG and troll fleet to work together to identify additional times and areas where enhanced Coho and Chinook could be harvested by trollers without affecting wild stocks.

In addition, the Board would strongly encourage the Joint RPT to follow through on their RPT consensus to consider alternatives and come back with a plan for the 2012 board meeting to allow adjustments to occur within the special harvest areas without requiring Board of Fish action every time. The Board would like any changes to the allocation plan coming back before the Board in 2012 to occur without any changes to the allocation percentage ranges for each gear group.

The Board of Fish will take no action on proposals 244, 245, 267, 268, 271, 274, and to oppose proposal #246 due to action taken on Proposal # 273.

Additional information for the Board to consider:
The RPT consensus recommended that the Board review proposal #327 and to support this proposal if wild stock concerns can be addressed as this would provide additional opportunity to the troll fleet which is below their allocation range.

District 7: Anita Bay Terminal Harvest Area Salmon Management Plan has in it a clause that equal numbers of salmon be harvested by the two gear group, the Board needs to build the record that the intent for the adoption of the suggested language that for 2009, 2010 and 2011 the ratio is one to one regardless of the amount harvested by either gear group during this time frame as per the RPT consensus agreement.

Or, one RPT member did mention that this clause was problematic with the 50% sharing agreement with the enhanced allocation plan and that the language should be permanently deleted but was not captured on the written consensus agreement prior to the RPT members voting so it has not been changed.

The Board needs to understand that in offering the suggested language for the District 1: Neets Bay Hatchery Salmon Management Plan there were several items that were not clearly spelled out within the RPT consensus agreement. These consist of:

- *For a one to one ratio to work, it appeared that it made more sense to delete the language regarding the length of a gillnet opening and a seine opening and provide the SSRAA Board the flexibility to set the schedule of openings within the constraints of a one to one ratio. This was not discussed in the industry discussions – the discussions consisted of the opening would be a one to one ratio.*
- *Again, an item that the industry and RPT members did not specifically discuss and so I left as it is currently written is section A regarding an 18 hour closure between rotations and the first opening would be for the gillnet fleet. The Board should affirm on the record if that is their intent since it was not spelled out by the consensus agreement.*

RC 242

My name is Charles Skultka Sr.

I was born + raised in Alaska. I'm 64 yrs. old. I've lived in Sitka 51 years.

1. I am a member of Sitka Tribe of Alaska. I support their efforts.
2. I am a Sealaska shareholder.
3. I am a Haida Corporation shareholder and am the former Vice President and Chairman of the Haida Corp.
4. I am, I believe, the only member of STA with a Southeast Alaska Sac Roe Herring Permit.
5. I and my family are subsistence users and most of the people we know live a subsistence life-style and Herring are a very important part of our lives.

* 1. We eat fresh Herring when available and freeze fresh for eating at a later date and for sharing.
* 2. We gather herring eggs on branches when available and share with family and friends. We freeze + salt for consumption at a later date.
* 3. We gather herring eggs on macrocystis Kelp when available and share with family and friends. We freeze and salt for consumption at a later date.

I have been involved in commercial fishing since 1953 and a subsistence user many years before that.

← I started fishing herring in 1963 and have been involved ever since. →

My participation in the harvest of the Sitka Sound Herring stocks predates the Sac Roe fishery by many years.

I started fishing Sitka Sound Herring in 1963 with Capt. Merle Enloe of the F/V "Icy Queen". This gentleman was responsible for the first load of Herring to leave Sitka Sound as "sac roe". The year was 1964.

All of our product, (800 tons) was held in our pounds (pens) until they matured and once they were determined to be mature enough, we harvested the fish which was boxed, frozen and shipped to Japan on a freighter. This event predated the Sac Roe fishery by several years.

This fishery occurred during the years when the Herring stocks of Sitka Sound were at an all time low in abundance due to over harvesting by the reduction plant fleets.

Since about 1966, the herring population of Sitka Sound has struggled and with the cooperation of the AK. Dept. of Fish + Game and the fisherman we've brought the back from next to total collapse, As low as three miles of spawn to the strong, healthy and abundant biomass that we have today.

Unlike our predesscessors, the refinery fleets, the sac roe fishermen during the

formational years of the Sac roe fishery endured many obstacles; very small quotas, loss of areas(6), competition from other gear groups, etc.

In 1977 the seiners did not fish in Sitka Sound because the ADF&G. determined that the biomass was too low.

I believe the spawn ended up at approximately 7 miles of spawn. This decision was a key move in the rebuilding of the Sitka Sound herring stocks.

I can't recall the exact year of this event but for the sake of the comment, late 80's or early 90's, we had an overabundance of 93 gram sized fish, the Sac Roe fishermen left the entire quota in the water to catch at a later and larger size year class. It worked! the biomass and the size of harvestable fish has increased significantly. To a high of 104 miles of spawn at highest point and continuing on to what we are harvesting today.

A true success story on behalf of the herring!

— Proposals —

#200 * opposed – We have a reasonable threshold level + it's working.

#. 3* opposed – The ~~T~~ H L of 20,000 tons is reasonable and insures reproduction + subsistence needs.

#204 Opposed – I believe that the test fishery many times has gotten too intense – I.E. Many sets on the same schools of herring. I believe that the herring become stressed and this causes the more mature herring to start an early "stress spawn in which the males abort their sperm and create a false spawn resulting in very little if any egg deposition.

#205* Opposed – All gear groups need to access the resource.

#206 – Opposed – District 7 – gillnetters want more –

#207 Opposed – Through Departmental changes 6 out of 7 areas have been taken from the seine fishery and never returned. I.E. Lynn Canal : Regulations were changed and the ~~Dept~~ Dept. of Fish + Game gave the entire quota in Seymour Canal to the gillnet fleet. This re-distribution of quota has been very detrimental to the seine fleet and discriminatory to say the least. Both gear groups should be considered before any fair allocation is made.

208 – Tenders want to pack more – Opposed

~~+208~~ +209 Opposed – The "Sitka Herring Group" is made up of fishermen who have for years tried various tactics to get this and other proposals to pass in their favor.

No decision

I'm opposed because ~~the~~ passage of this proposal allocates fish to people who haven't been in this fishery as long as others and instead of catching their fish in an open fishery, they want a

share of the quota given to them. Some have caught few if any.

If this is allowed to happen, as I see it, the State of Alaska will be allowing this group, which consists of One fishing Company group with over 40% of the permits, the ability to control + monopolize this fishery.

I believe that the proper avenue of control is to limit the length + depth of nets. This will result in catches of more mature herring being harvested and the Dept. of Fish + Game will have more control over the fishery.

Respectfully,
Charles Skultka
P.O. Bx. 665
Sitka, AK. 99835

RC 243

Sitka Herring Group

410 Calhoun Ave

Juneau AK 99801

Feb 24, 2009

Re: Proposal 209

Chairman Jensen and Board members,

The Sitka Herring Group has begun working with the Sitka Tribe on mutual issues of concern.

We understand that the efforts on our behalf were begun late and were slow developing on our side of the table. This has been a complex process with many participants and this process simply got a late start due to our misunderstanding of the potential for the Board of Fisheries to actually be able to make a decision on this important management issue.

We consider the major issue regarding Sitka Sac Roe management to be the establishment of an Equal Harvest Share Fishery. We believe that this management regime will contribute to both short and long term strategies to encourage and support the Sitka Tribe's subsistence needs. We are convinced that a majority of outstanding issues of concern to the Sitka Tribe can be assisted and accomplished by the cooperation in timely and uniform harvest that will occur under a modern herring management regime.

The ADFG, while achieving incredible management precision and results already, will have a better chance to continue this exceptional management with the added resource precision and fine tuning that the Equal Harvest Sharing regime will bring. While we believe that the fishery is being managed well, it just plain can be better. The fishery will be dispersed so as to better complement the subsequent and accompanying subsistence harvest. Along with the opportunity to spread out the harvest, reduced fishing accidents and producing a higher quality product will be attendant benefits.

We recognize that there needs to be fine tuning of our management plan but this has been begun by RC 196. We also recognize that there needs to be discussion, regulation changes and other outstanding issues that may take a year to complete. And we are also aware of the concern for jobs and processing capacity. To address this we would recommend a 3 year sunset so that if there are any unanticipated consequences that we can deal with them.

We would request your support of the Equal Harvest Sharing proposal 209. And we would welcome a Herring Working Group to establish this management regime that will best serve the needs of both the fleet as well as the Sitka Tribe.

Sincerely,

Sitka Herring Group

RC244

February 24, 2009

Sitka Tribe of Alaska and the Sitka Herring Group

- Support Proposal 234- ADF&G's Division of Subsistence's Option D to increase ANS to 193,000-322,000 pounds
- Oppose Proposal 235- and support current subsistence survey and allow Sitka Herring Group representatives to observe survey process
- To amend Proposal 209 and 210, to formulate a workgroup to address the concerns of Sitka Tribe of Alaska and industry regarding the details of an equal split fishery, to come back to the Board of Fisheries in Winter 2010 (out of cycle)
- To amend proposal 203, to allow workgroup to develop details for ADF&G to get an independent review of the ecological and physiological changes made to the ADF&G ASA for Sitka herring if proposal 209 passes as amended.

Sitka Herring Group

Sitka Tribe of Alaska

Sitka Herring Group

RC245

To: Alaska Board of Fish 2-22-2009

re:comments on proposal 234,235

My name is Mike Miller. I am submitting several comments in support of Proposal 234,and,in opposition to proposal 235.

I am a Tribal Council member with the Sitka Tribe of Alaska and have been active for many years in Subsistence representation at State and Federal forums. Besides being a Sitka Tribe Council member,I am currently a Subsistence committee member at AFN, Subsistence representative for Sealaska, a Trustee with Sealaska Heritage, Vice Chairman of Indigenous Peoples Council on Marine Mammals (which represents all of the organized co-management Alaska Native Organizations from Barrow to Ketchikan), a long time member of the Alaska Native Halibut Subsistence Work Group (which advises NMFS, NPFMC and IPHC regarding Halibut subsistence fisheries),I am also a board member of Southest Alaska Regional Health Consortium, the largest private employer in the region with over 1000 employees,and, the health care provider to all of the Regions Native population. Our Medical staff has shown great concern for promoting healthy lifestyles, -especially Subsistence foods- in fighting the alarming spikes in diseases such as diabetes and cancer in our communities.

I encourage your support for proposal 234 for the following reasons:

As I testified previously, I view 234 as a progression of previous Board action in 2002. That Board adopted ANS numbers based on Sitka use patterns only,and traditional use patterns of sharing the harvest across the State need to be included in an accurate ANS.

The numbers in 234 are reasonable,and, consistent with harvest patterns when reasonable opportunity was provided since 2002.

The Sitka Advisory Committee supported 234 as written.

Sitka Tribe does not believe that 234 will guarantee an increase of opportunity to harvest herring eggs if passed,but, IF the interest of the Board is to accurately reflect the TOTAL use pattens of subsistence herring eggs from Sitka Sound, proposal 234 should be passed as written.

Sitka Tribe has submitted considerable documentation related to this issue.

Proposal 235: Several months before the proposal books were released, I was informed by the sponsors of proposal 235 that they were submitting this proposal as a punitive reaction to Sitka Tribe's efforts to address serious concerns regarding low subsistence harvests.

The Sitka Advisory Committee **opposed** 235, with comments that included recognition that viewed this as a reactionary,punitive proposal.

As directed by Board of Fish in 2002, the Sitka Tribe has a very effective survey program in partership with ADFG.

The accuracy of the Harvest Surveys has not been challenged by the ADFG Subsistence Division.

There already is an example of herring egg permits that provide significantly lower numbers than the STA/ADFG harvest surveys, thus demonstrating the inaccuracy of the permit system in accurately reflecting the total harvest..

Proposal 235 is **strongly opposed** by SEALASKA Corp, representing approx 20,000 shareholders, Central Council of Tlingit and Haida Indian Tribes of Alaska representing approx 27,000 Tribal members,and Alaska Federation of Natives, representing approx 100,000 Alaska Natives.

Proposal 235 will severly impede the ability to gather accurate subsistence harvest data and is inconsistent with previous Board action that recognized the superiority of annual Harvest surveys while voting down a similar Permit process in 2002.

I urge the Board to not cater to the Grudge that a handful of industry representatives have against Alaska's subsistence community, and, to vote against proposal 235.

Since 2002, neither the ADF&G nor Industry have submitted ANY proposals to assist in finding any remedy for the lack of Reasonable Opportunity for Subsistence Harvesters, in spite of basic needs not being met in 3 of the last 4 years.

Thank you for your consideration,

Mike Miller

Alaska Trollers Association
130 Seward St., No. 211
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

RC246

February 23, 2009

John Jensen, Chairman
Alaska Board of Fisheries
Juneau, AK 99811

RE: Committee B King Salmon Management Plans

Dear Chairman Jensen and Board Members:

ATA did not take positions on most of the proposals considered by the committee that relate to the King Salmon Management Plan. Sport interests should determine with the Board and ADFG the most appropriate measures to help them stay within their Treaty allocation of Chinook.

For additional information on proposals discussed by Committee B relative to the Transboundary Rivers Fisheries (TBR), please also refer to ATA's RC 215.

PROPOSAL 227 District 8 TBR Fishery SUPPORT w/MODIFICATION (RC 215)

TBR Fisheries versus Spring Troll Harvest Areas

The committee and board have heard comments from a number of people who stated that trollers do not need additional time and area in the TBR fisheries, because they already have more areas to fish Chinook in the spring than gillnetters. The spring troll fisheries are irrelevant to whether or not the trollers should have better access to the TBR fisheries, because they are managed under completely separate management regimes.

The TBR fisheries were established to provide opportunity for all harvesters and allow both gillnetters and trollers to regain access to Taku and Stikine Rivers Chinook stocks they helped to rebuild.

The spring troll fisheries were designed specifically to catch hatchery Chinook being raised to mitigate the troll fleet for a significant loss of harvest under the Pacific Salmon Treaty. In 1985, a hatchery mitigation program was initiated with the intent of providing an additional 100,000 Chinook annually for trollers. Since 1985, trollers have averaged just 27,300 Alaska hatchery salmon each year.

The Treaty also resulted in lost spring fishing time for the troll fleet, which made it difficult to access returning hatchery Chinook stocks and early run coho.

A series of areas was designed to allow the fleet to target Chinook returning to various Southeast hatcheries. Caps were put in place to avoid harvesting too many Treaty fish. Areas are closed when those caps are reached. Hatchery areas are reviewed annually, in an attempt to find better ways to access the promised hatchery fish. Over time, areas have been added, closed, and/or modified accordingly.

From 1960 to 1977, trollers harvested 31% of the District 8 and 35% of the District 11 Chinook harvest.

From 2006-08, trollers in District 8 have harvested 9% of the Stikine Chinook catch with the sport catch included; or, 11% to the gillnetters 89%. From 2005-06 trollers harvested less than 1% of the Taku River allowable catch.

Trollers were closed in the late 1970's for conservation just like the gillnetters. To claim that trollers aren't entitled to a fair share of the Transboundary Rivers harvest is like trollers saying that gillnetters should not have directed TBR fisheries, because they already catch lots of Chinook incidental to other fisheries in five fishing districts, as well three hatchery terminal areas.

To give a sense of how the gillnetters fare compared to trollers in the spring, here is a rough example comparing catch in the 2006 spring troll fisheries to the Districts 8 & 11 gillnet harvests. These numbers only include harvests through week 27, when the spring fisheries usually close. Note that this does not reflect the additional Chinook salmon gillnetters landed in Districts 8 & 11 incidental to the sockeye fishery.

Gillnet

36,600 = Total Districts 8 & 11 Harvest

30,000 Transboundary River Chinook -- Do not count against the drift gillnet PST quota
5,400 Alaska Hatchery Add-on -- Do not count against the drift gillnet PST Chinook quota
1,200 Treaty Catch -- Counts against the drift gillnet PST quota

Troll

36,900 = Total Spring Troll Fishery and Districts 8 & 11 Harvest

1,900 Transboundary River Chinook -- Do not count against the troll PST quota
7,700 Alaska Hatchery Add-on -- Do not count against the troll PST quota
27,300 Treaty Catch -- Counted against the troll PST quota

Equal Time for Gillnet and Troll?

One person mentioned that trollers and gillnetters had equal fishing time, historically. It's important to know that prior to closure of the Transboundary Rivers, there was a significantly bigger troll fleet working the areas, particularly in District 8. Also, significant improvements in gillnet gear have occurred since 1977. Catch rates then and now are completely different.

Trollers are not as efficient as gillnetters, particularly in the terminal areas. This can be seen by comparing the recent year CPUEs of both fleets. In District 8, gillnetters out-fished trollers by up to 7:1. In District 11, that ratio is basically incalculable, due to a very low harvest by trollers (averaged 16 fish in two years).

To compare how time is shared in other terminal fishery situations, hatchery terminal harvest areas typically use a 2:1 ratio for gillnetters and seiners and allow trollers to fish 7 days.

Equal fishing time with gillnetters would be exceptionally unfair to the troll fleet.

No RC 247

RC248

February 23, 2009

Andy Knight
PO Box 1658
Petersburg, AK 99833

RE: Committee E – Commercial Net Fisheries

Proposal #250

I would like to point out additional information that didn't come out in committee regarding proposal #250 but is very important to consider. In Southeast Alaska it is possible to carry extra gear (net) on board if bagged and tied shut. As the proposal is written it only allows one unit of gillnet gear to be on board the vessel but it should read conceptually "legal amount of gillnet gear on board" to allow for the extra gear that is bagged and tied shut.

I have discussed this issue with Southeast Alaska Fishermen's Alliance that submitted the other proposal (#251) on this subject and they agree with this RC clarification.

Sincerely,

Andy Wright

RC 249

February 23, 2009

We, the undersigned individuals and organizations support the joint RPT consensus agreement and RC 241. We oppose RC 208 which is contrary to the spirit and intent of the joint RPT consensus agreement.

Sincerely,

Name	Printed Name	Gear type or Organization
	RICHIE DAVIS	SEAFOOD PRODUCERS CO-OP
	mark Roberts	troller F/r cape cross
	DAVE OTTE	ATA / RAT member
	Ed Hansen	Gillnet/TROLLER
	STEVE REIFENSTUHL	SILVER BAY SEAFOODS
	ROBERT THORSTENSEN	SEAS
Kathy Hansen	Kathy Hansen	Southeast Alaska Fishermen's Alliance
Walter C Pasternak	Walter C Pasternak	Sitka Troller
	Dean Haltiner	seine

RC 250

Stock Assessment and 2009 Forecast

Sitka Sound, Alaska

Sherri Dressel

Alaska Department of Fish and Game

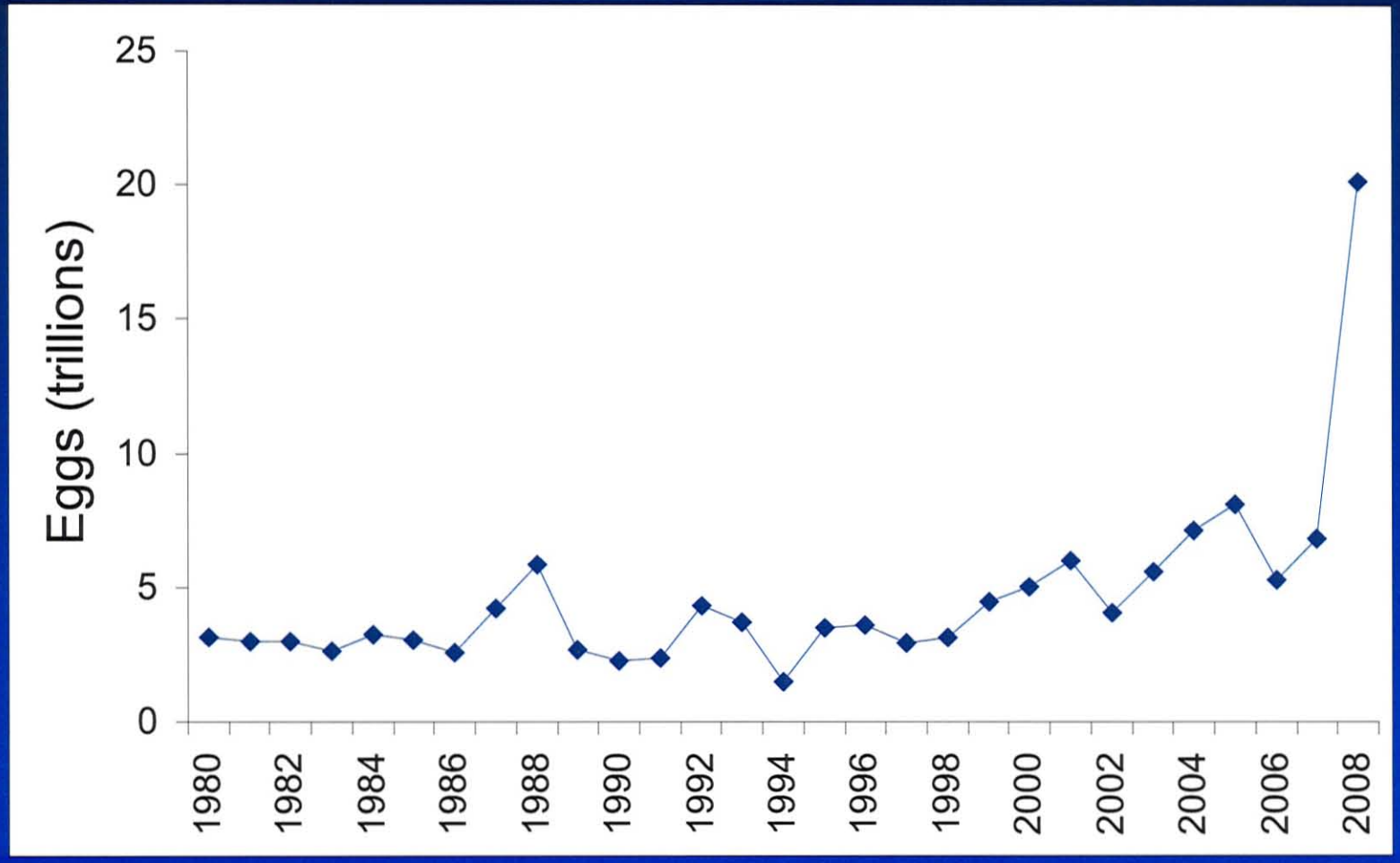
February 18, 2009
Sitka, Alaska

RC 250

Input datasets to ASA model

- Spawn deposition (trillions of eggs)
- Age composition - spawning population (cast net)
- Age composition - commercial harvest (purse seine)

Spawn deposition survey estimates in Sitka Sound



Uncertainty in Survey Estimates

- Unlike a census, survey estimates have uncertainty
- The amount of uncertainty varies year to year
- Question is how much uncertainty is there?
- Question is how much does it vary year to year?
- The amount of uncertainty determines your confidence

Aerial view of herring milt

Underwater spawn survey

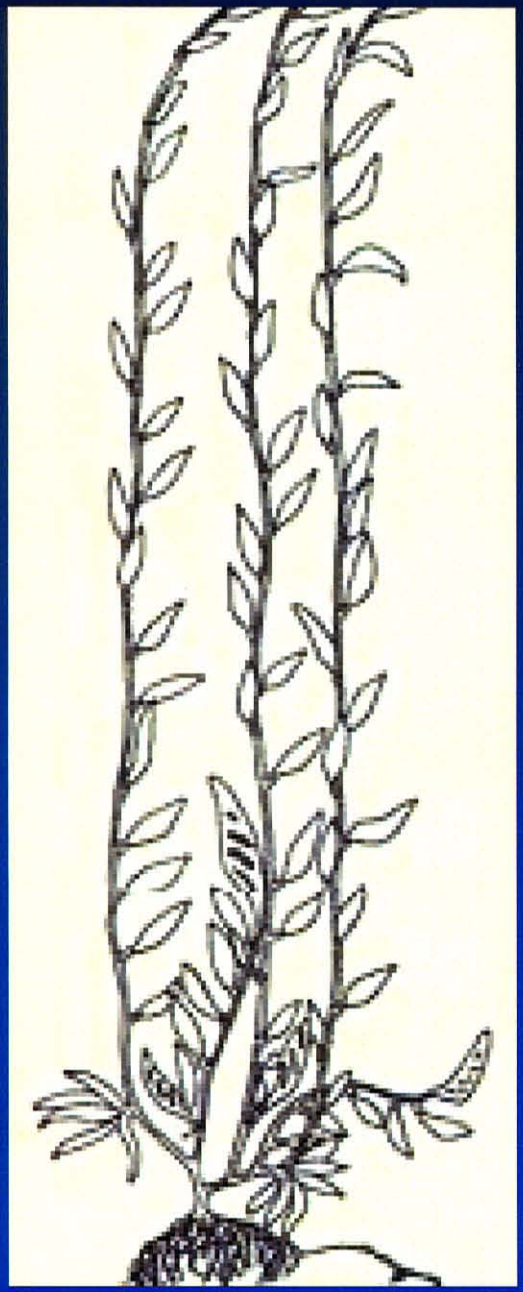
Kelp types

Eel grass

Fucus (Popweed)

Kelp types

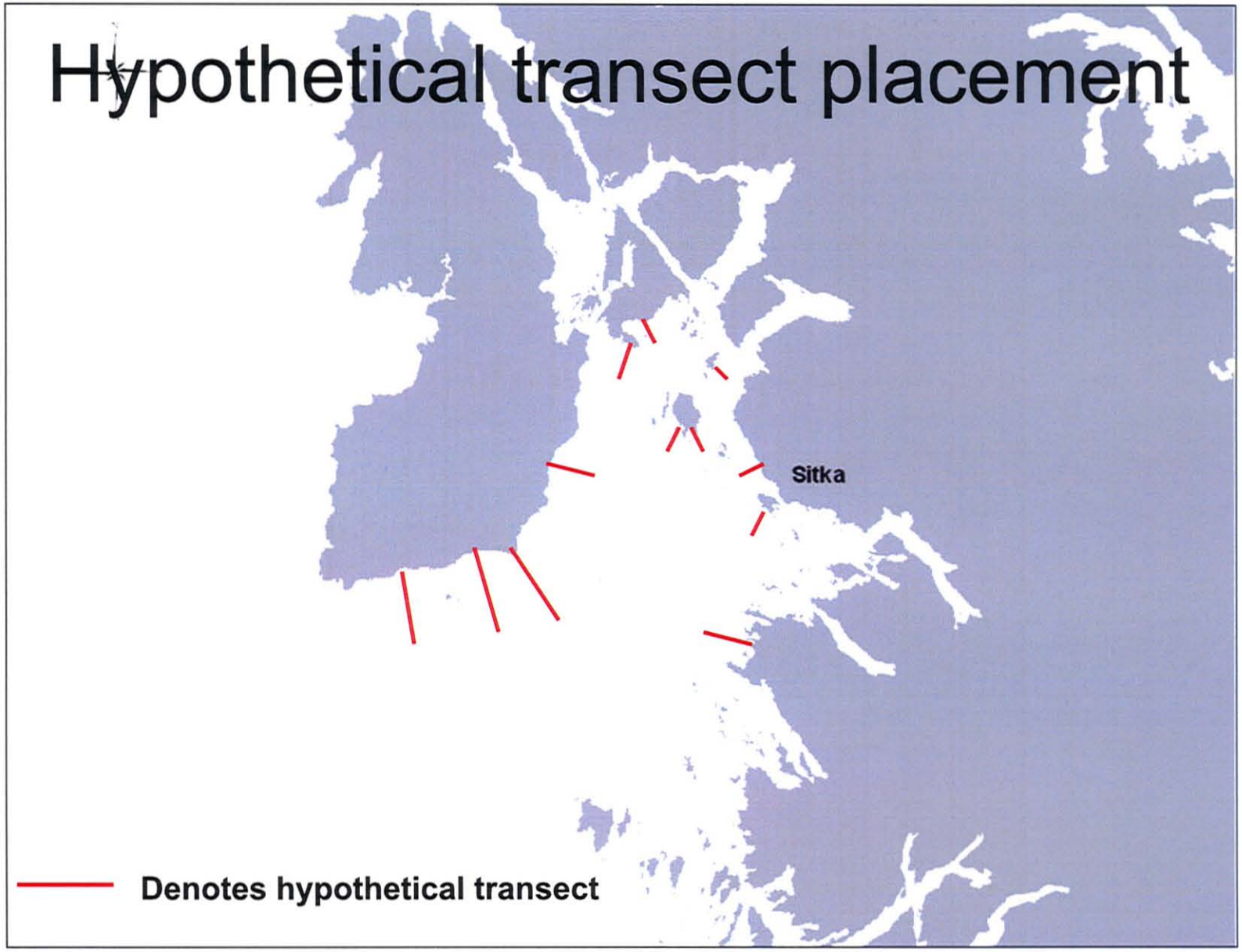
Hair kelp



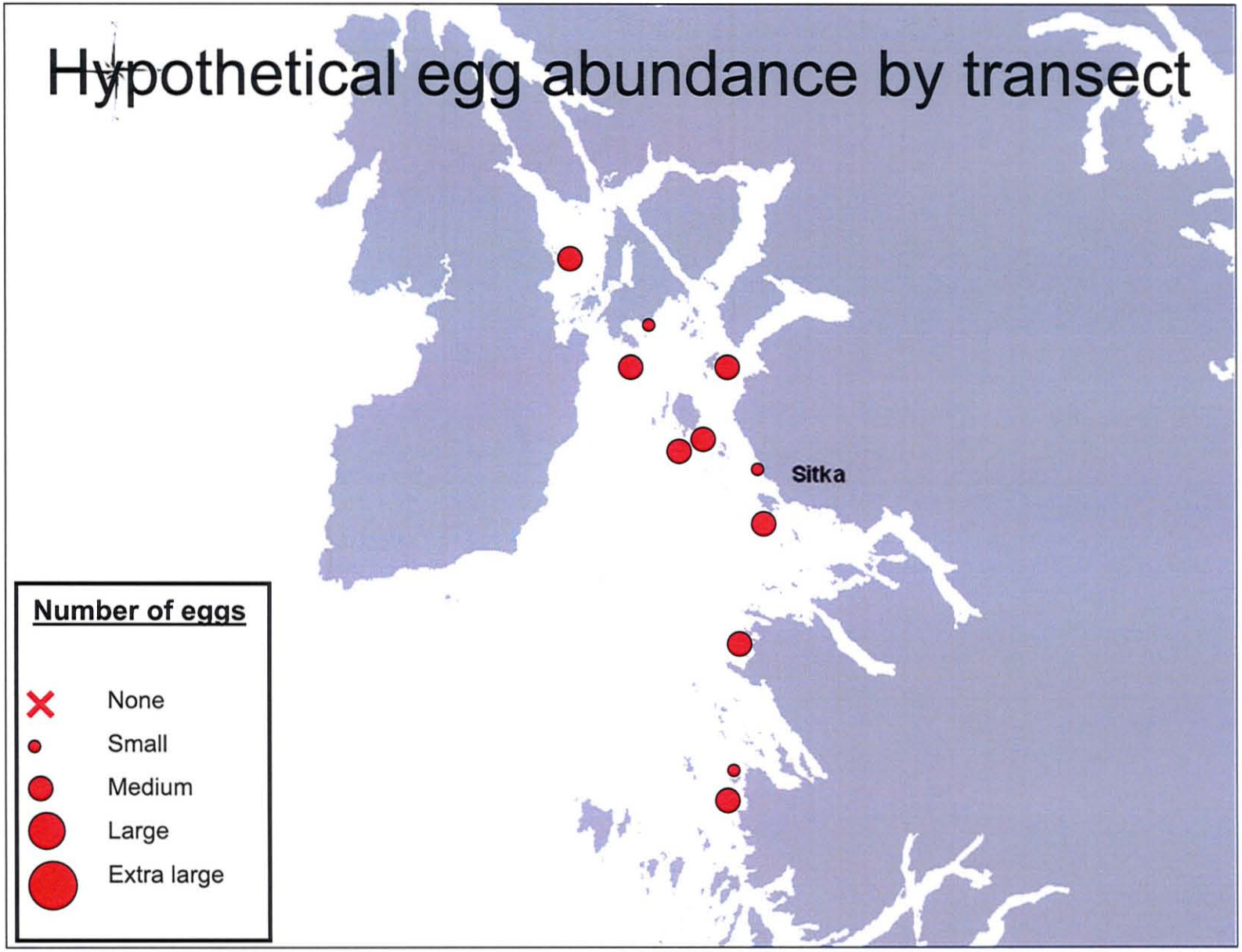
Kelp types

Macrocystis

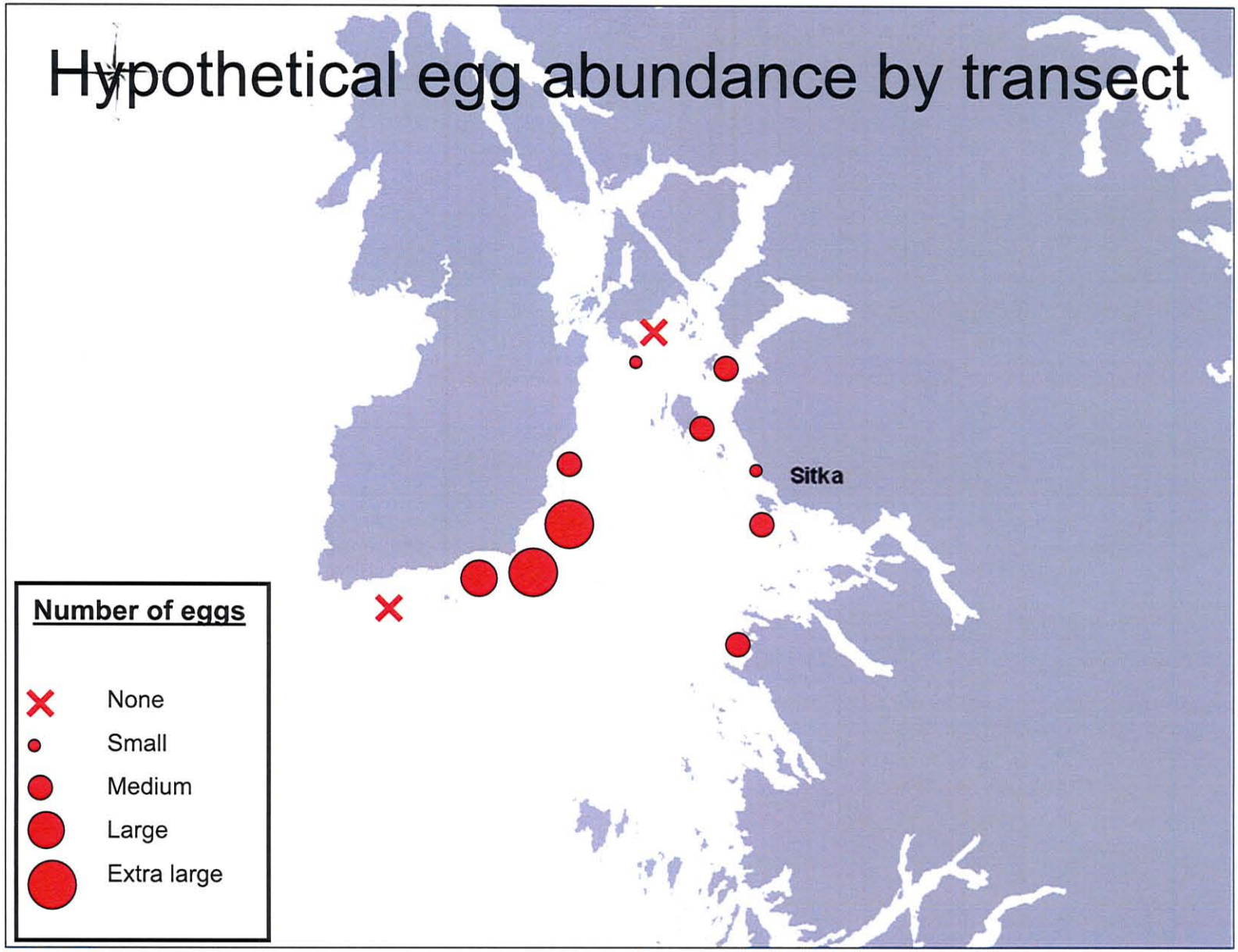
Hypothetical transect placement



Hypothetical egg abundance by transect



Hypothetical egg abundance by transect



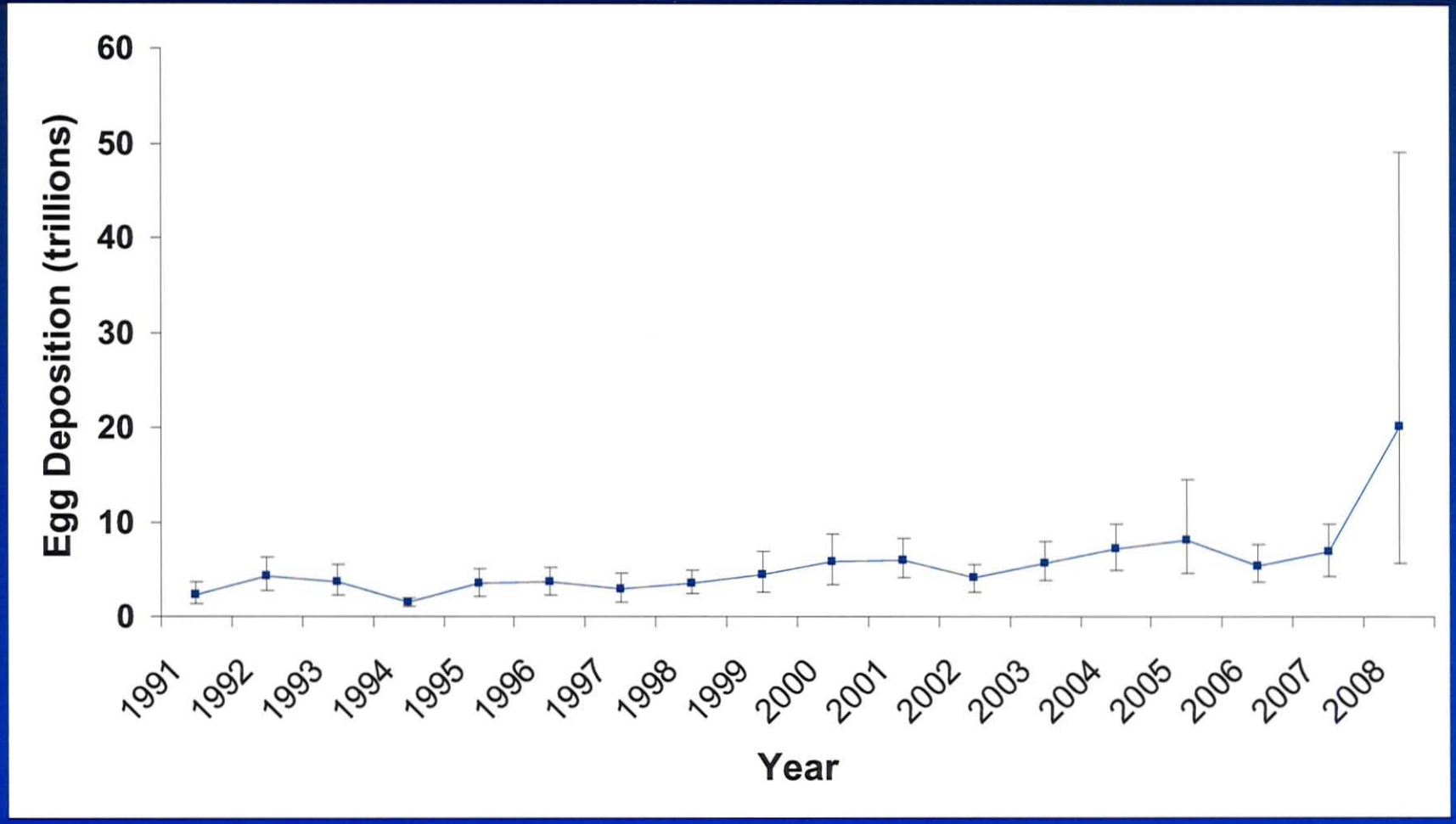
Weighting of spawn deposition estimates in ASA

- Biggest change in 2009 forecast ASA model is weighting of spawn deposition estimates
- Previous models - equal weighting among years
- 2009 forecast ASA - weight annual spawn deposition data in relation to confidence (1/variability)

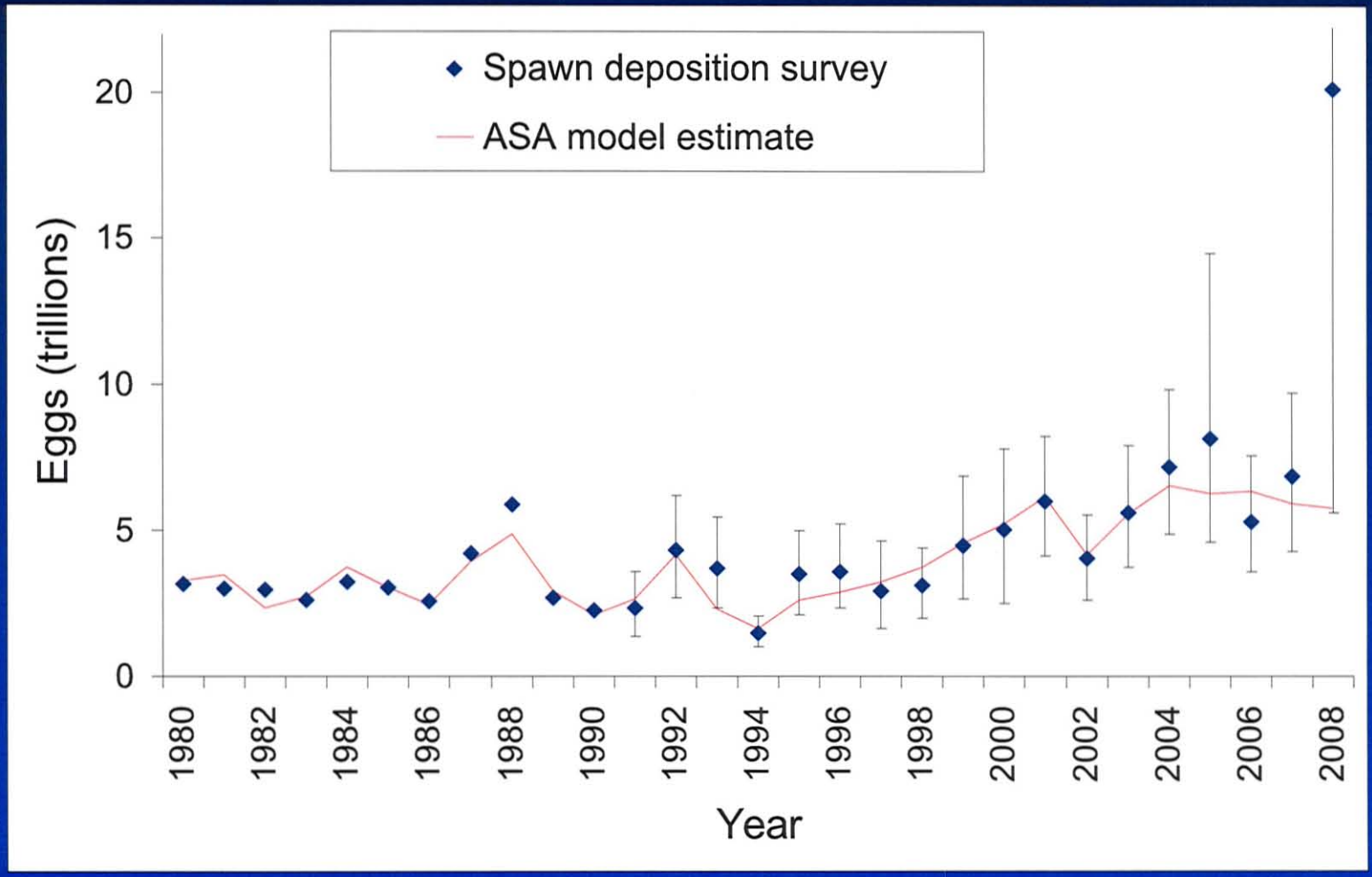
Weighting by inverse variance

- Goal for last 5 years – to weight annual spawn deposition in relation to the confidence we have in the estimates
- Reason – non-subjective, theoretically sound
- Long time in coming - need to estimate variance in every year

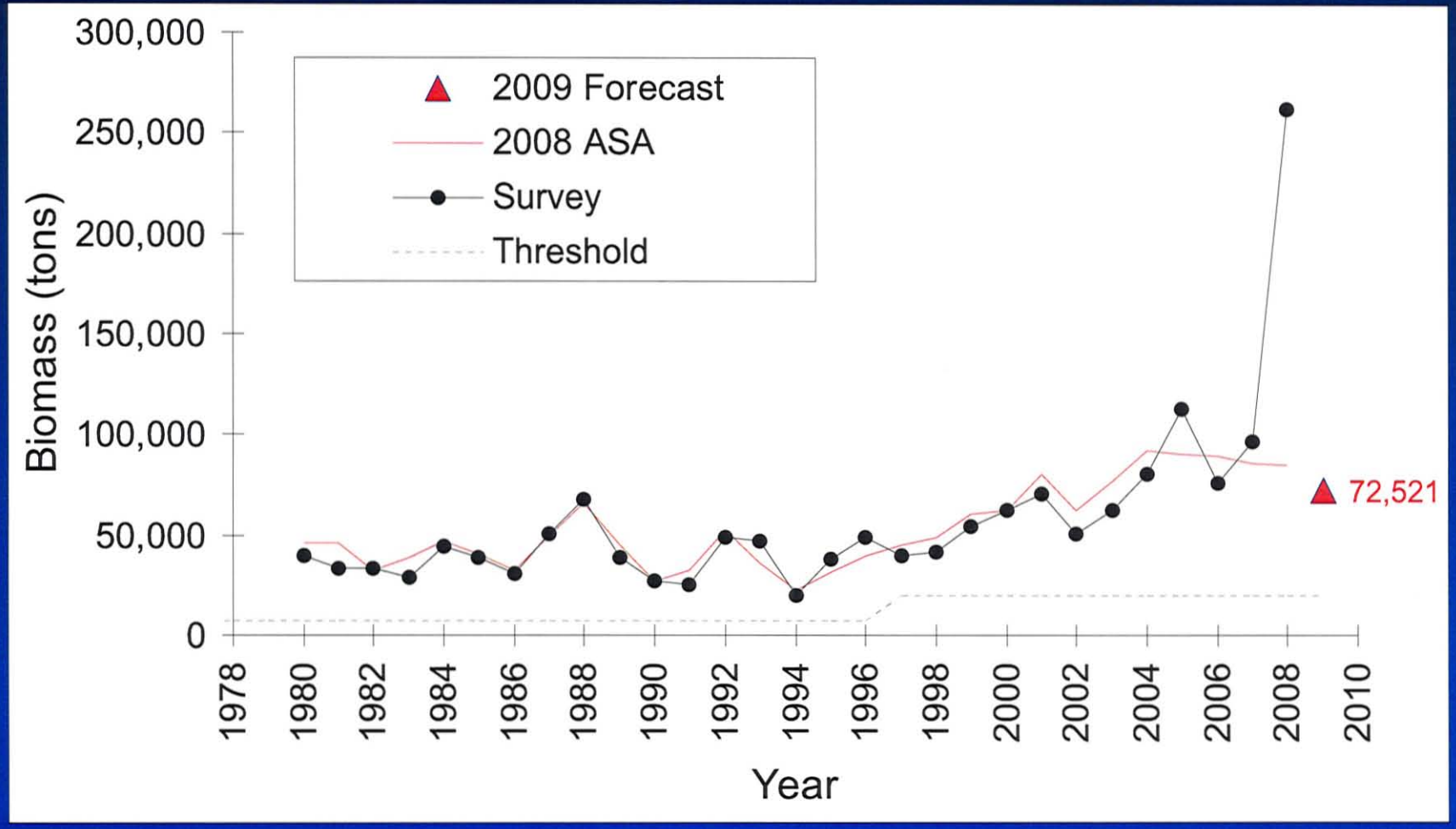
Sitka Sound spawn deposition survey estimates with 95% confidence intervals



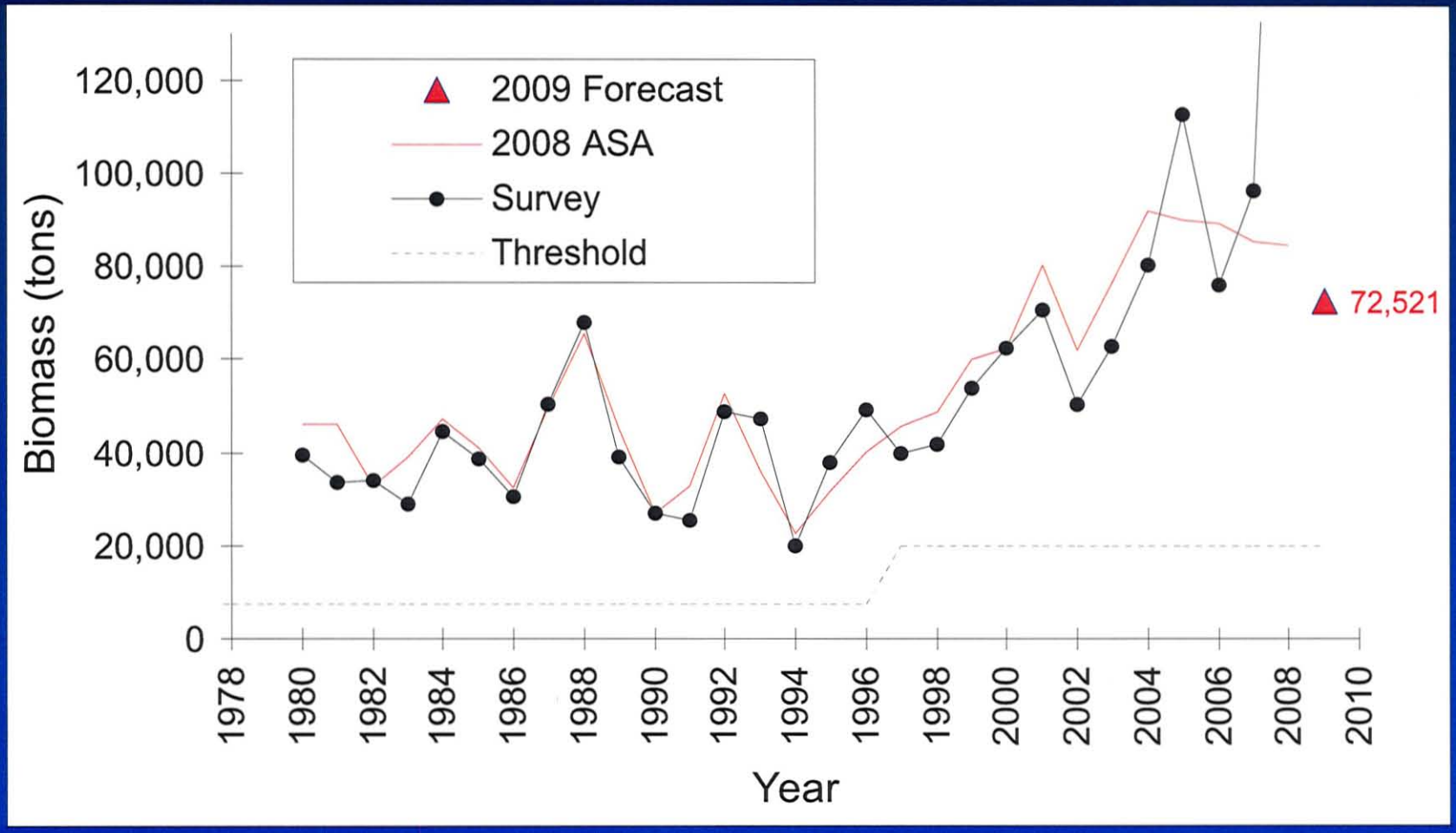
ASA model fit to spawn deposition survey data



Estimates of mature prefishery biomass



Estimates of mature prefishery biomass



Substitute language for proposal 203

…..should application of the formula result in a GHL of 10,000 tons or greater the GHL level shall be set at 10,000 tons

RC252

I am the author of proposal #303.

~~I want to~~ I wish to withdraw support for my proposal due to a misinterpretation of the regulation.

Larry Edfelt

RC 253

To: Alaska Board Of Fisheries

From: Robert Fellows, Sitka Sound Herring permit holder

Dear Board of Fish Members,

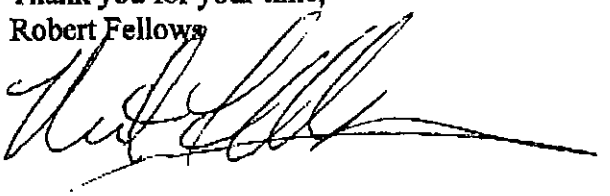
This letter is to address the equal split proposal for Sitka Herring now before you. There are a significant number of permit holders and many other participants against this proposal who were not present for public testimony because we did not know the Department of Law had changed their position on the legality of equal split allocations.

Under the words current economic situation it seems absurd that the Board would choose to eliminate several hundred jobs that are associated with this fishery. And further, to displace many of the Sitka Herring fleet into other fisheries, impacting current participants in those fisheries. Had the participants in the Sitka Herring fishery, permit holders, crew, pilots, tendermen, processors, and others, known of this legal change, many of us would have been there to testify.

Many permit holders have invested hundreds of thousands of dollars to participate in this fishery as it is currently managed. None of which did so to get an equal split. There is absolutely no biological reason for this proposal. An equal split allocation would have a devastating economic impact on the city of Sitka as well as other communities in Alaska that see revenues from this fishery.

I would also like to voice my opposition to a proposal to cap the Sitka Sound Herring quota. The State of Alaska has the finest managed fisheries in the word and is done with the best science in the world. The management of the Sitka Sound Herring fishery is the best around. To impose some arbitrary cap on the harvest throws all of this out the window. It is very apparent that these two issues are nothing but a resource grab by greedy individuals.

Thank you for your time,
Robert Fellows



RC254

Request to withdraw RC#218

The language used in RC#218 was not managable by ADF&G.

Thank you.
Yakutat AC Jeff Fraker. Date 2-24-09.

P055

Amendment to the language of Proposal 314

When the escapement of sockeye salmon to the Situk weir has reached 50,000 fish, the Alaska Department of Fish and Game shall raise the inriver bag limit of sockeye salmon to six fish per-day and twelve in possession.

Yakutat AC, Jeff Fraker. Date 2-24-09.

RC : 6

Proposal	Subject	Vote	Amendment?	Majority	Minority
219	Bradfield Canal	No action			
220	Underages and Overages of charter kings carried forward	Oppose 0-14	No	The Dept is concerned they don't have the tools to accomplish this and this proposal will not give them the tools – the committee also felt management separated sectors in this fishery	
221	One king per day	Oppose 0-14	No	Proposal not relevant, proposer misunderstands the current regs	
222	Close high abundance king areas to charter when closed to trollers	Support 10-4	No	Charter needs to join in conservation and this is one way to do it – catch and release is a problem	Too restrictive and would keep charters from fishing other species; might focus fishing on weaker stocks
223	Allow 2 king salmon rods Oct-Mar	Support 13-1	YES ***"resident" only***	Wanted to support increased opportunity for local fishermen unless there was a conservation concern	
224	Golden North Derby	No action			
225	Double the bag limit n hatchery troll corridors	Oppose 1-13	No	No definition for corridor, hatchery fish paid for by commercial fleet, bag limits already not very effective mgt tool	
226	Dble king limit in KTN	No action			
227	Troll Dist 8 – 7 days	Support 10-3	No	Trollers helped to rebuild Stikine runs but aren't given enough access, not a conservation concern	Support for gillnet fleet
228-229		No action			
230	Allow 7 days troll Dst 11	Support 13-0	No	More access to trollers when transboundary fishery is open	

No action on 232-233

RC 256

Proposal	Subject	Vote	Amendment?	Majority	Minority
236	ANS Indiv Salmon stocks	Oppose 0-13	No	Too draconian and impractical, premise that ANS won't be met if an individual run fails is not accurate	
237		No action			
238	Allow seine to harvest subsistence sockeye	Oppose 0-13	No	This looks like a private, early seine opening and there are bycatch issues, conservation issues	
239	Close subsistence fishing at Gut Bay	Take No action but make statemen t	Yes	Advise BOF of great concern of the health of, the enforcement of the existing regulations, and the limited knowledge about our ability to sustain subsistence runs	
240-242		Take No Action			
243	Allow rod and reel for subsistence for rock and lingcod	Oppose 6-7	No	Liked rod and reel for subsistence but difficulties in crafting regulation Rod and reel can target nest-guarding lingcod, allowing this is summer effectively increases bag limits when sport fisheries (charter) are already over their allocation	Wanted the opportunity to take fresh fish in winter without using a longline and catching a lot

Proposal	Subject	Vote	Amendment?	Majority	Minority
286	Eliminate preserved fish exception in possession limit	Support 9-2	No	Concern about excess harvest of fish (beyond reasonable consumption) in some charter and yacht fisheries	Might be too restrictive, particularly for 'cruisers"
287	Identical to 286	No action			
137	Bag limits for misc species	Support 14-0	***Yes 2 sablefish daily***	Sablefish is a fully utilized fishery that is in stock decline and sport fish data does not adequately access harvest, commercial and personal use fisheries can not harvest if there is not a regulation, sport fish regulations need to include limits and reporting	
288	Require written harvest record and 12 fish annual coho	Support 6-5	No	Should get ahead of a conservation issue with coho, not difficult to punch a ticket and get accurate reporting and some limit on total catch	Too restrictive and cumbersome when fishing
289	Require written coho harvest record for non resident	Support 8-3	No	Less restrictive than 288, assume reporting happens at end of day not at landing	Charter already have logbooks
290	Steelhead catch and release	Oppose 0-11	No	Disliked this Dept proposal for a lot of reasons – regulations already highly conservative and this sets a bad precedent for liberalizing regs in some areas compared to general regs	
291	Steelhead catch and release	Oppose 2-10-1	No	Dept stated no conservation concern	Current size limit makes it difficult to retain steelhead
292	Dolly Varden	Oppose 0-12	No	No conservation issue in our area	

Proposal	Subject	Vote	Amendment?	Majority	Minority
293	Liberalize dogfish bag limits	Support 12-0-1	No	Dogfish don't need as much protection as salmon sharks	
294	Close THA to salmon harvest by charter industry	Support 9-5	Yes	***Amend when the THA closed to commercial and the hatchery operator requests ADF&G the area can be closed to charter*** Concern about charter taking fish they haven't paid for and also impacting cost recovery and brood stock by fishing near the pens	Doesn't give direction on when the closure should occur
295	Catch and release mortality advisory	Support 13-0	No	Education on mortality of kings from catch and release	
296	Prohibit the use of electric reels in sport fishing	Support 15-0	Yes Prohibit power retrieval,, allow exception for handicapped	***Prohibit power retrieval but make exception under 75.038 less onerous*** Electric reels aren't sport – very efficient and no need for them with the exception of handicapped (remove 30 day rule for exception)	
297	Allow electric reels	Oppose 0-15	No	Not appropriate for sport fishing	
298	Rod and reel definition	No action		Already outlined our view in 296, 297	
299	Allow cast net for herring charter operators	Support 8-5	No	Commercial operators can use seine to take bait, this is an equity issue	Do not want to see cast net as sport gear
300	Housekeeping reg clarification	Support 13-0			
301	Single barbless hook if catch and release salmon	Oppose 3-10	No	Committee does not support catch and release of king salmon	

Proposal	Subject	Vote	Amendment?	Majority	Minority
302	1st legal bag limit must be retained by charter anglers	Support 12-1	Yes	***Amend all legal king and coho caught in saltwater must be retained up to angler limit*** Committee does not support catch and release of ocean run salmon	Didn't want cohos included
303	Unguided anglers pole for herring while salmon fishing	Support 11-1-1	No	This is allowed for guided anglers already	
304	Prohibit removing steelhead over 36" from water	Oppose 2-10-1	No	Unenforceable	
305	Prohibit the use of felt soles	Support 9-4	Yes	***Amend to apply only to sport (not Dept)*** Invasive species are a real issue	Not a big risk here
306	Housekeep reg consolidation	Support 13-0	No		
307	Prohibit charter vessels use in subs. Or PU fisheries wi 30 days	Support 8-5	No	Testimony that local personal use fishermen were being impinged on by charter operations, enforcement is a real problem and this draws attention to this issue	Local charter operators unduly hurt even if following law
308	Restrict subsis and pu fishing by lodge or charter operators	Support 12-1	Yes	*Amend to read:* ***Subs caught or pu fishery resources may not be on the premises of a lodge or licensed guide vessel when paying clients are on board;and*** ***Subsistence or pu gear may not be deployed in the water by a lodge or charter vessel operator or staff when paying clients are onboard the vessel or staying at the lodge***	Collateral damage might be too great

C. ittee D Sport Fisheries – Sitka AC

Proposal	Subject	Vote	Amendment?	Majority	Minority
309	Establish coho allocation	Support 10-2-1	No	Uncontrolled growth in the charter fishery has created many problems, this is proactive	Shouldn't be based on 10-yr harvest history (not conservative)
310	Fish ticket requirement for charter	Support 13-0	Yes	*Amend:* ***In lieu of logbooks*** Timely and accurate accounting critical and helps charter operators too – this gives some level of accountability to charter angler too	
311-313	Inspection of lodges	Support 11-2	No	Charter lodges taking huge amount of catch and similar to processors yet enforcement doesn't have full access Access allowed in other states	Constitutional issues
314-318		No action			
319	Close Port Banks to snagging	Support 13-0	Yes	*Amend:****the Port Banks freshwater area be defined to ~1,000 ft in front of the base of the falls as per ADF&G markers in 2008 and to prohibit fishing off powered vessels within this are and prohibit all snagging within this area.*** Crowding of this area by charter fleet using it as a "lunch" spot	

Proposal	Subject	Vote	Amendment?	Majority	Minority
244-246	Allocation	Support 15-0	Yes	*Amend* – ***support industry consensus but replace with "encourage SE facility operators to work together to develop a regional plan to provide the gear groups below their allocation range additional opportunities to harvest SE enhanced salmon toward the goal of each gear group achieving enhanced salmon harvest values within their allocation range as soon as possible***	
247	Codify current practices	Support 11-0	No		
248	Keep trolling open in Yakutat	Support 11-0	No	Provides more access to trollers	
249-252	Allow mult gear types	Support 11-0	Yes	*Amend to include 1 unit of seine gear and 1 unit of troll gear* Support for more hatchery access, the BOF can work out details, particularly support 252	
253	> seine to 75'	Oppose 0-12	No	This proposal is counter productive to the current seine buyback program	
254	Allow rolls and add-ons	Oppose 0-12	No	Proposal too vague to evaluate	
255-256		No action			
257	Change gillnet opening Mon	Oppose 1-11	No	Department wants data early in the week, committee reluctant to get into decisions on religious closures, too many religions to consider	Reduce conflict with local sport fishermen
258		No action			
261	NSE mgt plan	Oppose 0-12	No	There is a good plan in place already and this proposal is too vague	
262	Changes to NSE mt plan	Oppose 2-8-2	No	Sockeye interception is very complex issue and the Committee doesn't know how to evaluate	

Proposal	Subject	Vote	Amendment?	Majority	Minority
263	All seiners to carry 2 nets	Support 10-2	Yes	*Amendment* ***to allow in THA only*** Uncertain impact on wild fish harvest	
264-265		No action			
266-282		No action		Committee content with current management of THA	
283	Defining SJ THA	Support 11-0-1	No	Trying to limit wild fish harvest in SJ cost recovery fishery	
284-285		No action			

RC 257

Proposal	Subject	Vote	Amendment?	Majority	Minority
43	Guiding principles	No action		Sarcastic proposal?	
330	Housekeeping logbook	Support 14-0	No		
331	Close charter and commercial in Port Frederick	4-2-8	No	Outside of our area so most members were uncomfortable voting – LAMPs are good if they are proposed by whole community – not sure if this is the case here	Could be precedent setting
332	Close water around Naha to bottom fishing	No action			
333	Raise GHL for Lingcod	Oppose 0-13	No	Total GHL has not been taken for lingcod, conservation concerns with raising quota	
334	Increase charter allocation for lingcod	Oppose 0-12- 1	No	Supported original task force decisions on allocation percentages	
335	Increase charter allocation to 50%	Oppose 0-12-1	No	Supported original task force decisions on allocation percentages	
336	Increase ll bycatch allowance to 10% in CSEO	Support 13-0	Yes	*Amend to **allow ADF&G to set by EO*** Longliners ability to catch their allocation is driven by other quotas and this allows them their historic take without increasing allocation	
337	Allow surplus dinglebar quota to be taken by trollers	Oppose 0-13	No	Given that the dinglebar season runs into November how would you know when something was surplus?	
338	Allow trollers to retain lc during April in Icy Bay	Oppose 0-13	No	Conservation issue as males are nest guarding during this period	

RC 257

Proposal	Subject	Vote	Amendment?	Majority	Minority
339	Allow sport 1 lc > 55" daily	Oppose 0-13	No	So few fish this size it would encourage catch and release and big lingcod are difficult for sport fishermen to handle easily, also they are already over allocations	
340	Change boundary for LC in Cross Sound sport fish	Oppose 0-11-2	Bi	Proposal is very broad ranging, over allocations in two areas already	
341	Reallocate DSR to charter	Oppose 0-13	No	BOF made allocation decision last meeting – DSR is supposed to be bycatch only in charter fishery, no justification for more fish	
342	Housekeeping DSR	Support 13-0	No		
343-344		No action			
345	Adjust bycatch rates in DSR	Support 13-0	No	Allow longliners to take their allocation while accommodating changes in quotas, regulations have prevented utilization of their allocation	
346	DSR bycatch only	No action			
347	Allow directed Slope rock	Opposed 0-13	No	Conservation concern, the proposer keeps submitting this same proposal and BOF has already ruled on this	
348	Housekeeping DSR	Support 13-0			
349	Require decompression device for release of sport caught rockfish	Support 12-1	No	Our proposal – evidence is compelling that survival is good if immediately released at depth – some charter operators already doing this	It is a cumbersome process but support the idea of it, but not mandatory
350		No action		Same as 349	

Proposal	Subject	Vote	Amendment?	Majority	Minority
351	Require use of depth release on longline	Opposed 0-13	No	This is a frivolous proposal – survival wouldn't be enhanced, longliners are under their allocation	
352		No action			
354	Change black rockfish regs	12-0-1	No	Reasonable to allow sale of bycatch limit	
355	Directed black rockfish	No action			
353	Allow release of non-yelloweye non-pelagic rkf	13-0	No	Yelloweye are the real species of concern. Many less desirable species survive release (esp. when using decompression device)	

Proposal	Subject	Vote	Amendment?	Majority	Minority
244-246	Allocation	Support 15-0	Yes	***Amend – support industry consensus but replace with "encourage SE facility operators to work together to develop a regional plan to provide the gear groups below their allocation range additional opportunities to harvest SE enhanced salmon toward the goal of each gear group achieving enhanced salmon harvest values within their allocation range as soon as possible***	
247	Codify current practices	Support 11-0	No		
248	Keep trolling open in Yakutat	Support 11-0	No	Provides more access to trollers	
249-252	Allow mult gear types	Support 11-0	Yes	*Amend* ***to include 1 unit of seine gear and 1 unit of troll gear*** Support for more hatchery access, the BOF can work out details, particularly support 252	
320	Allow uncaught winter king quota to be taken in spring	Support 12-2-1	No	This provides more opportunity for local trollers	Concern about catching treaty fish
321	Adjust GHL in winter salmon	Support 10-2-3	No	Allows for catch of hatchery fish, provides local opportunity	Freezer boats don't support it
322	Remove winter closure Dist 8	Support 15-0	No	No conservation concern, allows more opportunity	
323	Cross Sd Pinks	Support 8-6-1	No	BOF committee should sort out details but this (pink & chum) is a good fishery to support	Don't want it managed on Kings

Proposal	Subject	Vote	Amendment?	Majority	Minority
324	7 days in Cross Sd	Support 12-1-2	No	See previous discussion, need 7 days to run product to buyer (non local)	
325	Extend closing date fro coho	Oppose 4-11	No	Maybe conservation issue, Dept can already extend season through EO	More opportunity for trollers
326	Change dates of coho	Oppose 0-15	No	Some support for moving both king and coho later (larger fish) but this proposal creates bycatch mortality issues	
328	Allow holder of hand troll to have 2 powered gurdies	Oppose 0-15	No		
329	Allow 4 hand troll gurdies west o Cape Spencer	Oppose 4-10-1	No	Hand trollers knew what the gear was when they bought their permits, this isn't just for Yakutat Bay but for a huge area	Yakutat AC, hand trollers want more opportunity

RC 258

Re: Proposal # 299

Feb. 24th 2009

The authors (Mike & Linda Stifer) of proposal #299 have asked me to submit an RC withdrawing support for proposal #299

Theresa Weiser
President, Sitka Charterboat Operators Assoc.

RC 259

February 24, 2009

Board of Fish
Alaska department of Fish & Game
Boards Support Section
Jim Marcotte, Executive Director
PO Box 115526
Juneau, AK 99811-5526

Sent Via Fax: 784-3281

Re: Misc. Business – [redacted] Request for Development of a Yakutat LAMP

Dear Chairman Jensen and Board of Fish Members

We, the undersigned would like to petition the Board of Fish for help in the development of a LAMP for Yakutat Bay. We are providing a possible Draft Charge statement for the Board of Fish to consider adopting to help facilitate this process. The draft charge statement is based off of several years of LAMP discussions at the local AC level.

Scott Chadwick is the acting chair of the Yakutat LAMP committee and will work with the local city biologist, Bill Lucey and AC/Yakutat Salmon Board member Jeff Fraker to facilitate the start of the process.

Sincerely,
Bill Lucey

ALASKA BOARD OF FISHERIES
Charge Statement for Development of a Yakutat Local Area Management Plan

The Alaska Board of Fisheries is establishing a task force to identify and discuss issues related to local area management planning and the Yakutat ADF&G Advisory Committee would like to develop their own program.

Membership: There are currently five members of the Yakutat AC who have volunteered for the LAMP. Ideally we would like 2 large IFQ holders > 30,000lbs, 2 small IFQ holders < 30,000 lbs, 2 charter operators, 2 independent sport fishermen, and two subsistence users with tribal representation. All members must be traditional users of Yakutat Bay.

Geography: From five miles east of Ocean Cape seaward three miles to five miles west of Point Manby seaward three miles with an intersecting line between these two points.

Species: Halibut, Lingcod, crab spp. and Rockfish spp.

It is the Board's intent that these boundaries are for the purpose of facilitating discussion of issues within these boundaries. They are not meant to be official regulatory lines at this time and may be change throughout the process.

It is the Board's intent not to limit participation in the task force meetings to the members of the task force. It is the intent to garner as much public input as possible. Stakeholder participants will be responsible for their own travel expenses to attend task force meetings. The Board chairman may add additional members to ensure comprehensive group participation.

The Board requests after development of the committee that a mission statement and problem statement be developed. The Board further requests that the task force discuss preferred solutions to the problems and consider impacts such solutions may have on other fisheries and other users. Last, the Board asks that the task force report the status of their efforts to the Board by letter during the fall work sessions.

RC260

Alaska Board of Fisheries
2009

If we go down this road of allocating fish away from one user group to another we must look at the mechanism involved, the *SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN [5 AAC 33.364].*

I firmly believe the *SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN [5 AAC 33.364]* needs to be revisited by the industry stakeholders at the direction of the Board of Fisheries. This group needs to be mandated by the Board of Fisheries to review the original document and make changes seen fit by consensus only. At that time the Southeast Alaska Allocation Task force (SATF) used wild stock catches to produce the allocation model for enhanced fish, this occurring from 1985 to 1990*. Many changes have occurred since the SATF first looked at producing this allocation policy.

As we educate ourselves on this complicated allocation plan you will see that there are flaws that need to be addressed. It's a great tool that needs revisiting no matter what proposals you want to adopt during this board cycle. I believe by resurrecting the SATF and revisiting the *SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN [5 AAC 33.364]* it will certainly cut down on the amount of allocation proposals before the Board of Fisheries in the future. By adopting the "Industry Consensus letter", taking time, area and fish away from users groups we have opened Pandora's Box. Without a revision of the current policy it will most likely get out of hand at the Board of Fisheries level.

For more details please refer to PC 20.

Thank You
RI Eliason jr
NSRAA Board of Directors
Sitka Gillnet

Farvour 2/24/2009 Electric Reels RC 261

Substitute Language: Proposal 296, 297, 298

Electronic reels and commercial jigging machines greatly increase efficiency of sport fishing and make deep water species readily accessible to sport fishing. Sablefish are highly valued commercial species currently experiencing stock decline throughout southeast and the eastern Gulf of Alaska. There is very limited information on the stock status of other deep water groundfish species in the region but many of these species are very long lived, slow growing, and late maturing. With the exception of the handicapped angler, the use of this gear type is not sporting and is more consistent with commercial harvesting of marine finfish.

5 AAC 47.030. Methods, means, and general provisions – Finfish.
Power assisted retrieval of sport fish [redacted] (including the use of an electric reel) is prohibited in southeast Alaska except, the following anglers may use an electric reel attached to a fishing rod to fish:

- **i. anglers that have in their possession a copy of an approved official certification of disability from a government agency (i.e declared disabled by the Federal Social Security Administration, the State Department of Worker's Claims, the United States Railroad Retirement Board, the Teacher Retirement system, any state or country Department of Motor Vehicles or the United States Office of Personnel Management);**
- **ii. persons over 65 years of age;**
- **iii. persons 10 years of age or younger.**

The Native Village of Eyak Tribal Council
P.O. Box 1388
Cordova, Alaska 99574-1388
Phone (907) 424-7738 Fax (907) 424-7739

COPY

Resolution 2009-02-04 RC 262

A RESOLUTION BY THE NATIVE VILLAGE OF EYAK IN SUPPORT OF AND AUTHORIZATION FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS: The Native Village of Eyak (hereinafter "Tribe") is a federally recognized self-governing tribe; and

WHEREAS: The Native Village of Eyak is the governing body of the Tribe; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be harvest rate percentage that is not more than 10% (current rate is set at 20%). The

fishery will not be conducted if the spawning biomass is less than XXXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the state.

NOW THEREFORE BE IT RESOLVED:
That the Native Village of Eyak Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

BE IF FURTHER RESOLVED:
That the Executive Director and/or one of the CRRC Board of Executive Officers are hereby authorized to initiate all action necessary to successfully carry out all project objectives as listed in the proposal, and to sign all documents necessary to finalize the grant process.

CERTIFICATION:
I, hereby certify that I, Robert J. Henrichs am President of the Native Village of Eyak Traditional Council, and the Council consists of 5 duly elected members, and that this **Resolution No. 2009-02-04** was considered and APPROVED by the council on February 23, 2009 and that the vote was 5 For, and 0 Against, and 0 Abstaining and that the foregoing resolution has not been rescinded or amended in any way.

Robert J. Henrichs, President — Date 2/23/09

Darrel Olsen, Secretary-Treasurer — Date 2/23/09

The Native Village of Eyak Tribal Council
P.O. Box 1388
Cordova, Alaska 99574-1388
Phone (907) 424-7738 Fax (907) 424-7739

Resolution 2009-02-05

A RESOLUTION BY THE NATIVE VILLAGE OF EYAK IN SUPPORT OF THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRECT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS: The Native Village of Eyak (hereinafter "Tribe") is a federally recognized self-governing tribe; and

WHEREAS: The Native Village of Eyak is the governing body of the Tribe; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our community has 568 members, so our community would use a total of 27,758 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED:
That the Native Village of Eyak Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of 2,251 would use 70,000 – 110,000 pounds of herring eggs if they were available to our community.

BE IF FURTHER RESOLVED:
That the Executive Director and/or one of the CRRC Board of Executive Officers are hereby authorized to initiate all action necessary to successfully carry out all project objectives as listed in the proposal, and to sign all documents necessary to finalize the grant process.

CERTIFICATION:
I, hereby certify that I, Robert J. Henrichs am President of the Native Village of Eyak Traditional Council, and the Council consists of 5 duly elected members, and that this **Resolution No. 2009-02-05** was considered and APPROVED by the council on February 23, 2009 and that the vote was 5 For, and Ø Against, and Ø Abstaining and that the foregoing resolution has not been rescinded or amended in any way.

Robert J. Henrichs

Robert J. Henrichs, President — Date

Darrel Olsen

Darrel Olsen, Secretary-Treasurer — Date 2/23/09

RC 263

RALPH GUTHRIE
380 KAAGWAANTAAN
SITKA, ALASKA 99835

ALASKA DEPARTMENT OF FISHERIES
COMMISSIONER OF FISH AND GAME
COMMISSIONER DENBY LOYD

DEAR SIR.

I am writing in defense of Proposal 200 that was brought before the Board of Fisheries today and voted down, though I will say by a very thin margin, 3 in favor, 4 against, which is remarkable in light of the testimony from the Department.

The Department offered much anecdotal information yet they didn't offer any science to justify fishing out of the designated Sitka Sound Sac Roe fisheries, which is area 13b, 10 years ago the Sitka Sound Sac Roe Fisheries was extended to Salisbury Sound because they were unable to meet the Guide Line Harvest Level in Sitka Sound.

I will also say this GHL could have been met had they conducted the fisheries to finish the harvest, rather that conduct it so that a supposed processors processing capacity could be met, Last years was a good example of the processors being able to handle a large catch so the argument that processing capacity couldn't handle large volumes of fish was flawed.

I will also say that excepting the adjacent stock fisheries with out science will be a precedence's that will allow a continued expansion of a herring fisheries without scientific justification like it has done in Salisbury Sound which to me is unthinkable, faced with the fact of one herring fleet coming close to wiping the herring out in the 1960's.

By the very words of the Departments testimony during deliberations, the Department of Fisheries didn't have any science to justify fishing in Salisbury Sound, that all they had was anecdotal information, over the years when I have been involved in these meetings, the Department of Fish have used anecdotal information against different proposals, anecdotal information is not science and never will be science.

I will also say the Chairmen John Jensen was not here to hear the oral testimony so his ability to vote on this or any Proposal is impaired, so he should have recused himself on all the votes, not just the Proposal 200 that I am interested in.

For many years there was an abundance of 3-4 year old herring in the Sitka Sound Sac Roe Fisheries, the processors didn't want them, the Department did their best to avoid fishing on these small fish schools, these fish are now 9-10's that are abundant in the schools today, though there are no 3-4's apparent in the Sitka Sound Sac Roe Fisheries today indicating that there is more happening than can be accounted for.

The Department of Fish are contending that they are hiding some place, if they aren't hiding then we are heading for a major collapse of the Sitka Sound Herring Stocks, I won't say that there were no 4 year old herring, there is some but the amount is so insignificant as not to be a consideration for a healthy future.

Behnken and Hansen 2/25/2009 RC 264
ALFA and SEAFA

Proposal 137:

Substitute Language:
5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

(X) sablefish may be taken as follows:
i. Alaska residents no daily bag limit
ii. nonresidents 2 per day, 4 annual limit;
iii. immediately after landing a nonresident angler shall record, in ink, all sablefish harvested either on the back of their sport fishing license or on a nontransferable harvest record;
iv. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain sablefish while clients are on board the vessel

To be consistent with Board action taken on proposal 230 on 2/24/09: No reallocation should occur because:

1) conservation concerns for sablefish: do not want increased harvest;
2) historic use by one user: commercial fishery has been in place since 1930's – no record of any significant sport fishery;
3) commercial fishery is limited to a specific area and distribution of fish is limited by depth
4) extreme value of this commercial fishery to the state and to the individual permit holders that rely on this fishery

Sablefish are in a period of steep decline, with commercial quotas down 68% over the last decade. The Department has not seen signs of above average recruitment since the 1990's and is lowering the harvest rate for the 2009 season. The 2009 commercial quota is projected to be below the 2008 level of 1.5 million pounds. Without an annual limit on nonresidents, the allowable biological catch could be exceeded. If nonresident annual limits are not implemented now the BOF would be allowing a new fishery to develop on a stock that is declining, highly valued by a different user, and fully utilized already.

5AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

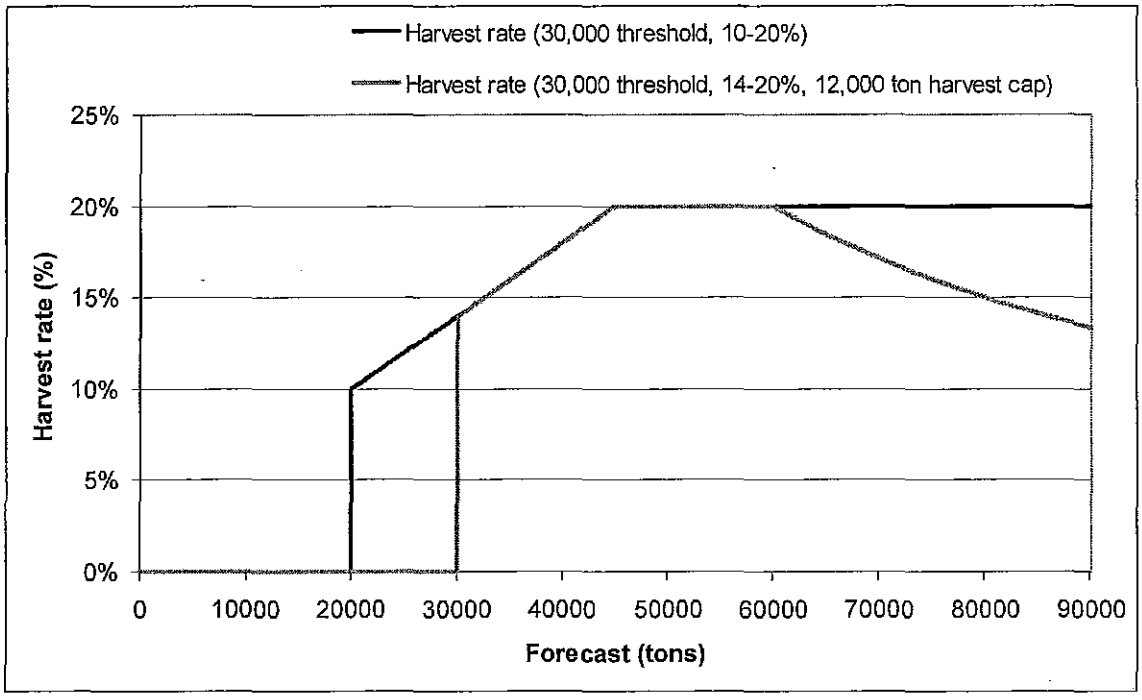
(g) The guideline harvest level for the herring sac roe fishery in Sections **13-A** and 13-B shall be established by the department and will be a harvest rate percentage that is not less than **14** [10] percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = 2 + 8 [Spawning Biomass (in tons) / 20,000]

The fishery will not be conducted if the spawning biomass is less than **30,000** [20,000] tons. **The guideline harvest level will not exceed 12,000 tons.**

Proposal 203 alternative threshold and harvest rate:

No commercial sac roe fishery when biomass is below 30,000 tons (30,000 ton threshold)
Harvest rate = 2 + 8 (biomass/20,000)
Maximum harvest rate = 20%
Maximum GHL = 12,000 tons



Year	Biomass forecast (tons)	Current harvest rate formula hindcasted back in time	Proposed harvest rate formula hindcasted back in time	GHL calculated with current harvest rate formula hindcasted back in time	GHL calculated with proposed harvest rate formula hindcasted back in time	Change between GHL's calculated with current harvest rate formula and proposed harvest rate formula
1980	39,500	18%	18%	7,031	7,031	0
1981	35,000	16%	16%	5,600	5,600	0
1982	30,000	14%	14%	4,200	4,200	0
1983	29,500	14%	0%	4,071	0	-4,071
1984	23,500	11%	0%	2,679	0	-2,679
1985	38,500	17%	17%	6,699	6,699	0
1986	31,000	14%	14%	4,464	4,464	0
1987	25,000	12%	0%	3,000	0	-3,000
1988	46,000	20%	20%	9,200	9,200	0
1989	58,500	20%	20%	11,700	11,700	0
1990	27,000	13%	0%	3,456	0	-3,456
1991	23,000	11%	0%	2,576	0	-2,576
1992	23,500	11%	0%	2,679	0	-2,679
1993	48,500	20%	20%	9,700	9,700	0
1994	28,439	13%	0%	3,804	0	-3,804
1995	19,688	0%	0%	0	0	0
1996	42,264	19%	19%	7,990	7,990	0
1997	54,476	20%	20%	10,895	10,895	0
1998	39,213	18%	18%	6,935	6,935	0
1999	43,602	19%	19%	8,476	8,476	0
2000	33,365	15%	15%	5,120	5,120	0
2001	52,985	20%	20%	10,597	10,597	0
2002	55,209	20%	20%	11,042	11,042	0
2003	39,319	18%	18%	6,970	6,970	0
2004	53,088	20%	20%	10,618	10,618	0
2005	55,962	20%	20%	11,192	11,192	0
2006	52,059	20%	20%	10,412	10,412	0
2007	59,519	20%	20%	11,904	11,904	0
2008	87,715	20%	14%	17,543	12,000	-5,543
2009	72,521	20%	17%	14,504	12,000	-2,504
					Total =	-30,312

RC 266

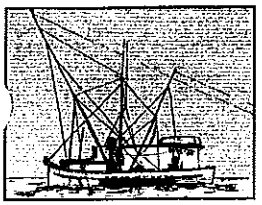
[redacted]

Amendment to proposal 266

After reviewing committee E report,Yakutat's AC would like to make a change in proposal 266.
Yakutat's AC would like the board of fisheries to considder opening west Yakutat from
Ocean Cape to Cape Suckling for the use of 75 fathom set-gill nets for the following reasons. West Yakutat has 10 or more rivers that have little or no presure from June thru
September. These rivers are as follows,The west side of Mambi stream,Alder stream,Yana
River,Yahtse,Tsiu,Riu,Duktoth,Tsviat,Fountain and Seal river.Historicly these Rivers all were fished by support from small planes.This way of fishing is no longer economicly feasable for sockeye and coho salmon.The Tsiu River in the fall is the only real producer do to having the area to have large plane support(DC-3).
Rivers to the South of Yakutat Bay,Situk River,Akwa and Alsek Rivers still have Fishers fishing them. We dont want to have any unforeseen closures in these terminal areas around Yakutat. We are trying to relieve presure from these areas.

Yakutat AC, Jeff Fraker Date 2-25-09.

RC267



Alaska Trollers Association

130 Seward St., No. 211
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

February 24, 2009

John Jensen, Chairman
Alaska Board of Fisheries
Juneau, AK 99811

RE: Committee D Sport Fisheries

The following is additional information and clarification with regard to the positions and perspectives of ATA to proposals considered by Committee D. We refer you also to ATA's written comments (PC 113), ATA's public testimony (RC 152), and modified positions (RC 214) submitted at this meeting.

Proposal 286 & 287
Some states, such as Oregon, use the word 'domicile' in relation to a possession limit to speak to the notion that every fish you catch is counted and that limits are to be adhered to all the way to a person's permanent place of residence. ATA agrees with that concept, so borrowed the language. However, if another definition accomplishes the same goal, that's fine.

Wisconsin uses another option and references it on their website: *The possession limit is the maximum number of a species that you can control, transport, etc. at any time. It is twice the daily bag limit. ... For example, if the daily bag limit for a species is 5, the most you could possess or control (i.e. in your freezer, cooler, vehicle, etc.) would be 10, no matter how many days you fished. Therefore, you could only bring home your possession limit of 0.* (http://dnr.wi.gov/fish/faq/posses.htm)

Some spoke to the unenforceability of such a law, but many other states and nations do so. Most people follow the law, and none are 100% enforceable. At minimum, such laws speak to the ethics of fish and game management and sport fishing as a recreational and personal food gathering activity.

If the possession limit definition is best taken up on a statewide level, we support doing so at the earliest possible date, preferably the March 2010 statewide meeting. ATA is willing to work with the Board and ADFG on this matter.

Proposal 288
ATA could support higher annual limits for non-resident anglers than the existing possession limit, but started with the current regulation to show a commitment not to promote less than 12. This was stated during our testimony and also during the committee by ATA's representative. We ask that the record be amended to reflect this comment.

ATA does not support committee comments recommending that annual limits be put into a Task Force. The Board identified this issue as worthy of resolution and promised a Task Force during the last board cycle -- nothing happened. Annual limits seem relatively easy to work out. ATA is willing to work with the Board, ADFG, and user groups at this meeting on this matter.

Creative ways of combining non-resident bag and annual limits could help to meet the diverse needs of guided anglers. For instance, if the annual limit was based upon three bag limits, the bag limit could be adjusted to spread out the harvest over a longer period of time.

Another option might be to phase in annual limits over the next three years X in 2009, Y in 2010, and Z in 2011.

The most important thing to our members is that the Board of Fisheries takes whatever action is necessary, at this meeting, to begin implementing annual limits.

Proposal 368
Comments by ATA's representative were not included in the committee report and we ask that the record be amended to reflect the following: ATA opposed proposal 368, because we felt that one daily bag limit for all species was too draconian. ATA appreciates that the proposer has withdrawn the proposal.

Proposal 289
ATA questions why the Board and ADFG would oppose a non-resident harvest record for coho.

Staff and enforcement both indicated that this is the easiest and most measurable tool for enforcing possession/annual limits. Contrary to other comments, we don't think such a record should add another layer of data recording, but instead provides an enforceable means to monitor possession and/or annual limits in the field.

Suggestion:

Waterproof or semi-permeable coho punch card for non-residents, to be filled out by the time the angler reaches the dock, lodge, etc.

The cards could be numbered and given out along with the license. The number would have to be written on the bag of the fishing license. Cards would not be turned in to ADFG and would not be replaced if lost.

Additionally, we remain committed to the concepts of accountability - each fish that's caught is counted - and monitoring and enforcement of meaningful bag, possession, and annual limits.

Proposal 293
The ATA representative's comments on this proposal were not added to the record. We request addition of the following: Support some increase in dogfish bag/annual limit. Abundant species should have reasonable bag limits.

Proposal 296-298
ATA supports the use of hand operated or electric reels in Southeast sport fishery for handicapped and individuals with documented special needs, but otherwise opposes the use of power to retrieve sport caught fish.

Proposal 307
The ATA representative's comments on this proposal were not added to the record. We request addition of the following: ATA opposes a 30 day prohibition on use of charter vessels within 30 days of subsistence fishing as it is punitive.

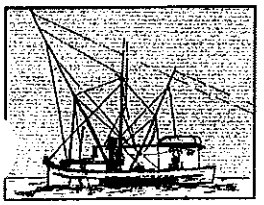
Proposal 307
The ATA representative's comments on this proposal were not added to the record. We request addition of the following:

ATA supports better inseason tabulation of sport caught fish. If the logbook is the best tool, we support its continued use. If the Board can't require ADFG to more quickly count fish inseason, we hope they will at least encourage them to do so.

Proposal 311
ATA recognizes that there have been a number of Constitutional and practical inspection issues identified that need to be further vetted before implementing this proposal. We ask that the bulk of this issue be dealt with by the Board by the March 2010 statewide meeting. ATA is willing to work with the Board and ADFG on this matter.

However, a question that needs to be clarified at this meeting is whether or not the state already has the authority to inspect vessels and floating facilities at public docks. It is our understanding that many of the docks considered private around the region and state are actually public. For instance, most of the docks in front of homes and lodges in Sitka are likely to be public, because those who built them do not have tideland leases and therefore lack legal ownership.

RC268



Alaska Trollers Association

130 Seward St., No. 211
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

February 24, 2009

John Jensen, Chairman
Alaska Board of Fisheries
Juneau, AK 99811

RE: Committee G Troll

The following is additional information and clarification with regard to the positions and perspectives of ATA to proposals considered by Committee G. We refer you also to ATA's written comments (PC 113), ATA's public testimony (RC 152), and modified positions (RC 214) submitted at this meeting.

Proposal 250 & 252
ATA can support 252 on its own, but can only support proposal 250 if 252 passes as well.

Proposal 320
ATA worked with the proposer and supports compromise language offered in the committee report.

Proposal 323 & 324
While ATA always appreciates new hatchery access areas, trollers in this particular area have a market for pink and chum and are concerned about losing fishing time and, as a consequence, processor interest. Therefore, ATA favored proposal 324 over 323.

We could support proposal 323 if additional language were added to ensure a seven day a week fishery. A suggestion would be to use on provisions in the spring fishery regulations that allow a harvest of up to 1000 king salmon regardless the level of hatchery contribution.

Proposal 329

ATA was originally opposed to this proposal, but worked with the proposer on to develop a revised plan:

1. Only two hand gurdies will be allowed West of Cape Spencer from October 1 until the end of the July chinook fisheries.

2. Four hand gurdies will be allowed West of Cape Spencer, in those waters where power trollers are allowed 6 gurdies, from the end of the July chinook fisheries through September 30.

RC269

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite, Sitka, Alaska 99835 - Tel. No. 907-747-7996 . Fax No. 907-747-7998

Board of Fisheries
February 24, 2008

Dear Chairman Jensen and Board of Fish Members:

Re: Corrections on Committee E Report

Support Section JRPT Allocation Plan Page 3

….. a comment that the seiners "make the most from their fish tax investment" This is incorrect in terms of investment. Based on RC 25 and ADF&G allocation data show the **Gillnetters paid 17.1%** of the total SET tax from 1994 to 2007; Seiners paid 54% for the same period, and Trollers 28.9%. On the return side the **Gillnetters receive 30.2%** of the value; Seiners 50.7% of the value; and Trollers 19.1%. I believe the best way to characterize investment value is return on the dollar. So based on these numbers the Gillnetters have a $13.99 return on each dollar invested (SET tax) Seiners $7.45 return on each dollar invested, and Trollers $5.26.

SET Tax Paid by %		Value Returned by %	Value ($) : Tax ($)
Gillnet	17.1%	30.2%	13.99 : 1
Seine	54.0%	50.7%	7.45 : 1
Troll	28.9%	19.1%	5.26 : 1

**all percentages based on data for 1994 to 2007 period

Opposition Section JRPT Page 3, third bullet point
….20 year period is incorrect. 1994 the beginning of the allocation period to 2008 is 15 years.

Fourth bullet point is incorrect: In 2003 Board of Fish decision Eastern Channel in Sitka Sound was approved to open for chum trolling during the "ADF&G Coho Troll Closure". This in effect allocated chum from gillnet and seiners to trollers in the Deep Inlet Terminal Harvest Area (THA) during this period. A similar BoF approved proposal allocated chum at Hidden Falls THA from seine to troll.

Substitute Language section Page 5:
5AAC 33.376 District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan. (b)(1)(C)..... Needs to be rewritten to clarify ADF&G EO authority and NSRAA Board of Directors authority. The intent is correct but the language needs to be cleaned up.

Suggested language substitute: …..(C) beginning with the first E.O. of the 2009 season through the last E.O. of the 2011 season the department shall provide for a time ratio for gillnet to seine openings of one to one (1 : 1) after the third Sunday in June;

This leaves the specific arrangement of the 1:1 ratio in the authority of the NSRAA board of directors, which is the current status except the ratio is 2:1 gillnet to seine.

Steve Reifenstuhl

RC270

Southeast Alaska Fishermen's Alliance
9369 North Douglas Hwy
Juneau, AK 99801

February 25, 2009

RE: Committee E report

Proposal #273

We reviewed and discussed with the Dept the substitute language for proposal #273 and would like to offer the following language instead. The hatchery associations have always had the flexibility to provide the Dept the rotational schedule based on the ratio in regulation. We would like to amend the language to provide the same flexibility and working relationship as there has been in the past.

Substitute Language:
5 AAC 33.376 DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. (b) (1) **(c) beginning with the first E.O. of the 2009 season through the last E.O. of the 2011 season the time ratio for gillnet openings to seine openings of one to one after the third Sunday in June;**

5AAC 33.370 DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN. (b)(2) **(C) after June 20, the time ratio for gillnet openings to seine openings is one to one;**

5AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. (d)(3) **(A) beginning with the first E.O. of the 2009 season through the last E.O. of the 2011 season the time ratio for gillnet openings to seine opening of one to one;**

We would also encourage you to look at the draft finding language contained in RC 241 highlighting other joint RPT consensus items.

Sincerely,

Kathy Hansen

RC271

Yakutat Salmon Board
City & Borough of Yakutat
PO Box 160 Yakutat, AK 99689

phone: (907) 784-3329
fax: (907) 784-3481
yakutat_salmon_board@yahoo.com

February 24, 2009

Board of Fish
Alaska department of Fish & Game
Boards Support Section
Jim Marcotte, Executive Director
PO Box 115526
Juneau, AK 99811-5526

Re: Misc. Business – Petition Request for Development of a Yakutat LAMP

Dear Chairman Jensen and Board of Fish Members

The current catch records in Yakutat Bay indicate that our current halibut fishery is sustainable. However, though poundage remains constant at around 400,000 lbs/ annually across user groups, there have been complaints from the charter fleet that it is becoming increasingly difficult to catch large fish. This could be the beginning signs of local area depletion. Preliminary work by USGS – BRD in Glacier Bay indicated that large female halibut may show a degree of site fidelity, which allows for the potential of overfishing of this size class locally. In addition we have formed a Community Quota Entity, and requested our state senators to pursue federal stimulus funding to begin buying 3A quota to lease to Yakutat Fisherman. Without a LAMP program there is a potential to increase the annual take by 180,000 pounds within Yakutat Bay. We do not wish to create this level of pressure and therefore desire to implement planning in order to explore options for spreading fishing pressure to other areas within 3A.

We also have a need to ensure lingcod stocks remain strong and a plan for recovery of crab stocks that have been depleted for the last 7 years and unavailable for either commercial or sport harvest.

We would like to petition the Board of Fish for help in the development of a LAMP for Yakutat Bay. We are providing a possible Draft Charge statement for the Board of Fish to consider adopting to help facilitate this process. The draft charge statement is based off of several years of LAMP discussions at the local AC level.

AC member Scott Chadwick is the acting chair of the Yakutat LAMP committee and will work with the local city biologist, Bill Lucey and AC/Yakutat Salmon Board member Jeff Fraker to facilitate the start of the process.

Sincerely,
Bill Lucey – City and Borough of Yakutat

ALASKA BOARD OF FISHERIES
Charge Statement for Development of a Yakutat Local Area Management Plan

The Alaska Board of Fisheries is establishing a task force to identify and discuss issues related to local area management planning and the Yakutat ADF&G Advisory Committee would like to develop their own program.

Membership: There are currently five members of the Yakutat AC who have volunteered for the LAMP. Ideally we would like 2 large IFQ holders > 30,000lbs, 2 small IFQ holders < 30,000 lbs, 2 charter operators, 2 independent sport fishermen, and two subsistence users with tribal representation. All members must be traditional users of Yakutat Bay.

Geography: From five miles east of Ocean Cape seaward three miles to five miles west of Point Manby seaward three miles with an intersecting line between these two points.

Species: Halibut, Lingcod, crab spp. and Rockfish spp.

It is the Board's intent that these boundaries are for the purpose of facilitating discussion of issues within these boundaries. They are not meant to be official regulatory lines at this time and may be change throughout the process.

It is the Board's intent not to limit participation in the task force meetings to the members of the task force. It is the intent to garner as much public input as possible. Stakeholder participants will be responsible for their own travel expenses to attend task force meetings. The Board chairman may add additional members to ensure comprehensive group participation.

The Board requests after development of the committee that a mission statement and problem statement be developed. The Board further requests that the task force discuss preferred solutions to the problems and consider impacts such solutions may have on other fisheries and other users. Last, the Board asks that the task force report the status of their efforts to the Board by letter during the fall work sessions.

Yakutat Community Holding Corporation
P.O. Box 160
Yakutat, Alaska 99689

December 19, 2008

Honorable Lisa Murkowski
United States Senate
709 Hart Senate Building
Washington, D.C. 20510

RE: $1,000,000.00 Economic Stimulus Package Funding Request

Dear Senator Murkowski;

The Alaska Community Quota Entity program is a sustainable fisheries economic opportunity. Funding this proposal has economic impacts beyond Alaska in American and International fish markets. You will see from our attached documents that this commercial fishing opportunity is self-sustaining;

1. The CQE's are legally, financially, and technically capable and transparent.
2. The CQE's are legally and financially accountable; and
3. That commercial fishing in rural Alaska is an established industry.

By funding the $1,000,000.00 is a plausible goal of the Nation's economic stimulus package. The halibut and sablefish fishery is managed on a sustained-yield basis as a year round fishery. The fishery provides the following;

1. Jobs and income for boat owners, skippers, and crew.
2. Fish product for Alaska processors, American, and International markets.
3. Provides year-round jobs for residents and families with a more stable and reliable income.

The Community Quota Entity program is designed to keep income dollars circulating close to home as community investment dollars. We believe that this is also the goal of the Nation's economic stimulus package.

We appreciate your support of this request and in working with Alaska's Congressional Delegation to ensure Alaska's commercial fishing industry remains a priority in our Nations economy.

Sincerely,

Bill Lucey, Agent YCHC

CC/ Honorable Senator Mark Begich
Honorable Congressman, Don Young

Encl/ Funding Proposal
Funding Justification

Amended language for proposal 316.

5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

(d) (5) in the waters of Gastineau Channel within 150 feet of the City and Borough of Juneau's Channel Wayside fishing dock located near the Macaulay Salmon Hatchery, snagging or attempting to snag is prohibited; a fish hooked anywhere other than in the mouth must be released immediately back into the water;

RC273

TONES

For sure
It isn't the sound of the bell
It for certain not the blinking light
It's the tone of the testimony
That has to be listened too

What does it all mean
When so many say
That something is wrong
With the scheme of things

But are the words listened to
What will be decided
So all the aspects of management
Will be met

Of course some things
Are vital to each community
When rulings are made
But what about the tone

That is the sound
Of wrong rulings
That only take into account
Of the financial aspect

Being decided over
The long term use
The long term conservation
Of our historic food

If the wrong ruling
Destroys the harmony
Of the community
It changes tone of healthy relations

That seems to be
A harmony joined
By the majority
Of people involved

But if that tone
Forgets the biological aspect
It destroys the commerce
That was ruled in favor of

So what is it
Business as usual
Or is it a thoughtful tone
That we are listening to

The song of this meeting
Was the people
Are concerned
About that which provides food

Food that we take home
Food for the fishes
Food for the marine mammals
Food for the birds

Each of these species
Have there own song
That need to be listened to
Yes, it is the tone again

So what is the sound
Of fish swimming from California
All the way to Alaska
The Canadians say they are one

Yet as in salmon
There are slight bleed overs
In each stream
How does this song match

The song that says
There is some mixing
That occur
In all species

All the salmon can
Fertilize their families eggs
Down the coast
Even man can do this

Yet when a herring family
That has been returning
To the same place to spawn
For thousands of years

Has been wiped out
Does a herring
From California swim up
To take it's place

Does a herring from Alaska
Swim down to Canada
To take the place
Of a fisheries depleted stock

I will listen to the tone
Of the applause
Of those who say
That it is all one species

I believe this
But also like man
Like salmon
That entities adapted to an area

Keep returning
To this same area
You can still hear the tone
Of the herring rush

As it slides in to lay
It's egg one at a time
In Faragut Bay
In Hobart Bay

It is the same tone
Of the spawning mass
That hits the shore
In Sitka Sound
At Egg Island around Craig

The tone of the manager
Is so sure that each stock
Isn't discreet
Follow the migration if you can

That will revitalize
The lost herring stocks
That are gone
In Foggy Bay & Cat Island

That they watch the rush
Of herring going to Auke Bay
To revitalize the herring stocks
That once lived there

For thousands of years
Only harvested
By the Tlingit's
That they still eat

For thousands
Upon thousands of years
A history that was shared
As the families sat down to eat

That they packed with them
Dried on hemlock branches
Dried hair kelp
Dried macrosistic kelp

Up the grease trail
Clear to the Fairbanks area
That the Tsimsian packed
Into the interior of their land

It isn't the tone
Of the Board of Fish
That talks to us
But the voices

Of our ancestors
That have come to the shores
Of Sitka from all over
To harvest herring eggs

To take home
To their families
To help them sing
The song of spring

The herring eggs
That are still harvested
To send to all our families
Across the State

But also sent to our families
That now reside
All over the United States
It's the tone

Of the meal
That has a crunchie sound
As the teeth
Close over our history.

Our people came here
So that you could here
The tone of those eggs
That we have eaten historically

We want your tone
To be one of long term
Conservation
So that

Even the other harvesters
Can continue to hear
The sound of the rush
Of their herring school

In their nets.
The clink
Of the silver dollars
In their pockets

It isn't only
The clink of dollars
That need to be listened to
But also the voice of the future

And the tone of the past

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RC274

SEAGO
SouthEast Alaska Guides Organization

Compromise - Proposal 296-298 AMENDED

Date: February 23, 2009

In the spirit of compromise and following committee discussions, we offer the following:

We would like to offer the following changes to Southeast Alaska Fishermen's Alliance document **Conceptual Substitute Language for Proposal #296-298** as discussed in committee with the following substitutions. Deleted in Brackets [delete]; Bold underlined = insert

Conceptual Substitute Language for Proposal #296-298:

All fishing gear must be [kept in immediate control, and gear may not be left unattended while fishing] **closely attended**; Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish; Rod holders may be used; the rod must be easily removed [without delay]; rod may be left in the holder while playing fish; and electric reels may be used if designed for sport fishing and attached to a fishing rod **by a "reel seat"**; a mechanism that holds the electric reel to the rod, using threaded locking rings or sliding bands.

1. The terms: "kept in immediate control, and gear may not be left unattended while fishing" are not currently defined in the regulation book.
2. The term: "**closely attended**" is defined in the sport fishing regulations.

Thank you for your consideration.

Stan Malcom
Board Member
Southeast Alaska Guide Organization, SEAGO

SOUTHEAST ALASKA SEINERS ASSOCIATION
410 Calhoun St.
Juneau Alaska 99801

RC 275

BOARD OF FISHERIES
February 24,2009

Comments on COMMITTEE "E" report.....re: Joint Regional Planning Team Enhanced Salmon Allocation Plan

SEAS fully supports the items identified in RC 269 and would note the language written to identify the new time ratio for seine and gillnet harvest at the Deep Inlet Terminal Harvest Area should also be applied to the Anita Bay Terminal Harvest Area.

While there was no consensus in Committee E, it should be noticed that the six voting members of the Joint RPT were in consensus, and that recommendation had a number of elements which are not spoken to in the Committee "E" report, but which are as necessary as the identified actionable items. Particular to the additional items is the Board of Fish perspective and instructions concerning the longer term resolution for adapting decisions that attempt to bring the respective gear groups into their identified ranges. In that regard, SEAS opposes the concept and structure laid out in RC 208, and believe that the Joint Regional Planning Team members and process should form the basis of the group charged with addressing any solution which could develop into a proposal for the then Board of Fish in three years.

Submitted.....Bob Thorstenson / SEAS

RC 276

To: Board of Fisheries
Fr: Sitka Tribe of Alaska
Date: February 25, 2009

Re: RC 265: proposed amendment to Proposal 203

Sitka Tribe of Alaska supports the proposed amendment **only if** the Board will direct the ADF&G to get an immediate independent peer review of the ecological and physiological changes made to the Age Structured Analysis (ASA) Model for Sitka herring.

Without an independent peer review of the ASA, Sitka Tribe of Alaska supports Proposal 203 as originally submitted.

As amended in RC 265, Proposal 203 is only a modest first step at providing conservation of the herring resource, and will not improve the reasonable opportunity of subsistence users.

RC271

One listed point of opposition was seine vessels longer than 60 feet would not be able to fish in certain classes of IFQs. I wish I had remedy for this situation. I find this disputable because the other side of the argument is they don't want salmon fishermen to fish a vessel longer than 58'. This represents an argument of "If I can't do it then either can you." Who does this benefit? Is this a view that would benefit the salmon industry? I don't know much about longlining but I do know it is not a disadvantage to own IFQs.

Another opposing view presented in the report is once vessel size is changed, the seine industry will be asking to change net sizes. This assumption is reaching. Net sizes are are a major component, along with area and time, of the management tools the Department uses to regulate harvest and conservation of the resource. Changing the size limitations of vessels participating in the fishery does not change the current management measures already in place. Assumption that a change in vessel size regulation is a precursor to increasing net sizes is an overly basic and unwarranted. I am hoping the Department will concur that these two issues are widely separated.

Yet another view of opposition is that larger, outside boats may out compete locals. First off, it is the net and the skill of the fisherman that catches the fish. The skill of a fisherman is not dictated by the size of his boat but rather by how they use their net and where and when they choose to set it. In the current fleet there are boats that hold a lot of fish and boats that don't hold as much. There are many in the fleet who fish smaller boats who can consistently out perform fishermen in larger boats simply by their skill and talent for catching fish. A fisherman's knowledge of net construction, the area they fish, tides and currents, beach lines, nags, different bottom types, and run timing are what make them effective not the size of their vessel.

I have two points in addition to the documentation I turned in regarding vessel valuation which was also a concern presented by the Committee:
First and foremost I ask the question: What value is going to be lost and will it actually be something that causes egregious harm? Throughout my research and background of this proposal I have yet to see anything that demonstrates or remotely attempts to quantify what the value loss would be based or how much of a detriment it would be.
The main value component of a vessel is earnings potential. Repealing the 58' limit will have no effect on the potential earnings of current boats in the fishery. They will still be fishing and generating income as they have in the past. Adding longer boats will not take fish away from the fleet.

The benefit of a longer vessel is clear. They move through the water more efficiently. They are safer, especially in a following sea. Existing vessels could add length to the stern to improve bouyancy when the vessel is loaded and gain deck space. They are a better tool to accommodate the equipment necessary for onboard value adding. Vessels are being made wider and deeper, why not longer?

Thank you for the opportunity to comment further on these issues.
Respectfully submitted,
Ryan Kapp

Resending

RC 278

through

283

Proposal 203 RC 278

5AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

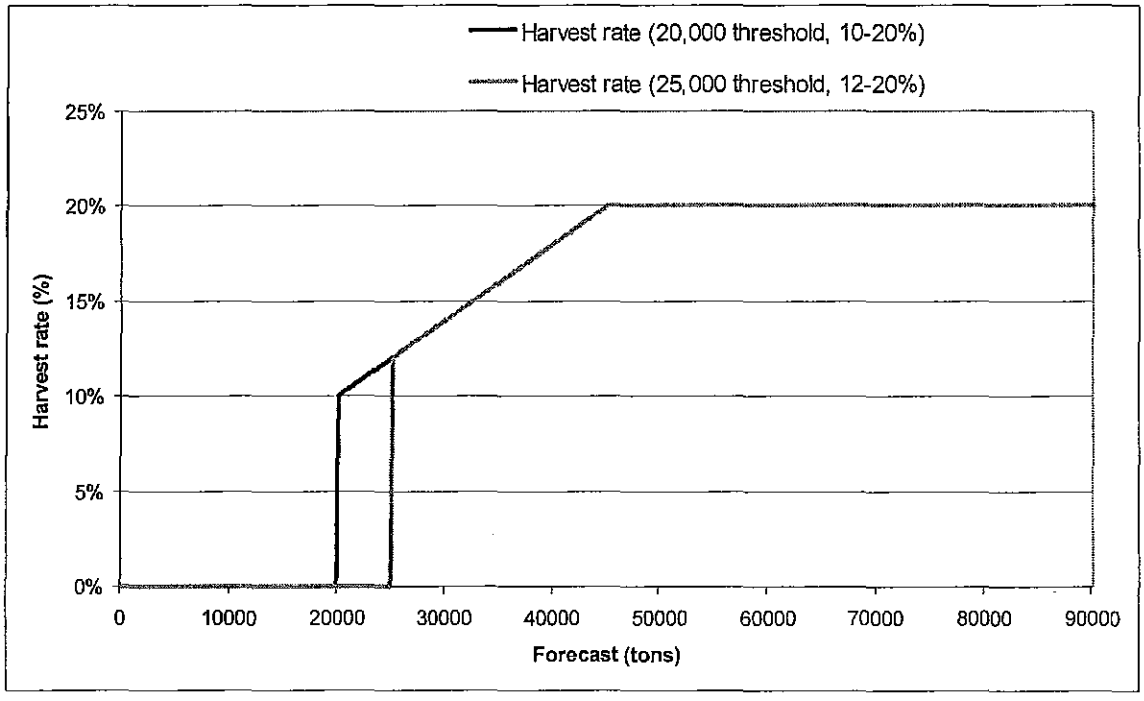
(g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than **12** [10] percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = 2 + 8 [Spawning Biomass (in tons) / 20,000]

The fishery will not be conducted if the spawning biomass is less than **25,000** [20,000] tons.

Proposal 203 alternative #2

No commercial sac roe fishery when biomass is below 25,000 tons (25,000 ton threshold)
Harvest rate = 2 + 8 (biomass/20,000)
Maximum harvest rate = 20%



Year	Biomass forecast (tons)	Current harvest rate formula hindcasted back in time	Proposed harvest rate formula hindcasted back in time	GHL calculated with current harvest rate formula hindcasted back in time	GHL calculated with proposed harvest rate formula hindcasted back in time	Change between GHL's calculated with current harvest rate formula and proposed harvest rate formula
1980	39,500	18%	18%	7,031	7,031	0
1981	35,000	16%	16%	5,600	5,600	0
1982	30,000	14%	14%	4,200	4,200	0
1983	29,500	14%	14%	4,071	4,071	0
1984	23,500	11%	0%	2,679	0	-2,679
1985	38,500	17%	17%	6,699	6,699	0
1986	31,000	14%	14%	4,464	4,464	0
1987	25,000	12%	12%	3,000	3,000	0
1988	46,000	20%	20%	9,200	9,200	0
1989	58,500	20%	20%	11,700	11,700	0
1990	27,000	13%	13%	3,456	3,456	0
1991	23,000	11%	0%	2,576	0	-2,576
1992	23,500	11%	0%	2,679	0	-2,679
1993	48,500	20%	20%	9,700	9,700	0
1994	28,439	13%	13%	3,804	3,804	0
1995	19,688	0%	0%	0	0	0
1996	42,264	19%	19%	7,990	7,990	0
1997	54,476	20%	20%	10,895	10,895	0
1998	39,213	18%	18%	6,935	6,935	0
1999	43,602	19%	19%	8,476	8,476	0
2000	33,365	15%	15%	5,120	5,120	0
2001	52,985	20%	20%	10,597	10,597	0
2002	55,209	20%	20%	11,042	11,042	0
2003	39,319	18%	18%	6,970	6,970	0
2004	53,088	20%	20%	10,618	10,618	0
2005	55,962	20%	20%	11,192	11,192	0
2006	52,059	20%	20%	10,412	10,412	0
2007	59,519	20%	20%	11,904	11,904	0
2008	87,715	20%	20%	17,543	17,543	0
2009	72,521	20%	20%	14,504	14,504	0
					Total =	-7,934

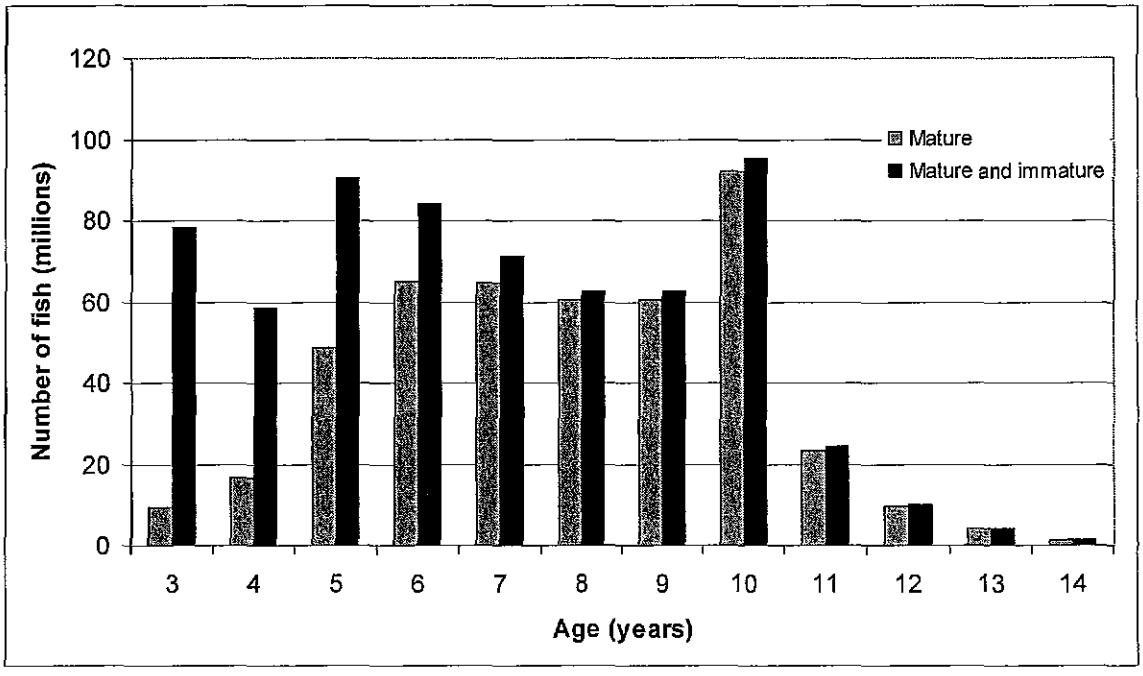


Figure 1. Estimated age composition of the 2008 mature and 2008 total (mature and immature combined) Sitka Sound herring population.

RC280

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite, Sitka, Alaska 99835 - Tel. No. 907-747-7996 . Fax No. 907-747-7998

Board of Fisheries
February 25, 2008

Dear Chairman Jensen and Board of Fish Members:

Re: Proposal 203 and Response to RC 265

I oppose Proposal 203 as written and RC 265

Capping the GHL at 12,000 tons is biologically indefensible and counter to Alaska's abundance based management. Deputy Commissioner David Bedford provided a presentation on the U.S./Canada Treaty to the Board of Fish on February 17th espousing the virtues and success of Alaska Department of Fish and Game's abundance based management. I agree wholeheartedly, but RC 265 would turn ADF&G's abundance based management on its head and conflict with Deputy Commissioner Bedford's stance at the Treaty. Commissioner Bedford argued vehemently at the recent treaty negotiations using Alaska's abundance based model as a platform. This model has served fishery resources in Alaska well for five decades: salmon abundance has steadily increased throughout most of the state as have herring in Sitka Sound.

Setting the maximum GHL at 12,000 tons does nothing to protect the resource and simply penalizes the harvesters. ADF&G does not manage other fisheries in this manner for good reason. The Alaska Constitution speaks to utilizing resources on a maximum sustained yield principle, and this proposed action retracts the maximum and diminishes benefits for future generations. Furthermore a cap is counterintuitive: as the biomass/abundance increases above 60,000 tons, the percentage of that biomass taken decreases. This can not be called abundance based management. At a 120,000 ton biomass, which is within the realm of possibility in the next few years, the harvest rate would be 10%. This management plan if adopted could actually promote such a large biomass that the herring eat themselves out of house and home, much like hare and lynx cycles or lemmings trouping over the cliff.

As the table in RC 265 delineates, this proposed formula would have cut 8,000 tons of harvestable herring between 2008 and 2009. This would be analogous to putting a cap on halibut or salmon fisheries in years of high abundance. It seems the board is losing sight of the fact that the biomass has been increasing since the 1960's when the department began managing the Sitka Sound herring.

On the threshold side of the equation, raising the threshold to 30,000 tons is likewise indefensible. There are several other herring fisheries (i.e. Seymour Canal and Hobart Bay) with total biomasses less than 10,000 tons that have higher relative thresholds than the Sitka Sound herring fishery; Seymour Canal is also manged using a 20% maximum harvest rate.

A 30,000 ton threshold would have precluded at least 8 Sitka Sound sac roe fisheries from 1980 to 1994 with a cumulative loss of over 20,000 tons. The existing 20,000 ton threshold is 5,000 tons higher than the department believes necessary yet it was adopted at a Board of Fish meeting in 1997 as a conservation measure for the stock and subsistence needs.

Sincerely,

Steve Reifenstuhl

RC281

RE: RC 265, 5AAC 27.160. QUOTAS & GUIDELINE HARVEST LEVELS FOR SOUTHEASTERN ALASKA AREA

Thank you Chairman Jensen and board members for this opportunity to respond to RC 265 as presented at 8:30 AM on February 25, 2009.

RC 265 presents substitute language to Proposal 203. There are two basic elements: 1) Raise the threshold limit from 20,000 tons to 30,000 tons 2) Cap the guideline harvest level at 12,000 tons.

I am **opposed** to both of these amendments and as such **opposed** to Proposal 203 and RC 265. I respectfully request that the Board review RC 14, 20, 68, 69, and 74, all of which confirm that ADF&G's current management of the Sitka Sound Herring Sac Roe Fishery is based on good science and maximizing sustained yield principles mandated by the constitution. As such, there is no biological or conservation basis for amending 5AAC 27.160 as proposed.

Threshold Limit from 20,000 tons to 30,000 tons:

- Consistent with testimony during Committee A proceedings, as well as the testimony offered to the Board by Mr. Kyle Herbert ADF&G, the Board has previously increased the threshold limit to 20,000 tons and this action was in excess of the threshold limit recommended by ADF&G at the time. The Board justified the increase to allow for allocative subsistence harvest.
- The proposed threshold limit of 30,000 tons would have resulted in no commercial harvest in 7 years from 1980 to 1994.
- Conclusion: There is no biological, conservation, or allocative basis for implementing this punitive amendment to the harvest rate formula.

Cap GHL at 12,000 tons:

- The scientific community, including the Auke Bay Lab, University of Alaska, and ADF&G, all support that the Sitka herring biomass has grown to historically high levels and is healthy.
- During Board deliberations on February 24, 2009, there were inquiries about the age class. As supported by the ADF&G biometricians, the younger age classes are strong, they simply are not maturing at the same rate and therefore do not show up in large numbers in the spawning biomass as 3-year olds. Rather, the cohort is recruiting in increasing numbers as 4 and 5 year olds within the spawning biomass. ADF&G has given no indication that this represents anything but a strong and healthy stock and should not be used as evidence to support a cap to the GHL for conservation purposes.
- As ADF&G has presented, and as demonstrated in RC 74, ADF&G's forecasted biomass has under-run ADF&G's post season total biomass in 10 of the last 11 years. By calculating a hind cast quota using the post season biomass, it is apparent that the proposed harvest rate included in RC 265 – with a cap of 12,000 tons, is much more dramatically punitive to the commercial fishery, with an average loss of 3,726 tons / year over the period. Reference attached table.
- Conclusion: There is no biological, conservation, or allocative basis for implementing this punitive amendment to the harvest rate formula.

Submitted By: Date: February 25, 2009

Dean Hoffman, SITKA HERRING GROUP

Chip Treinen, SITKA HERRING ASSOCIATION

Sitka Sound Herring Sac Roe Fishery: CURRENT HARVEST RATE VS. PROPOSED (RC 265) LOST COMMERCIAL QUOTA

1	2	3	4	5	6	7	8	9
YEAR	FORECAST BIOMASS	QUOTA (TONS)	SAC ROE HARVEST (TONS)	ESTIMATED ESCAPEMENT	POST-SEASON TOTAL BIOMASS (7+4)	HIND CAST QUOTA (CURRENT HARVEST RATE APPLIED TO POST - SEASON BIOMASS)	HIND CAST QUOTA (RC 265 PROPOSED HARVEST RATE APPLIED TO POST-SEASON BIOMASS)	LOST QUOTA: CURRENT HARVEST RATE LESS PROPOSED HARVEST RATE (RC 265) BOTH APPLIED TO POST SEASON BIOMASS
1998	39,200	6,900	6,638	42,058	48,696	**9,739**	**7,297**	**2,442**
1999	43,600	8,476	9,217	50,806	60,023	**12,005**	**10,808**	**1,197**
2000	33,365	5,120	4,630	57,709	62,339	**12,468**	**11,610**	**858**
2001	52,985	10,597	11,974	68,223	80,197	**16,039**	**12,000**	**4,039**
2002	55,209	11,042	9,788	51,970	61,758	**12,352**	**11,406**	**946**
2003	39,378	6,969	7,051	69,477	76,528	**15,306**	**12,000**	**3,306**
2004	53,088	10,618	10,490	81,437	91,927	**18,385**	**12,000**	**6,385**
2005	55,962	11,192	11,366	78,615	89,981	**17,996**	**12,000**	**5,996**
2006	52,059	10,412	9,967	79,243	89,210	**17,842**	**12,000**	**5,842**
2007	59,519	11,904	11,571	73,711	85,282	**17,056**	**12,000**	**5,056**
2008	87,715	14,723	14,386	70,183	84,569	**16,914**	**12,000**	**4,914**

1998 - 2008 AVERAGE HIND CAST QUOTA DIFFERENTIAL (CURRENT HARVEST RATE VS. PROPOSED RATE IN RC 265) **3,726**

DATA IN COLUMNS 1-6 PROVIDED BY ADFG WITH REMAINING DATA BEING CALCULATED BASED ON THIS SAME INFORMATION.

RC282

RALPH GUTHRIE
380 KAAGWAANTAAN
SITKA ALASKA 99835
FEBUARY 25, 2009

TO WHOMEVER THIS MAY CONCERN

MY testimony to the Board of Fish concerned Salisbury Sound as an Adjacent stock, that the Department of Fish has not done the scientific review and study of these stocks before opening Salisbury for commercial herring sac roe seining.

When Foggy Bay stocks collapsed the Department of Fisheries moved that Gillnet fisheries to Cat Island, consequently this stock also collapsed, there was no scientific evidence or study to prove that this stock could stand a fishery.

So now we move to Seymour Canal where the stock couldn't sustain a fisheries, the adjacent stock fisheries again occurred, the concept that was carried over from Foggy Bay was applied here, that the Seymour Canal all of a sudden swam over to Hobart Bay, which in a lot of us that have been around when the herring fleet almost wiped out the stocks is this swam away concept is a bunch of pure and unadulterated bullshit.

What I have been working up to is that the work needs to be done to prove the proposed stocks can sustain depredation by a herring fishing fleet no matter what they call themselves, this needs to be done before the stock is damaged to a point beyond recovery.

Cat Island and Foggy Bay are the departments red flag and they need to pay attention to it.

In the case of Salisbury Sound, this is not being done, also the Chairmen of the Board of Fish has voted on this and other proposals that might effect his fish in the future, even to the point of effecting the way future fisheries are conducted, BY VOTING ON THESE HERRING ISSUES HE EFFECTIVELY INVALIDATED THE VOTE ON THES ISSUES AND PUT THE BOARD OF FISH IN JEOPARDY.

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Ralph Guthrie

Copies to Com. Denby Lloyd & Sen. Bert Stedman

Substitute language for proposal 298

Sablefish: may be taken from January 1 - December 31; bag limit of 4 fish, possession limit of 8 fish; annual limit of 12 fish; no size limit;

RC 284 Behnken 2/25/09

Chapter 3: Assessment of the Sablefish stock in Alaska

by

Dana H. Hanselman, Chris R. Lunsford, Jeffrey T. Fujioka, and Cara J. Rodgveller

Executive Summary

Summary of major changes

Relative to last year's assessment, we made the following substantive changes in the current assessment.

Input data: Relative abundance and length data from the 2008 longline survey, relative abundance and length data from the 2007 longline and trawl fisheries, and age data from the 2007 longline survey and longline fishery were added to the assessment model.

Model changes: When moving to a sex-specific model in 2007, the number of selectivity parameters was greatly increased. These parameters were estimated with high correlation and low precision. For this year we use simpler selectivity functions and link some selectivity curves to improve parameter estimation without greatly affecting model fit or trends. We show two steps to a recommended model that reduces the total parameters by thirteen with minimal effects on the overall model fit. A CIE review is planned for Spring 2009.

Assessment results: The fishery abundance index was up 5% from 2006 to 2007 (the 2008 data are not available yet). The survey abundance index decreased 2% from 2007 to 2008 and follows a 14% decrease from 2006 to 2007. Relative abundance in 2008 is 3% lower than 2000, and is at an all-time low for the domestic longline survey. Spawning biomass is projected to be similar from 2008 to 2009, and begin declining through 2012.

We also include results from a study to test for sablefish cannibalism pots in the **Fishery** section and the results from a gear experiment in **Appendix 3C.**

Sablefish are managed under Tier 3 of NPFMC harvest rules. Reference points are calculated using recruitments from 1977-2003. The updated point estimates of $B_{40\%}$, $F_{40\%}$, and $F_{35\%}$ from this assessment are 115,120 t (combined across the EBS, AI, and GOA), 0.095, and 0.113, respectively. Projected spawning biomass (combined areas) for 2009 is 103,127 t (90% of $B_{40\%}$), placing sablefish in sub-tier "b" of Tier 3. The maximum permissible value of F_{ABC} under Tier 3b is 0.085 which translates into a 2009 ABC (combined areas) of 16,080 t. The OFL fishing mortality rate is 0.101 which translates into a 2009 OFL (combined areas) of 19,000 t. Model projections indicate that this stock is neither overfished nor approaching an overfished condition.

We recommend a 2009 ABC of 16,080 t. The maximum permissible yield for 2009 from an adjusted $F_{40\%}$ strategy is 16,080 t. The maximum permissible yield for 2009 is an 11% decrease from the 2008 ABC of 18,030 t. This decrease is supported by an all-time low in the domestic longline survey abundance estimate and no evidence of any large incoming recruitment classes. Spawning biomass is projected to decline through 2012, and then is expected to increase assuming average recruitment is achieved. Because of the lack of recent strong year classes, the maximum permissible ABC is projected to be 14,895 t in 2010 and 14,086 in 2011 (using estimated catches, instead of maximum permissible, see Table 3.10).

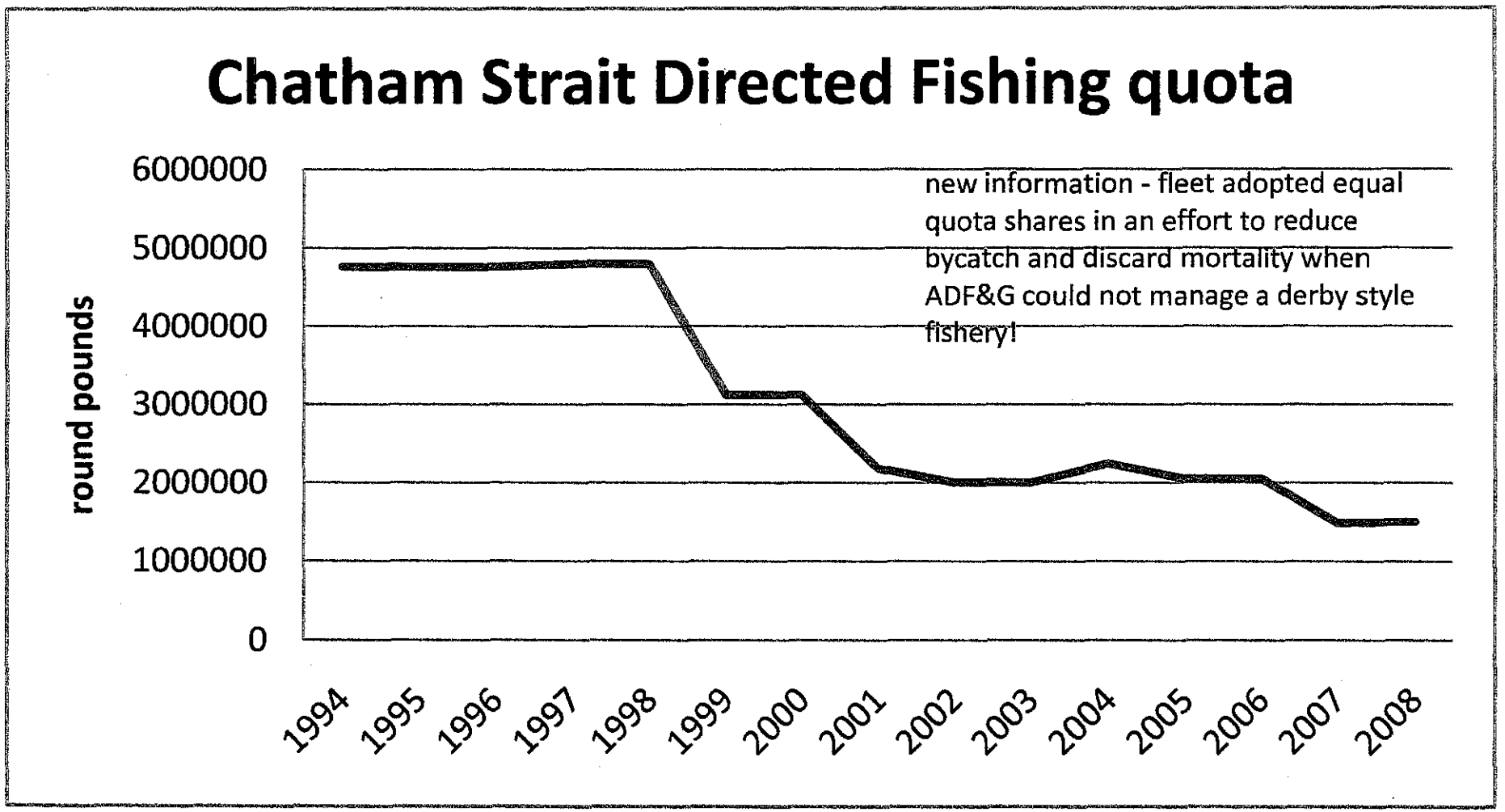
Projected 2009 spawning biomass is 36% of unfished spawning biomass. Spawning biomass has increased from a low of 30% of unfished biomass in 2001 to a projected 36% in 2009. The 1997 year class has been an important contributor to the population but has been reduced and comprises 13% of 2008 spawning biomass. The 2000 year class appears to be larger than the 1997 year class, but is only 85% mature and should also comprise 23% of spawning biomass in 2009.

-x sablefish are longer lived than dogfish

Table 3.1a. Alaska sablefish catch (t). The values include landed catch and discard estimates. Discards were estimated for U.S. fisheries before 1993 by multiplying reported catch by 2.9% for fixed gear and 26.9% for trawl gear (1994-1997 averages) because discard estimates were unavailable. Eastern includes both West Yakutat and East Yakutat / Southeast.

		BY AREA								BY GEAR	
Year	Grand total	Bering Sea	Aleu-tians	Western	Central	Eastern	West Yakutat	East Yakutat/ SEO.	Un-known	Fixed	Trawl
1989	34,829	1,516	3,704	4,533	13,224	11,852			0	27,509	7,320
1990	32,115	2,606	2,412	2,251	13,786	11,030			30	26,598	5,518
1991	27,073	1,318	2,168	1,821	11,662	10,014			89	23,124	3,950
1992	24,932	586	1,497	2,401	11,135	9,171			142	21,614	3,318
1993	25,433	668	2,080	739	11,971	9,975	4,619	5,356	0	22,912	2,521
1994	23,760	694	1,726	555	9,495	11,290	4,497	6,793	0	20,797	2,963
1995	20,954	990	1,333	1,747	7,673	9,211	3,866	5,345	0	18,342	2,612
1996	17,577	697	905	1,648	6,772	7,555	2,899	4,656	0	15,390	2,187
1997	14,922	728	929	1,374	6,237	5,653	1,928	3,725	0	13,287	1,635
1998	14,108	614	734	1,435	5,877	5,448	1,969	3,479	0	12,644	1,464
1999	13,575	677	671	1,487	5,873	4,867	1,709	3,158	0	11,590	1,985
2000	15,919	828	1,314	1,587	6,172	6,018	2,066	3,952	0	13,906	2,013
2001	14,097	878	1,092	1,589	5,518	5,020	1,737	3,283	0	10,863	1,783
2002	14,789	1,166	1,139	1,863	6,180	4,441	1,550	2,891	0	10,852	2,261
2003	16,432	1,006	1,081	2,110	7,090	5,145	1,822	3,323	0	14,370	2,062
2004	17,782	1,179	974	2,168	7,428	6,033	2,243	3,790	0	16,137	1,645
2005	16,537	1,064	1,147	1,923	6,688	5,715	1,823	3,562	0	14,981	1,556
2006	15,829	1,053	1,130	2,139	6,034	5,472	1,789	3,563	0	14,590	1,239
2007	14,979	1,173	1,126	2,061	5,599	5,019	1,768	3,251	0	13,743	1,235

Quotas & catch have been falling since 2004 and are in 2009 are 52% less than their 1994 peak.


Chatham Strait Directed Fishing quota
round pounds
6000000
5000000
4000000
3000000
2000000
1000000
0
new information - fleet adopted equal quota shares in an effort to reduce bycatch and discard mortality when ADF&G could not manage a derby style fishery!
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008

NSEI

ADFG

Summary of NSEI Quota Share Fishery

Catch, Effort and Value	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994
HR (Guideline Harvest Range)	na	na	na	na	na	na	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1-3 M dressed	1-3 M dressed	1-3 M dressed
HO (Annual Harvest Objective) round pounds	1,508,000	1,488,000	2,053,000	2,053,000	2,245,000	2,005,000	2,005,000	2,184,000	3,120,000	3,120,000	4,800,000	4,800,000	4,761,905	4,761,905	4,761,905
eason open	08/15-11/15	08/15-11/15	08/15-11/15	08/15-11/15	08/15-11/15	08/15-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/08-11/08	09/13-10/13	09/22-10/22
re-season fishery	na	na	na	Feb,Mar,Apr	Feb, April	na	na	na	na	na	na	na	na	na	na
FEC permits eligible for EQS	96	103	105	106	108	108	109		109	112	115	122	122	122	122
FEC permits fished	96	103	105	106	108	108	109	111	111	112	116	122	121	121	121
ermanent permits	54	43	41	41	41	40	39								
erm use permits	42	60	64	61	67	68	70								
ermits under appeal to courts	4	4	4	4	5	4									
QS (Equal Quota Share)	15,710	14,500	19,550	19,400	20,787	18,565	18,400	19,600	28,600	28,000	41,700	39,300	38,889	38,889	38,889
otal PQS (Persona Quota Share)	1,503,937	1,498,133	2,053,122	2,061,422	2,241,338	—	—	—	—	—	—	—	—	—	—
% allowable overage/underage	786	723	978	970	1,039		—	—	—	—	—	—	—	—	—
ound pounds harvested															
otal directed harvest (rnd pounds)	1,512,269	1,501,478	2,033,786	2,026,131	2,229,954	2,001,643	2,009,380	2,142,617	3,082,159	3,043,273	4,688,008	4,753,394	4,673,701	4,542,348	4,713,552
ercent of AHO harvested	100.3%	100.9%	99.1%	98.7%	99.3%	99.8%	100.2%	98.1%	98.8%	97.5%	97.7%	99.0%	98.1%	95.4%	99.0%
QS harvested	1,488,569	1,477,892	2,015,786	1,989,022	2,201,211	1,976,406	na	na	na	na	na	na	na	na	na
ounds illegal overages	3,155	5,254	1,989	9,248	2,402	1,100	17,459	11,930	10,830						
ermits w illegal overages	7	10	4	10	9	4	40								
ounds legal overages	20,545	18,332	16,009	27,861	25,479	21,821	—	—	—	—	—	—	—	—	—
ermits w legal overages	49	45	39	45	46	49	—	—	—	—	—	—	—	—	—
ounds transferred	na	na	na	1058	431	2,314	—	—	—	—	—	—	—	—	—
umber of transfers	na	na	na	3	1	5	—	—	—	—	—	—	—	—	—
andings by Vessels															
otal number of vessels	71	77	80	82	88	88	86	87	93	98	106	111	118	116	112
umber of Trips	123	140	175	168	203	—	—	—	—	—	—	—	—	—	—
pprox total landings	125	168	181	181	217	229	233	298	372	366	519	460			
pprox avg number of landing	1.5	1.6	1.9	1.9	2	2.1	2.1	2.7	3.3	3.3	4.5				
ax landings for a permit	4	9	8	8	8	8	8	8	9	10	15				
of permits finishing in one trip	55	61	44	49	44	41	34	20	10						
of permits finishing in two trips	34	27	42	37	39	36	48	43	30						
of vessels fishing opening day	12	16	20	36	26	25	52	48	61						
of vessels week 1	16	22	27	43	30	38	53	52	64						
PUE (based on trips with logs; prior to 2003 not all trips had logs															
verall CPUE by Trip for all longline gears (rd lbs/hook)	1.00	0.87	0.78	0.78	0.77	0.83	0.70	0.55							
PUE based on Stsd Hook Spacing (rd lbs/hook)	0.90	0.81	0.71	0.71	0.71	0.75	0.63	0.50							
otal number of hooks set (Unstsd)	1,506,177	1,701,521	2,602,636	2,603,958	2,882,182	2,397,343	2,864,638	3,887,377							
vg. CPUE by Permit for all longline gears-single permit only (rd lbs/hook)	1.10	1.02	0.85												
PUE by Trip for conventional/mixed gears (rd lbs/hook)	1.05	0.94	0.85												
PUE by Trip for snap-on gear(rd lbs/hook)	1.43	1.56	0.91												
alue															
vg price of NSEI sablefish	$3.15	$2.67	$2.69	$2.49	$2.03	$2.39	$2.40	$2.13	$2.40	$2.18	$1.57	$2.43	$2.12	$1.70	$1.94
Est ex-vessel value in millions	$4.7	$4.0	$5.4	$5.0	$4.5	$4.8	$4.8	$4.6	$7.4	$6.6	$7.4	$11.6	$9.9	$7.7	$9.1

*corrected from previous figures

TOTAL 2008 HARVEST

lbs 1,512,269 = 193,880 fish

3% of this = 5800 fish

1% is 1,938 fish

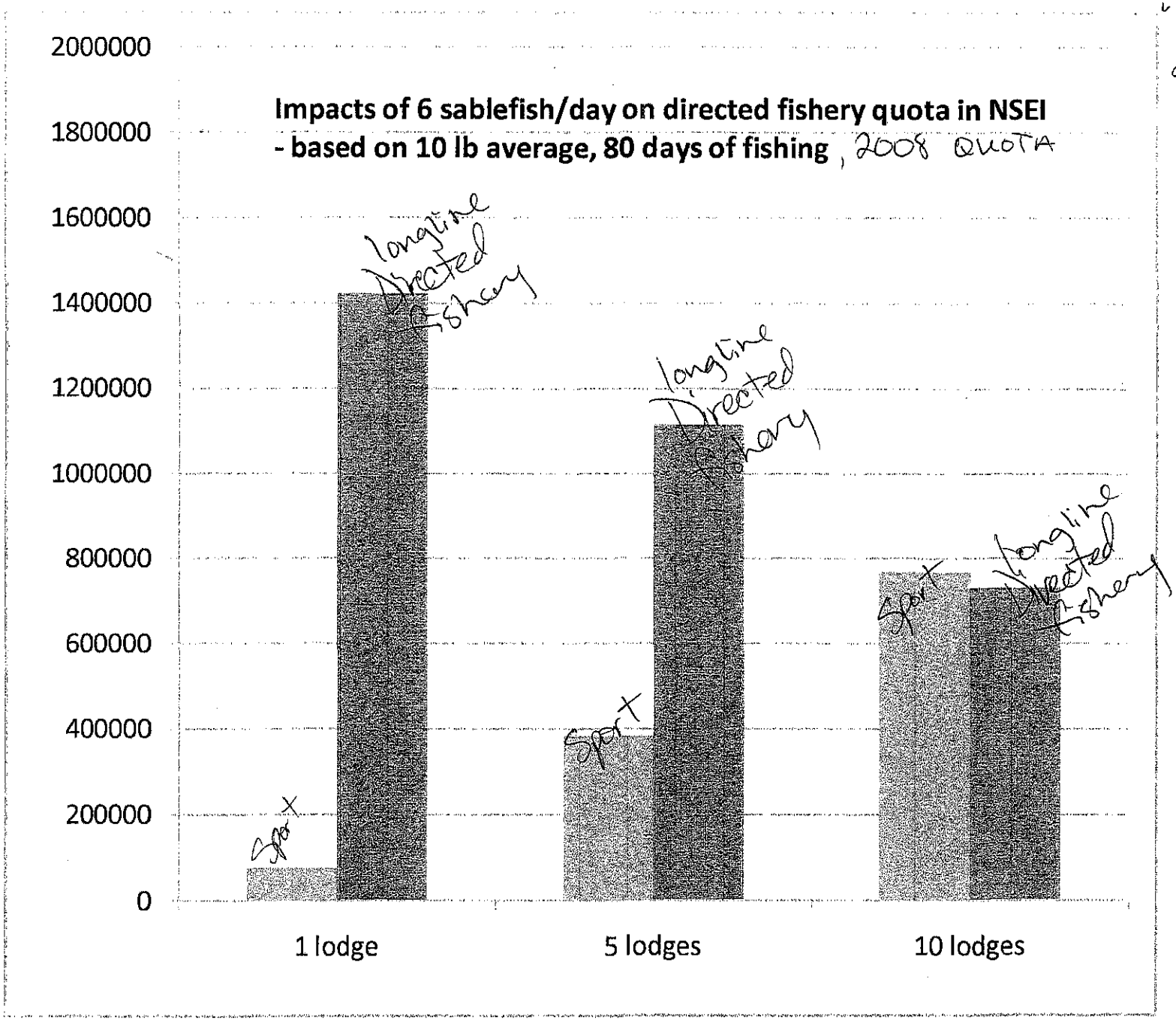
1994 - 4.76

2008 - 1.50

Decline = 68%

RC 265

Bohnken
FA
2/25/09



RC #286

Substitute Language for Proposal 297

Southeast Alaska

5 AAC 47.030 Methods, means, and general provisions - Finfish

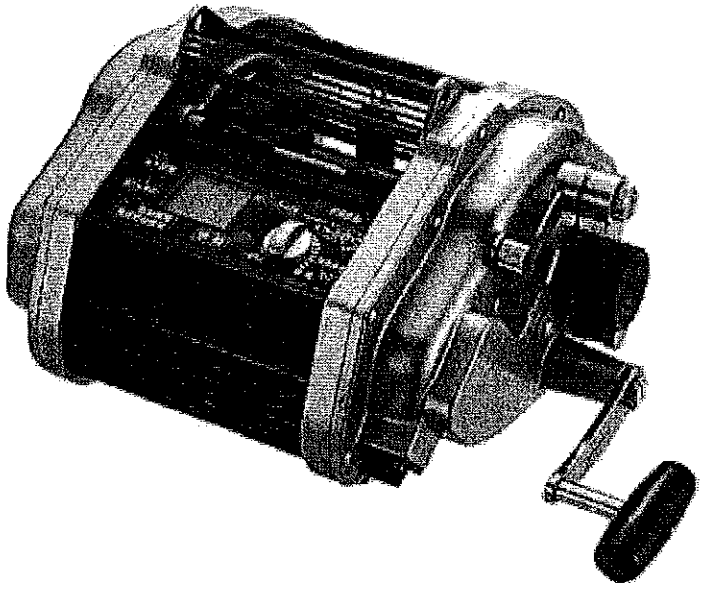
(k) Power assisted fishing reels may not be used unless:

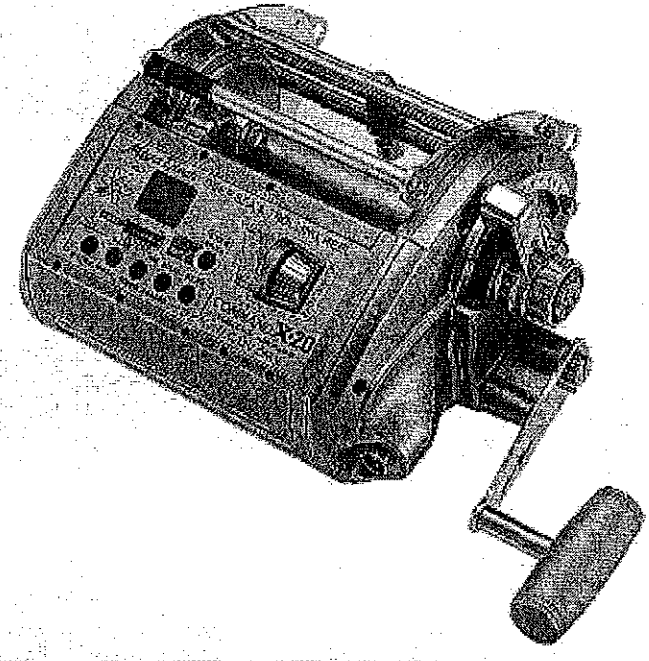
(1) the power assisted fishing reel is mounted on a fishing rod by means of a reel seat, and;

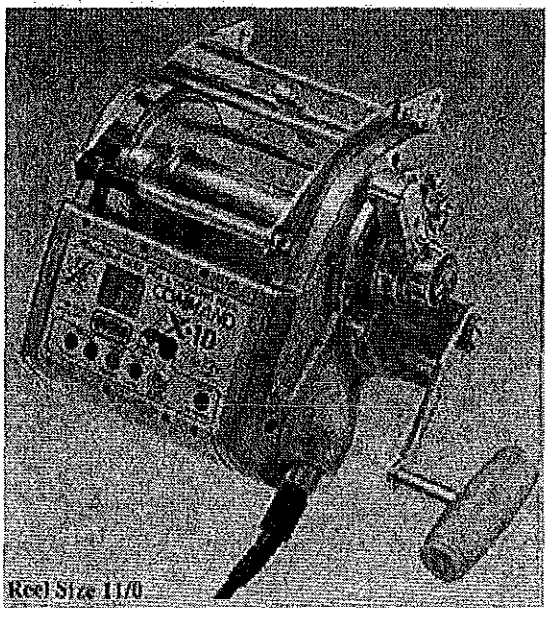
(2) the power assisted fishing reel assembly, motor, gearbox, fishing line, attached power cord and any other reel attachments weigh no more than 15 pounds total when detached from the fishing rod.

(3) For the purposes of this sub-section;

> **(A) "power assisted fishing reel" means a reel used to deploy and retrieve a sport fishing line that is operated or assisted by any electric, hydraulic or other mechanical power source other than by hand cranking a handle attached to the reel;**
>
> **(B) "fishing rod" means a tapered, flexible rod typically used for sport fishing, equipped with a hand grip and a line guide system that guides the line from the reel to the tip of the rod, upon which is mounted a fishing reel to deploy and retrieve the sport fishing line;**
>
> **(C) "reel seat" means an attachment mechanism that holds the fishing reel to the rod using locking threaded rings, sliding bands or other attachment devices and is designed to allow the reel to be readily detached from the fishing rod.**





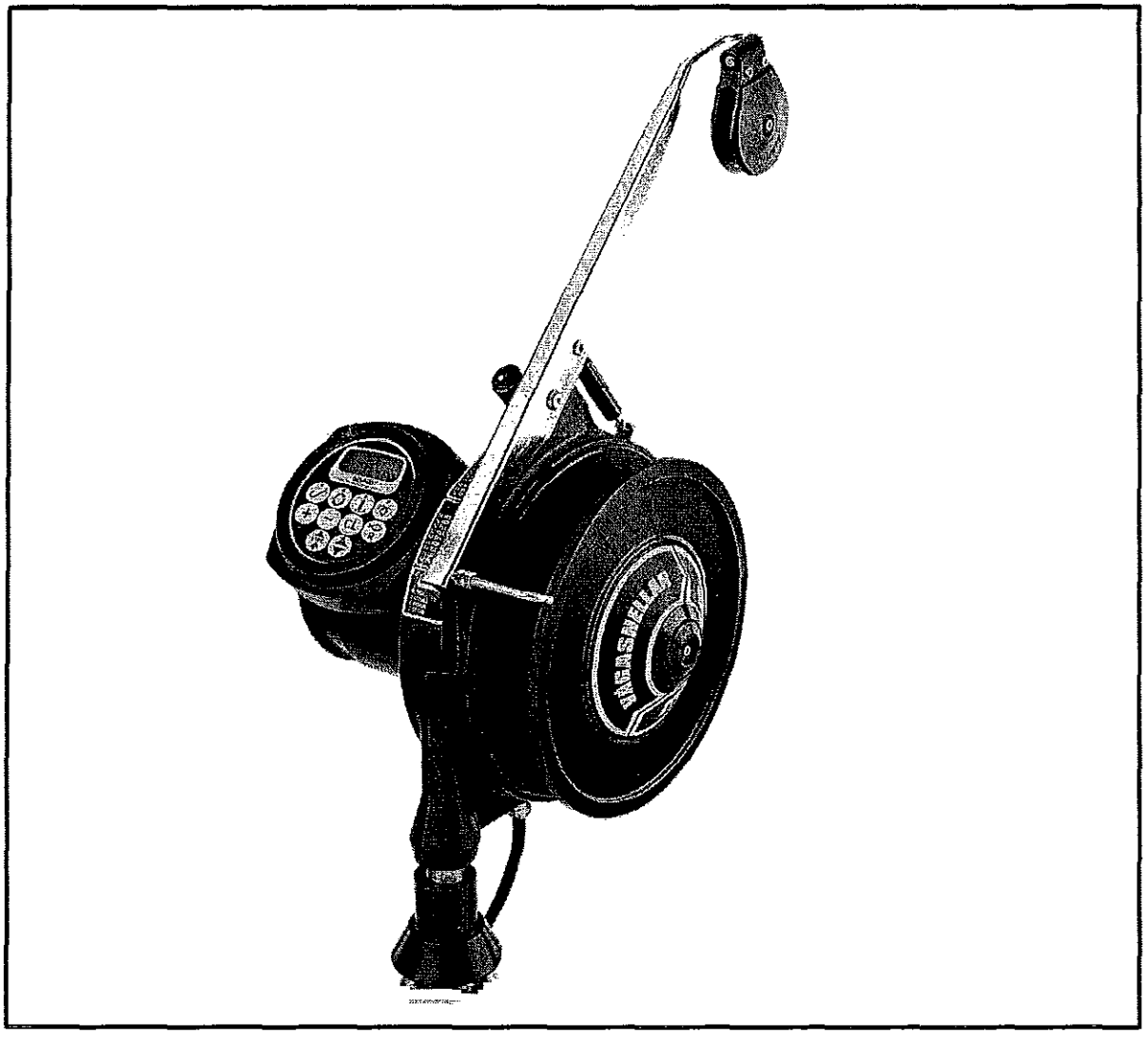


Reel Size 11/0


MODEL 920-XP

Electric - Computer Controlled Jigging Machine

Type 03-16



The jigging machine has a built-in data system which begins working as soon as the reel is activated. It usually fishes at the bottom but it can also search for fish, and when there is a fish on the hook, the jigger remembers the depth the fish was hooked and will return to that depth.

The jigger is easy to use and the fisherman can easily adapt the jiggers function to his requirements.

The jigger is powerful and adjustable in speed, power and fish-program.

Specifications:

Weight:	18 kg
Max current consp.:	20 Amp.
Aver. current consp.:	2,5-3 Amp.
Voltage:	24 Volt DC
Speed	0 - 135rpm.

OILWIND

Pf. J. K. JOENSEN & SONUR

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STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

Division of Commercial Fisheries

RC # 287

SARAH PALIN, GOVERNOR

1255 W. 8TH Street
P.O. BOX 115526
JUNEAU, AK 99811-5526

PHONE: (907) 465-4210
FAX: (907) 465-2604

Memorandum

DATE: February 25, 2009

TO: John Jensen, Chair
Alaska Board of Fisheries

THROUGH: John Hilsinger, Director
Division of Commercial Fisheries

Charles Swanton, Director
Division of Sport Fisheries

FROM: Scott Kelley, Region I Regional Supervisor
Division of Commercial Fisheries

Action Requested

Re-open the Yakutat area for a spring king salmon troll fishery in May and June. (*The petition actually requests that Area D be re-opened for a spring troll fishery. However, Area D is a salmon net fishery designation and there is no troll Area D.)*

This petition would implement a commercial troll fishery in the Yakutat area during the months of May and June. Although the specifics of the location and management actions to be implemented are not clear, the petition request would likely require repeal of the provisions of **5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan (B)(5)(c)** and **5 AAC 29.090. Management of the spring salmon troll fisheries (i).**

Background

Currently **5 AAC 30.365** has four levels of projected inriver run size of three ocean age and older Situk River king salmon established as trigger points at which various management actions may be implemented. At the three levels below a run size of 730 fish, management measures may be implemented to limit the king salmon catch by the existing set gillnet, sport, and subsistence fisheries. At the level of 730 to 1,050 fish, commercial set gillnet fisheries are managed based on the sockeye salmon run strength and an ocean troll fishery is allowed south of the Situk River

inlet and in the Yakutat Bay area beginning July 1 under 5 AAC 29.100. Management of the summer troll fishery (i). At the highest level of 1,050 king salmon projected inriver run size, existing fisheries for king salmon are liberalized and a spring troll fishery is allowed in the Yakutat Bay as specified in 5 AAC 29.090(i) for one day per week during May and June that is implemented by emergency order with a harvest cap of 1,000 king salmon.

The petition references "Emergency Regulations and Petition to open Area D for trolling in May and June" and addresses both the lack of implementation of a spring fishery in the Yakutat area and the current regulations that do allow a spring fishery in Yakutat Bay under provisions of 5 AAC 30.365(B)(5)(c) and 5 AAC 29.090(i). The current regulations were adopted by the board during the 2006 Southeast Finfish meeting in Ketchikan. However, the requirements under 5 AAC 30.365 necessary to open a spring fishery under 5 AAC 29.090 have not been met during the three years since the regulations were adopted, so no spring fishery has been allowed since that time.

The petitioner addressed his concerns and complaints to department staff at the spring troll meeting held in Yakutat on April 16, 2007. The petitioner was informed by the department that in order to seek changes in the current regulations a proposal to do so would need to be submitted to the board by April 10, 2008. The petitioner was also informed by the Yakutat Advisory Committee a few days prior to the April 10, 2008 proposal submission date that a proposal would need to be submitted to have this issue addressed at the Southeast Finfish board meeting in Sitka. No proposal addressing a spring fishery in the Yakutat area was received. The department also received and answered three letters from the petitioner concerning this issue over the spring and summer of 2008 prior to the agenda change request deadline.

Discussion

Spring fisheries are currently managed based on the percentage of Alaska hatchery-produced king salmon harvested in each fishery and allowable harvest levels of non-Alaska hatchery-produced (Treaty) king salmon are established based on the contribution rate of hatchery stocks to the directed fishery harvest. The spring fishery allowed under provisions of 5 AAC 30.365 and 5 AAC 29.090(i) does not have limits of Treaty king salmon established based on hatchery stock composition but it is limited to 1,000 total king salmon. It is unclear exactly how extensive of a spring fishery is being sought by the petitioner. However, from his statement under bulleted points 1A and 1B it seems that he is requesting a troll fishery similar to what was allowed prior to 1981 that would not be based on the presence of hatchery fish and would not have a restriction on the number of Treaty king salmon that could be harvested during that period. In 1980, the Alaska Board of Fisheries (board) adopted a king salmon management plan to be effective in 1981 that was recommended by ADF&G to rebuild king salmon stocks in Southeast Alaska. A primary feature of the plan was the closure of regionwide spring troll fisheries (including the Yakutat area) that harvested those stocks. Spring troll fisheries that are not based on the presence of Alaska hatchery-produced stocks have not been allowed since that time. Allowing an unrestricted troll fishery in the Yakutat area, that is not managed on the presence of Alaska hatchery-produced fish or as part of Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan, would likely harvest significant numbers of Situk River and other Treaty king salmon stocks. Harvests in the proposed fishery would require reductions in other directed king

salmon net, sport, and subsistence fisheries and would likely result in increases in king salmon non-retention days or periods of complete closures of existing troll fisheries in other parts of Southeast Alaska.

Finding of Emergency

The Division of Commercial Fisheries does not believe that the referenced petition to take up this issue out of cycle meets the criteria for an emergency petition under the Joint Board Petition Policy for the following reasons:

1. No unforeseen or unexpected event occurred that threatened a fish or game resource. The current regulations actually seek to avoid such a situation by preventing overharvest of Situk River king salmon;
2. No biologically allowable resource harvest has been precluded by delayed regulatory action because no biologically allowed surplus of Situk River king salmon has existed over the past three years; and
3. Such a delay would not be burdensome to the petitioners because the current regulations seek to ensure that Situk River king will be available in the future.

The department is concerned that allowing a troll fishery in Yakutat Bay regardless of the projected Situk River king salmon escapement would essentially be a reallocation of Situk River king salmon from the setnet and sport fisheries to the troll fishery. At king salmon escapement projections less than 1,050 fish, management actions are prescribed in 5 AAC 30.365 by emergency order that control and/or limit the take of Situk River king salmon by existing set net and sport fisheries, and the summer troll fishery under 5 AAC 29.100 (Management of the summer salmon troll fishery). The department cannot open a new troll fishery that may harvest Situk River king salmon while taking management actions that will restrict existing fisheries without violating existing regulations, reallocating fish, and creating a situation whereby the justification for issuing an emergency order to restrict existing fisheries cannot be met.

Submitted by Mel Morris **RC 288**

5 AAC 40.020. General provisions for seasons and bag, possession, annual and size limts for the salt waters of the Southeast Alaska Area is amended to read:

XXX: shortspined and longspined thornyhead rockfish may be taken from January 1 - December 31; bag limit _____, possession limit _____; no annual limit;

Thornyhead rockfish are a deep dwelling, slow growing, long lived (up to 105 years) species. These fish are managed in the commercial fisheries as a bycatch only species and there is currently no stock assessment for them. Thornyheads do not fall into the non-pelagic category and therefore there is currently no defined bag or possession limit for this valuable species.

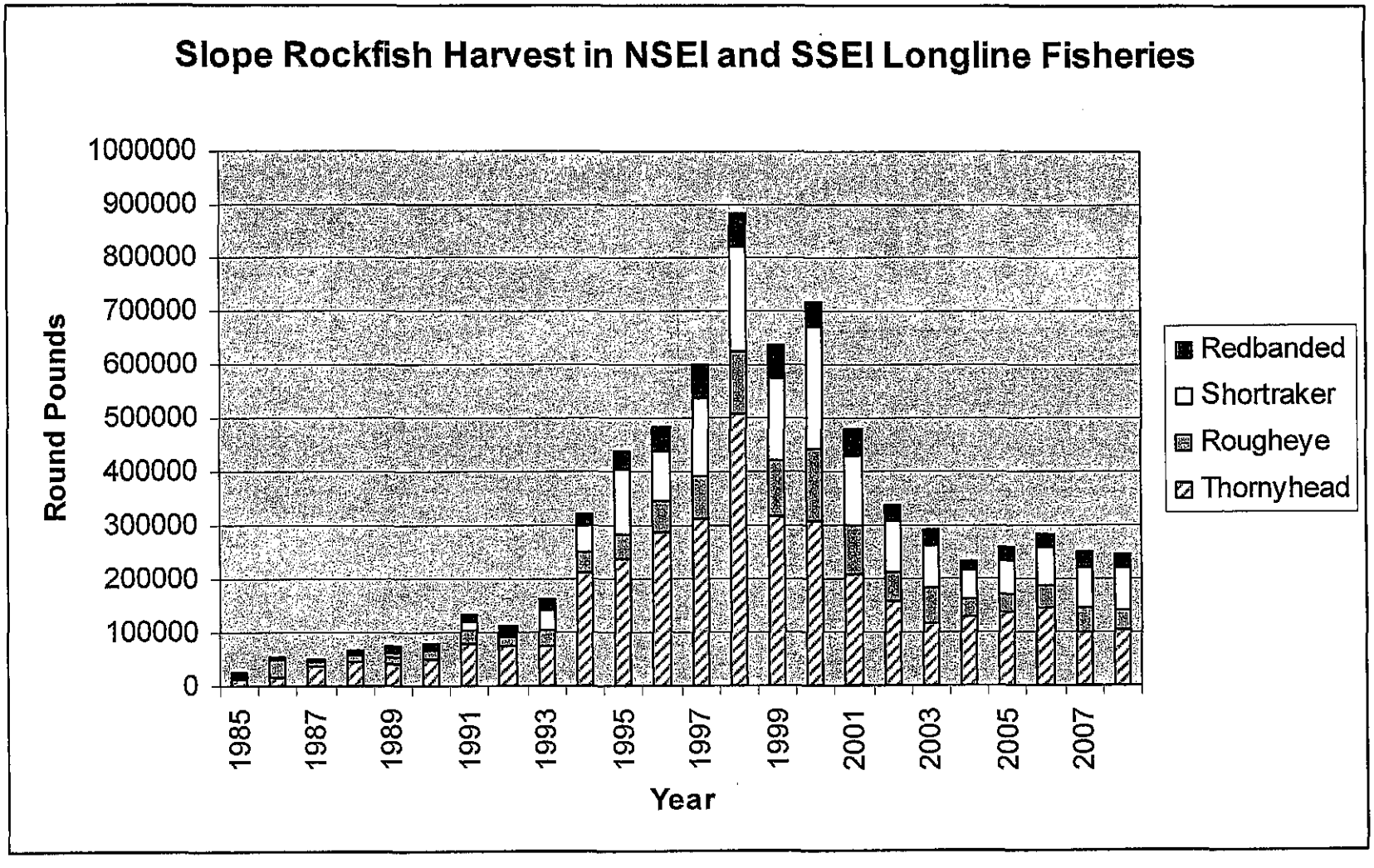


Figure 347-2.–Slope rockfish harvest in inside waters commercial longline fisheries, 1985–2008.

Substitute Language for Proposal 297 **RC#289**
Southeast Alaska

5 AAC 47.030 Methods, means, and general provisions - Finfish

:) Power assisted fishing reels may not be used unless:

(1) the power assisted fishing reel is mounted on a fishing rod by means of a reel seat, and;

(2)(option a)he power assisted fishing reel assembly, motor, gearbox, fishing line, attached power source and any other reel attachments are self contained and hand held during retrieval;

Or

(2)(option b) the power assisted fishing reel assembly, motor, gearbox, fishing line, attached power source and any other reel attachments are self contained and hand held during retrieval and capable of being hand cranked ;

Or

(2)(option c) the power assisted fishing reel assembly, motor, gearbox, fishing line, attached power cord and any other reel attachments weigh no more than 15 pounds total when detached from the fishing rod and hand held during retrieval.

Comment [aag1]: Choose only one of these options

(3) all fish taken while using a power assisted reel are retained unless retention of a species is prohibited;

(4) the person using a power assisted reel has not taken a bag limit of any species and is not in possession of a possession limit of any species;

(5) not more than one other power assisted reel is in operation on a vessel;

(6) For the purposes of this sub-section;

(A) "power assisted fishing reel" means a reel used to deploy and retrieve a sport fishing line that is operated or assisted by any electric, hydraulic or other mechanical power source other than by hand cranking a handle attached to the reel;

(B) "fishing rod" means a tapered, flexible rod typically used for sport fishing, equipped with a hand grip and a line guide system that guides the line from the reel to the tip of the rod, upon which is mounted a fishing reel to deploy and retrieve the sport fishing line;

(C) "reel seat" means an attachment mechanism that holds the fishing reel to the rod using locking threaded rings, sliding bands or other attachment devices and is designed to allow the reel to be readily detached from the fishing rod.

(D) "hand held" means capable of movement by the person operating the reel and not attached to any part of the vessel.

RC290

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite, Sitka, Alaska 99835 - Tel. No. 907-747-7996 . Fax No. 907-747-7998

Board of Fisheries
February 25, 2008

Dear Chairman Jensen and Board of Fish Members:

Re: Proposal 203 and Response to RC 278

I oppose Proposal 203 as written; the amended version contained in RC 278 is more palatable but remains indefensible based on current biological information and data from ADF&G, NMFS, and University of Alaska, RC 14 & RC 20.

Raising the threshold to 25,000 tons would have affected 3 harvest years in the past 29 years – 1984, 1991, and 1992; years when there was not a defined subsistence harvest deficit. The 25,000 ton threshold is not based on any stock or biological need and would not have any consequence in the near term unless the stock crashes by 60% to 70% of current levels.

Prior to the Board of Fish designating a salmon stock a "stock of concern" it is common for the department to develop a biological escapement index (BEG). This requires a long time series of escapement data to develop a spawner-recruit model or some other similar model to establish a biological basis for what constitutes a risk to the stock. Furthermore this is critical information to the Board for taking or not taking an action. The Sitka Sound herring stock status should be reviewed with similar criteria, especially considering the same types of biological information, modeling, and stock assessment are available.

ADF&G Subsistence Division presented conflicting survey and permit data regarding harvest, household use, and participation. The division admitted the variability was difficult or more realistically impossible to tease out. The uncertainty for meeting subsistence thresholds in some years but not others might be due to weather conditions, vicissitudes of the spawning stock, or unknowns we cannot determine. Important to this discussion is raising the threshold to 25,000 tons will not change the forgoing uncertainty.

If this Proposal 203 is adopted as amended by RC 278 I request that the intent and reasoning of the Board of Fish is included in findings so future Boards of Fish have a clear record of the rationale for raising the threshold to 25,000 tons.

Sincerely,

Steve Reifenstuhl

RC291

To: Alaska Board of Fisheries and other Interested Parties

From: Tad Fujioka

Date: Feb 26 2009

Re: Southeast Finfish Proposal 353- Permit release of Non-Pelagic Rockfish except for Yelloweye

I am the author of Proposal 353. It has recently come to my attention that should my proposal pass as originally stated, some anglers might high-grade their non-pelagic rockfish in an attempt to ensure that they did not reach their bag limit before catching a highly desirable yelloweye. It was not my intent to increase the sport take of yelloweye. I intended only to allow for the release of fish that the angler didn't actually want to keep.

Additionally, I have been informed since writing the proposal, that the bladder-like organ that protrudes from the mouths of some rockfish upon retrieval from depth is not the air bladder, but rather the stomach.

Hence, I request that the language of my proposal be modified as follows:

> "All [YELLOWEYE] **non-pelagic** rockfish caught must be retained until the bag limit has been reached[. OTHER ROCKFISH]**, except that non-pelagic rockfish that are both:**
> **a) less than 10" in length AND**
> **b) species other than yelloweye**
> may be released provided that the [ANGLER DOES] **fish is** not subject [THEM] to infection risk [BY PUNCTURING THE SWIM BLADDER] **from puncture of the swim bladder or stomach**. A rockfish that does not submerge upon release shall be counted towards the angler's bag limit."

few inches

By narrowing the scope of non-pelagic rockfish that potentially might be released I have attempted to address some of the department's concern about their inability to know how such a proposal might change angler behavior. While still unknown, a lesser degree of change from the present regulations should result in a lesser degree of change in angler behavior.

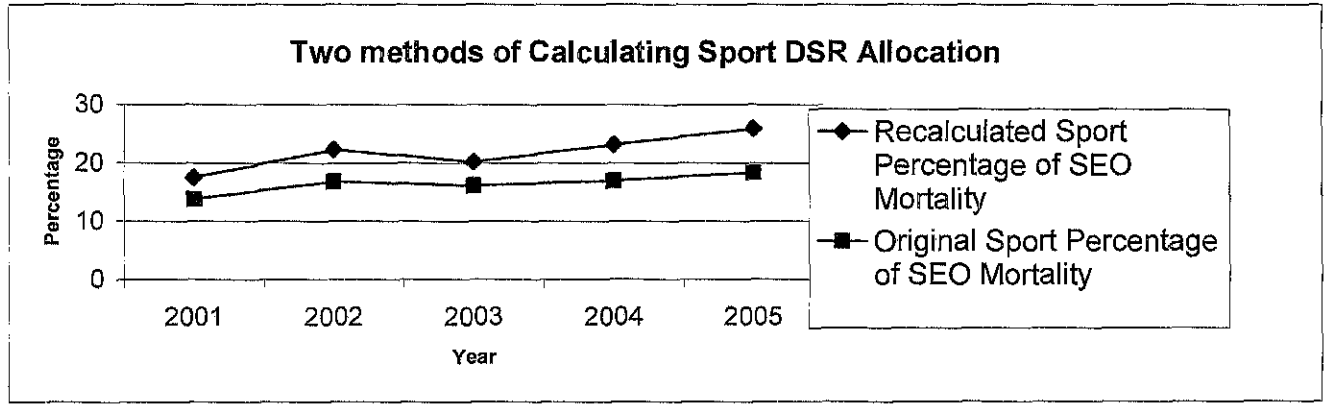
Thank you for your consideration.

Tad Fujioka

Proposal 341 New Information by SEAGO 2/26/09

RC292

The DSR allocation was set in 2006, using extremely high discard mortality estimates of DSR for the commercial halibut fishery. These high discard numbers inflated the commercial DSR allocation to 84% of the resource. In 2006, ADF&G changed the estimate of commercial discard wastage of DSR to 10 percent of DSR landed in the halibut fishery. Applying this new wastage estimate to the 2001 to 2005 allocation years and using the same allocation formula, the recalculated allocation of DSR comes to **78 percent commercial and 22 percent sport**. This new method is more accurate and should have been used for the original allocation.



Total allowable catch and mortality of DSR in SEO

Year	TAC	Directed Fishery (MT)	Halibut Fishery (MT)	Halibut Discard Mortality (MT)	**Original Sport Percentage of SEO Mortality**	**Recalculated Halibut Discard Mortality**	**Recalculated Sport Percentage of SEO Mortality**	Sport Mortality (MT)	Total SEO Mortality (MT)	Sport Percentage of TAC	Commercial Percentage of TAC
2001	330	172	147	**122**	**14**	**15**	**17.5**	71	512	21.5	133.6
2002	350	136	153	**140**	**17**	**15**	**22.3**	87	516	24.9	122.6
2003	360	102	174	**107**	**16**	**17**	**20.2**	74	457	20.6	106.4
2004	450	173	155	**179**	**17**	**16**	**23.2**	104	611	23.1	112.7
2005	410	42	195	**162**	**18**	**20**	**25.9**	90	489	22.0	97.3
2006	410	0	205	***21***		***21***		77	303	18.8	55.1
2007	410	0	198	***20***		***20***		60	278	14.6	53.2
2008	382	42	148	***15***		***15***		70	275	18.3	53.7
					Ave: 16%		**Ave: 22%**				

Data from table 34I-1 of staff comments

O'Connell RC 293

Regarding 137 and 296

At a 12 fish annual limit for sablefish and a 7.7 lb average (from commercial data) 10% of anglers could take 1 million pounds of sablefish. The 2008 quota was 1.5 million and is headed downward with no recruitment and the Department is applying a lower harvest rate in 2009 to set the quota.

One lodge, with 16 clients, could take 2,560 individual fish – this alone is more than the 2,000 fish estimate commercial fishery has used in their stock assessment.

Sablefish can live to be 97 years old – contrast with the 1 fish annual limit species of dogfish (70) and lingcod (25).

Logbooks are self reported and there is no creel sampling of remote lodges, there is an incentive now for lodges to report 12 per client given that their catch numbers will be reported to the BOF at the next cycle.

Without prohibition of electric reels the BOF has given the charter industry the means, methods, and incentives to take unprecedented amounts of this species and preempt the traditional, 100 year old, fishery.

RC 294

PROPOSAL 325 Management of coho salmon troll fishery.

Extend closing date for coho salmon troll fishery to September 30
Supporting information

1)Table 325-1 ADFG staff comments-proposal 325.This table shows the percentages of coho between commercial gear groups.Gillnet and troll close to their BOF allocation.Seine below,it should be noted that coho are caught mostly when fishing for pink salmon.

The seine reprsentative at this meeting didn't comment during committee G process.

2)Table 1 Southeast Alaska coho salmon escapement estimates and index counts 1980 to2007
Most index counts well within goal range,even in years season was extended.

3)Table- Harvest of coho salmon by the tradional SE troll fishery before and during troll season extension.
While the average catch is small 0.8% of total catch (extension) with average of 12,438(extension)The value to the fisherman who fishes late is quite valueable,with coho worth$ 20.00 to$ 40.00 a piece commonly the last few seasons.It should also be noted that a high percentage of hatchery produced coho are available in some areas.Catching more enhanced coho would move trolling toward their enhanced allocation percentages,which are out of range.

John Murray Sitka Ak.

RC 294

Table 325-1.–Catch and percent of commercial coho salmon harvest by gear type.

	Commercial Troll		Purse Seine		Drift Gillnet		Set Gillnet		Total	
Year	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1989	1,415,512	65%	331,684	15%	252,516	12%	176,816	8%	2,181,092	100%
1990	1,832,604	67%	377,844	14%	372,645	14%	148,891	5%	2,738,632	100%
1991	1,719,060	59%	408,872	14%	595,719	21%	166,731	6%	2,898,846	100%
1992	1,929,899	56%	499,792	15%	696,767	20%	290,149	8%	3,424,623	100%
1993	2,395,711	67%	464,524	13%	431,543	13%	237,446	7%	3,556,219	100%
1994	3,466,782	63%	954,415	18%	735,465	13%	343,903	6%	5,525,285	100%
1995	1,750,221	56%	595,039	20%	446,730	15%	295,030	9%	3,129,584	100%
1996	1,906,740	64%	440,235	15%	398,103	14%	227,802	8%	2,986,172	100%
1997	1,170,460	64%	184,729	10%	149,835	9%	322,776	18%	1,838,904	100%
1998	1,636,707	59%−2	460,885	17%	436,352	16%+3	197,669	7%	2,750,969	100%
1999	2,272,619	69%+8	403,597	13%	391,480	12%−1	187,186	6%	3,276,855	100%
2000	1,124,854	67%+6	206,601	12%	176,726	11%−2	170,948	10%	1,688,378	100%
2001	1,843,997	63%+2	549,730	19%	335,301	11%−2	205,344	7%	2,934,372	100%
2002	1,310,060	55%−6	423,903	18%	453,622	19%+6	200,888	8%	2,388,473	100%
2003	1,220,782	58%−3	384,425	18%	430,902	20%+7	74,343	4%	2,110,452	100%
2004	1,915,007	68%+7	386,663	14%	316,589	11%−2	196,930	7%	2,815,188	100%
2005	2,036,104	75%+14	339,661	12%	281,418	10%−3	82,887	3%	2,708,296	100%
2006	1,361,267	75%+14	103,447	6%	272,112	15%+2	86,085	5%	1,820,657	100%
2007	1,376,753	72%+9	265,356	14%	197,079	10%−3	76,523	4%	1,915,711	100%
2008	1,233,162	64%+3	203,594	10%	352,200	18%+5	150,475	8%	1,939,431	100%
1989–2008 Average		64.3%		14.4%		14.2%		7.2%		100%
BOF Allocations		61%		19%		13%		7.0%		100%
Percent 1989–2008 Relative Deviation										

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Table 1.–Southeast Alaska coho salmon escapement estimates and index counts from 1980 to 2007.

Year	Auke Creek	Montana Creek	Peterson Creek	Berners River	Chilkat River	Taku River	Ford Arm Lake	Black River	Sitka Survey Index[a]	Hugh Smith Lake	Ketchikan Survey Index[b]	Chuck Creek
1980	698											
1981	646	227	219									
1982	447	545	320	7,505			2,662		1,545	2,144		1,017
1983	694	636	219	9,840			1,938		457	1,490		1,238
1984	651	581	189	2,825				425	2,063	1,408		
1985	942	810	276	6,169			2,324	1,628	1,246	903		956
1986	454	60	363	1,752			1,546	312	702	1,783		
1987	668	314	204	3,260	37,432	55,457	1,694	262	293	1,118	4,933	
1988	756	164	542	2,724	29,495	39,450	3,028	280	403	513	5,007	
1989	502	566	242	7,509	48,833	56,808	2,177	181	576	433	6,761	
1990	697	1,711	324	11,050	79,807	72,196	2,190	842	566	870	3,533	
1991	808	1,415	410	11,530	84,517	127,484	2,761	690	1,510	1,826	5,721	
1992	1,020	2,512	403	15,300	77,588	84,853	3,847	866	1,899	1,426	7,017	
1993	859	1,352	112	15,670	58,217	109,457	4,202	764	1,716	830	7,270	
1994	1,437	1,829	318	15,920	194,425	96,343	3,228	758	1,965	1,753	8,690	
1995	460	600	277	4,945	56,737	55,710	2,445	1,265	1,487	1,781	8,627	
1996	515	798	263	6,050	37,331	44,635	2,500	385	1,451	950	8,831	
1997	609	1,018	186	10,050	43,519	32,345	4,965	686	809	732	5,063	
1998	862	1,160	102	6,802	50,758	61,382	7,049	1,520	1,242	983	7,070	
1999	845	1,000	272	9,920	57,140	60,844	3,598	1,590	776	1,246	8,038	
2000	683	961	202	10,650	88,620	64,700	2,287	880	803	600	8,634	
2001	865	1,119	106	19,290	108,698	104,460	2,178	1,080	1,515	1,580	11,475	1,350
2002	1,176	2,448	195	27,700	205,429	219,360	7,109	1,194	1,868	3,291	12,223	2,189
2003	585	808	203	10,110	134,340	183,038	6,789	1,055	1,101	1,510	11,859	614
2004	416	364	284	14,450	67,465	132,405	3,539	380	1,124	840	9,904	606
2005	450	351	139	5,220	38,589	91,830	4,257	160	1,668	1,732	14,840	646
2006	582	1,110	439	5,470	80,683	140,028	4,737	1,100	2,647	891	6,912	409
2007	352	324	226	3,915	25,493	49,632	2,567	745	1,066	1,244	4,488	425
Goal Range												
Lower	200	400	100	4,000	30,000	35,000[c]	1,300		400	500	4,250	
Upper	500	1,200	250	9,200	70,000		2,900		800	1,600	8,500	

[a] The Sitka survey index is the sum of peak survey counts on five streams.

[b] The Ketchikan survey index is the sum of peak survey counts on 14 streams.

[c] For the Taku River stock of coho salmon, the management objective of the U.S. is to insure a minimum above-border run of 38,000 fish as specified in the Pacific Salmon Treaty. The listed figure of 35,000 fish, shown for comparison with spawning escapement estimates, reflects a probable Canadian catch above the border of up to 3,000 fish in non-coho directed fisheries when the total above-border run is 38,000 fish.

RC 294

Table . Harvest of coho salmon by the traditional Southeast Alaska troll fishery before and during troll season extensions, 1994-2008.

	Catch Before Extension	Number of Fish											Total Season Catch	% Caught During Extension
		21-Sep	22-Sep	23-Sep	24-Sep	25-Sep	26-Sep	27-Sep	28-Sep	29-Sep	30-Sep	Extension Total		
1994	3,458,365	1,219	1,147	1,595	260	229	394	317	154	454	1,709	7,478	3,465,843	0.2%
1995	1,735,178	872	1,927	1,879	321	1,618	679	175	1,578	579	1,620	11,248	1,746,426	0.6%
1996	1,905,055	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,905,055	Closed
1997	1,169,498	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,169,498	Closed
1998	1,630,534	385	1,045	945	760	380	349	112	695	33	213	4,917	1,635,451	0.3%
1999	2,235,563	2,088	787	1,276	4,292	3,978	5,885	2,750	1,796	965	1,019	24,836	2,260,399	1.1%
2000	1,123,986	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,123,986	Closed
2001	1,833,111	Closed	Closed	Closed	Closed	824	4,429	1,431	872	164	106	7,826	1,840,937	0.4%
2002	1,285,381	3,000	4,081	5,749	4,237	2,964	948	1,117	746	248	178	23,268	1,308,649	1.8%
2003	1,198,807	4,954	3,650	880	269	1,315	3,342	2,364	1,583	396	51	18,804	1,217,611	1.5%
2004	1,903,330	318	1,111	346	957	2,320	175	1,042	444	241	145	7,099	1,910,429	0.4%
2005	2,026,344	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	2,026,344	Closed
2006	1,349,805	1,662	1,169	1,110	915	738	436	185	149	65	36	6,465	1,356,270	0.5%
2007	1,367,462	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,367,462	Closed
2008	1,270,902	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,270,902	Closed
Average for years with an Extension	1,847,786	1,812	1,865	1,723	1,501	1,596	1,849	1,055	891	349	564	12,438	1,860,224	0.8%
Average for years without an Extension	1,477,208	0	0	0	0	0	0	0	0	0	0	0	1,477,208	0.0%

2/20/09

Behnken, ALFA
Proposal number 137/296

RC295

The Board needs to remember that the data from the guided sport fishery are entirely self –reported, with little oversight and no unannounced access to remote lodges.

While I was on the North Pacific Fishery Management Council, the department opposed use of logbook data as the basis for allocation or management decisions. The Department claimed the self-reported, unverified logbooks created an opportunity—and incentive--to misreport. The Boards action to allow a 12 sablefish annual limit, with notice to the charter industry that the self-reported logbooks will be used as the basis for future allocation and management decisions, provides the incentive to target sablefish and to over-report catch. If 10% of the anglers visiting SE take (or report taking) the 12 sablefish annual limit, they will take 1 million pounds and could displace the historic, highly valuable directed longline sablefish fishery. Since the board took no action on electric reels, the Board has also provided effective means for development of a new commercial fishery (sablefish guided sport) and unprecedented levels of harvest.

The Board also should consider the potential impact of the 12 sablefish annual limit on the federal sablefish fishery, since any sablefish taken on the outside coast inside 3 miles will count against the federal TAC and create management preemption issues.

Farvour / Proposal 137/296 **RC 296**

The information below provides the Board with relevant documentation regarding proposals 137/ 296. The parallels between sablefish and halibut in resource management are reflecred in the statements below from the two federal documents. The first is a section of an **RIR/IRFA** from the North Pacific Fisheries Management Council regarding halibut. The second is a study done by the USDA in SE Alaska.

Rresident sport fish effort in South East AK has been relatively stable through the years, although residents efficiency has decreased as they have to spending more time trying to harvest fish. Conversely, the non-resident sport effort has increased.

Secretarial Review Draft - Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis for a regulatory amendment to implement management measures under a guideline harvest level and/or moratorium for Pacific halibut in Areas 2C and 3A February 14, 2001

1. Pressure by charter operations, lodges and outfitters may be contributing to localized depletion in several areas.

2. The recent growth of charter operations, lodges and outfitters may be contributing to overcrowding of productive grounds and declining harvests for historic sport and subsistence fishermen in some areas.

3. As there is currently no limit on the annual harvest of halibut by charter operations, lodges, and outfitters, an open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of this open-ended reallocation may be substantial and could be magnified by the IFQ program.

4. In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators, lodges, and outfitters. The uncertainty associated with the present situation and the conflicts that are occurring between the various user groups may also be affecting community stability.

Tourism and Its Effects on Southeast Alaska Communities and Resources: Case Studies From Haines, Craig, and Hoonah, Alaska

United States Department of Agriculture, Forest Service, Pacific Northwest Research Station Research Paper PNW-RP-566 July 2005

Resource Effects

The overall increase in visitor volume to southeast Alaska has resulted in a subst

JEFF FARVOUR

quent escalation in the frequency and intensity of use of natural areas with special scenic qualities or wildlife viewing opportunities. Tourism providers have expanded into new sites to provide visitors with a unique Alaska experience. Tour operators rely on new transportation options to allow access to previously remote areas. These trends affect the way southeast Alaskans interact with these same resources. Several themes emerged in the analysis of resource effects.

1. The emphasis on consumptive tourism (hunting and fishing) caused many residents of the study communities to worry about the long-term resource sustainability. The rapid growth in charter fishing activity was viewed as a threat to those relying on fish for their livelihood or personal consumption. According to local fishermen, the increase in charter activity has caused them to shift their harvest patterns of salmon and halibut. These shifts evoked local conversations about entitlement to Alaska's resources and the desire for local protections.

2. The expansion of tourist activity into more remote areas meant that Alaskans using these areas for subsistence harvest had to share these spaces with visitors. Although tourism had not impeded access to subsistence resources to a great extent, some active subsistence users wondered about the quality and integrity of these resources, given cruise ship pollution. Because subsistence is considered both an economic activity and a cultural practice, changes in subsistence patterns will provoke discussion.

3. Tourism resulted in shifted patterns of local recreation use. Residents frequently reported that they had curbed their use of some high-volume areas and shifted to less desirable sites to escape tourists. Those who continued to use these high-volume areas reported a diminished experience. In some cases, the development of tourism facilities in remote areas resulted in the perceived loss of natural spaces and the encroachment of civilization into the natural realm.

RC 297

DRAFT
ALASKA BOARD OF FISHERIES
CHARGE STATEMENT FOR
TASK FORCE ON POSSESSION LIMITS FOR SOUTHEAST ALASKA

At the 2006 Board of Fish Southeast Finfish meeting in Ketchikan, a task force was to be developed to discuss a proposal that had been submitted regarding changes to the possession limits. The task force group was never developed and no work was done on the issue. Members of the public during the committee process have asked again for the development of a task force to discuss the issues raised at the Southeast finfish meeting on possession limits and other related issues.

Purpose: The objective of the SE Possession Limit Task Force is to evaluate, research and develop a comprehensive possession law for Southeast Alaska. Issues the committee can consider are the definition of "possession limit"; preserved vs unpreserved product; possible changes to the daily and possession limit for individual species if changes to the possession limit definition is adopted by the task force; labeling of sport fish, transfer of possession and access to the sport fishermen's catch at all times to enforcement and creel census samplers at all times until arriving at their residence or leaving the state.

Membership: The SE Possession Limit Task Force will consist of two Board of Fish members; 5 charter representatives consisting of 1 (a) single boat charter operator (no lodging); 1 lodge operator; 1 multi-day charter operator; 1 assisted-unguided lodge operator, and 1 charter at large; 1 processor of sport caught fish; 2 resident sport fishermen, 2 subsistence users and 2 commercial representatives.

Task force members will attend meetings at their own expense. The Department of Fish and Game will assist the group by providing a meeting space or teleconference capabilities and any requested information about the fisheries or effects of proposed regulations.

The task force recommendations will be presented to the Board of Fisheries at the Statewide meeting in March 2010.

RC 298

Blackcod Bag Limit Effects for NSI

Curry, PVOA 2/26/09

2008 Northern SE Inside TAC =	**1,508,000**
2008 Permit Holders =	96
2008 Pounds per permit =	**15,708**
SE Total anglers 2008 =	**133,560**
10% of 2008 anglers =	13,356
5% of 2008 anglers =	6,678
1% of 2008 anglers =	1,336
Average poundage approximate =	7.8

Effects of 12 fish annual limit:	**lbs**	**NSI permits equivalent**
10% of 2008 anglers =	1,250,122	80
5% of 2008 anglers =	625,061	40
1% of 2008 anglers =	125,012	8

Effects of 10 fish annual limit:	**lbs**	**NSI permits equivalent**
10% of 2008 anglers =	1,041,768	66
5% of 2008 anglers =	520,884	33
1% of 2008 anglers =	104,177	7

Effects of 8 fish annual limit:	**lbs**	**NSI permits equivalent**
10% of 2008 anglers =	833,414	53
5% of 2008 anglers =	416,707	27
1% of 2008 anglers =	83,341	5

Effects of 6 fish annual limit:	**lbs**	**NSI permits equivalent**
10% of 2008 anglers =	625,061	40
5% of 2008 anglers =	312,530	20
1% of 2008 anglers =	62,506	4

RC 299

Miscellaneous Business
Alaska Board of Fisheries
Feb. 17-26, 2009
Southeast Finfish - Sitka

Petition from Susitna Valley AC (RC 300, RC 301)

Petition from Walter Johnson (Misc. Tab, and RC 287)

Potential working group on possession/annual limits in sport fishery (RC 297)

LAMP requests
- Yakutat area LAMP (RC 259)
- Hoonah area LAMP (RC 155)

Adjourn

RC 300

ALASKA DEPARTMENT OF FISH AND GAME
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526

Subject: Emergency Petition
Chairman Morris,

We are filing an Emergency Petition to list Alexander Creek King Salmon stocks as a Stock of Concern and correct actions taken that are hindering the reestablishment of the Alexander Creek King salmon. The Alexander Creek king salmon stocks have missed their escapement SEG (2100-6000) five out of seven years. The 2009 forecast is for less than 500 returning this year. The aerial survives are conducted by department staff from the Palmer Office. During the last Board of Fisheries hearing for Cook Inlet, action was taken to close Alexander Creek to sports fishing due to poor returns over the last seven year that averaged just over 64% of the SEG. During the same meeting the Board approved additional fishing periods in May for Northern District commercial fishing which may be detrimental to these stocks. The lack of genetics data prevents the department from determining Alexander Creek king stocks from other king salmon stocks.

During the last Board of Fisheries hearings the action by the Board closed Alexander Creek to sports fishing, but extended the commercial fishing periods for the Northern District Set Netters from three openings to five openings for '08. Two full periods were added to the '08 season, and 1 opening in '09 and 2010. This was a scheduled 66% increase for '08, and a 33% increase for '09 and '10. This clearly conflicts with the requirement to share the burden of conservation contained in the Sustainable Salmon Management Policy.

The Board did not declare a Stock of Concern status to the Alexander Creek king salmon as required by the Sustainable Salmon Management Policy. ***See 5 AAC 39.222. Policy for the management of sustainable salmon fisheries.*** This would have required an Action Plan from the department to the board.

Due to the critical state of Chinook stocks in Alexander Creek, the fact that all retention of kings while sport fishing has been ended, and the severe degredation of habitat due to illegally introduced pike, we request that the Board of Fish waste no time in considering this petition, and that the ADF&G submit an action plan to rebuild Alexander Creek Chinook stocks.

Sincerely,
Steve Runyan
Chair

Susitna Valley Fish and Game Advisory Committee
PO BOX 1223
Willow, Alaska 99688

RC 301

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF FISH AND GAME

DIVISION OF COMMERCIAL FISHERIES
DIVISION OF SPORT FISH

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 267-2105 (CF)
(907) 267-2218 (SF)

Memorandum

TO: John Jensen, Chair
Alaska Board of Fisheries

DATE: February 25, 2009

THROUGH: John Hilsinger, Director
Division of Commercial Fisheries

PHONE: 267-2324

Charlie Swanton, Director
Division of Sport Fish

PHONE: 465-6184

FROM: Jeff Regnart, Region II Regional Supervisor
Division of Commercial Fisheries

SUBJECT: Susitna Valley F&G Advisory Committee petition to declare Alexander Creek king salmon a stock of concern.

James Hasbrouck, Region II Regional Supervisor
Division of Sport Fish

Action Requested

The petitioner requests that the Alaska Board of Fisheries (board) declare the Alexander Creek king salmon stock a stock of concern. The stated intent of the petition is to require the department to develop an Action Plan as required by 5 AAC 39.222., Policy for the Management of Sustainable Salmon Fisheries. The proponents argue that during the February 2008 Upper Cook Inlet Board of Fisheries meeting, actions taken by the board conflicted with the requirement to share the burden of conservation contained in the Policy for the Management of Sustainable Salmon Fisheries.

Background

The Policy for the Management of Sustainable Salmon Fisheries directs the department to provide the board, at regular meetings, with reports on the status of salmon stocks to identify any salmon stocks that present a concern related to yield, management, or conservation. For example, a "yield concern" means a concern arising from a chronic inability, despite the use of specific

management measures, to maintain expected yields, or harvestable surpluses, above a stock's escapement needs. The policy defines "chronic inability" as "the continuing or anticipated inability to meet escapement thresholds over a four to five year period, which is approximately the generation time for most salmon species" (5 AAC 39.222 (f)(5)). At the October 2007 board worksession, Alexander Creek king salmon was not identified as a stock of concern. Escapements of king salmon in Alexander Creek were within the sustainable escapement goal (SEG) in 2004 and 2005, and below the SEG in 2006, 2007, and 2008.

Discussion

To grant the petition as requested, the board must make a finding of emergency under the criteria listed in **5 AAC 96.625**. In subsection **(f)**, an emergency is described as an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

Findings of Emergency

It is ADF&G's conclusion that the criteria of an emergency under **5 AAC 96.625 (f)** has not been satisfied. The low escapement of Alexander Creek king salmon in 2008 was not unexpected. ADF&G is continuing to gather information to better understand factors that affect the run strength variability of this stock and other northern bound Cook Inlet king salmon stocks.