Bristol Bay Finfish Proposals, 2009

Comments by Shannon Ford, Bristol Bay permit holder

PROPOSAL 13 - 5 AAC 75.xxx. New Section. Establish a fish refuge in Bristol Bay

I am wholly in favor of establishing a fish refuge in order to protect, promote, and prioritize the unique natural resources currently existing in the Bristol Bay watershed.

In a world with a shortage of renewable, untainted food sources, it would seem to be a foregone conclusion that Bristol Bay's last remaining sizable sockeye salmon run should be guarded from any potential disruption. This amazing nutritional powerhouse continues to support a lucrative commercial fishery, world-class sport fishing opportunities, and traditional subsistence uses. With continued responsible management, the salmon runs should continue in perpetuity.

Alaska's wild salmon are renowned for many characteristics - size, taste, plentitude, and the many health benefits (more of which are being discovered all the time). However, one of the most unique public perceptions comes from the pristine environment in which they are harvested. The remote locations, icy water, and mainly untouched wilderness all contribute not only to the actual quality of the salmon, but also to the mystique and marketability of these remarkable fish. Simply allowing the operation of proposed mining activities in this area would shatter public perceptions of our state, fishery, and the quality of our product. Even if there were no catastrophic spills, accidents, or other residual damage, the mere existence of the mine would effect our fishery forever.

I look forward to discussing this further during the public testimony section of the Board of Fisheries meetings in December.

PROPOSAL 14 - 5 AAC 06.335. Minimum distance between units of gear. Require removal of all setnet gear during drift gillnet openings

This proposal has clearly been submitted in an attempt to shut down the setnet fishery altogether. Not being satisfied with the testimony and conclusions reached during the last cycle, the author is anxious to see setnetters officially charged as criminals.

I can only assume that this person has never attempted to operate a setnet fishery. His assumption is that gear (i.e., anchors, running lines, buoys, etc), being successfully deployed at the beginning and end of each season, therefore should be easy to deal with at any time. This man's observations should be made with a little more care. He would then mark that setnetters have limited opportunities at the lowest, long run out tides to set their anchors and add buoys and ropes which will then be used to hold running lines and nets. By definition, we are SET nets, the foundation of which occurs on the sea floor itself. This cannot be accessed except at certain tides each month. Even when the outer anchors and floats are in place, fixing the running line in place is a

tricky business, requiring wading it out in the mud (again, must be done when the tide goes out far enough), or setting the line from a skiff at exactly the point of tide turn (slack high water).

What really is in question here seems to be (at least in part) which areas are open to specific gear groups. Setnetters are not seeking to sink screw anchors into the middle of the channel. This really would be interfering in the fishing area of drifters. However, setnet gear properly belongs in the area of setnet fishery - perpendicular to the shoreline. Drift boats are not intended to be deploying their gear along the beach fishery, so having anchors, buoys, and lines remain in place during the season should in no way impinge on their fishing activities.

PROPOSAL 31 - 5 AAC 06.356. General District Salmon Management Plan. Allow fishing in General District

I am opposed to allowing fishing in the General District. This interferes with the returning movement of salmon bound for already-established fisheries in Bristol Bay.

Actions changing the point of harvest have contributed to the altered returns in other districts. The Naknek / Kvichak runs have undergone significant decreases and other changes following the extension outwards of the Egegik boundary lines. Since the ADF&G and other regulatory bodies can neither manage nor guarantee an equal harvest in the General District of salmon bound for the established districts, this area should not be opened to fishing.

Processors are already having difficulty supporting existing fisheries. More remote districts with less infrastructure have suffered due to lack of buyers and support services. The fire at the Trident facility a few years ago stopped productivity altogether in an isolated area, leaving the fishermen with no alternate outlet for their fish. Locations with more established canneries and floating processors are still having difficulty handling any significant amount of salmon, let alone a larger-than-usual run. By opening yet another area, processors are going to be stretched even thinner, resulting in decreased priority for the regular fisheries, inferior product production, and additional confusion in operational management.

PROPOSAL 32 – 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan. Allow 35 fathom set gillnet in NRSHA

I am in favor of proposals that increase access to the NRSHA. The set net fishery is particularly suited to this location, resulting in an efficient harvest of top quality fish with minimum impact and strain on resources. I would ask the Board to consider allowing the NRSHA to be used to the full benefit of the local villages and other set net fishers. The continued over-escapement of salmon is not a sustainable part of the management plan, and the resource should be allowed to be harvested fully according to the

Public Comment # 104

ADF&G's analysis of required numbers to ensure sustainable returns.

PROPOSAL 33 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan. Require removal of all setnet gear during drift gillnet periods in NRSHA

See comments above re: deploying and removal of setnet gear. While the NRSHA does present a shorter area of gear deployment (i.e., the tide does not have to go out as far as in the Bay in order to reach the sea floor), many of the same issues apply. Furthermore, setnetters would be forced to be attempting to remove or set gear during off-periods, interfering with needed activities scheduled for those times. Setnetters do not fish with their shelter, food, and rest areas at the ready (as do drifters). Although we expect periods of exposure to the elements, lack of rest, prepared meals, etc., the low tides are one time that we might reasonably expect to protect our health and safety by seeing to camp issues and the well-being of our crews. Setnet fisheries are in no way designed nor intended to be a mobile unit (as is a drift boat). The gear is set at the beginning of the season, then attended to and worked during fishing periods as dictated by the ADF&G and the tide heights.

PROPOSAL 34 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan. Change NRSHA allocation to 84% drift and 16% set gillnet

I take exception to the implication within this proposal (and others) that setnet fish are somehow inferior because "driftnet fishers are more able to chill at the point of harvest."

Setnet fish, particularly those caught in the NRSHA, are usually considered to be a high quality, premium product. Particularly during the peak of the run, the nets are cleaned and the fish delivered often, sometimes still kicking. By not retaining the fish any longer than is necessary, setnetters deliver immediately, eliminating any practical need for chilling after removing the salmon from the naturally cold water.

I feel that this increased quality and efficient use of natural resources is a powerful argument for increasing setnet usage of the SHAs, and not limiting them to the gear group that is most suited to the location.

Public Comment # 104

Received Fax : Nov 16 2009 6:06PM Fax Station : HP LASERJET FAX P. 1

NOV-16-2009 07:37 PM 8428677672 760 723 0717 P.01

November 16, 2009

To: Alaska Board of Fisheries
Proposal #39
Fax # 907-267-2489

From:
Victor Popa
Terri Popa
Christopher Popa
Nicholas Popa

To Whom It May Concern,

We are Bristol Bay Fishermen a family of four involved with this industry since 1978. We are drifters and set netters. Fishing the same waters continuously since the year 1978. **We OPPOSE proposition #39.** The set netters own under the lease program the site where they fish which was established from the State of Alaska, which ruled to charge us a fee to have these sites, which we have paid for years and now to accommodate others we have to give up what we pay for. The lease payment is good yearly from the first of January to December 31st.

This is the reason we fishermen purchase set net sites and drift permits knowing what to expect on both ends when you buy the licenses and the boundaries to fish. Please don't accommodate others at our cost.

The drift fleet does not own or lease our sites and we believe that under the lease law we cannot be pushed or forced nor impose to remove the gear. Drifters have the whole bay to fish unlike the set netters which we can only move up to 1000' from the shore. Some of the set netters are coming in early May to catch the lowest tides in order to set their anchors for the season.

We OPPOSE Proposition#39 from start to finish!!!

Victor Popa
Terri Popa
Christopher Popa
Nicholas Popa

Attn: Shannon
BOF BB
Public Comment

Public Comment # 105

Alaska Independent Fishermen's Marketing Association
P.O. Box 60131
Seattle, WA 98160
Phone/Fax (206) 542-3930

November 17, 2009

ATTN: BOF COMMENTS
ADF&G - Boards Support Section
PO Box 25526
Juneau, Alaska 99802-5526

Dear Board of Fisheries Members:

Re: Proposal 13—AIFMA Supports Establishing a Fish and Game Refuge in the Kvichak and Nushagak drainages

Proposal 13 asks the Board of Fisheries to use its authority under AS 16.05.251(a)(1), by which the Board can recommend that the legislature establish fish refuges in state waters, to pass a resolution recommending that the legislature add regulatory protections to ensure the continued health and viability of fish habitat in the Nushagak and Kvichak drainages. The Bristol Bay region needs permanent protection for its fish and game habitat. AIFMA supports legislative enactment of a state fish and game refuge to: (1) protect habitat, and (2) protect commercial, subsistence and recreational uses of fish and game. Typical refuge statutes allow others uses, such as being proposed by Pebble Limited Partnership, only if compatible with refuge purposes of protecting habitat and commercial, subsistence and recreational uses of fish and game. AIFMA views Proposal 13 as a step to a refuge, even though the Board's authority is limited to water.

- The Bristol Bay region produces more wild sockeye salmon than any other watershed in the world. It is a sustainable fishery supported by pristine waters located in riparian habitat, with virtually no development. Maintaining this habitat is critical to the continued health of the fishery.
- A large-scale, metallic-sulfide mining operation, as is being proposed for the region, would be extremely risky, most likely toxic to fish, and regardless of environment risks, is certain to increase conflicts over the harvest management of fish and game.
- We do not have confidence that the Department of Natural Resources (DNR) permitting process will protect Bristol Bay's habitat and fish. The 2005 Bristol Bay Area Plan (BBAP) developed by the DNR, stripped essential habitat protections from the region, putting our fishery at risk from mining development. For example, the former 1984 Area Plan sensibly designated all of Iliamna Lake as habitat, but the 2005 Area Plan stripped the habitat designation from the western half of the lake, into which a part of the Pebble claims would drain.

Area Plans, such as the BBAP, classify units of state land according to primary uses, and the classifications drive management. DNR's 2005 BBAP defines habitat as what is necessary to prevent a **permanent loss** of a fish, or wildlife population, or sustained yield of a species—in other words, only what is necessary to prevent **extinction**.

The 2005 BBAP makes mining and mineral exploration a designated use on all 12 million upland acres of the Bristol Bay drainages. On **9.4 million acres, mining and mineral exploration are the only designated use, and this means that habitat, subsistence and recreation are "prohibited uses"** anytime they are in irreconcilable conflict with mining or exploration.

The list of defects in DNR's Bristol Bay Area Plan is extensive. **The bottom line is that DNR has lost credibility to manage land in the Bristol Bay drainages.**

We ask that you support Proposal 13. Send a clear message to the Alaska Legislature to permanently protect the Kvichak and Nushagak drainages as a state fish and game refuge.

Regards,

David Harsila, President

1/6

Public Comment # 106

Alaska Independent Fishermen's
Marketing Association
Post Office Box 60131
Seattle, Washington 98160
Telephone/Fax (906) 542-3930
aifma1@seanet.com

November 17, 2009

ATTN: BOF COMMENTS
Alaska Department of Fish and Game
Boards Support Section
PO Box 25526
Juneau, Alaska 99802-5526

Dear Board of Fisheries Members:

The **Alaska Independent Fishermen's Marketing Association** (AIFMA) has reviewed the proposed regulatory changes related to the Bristol Bay area salmon fisheries. Following this cover letter are our comments and position that we would like for you to consider during the December 2009 meeting addressing these proposals.

We have addressed each proposal in the order they appear in the proposal packet. If our position changes prior to your deliberations on any proposal we will provide you with a written amendment to that proposal.

AIFMA represents permit holders who fish for salmon in Bristol Bay. Our mission is to protect the renewable salmon resource and promote economic sustainability for commercial salmon permit holders in Bristol Bay.

Thank you for the opportunity to provide comment on these proposals.

Sincerely,

David Harsila
President

REVIEW AND COMMENTS

ALASKA BOARD OF FISHERIES

2009 PROPOSED REGULATORY CHANGES

BRISTOL BAY AREA

SALMON FISHERIES

Submitted by:
AIFMA (Alaska Independent Fishermen's Marketing Association)
Post Office Box 60131
Seattle, Washington 98160

November 17, 2009

3/6

ALASKA BOARD OF FISHERIES
BRISTOL BAY SALMON PROPOSALS REVIEW

PROPOSALS 1-12: We are **NEUTRAL** on these proposals

PROPOSAL 13 - 5AAC 75.xxx. Bristol Bay Refuge: We **SUPPORT** Proposal 13. (See attached comment.)

PROPOSAL 14 - 5 AAC 06.224: We are **NEUTRAL** on this proposal.

PROPOSAL 15 - 5 AAC 06.341: We **OPPOSE** this proposal. Bristol Bay is burdened with overharvest capacity and overcapitalization resulting in economic stress. Introducing a new class of vessel in Bristol Bay will exacerbate these conditions and destabilize the fishery. We do not recognize a compelling reason to repeal the 32-foot vessel length limit.

The CFEC published the *Bristol Bay Salmon Drift Gillnet Fishery Optimum Number Report* in 2004 documenting the overcapacity issue in Bristol Bay and recommended an optimum number range of 800-1,200 permits. **Reducing capacity** was recommended to maintain an economically healthy fishery.

Removing the length limit would benefit few fishers, desiring larger-capacity boats or allow longer vessels, with unlimited tonnage from other areas, to enter the Bristol Bay fishery. The result would be increased capacity and capitalization in the fishery. Fishermen owning 32-foot vessels would be economically impacted by their vessels devalued in the marketplace.

Today's 32-foot vessels are more than adequate to harvest and refrigerate the harvestable volume of salmon at this time. Today's Bristol Bay gillnetter has a beam of 15 feet compared to just 11 feet 25 years ago. This has resulted in a nearly doubling of cubic capacity. These vessels are capable of refrigerating 20,000 pounds of salmon, traveling at high speed with accommodations for four people. These vessels operate safely in shallow waters and are considered the state of the art gillnetter in the industry.

Our current management plan includes small special harvest areas where larger vessels would be unsuitable. Short duration fishing openings have diminished the need for higher capacity vessels.

Quality

Harvesting salmon in Bristol Bay from longer, larger heavier vessels may result in a mixed bag, or perhaps, poorer quality than anticipated or hoped. Our fishery has been admonished for years for producing bruised and otherwise damaged fish due to excessive towing of the gillnet gear. Excessive towing results in too much strain and tension exerted on the salmon by the netting. Heavier, larger vessels would result in more tension and strain on gear and fish during normal fishing operations. Bruising and scale loss are associated with reduced values.

4/6

Public Comment # 106

Bristol Bay is a highly specialized and unique area in Alaska and should not be compared to other areas regarding this issue. All vessels currently fishing in Bristol Bay are capable of chilling salmon.

Safety
The safety record regarding vessels in Bristol Bay is good. The majority of accidents at sea can be attributed to collisions and grounding. These occurrences would be increased, if longer, larger vessels with greater tonnage were allowed in Bristol Bay. Larger vessels would be of deeper draft and encounter a higher incidence of grounding. Potential collisions involving larger vessels will result in far more vessel damage and personal injuries.

PROPOSALS 16 to 19 - 5 AAC 06.331: We are **NEUTRAL** on these proposals.

Proposal 20 - 5AAC 06.331: We **SUPPORT** this proposal. This proposal will allow the dual permit regulation to be more effective. The dual permit regulation has accomplished two goals and has been generally accepted in the Bristol Bay fishery. The goals are 1) continuing to keep local fishermen on the water, whose vessels are no longer fishable, and 2) continue to reduce harvest capacity.

PROPOSAL 21 - 5 AAC 06.333: We **OPPOSE** this proposal. This proposal is inconsistent with our goal of reducing harvest capacity in Bristol Bay.

PROPOSAL 22 - 5 AAC 06.333: We **OPPOSE** this proposal.

PROPOSAL 23 - 5 AAC 06.331: We are **NEUTRAL** on this proposal.

PROPOSAL 24 - 5 AAC 06.333: We **OPPOSE** this proposal.

PROPOSAL 25 - 5 AAC 06.370: We **OPPOSE** this proposal as written. This proposal is unclear, however, appears to be very restrictive and limit the management.

PROPOSAL 26 - 5 AAC 06.370(k)(1)(2): We are **NEUTRAL** on this proposal.

PROPOSAL 27 and 28 - 5 AAC 06.370(d): We **OPPOSE** these proposals. These proposals advantage one group of fishers by eliminating the 48-hour transfer regulation for that group alone.

PROPOSAL 29 - 5 AAC 39.120(d): We are **NEUTRAL** on this proposal.

PROPOSAL 30 - 5 AAC 39.120(d): We are **NEUTRAL** on this proposal.

PROPOSAL 31 - 5 AAC 06.356: We are **NEUTRAL** on this proposal. The General District was used in 2004 and the Kvichak failed to meet its escapement goal.

PROPOSAL 32 - 5 AAC 06.360: We **OPPOSE** this proposal. The NRSHA is not managed under the Naknek/Kvichak allocation plan. This proposal would significantly increase the setnet catch, under the current 3:1 fishing period ratio.

Public Comment # 106

PROPOSAL 33 - 5 AAC 06.360: We **SUPPORT** the concept of this proposal.

PROPOSAL 34 - 5 AAC 06.360: We **SUPPORT** this proposal.

PROPOSAL 35 - 5 AAC 06.373: We are **NEUTRAL** on this proposal.

PROPOSAL 36 - 5 AAC 06.373: We are **NEUTRAL** on this proposal.

PROPOSAL 37 - 5 AAC 06.365: We are **OPPOSED** to this proposal. The current allocation plan allows for concurrent openings now.

PROPOSAL 38 - 5 AAC 06.365: We are **OPPOSED** to this proposal. The current allocation plan is working well.

PROPOSAL 39 - 5 AAC 06.365: We are **NEUTRAL** to this proposal.

PROPOSAL 40 - 5 AAC 06.390: We are **NEUTRAL** on this proposal.

PROPOSAL 41 - 5 AAC 06.390: We are **NEUTRAL** on this proposal.

PROPOSAL 42 - 5 AAC 06.358: We are **NEUTRAL** on this proposal.

PROPOSAL 43 - 5 AAC 06.358: We are **NEUTRAL** on this proposal.

PROPOSAL 44 - 5 AAC 06.200: We **SUPPORT** the concept of reconciling the southern boundary of the Naknek Section and the southern boundary of the Naknek/Kvichak District.

PROPOSAL 45 - 5 AAC 06.200: We are **NEUTRAL** on this proposal.

PROPOSAL 46 - 5 AAC 06.320: We are **NEUTRAL** on this proposal.

PROPOSAL 47 - 5 AAC 06.375(a): We are **NEUTRAL** on this proposal.

PROPOSAL 48 - 5 AAC 06.320: We are **OPPOSED** to this proposal.

Public Comment # 106

Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811
fax: 907-465-6094

Re: Proposal 13

November 17, 2009

I am writing in support of Proposal 13 to establish a fish refuge in Bristol Bay consistent with the State of Alaska mandate that 'essential salmon habitat and access of salmon to these habitats should be protected' and 'salmon habitats should not be perturbed beyond natural boundaries of variation' (5 AAC 39.222 (c)).

Such a refuge would ensure that activities such as fishing, hunting, and trapping could co-exist with non-renewable resource development. The proponents of the Pebble prospect, the only mineral development in the region currently in advanced exploration stages, have repeatedly said that mining and fishing activities can co-exist, and that they will not go forward with a mine if fish habitat will be degraded. Therefore, the proponents of the Pebble prospect should not be opposed to maintaining salmon habitat and the water quality that sustains salmon and their prey. In the larger picture, there is potential for mineral development far exceeding the Pebble prospect, given the amount of State land currently leased for mineral exploration in the Bristol Bay region, and the amount of federal land that could be leased. Large-scale industrial activity in the region poses a very real threat to salmon habitat, from seemingly minor impacts such as installing roads and culverts that may block fish migrations[1] to filling in natural water bodies to potentially major impacts from acid mine drainage from mining that may require continual treatment for hundreds or thousands of years.

I have been an Alaskan resident since 1986, except 2003-2007 when I was in graduate school at the University of Nevada Reno. My PhD is in Environmental Sciences and Health, in the Environmental Chemistry track; my dissertation focused on field and lab scale bioremediation of acid mine drainage from a closed copper and sulfate mine. This year I conducted water quality sampling in the Nushagak, Kvichak, and Chulitna drainages. I have also reviewed all publically available data for that region on surface and groundwater chemistry from the Pebble Limited Partnership (PLP) and attended PLP "Technical Working Group" meetings on water quality and geochemistry.

All water quality sampling evidence the extraordinary purity of the waters in the region. My own data is currently being processed and thus far appears to confirm waters are generally pure: highly oxygenated with very low conductance and low metal content.

The headwaters of the South Fork Koktuli River is the region most likely to present with water quality outside chronic aquatic life standards in that it lies closest to the ore body. However, available data indicate water quality there is generally good. Regarding the overall water quality of a stream or reach, the median of a group of samples provides the best indication of long term water quality while the range provides the full extent of analyte concentrations. The Nushagak and Kvichak watersheds experience regular seasonal fluctuations in water chemistry, most important of which is a spike in metal concentrations with snowmelt. Although this spike will influence the range and mean of a data set, it has little influence on the median. When examining PLP's data for the median concentrations of some of the most important water quality parameters (those expected to be present

[1] Hauser, WJ. 2007. Potential impacts of the proposed Pebble mine on fish habitat and fishery resource of Bristol Bay. FishTalk Consulting, Anchorage, AK.

Public Comment # 107

due to surface runoff or those potentially toxic to fish) at sites closest to the ore body, only total iron consistently exceeds the most stringent water quality standards (Table 1). The median for total copper exceeds the presumed chronic aquatic life standard at two tributaries of the South Fork Koktuli River (one located on the ore body, one downstream of it) and at the main stem South Fork Koktuli water sampling site closest to the ore body.[2] The medians for dissolved copper and iron do not exceed water quality standards at any site near the ore body.

What these data tell us is that outside the immediate ore body, fish and their aquatic prey have adapted to natural waters with extraordinarily low concentrations of metals. It also tells us that the streams can expect to have occasional spikes in sediment-borne metals, but the dissolved concentrations of elements, even immediately atop the ore body, remain within very stringent water quality standards naturally.

Although the surface water is generally quite good (except when suspended sediment is high), the groundwater is not. For instance, there are ten springs on the ore body or just north of it with water chemistry indicating acidifying reactions are occurring under the surface. An explanation for the observed chemistry would be that oxygenated groundwater is moving through sulfide ore, initiating the reactions that generate acid and exponentially increase the dissolved metal content of the water. The indicators of sulfide oxidation include high sulfate, low pH and very positive redox potentials, and the result of acidity is dissolution of metals in surrounding rock.

These springs may be natural occurrences. However, should the sulfide ore body be opened up, these reactions will occur over a much wider geographical range - including the pit walls, the waste rock piles, and the tailings pond(s) – as something on the order of 9 billion tons of ore is processed at the Pebble prospect. Importantly, as sulfide rock is ground to fine material, the reactions increase with the increased surface area. Tailings material in particular will be finely ground and will contain substantial sulfide material. Tailings will need to be stored behind large dams, and will need to be conducted from the mill directly onto tundra material – the area required for tailings storage economically precludes installing liners in the impoundment(s). Table 2 illustrates that not only are metal concentrations often exponentially higher in groundwater seeps at the ore body than in surface water, but also that the metals are primarily in the dissolved form, not carried on sediment. This is a critical distinction. It is well-known from PLP's data and Working Group meetings that the soils are highly conductive and there are significant and numerous links between surface and groundwater. Tailings material that covers natural ponds, lakes, and streams will undoubtedly infiltrate groundwater beneath the impoundment and from there is almost certain to move to surface water. Because the reactions occurring in the groundwater seeps now is the same as to be expected in the tailings material, there is strong reason to believe dissolved metals will also infiltrate groundwater beneath the impoundment and move into surface water.

The mining company will need to accurately predict where acid is going to occur, and be prepared to mitigate for it. If more mines are opened around the Pebble prospect, this scenario will need to be repeated any number of times by companies that are likely to have extreme variations in experience developing mines and cash available to properly predict, monitor, and mitigate. While mining companies have spent a good deal of time developing methods for prediction and mitigation over the past ten years, there is not yet a track record of success in these areas. Indeed, even mines permitted under current Clean Water Act regulations and NEPA have regularly

[2] The standard for copper is hardness-dependent; the stated standard of 2.7 ug/L presumes a hardness of 25 mg/L and the data have not been reviewed for how actual hardness may change the standard.

Public Comment # 107

developed acid mine drainage where it was not predicted.[3] A clear intent to prevent and mitigate does not ensure that contaminant migration will not occur.

The baseline data provided by PLP indicate that the processed rock will generate acid, which will dissolve metals available in waste storage areas, and has potential transport pathways into natural waters. There is reasonable concern that the copper concentrations, generally below chronic aquatic life standards and often even below the detection limit of 0.2 ug/L beyond the immediate ore body,[4] will increase in waters required by salmon. A small increase in copper above what salmon have adapted to is known to impact the salmon olfactory system.[5] This is an insidious effect in that it may result in a decline in salmon populations that cannot be pinpointed on any one source, particularly if the copper release is diffuse. The synergistic or antagonistic impact of the dissolution of other metals in addition to copper is poorly understood, although the effects of copper and zinc are expected to be synergistic.

Although the State of Alaska has anti-degradation laws, there is currently no method for implementing them.[6] This means that natural waters may be degraded from their present extraordinarily pure state and still stay within water quality standard regulations.

Given the risks as stated above, the lack of an effective anti-degradation regulation, and the lack of a preponderance of examples that mining companies can predict and mitigate for acid drainage, the creation of a Bristol Bay Fish Refuge that protects the watersheds of the Nushagak drainage is needed to help maintain the current populations of salmon and other aquatic species.

Respectfully,

Kendra Zamzow, PhD
Center for Science in Public Participation
PO Box 54, Sutton, AK 99674
907.745.3882

[3] Kuipers, JR, AS Maest, KA MacHardy, and G Lawson. 2006. *Comparison of Predicted and Actual Water Quality at Hardrock Mines: the reliability of predictions in Environmental Impact Statements.*
[4] Personal data
[5] Sandahl, JF, DH Baldwin, JJ Jenkins, and NL Scholz. 2007. A sensory system at the interface between urban stormwater runoff and salmon survival. *Environ. Sci. Technol.* 41: 2998-3004.
[6] Chris Reese, DEC, personal communication

3/5

Public Comment # 107

Table 1: Surface water quality data near the ore body (PLP Pre-Permit Report F). pH not measured. Means and medians above benchmark criteria highlighted.

benchmark			87 ug/L		2.7 ug/L		300 ug/L		10 ug/L		36 ug/L	
	conductivity (uS/cm)	alkalinity (mg/L)	Aluminum (total) ug/L	Aluminum (dissolved) ug/L	Copper (total) ug/L	Copper (dissolved) ug/L	Iron (total) ug/L	Iron (dissolved) ug/L	Molybdenum (total) ug/L	Molybdenum (dissolved) ug/L	Zinc (total) ug/L	Zinc (dissolved) ug/L
SK134A												
mean	100	24	79	14	1.5	1.07	510	204	1	1	1.9	1.8
median	100	23	34	12	1.4	1.04	427	200	0.9	1	1.5	1.5
range	32-125	14-36	7-190	4-37	0.7-2.6	0.5-1.9	236-2640	62-445	0.4-1.7	0.4-1.7	0.5-5.1	0.5-4.4
# samples over benchmark	na		3, with high TSS	none	One, with high TSS	none	33/36	4/36	none	none	none	none
notes	one conductivity sample 357 ug/L Dec 2007; one total aluminum 1100 mg/L with high TSS; 2 total iron concentrations over 1000 mg/L, both with high TSS											
SK136A												
mean	80	19	116	16	4.9	2.8	581	218	2.7	2.6	2.4	1.9
median	80	19	61	11	3.9	2.7	515	222	2.6	2.6	2	2
range	11-40	9-29	13-346	3-49	2.6-14	1.1-6.9	293-1370	63-455	1.2-4.3	0.9-4.4	0.5-10.3	0.5-3.8
# over benchmark	na	na	13/36	none	34/36	13/36	34/36	7/36	none	none	none	none
notes	one total aluminum at 652 ug/L with high TSS; 2 total copper over 10 ug/L; 3 total iron over 1000 ug/L											
SK136B (in ore body)												
mean	80	17	55	12	3.6	2.5	376	151	0.8	0.8	2.7	2.7
median	80	16	23	9	2.9	2.2	295	121	0.7	0.7	1.9	1.9
range	10-49	9-30	4-404	3-45	1.8-5.5	1.1-3.1	99-1540	10-403	0.3-2.2	0.3-2.2	0.5-19	0.5-20
# over benchmark	na	na	4 samples; 2 with high TSS	none	18/34	3/34	17/34	4/34	none	none	none	none
notes	one total copper with 20 ug/L and one dissolved copper with 15 ug/L January 2005; one total iron over 1000 ug/L and one dissolved iron at 673 ug/L both with high TSS											
SK100G												
mean	65	19	47	13	4.1	2.4	740	320	0.8	0.7	3.6	3.2
median	68	19	37	12	4.1	2.5	700	241	0.8	0.7	3	2.7
range	31-100	2-31	4-195	3-28	0.3-7.8	0.3-4.9	330-1360	47-1000	0.1-1.3	0.2-1.1	0.8-9	0.8-7
# over benchmark	na	na	3, with high TSS	none	33/36	11/35	36/36	15/35	none	none	none	none
notes	total and dissolved zinc at 20 ug/L in July 2005											
SK100F												
mean	54	18	62	13	2.2	1.7	560	220	0.5	0.5	4	4
median	47	15	38	13	2.1	1.6	567	185	0.5	0.5	3	2
range	24-110	6-40	3-163	3-31	0.2-4.3	1.1-2.9	10-1100	10-603	0.1-1.3	0.1-1.0	0.7-10	0.8-9
# over benchmark	na	na	6/37	none	4/37 (3 with high TSS)	1/34, high TSS	34/37	7/36	none	none	none	none
notes	2 total aluminum 300-353 ug/l with high TSS; 2 samples total iron over 1000 ug/L; total and dissolved zinc 20 ug/L in July 2006											

Table 2: Water quality of some groundwater seeps on or near the ore body (PLP Pre-Permit Report F). Alkalinity was not measured. Means and medians above benchmark criteria highlighted.

benchmark			87 ug/L		2.7 ug/L		300 ug/L		10 ug/L		36 ug/L	
	conductivity (uS/cm)	pH	Aluminum (total) ug/L	Aluminum (dissolved) ug/L	Copper (total) ug/L	Copper (dissolved) ug/L	Iron (total) ug/L	Iron (dissolved) ug/L	Molybdenum (total) ug/L	Molybdenum (dissolved) ug/L	Zinc (total) ug/L	Zinc (dissolved) ug/L
SP26												
mean	170	4.4	3690	3920	424	426	730	440			24	26
median	161	3.9	3750	3960	395	387	596	360			25	28
range	140-191	3.7-4.0	2360-4770	2780-5200	305-554	328-576	260-1340	183-880	non-detect	non-detect	18-28	22-29
# over benchmark	na		5/5	5/5	5/5	5/5	4/5	3/5			none	none
SRK08												
mean	46	3.3	10,000	9,800	4,090	3,990	490	359	0.1	0.1	101	99
median	44	3.3	6,700	6,640	2,990	2,990	490	314	0.03	0.03	74	74
range	35-60	3.3	5070-18,200	6,080-16,600	2,880-6,410	2,970-6,010	280-710	270-493	0.1-0.3	0.01-0.3	64-164	68-154
# over benchmark			3/3	3/3	3/3	3/3	2/3	2/3	none	none	3/3	3/3
SRK11												
mean	111	4.0	2,910	2,580	41	39	1,180	306			8	13
median	115	4.0	3,240	2,940	44	44	1,200	320			9	13
range	95-122	3.9-4.1	2,240-3,250	1,650-3,150	34-44	30-44	482-1,870	166-433	non-detect	non-detect	11-May	13
# over benchmark	na		3/3	3/3	3/3	3/3	3/3	2/3			none	none

Trout Unlimited Alaska

November 17, 2009

Alaska Board of Fisheries
Chairman, Alaska Board of Fisheries
Alaska Department of Fish & Game
Board Support
P.O. Box 115526
Juneau, AK 99811

Trout Unlimited (TU) supports Proposal 13. TU is the oldest and largest coldwater fisheries conservation organization in North America, and has over 170,000 members nationwide, with 1000 local Alaska members, 6 local chapters, and several full-time staff in Alaska. The Alaska program focuses on habitat protection and watershed restoration. TU is working directly with Alaska commercial fishermen, seafood processors, sport fishermen, and subsistence users in Southwest Alaska and elsewhere to ensure protection of salmon and trout habitat on state lands and waters and to create permanent protection in the Bristol Bay region for its irreplaceable fisheries and the waters that sustain them. Bristol Bay protection is important not only to our Alaska members but to supporters nationwide.

Proposal 13 asks the Board of Fisheries to use its authority to recommend that the Alaska Legislature enact higher standards of protection for fish and their habitat than currently exist in the Bristol Bay watershed and make the Alaska Department of Fish and Game the lead agency in managing the Bristol Bay Watershed. Such a recommendation is consistent with the Board's statutory duties to conserve fish and game and assure that use of them continues to be available on a sustained-yield basis. Proposal 13 is consistent with these duties.

The Bristol Bay watershed is home to the world's largest salmon fishery. Every year, all five species of Pacific salmon return by the tens of millions to the region's rich waters, which also provide spawning grounds for abundant trout and other fish. Bristol Bay's drainages produce approximately one-third of the world's sockeye salmon supply. High subsistence use depends on this healthy system and the fish and game resources it sustains, year after year. The watershed supports one-third of the U.S. grizzly bear population and the second or third largest caribou herd in Alaska. It is the core of the state's hunting/fishing lodge industry, home to one of the last great sport fisheries for indigenous rainbow trout where fish frequently reach their genetic potential of ~30 inches in length.

A recent report entitled *The Economics of Wild Salmon Watersheds, Bristol Bay, Alaska*[1], extensively details the commercial, sport, and subsistence values derived from the resources of the Bristol Bay watershed. According to the report, the harvest and processing of Bristol Bay salmon generates nearly $320 million a year and provides some 6,300 annual jobs. The report contains the first actual survey data in, in twenty years, of sport anglers using these drainages. Sport fishermen spend roughly $100 million a year to experience the world class trout and salmon fishing in these remote drainages. Every year, subsistence users harvest nearly 2.4 million pounds of salmon from these drainages. Total subsistence harvest of over 70 different kinds of local resources, from moose to salmon to cranberries, is worth on the order of $80 to $140 million annually, and is evidence of the strong traditional culture of hunting, fishing and gathering that has been ongoing for 10,000 years in the Bristol Bay region. Pristine waters and their abundant fisheries and wildlife sustain this mixed cash-subsistence economy. Unless disrupted, it is naturally economically sustainable in perpetuity.

Given such high resource and use values, higher standards of protection of the habitat that sustains the fish and wildlife and the entire spectrum of uses they offer is logical and easily defensible.

In terms of scientific value, the Bristol Bay watershed is one of the last places where scientists can study abundant species and the habitats upon which they depend. By seeking protection of these waters and their fishery resources, we seek to protect the long-term benefits of biological study still yet to unfold.

For 21 years, since adoption of the Joint ADF&G-DNR Bristol Bay Area Plan in 1984, these drainages were managed primarily to protect habit. In 2005, DNR (without ADF&G consultation) independently adopted revisions to the area plan that put mineral resource extraction as the primary use. This has created significant legal and political challenges for the state because it has allowed hundreds of mining claims over millions of acres of state land this region which, over time,, will not be compatible with the long-term viability of Bristol Bay's renewable resource-based economy.

Proposal 13 addresses protection of the existing resources and public uses in the Bristol Bay watershed. Proposal 13 simply asks that the Board of Fish recognize the importance of the Bristol Bay watershed as Alaska's most prolific and important salmon habitat and recommends that the legislature enact higher standards of protection for this unique watershed to ensure the benefits of robust subsistence, commercial, and sport fisheries for generations to come. Trout Unlimited urges the

---

[1] Duffield, John. 2006 Economics of Wild Salmon Watersheds: Bristol Bay, Alaska.

Board to pass Proposal 13 and take this "first step" towards protecting the renewable resources and vibrant fisheries based economy of Bristol, extraordinary places like the Bristol Bay drainages deserve extraordinary protection.

Thank you for your time and attention. We look forward to participating in the Dec. 5th Board of Fish meeting in Anchorage

Sincerely yours,

Tim Bristol
Alaska Program Director

Lindsey Bloom
Bristol Bay Campaign Manager

Public Comment # 108

RE: Proposition 13

Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811

17 Nov. 2009

Dear Members,

First, thank you for serving on the Board of Fish. After 20 years working with Alaska State, Federal, Tribal, Academic and private fisheries groups, I can appreciate your efforts. Thank you. I am a Fisheries Scientist and earned my PhD at the University of Washington. I have lived and worked in Alaska since 1988, and my research has focused on salmon and fishes important to subsistence in the Kvichak, Nushagak, and Tustumena watersheds since 1993.

Proposition 13 advocates that the Board ask the Legislature to augment fish habitat protections in the Kvichak and Nushagak drainages. I support this proposition and also support expanding increased protections to the entire Bristol Bay Fisheries Reserve (AS 38.05.140(f)). Current State and Federal regulations are insufficient to protect salmon resources. For example, Alaska does not guarantee sufficient instream flow reservations to sustain salmon. Water use permit applications submitted in 2006 for ground and surface waters in the South and North Fork Koktuli Rivers (Nushagak) and Upper Talarik Creek (Kvichak) (see http://dnr.alaska.gov /mlw/mining / largemine/pebble/waterapp.htm) requested rights to 97.3 million gallons of water a day, almost 3.5 times the 2002 daily water of Anchorage (see http://pubs.usgs.gov/fs/2006/ 3148/). In the project description, water would be used to sustain 2000 workers, suppress mine generated dust, maintain tailings facilities and supply a slurry pipeline. It is unclear, however, if sufficient water would remain to sustain salmon. Without proactive improved fish habitat protection, Bristol Bay's rich salmon resource will be vulnerable to the same fate as those in the lower 48 and Canada. The existing Bristol Bay Fish Reserve helps protect salmon from potentially harmful oil and gas development; but other potentially harmful developments were not anticipated. Please consider the following facts as you deliberate this important issue.

Salmon populations across the world are in decline, Alaska is a rare gem because our stocks are still generally healthy. Atlantic salmon on the east coast of North America once sustained viable fisheries; now populations are estimated to be at less than 2% of historic abundance (Parrish et al. 1998, U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration 2000, Amiro 2003). On the west coast of the lower 48, salmon have been extirpated from 40% of their former range; 28 distinct population segments of Pacific salmon and steelhead trout are now listed as either endangered or threatened under the Endangered Species Act in the continental U.S. (Figure 1).

Human activities including urbanization, mining, timber harvest, agriculture and dams have altered, degraded, reduced, and eliminated Pacific salmon habitat (Meehan 1991, Lackey 2003, USEPA 2006, Buck 2007, Miller and Miller 2007). Such habitat degradation and loss, combined with natural environmental stressors such as *el nino* have reduced Pacific salmon abundance in the lower 48 to less than 10% of historic levels (Gresh et al. 2000, Gustafson et al. 2007).

British Columbia (B.C.) salmon stocks are also in decline. An assessment of 5,487 B.C. and Yukon salmon stocks, including all large, commercially important ones, found that 624 stocks were at high risk of extinction, 78 were at moderate risk, 230 were of special concern, and 142 were extirpated last century (Slaney et al. 1996).

1/3

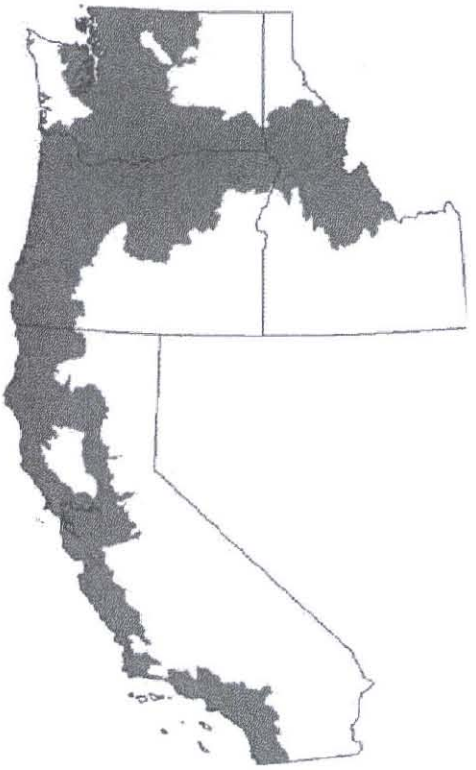
Public Comment # 109

Land Area Affected by Endangered Species Act Listings of Salmon & Steelhead

*** 28 distinct population segments: 6 endangered, 22 threatened**

*** 176,000 sq. miles in Washington, Oregon, Idaho & California**

*** 61% of Washington's land area, 55% of Oregon's, 26% of Idaho's, & 32% of California's**



February 2008

The continued dramatic decline of Canada's largest sockeye salmon system, the Fraser River, is now the subject of a Federal inquiry (CBC News 2009). Once supporting returns of over 37 million salmon, only one million returned in 2009, forcing fishery closures for the third consecutive year. It is the worst return on record and has raised questions about the sustainability of B.C. salmon stocks.

In contrast, 40 million salmon returned to Bristol Bay this summer. Commercial fishers celebrated their 125th consecutive year by harvesting 32.36 million salmon, 30.90 million of which were sockeye salmon. Bristol Bay and Russia's Kamchatka are considered by scientists around the Pacific Rim to be the top two salmon strongholds left in the world. On a recent scientific exchange, I was recently invited to Kamchatka to review impacts of a natural gas pipeline and mining on salmon habitat and to discuss salmon conservation measures with Federal, Provincial, Native, NGO and mining entities. Development of both gas and mineral resources is progressing at a rapid rate there. Hundreds of miles of new dirt roads are being built to support these industries and they cross over 470 salmon streams of 5 meters or greater and 1,500 salmon streams total. I observed: blockage of salmon migration in 75% of the newly installed stream crossings surveyed; enormous piles of poached salmon carcasses and poachers at work pulling nets from rivers. Mining impacts include high discharges of fine sediments which are diminishing salmon habitat. What I witnessed does not bode well for the Kamchatka stronghold which leaves Alaska.

In the lower 48 and Canada, salmon populations declined regionally with increasing human development. A recent Mat-Su Valley, Alaska survey of road crossings showed more than 44% of 130 culverts were inadequate for fish passage, another survey on the Kenai Peninsula showed 78% of 97 culverts were inadequate. Culverts used at road crossings are notorious for fragmenting fish habitat by

2/3

Public Comment # 109

impairing their ability to freely move among essential habitats and their maintenance is generally not a high priority for State funding.

Mining in Alaska is a large part of our Alaskan heritage, and I am not against mining. However, the scale of the Pebble deposit dwarfs anything in the state; Fort Knox and Red Dog are less than 5% the size of the Pebble deposit and over 500 square miles of additional claims surround it. The type of industrial mining proposed in Bristol Bay also poses a comparatively higher risk to salmon than our other mines. A survey of recent U.S. modern mines, fully vetted and permitted by State and Federal agencies, showed that those with high potential to generate acid, located near ground and surface waters, were at highest risk of developing water quality problems (Kuipers et al. 2006). The ore that lies beneath the State mining district in Bristol Bay is acid generating (Northern Dynasty Mines 2006); it also lies beneath hundreds of salmon bearing streams, many of which I have personally documented (Woody 2009). To conserve Bristol Bay fisheries resources requires that the State recognize that not all mines are alike in regards to their potential effect on salmon; and that higher regulatory standards and oversight are needed to conserve Bristol Bay salmon and what may be the world's last salmon stronghold.

Sincerely,

Carol Ann Woody, PhD
6601 Chevigny St.
Anchorage, AK 99502
carolw@alaskalife.net
www.fish4thefuture.com

Citations

Amiro, P.G. 2003. Population status of inner Bay of Fundy Atlantic salmon (*Salmo salar*) to 1999. Can. Tech. Rep. Fish. Aquat. Sci. No. 2488.

CBC News. 6 Nov. 2009. Justice to head Fraser River salmon inquiry. Available at: http://www.cbc.ca/canada/british-columbia/story/2009/11/06/bc-cohen-fraser-salmon-inquiry-vancouver.html

Gresh, T., J. Lichatowich, and P. Schoonmaker. 2000. An estimation of historic and current levels of salmon production in the northeast Pacific ecosystem: evidence of a nutrient deficit in the freshwater systems of the Pacific Northwest. Fisheries 25: 15-25.

Gustafson, R. G., and coauthors. 2007. Pacific salmon extinctions: Quantifying lost and remaining diversity. Conservation Biology 21(4):1009-1020.

Kuipers, J.R., Maest, A.S., MacHardy, K.A., and Lawson, G. 2006. Comparison of Predicted and Actual Water Quality at Hardrock Mines: The reliability of predictions in Environmental Impact Statements. Kuipers and Asso. Butte, MT.

Lackey, R. L. 2003. Pacific Northwest Salmon: forecasting their status in 2100. Reviews in Fisheries Science. 11:35-88.

Miller, J. R. and S. M. O. Miller. 2007. Contaminated Rivers: a geomorphological-geochemical approach to site assessment and remediation. Springer. The Netherlands. Pages 1-31.

Meehan, W. R. 1991. Influences of forest and rangeland management on salmonid fishes and their habitats. American Fisheries Society Special Publication 19. Bethesda, MD,

Northern Dynasty Mines. 2006. Draft Environmental Baseline Studies 2004 Progress Reports, Chapter 8, Geochemical Characterization & Metals Leaching/Acid Rock Drainage. " Northern Dynasty Mines, Inc., Vancouver, B.C.

Parrish, D. L., R. J. Behnke, S. R. Gephard, S. D. McCormick, and G. H. Reeves. 1998. Why aren't there more Atlantic salmon (*Salmo salar*)? *Canad. J. of Fisheries and Aquatic Sci.* **55**(Supplement 1): 281–287.

Slaney, T. L., K. D. Hyatt, T. G. Northcote, and R. J. Fielden. 1996. Status of anadromous salmon and trout in British Columbia and Yukon. Fisheries. 10:20-34.

U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration. 2000. Final endangered status for a distinct population segment of anadromous Atlantic salmon (*Salmo salar*) in the Gulf of Maine. Fed. Regist. 65 (17/11/2000): 69459–69483.

Woody, C. A. 2009. Fish surveys in headwater streams of the Nushagak and Kvichak River drainages, Bristol Bay, Alaska. Available at: http://media.adn.com/smedia/2009/04/10/18/WoodyFinalAWCApr09.source.prod_affiliate.7.pdf

3/3

Public Comment # 109

Alaska Department of Fish &Game
Board Support Section-Board of Fish
PO Box 115526
Juneau, AK 99811-5526
(907) 465-4110
(907) 465-6094fax

Jack Keane
2152 Dawson Street
Anchorage, AK 99503

November 15, 2009

Opposing Expanded "Permit Stacking" Proposals

To The Board:

The status quo on "stacking" offers both advantages and disadvantages. In the advantage column I see opportunities for the younger entrant to Bristol Bay to get started with a permit but w/o the substantial costs of buying and maintaining a boat. There seem similar opportunities for, perhaps an older fisherman or others to share boat costs with another permit owner.

The main disadvantages seem to be that of handling longer gear in the Bay's fast moving currents and small fishing districts, along with the potential for either overloading the boat or having to cut gear lose if the net fills rapidly. I've had 10 and even 15,000 pounds in three shackles so a fourth might produce over 20,000 unexpectedly. While many Bay boats can pack that much in the holds, there are not that many that can handle round hauling 15 – 20,000 into the cockpit, thus putting the skipper in the position of risking overload or cutting gear and fish loose.

Still the advantages and disadvantages of the status quo seem to be in fair balance.

For the proposed ownership and operation of multiple permits there seem few additional advantages and all the disadvantages. Especially for Alaskan and watershed residents it would seem that the price of permits will be bid up, perhaps substantially, and tied to costly boats, making it even more difficult for those with limited off-season income potential to enter the fishery.

Another strong objection is that of several processors offering substantial "production bonuses". In a fishery striving for quality in order to survive, I don't think production bonuses are a good idea in the first place, but worse, the bonus levels are being set such that only the largest, most aggressive boats, carrying two permits are likely to reach the bonus plateau. Processors can also favor dual permit boats when we're on limits as well.

1/2

Public Comment # 110

With the current market situation being ~~that~~ of processor under-capacity, as the rule, ~~and~~ with a complete absence of independent (cash) buyers to take up the slack, fishermen have few choices and no control over processor policy, so if processors do continue to favor high volume, multiple permit operations there will be additional disadvantages to the smaller boat, single permit operation.

~~Lastly, before any multiple permit proposals are adopted we have to clear up the transfer~~ problem. Currently there seems some "confusion" as to whether a two permit boat can transfer immediately, by simply transferring one permit while continuing to fish the other while "waiting" to transfer, thus short-circuiting the 48 hour transfer period.

With all of the above in mind this seems a poor time to adopt any of the multiple permit proposals.

Thank you for your attention,

Jack Keane

Public Comment # 110

Bristol Bay Driftnetters Association
2408 Nob Hill Ave. N
Seattle, WA 98109-2048
Ph. (206) 285-1111, Fax (206) 284-1111
JohnsonMarineSurveys@Gmail.com J

Vince Webster, Chair
& Members of the Board of Fish
Alaska Boards Section: Board of Fish
PO Box 115526
Juneau, AK 99811-5526

Nov 17th 2009

RE: Against proposal 32 *Adding additional gear to the setnet gear group in the NRSHA.*

This is an attempt to further disrupt the allocation plan put in place by the Fish Board of 1997. To alter the gear length of one gear group is pure allocation. During the 20 base years used to design the comprehensive allocation plan (1977-1996), the percentage of fish harvested by the Setnet gear group was 11.66% of all sockeye harvested in the N/K District during that period. From 1998 to 2009 the set net gear group has harvested 19.7% of all sockeye harvested in the N/K District. All of the setnet gear group increase came out of the losses in the historical driftnet harvest. At the Fish board of 2006 the NRSHA Setnetters asked for and received a change in the allocation plan in order to allow setnetters more fishing time in the NRSHA. Now they want longer nets. If the setnetters in 2006 had not requested that the wording of the 1997 plan that specifies exact percentages (84% Driftnet-16% Setnet) be changed then current change asked for in proposal 32 would not be allocative or unfair to either gear group. One of the main purposes of the 1997 Bristol Bay wide comprehensive plan was to allow changes like that requested in proposal 32 to take place without having to consider the allocative implications. Considering the huge increase in percentage of harvest that the setnet gear group has experienced since adoption of the comprehensive allocation plan of 1997 was created (+69%) and the decrease in percentage for the Driftnet gear group (-9.1%) it would be unfair implement a new regulation that is likely a just thinly veiled attempt to reallocate more sockeye harvest to the setnet gear group.

At some point, if the setnet net gear group in the NRSHA continues to take additional increases in harvest there will be too small of a drift fleet left in the NRSHA to control over escapement when fishing is good or when the openings occur in the main N-K District. This effect would be completely counter to the goal of reducing over escapement stated by the proposal's author.

Sincerely,

Dan F Barr

Dan Barr
President,
Bristol Bay Driftnetters Association

Warren B. Johnson

Barney Johnson
Vice President,
Bristol Bay Driftnetters Association

Public Comment # 111

1/4

Bristol Bay Driftnetters Association
2408 Nob Hill Ave. N
Seattle, WA 98109-2048
Ph. (206) 285-1111, Fax (206) 284-1111
JohnsonMarineSurveys@Gmail.com J

Vince Webster, Chair
& Members of the Board of Fish
Alaska Boards Section: Board of Fish
PO Box 115526
Juneau, AK 99811-5526

Nov 17th 2009

RE: For proposal 34 *Returning the NRSHA back into the comprehensive allocation plan created in 1997*

This proposal is an effort to streamline the allocation plan created in 1997. For many years the Setnet and Driftnet gear groups spent countless hours arguing with each other about minor changes to their respective regulations until that plan was adopted. The primary topic of the entire 1997 Fish Board was to create a comprehensive Bristol Bay wide allocation plan. That allocation plan was mostly based upon historical harvests within each District. In 2006 that plan was changed within the NRSHA so that the specified percents (84%-16%) were thrown out and fishing periods were to henceforth be allocated so that setnets received one period for each three periods received by Driftnet fishers. Both gear groups can benefit by removing the contentiousness surrounding changes that benefit our respective portions of the fishery but might be allocative. Proposal 32 is a good example of this, assuming that avoiding over escapement is the actual goal of that proposal.

Sincerely,

Dan F Barr

Dan Barr
President,
Bristol Bay Driftnetters Association

Warren B. Johnson

Barney Johnson
Vice President,
Bristol Bay Driftnetters Association

2/4

Public Comment # 111

Bristol Bay Driftnetters Association
2408 Nob Hill Ave. N
Seattle, WA 98109-2048
Ph. (206) 285-1111, Fax (206) 284-1111
JohnsonMarineSurveys@Gmail.com

Vince Webster, Chair
& Members of the Board of Fish
Alaska Boards Section: Board of Fish
P. O. Box 115526
Juneau, AK 99811-5526

Nov 17th 2009

RE: Against 37 *Changing the Allocation Plan in the Egegik District.*

This proposal states that the allocation plan is not working as intended. It is true that since the beginning of the allocation plan in 1998 the Egegik setnet gear group has harvested 11% more than they were allocated. If this is the problem the author is talking about then we do agree it should be solved. It does seem though that removing management tools from the Manager is not likely to solve that problem.

Through the BBRSDA and the 1% self assessment the driftnet fleet is actively working to improve the fishery for all fishers in Bristol Bay. Perhaps the setnet gear groups should direct some of their energy towards increasing the pie rather than going for a bigger slice.

Sincerely,

Dan F Barr

Dan Barr
President,
Bristol Bay Driftnetters Association

Warren B. Johnson

Barney Johnson
Vice President,
Bristol Bay Driftnetters Association

3/4

Public Comment # 111

Bristol Bay Driftnetters Association
2408 Nob Hill Ave. N
Seattle, WA 98109-2048
Ph. (206) 285-1111, Fax (206) 284-1111
JohnsonMarineSurveys@Gmail.com

Vince Webster, Chair
& Members of the Board of Fish
Alaska Boards Section: Board of Fish
P. O. Box 115526
Juneau, AK 99811-5526

Nov 17th 2009

RE: Against 38 *Changing the Allocation Plan when the Drift fleet is under 400 vessels.*

This proposal is ostensibly the answer to a problem that does not exist. The Manager clearly has all of the tools needed to manage this District. The escapement is coming in fine. If the author is concerned that setnetters are harvesting a larger percentage of the catch than allocated then we do agree that should stop but this is not the solution to that. In 1997 the Board of Fish did utilize historical percentages to set specified allocation allocation into effect. During the base years (1977-1996) used by the B o F, the setnet gear group harvested 10.24% of all sockeye harvested in the Egegik District. The 1997 comprehensive allocation plan stated that the Egegik setnetters should be allowed to harvest 14% of the total harvest. Since allocation went into effect in 1998 the setnet gear group has harvested 15.56% of all the sockeye harvested in Egegik. With escapements being met and an excess of sockeye making it into Egegik setnets it is difficult to understand what problem the author is trying to address with this proposal. The Board of Fish in 1997 spent a lot of time working on the allocation plan. It was a fair and well reasoned solution to a very long standing problem.

The Driftnet fleet is spending a lot of time and money to improve this fishery with the newly formed BBRSDA and its 1% self assessment. Please don't send the message that allocation battles in front of the B of F are the best way to spend our time and money.

Sincerely,

Dan F Barr

Dan Barr
President,
Bristol Bay Driftnetters Association

Warren B. Johnson

Barney Johnson
Vice President,
Bristol Bay Driftnetters Association

Public Comment # 111

4/4

Nov 12th, 2009

Dear Sir / Madam

My name is David Rogotzke from Duluth, Minnesota. I have been fishing Bristol Bay since 1982. Since the mid-90's I have supplying the people of Duluth, northern Wisconsin, & greater Minnesota with this gift of salmon from the Nushagak, Kvichak, Egegik & Ugashik.

I am in favor of Proposal 13 AND wish for the board to adopt this as well. Since our country began we have systematically wiped out salmon run after salmon run. Documentation of this starts in 1798 of a dam that was built across the Connecticut River and by 1814 residents of New York City could no longer obtain salmon to feed its residents. The Columbia, Sacramento, Fraser & countless other Rivers, have all been decimated by dams, agriculture, mining & fish farms or combinations thereof & are mere shadows of what they once were.

In Bristol Bay we have a totally intact fishery - the last great salmon fishery of the world.

We can determine the future of the Nushagak & Kvichak River systems (AND all of Bristol Bay!) Lets be strong & united of voice & pen & adopt legislation

That will Keep The Salmon strong for generations to come. Let history be our guide and Know That These fragile ecosystems cannot stand to be tampered with. Let Dynasty International or Pebble Mine or whatever They call Themselves move on & lay claim to some other piece of earth but not The Good Earth of Bristol Bay.

Sincerely,

David Rogotzke

F/V Kanista

218-525-5474

email: scherogo@hotmail.com

Public Comment # 112