

ALASKA DEPARTMENT OF FISH AND GAME

**STAFF COMMENTS ON STATEWIDE FINFISH REGULATORY
PROPOSALS AND SUPPLEMENTAL ISSUES:
COMMENTS ON PROPOSALS 200 AND 201**

**ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA**

MARCH 16 – 20, 2010



The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, March 16–20, 2010, in Anchorage, Alaska, and are prepared to assist the public and Board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on Proposals 200 and 201 of Statewide (General Provisions) subsistence proposals. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, March 16–20, 2010, in Anchorage, Alaska, to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

Key words: Alaska Board of Fisheries, staff comments, subsistence, regulatory proposals, finfish, salmon.

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SUMMARY OF DEPARTMENT POSITIONS

Proposal #	Dept. Position	Issue
200	N	Adopt "subsistence way of life".
201	N	Establish a positive customary and traditional use finding for the salmon stocks of the Chitina Subdistrict, establish an amount necessary for subsistence.

Note:

N = Neutral

S = Support

O = Oppose

O/N = Oppose but Neutral on Allocative Aspects

NP = No position

S/N Support but Neutral on Allocative Aspects

PROPOSAL 200 - 5 AAC 99.0XX. Board of Fisheries subsistence finding standards. Adopt subsistence finding standards.

PROPOSED BY: Alaska Board of Fisheries

WHAT WOULD THE PROPOSAL DO? The proposal would adopt in regulation a definition of “subsistence way of life.”

WHAT ARE THE CURRENT REGULATIONS? Currently, the regulations do not include a definition of “the subsistence way of life.”

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The board would apply the definition when making customary and traditional use determinations for fish stocks or portions of fish stocks under 5 AAC 99.010.

BACKGROUND: The proposal was developed by the board to comply with the Decision and Order from the state superior court in Fairbanks in the case of *Alaska Fish and Wildlife Conservation Fund v. State of Alaska, Board of Fisheries*, Case No. 4FA-09-1515 Civil (Alaska Super. Ct. December 31, 2009), which involved a challenge to the board’s 2003 findings for customary and traditional use of salmon in the Chitina Subdistrict. The court directed the board to define the term “subsistence way of life,” as used in 5 AAC 99.010(8), using “an objective standard supported by law.”

DEPARTMENT COMMENTS: The department is NEUTRAL regarding the board’s proposal to define a “subsistence way of life” in response to the court order, but believes that, while the proposed definition may not be the only or most complete definition, it is a reasonable one.

For the board’s consideration of a definition of a “subsistence way of life,” the department offers several observations. The court noted that a “subsistence way of life” addresses “cultural, social, spiritual, and nutritional values.” Under 5 AAC 99.010 (8), a “subsistence way of life” includes “economic, cultural, social, and nutritional elements.” Further, Criterion 8 requires a demonstration that the use pattern of the fish stock under review takes place within a context that includes a “reliance” on a wide diversity of fish and game resources. The court added that the board can consider whether this use of wild resources provides for the “basic necessities of life.” Although “basic necessities” might be understood to focus primarily on the nutritional and economic values of wild resources in general and the subject fish stock in particular, it would be reasonable to conclude from the court and from reading the proposed definition in the context of the entire criterion 8 that “reliance” and “basic necessities” extend to other values associated with, for example, social relations and cultural traditions. Thus, findings of “reliance” are not limited to fish stocks with relatively high harvests (high nutritional or economic value). Also, the department notes that in evaluating Criterion 8, the board may draw upon information that it has considered under the other criteria (such as a long-term consistent pattern, efficiency of harvest, sharing, locations of harvest, and intergenerational transmission of skills, knowledge, and values) to inform the decision about whether or not a “subsistence way of life” is part of the use pattern of the fisheries stock under review.

The court directed the board to adopt "an objective standard" when defining "subsistence way of life" and applying Criterion 8. Typically, the department provides the board with a range of data and other information based on systematic research (observations); such information is also provided through other written sources submitted during board meetings and through the public testimony process. The department believes the proposed language sets an objective standard that can be addressed with the information typically available at board meetings for C&T determinations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery.

PROPOSAL 201 - 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. Find a customary and traditional use of salmon stocks in the Chitina Subdistrict and establish amounts necessary for subsistence.

PROPOSED BY: Alaska Board of Fisheries

WHAT WOULD THE PROPOSAL DO? Establish a positive customary and traditional use finding for the salmon stocks of the Chitina Subdistrict and establish an amount necessary for subsistence of 100,000 to 150,000 salmon.

WHAT ARE THE CURRENT REGULATIONS? Presently, there is a negative customary and traditional use finding (C&T finding) for the salmon stocks of the Chitina Subdistrict, and the dip net fishery in the subdistrict is managed as a personal use fishery. That finding has effectively been invalidated by Superior Court ruling, which requires that the board reapply the criteria found in 5 AAC 99.010(b), as supplemented by a definition of "subsistence way of life," which is addressed in Proposal 200.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? With a positive customary and traditional use finding, the fishery would be managed as a subsistence fishery.

BACKGROUND: Under AS 16.05.258, the board is required to identify fish stocks, or portions of fish stocks, that are customarily or traditionally taken or used for subsistence. The board applies 5 AAC 99.010, the "8 criteria," to identify these stocks. In 1984, the board first applied the 8 criteria to the salmon stocks of the Chitina Subdistrict and made a negative C&T finding. The dip net fishery in the subdistrict became a personal use fishery. In 1996, the board rejected a proposal for a positive C&T finding. In 1999, the board made a positive C&T finding for these stocks, and the fishery was managed under subsistence regulations from 2000 through 2002. In 2003, based on a determination that new information was available, the board voted to reconsider the 1999 finding and then voted to repeal the positive C&T finding for these stocks, and the

fishery again was managed as a personal use fishery. In 2005 and 2008, the board determined that no new information was available to warrant a new C&T review.

This proposal was developed to allow the board to comply with the decision and order from the state superior court in Fairbanks in the case of *Alaska Fish and Wildlife Conservation Fund v. State of Alaska, Board of Fisheries*, Case No. 4FA-09-1515 Civil (Alaska Super. Ct. December 31, 2009), which involved a challenge to the board's 2003 findings for customary and traditional use of salmon in the Chitina Subdistrict. The court ruled that the board should re-apply 5 AAC 99.010(b) to the C&T analysis of these stocks under a definition of "subsistence way of life" that uses an objective standard supported by law when evaluating Criterion 8 (See Proposal 200).

The board is also required under AS 16.05.258 to determine the amount of the harvestable portion of stocks with C&T uses that is reasonably necessary for subsistence uses (called the "ANS"). The ANS is usually based on documented harvests in a fishery over a period of years. For the period 2000 to 2002, the ANS amount was established as 85,000 to 130,000 wild salmon. The 10-year average harvest in the Chitina Subdistrict dipnet fishery from 1999 through 2008 was approximately 115,000 salmon, with a low of approximately 86,000 salmon in 2003 and a high of approximately 150,000 salmon in 1999.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department recommends that the board review and apply the information on the 8 criteria presented in the department's staff report, supplemented by other written information provided to the board and by public testimony. The department also recommends that the subject fish stocks for this determination be defined as the salmon stocks of the Chitina Subdistrict.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No
2. Is the stock customarily and traditionally taken or used for subsistence? Under current regulations, in effect since 2003, no. There was a positive finding in effect 2000 – 2003, and a negative finding in effect 1984 – 1999. If the proposal passes, there will be a new positive finding.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes
4. What amount is reasonably necessary for subsistence use? If the board determines that these stocks support customary and traditional uses, it will need to establish this amount based upon documented harvest levels.
5. Do the regulations provide a reasonable opportunity for subsistence use? If the board changes the status of the customary and traditional use finding for these stocks to positive, it will need to make this determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? If the board changes the status of the customary and traditional use finding for these stocks to positive, it will need to make this determination.

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RC 13-25

NEXT RC

RC 13

To: Board of Fisheries Members FAX# 907 465-6094

Subject: Petition Concerning Mgmt of Yentna River Sockeye Salmon
March 16-21, Board of Fisheries Meeting

Maintain historic abundance of all salmon species
returning to streams in the MATSU & Anchorage
areas by adopting the emergency petition before you
on the Mgmt of Yentna River Sockeye Salmon.

I am a "bank" fisherman who requires an abundance
of salmon to be successful.

Don Nagel

6741 Jollipan Court

Anchorage AK 99507

907 230 9750

Next
RC

March 8, 2010

Mr. Vince Webster, Chairman
Alaska Board of Fisheries
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811-5526

Re: Comments on CFEC Report 10-1N, February 2010

Dear Chairman Webster and Board Members:

The report titled "Vessel Length, Horsepower, Fishing Participation, and Diversification among Alaska's Salmon Purse Seine Vessels, 1978 - 2008" is an excellent contribution to the discussion of Proposal 168. The data presented provides a good account of how the seine fleet has changed over time. The following comments present some additional background to accompany the statistics that CFEC has provided.

Increased Vessel Size

The economics in the seine fishery have been troubled for some time. A main cause of vessel size increasing over the last 30 years is the increased use of RSW. In order to survive in a market with depressed prices vessel owners added RSW to increase the value of their catch which, in turn, increased the size of the vessels to accommodate this system. The premiums paid for RSW and, in some cases dock delivery, were a way for a fisherman to increase his ex vessel revenue. The amount of fishermen adding RSW increased in the 1980's and by the mid 1990's many seiners had a system in place.

CFEC data points out is not all areas have a high percentage of 58 foot boats. This is important because it dispels the notion that if the length limit were taken off then seine fisheries would be overrun with longer boats. Fishing capacity is not simply increased with a longer vessel purse seining salmon. If this were true wouldn't every area of the state have all 58 foot boats because they are the most efficient at catching salmon? There are many sizes of seiners in every area and all have been and will continue to be productive even with the length limit removed.

Horsepower

Horsepower in the past was typically associated with an engine of a large amount of weight. High horsepower engines were really heavy. In the 30 year span from 1978 - 2008 there have been numerous changes to just about every engine component imaginable. All of these changes have contributed to engines weighing less and having more power. Many vessels have replaced their engines in the last 30 years with the replacement undoubtedly having less weight with a higher horsepower rating.

Vessels Participating in other Fisheries

Below is a chart demonstrating participation in some fisheries other than salmon seining by the salmon seine fleet in 2008 for each area:

<u>Area</u>	<u>Salmon Seine</u>	<u>Longline</u>		<u>Pot</u>		<u>Trawl</u>		<u>Jig</u>	
AK Pen.	53	21	40%	32	60%	15	28%	8	15%
Chignik Cook Inlet	54	9	17%	12	22%	0	0%	1	2%
Kodiak	23	0	0%	1	4%	0	0%	0	0%
P.W.S.	125	34	27%	29	23%	0	0%	19	15%
SE AK	131	13	10%	5	4%	0	0%	1	1%
	212	68	32%	50	24%	4	2%	0	0%

There is also participation in other seine fisheries as well as pound, dive, gillnet, and troll fisheries. The fisheries in the above chart represent those that also contain some limitation in length based on the 58 foot limit on salmon seine vessels. CFEC states that, "To some extent, these regulations are intertwined." When looking at the above data as well as the total data contained in the CFEC report it is important to realize that while length restrictions may still be applicable in some fisheries is a length limit still relevant to salmon seining? The 60 foot length limit for long line vessels was put in place by NMFS to address the requirement for on board observers. Many of the 58 or 60 foot limits in the pot, trawl, and jig fisheries were put into place by either the Board or NPFMC as a way to possibly limit outside participation in those fisheries as well as to set up for any future issues that may arise as fisheries in those regions transition into more sector based allocations. The length limits mentioned above may still be relevant and will still remain if the 58 foot limit on salmon seine vessels is removed.

The data shows that while some in the seine fleet have diversified into other fisheries there are still many who have maintained an operation primarily based on salmon. The improvement of the salmon seine fishery should stay the main focus because clearly it is declining. Even though seine vessel involvement in other fisheries could seem to complicate things the question remains: Is the 58 foot length limit on salmon seine vessels still necessary in the salmon seine fishery?

Thank you for the ability to comment on this issue.

Regards,

Darrell Kapp

Next RC

Alaska Board of Fisheries comments—Petition on the Management of Yetna River Sockeye

The Alaska Sportfishing Association SUPPORTS the emergency petition authored by Andy Couch. The petition plainly points out that the Commercial Fish Division of ADF&G has blatantly disregarded the management guidelines of the Board as established by the 2007/2008 BOF meeting on Upper Cook Inlet fisheries. Whilst the Board instructed the Department to manage UCI Yetna Sockeye as a stock of concern with precautionary management practices, the Department radically changed its management procedures to the detriment of precautionary management principles.

As Mr. Couch enumerated in his petition, the Department has eliminated use of the ONLY in-season counting tool which had been in use for over 25 years. They stated that it was inaccurate and undercounting the escapement but was unwilling or unable to provide a comparison of the old Bendix counter numbers with the newer Didson counter at the meeting I attended in Wasilla about a year ago when they revealed to the public this ill-conceived management plan. No in-season management is not precautionary management!

I am afraid that this new "management flexibility" will result in Yetna Sockeye going the way of Cook Inlet Chum which have been decimated by the commercial fleets over the past several years. Just look at the dismal record: 1956-1995 chum harvests averaged 628,200 fish but 1995 to 2004 harvests averaged a meager 177,500 fish. From 2005 to last year (2009) chum harvests declined even more to an average of 154,000 fish.

The UCI Northern District fishery management needs a new direction from the Board and perhaps a step back from the new and disastrous management plan now in use.

Phil Cutler, President
Alaska Sportfishing Association

RECEIVED

MAR - 5 2010

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*Attn: Shannon
Public Comment for Yetna Petition*

Next RC

Kenneth E. Tarbox
Box 3507
Soldotna, Alaska

Board of Fisheries
March 2010 Statewide Meeting
Anchorage, Alaska

March 5, 2010

Dear Mr. Chairman,

I am sorry I cannot attend the meeting but would like to offer the following comments on the proposals I submitted via the RC process.

Proposal 166 – to eliminate the sport fish license requirement for the personal use fisheries.

The ADF&G and Fish and Wildlife Protection comments focus on two issues – money and the ability to enforce the regulations which prohibit non-residents from participation in the fishery. In an effort to allow those who only personal use fish to operate with just a personal use permit I offer the following modification to my proposal and therefore the new regulatory language would read:

(a) Finfish, shellfish, and aquatic plants may be taken for personal use only by a holder of a valid resident Alaska sport fishing *license or Alaska driver license or Alaska identification card* or by an Alaskan resident exempt from licensing under AS 16.05.400.

This modification will serve the purpose of protection, not result in a significant impact on ADF&G, and serve the purpose of the proposal.

I would direct you to a recent ADF&G comment on the powers of the Board of Fish and note that they informed the Board that they have, according to the Department of Law, no “administrative, budgeting, or fiscal powers”. Therefore, consideration of impacts on ADF&G budget is not the responsibility of the Board.

Other considerations as to why the sport fish license should be removed are as follows:

1. The cost of a sport fish license has fees associated with it for paying off two hatcheries which do not support the personal use fishery.
2. A family of 4 with two teenage kids who are 16 would be required to have 4 sport fish licenses for a total of nearly 100 dollars. Fish and Wildlife protection has ruled that a sport fish license is required to participate in the fishery even if it is a household permit.

This is very costly to families for a fishery that was suppose to replace subsistence fishing (this replacement language has been stated in court by the State).

3. Personal use fishing is not sport fishing by definition.

4. Those who sport fish will not have to obtain a second license. However, those who do not sport fish will be allowed to have a cost savings for participation in the fishery.

Proposal 170 & 171 – discussion of goal types and direction to the ADF&G

There is a fundamental change in the way the ADF&G is approaching escapement goal management in Alaska. In the early 2000 the ADF&G brought to the Board a proposal (known as proposal 2) to request sustainable escapement goal thresholds. That proposal met strong objections from the user groups because a threshold does not allow the users to know what management actions are coming at various escapement levels.

ADF&G could provide for additional fishing opportunity above the threshold or they may not – this was considered too much flexibility for ADF&G. One reason for concern was that ADF&G was speaking about allowing escapements to range very high as an experiment on what the system could produce. Users were obviously nervous of this because they feared if the system failed they would pay the price. The proposal failed because of these reasons.

Unfortunately, ADF&G decided to create this new goal type anyway, which is not in regulation, called the SEGT (sustainable escapement goal threshold) and apply it to various systems.

The example I use in the proposal of the Anchor River is exactly the reason the public was not supportive in the past. No one knows how ADF&G will manage when the escapement exceeds the SEGT. In fact, for the Anchor River there is substantial fishing power – both freshwater and marine – and therefore the idea that the fishery cannot be managed to a goal is not correct. In addition, ADF&G has published a report which defines a BEG for the system.

In summary if the Board wants to have an SEGT they should define clearly in regulation a definition and the application circumstances for its use.

Proposal 179 – discussion of closed to retention vs. closed to fishing.

Following is an email exchange between the Director of Sport Fish Division and me on this proposal. As you can see from reading the exchange we have a fundamental disagreement on when and how the closed to retention language is applied and why it is applied.

The ADF&G staff comments on this proposal state that this is used only in two circumstances. I pointed out in my response to Director Swanton this is not the case and therefore the Board should have a full and open discussion of these examples and regulatory language. If the only circumstances to be used are what is intended in the staff comments then that should be in regulation.

In addition, I would like to point out that the ADF&G proposal 178 recognizes the confusion but does not solve the issue of the regulatory language and when it applies. Nor does the ADF&G staff comment note that their request for increased flexibility has allocative overtones. In some cases all user groups, other than the sport fishery, could be closed for conservation and yet the sport fishery allowed to fish on the stock of concern. The hook and release mortality, which moves one further from the escapement goal, could be substantial. This allocative decision should remain with the Board not ADF&G.

----- Original Message -----

From: Ken & Connie Tarbox

To: Swanton, Charles O (DFG)

Cc: Lloyd, Denby S (DFG) ; Hilsinger, John R (DFG) ; Bedford, David G (DFG)

Sent: Thursday, February 25, 2010 12:12 PM

Subject: Re: Policy call by ADF&G-what is your opinion?

Charlie, thanks for your response but there is some misunderstandings I think on your part as to what ADF&G has done in the past relative to this topic. For your information I did read the whole comments section and saw the justification for the use of closed to retention. Unfortunately, that rationale is not what is being done in practice. I think what I want (and others who have looked at this topic) is for ADF&G to follow the regulations, not create new terms, and be honest in the discussions. I noticed not once has ADF&G mentioned that closed to retention is used to provide opportunity to a user group yet in conversations with staff this is an obvious reason and highly allocative.

However, given all this and the fact it is before the Board of Fish I was hoping that you and the leadership would have looked at the emergency orders and seen that they are not consistent with your position. So I have included below some examples of where ADF&G closed to retention when they were well into the run and admitted they will not make the goal. Here they are for your review (I took these right off the ADF&G web page) and it took me just a few minutes to find these representative examples:

July 29, 2008. Entire Situk River drainage closed to retention of sockeye salmon. Run is 80% in according to e.o. I quote from the e.o " *As a result of escapement counts near the lowest on record, and few fish in the lower river below the weir, the total escapement is not projected to meet the escapement goal. Therefore it is warranted to close the sport fishery in the Situk River.* "

In this e.o the staff wrote it was necessary to close the river but only closed to retention. This e.o. does not meet the requirements set forth in the ADF&G response. A sockeye fishery is not like other species fisheries. Also, I would like to point out that in a mixed stock fishery if one species with a sustainable goal is of conservation concern all fisheries should close. Keeping fisheries open on abundant stocks while allowing harvest on stocks of conservation concern is not sustainable fishery management. In addition the closed to retention has significant allocation overtones which ADF&G ignored in their response.

June 17, 2008 - Karluk River Sockeye Salmon - restricted to non-retention. The goal is 110,000 to 250,000. From the e.o - *"Even based on late run timing for the Karluk River, it appears that the escapement goal will not be met."*

July 5, 2007 - Unalakleet River - prohibits retention of king salmon. From the e.o *"appears escapement goal will not be met"* and *"plan notes when the projected escapement below the lower end of the escapement goal, all fishing will close"*

This e.o is very telling since it states clearly that the plan says the fishery will close but ADF&G closed to retention.

Aug 7, 2007 Susitna River sockeye salmon went to catch and release. Total sockeye escapement for the year projected at 63,573 fish in the e.o. Run estimated at 95% and the count at this point was around 60,000. Goal is 90,000 to 160,000. The fishery should have been closed to fishing as sockeye fishing in the Susitna River is not like fishing for other species.

These are just a few of the examples of where the rationale you state has been violated...

Take care and I hope ADF&G will be forthcoming at the Board of Fisheries meeting and give the Board of Fisheries a full discussion of this issue with these examples. If you want to close to retention the public deserves a rationale for why this allocative and conservation action is being used. In fact, allowing fisheries to continue is just the opposite of conservation when one is below the goals.

Ken.

----- Original Message -----

From: Swanton, Charles O (DFG)

To: Ken & Connie Tarbox

Cc: Bedford, David G (DFG) ; Hilsinger, John R (DFG) ; Lloyd, Denby S (DFG)

Sent: Wednesday, February 24, 2010 1:21 PM

Subject: Policy call by ADF&G-what is your opinion?

Ken: after conferring with both the Commissioners Office and Commercial Fisheries Division Directors Office, this response is on the Departments behalf. I have read your concern from last week and it appears that in citing "*in addition, it would prohibit catch and release fishing when escapement goals are not expected to be met, which would decrease the flexibility for the area manager to adapt to unique system specific situations when they arise*", you misinterpreted our staff comments by focusing on a single sentence rather than the comments in their entirety.

The Department does not ignore escapement goals. Our comments clearly state that we select between a closure and non retention based upon specific conservation issues unique to each fishery. The staff comments provide two justifications for choosing non retention as the preferred approach and three examples for selecting fishery closure depending on the conservation issues faced, we urge you to focus on these examples in order to better understand what the comments are intended to convey.

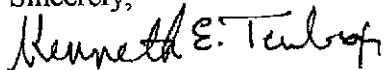
It is troubling to me that you assert that we have "new policy on escapement goal management" which is not policy nor is it new; the elements we are trying to clarify are embedded within 5 AAC 75.003. This very issue has been addressed numerous times since November 2007 when you first raised the question regarding our emergency order authority. The Department of Law stated at the time: "If the Department is satisfied that its use of catch and release EO's sufficiently addresses conservation under the circumstances, then the current language (5 AAC 75.003) authorizes it.

Based on what has been conveyed in concert with our staff comments, I continue to support seeking clarity within this regulation while maintaining fishery management flexibility to tailor actions to specific conservation or biological circumstances that arise.

Respectfully,
Charlie Swanton

Thank you for consideration of these proposals.

Sincerely,



Kenneth E. Tarbox

Next RC

February 16, 2010

To those in charge of the Kasaan crab,

It is with difficulty that I write this letter because it seems to me that I am stating the obvious, which there should be no need to do.

I am Haida. I live in Kasaan. I have eaten many Dungeness crab from Kasaan Bay. When I was very young my mother would wade in the water on a minus tide and pick up crab with her hands and throw them in the skiff with my brother and I. My grandfather preferred to use a long pole with a small net "scoop" on the end. Other family members would use a hoop with a net and bait. Many years ago it became common practice to use a crab pot. I suppose in part, the commercial crab fishery made it necessary for all crab users to use pots since the crab are no longer found in the shallow waters like they once were.

In the time before and after the summer crab fishery was shut down in the '80s, we were rarely able to get crab. The crab population had been decimated by the commercial crab fishery. It took years and years after the closure for the population of crab to reach healthy numbers.

It made me feel ill last year when I heard the summer crab fishery in our area was being reopened.

The commercial boats started setting pots the moment the summer "season" opened. They worked their gear hard the first week. It appeared the catch was slowing down the second week. From the third week to the end of the opening the boats wouldn't check their pots for weeks at a time.

Myself and others tried repeatedly to catch crab but would only catch very small crab. Nothing large enough to keep! Of course all crab, left by the commercial guys are too soft and skinny to eat anyway. I couldn't help but wonder why the commercial boats would continue to soak their pots right up to the end of the season. They couldn't have been catching much at that point. We sure weren't.

One day when I slowed my skiff as I was making my way through all the buoys, a commercial crab boat stopped what they were doing and charged right for me at a high rate of speed as if to scare me away. It seems odd to have a large vessel from Wrangell or Petersburg treating Kasaan waters as if it were theirs. If we go to their waters we would not be so disrespectful.

In Karta Bay where there were many commercial pots, I talked to some people on a visiting pleasure craft. They were saddened because they couldn't catch any legal crab. In their case or my own we would have caught plenty before the summer crab fishery.

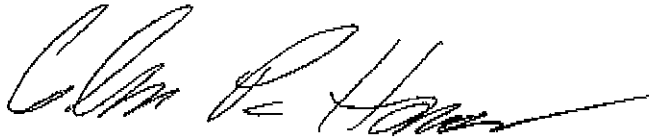
There were so many crab pots in Karta Bay that subsistence sockeye fisherman were unable to seine successfully. Most people had to go elsewhere to catch their fish. The

one group who stayed and tried to make things work made a terrible mess of their net. There wasn't enough room to work between the crab pot buoys and the beach where they dragged their net all over the bottom.

I noticed that the commercial crabbers didn't spend as much time working their gear this past fall fishery. Evidently the summer fishery has damaged the fall fishery substantially.

It is to the benefit of all crab users to permanently eliminate the summer crab fishery.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn P. Hamar". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Glenn P. Hamar

Next RC

March 9, 2010

RC18

To whom it may concern

I'm once more writing in

regards to the Commercial Crab Fishing.

Was glad to hear commercial fishing
for crab in Kasaan Bay area was

being cut back to only Fall & Winter

Crabbing. BUT I would like to see

all Crab Commercial fishing cut out

for the whole year. We don't want

what happened to Yakutat area

happen to us in S.E. (Especially

IN and around POW Island!)

My neighbor brought me some

Crab recently that were soft-

Shell. He told me he had to

Throw back lots of crab because

They were too small. Looks like

it will take a few years

- p9. 2 -

To build back up since the
several years of commercial fishing
for crab here cleaned us out.

Besides worrying about all the
endangerment to sealions,
polar bear etc. you people will
have to think about us people
and how much we depend on the
sea for our substance.

Thank you.

Sincerely
Valborg L. Bras
P.O. Box 1
Kasaan AK. 99950
(907) 542-3055

Next Rc

2-14-10

Jim -

I SUPPOSE YOU'RE THE PERSON WHO IS TAKING THE LETTERS FOR CONCERNS ON THE COMMERCIAL DUNGEN-ESS OPENING IN KASAAN BAY- I'VE BEEN CRABBING IN THIS AREA FOR OVER 20 YEARS AND RECENTLY HAVE NOTICED A LARGE DROP IN THE AMOUNT OF CRAB AVAILABLE. THE ABSOLUTE WORSE I'VE EVER DONE WAS IN FEB 2010. THE CRAB (WHAT FEW I GOT) WERE VERY SMALL + MOSTLY FEMALES. IT WASN'T TOO LONG AGO THAT THE CRAB WERE 8-9 INCH NICE KEEPERS. NOW A LOT OF MALES ARE UNDERSIZED AND THE LEGAL NES, JUST BARELY MAKE THE SIZE LIMIT. RIGHT UP UNTIL LAST YEAR I FISHED WITH 2 POTS AND HAD PLENTY OF CRAB. NOW I RUN 5 POTS AND LUCKY TO GET ENOUGH TO FEED FAMILY, LET ALONE HAVE ANY TO GIVE TO ELDERS IN THE COMMUNITY. I THINK THE ENTIRE CRAB FISHERY IN KASAAN BAY SHOULD BE SHUT DOWN + LET THE STOCKS BUILD BACK UP. BESIDE THE COMMERCIAL FISHERY THERE ARE MORE + MORE PEOPLE SPORT FISHING FOR TOO FEW A PRODUCT. I ALSO THINK THE SHRIMP HARVEST IN FRONT OF KASAAN SHOULD BE PUT ON HOLD FOR AWHILE, SAME AS THE CRAB. LAST NOVEMBER 2009 I CAUGHT THE LOWEST # OF SHRIMP EVER IN THIS AREA. I SEE TOO MANY PEOPLE AFTER TOO FEW OF THE OCEAN'S RESOURCE. HERE'S A LETTER I WROTE AWHILE BACK EXPRESSING CONCERNS OF OVER HARVEST- PLEASE DO THE RIGHT THING AND SHUT OFF SOME OF THIS OVER HARVEST-

BEST REGARDS -
Analysis Pallock

2-24-02

I AM WRITING THIS NOTE TO EXPRESS WHAT I SEE AS A RAPID DECLINE OF FISH AND WILDLIFE IN THE KASAAN AREA OF PRINCE OF WALES ISLAND. I AM CONCERNED ABOUT OUR LIFESTYLE HERE DUE TO EXTREME PRESSURE ON RESOURCES FROM OUTSIDE USE BY COMMERCIAL, CHARTER AND SPORT UTILIZATION. WE ARE THE PEOPLE THAT SUPPORT THIS COMMUNITY, RAISE OUR CHILDREN AND LIVE HERE AND PLAN TO FOR THE REST OF OUR LIVES. IT IS HOME - WE SHOULD HAVE A SAY IN WHAT GOES ON IN OUR FRONT YARD, NAMELY KASAAN BAY AND THE SURROUNDING AREA. THERE IS NOT A LOT OF WORK AVAILABLE SO WE RELY HEAVILY ON FISHING AND HUNTING TO EAT AND SURVIVE. WE SHOULDN'T HAVE TO RUN 15 OR 20 MILES IN A SKIFF TO CATCH SHELL OR FIN FISH FOR OUR MEALS. THIS FOOD SOURCE USED TO BE AVAILABLE QUITE A LOT CLOSER BUT EVERY YEAR IT IS CHANGING FOR THE WORSE. AS LONGTIME RESIDENTS WE SEE OUR LIFESTYLE CHANGING CONSIDERABLY AND ITS NOT RIGHT, THE WAY OF LIVING WE ONCE KNEW WILL NOT BE THE LIFE OUR CHILDREN AND GRAND CHILDREN WILL SEE. I BELIEVE ITS TIME TO SET ASIDE AREAS NEAR COMMUNITY BASES FOR THE LOCAL RESIDENTS TO USE WITHOUT THE DRASTIC IMPACT OF COMMERCIAL AND CHARTER USE. IT WASN'T SUCH AN ISSUE 25 OR SO YEARS AGO BUT ITS VERY NOTICABLE NOW. THE SEAFOOD IS DECLINING AT AN ALARMING RATE, IT IS TIME FOR CHANGE NOW. I HAVE LIVED IN A NUMBER OF COMMUNITIES IN S.E. ALASKA OVER THE YEARS AND HAVE WITNESSED THE DEPLETION OF FIN AND SHELL FISH IN EVERY ONE OF

THESE AREAS. I LIVED IN SITKA FOR MOST OF THE EIGHTIES AND WATCHED THE HALIBUT GET FISHED OUT IN SITKA SOUND IN A VERY SHORT TIME FRAME. THIS WAS CAUSED BY THE CHARTER FLEET. IT GOT SO BAD THE ENTIRE SOUND WAS COMPLETELY CLOSED FOR HALIBUT FISHING. IT HAS RE OPENED BUT THE CHARTERS ARE VERY RESTRICTED TO A SHORT FISHERY. I'M TOLD THAT THERE ARE OVER 250 CHARTER BOATS OPERATING NEAR PRINCE OF WALES ISLAND AT THIS TIME. MOST OF THE OPERATORS DO NOT EVEN LIVE IN ALASKA YEAR ROUND. THEY SHOW UP WITH THE FISH RUNS AND LEAVE IN THE FALL WHEN THE FISHING GETS SLOW. IF ALL THE FISH SUDDENLY DISAPPEARED DO YOU THINK THEY WOULD STAY HERE? I BET NOT. I WOULD STAY BECAUSE ALASKA AND KASIAW IS MY HOME, NOT JUST A PLACE TO MAKE A BUCK. I APPRECIATE YOUR TIME AND CONSIDERATION IN THIS MATTER, PLEASE MAKE AN ATTEMPT TO DO THE RIGHT THING FOR ALL ALASKANS IN THESE CHANGING TIMES.

BEST REGARDS

DENNIS POLLOCK
P.O. BOX KXA
KASIAW, AK 99850
(907) 542-3066

Next Rc

to Sitka Board of Fish

Governor Sean Parnell
Juneau, Alaska

2/20/2010

This a follow up on a letter I wrote 9/18/2009

For my Golden years I position my self in Chatham Strait Black Cod for my income. I felt since the State manage Chatham and because Black Cod live in 200 fathom and deeper water I would be safe from Sport Fishermen.

It now appears I was wrong, because the Board of Fish is going to make a decision in march to make it legal for Sport to take or fish with Electric reels. I feel this is commercial fishing because their production well increase by a factor of ten times over conventual Sport Fishing. And there is nothing Sporting about fishing this way.

If you think Sport in southeast well fish Black Cod on the outside, here are some reason why I think they Will not. 1. Chatham is closer, 2. The weather is much nicer and there is no ocean swell. 3. Fishing is better. 4. Sport is already using Chatham as their preference for Black Cod.

The Chatham Black Cod Quota of 6,000000 in 1995 has been lowered to 1,079000 in 2009.

Now looking at the limits for Sport Black Cod of eight Black Cod per year per non resident fisherman. In 2009 there were 255,777 non resident sport fishermen and at lease half of them fished southeast . If you just say 50,000 non resident Sport fishermen will fish Chatham Black Cod, which is a low estimate since halibut are much harder find now. Fifty thousand multiply buy eight fish equal four hundred thousand (400,000) then multiply by 8 pound avege equals Three million two hundred thousand (3,200000). Is this why the commercial Quota keeps being lowered.

If the fish price falls and with the economy being negative I will be in Trouble Financially

I feel that since there is a conflict of interest between Sport and Commercial The board of fish members should have no interest in the world of fishing and sport ,lodges. Commercial is not represented anymore.

And finally I think you should take a strong interest in this matter because commercial has a strong VOTE in the up coming election's I think much more so than Non Resident Sport.

Sincerely

Philip Wiley

po box 115

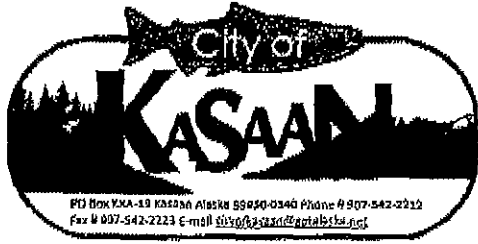
121 knutson

Sitka ,Ak 99835

cc Peggy Wilson, Senator Bert Stedman

Philip Wiley 3/4/2010

Next RC



A RESOLUTION OF THE CITY OF KASAAN, OPPOSING THE SCHEDULED COMMERCIAL SUMMER DUNGENESS CRAB SEASON IN AREAS #1 AND #2 AS TO THE OBVIOUS IMPACT IT WILL HAVE ON OUR CUSTOMARY AND TRADITIONAL HARVEST AND PETITIONS THE BOARD OF FISH AND GAME AND THE COMMISSIONER OF THE ALASKA DEPARTMENT OF FISH AND GAME FOR AN EMERGENCY CLOSURE ORDER OF THE SCHEDULED SUMMER COMMERCIAL DUNGENESS CRAB SEASON IN AREAS #1 AND #2.

RESOLUTION # 09-06-001

WHEREAS, The City of Kasaan, hereinafter called The City, is the Municipal governing body of Kasaan, Alaska; and

WHEREAS, The City council members agree with the local Tribal Government on their customary/ traditional uses and needs areas; and

WHEREAS, The City Council opposes the summer commercial Dungeness Crab season in areas #1 and #2; and

WHEREAS, The City requests "Government-to-Government" consultation prior to any commercial fisheries openings within our customary/traditional use areas; and

NOW THEREFORE BE IT RESOLVED, that the City of Kasaan opposes the scheduled Summer Dungeness Commercial Crab season in areas #1 and #2 as to the obvious impact it will have on our customary/traditional subsistence harvest and we petition the Board of Fish and Game and the Commissioner of the Alaska Department of Fish and Game for an emergency closure order of the scheduled Summer Dungeness Commercial Crab season in areas #1 and #2; and

BE IT FURTHER RESOLVED, that the City of Kasaan requests a "Government-to-Government" consultation prior to any commercial fisheries openings within our customary/traditional use areas.

PASSED, APPROVED AND ADOPTED, by a duly constituted quorum of the Kasaan City Council on this 11 day of June, 2009.

ROLL CALL VOTE

Audrey Escoffon Y; Mike Escoffon Y; Dan Edenshaw UN; Richard Peterson EX; Dennis Pollock Y; Holly Young Y; Russell Zeman EX.

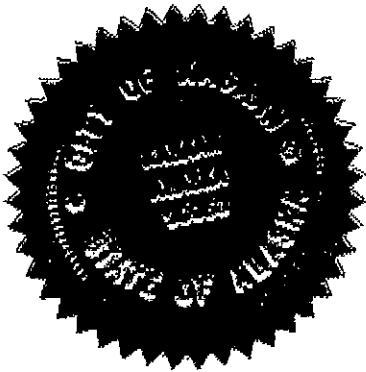
Yes 4
No 0
Abstain 0
Absent 3

ATTEST:

Amanda K. Handley
City Clerk

Andrew E. Escobar
Mayor

SEAL



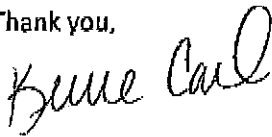
Next RC

March 9, 2010

To whom it may concern,

As a long time resident of Kasaan I am writing in regards to the to the commercial crab fishery. The Commercial crab fishery has made it impossible to subsist for crab. There are a number of reasons, 1.) The extend opening has and will continue to deplete our crab, 2.) There are so many crab pots that there is no place for me to subsist for crab, and 3.) There is so much commercial crabbing going on that I don't want to subsist for crab in fear of depleting them further than. Subsistence is supposed to be held to the highest priority, with that said I oppose commercial crabbing around the Kasaan area, in and around Kasaan.

Thank you,

A handwritten signature in cursive script that reads "Bruce Carl".

March 9, 2010

To whom it may concern,

As a long time resident of Kasaan I am writing in regards to the to the commercial crab fishery. The Commercial crab fishery has made it impossible to subsist for crab. There are a number of reasons, 1.) The extend opening has and will continue to deplete our crab, 2.) There are so many crab pots that there is no place for me to subsist for crab, and 3.) There is so much commercial crabbing going on that I don't want to subsist for crab in fear of depleting them further than. Subsistence is supposed to be held to the highest priority, with that said I oppose commercial crabbing around the Kasaan area, in and around Kasaan.

Thank you,

Linda Escobar

March 9, 2010

To whom it may concern,

As a long time resident of Kasaan I am writing in regards to the to the commercial crab fishery. The Commercial crab fishery has made it impossible to subsist for crab. There are a number of reasons, 1.) The extend opening has and will continue to deplete our crab, 2.) There are so many crab pots that there is no place for me to subsist for crab, and 3.) There is so much commercial crabbing going on that I don't want to subsist for crab in fear of depleting them further than. Subsistence is supposed to be held to the highest priority, with that said I oppose commercial crabbing around the Kasaan area, in and around Kasaan.



Thank you,

March 9, 2010

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Thank you,


DENNIS L POLLOCK

March 9, 2010

To whom it may concern,

As a long time resident of Kasaan I am writing in regards to the to the commercial crab fishery. The Commercial crab fishery has made it impossible to subsist for crab. There are a number of reasons, 1.) The extend opening has and will continue to deplete our crab, 2.) There are so many crab pots that there is no place for me to subsist for crab, and 3.) There is so much commercial crabbing going on that I don't want to subsist for crab in fear of depleting them further than. Subsistence is supposed to be held to the highest priority, with that said I oppose commercial crabbing around the Kasaan area, in and around Kasaan.

Thank you,


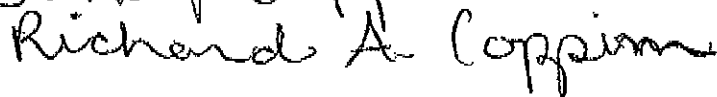
Robert & Georgia Baker

March 9, 2010

To whom it may concern,

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Thank you,

March 9, 2010

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As a long time resident of Kasaan I am writing in regards to the commercial crab fishery. The Commercial crab fishery has made it impossible to subsist for crab. There are a number of reasons, 1.) The extend opening has and will continue to deplete our crab, 2.) There are so many crab pots that there is no place for me to subsist for crab, and 3.) There is so much commercial crabbing going on that I don't want to subsist for crab in fear of depleting them further than. Subsistence is supposed to be held to the highest priority, with that said I oppose commercial crabbing around the Kasaan area, in and around Kasaan.

Thank you,


Della A. Coburn
Della A. Coburn

March 9, 2010

To whom it may concern,

As a long time resident of Kasaan I am writing in regards to the commercial crab fishery. The Commercial crab fishery has made it impossible to subsist for crab. There are a number of reasons, 1.) The extend opening has and will continue to deplete our crab, 2.) There are so many crab pots that there is no place for me to subsist for crab, and 3.) There is so much commercial crabbing going on that I don't want to subsist for crab in fear of depleting them further than. Subsistence is supposed to be held to the highest priority, with that said I oppose commercial crabbing around the Kasaan area, in and around Kasaan.

Thank you,


Jeffrey Sheakley Jr

Next RC



MEMORANDUM

DATE: March 9, 2010
TO: Denby Lloyd; Commissioner, ADFG
Vince Webster; Chairman, ABOF
FROM: Emil Notti; Commissioner, DCCED
RE: Request for information: Proposal 168: Repeal Salmon Seine Vessel Length Limit

The following memo is in response to your letter on October 21, 2009, in which you requested that the Department of Commerce, Community and Economic Development (DCCED) provide economic information relevant to the deliberations of the Alaska Board of Fisheries on Proposal 168, which seeks to eliminate the 58-foot vessel length limit in Alaska's salmon seine fisheries. This memo accompanies the memo submitted by the Commercial Fisheries Entry Commission (CFEC) providing the board detailed statistics related to vessels participating in the fishery.

Staff examined available materials on this proposal and compiled an analysis of relevant available information about Alaska's salmon seine fishery. Information on participation, earnings and volume was collected, as well as a review of CFEC's report titled *Vessel Length, Horsepower, Fishing Participation and Diversification among Alaska's Salmon Purse Seine Vessels, 1978 to 2008*. All of the data included in this report comes from CFEC. In addition, we consulted vessel builders and commercial fishermen in order to get a comprehensive picture of the current fishery and the probable effect of this proposal.

Description of Proposal

Proposal 168 seeks to amend 5 AAC 39.117.

Current statutes and regulations are as follows:

Sec. 16.05.835. Maximum length of salmon seine and certain hair crab vessels.

(a) Unless the Board of Fisheries has provided by regulation for the use of a longer vessel in a salmon seine fishery, a salmon seine vessel may not be longer than 58 feet overall length except vessels that have fished for salmon with seines in waters of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels.

(b) A vessel engaged in the Bering Sea hair crab fishery within five miles of the shore may not be longer than 58 feet overall length.

(c) In this section, "overall length" means the straight line length between the extremities of the vessel excluding anchor rollers.

5 AAC 39.117. Vessel length; bulbous bow

(a) Notwithstanding any other provision in 5 AAC 01 - 5 AAC 39, the addition of a bulbous bow may cause a vessel, other than a vessel engaged in the Bering Sea hair crab fishery, to exceed an established vessel overall length limitation. Only that portion of the vessel comprising the bulbous bow may cause the vessel to exceed a vessel overall length limitation.

(b) For the purposes of this section, "bulbous bow" means a bulbous extension of the bow, below or predominately below the water line of a vessel, that is designed to increase stability or fuel efficiency and does not contain storage space or equipment that can be accessed from within the vessel.

If the board were to vote in favor of Proposal 168, the regulations would be revised to remove the 58-foot vessel length limit in the salmon seine fishery, essentially allowing boats of any size to prosecute the fishery. However, AS 16.05.835 would not be amended.

Other state fishery regulations utilizing 58 feet as a limit

It should be kept in mind that there are numerous other fishery regulations utilizing 58- or 60-foot length limits. This is significant because many fishermen participate in multiple fisheries. For those fishermen, removal of the 58-foot limit would have little impact if they participate in other fisheries that require a similarly sized vessel. Below is a list of those regulations:

5 AAC 28.272. Sablefish harvest, possession, and landing requirements for Prince William Sound Area

(c)(2)

(A) combined categories A, vessels with a length of 90 feet, and B, vessels with a maximum overall length of 60 feet; 18.53 percent;

5 AAC 28.367. Cook Inlet Pacific Cod Management Plan

(c)

(3) the fishing season for vessels longer than 58 feet in overall length fishing with pot gear shall close when 25 percent of the guideline harvest level has been taken by those vessels, unless the pot gear season has already been closed for the remainder of the season under (2) of this subsection; this restriction does not apply if the pot gear season is still open on September 1 under (2)(B) of this subsection or to a season reopened after August 31 under (2)(C) of this subsection; in this paragraph, "overall length" means the straight line length between the extremities of the vessel, excluding anchor rollers.

5 AAC 28.467. Kodiak Area Pacific Cod Management Plan

(c)

(4) the fishing season for vessels longer than 58 feet in overall length fishing with pot gear when 25 percent of the guideline harvest level has been taken by those vessels or December 31, whichever occurs first, unless the pot gear season has already been closed under (2) of this subsection; in this paragraph "overall length" means the straight line length between the extremities of the vessel, excluding anchor rollers; the restrictions under this paragraph do not apply to a season reopened after August 31 under (2) of this subsection.

5 AAC 28.537. Chignik Area Pacific Cod Management Plan

(e)(3)

(D) a vessel registered to take Pacific cod may not be longer than 58 feet in overall length; in this subparagraph, "overall length" means the straight line length between the extremities of the vessel excluding anchor rollers;

5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan

(e)(3)

(D) a vessel registered to take Pacific cod may not be longer than 58 feet in overall length; in this subparagraph, "overall length" means the straight line length between the extremities of the vessel excluding anchor rollers;

5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan

(d)(1)(B)

(i) if the state waters B season guideline harvest level has not been taken by September 1, when the federal catcher-vessel pot fishery season for vessels over 60 feet in overall length opens, the commissioner will close, by emergency order, the state waters B season and immediately reopen a parallel season;

(ii) if the commissioner determines that an adequate state waters season B guideline harvest level is available after the federal catcher-vessel pot fishery season for vessels over 60 feet in overall length closes, the commissioner may reopen, by emergency order the state waters B season;

(d)(3)(A)

(ii) mechanical jigging machines and longline gear may not be more than 58 feet in overall length;

(d)(3)

(B) state waters 'B' season, may not be more than 60 feet in overall length for any gear type;

5 AAC 28.690. Vessel length restrictions for the Bering Sea-Aleutian Islands Area

(a) A person may not use a vessel that is longer than 60 feet in overall length to take Pacific cod or rockfish in the waters of Sitkin Sound and the surrounding area enclosed by lines from Cape Adagdak northeast to Swallow Head to Teapot Rock southeast to a point on the northwesternmost tip of Tagalak Island, and then from the southernmost tip of Tagalak Island to the southernmost tip of Umak Island, and then from the southernmost tip of Umak Island south southwest to Cape Azimas, and then from Cape Azimas west southwest to the southernmost tip of Kagalaska Island, and then from the southernmost tip of Kagalaska Island to Boot Point on Adak Island, and then from Boot Point southwest to Cape Kagigkak, to 51° 53' N. lat., 176° 45.75' W. long., south to Careful Point.

(b) From May 1 through September 15, in the waters of Alaska between 175° 30' W. long. and 177° W. long., a person may not use a vessel longer than 60 feet in overall length to take Pacific cod.

(c) Beginning June 1, 2009, in the Bering Sea-Aleutian Islands Area, a vessel participating in a parallel season for Pacific cod with longline gear may not be more than 58 feet in overall length.

5 AAC 34.590. Vessel length restrictions for Registration Area M

(a) In the West Chignik District a vessel engaged in the commercial king crab fishery may not be longer than 58 feet overall length.

5 AAC 34.690. Vessel length restrictions

(a) King crab may not be taken from the waters of Unalaska Bay enclosed by a line from Cape Cheerful (54° N. lat., 166° 40.33' W. long.) to Priest Rock (54° N. lat., 166° 22.50' W. long.) by vessels over 50 feet, U.S. Coast Guard registered length or 58 feet overall length.

(b) In the remaining waters of Registration Area O east of 171° W. long., not specified in (a) of this section, king crab may not be taken by vessels over 58 feet overall length when the guideline harvest level is 1,000,000 pounds or less.

5 AAC 35.590. Vessel length restrictions

(a) In the Eastern Aleutian District, in the waters of Unalaska Bay enclosed by a line from Cape Cheerful (54° N. lat., 166° 40.33' W. long.) to Priest Rock (54° N. lat., 166° 22.50' W. long.), Tanner crab may not be taken by vessels over 50 feet, United States Coast Guard registered length or 58 feet overall length. In the remainder of the Eastern Aleutian District, Tanner crab may not be taken by vessels over 58 feet in overall length when the guideline harvest level for Tanner crab in the Eastern Aleutian District is 1,000,000 pounds or less.

(b) Tanner crab may not be taken in the Chignik and South Peninsula Districts by vessels over 58 feet in overall length.

References to a 60-foot break in federal fisheries

Another key regulatory issue to keep in mind is the use of the 60-foot break for federal fisheries. Due to differing regulations and allocations for vessels over and under 60 feet, many vessels built recently are under 60 feet in an effort to keep as many future opportunities available as possible.

- BSAI Pacific cod sector splits (60- foot break for pot and hook-and-line gear)
- AI directed pollock fishery (qualifies and allocates pollock vessels under 60 feet to promote economic development in Adak)
- Amendments 92 and 82 for trawl recency (non-AFA catcher vessels less than 60 feet)
- C class IFQ's limited to vessels between 35 and 60 feet in length
- Gulf of Alaska Pacific cod fixed-gear recency, endorsements are tied to LLP's which utilize a 60- foot break
- Gulf of Alaska Pacific cod sector split utilize a 50- foot break for the central gulf fishery
- No observer coverage on vessels under 60 feet operating in federal waters

The 60-foot break in federal fisheries is important, as most non-salmon harvests take place in federal waters. Due to the need for fisheries diversification, opportunities in federal waters are imperative to fishing operations. Vessel owners make decisions based on regulations in both state and federal water to best fit their business pursuits. As operations in federal waters become important components of fishing activities, regulations based on vessel size in these waters will play a larger role in the future for fishing businesses.

History of the 58-foot limit

The 58-foot limit was created pre-statehood in an effort to limit competition from larger vessels operating outside of Alaska, primarily in Puget Sound. Originally the Department of Interior, Fish and Wildlife Office, established a limit of 50 feet on salmon seine vessels. In 1959, upon statehood, Alaska adopted the 50-foot length limit, however, later amended the rule to say 58 feet in overall measurement excluding anchor roller extensions for clarification. In 2004, at the request of the legislative salmon fisheries task force, the legislature amended statute to allow the Board of Fisheries to set length limits. In 2008, the Board of Fisheries made length limits below the water line not part of the measurement, primarily to allow the addition of bulbous bows.

Seine vessel length and participation with other gear types

The Commercial Fisheries Entry Commission report titled *Vessel Length, Horsepower, Fishing Participation and Diversification among Alaska's Salmon Purse Seine Vessels, 1978 to 2008* presents data on vessels participating in Alaska's salmon seine fisheries. According to CFEC's report, vessel horsepower has increased over the years. However, in Prince William Sound a slight decline has occurred recently due to changes in the herring fishery and fuel prices. While horsepower isn't an exact proxy for vessel size, it provides a basic understanding of the capital power introduced into the fishery. It must be noted that different salmon fisheries lend themselves to different styles of fishing. By looking at the data presented, one can conclude that fisheries like the Kodiak, Cook Inlet, Chignik, and Prince William Sound utilize small fast boats, while fisheries in Southeast and Alaska Peninsula utilize larger, potentially slower, vessels.

2008 Data	Prince William Sound	Southeast	AK Peninsula	Chignik	Cook Inlet	Kodiak
Vessel Length	12-58	43-63*	21-58	34-58	24-43	30-58
Mean Length	49	55	52	44	34	47
Highest percentage size range	(44%) 50-57	(54.5%) 58**	(40%) 58	(62%) 40-49	(44%) 30-39	(45%) 40-49
Mean Horsepower	491	335	401	451	250	452
Vessel utilization of other gear type	(12%) Long line (7%) Gillnet (7%) Other Seine (4%) Pot	(32%) Long line (24%) Pot (13%) Other Seine (12%) Pound (2%) Trawl (2%) Troll (7%) Dive	(40%) Long line (60%) Pot (8%) Other Seine (28%) Trawl (21%) Gillnet (15%) Jig	(17%) Long line (22%) Pot (2%) Dive (2%) Jig	(4%) Pot (4%) Gillnet	(27%) Long line (23%) Pot (16%) Other Seine (15%) Jig (2%) Gillnet (2%) Dive

Source: "Vessel Lengths and Fishing Diversification Among Alaska Salmon Drift Gillnet Vessels, 1978-2007". CITEC Report 08-4N. May, 2008

*AS 16.43.835 allows vessels for a small number over 58 feet to participate in fishery due to historic participation.

** Includes small number of vessels over 58-foot length limit as allowed by AS116.43.835

As indicated in the table, vessels participating in Alaska's salmon seine fishery typically participate in other fisheries utilizing other gear types. Seine fishermen in Southeast, Alaska Peninsula, Chignik and Kodiak are the most diversified. The diversification indicated above shows these vessels are multi-use platforms operating throughout the year. The participation in multiple fisheries has led fishermen to modify vessels to be as efficient in multiple fisheries as possible, or become a specialized vessel in one fishery, while still being useful in others.

Description of the fishery – volume, value, and participation

Alaska's salmon seine fishery is the largest producing salmon fishery by volume and value. Each year seine fishermen harvest hundreds of millions of pounds of salmon. Seine harvests are subject to the odd-even year cycle of pink salmon, which translates into large harvest volumes in odd years. Since 2000, seine fishermen have harvested more than 400 million pounds of salmon in odd years, while even-year harvests range between 300 and 400 million pounds.

Recently, salmon harvest values have increased to more than \$200 million. In 2002, seine earnings bottomed out at an estimated \$82,536 per permit. Simultaneously, participation in the fishery decreased to 542 permits, or 40 percent of the

permits issued. Since 2002, earnings have rebounded, in unadjusted terms, above pre-2002 levels. However, participation is still lower than 2000, when 920 permits were fished. In 2008, fishermen harvested 325 million pounds of salmon with an estimated value of \$147 million, or roughly \$240,000 per permit.

Statewide Salmon Seine, 2000-2008

	2000	2001	2002	2003	2004	2005	2006	2007	2008
Permits Issued	1,370	1,369	1,367	1,359	1,357	1,355	1,352	1,351	1,313
Permits Fished	920	855	542	598	551	640	586	617	615
Volume	339,783,361	458,194,877	313,978,327	405,361,599	380,603,960	547,687,059	305,469,110	514,688,380	325,386,385
Value	\$92,425,480	\$90,738,418	\$44,734,717	\$67,108,190	\$65,086,316	\$90,319,468	\$77,432,315	\$127,685,909	\$147,199,480
Est. Vessel Earnings	\$100,462.48	\$106,126.80	\$82,536.38	\$112,221.05	\$118,123.99	\$141,124.17	\$132,137.06	\$206,946.37	\$239,348.75

Source: CFEC Basic Information Tables

Note: Earnings are in nominal dollars and reflect commercial harvests only. Excluded are harvests associated with hatchery cost recovery, test fishing, illegal or confiscated catch, dead loss, personal use, or other harvests taken but not sold.

Other fisheries vessels participate in

While salmon is the predominant species harvested by vessels limited to 58 feet in length, other seafood species are also harvested by these vessels. Location is a major factor in the species harvested by these vessels; typically 58-foot vessels harvest as many local species as possible. However, vessels are not limited to the local region. In some cases, vessels from the Southeast region of the state participate in groundfish fisheries in Kodiak or Alaska Peninsula, while vessels from Prince William Sound or Cook Inlet may travel to Southeast to participate in the herring fishery.

Below is a table indicating predominant species harvested by region utilizing 58-foot vessels.

	Southeast	Alaska Peninsula	Cook Inlet	Prince William Sound	Kodiak	Chignik
Salmon	X	X	X	X	X	X
Herring	X				X	
Crab	X	X			X	
Halibut	X	X	X	X	X	
Sablefish	X	X	X	X	X	
Ground fish		X	X	X	X	X

Data obtained from the Commercial Fishing Entry Commission (CFEC) indicates earnings by region for vessels making salmon seine landings¹. While not all vessels making a salmon seine landing are 58 feet, or participate in other fisheries, this information shows the opportunities currently pursued by some vessels subject to the 58-foot limit.

Southeast vessels making a seine landing had total earnings of \$84.2 million in 2008, of which \$41.0 million came from salmon. This difference indicates that more than half of vessel earnings for those making a seine landing came from participation in other Alaska fisheries.

Fishermen operating in the Alaska Peninsula are much like Southeast fishermen in their diversification. Vessels making a seine landing in the Alaska Peninsula earned a total of \$40.4 million. Of this total, \$20.6 million is from salmon.

While the Kodiak fishing community is very diverse, the Kodiak seine fleet is less diverse than Southeast and Alaska Peninsula. In total, Kodiak seine vessels had \$35.7 million in earnings. Of the \$35.7 million total, \$21.6 million came from salmon harvesting. Unlike Southeast and the Alaska Peninsula, which have the largest vessels on average, Kodiak is home to smaller seine vessels.

¹ Note: Earnings are in nominal dollars and reflect commercial harvests only. Excluded are harvests associated with hatchery cost recovery, test fishing, illegal or confiscated catch, dead loss, personal use, or other harvests taken but not sold.

Prince William Sound, like Kodiak, has a smaller average vessel size than both Southeast and the Alaska Peninsula. While vessels from Prince William Sound also participate in other fisheries, the earnings difference is not as pronounced due to regional opportunities. Vessels making a seine landing had total earnings of \$58.3 million, with \$52.3 million from salmon.

While participation in non-salmon fisheries is high in percentage terms for vessels in Chignik, the earnings spread is similar to Kodiak and Prince William Sound. Chignik vessels had a total harvest worth \$11.4 million. Of the \$11.4 million worth of seafood harvested, \$8.7 million came from salmon harvesting.

Understanding this diversification is important because many other fisheries are also subject to a similar length limit or have different allocations and permitting requirements for small vessels. For fishermen participating in multiple fisheries, decisions about vessel size will be driven by a number of regulatory requirements besides the maximum length of a salmon seine vessel.

58-foot vessel capital costs

Vessel capital costs are also important to understand. The 58-foot vessel has become a valuable piece of capital to any multi-species fishing operation. Due to their specialized nature and multiple uses, 58-foot vessels may carry a price premium. However, it is difficult to separate material costs between 58-foot vessels and vessels over 58 feet to determine if a price premium does exist. Used vessel prices typically track potential revenue from fisheries they are designed to prosecute. So new construction may not have a price premium, but used vessels may.

	Low	High	New
Steel	\$495,000	\$1,150,000	\$2 million +
Fiberglass	\$399,000	\$925,000	\$2 million +

Source: Vessel broker websites, current listings.

Arguments for proposal

Proponents of this proposal have made a number of arguments for its adoption: the limit is unnecessary given other harvest controls; safety would be improved if vessels were larger; larger vessels would allow increased economic efficiency; and larger vessels would allow onboard processing.

Necessity of the Limit:

As noted above, many other controls on harvesting capacity exist in the salmon seine fisheries, including: limited entry; time and area closures; and gear restrictions. Given this, it is clear that salmon seine fisheries could be prosecuted to allow for sustained yields in the absence of the 58-foot limit.

Safety Implications:

Proponents of Proposal 168 make the case that the non-salmon fisheries in which these vessels participate would be safer to prosecute on longer vessels. Currently, vessels have been modified to increase volume while remaining within the 58-foot maximum length overall. Today's new vessels are wider, taller and deeper. Many of them have been designed to operate in Alaska's halibut, sablefish, and pacific cod fisheries, which take place in open waters and in the winter time. Some believe lengthening these vessels would increase safety on these vessels during their non-salmon fisheries.

Economic Efficiency:

It is unclear to what extent a larger vessel might increase economic efficiency. Since many of the fisheries 58-foot vessels participate in are far from ports, fuel efficiency is a major issue. It is understood that longer vessels can gain fuel efficiencies over the current design of some vessels. However, it is not clear if this applies to all hull designs. Capacity is another issue that could contribute to economic efficiencies. If vessels are able to stay fishing longer and tender their own fish to receive a dockside premium, then efficiencies will be realized. If vessels can fish longer, fewer trips to town may be necessary. However, it is unclear to what extent this benefit could be realized over and above what is currently possible for a high-capacity vessel participating in seine fisheries. Many larger seiners already tender much of their catch and can hold as many fish as necessary on most openings.

There is potential for economic efficiencies to be realized in non-salmon fisheries with the ability to burn less fuel and make longer trips. Operating costs for vessels of this size are significant, and anything lowering operating costs would be beneficial to fishermen.

Tender capacity:

Tender capacity has become an issue for some salmon fisheries in recent years. With commercial fishing buy-back programs, the available vessels to operate in the tender fleet have diminished. In some salmon fisheries this has raised tendering costs as well as driven fishermen to purchase larger vessels. This scenario is most common in the salmon fisheries prosecuted by smaller vessels.

Improved Quality:

Proponents of Proposal 168 indicate that larger vessels could increase quality by providing opportunities for on-board processing. It is unclear how common on-board processing would be due to vessel sizes and harvest volumes. To accommodate on-board processing of the volume of fish harvested in a day on seine vessels, a substantially larger vessel would be necessary to provide adequate space for harvesting and processing. It may be that a vessel large enough to accommodate on-board processing would be too large for practical or efficient use as a harvesting vessel.

Other quality improvements would likely be minimal, since the vast majority of 58-foot vessels currently have sufficient space and infrastructure to adequately chill fish.

Arguments against proposal

Opponents of the proposal are concerned that removing the limit will negatively impact current capital investments. Many fishing businesses have invested in 58-foot vessels to prosecute a certain set of fisheries aligned with the owner and region of operation. If this specialized equipment is no longer specialized, the potential exists for a devaluation of business assets.

Some have expressed sentiments that vessels larger than 58 feet offer no significant advantage, making the change unnecessary. While proponents of the proposal argue that the change would minimally impact the industry, opponents agree that the impact would be small and, therefore, argue that the change is unnecessary. In general, opponents feel the benefits resulting from a removal of the 58-foot limit are limited. A related argument is that few diversified fishermen would take advantage of this change due to significant advantages to staying under 60 feet in other state and federal fisheries.

Another argument against the proposal is the potential for overcapitalization of the fishery. Currently, Southeast seiners are working on a permit buy-back program in an effort to lower the number of permits potentially available to enter the fishery if it becomes highly profitable. Increasing maximum vessel size could increase capitalization in the fishery if fishermen opted to upgrade to larger vessels. There is some potential that fishermen who currently own vessels larger than 58 feet could enter the fishery, increasing competition.

There also is a concern for those that compete in highly competitive fisheries taking place in small areas. If substantially larger vessels are allowed to participate in some of these highly competitive fisheries, the potential for collisions may increase. While it is noted that there is already some discrepancy in size of vessels, it is a concern that must be noted when considering allowing for larger vessels than currently permitted.

Considerations

While DCCED staff has attempted to provide data and analysis that will be helpful to the board's deliberations, a great deal more will be learned from fishery participants at the meeting. The following topics are ones the study team feels would be valuable for the board to consider and discuss with those participating in the fishery:

- **Other fishery regulations utilizing the 58-foot limit** – As listed above, multiple fisheries on the state level utilize the 58- and 60-foot limits to protect small vessels and provide access to the resource. In federal fisheries, the 60-foot limit is used to accomplish similar goals. Changing the 58-foot limit for salmon seiners may have little impact for fishermen who participate in other fisheries that similarly limit maximum vessel size.
- **Adding value** – If innovation and technology allow for on-board processing on vessels appropriately sized for the seine fishery, quality improvements are possible.
- **Harvesting practices** – Harvesting practices vary by region and could be affected by larger vessels. Maneuverability is always an issue for these vessels. Some vessels utilize bow thrusters to improve maneuverability. They also use skiffs to maneuver the net and boat during fishing operations. Larger vessels could require larger support equipment. Also, potential safety concerns could arise in some of the highly competitive fisheries.
- **Harvesting capacity** – Many factors other than vessel size affect harvesting capacity. The board should consider the 58-foot limit in the context of other regulatory controls on harvesting capacity, such as net length and restrictions on equipment.
- **Safety**–The board should consider how lifting the length limit might affect both the seaworthiness of vessels in the fishery and the potential for collisions in crowded areas. Vessel operators could provide additional insight in this area.
- **Industry stability** – The need for stability in a volatile industry is a potential argument to retain the limit. The board could consider how this proposal might affect investments by individuals as well as the overall capacity of the fleet. Would making additional capital investments become necessary to remain competitive if the proposal were to pass? Does a larger vessel create a competitive advantage, or not?
- **Vessel as a limiting factor** – Is vessel size a limiting factor in the overall success of the salmon fishery, as well as a successful fishing business? In many cases the right vessel to prosecute the right fisheries is more valuable to a business than a bigger vessel.

- **Fishery variables** – As always, many variables affect the overall profitability of the seafood industry. The board could consider the impact of outside forces on the economics of the seafood industry when evaluating the impacts of this proposal.
 - *World seafood markets*
 - *U.S currency exchange rates*
 - *Fuel prices*
 - *Weather*
 - *Salmon ocean survival*
 - *Non-salmon fishing opportunities*
 - *Run size*
 - *Tender availability*
 - *Farmed finfish production*
 - *Future development activity in the ocean*
 - *Financial markets*

next RC

Tuesday, March 9, 2010 3:33 PM

Subject: letter to Alaska Board of Fish; please print and fax to:907-465-6094
Date: Tuesday, March 9, 2010 2:33 PM
From: Della Coburn <illskidy12@hotmail.com>
To: Kaylene Jelly <kaylene@kasaan.org>
Category: Work

3/08/10

*Jim Marcotte
Executive Director
Alaska Board of Fisheries
Juneau, Alaska*

Dear Mr. Marcotte,

I'm a 59 year resident of Kasaan, Alaska, and have always depended on local wild foods to feed myself and my family. The opening of the waters in and near Kasaan Bay to commercial taking of our wild foods during the season of subsistence harvesting has created a hardship to me and my family here, since each person in the village normally eats 4 or more crab per week during the times of year when the crab are in condition to be eaten, and weather permits us to harvest them. Those crab we can't eat immediately are cleaned and frozen for use during the months the weather does not permit fishing here, or the crab are moulting or spawning.

Crab is one of the many species of wild food animals and plants

Kasaan people have eaten for hundreds of years, and we should not have to substitute store bought foods, since it has been demonstrated that indigenous peoples are biologically adapted to our local wild foods, and suffer poor health by switching to non-local foods which are of questionable safety and quality, containing pesticides, herbicides, fungicides and steroids, not to mention sometimes botulism, salmonella, etc. Kasaan people need to consume mostly local wild foods, if we are to maintain our health, and enjoy longevity. Wild foods are the healthiest and most whole-some, and we are entitled to this resource in the amounts we have historically enjoyed.

*Della A. Coburn
Kasaan, Alaska*

Hotmail: Trusted email with powerful SPAM protection. Sign up now. <<http://clk.atdmt.com/GBL/go/201469227/direct/01/>>

Next Rc

SAXMAN AC
SAXMAN ADVISORY COMMITTEE TO ADF&G
Meeting of Monday March 8, 2010 – 5PM
Location: ADF & G Conference Room

MINUTES

Call to Order by Chair Denny at 05:07 with establish quorum (4) ((only a simple majority is required))

Sign in page: CHARLES DENNY (CHAIR), LLOYD GOSSMAN (VICE CHAIR), CLAY SLANAKER, WOODROW WATSON, WOODROW ANDERSON.

Mike Woods of ADF & G was also in attendance.

No Amendments presented for Agenda

Clay Slanaker moved to approve minutes of last meeting with Woody Watson Second

Discussion – Let the minutes of last meeting reflect that Lloyd Gossman was chosen by the committee to represent them at the BOF in Anchorage.

Question called. **Minutes of 02/16/2010 adopted with change** – Unanimous support.

Reports: None presented

The Committee moved directly to New Business:

BOF meeting of 03/16/2010 Proposals:

PROPOSAL 164 Motion to Adopt is made and Seconded, Discussion: Confusing regulation – Question called. Unanimous vote **Oppose Prop 164**.

PROPOSAL 165 Motion to Adopt is made and Seconded, Discussion: Woody Anderson commented on Saxman's loss of Subsistence rights. More of a regional issue - Question called. Unanimous vote **Oppose Prop 165**.

PROPOSAL 166 Motion to Adopt is made and Seconded, Discussion: Woody Anderson commented on the Aquatic plant and wanted to make sure no one is denied that type of use – Question called. Unanimous vote **Oppose Prop 166**.

PROPOSAL 167 Motion to Adopt is made and Seconded, Discussion: Clay and Mike Woods discussed as a housekeeping issue - Question called. Unanimous vote **Support Prop 167**.

PROPOSAL 168 Motion to Adopt is made and Seconded, Discussion: Woody Anderson and Clay both spoke in opposition to this proposal. Both felt larger boats would have a

negative affect and things have worked just fine the way it currently exists – Question called. Unanimous vote. **Oppose Prop 168.**

PROPOSAL 169 Motion to Adopt is made and Seconded; Discussion: Lengthy discussion - to support the BOF giving reasons why they rule against subsistence was the main focus. It was felt the BOF has been placing more emphasis on commercial fishing without considering the needs of others. Everyone felt the need to hold the board accountable and hoped this proposal will do that – Question called. Unanimous vote **Support Prop 169.**

PROPOSAL 170 Motion to Adopt is made and Seconded: Discussion: Complicated issue and the committee felt this was being promoted because of the self-interest of one person to the detriment of many – Question called. Unanimous vote. **Oppose Prop 170.**

PROPOSAL 171 Motion to Adopt is made and Seconded; Discussion: Committee felt special interests being represented again – Question called. Unanimous vote. **Oppose Prop 171.**

PROPOSAL 172 Motion to Adopt is made and Seconded; Discussion: The Committee felt it important to support any type of forecasting of escapements – Question called. Unanimous vote. **Support Prop 172.**

PROPOSAL 173 Motion to Adopt is made and Seconded; Discussion: The Committee felt it important to match up regulations in case of emergency but had some reservations that the proposal could also open up fisheries when it shouldn't. Knowing that the state still held the power in both opening and closing the committee supported – Question called. Unanimous vote. **Support Prop 173.**

PROPOSAL 174 Motion to Adopt is made and Seconded; Discussion: Everyone was against this. Mike of ADF and G gave a sample harvest showing the by-catch garnered just about every species – Question called. Unanimous vote **Oppose Prop 174.**

PROPOSAL 175 Motion to Adopt is made and Seconded; Discussion: Everyone thought this a waste of time. Existing regulations work – Question called. Unanimous vote. **Oppose Prop 175.**

PROPOSAL 176 Motion to Adopt is made and Seconded; Discussion: Nobody had a problem with this proposal. Clay made the comment, that with a lower population of Halibut that was predatory on dogfish, The dogfish population has exploded. Everyone was for catching as many as possible – Question called. Unanimous vote. **Support Prop 176.**

PROPOSAL 177 Motion to Adopt is made and Seconded; Discussion: The committee felt this was not a good proposal as it may lead to reduction in other areas even though very few of these are caught – Question called. Unanimous vote. **Oppose Prop 177.**

PROPOSAL 178 Motion to Adopt is made and Seconded; Discussion: The committee didn't like this as everyone felt that the allocative process may become the focus of closures – Question called. Unanimous vote. **Oppose Prop 178.**

PROPOSAL 179 Motion to Adopt is made and Seconded; Discussion: The committee felt this was another special interest proposal – Question called. Unanimous vote. **Oppose Prop 179.**

PROPOSAL 180 Motion to Adopt is made and Seconded; Discussion: Everyone felt this was a good idea and supported – Question called. Unanimous vote. **Support Prop 180.**

PROPOSAL 181 Motion to Adopt is made and Seconded; Discussion: Everyone was comfortable and supported a definition for housekeeping purposes until it was noted by Clay that the word Trolling in the proposal would limit the use of electric reels to trolling – Question called. Unanimous vote. **Oppose Prop 181.**

PROPOSALS 182 AND 183 Motion to Adopt both is made and Seconded; Discussion: Since we supported/clarified the definition of Electric reels everyone supports their use – Question called. Unanimous vote. **Oppose Proposals 182 and 183.**

This was all the proposals the committee felt it necessary to address.

Other agenda items were tabled

It was decided that notice for the next Saxman AC meeting would be for a Joint Saxman and Ketchikan AC meeting on the 31st of March.

Mike Woods was thanked for attending and providing comments from the ADF & G.

Meeting adjourned at 7:05 pm.



Briefing to the Alaska Board of Fisheries on BSAI crab FMP amendments

Alaska Department of Fish and Game Division of Commercial Fisheries

March 16, 2010

The following briefing identifies issues the Board of Fisheries (board) may wish to consider in response to pending North Pacific Fishery Management Council (council) actions related to Bering Sea and Aleutian Islands (BSAI) crab. This briefing is intended to supplement the presentation you will receive as staff report RC5.

Analyses have been initiated for implementation of Annual Catch Limits (ACL), and development of Pribilof Islands blue king, Bering Sea snow, and Bering Sea Tanner crab stock rebuilding plans. Some alternatives in the analyses have considerable potential to negatively impact management authority deferred to the State of Alaska (state) in the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (FMP).

ACLs

National Standard 1 guidelines developed in response to 2007 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) require that ACLs be adopted for each crab stock listed in the FMP and that ACLs must be implemented beginning with the 2010/2011 fishing season. ACLs will establish a buffer between the federal overfishing level (OFL; the estimate of the total annual catch that would jeopardize the capacity of a stock to produce maximum sustained yield on a continuing basis) adopted by the council and the maximum Total Allowable Catch (TAC) set by the state. ACL buffers must be crafted to account for biological and management uncertainty for each stock. Examples of biological uncertainty include imprecision in the estimate of abundance and imprecision in the estimates of parameters, such as the natural mortality rate, used in the population model. Examples of management uncertainty include imprecision in estimating the expected number of crab discards, such as sub-legal Tanner crabs in the directed Tanner crab fishery.

An ACL buffer is a precautionary measure implemented to explicitly address overall uncertainty in stock assessment and OFL determinations. This scientific uncertainty must be incorporated when an ACL is specified, and not during the stock assessment process or when adopting an OFL for a specific crab stock. Precautionary measures mitigating for scientific uncertainty (e.g., assuming that the National Marine Fisheries Service bottom trawl survey net captures nearly 100% of the legal crabs in its path) have previously been implicitly integrated into some assessment models, rebuilding plans, and OFLs.

It is notable that state harvest strategies provide for incorporation of additional precautionary considerations during TAC setting beyond those specifically prescribed in regulation. The state has employed this flexibility in prior assessment cycles by implementing time and area fishery closures, lowering harvest rates, and accounting for bycatch mortality to prevent overfishing. In exercising FMP deferred management authority, the state often approaches TAC setting more conservatively than required by federal law, taking into account management concerns not specifically incorporated into stock assessments. This flexibility in TAC setting is among the state's strongest contributions to BSAI crab management under the FMP.

Rebuilding Plans

Bering Sea snow crab and Pribilof Islands blue king crab stocks have failed to make adequate progress towards rebuilding and new rebuilding plans for these stocks must be implemented beginning with the 2011/2012 fishing season. In addition, the board and council have been advised that the Bering Sea Tanner crab stock is approaching an overfished condition, thereby requiring implementation of a rebuilding plan for that stock by the 2011/2012 fishing season.

The council will adopt preferred alternatives for crab rebuilding plans to meet specific goals; rebuilding plans must be crafted within both National Standard guidelines and the framework-nature of the FMP. Previous council actions have been sensitive to the state's FMP Category 2 responsibility and authority to set TACs. This authority was initially deferred in recognition of the state's responsive fishery management practices and use of the best available scientific information in managing BSAI crab stocks. The FMP makes the state and federal government partners in achieving the goals of rebuilding plans. The state's expertise in managing BSAI crab stocks and flexibility in incorporating new information provide assurance that the state is committed to rebuilding BSAI crab stocks.

Options proposed for consideration include annual adjustments to the rebuilding harvest rate for both snow and Tanner crab. Such a prescriptive approach to crab rebuilding plans would be inconsistent with the spirit of the FMP and represents a degradation of the state's deferred management responsibilities. Considerations for annual changes in stock reproductive potential and the highly cyclic nature of BSAI stocks are specific reasons why TAC setting authority is deferred to the state and provide strong justification for options that do not include annual adjustment to the rebuilding goals.

Rebuilding alternatives also consider the time frame for rebuilding. To take maximum advantage of the state's flexibility and knowledge in managing BSAI crab stocks, the time frame specified for stock rebuilding must be responsive to the status and biology of each stock, environmental conditions, and the needs of fishing communities.

Bycatch considerations

Bycatch control measures, along with habitat protection and harvest strategies, represent key components of crab rebuilding plans. In the directed crab fisheries, the state has implemented bycatch control measures including accounting for bycatch in each crab fishery as well as specific area closures; however, under the current management structure, commensurate measures do not exist to control crab bycatch in the groundfish fisheries. Several crab stocks lack any bycatch limits in groundfish fisheries and crab bycatch limits that are in place have little relationship to the OFL for the crab stock.

Bycatch mitigation in crab fisheries is incorporated into the state TAC setting process, thereby reducing directed crab fishery harvests; however, the impact of crab bycatch during groundfish fisheries and current crab bycatch limits on directed crab fisheries under the alternatives for ACL management measures and each of the three rebuilding plans is not well understood and is of concern. Crab ACLs and rebuilding plans must account for crab bycatch in BSAI groundfish fisheries.

Summary

The state has consistently exercised a high degree of cooperation with the federal government in managing BSAI crab stocks and frequently seeks guidance to ensure that state management actions are in compliance with MSA and the FMP. Given the long history of cooperative BSAI crab management, the board may wish to provide input to the council at this time for their consideration as alternatives are refined in April and June and preferred alternatives are selected in October. Board recommendations or concerns could provide a record demonstrating need and interest to retain the state's management authority and flexibility provided under the BSAI crab FMP.

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NEXT RC

**PACIFIC NORTHWEST CRAB INDUSTRY ADVISORY
COMMITTEE (PNCIAC)**

120 Second Avenue South
Edmonds, WA 98020
360 440 4737
steve@wafro.com

March 12, 2010

Mr. Vince Webster, Chairman
Alaska Board of Fisheries

Juneau, Alaska

RE: Comment on Crab Rebuilding Plans and Implementation of Annual Catch Limits
(ACLs)

Dear Mr. Webster:

The Pacific Northwest Crab Industry Advisory Committee (PNCIAC) is the Alaska Board of Fisheries (ABOF) and North Pacific Fishery Management Council (NPFMC) designated non-resident industry advisory committee, representing industry participants from Washington and Oregon. The PNCIAC was established in 1990, at the time that the Bering Sea and Aleutian Islands (BSAI) King and Tanner Crab Fishery Management Plan (FMP) was implemented. Since that time the State of Alaska, the NMFS, the NPFMC and the PNCIAC have worked together to improve resource management while maintaining the balance of power and delegation of authority carefully defined in the FMP.

This collective effort has resulted in a highly successful fishery management model, including an innovative catch shares program that has just completed its fifth year; and success in rebuilding fisheries under the guidelines of the Magnuson-Stevens Act. These plans have been developed jointly under the shared leadership of the Alaska Department of Fish and Game, the National Marine Fisheries Service, the NPFMC and the PNCIAC.

The MSA now requires that Annual Catch Limits (ACLs) be developed and implemented by the 2010/2011 season. The PNCIAC is concerned because the imposition of poorly designed ACLs may actually reduce management flexibility, rather than improve our current stock management processes.

The State of Alaska has unique authority under the joint state-federal management structure, and the Alaska Department of Fish & Game already employs a wide range of

precautionary management measures. Specifically, we are concerned that a too rigid approach to ACLs will undermine the State's management authority and resource management flexibility.

We recognize that ACLs are required under the MSA. The ADF&G already uses time and area closures, conservative harvest rates and by-catch and handling mortality buffers to achieve resource rebuilding and sustainability goals. This management flexibility may be undermined by inappropriately over-reaching ACLs.

The BSAI King and Tanner Crab FMP remains a twenty-year successful model of shared state and federal management based on a balance of power embedded in the FMP. It is a system that should be enhanced, not degraded.

Sincerely,

A handwritten signature in black ink, appearing to be 'Steve Minor', written in a cursive style.

Steve Minor, Chairman
PNCIAC

Cc: Denby Lloyd, Commissioner, ADFG
Eric Olson, Chair, NPFMC
Jim Balsiger, AA/NMFS/AKR
Forrest Bowers, Chair, BSAI Crab Plan Team

Next RC

Revised to include comments on proposals

Minutes Craig Advisory Committee

March 10, 2010

Craig Youth Center

Ellen Hannan called the meeting to order at 7:05pm.

Present were: Matt Peavey, Brian Castle, Chuck Haydu, Steven McCurdy, Carl Timpe, Paul Coffey, Jim See, Mike McKimens, Bill Farmer, Ellen Hannan, Karl Demmert, Steve Stumpf, Stu Merchant, Bill Russell.

Minutes from previous meeting were approved.

There was discussion about Mike Douville and Bill Farmer being in Saxman to attend some subsistence meetings in Ketchikan. Doug Rhodes is considered going to the meetings. Bill Farmer will be representing the Craig Advisory Committee and will receive per diem, travel, lodging etc... per Shannon Stone. Shannon highly recommended that we send a representative to the Federal Subsistence meeting.

Proposal action:

- 167- Approved, unanimous- Housekeeping issue for F&G.
- 168- Unanimously opposed – Keep seine boat length 58ft., this could also be an allocation issue.
- 169- 170 no action
- 175- Approved, 3 opposed, 6 approve. Important to keep conservation in mind. It is common knowledge that this could become a problem. Quota for Commercial fishermen is down. Charter operators on board want to see this fail. Could be an allocation issue.
- 176- Approved, 1 no- increasing the bag limit ok.
- 177- Approved, establish bag limit, change definition to non-pelagic
- 180- Approved, unanimous - Need more definition, some discussion about disabled people using electric reels.
- 182- Approved, unanimous –not accepting definition but approve the principals of the handicapped being able to fish with electric reels. –Basically, behind the proposal in principal.
- 184- Approved, unanimous, thick felt soles can harbor invasive species. General concern for streams health.
- 188- Approved, unanimous.
- 189- Unanimously opposed- too much paperwork
- 190- Unanimously opposed, could be a conservation issue, leaves the doors wide open for abuse.
- 195- Unanimously opposed – some discussion that this is on a 3 year plan, coming up for review. Let BOF decide how the fishery is handled instead of closing off all fishing to Commercial Fishermen.
- 200- Approved, unanimous- some vague thoughts on this, but overall the understanding

Meeting adjourned at 9:10pm

Next
RC

March 11, 2010

James Marcotte
Executive Director
Alaska Board of Fisheries
Juneau, AK

Re: Support of proposal 195 to close summer commercial Dungeness crab fishery in southeast Alaska District 2.

Alaska Board of Fisheries,

The summer commercial Dungeness crab fishery appears to have severely depleted crab stocks in Kasaan Bay and Skowl Arm on Prince of Wales Island. Last summer I witnessed firsthand the effect this fishery had on local subsistence users. Residents who rely on the resource were catching very few (or no) legal crabs, despite considerable effort. Residents who ordinarily freeze and jar crabs for the winter were, on most days, lucky to catch enough for a meal.

As an Anchorage resident I admittedly do not rely on the resource, although the results of my crabbing effort last summer are indicative of the problem. My family and I fished numerous sites around Skowl Arm for about 10 days and caught only a few legal crabs. This is in contrast to the past eight years, when I've caught my possession limit within a few days.

The summer commercial Dungeness crab fishery impinges on the customary and traditional use of crab by local residents and should be stopped. Thank you for considering my comments.



Daniel Rinella
518 E. 9th Avenue
Anchorage, AK 99501

Next Rc

To: ALASKA DEPARTMENT OF FISH AND GAME
(907) 465-6094 FAX
Comments for Board of Fish

From: Gary Adkison Jr.
(907)530-7025

March 11, 2010

Regarding Proposal 195: OPPOSED

I am very opposed to this proposal. This issue has already been decided on, given a three year trial period. There has been no official data collected to support an emergency closure or even this proposal being considered.

I live in Hollis, which is in Area 2. I have lived in Area 2 for over 20 years. I have participated in the Area 2 Dungeness commercial fishery for the past 13 years. I have also had to travel north as far as Juneau to fish crab in the summer since there was not a summer fishery near my home. I have experience in fishing core areas such as Seymour, Duncan Canal and the Stikine flats. In all of these areas, I have seen years where the crab were nice and hard and years where the crab were mostly soft. Yet during these times, the summer season has proven to be a very sustainable fishery.

In my experience the crab do not molt the same time every year. Much seems to depend on available food. In the past I have also seen very high rates of soft shell crab in Area 2 during the fall season, and also very high numbers of females with eggs in January and February in Area 2.

I fished the entire 2009 summer season in Area 2. I saw absolutely no difference in the crab stock or quality from that found in the northern areas during the past summers. I saw very few soft shell crab in Area 2. The fall season in Area 2 was slower than normal, this also matches the northern areas where there is an open summer season and it is NOT an indication of over fishing.

As a fisherman who depends on this resource for my livelihood, I am very interested in its sustainability. From my experience, I feel that the summer season will be better for dungeness in the long run.

The benefits:

- 1.- The season is shorter and split into two separate periods of activity. This gives any crab that may have been injured or are in the process of mating a break. Where as going back to a five month fall season means the crab that are soft will be handled many more times without a chance to recover, and the very high numbers of females that show up in late fall will be impacted.

Gary Adkison Jr. Page 2

Benefits continued..

- 2.- The undersized crab are free to enter and exit the crab pots after making short work of the large amounts of bait. Leaving the season the way it is now gives these crab large amounts of food for two months in the summer and two months in the winter, increasing the health and growth of the younger crab. Rather than five months in the winter when crab are less active and relatively little food the rest of the year.
- 3.- Leaving Area 1 and 2 open spreads the fleet out which is good for the resource rather than having the whole fleet converge on a small area.
- 4.- It allows locals on Prince of Wales and in Ketchikan that don't have the money to buy a boat and gear the opportunity to buy Dungeness directly from the fisherman.
- 5.- It provides people who live in the area with work, which is increasingly in short supply.

The disadvantages:

- 1.- There may be a decreased catch rate for subsistence and personal use during some months. However there is still plenty of crab for personal use and they are able to fish before the commercial season if they want to stock up there freezer.

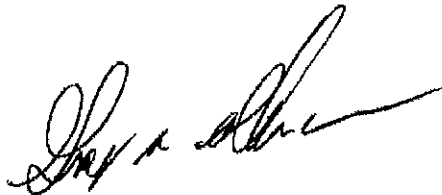
In the two months I spent commercial fishing in Area 2 this last summer, I saw no more than half a dozen personal use and/or sport pots. I realize that the issue here is between commercial and subsistence users of Dungeness. Closing Area 1 and 2 would not only hurt the commercial fleet but would also hurt subsistence and personal use. By closing Area 1 and 2 you will force permit holders, including some who live in these areas, to crowd into remaining open areas. Thereby taking even more crab around communities such as Coffman Cove, Whale Pass, Point Baker, Port Protection, Naukati, Klawock, Craig, Hydaburg, Petersburg, Wrangell, Duncan Canal and many others who also have the right to enjoy this resource.

I think it is selfish and unreasonable for the very few people who live in Kasaan and even fewer who actually get out and enjoy this resource to ask for all of Area 2 to be closed. If you think it necessary to give them their own area then I agree with others that Kina Cove or Coal Bay would be more than adequate for their personal needs.

Thank you,

Gary Adkison Jr.

P.O.Box 873
Craig, AK 99921
(907)530-7025



next RC

Alaska Scallop Association

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Kodiak, AK 99615
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jstonecrab@aol.com**



**Alaska Board of Fisheries (BOF)
Alaska Department of Fish & Game
PO Box 25526
Juneau, AK 99802-5526**

March 11, 2010

**Re: Annual Catch Limits (ACL) on the Alaska Weathervane Scallop fishery.
Faxed to 907 465 6094**

Dear Chairman Vinca Webster

The Alaska Scallop Association (ASA) members represent approximately 90% to 95% of the Alaska Weathervane Scallop production.

At the North Pacific Marine Fisheries Council (NPMFC) analysis has begun regarding Annual Catch Limits (ACL) on the Alaska Weathervane Scallop fishery. Scallop similar to BSAI Crab is a Federal fishery managed by the State of Alaska under an FMP. These ACL's are designed to create a buffer to protect stocks from any uncertainties in science, biomass and management.

ADFG already has a determined conservative Guideline Harvest Restriction (GHR) on Weathervane Scallops. These GHR's were developed using precautionary methods to ensure that harvests would never exceed safe levels to protect the scallop stocks indefinitely. ADFG harvest strategies have been very conservative to account for scientific unknowns. State management uses time and area closures. ADFG sets very conservative annual Guideline Harvest Levels (GHL) well below their own GHR. They will and have lowered GHL's mid season in areas of unexpected low catch rates, ensuring an area is not over harvested.

In the opinion of the Alaska Scallop Association's members, the State of Alaska has shown exceptional and conservative management of not only the Alaska Weathervane Scallops but of all the fisheries under their purview. Any additional buffer created by a more restrictive federal ACL would be redundant, unnecessary and undermine the management authority given the State in the Scallop FMP. While this may be appropriate for other regions of the United States where perhaps improper management was used, this is certainly not appropriate for Alaska's world renowned fisheries management record.

ADFG has indicated to us that they would like to see any Scallop ACL set by NPMFC to be equal to ADFG's already conservative GHR. Alaska Scallop Association concurs with this conclusion and respectfully requests that the Board of Fisheries consider providing support for this to the Council.

Sincerely, Jim Stone, President ASA

Next RC

Inter-Cooperative Exchange Policy Advocacy Committee (ICEPAC)

17249 15th Ave NW
Shoreline, WA 98177
206-992-3260
edpoulsen@comcast.net

March 12, 2010

Vince Webster, Chairman
Alaska Board of Fisheries (BOF)
PO Box 25526
Juneau, AK 99802-5526

Re: Annual Catch Limits (ACL) for Bering Sea/Aleutian Islands Crab

Dear Chairman Vince Webster,

The Inter-Cooperative Exchange Policy Advocacy Committee (ICEPAC) represents approximately 70% of the Bering Sea crab harvesters.

The North Pacific Fishery Management Council (NPFMC) is currently looking at options that would implement Annual Catch Limits (ACLs) for Bering Sea/Aleutian Island crab stocks. ACLs are intended to provide a further buffer during TAC setting to address uncertainties in regards to science, biomass, and management. The crab stocks are federal fisheries but are managed by the State of Alaska, including TAC setting authority, with federal oversight through a Fishery Management Plan.

The Alaska Department of Fish and Game has done an excellent job in providing a long term sustainable yield for our crab stocks in the Bering Sea and Aleutian Islands through the TAC setting process. The Bering Sea snow crab, Bristol Bay red king crab, St. Matthews blue king crab, and Bering Sea bairdi stocks are all at higher resource levels than 10 years ago. Stocks that are showing little sign of rebuilding are closed with industry support such as the Pribilof blue king crab fishery. We are confident in ADF&G's ability to manage these crab stocks for the future and are supportive of their leadership in this role.

ICEPAC is concerned that the ACL process could result in de facto federal management of our crab stocks in regards to TAC setting. Depending on the ACL alternative chosen by the NPFMC, ADF&G may have little to no flexibility in TAC setting with an overly conservative ACL buffer. ICEPAC believes ADF&G currently has enough conservative buffers in place to ensure a long term sustainable yield of the fisheries our members are dependent upon.

In summary, ICEPAC is confident in ADF&G's ability to manage the TAC setting process for Bering Sea/Aleutian Islands crab and is concerned that the ACL process could limit or remove ADF&G authority in this process.

Sincerely,



Edward Poulsen
ICEPAC, Executive Director

Next RC



Alaska Outdoor Council

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Website: www.alaskaoutdoorcouncil.org

March 12, 2010

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110
(907) 465-6094 FAX

RE: BOF Emergency Petition regarding UCI fisheries for the 2010 season.

Dear Chairman Webster and Board of fisheries members,

Thank you for taking up the petition to adopt emergency regulations to the Upper Cook Inlet (UCI) commercial drift fishery for the 2010 season. The Alaska Outdoor Council (AOC) represents over 10,000 Alaskan residents, many of which live and gather their wild food harvest of salmon in the Cook Inlet drainages. AOC supported the recent legislative funding necessary to gather critical data related to salmon conservation in the Northern District of UCI knowing the complexity of managing a mixed stock salmon fishery that share the same timing within the same migratory corridor and are collectively harvested in the Cook Inlet commercial gill net fishery.

While new research is providing managers with a better understanding of the different sub-stocks of salmon in the Northern District as of yet managers are still unable to determine how the intercept fishery in UCI affects achievement of escapement goals for this mixed stock fishery.

No one who has consistently fished for salmon in the Northern District of Cook Inlet for the last two decades will tell you in-river salmon runs are what they use to be. Regardless of whether managers are counting returns based on the Bendix method or new Didson data or trying to correct old Bendix counts using a few years of Didson counts the fact remains the same, there are fewer salmon available for harvest in-river and escapement goals are at the low end of the management plan. The same is true whether managers are counting in-river sonar data or lake goals, the number of salmon available to meet escapement goals and in-river harvest is down.

In 2007 the Board of Fisheries found Yentna River sockeye salmon to be a **Stock of Concern**. Nothing that managers have done since that finding was adopted has changed the status or the concerns for Yentna River sockeye salmon stocks.


Knowing that is the case for the Susitna River drainages, AOC request that the board adopt this emergency regulation. This is an appropriate time for the board to adhere to the Sustainable Salmon Fisheries Policy, 5 AAC 39.222.

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The Official State Association of the National Rifle Association.*

5 AAC 39.222.(c)(5)(A)(i) through (iv) lays out a precautionary approach, involving the application of prudent foresight that takes into account the uncertainties in salmon fisheries and habitat management, the biological, social, cultural, and economic risks, and the need to take action with incomplete knowledge, and that the precautionary approach should be applied to the regulation and control of harvest and other human-induced sources of salmon mortality.

Thank you for considering AOC concerns regarding sustainable salmon fisheries management in the UCI. AOC will continue to work with the department to acquire funding of projects necessary to gather information for sustainable management of mixed stock salmon runs in UCI.

Rod Arno



Executive Director

Alaska Outdoor Council

Bill Iverson



President

Alaska Outdoor Council

Cc:

Senator Charlie Huggins

Representative Bill Stoltze

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Matanuska Valley AC Minutes Feb. 24, 2010 MTA Building Palmer

Approved unanimously after corrections -- March 10, 2010 please note the correction made for proposal 165 and 166 vote and result.

7:00 PM: Call meeting to order
Roll Call: eight members for quorum

- Erick Beckman
- Brian Campbell
- Mark Chryson
- Andy Couch (secretary)
- Stephen Darilek (chair)
- Bennett Durgeloh
- Gerrit Dykstra
- Ken Federico
- Bill Folsom (vice chair)
- Melvin Grove
- Tony Jones
- Dan Montgomery
- Guiseppe Rossi
- Max Sager
- Kathy Thompson
- Troy Vincent
- Steve Bartelli Excused

*Auth: Shannon
Corrected minutes of the AC*

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*BoF SW/Chistina
begins on p. 24*

Student Members Present- Andy Goeke, Daniel Warta, Stephen Warta

Participants representing organizations: Cliff Judkins - Board of Game, Representative Carl Gatto, Tony Kavalok and Tim Peltier - ADF&G wildlife biologists, Rod Arno - AOC, Tory Orlek and Mark Agnew - public safety / fish and wildlife protection, Dane Crowley - Sportmen for Fish and Wildlife, Dave Rutz -Tom Vania -Jim Hasbrouk - ADF&G Fisheries Biologists, Aaron Bloomquist- Anchorage AC

Approve Minutes: 123 Community Harvest reports not closed -- Board of Game added more units to potlatch than requested. Potlatch may be used in See Note From Max. Minutes with suggested changes approved unanimously 15 -0-0.

Calendar of events:

Monday March 8 Eagle River VFW -- Break away snaring clinic -- contact Kenny Barber.

Public Comment:

Rod Arno with AOC spoke requesting proposal 200 be deferred to a joint Board of Fisheries and Game meeting or change the definition to read: "Subsistence way of life means a way of life that is consistent with the long term use of fish and game resources, when available, to supplement the basic necessities of life."

Matanuska Valley AC Minutes Feb. 24, 2010 MTA Building Palmer

AOC suggests support to the Board of Fisheries of proposal 201 as written which would reinstate a subsistence fishery to the Chitna area.

Question was asked why AOC preferred deferring proposal 200? Rod's answer was that the definition of subsistence way of life should apply to both fish and game which would require a joint Board meeting to establish.

Aaron Bloomquist: Anchorage AC suggests that Board of Game defines subsistence way of life in Fairbanks before BOF statewide meeting. Asked that Mat Valley AC sign on.

Aaron also mentioned that Anchorage AC had requested Howard DeLo and Bruce Morgan (Anchorage AC member) be appointed to BOF and requested the resignation of member Janet Woods for not participating fully in the Board of Fisheries process.

Dane Crowley: Supports effort by Rod Arno and Aaron Bloomquist on the state subsistence issue. Don't support game proposal 16, but would like to support efforts to increase numbers of sheep. Would like to talk about Alaska Dall Sheep Initiative and Susitna State Forest as items on agenda of one of the Matanuska Valley AC meetings. Would like to do a project on Alexander Creek pike reduction/salmon rehabilitation and would like AC support.

Cliff Judkins Board of Game member-- concerning potlach -- Board of Game confronted with Frank court decision which required providing for potlach. The Board's new system requires ceremonial permit in hand of all potlach hunters. Village or Tribal Chief would issue permit. Chief would make determinations as to who would get on not get permit. Chief may have one permit at a time. Harvest must occur in traditional and customary hunting area. Tried to create principles upon which issuance of permits is based on.

Question to Cliff -- 1500 honorary people on Knik Tribal roll as testified to at Board of Game meeting -- under new potlach opportunity would all these people be eligible for permits? Cliff did not know, and said the regulation / law may need to be defined by the court.

Hunt can be restricted if there is a population concern with the resource according to Cliff.

Why would Chiefs be the ones issuing permits? Cliff said to give the tribes ownership and control and it could possibly slow down potlach harvests. Cliff hopes the permits would be issued one at a time to the Chief without a second one issued until the first one was returned.

Bill Folsom spoke in favor of having ADF&G manage / administer permit to the resource if the potlach is to be allowed.

Is there any limit to number of potlach permits or harvest? Cliff said ADF&G would set number(s) for each area.

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Does anyone have to produce a death certificate -- as this is a funeral ceremony? Individual suggested he would like to see this required.

New potlach regulations are scheduled to go into effect on July 1, 2010.

Rod Arno suggested there was procedural problem. In other words if there is a compelling state interest potlach could be curtailed, and AOC is pursuing that issue -- possibly through court.

According to members of Matanuska Valley AC the primary reason potlach became a big issue with Matanuska Valley AC was ADF&G was sending Anchorage residents to the Valley rather than permitting to them hunt moose in Unit 14C.

Stephen Darilek was concerned with the time between when a conservation issue could start and how long until the potlach would be curtailed. He also was concerned with possible mismanagement of the permits as has been seen. Stephen wanted to mention that it was not the AC's intention to stop all potlachs, but to control what was happening in the Matanuska Valley.

A member of the public, hunting guide, Kelly Vrem -- asked support for continued legislative funding to guide concession process. Process has not been completed. Claims every guide in the state has been contacted at least 3 times. According to Vrem, positive attributes is concessions would control amount of guides, thus minimizing disruptions of public by guides.

Question was asked if number of guides would really be limited or would the master guides who won a concession simply hire plenty of assistants who would then work under them? Vrem answered that when guiding in a larger federal concession he voluntarily harvested less and avoided areas public was using.

Tony Kavalok ADF&G area game management biologist talked on moose and gave the committee moose population numbers (through a handout) for Unit 14 A where most potlach hunting has been occurring in the Mat-Su Valley area.

Bill asked if the habitat could support more moose? Tony hopes to monitor habitat in the future.

Chickaloon, Knik, Eklutna, and CIRI are the 4 tribal groups that have all requested potlach permits in 14 A in the past.

\$86,000 is the approximate amount of revenue generated by the current 14A moose antlerless drawing permit hunts.

If a majority of Advisory Committees voted to close antlerless moose hunts in Unit 14A would ADF&G only issue any antlered bull permits? No -- antlerless moose would still be allowed for potlach in Unit 14A.

Matanuska Valley AC Minutes Feb. 24, 2010 MTA Building Palmer

Bill wants AC to continue with the previously voted AC position of not authorizing antlerless moose permits in Unit 14A even if potlach continues in order to bring attention to this issue.

Kathy questioned with all the meat needed for potlach purposes, why is not road killed moose used for this purpose?

Tony replied that in some cases road kill or illegal killed meat has been used. Tony said also that in some cases that option has not been acceptable to those requesting a potlach hunt -- perhaps for time constraints.

What would be outcome if antlerless moose permits were not issued? Tony said perhaps additional road kill in Unit 14 A. Perhaps an increase in moose population would bring additional amount of hunters to the unit. In either case, the potlach permits would continue.

Troy asked Tony Kavalock if there was a possibility of someone from the AC assisting with developing the actual potlach permit? Tony said it would be O.K. with him, but of course he is not necessarily the person making that call for ADF&G.

Mel asked when Tony would have a conservation concern. Tony replied that 200 or more potlach animals and reduction in population numbers in 14A would constitute a conservation concern.

Guissepe made a motion to reconsider the antlerless moose authorization vote for unit 14A. 2nd by Stephen. Motion passed 10 - 4 - 1 Student vote 3-0 -0 in support.

Some committee members felt that non reauthorization of the antlerless permits would only harm people who are not participating in the potlach opportunity. Others felt a statement drawing attention to the unfairness of the potlach situation and to the many management unknowns with the new permit system made them uncomfortable with issuing any antlerless moose permits in the area. Reauthorization of antlerless moose hunts carried 8-7. Student vote 2-1.

Motion to have Mel Groves representing the AC in Fairbanks by Mark. 2nd by Dan. Motion passed 15-0-0 and 3-0-0. Mel took some suggestions on hunting issues to testify about.

FISHERIES ISSUES:

Ken Federico introduced his group letter from numerous groups asking for assistance in maintaining habitat, providing dumpsters, restroom facilities and future management to protect the resource and access to the Kasilof and Kenai River Dipnet personal use fisheries.

Mark Chryson moved to endorse Ken's letter. Dan Montgomery 2nd. Motion carried 15-0 -0 Student vote 3-0-0.

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Matanuska Valley AC Minutes Feb. 24, 2010 MTA Building Palmer

165 and 166 fisheries proposals -- motion to approve and 2nd. AC members considered both of these proposals to be attacks on personal use fishery opportunities. opposed 0-15-0 (did not get student vote).

Proposals 182 and 183. Motion and 2nd. 0-14-1. and 0-2-1.

Proposal 189 Motion and 2nd. Motion failed 0-15-0 and 0-2-1.

Motion to approve 190. 2nd. ADF&G opposes because of attempt to keep sport halibut limit at 2 fish. Mel said ADF&G working this under emergency order is not right -- especially if ADF&G does not allow fishing when additional fish are available. Andy asked if it would be possible for crews to fish for and harvest other species besides halibut? since the emergency orders seemed to be based on reducing halibut harvest, but there were no biological concerns with many other species of fish. ADF&G's response was that the Department did not have authority to manage halibut / but the regulation that restricts charter crews from fishing or retaining fish while running a charter is clearly aimed at reducing harvest of the halibut resource. ADF&G said that a regulation restricting all fishing and harvest of all fish by the charter crew was it's only means of restricting the charter halibut harvest, and that such a restriction assisted in allowing a 2 halibut daily limit for charter clients through out the summer season in some areas. Motion carries 14 -0 -1 students 1-0-2.

Motion to approve Statewide Fisheries proposal 200. 2nd. amended to match AOC amendment wording: "Subsistence way of life means a way of life that is consistent with the long term use of fish and game resources, when available, to supplement the basic necessities of life." amendment passed 15-0-0. Amended motion passed 15-0-0.

Motion to approve proposal 201. 2nd. Motion passed 15-0-0. student vote 1- 0- 2.

10:15 p.m. Meeting break and scheduled for continuation at 7 p.m. on March 10, 2010 at MTA building in Palmer.

Minutes taken by Andrew Couch

Next meeting: March 10, 7-10 PM, MTA building in Palmer.

Next Rc

**SEWARD FISH & GAME ADVISORY COMMITTEE
MEETING MINUTES-MARCH 11, 2010**

The Seward Fish & Game Advisory Committee met at the Lowell Point Community Center on Thursday, March 11, 2010 at 7 PM. Members in attendance were Dianne Dubuc, Robert White, Robin Collman, Jim McCracken, W.C. Casey, Chris Bolton, Joe Cziglonyi, & Mark Clemens.

There were no citizen comments.

Old Business discussed:

1- Kid's Fishing Day at First Lake

The Kid's will be held on Saturday, May 15, 2010. The discussion was round table. Robin Collman is Chair of the Kid's Fishing Committee. Robin stated that the fish will not be planted in the lake as they are non-triploid. ADF&G will provide and deliver and set up a tank stocked with fish. The ADF&G educational trailer will not be on site as it is in Southeast. The consensus is that the tank is better for the young kids as the older kids are not interested in fishing from a tank. Local businesses will be asked for contributions of food and prizes. We hope to have the Boy Scouts help out. The Kid Committee will meet one week ahead of the event to finalize plans.

2- Kid's fishing in the Lagoon and Fish Ditch.

The consensus is that ADF&G and Enforcement has a good handle on this fishery. This special fishery runs for 4 weekends during the summer. The Seward AC does not need to organize any special activities. There could be liability issues. The Seward Parks & Rec. Dept covers liability issues for the Kid's Fishing Day because it is held at their First Lake facility. This is not the case at the Lagoon/Ditch. The fishing regulations will be out when the Kid's Fishing Day is held. The Seward AC plans to do a presentation at that time. Brochures will also be circulated at the schools and local youth venues.

New business discussed:

The following Statewide Fin Fish Proposals submitted for the March 2010 meeting were adopted and seconded for discussion:

PROP 164- Seeks to revise unlawful possession of subsistence finfish.

Subpart 7 states that commercially caught and subsistence fish cannot be stored in the same freezer. The discussion revolved around the issue of having to have two freezers for separate fish and the undue financial burden to user groups. Unanimously opposed 8-0

PROP 165- Seeks to delay the opening of the personal use fishery until the BEG is met

There are already adequate ADF&G management tools in place to address the personal use fishery. Unanimously opposed 8-0

PROP 166- Would eliminate the requirement of having a sport fish license to participate in the personal use fishery.

How would enforcement differentiate between resident and non-resident anglers?

Unanimously opposed 8-0

PROP 167- Seeks to modify the definition of mechanical jigging machines.

We supported the proposal unanimously 8-0. It is important to have clear and consistent regulatory language as to the legality of baited hooks on jigging machines.

*Ahn-Shannon
AC minutes
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SEWARD FISH & GAME ADVISORY COMMITTEE MEETING MINUTES-MARCH 11, 2010

PROP 168- Seeks to repeal the length limit on seiners

This proposal was opposed 8-0. The long term status quo has worked well. It would be a nightmare to have a fleet of 100 footers jockeying for position in limited fishing areas.

PROP 169- Amend criteria for allocation of fishery resources.

The personal use fishery gives users ample access to fish. There are no individuals or groups being disenfranchised by the lack of reasonable opportunity to harvest salmon.

Opposed 8-0

PROP 170-171-173- These 3 proposals seek to change the Sustainable Salmon Management Plan.

These three proposals were taken up as a group. The Seward AC feels the Sustainable Salmon Management Plan has worked as intended and is satisfied with the status quo. Opposed 170,171, &172 8-0.

PROP 175- Seeks to set a statewide bag and possession limit for sablefish.

In the Seward area, a boat would have to travel offshore 40 miles and fish in 400 fathom water for sablefish. This is primarily a SE issue. Bag and possession limits should be made per area, not statewide. One size does not fit all. Let this issue be addressed in the regular meeting cycle for each area. Opposed 8-0

PROP 176- Would increase the daily bag limit for spiny dogfish.

The writer of this proposal stated that he enjoys eating dogfish. He travels from Oklahoma to AK annually to fish for them and would like to be able to harvest more. Local knowledge shows an increase in the dogfish biomass. Scientific population data on dogfish is lacking. It would be good to encourage retention of this species as they are all tossed back. Support 8-0

PROP 178- Clarify EO authority

What is the motive of the Dept? Area management plans should be addressed area by area in cycle so the public can speak to the issue. We prefer the other solutions considered to modify individual management plans in cycle. Opposed 8-0

PROP 180- Defines electric fishing reels.

We agreed with the intent of this proposal but have a problem with subpart [B] that states the reel can weigh no more than 15#. This would be an enforcement nightmare. We voted 8-0 to amended Prop 180 to delete subpart [B]. The proposal passed with an 8-0 vote to support.

Prop 182- Prohibit the use of electric reels.

AC members expressed concern that this proposal would limit access to fisheries. What is the definition of handicapped? The sport fish regs define disabled, not handicapped. A fishery should be regulated by bag and possession limits, not eliminating access. The commercial fleet does not own the resource. Some IFQ holders have spent upwards of 25\$ per pound and do not like to see others fishing the same resource. Opposed 8-0

SEWARD FISH & GAME ADVISORY COMMITTEE MEETING MINUTES-MARCH 11, 2010

PROP 184- Wants to eliminate felt soles.

The discussion revolved around the fact that this is already a regulation in many states. there are other options and this is not a safety issue. We are all about protecting the resource. Support 8-0

PROP 188- Seeks to eliminate onboard filleting of halibut.

Halibut is a Federally managed fishery and the State should not get involved. The regulations are already in place to address this issue. At sea filleting reduces congestion at the public cleaning stations and reduces carcasses disposed of in the gut barges. Opposed 8-0

PROP 189- Require a client-guide agreement for each client.

This proposal would place an undo burden on the guides and is unnecessary. Opposed 8-0

PROP 190-Defines an official time for sport fisheries.

There is no biological or enforcement imperative for this proposal. Opposed 8-0

PROP 192 Establish a definition of an artificial fly.

This proposal is unnecessary as there are already regulations pertaining to this matter. Opposed 8-9

The Seward AC then spoke to having the BOF meet in Seward for the next LCI cycle. A formal invitation will be drawn up by Dianne.

Two proposals were reviewed for inclusion in the next LCI cycle.

The first dealt with extending the boundary for personal use shrimp to Cape Fairfield to be consistent with the established sport fish boundary. Public catch reporting will assist ADF&G as there is no good biomass data available.

The second proposal would extend the line for Tanner personal use to cape Fairfield. There are safety concerns now due to the limited amount of gear that can be fished.

Dianne was approved to represent the Seward AC at the March Statewide Finfish meeting.

The October work session concerning proposal 380 from last year was discussed. The report from CIIA was reviewed and discussed.. CIIA has a failed business plan and the fishermen are suffering. This is the last year for no common property fishery. Local LCI seiners are having the undo burden of traveling greater distances and spending more money than would be the case if they could fish Resurrection Bay. Access to fish is the issue.

The minutes from the last AC meeting were reviewed and approved.

2100 meeting adjourned.

Next Rc

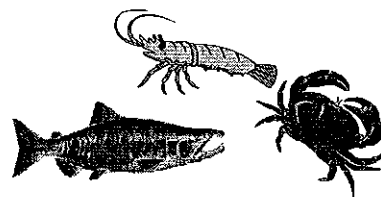
Southeast Alaska Fishermen's Alliance

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

March 12, 2010

Attn: Board of Fish Comments
Alaska Dept of Fish and Game - Board Support
PO Box 115526
Juneau, AK 99811-5526

Dear Vince Webster, Chair and Members of the Board,

RE: Proposal #200 & 201

Proposal #200: Support

Southeast Alaska Fishermen's Alliance (SEAFa) supports the definition provided in proposal #200 as being an objective measure for the term "subsistence way of life", and consistent with guidance provided in the court case that required this step. We do not believe that it is necessary or required for this definition to be considered at a joint board meeting.

Proposal #201: Oppose

SEAFa opposes proposal #201 for a C&T finding for the Chitina Dipnet fishery. We reviewed online the data provided for this fishery by ADFG and believe that previous considerations of this fishery in 2003 were accurate. There is a clear difference between the statistics of the fishery for the Glennallen fishery and the Chitina fishery indicating the appropriateness of having a C&T finding for the one fishery and a negative C&T finding for Chitina.

Southeast Alaska Fishermen's Alliance (SEAFa) is a multi-gear/multi-species non-profit membership based organization representing our members involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hansen" followed by a long horizontal line.

Kathy Hansen
Executive Director

Next RC

March 1, 2010

RC 37

Boards Support Section

Alaska Dept. of Fish and Game

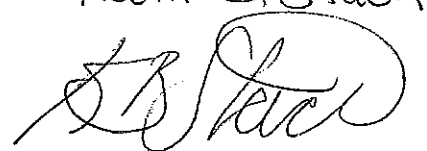
P. O. Box 115526

Juneau, Alaska 99811-5526

I would like to voice my concern about Proposal 200 that the Board is considering to establish a definition for a subsistence way of life. This definition, as currently written, will not lead to a resolution of the problem that exists with the fishery and surely lead to eliminating Fairbanks area dipnetters as subsistence users in the Chitina sub-district. I support the language of proposal 201, which states that the Chitina Sub-district of the Upper Copper River District has supported subsistence use for many years, and also establishes a limit for the subsistence use. This proposal (201) provides a simple, fair and manageable solution to the problem.

The primary responsibility of the Board is to assure that this fishery continues to produce as it has for many years. Concerns about overfishing will always be justified. Following that, it is important that the Board be fair in its allocation. The fish taken, both currently and in the past, clearly demonstrate that it is an important aspect of our lives in the interior of Alaska. A decision to eliminate a priority for Chitina dipnetters, puts the needs of commercial fishing ahead of this essential use and is completely unjustifiable. The quantity taken for this use is quite small compared to the overall total, but it has a significant impact on a large number of residents who rely on the fishery to supplement the food for their families. I would further add that it is improper and inappropriate to hold the hearing for this issue in Anchorage, rather than Fairbanks, where a large number of Chitina users reside. For most of us Chitina is the only reasonable access that we have to the fish we rely on for our subsistence.

Thank you for your consideration.

Kevin B. Stack


March 1, 2010

Boards Support Section

Alaska Dept. of Fish and Game

P. O. Box 115526

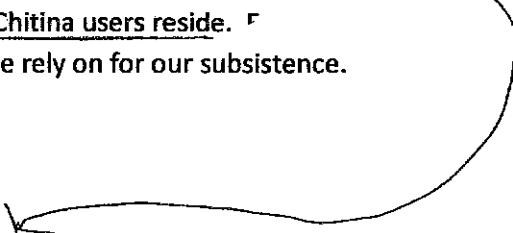
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Thank you for your consideration.



This indeed begs an answer?

Stephen Stack

Marc' 1, 2010

Boards Support Section

Alaska Dept. of Fish and Game

P. O. Box 115526

Juneau, Alaska 99811-5526

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Thank you for your consideration.

Joseph F. Colalillo
5166 ELLIOTT HWY.
FAIRBANKS AK 99712

Next RC

RC 38

Hello, my name is Mike Adams. I live 12 months of the year in Cordova, AK at 510 Davis Street. I am addressing the

Alaska Department of Fish and Game
Boards Support Section
PO Box 115526
Juneau, AK 99811-5526

Proposals 200-201-2010; Statewide Finfish Meeting

To the Board of Fisheries,

I have lived and fished in Cordova fulltime since 1987. I have been owner/operator of an Area E Drift Permit since 1991, raised two children here and am currently helping them through college. I have investments in this community, a home with mortgage and fishing business. I choose to live in Cordova to help maintain a healthy and productive lifestyle.

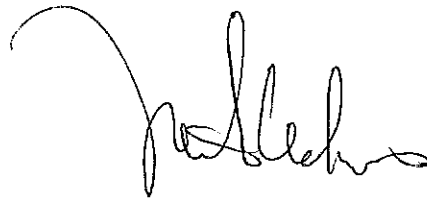
I can't understand why we allow a large group of people from the two largest cities in Alaska to completely influence the subsistence debate. Subsistence is not leaving the city behind in a travel trailer, then hiring a water taxi to shuttle you to spawning grounds so that you can take more salmon than can be eaten by a family in a year; just to let it get freezer burned then tossed into the dumpster in the early spring to make room for more.

When I began fishing in 1991, I would routinely fish 24 hours twice weekly in the early spring season. Now that has been reduced to 6-12 hours depending on how nervous the manager is that particular season.

I have invested hundreds of thousands of dollars in the Copper River Fishery. Will the state forgive my loans if my business fails? What about my home mortgage or my kids' student loans? The local residents were offered training opportunities for other occupations by the Farm Service Bureau, but the core of the fleet remained in Cordova to prove that we are hardworking folks who are defined by what we do – commercial fish.

I can't imagine why this Board, who is fully aware of the hard economic times facing this country, would perpetuate this type of hardship on a viable industry.

Cordova needs the Copper River Fishery from May to September to be managed with techniques that have been proven to maintain a sustainable wild salmon run.


Mike Adams
FV REDPACK
Cordova AK

Next RC

RC 39

Stuart and Elaine Meyer
PO Box 520255
Big Lake, AK 99652

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

March 6, 2010

To the Board of Fisheries:

Subject: Support proposal 200 and oppose proposal 201--2010 Statewide
Finfish Meeting

I have been a commercial fisherman for almost 40 years in Alaska. I would like to add my voice to those in support of proposal 200 and opposed to proposal 201. We rely on the resources not only to support our families, but our communities and ultimately our great state. I hope you will not be swayed by the desires of those motivated by greed, prejudice or stupidity to change what has been traditionally and economically vital to our livelihood.

If Chitina is a subsistence fishery, it will no longer share the conservation burden with sport and commercial fisheries. The burden to meet the escapement requirements will fall on sport and commercial fisheries. The Chitina subdistrict because of its location would take priority over the Glenallen subsistence fishery.

Thank you for the opportunity to comment on these proposals.

Respectfully yours,

Stuart and Elaine Meyer

Next RC

RC 40

March 9, 2010

Alaska Department of Fish and Game
Boards Support Section
PO Box 115526
Juneau, AK 99811-5526

Dear Board of Fish Members:

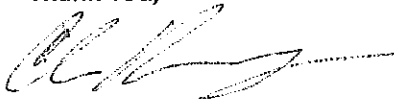
I have been fishing on the Copper River since 1995. I have managed to make a living for me and my family of five over these past years. I also own a tender which works the Copper River and helps to support three, local, Cordova families.

The Copper River Fishery is the most important and substantial part of my annual income. Early season reds and kings can often represent 40 % of what I earn in a year. It is hard to imagine that a decision that you make could drastically reduce my ability to feed and clothe my family and sustain us through winter months.

I also enjoy sport fishing with my children in various parts of the State of Alaska. I would never want to negatively impact a person's livelihood by greedily asking for a subsistence level of fish when I was in fact participating in sport.

User groups can share a resource. User groups must share the conservation burden. The Copper River's abundant resource falls in a unique geographic location. If Chitina becomes a subsistence fishery, it will irrevocably damage the commercial fishery on the Copper River flats as well as the well-established subsistence fishery in Glennallen. I urge you to realize this in making your decision to retain the Chitina fishery as an obvious personal use fishery.

Thank You,



Chris Bourgeois
PO Box 1945
Cordova, AK 99574

Next
RC

RC41

March 8, 2010

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries:

I write this message in support of proposal # 200.

My name is Kenneth Adams. I'm a full time resident of Cordova, a senior citizen with a wife and son, and a commercial fisherman for more than 30 years but a relatively newcomer to drift gillnetting. This coming season will only be my 13th year in this fishery. I fish on the ocean in the vicinity of the Copper River and also in Prince William Sound, depending upon the time of the year. I offer my perspectives on the issue brought before us by members of the personal use fishery who seek to elevate their fishery status to a subsistence level; ie: to have top priority for salmon utilization. My concerns are mainly focused upon the Chitina subdistrict and the threat to our livelihoods posed by a change in the status of the Copper River fisheries.

It's always been my belief that subsistence is the lifestyle of people who live in remote, isolated or rural communities and who depend upon natural resources for their livelihoods. Typically, such communities don't have the conveniences of a Carr's or other brand name super market to fulfill their food needs. Also, in such communities, employment opportunities are relatively slim compared to opportunities that exist in the more urban areas. Consequently, individuals living remotely have to cope with lower finances. They need to harvest fish, game and fowl in order to provide for themselves and their families.

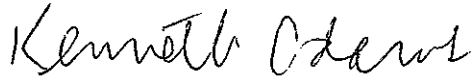
My perception of the personal use fishermen lifestyle is quite different from that of remote residents. They are more likely to live in the larger cities or in vicinities of those cities and quite a distance away from the Chitina subdistrict. Using my map, I estimate the distance from Anchorage to Chitina is approximately 160 miles and from Fairbanks, the distance is approximately 230 miles one way. Multiply times two for a round trip, estimate fuel consumption for their vehicles at 15 miles per gallon and fuel costs about a conservative \$3.30 per gallon, the round trip cost from Fairbanks to Chitina alone is roughly \$100. Chances are that personal use fishermen living in the more urban areas have full time jobs. They receive a regular (more or less) pay check for their employment and they use their earnings for living expenses; the heating fuels, the electricity, food, etc., etc. They can afford the costs of driving to Chitina. God bless them all; the carpenters, the electricians, the office workers, the salesmen, etc but are these really subsistence dependent people?

If any group can justify elevating a fishery status it is commercial fishing. For example, all the fish I catch, except for the few I save for home pack, are sold. With my earnings I pay city taxes, heating fuel, electricity, mooring expenses, vessel repairs, outrageous food costs, etc. I and brother and sister fisher folk all depend upon our fishery harvests for our livelihoods as do the

businesses of our community. However, we fishermen are not calling for any change of fishery status. We are satisfied with the status quo.

Simply said, there is no basis for changing the status of the personal use fishery from what it is. I respectfully urge this Board to leave the subsistence fishery for people really dependent upon subsistence for their livelihoods. Thanks for the opportunity to express my sentiments in this matter.

Yours truly,

A handwritten signature in black ink that reads "Kenneth Adams". The signature is written in a cursive style with a large initial 'K'.

Kenneth Adams
Box 1855
Cordova, AK 99574

RC ~~25~~

~~27~~

42-53

NEXT RC



SEAFOOD PRODUCERS COOPERATIVE

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

RC42

March 1, 2010

Attn: Board of Fish Comments
Alaska Dept of Fish and Game – Board Support
PO Box 115526
Juneau, AK 99811-5526

RE: Statewide Board of Fish Board proposals

Greetings Chairman Webster and Members of the Alaska Board of Fish,

The 500 fishermen owner/members of Seafood Producers Cooperative (SPC), the largest and oldest vertically integrated, fishermen's harvesting, processing and marketing association in North America ask you to give credence to our comments on 3 very important, (vital considering the implications) statewide Board of Fish proposals.

We submitted comment for this Board of Fish meeting – see PC 38 and due to the multiple proposals dealing with electric reels are comments for proposal #182 should be listed as support for the proposal. Our opposition is to the use of electric reels.

Thank you for this opportunity to clarify our position.

Sincerely,

Craig Shoemaker
Seafood Producers Cooperative
507 Katlian St.
Sitka, Alaska 99835
907-747-5811

Tracy Morphis
3811 Erickson, #1
Fairbanks, Alaska 99709

March 12, 2010

Board of Fish

As a lifelong Alaskan, who gathers wild food harvest I urge the Board of Game the following:

1. Amend the BOF proposal #200 current proposed definition of "subsistence way of life" to read: "subsistence way of life" means a way of life that is consistent with the long term use of fish and game resources, when available, to supplement the basic necessities of life".

And

2. Adopt Proposal #201 which confirms Chitina dipnetting as a subsistence fishery with an allocation of 100-150 thousand salmon.

I would expect the Board of Fish to follow Alaska's Constitution, Supreme Court and statute that provide Alaska residents the right to seek the opportunity to fish or hunt under a subsistence priority.

The decision will affect not only our ability to gather wild food but the ability to provide our children and further generations the same right under the Alaska Constitution. The positive aspect of providing our children with such quality family oriented activities is one of the best reasons I can think of to vote as noted above.

Sincerely,
Tracy Morphis
3811 Erickson Ave #1
Fairbanks, AK 99709
907-378-5282
morefishes2003@yahoo.com

Simon Molodih
9801 Wagon Rd
Mt Angel, OR 97362

March 12, 2010

Alaska Department of Fish & Game
Boards Support Section
P O Box 115526
Juneau, AK 99811-5526

To the Board of Fisheries

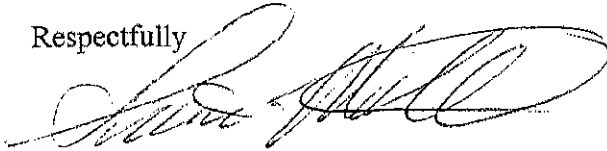
I have been a commercial gillnet fisherman in the Prince William Sound for twenty years. This has been a primary income resource for me to support a family of nine. I have and continue to depend on fishing to support my family.

I realize that the commercial fishery is affected by the economy as are other industries. I would insist that the decisions made to impact my livelihood as substantially as this, will give me a voice in the consideration of such changes.

Since the conservation burden is going to affect my family and myself so heavily, I would like to propose that it be shared between sport fisherman, subsistence fisheries and commercial gill net fisheries alike to lighten the load on any one group of people.

Thank you for the opportunity to comment on these proposals.

Respectfully

A handwritten signature in black ink, appearing to read 'Simon Molodih', written in a cursive style.

Simon Molodih

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

Via Fax: 907-465-6094

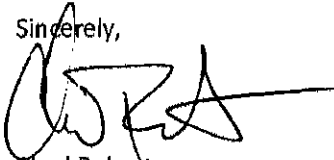
Dear Board Members"

Please accept my comments for granting users of the Chitina Dipnet Fisheries the subsistence status. I am 37 years old and have gone to Chitina annually since I was 10. I began going with my father and grandfather, and now look forward to taking my daughter when she is of age. Every year my family gathers to prepare for our trip. Every year we work hard and take a great risk to supplement our freezers with Red Salmon from the Copper River dipnetting area.

This is something we do every year. This is something we rely heavily on to get us through the winter – especially in this time when the cost of living in Fairbanks is so high. We rely on the custom. We rely on the tradition.

Please keep this in mind when making your decision.

Sincerely,



Chad Roberts
907-452-2435

March 8, 2010

From: Robert G. Linville
PO Box 1753
1205 Vista Ave.
Seward, AK 99664
linville@ak.net

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526

SUBJECT: **Support** Proposal 200, **Oppose** proposal 201 – 2010 Statewide Finfish meeting

Dear Board of Fisheries:

For most of my life, I have worked, invested in, raised three kids, and supported local economies in my hometown of Seward, as well as Cordova, Valdez, and Anchorage by commercial salmon fishing on the Copper River out of Cordova. By historical standards, the last thirty years of salmon runs have been very good on the Copper. But continued abundance, although desired by Alaskans of all stripes, is anything but a given. It takes not only good biological management, but political will to fund the necessary science and share in the conservation of this wonderful resource. In particular, the politics of sharing in conservation are exceptionally tough when it comes to fish.

Proposal 200 and 201 are the third time in the last twelve years that we have debated the relative burdens of conservation between commercial fisherman and personal use fisherman in front of the Board. We are directed to once again reopen this issue by Judicial Order. Quoting from the document "SUPPLEMENTAL PROPOSALS for the Alaska Board of Fisheries March 2010 Meeting", the court ruled that the Board must 1) define the term 'subsistence way of life' as used in 5 AAC 99.010(b)(8) using an **objective standard supported by law**". I propose that AS Sec. 16.05.940, Definitions, in concert with 5 AAC 99.010(b)(6) be used to meet the objective standards called for in this Judicial Order to define the "**subsistence way of life**":

- (31) "**subsistence fishing**" means the taking of, fishing for, or possession of fish, shellfish, or other fisheries resources by a resident domiciled in a **rural area** of the state for **subsistence uses** with gill net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;
- (28) "**rural area**" means a community or area of the state in which the noncommercial, customary, and traditional use of fish or game for personal or family consumption is a principal characteristic of the economy of the community or area; and,
- (33) "**subsistence uses**" means the noncommercial, customary and traditional uses of wild, renewable resources by a resident domiciled in a **rural area** of the state

for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption.

Please contrast the above definitions to those in AS 16.05.940. Definitions for Personal Use:

- (25) "**personal use fishing**" means the taking, fishing for, or possession of finfish, shellfish, or other fishery resources, by Alaska **residents** for personal use and **not for sale or barter**, with gill or dip net, seine, fish wheel, long line, or other means defined by the Board of Fisheries; and,
- (27) "**resident**" means (A) a person who for the **12 consecutive months** immediately preceding the time when the assertion of residence is made has maintained the person's domicile in the state and who is neither claiming residency in another state, territory, or country nor obtaining benefits under a claim of residency in another state, territory, or country; (Subsections (C), (D), and (E) go on to include members of the military, their dependents, and aliens as residents as well after 12 months in the state of Alaska.)
- 5 AAC 99.010(b)(6): a pattern of taking or use that includes the handing down of knowledge of fishing or hunting skills, values, and lore from **generation to generation**;
- 5 AAC 99.010(b)(7) a pattern of taking, use, and reliance where the harvest effort or products of that harvest are distributed or shared, **including customary trade, barter, and gift-giving**; and

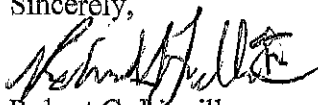
Even considering court rulings that limit the rural basis for subsistence designations, the residency difference between subsistence and personal use as defined by statute and code is there; one year vs generations. Subsistence users can share and barter their fish, while, by statute, personal users can't. These are a couple of standards that I see which differentiate the two in existing language. Personal use regs are a compromise between full fledged subsistence as defined by Alaska Statute above and the need to honor all Alaskans wish to put fish and game on the table. Personal use is not being shortchanged by the existing system. Those who make the effort will get fish. The question of who gets a priority right to the fish in the State of Alaska is a political conundrum but it should be more that a political contest. I urge the Board to tread very carefully into this morass, and to hold the conservation of the resource to be paramount. Conservation has to be a responsibility shared by all or it simply becomes meaningless. I support language in Proposal 200 that will do this. I oppose language which give the massive personal use population priority over commercial and sport fisherman and further erodes subsistence. I adamantly oppose Proposal 201 in its entirety. Passage of this proposal would pretty much gut the meaning of subsistence across the board once and for all, violating all precedent and statute before it. By granting priority in times of scarcity to practically the entire states population, there is no willingness to conserve the resource on anyone's part. We will have essentially lost the political will to do so.

Proposal 201 also threatens the long term health of the Copper River salmon population in other ways. Is there any argument that this proposal is made in order to restrict the commercial fleet fishing the Copper River? By doing so, management of upriver escapement becomes much more problematic. For the last thirty years or so, the Copper has seen very good salmon runs by historical standards. This has been done by carefully controlled commercial openers maintaining the biologically optimal escapement level (including the needs of all users upriver) as determined by the counter at the Million Dollar Bridge. The more the fleet is beached as it will be by this proposal, the less that this management style can be utilized. Major challenges to future productivity will be presented by either very large or very small runs. In the event of a large run, certain river and lake systems may suffer severe overescapement. It is my understanding that precisely this event has occurred during the parent years on the Kenai River for this years run and they are expecting an unusually low return in 2010. Theoretically, this proposal wouldn't affect the commercial fleet in years of large runs. Get a grip. Passage of this proposal will affect our commercial fishery every year from here on out regardless of the run size. Proposal 201 will be used to bludgeon the commercial fleet with the same politics which have brought it back to the Board repeatedly over the last dozen years.

During years of scarcity, other problems arise from the passage of Proposal 201. Catch counts are not as accurate or as prompt upriver. Inseason closures are thus much more difficult to call. The political pressure is ramped up to blame any shortages, or even perceived shortages on the commercial fleet as ammo for further closures. The town of Cordova would suffer great economic harm. It is a radical change from the status quo which has provided decades of good results. The true subsistence fishery above the Chitna bridge will be positioned behind the personal use fishery with a no priority over it at all. Hopefully, the runs will always remain strong enough that this wouldn't matter. But once conservation is passed off to the other guy, don't count on it.

I urge you to vote against Proposal 201 for the reasons stated above.

Sincerely,



Robert G. Linville
Seward, Alaska

February 26, 2010 Resolution
by the
Eastern Interior Alaska Subsistence Regional Advisory Council and
Western Interior Alaska Subsistence Regional Advisory Council
Concerning Yukon River Chinook Salmon Management

Whereas, Yukon River Chinook salmon must travel up to 1,900 miles through a gauntlet of size-selective inriver fisheries to spawn;

Whereas, Yukon River Chinook salmon are a stock of yield concern;

Whereas, Subsistence fishing restrictions have been imposed during two of the last three years;

Whereas, Commercial fishing has been substantially reduced or closed over the past decade;

Whereas, Escapement goals in Canada have not been achieved in two of the last three years;

Whereas, Traditional Ecological Knowledge (TEK) consistently indicates Chinook salmon size has been declining over the past 20 years;

Whereas, Scientific evidence shows a regime of lowered productivity;

Whereas, Scientific analysis has described that middle and upper river Chinook salmon of a given size are less fecund than lower river fish;

Whereas, Scientific analysis has described declining size of fish, age composition, and quality of spawning escapements; and

Whereas, Scientific analysis has indicated that reduction in gillnet mesh size needs to be coupled with reduced exploitation to provide increased escapement of larger, more fecund Chinook salmon, and to ensure genetic integrity of stocks; now, therefore, be it

Resolved, That the Eastern Interior Alaska Subsistence Regional Advisory Council and the Western Interior Alaska Subsistence Regional Advisory Council hereby acknowledge and support all practical measures by State and Federal managers to protect the first pulse (or second, if the first is missed) of Chinook salmon in the Yukon River, from the mouth to the Canadian border, with little or no harvest directed at that pulse, using statistical area closures to provide greater protection, without negatively impacting conservation of other stocks; and

BOARD MEMBERS:

MY FATHER RAISED & FED HIS WIFE & 5 KIDS BY FISHING THE COPPER RIVER FLATS.

MY BROTHERS AND MYSELF FISHED WITH HIM UNTIL WE WERE ABLE TO FISH ON OUR OWN.

AFTER BEING IN THE NAVY FOUR 4 1/2 YEARS, I RETURNED (1962) AND HAVE BEEN FISHING THE COPPER RIVER FLATS PROVIDING FOR MY FAMILY (WIFE & 4 KIDS) EVER SINCE.

NOW ADAYS, WITH ALL THE CUTBACKS & REDUCED TIME

ON THE FLATS, ITS HARDER
& HARDER TO MAKE ENDS
MEET. THE PRICE OF FUEL,
GROCERIES, NETS, GEAR AND
AIR TRAVEL (ITS CHEAPER TO
FLY TO THE FLATS THEN TO
RUN MY BOAT BACK & FORTH)
ALL THESE THIS HAS TAKEN
A TOLL ON OUR INCOME &
A HEAVY TOLL ON THE PROCESSORS
AND THE CITY OF CORDOVA
IN LOST WAGES TO THE
CANNERY WORKERS AND ANY
ONE ASSOCIATED WITH
THE FISHING INDUSTRY.

I DO HOPE THAT YOU
THE BOARD, MAKE THE RIGHT
DECISION AS IT WILL EFFECT

THE LIVELIHOOD OF 500+
GILNETTERS & THEIR CREWS
& THE CANNERY'S & WORKERS
& THE CITY OF CORDOVA.

THANK YOU,

Charles deVille
CHARLES DEVILLE
BOX 529
CORDOVA, ALASKA
99570

STATE OF ALASKA

Mat Valley Fish & Game Advisory Committee

Sean Parnell, Governor

Stephen W. Darilek, Chair
9780 Bridle Lane
Wasilla, AK 99654
907-376-9797
Donnie4u@mtaonline.net

RC 49

Dear Chairman Webster and Members of the Alaska Board of Fisheries:

This message is written in support of the emergency petition before the Board concerning the management of Yentna / Susitna River sockeye salmon. The Matanuska Valley Fish and Game Advisory Committee appreciates the Board's position, stated on record during the last Upper Cook Inlet Board of Fisheries meeting, that achievement of salmon spawning escapement goals (with attainment of a goal range minimum taking priority over exceeding goal range ceilings elsewhere) is the top management priority for Upper Cook Inlet salmon fisheries.

Like the petitioner, we question the Alaska Department of Fish and Game's changing of Yentna River sockeye salmon enumeration that in 2009 resulted in the Department achieving less than one third of the Yentna River sockeye salmon goal range minimum in place at conclusion of the 2008 Board meeting as measured with by the 2008 standard (Bendix Sonar) numbers. Information in the Department's Feb. 19, 2010 comments to the petition shows that simply measuring sockeye escapement by upriver Yentna system weirs, rather than using the system standard of the previous 27 years, could result in a 50% reduction of the number of sockeye salmon allowed by ADF&G into the Yentna drainage.

Would ANY Upper Cook Inlet user group be happy with a 50% reduction in number of sockeye salmon and corresponding reductions in all other salmon stocks available for both spawning escapement and potential harvest, based solely on an extremely allocative out of cycle ADF&G decision? 50% is the magnitude of reduction in river Yentna / Susitna users are facing from just the ADF&G change in enumeration method. Change / reduction of the Yentna system sockeye salmon escapement goal likely piles on additional loss.

As ADF&G points out in its comments to the petition, "The public has come to rely on this regularly scheduled (BOF cycle) participatory process as the basis for changing fish and game regulations." The same could be said for changing allocations (which is the responsibility of the Board and not ADF&G). ADF&G's out of cycle actions, as mentioned above, have significantly altered salmon allocations in the contentious Upper Cook Inlet Region. Because ADF&G's out of cycle actions altered both escapement enumeration and user allocations, the question for groups who lost significant allocation is no longer, should the Board take out of cycle action? but rather, What action should the Board take?

Please consider use of the proven Upper Cook Inlet Conservation Corridor Concept -- formerly in regulation for 3 regular drift periods during the month of July. As pointed out in the emergency petition (and conveniently ignored by ADF&G comments to the petition) for as many years as ADF&G has record, each year's Yentna River sockeye salmon escapement goal, was NEVER ACHIEVED without: 1. total closure of -- or 2. restriction of the Upper Cook Inlet Drift Fleet to the Kasilof and Kenai sections during at least one regular period on or before July 16.

While the petition only requests a required Conservation Corridor action for one regular drift period between July 8-16, please note: during many (if not all) years where ADF&G obtained the Yentna River sockeye salmon escapement goal, use of this same Conservation Corridor and / or closure of other drift areas occurred during additional regular July drift periods. It would be beneficial for ADF&G, the Board, and public to know how many Conservation Corridor actions / area closures were taken during regular drift periods on each of the years the Yentna River sockeye salmon escapement goal has been obtained. If ADF&G is reasonably attempting to obtain the Yentna River sockeye salmon escapement goal as a management priority, then should not the Department know, and be willing to share with all interested parties, the type and number of drift restrictions that achieved objective Yentna sockeye goal levels in the past? With poor projected returns of both Yentna River and Kenai River sockeye salmon for 2010, should not ADF&G be planning for, at a minimum, the same type and number of restrictions that achieved past Yentna escapement goal success during the 2010 season?

Even though ADF&G is currently planning to have a Yentna River Didson sonar counter in place during July of 2010, and thus the required administrative, budgeting and fiscal powers will already have been exercised by the Department, ADF&G seems to be resisting inseason use of Bendix- like sonar enumeration for Yentna sockeye management purposes with their following comment to the petition, "As confirmed by the Department of Law, the board has no 'administrative, budgeting, or fiscal powers' that would allow the board to direct the kind of sonar that the department employs for fish counting (AS 16.05.241)."

Serving the Alaska Board of Fisheries and Alaska Board of Game

Even if the Board may not direct what type of sonar ADF&G uses, a simple solution to transition back to status quo (measured by the 2008 Upper Cook Inlet BOF meeting) would be to ask ADF&G to mathematically convert the older Bendix sonar escapement goal range to a correspondingly higher range as would be measured by the newer Didson sonar. Along with an ADF&G plan which included proven number and type of drift restrictions used to obtain Yentna escapement goal objectives during past years, this new Didson adjusted goal could be used in conjunction with the sonar count for inseason management liberalizations or restrictions, if a larger or smaller than expected escapement of Yentna sockeye salmon materialized during the 2010 season.

The Didson adjusted escapement range could be adopted as a 2010 emergency OEG, to be reviewed after the 2010 season, and all subsequent actions could occur through the public process at next winter's Upper Cook Inlet Board of Fisheries meeting. The true intent of the emergency petition, and this letter of support is to return Yentna / Susitna River salmon spawning escapements and allocations to levels adopted by the Board of Fisheries at conclusion of the 2008 Upper Cook Inlet Meeting.

Thank you, Chairman Webster and Board Members, for your thoughtful consideration.

Sincerely,

Stephen W. Darilek, Chair, MVF&GAC

Matanuska Valley Fish and Game Advisory Committee
March 10, 2010, 7 – 10 PM, MTA Building, Palmer

Minutes

RC 50

7:00 PM: Call meeting to order

Roll Call: eight members for quorum

Members Present:

Steve Bartelli
Erick Beckman
Brian Campbell
Mark Chryson
Andy Couch (secretary)
Stephen Darilek (chair)
Bennett Durgeloh
Gerrit Dykstra
Melvin Grove
Tony Jones
Dan Montgomery
Guiseppe Rossi
Max Sager
Kathy Thompson

Members Excused: Troy Vincent, Ken Federico, Bill Folsom (vice chair)

Jr members Present: Stephen Warta, Daniel Warta, Andy Goeke

Minutes approved unanimously after changes made by Ken 14-0-0 Jr vote 3-0-0.

Persons to be Heard

Brian Lindamood from Alaska Railroad is only guest representing a group present.

The process of writing environmental impact statement concerning expansion of rail line to PT. Mackenzie is happening at present. There will be opportunities of public to comment at public meetings on the impact statement. Public comments are being taken now, but meetings will likely occur near end of March. portmackrail.com is website URL where public comments may be made.

Railroads list of things that work to reduce moose mortality -- 1. removing snow from sides of track. 2. Keeping vegetation cleared back from track. 3. Widening embankments so there is room for moose to move off side of track. 4. Suggestions for new line -- first 3 points. 5. Have service road beside track. 6. revegetate near track with grasses rather than brush or trees. 7. provide room under bridges so moose along the river could pass under. 8. Higher embankments will naturally clear snow through better melting and wind circulation.

New track should be approximately 30 - 40 miles long depending upon which route is chosen. Alternative browse planted at a distance off the sides of the track seems to be working to keep moose away from track in another area where train speeds were increased through straightening tracks. Railroad spur to Point Mackenzie could be up and running in as few as 3 or 4 years.

Railroad moose kills in Mat-Su Valley have been reduced to about 15 per year or less. Railroad is working with Mat-Su Trails Bruce Paulson to provide crossings for established trails either with underpass or overpass both for motor vehicles or dog sleds. Moose crossings is problematic at present. No preferred route out of the 3 options headed North from Ayrshire Road. South of Ayrshire Road the railroad prefers route past new prison rather than beside the Sustina Flats State Game Refuge.

AC Report from the Board of Game

Mel Groves reported BOG did away with the wolf buffer zone around Denali. Board went with northern AC positions to change date on 40 mile caribou hunt. Mel and others at the meeting attempted to get BOG to address Subsistence way of life definition at that meeting. Mel felt Kevin Saxby seemed to be telling the BOG not to do it, rather than providing legal advise as to what the BOG could do. Corey Rossi has been appointed new Director of Wildlife Conservation. The former Director of Wildlife Conservation testified before Board that all involved seemed to be in favor of BOG going to a 3 year cycle, when that was not the case with us. Mel heard ADF&G wildlife Region 2 split may happen. Mel also reported that the state's potlach program had been kicked back to the Board of Game from legal to be reconfigured.

Stephen Darilek brought up the idea of someone being an alternate secretary. After much discussion, Kathy Thompson volunteered if she could get some help during meeting from former secretary Mark Chryson. Mark made it clear that he did not want to be an alternate secretary, but agreed to help Kathy. Kathy was approved unanimously by the AC to be the alternate secretary.

The idea of a Region II split was brought up. All AC members who had any idea thought it would likely happen. Dan Montgomery said Board member Ted Spraker had indicated at the BOG meeting in Fairbanks that he thought it would happen.

It was agreed by unanimous consent that Stephen Darilek would write a letter of congratulations to the new ADF&G Director of Wildlife Conservation.

A discussion occurred concerning what the AC should do concerning attempting to shore up new potlach hunt regulations. Stephen Darilek had a handout of ideas that could tighten up the potlach system.

A member of the public mentioned that since the Feb. 24 AC meeting discussing potlach, he had gone into the ADF&G office and applied for a permit. The new rules being discussed at our Feb.

24 AC meeting did not yet apply, and this individual was instructed how to work through the process.

Stephen asked for a vote on whether Guisepppe should write a letter outlining provisions Matanuska Valley AC would like to see included in a new potlach permit system. Idea was accepted with no objections.

Dan Montgomery handed out and spoke to letter he wrote and would like the AC to support concerning requesting funding from the legislature to finish development of a DNR guide concession program. Bennett asked what would happen if funding was not approved. Dan replied that the program would still go forward, but at a much slower pace than if increased funding was approved. According to Dan the process has already been going on for 3 years. Dan said DNR is attempting to get the program up and going by 2012. There is no provision for Alaska residency having a preference in the current plan. Dan's reasoning for funding is it takes money to get anything moving. A concern from the AC is why should we request funding for an up in the air process where the public will not know what the final recommendations will be. Dan reports there is approximately the same number of active Alaska hunting guides operating on state land as there are concession areas. Dan said some state's do not regulate the number of guides at all on state land. He believes something needs to be attempted to reduce guiding pressure on state lands or the resource and all users suffer.

Comment from the AC: Many expressed concern with DNR management. IF the process is already happening some AC members would like to see it speeded up and an end product produced for consideration sooner rather than later. Vote passed. 9 -4-0 Jr. 1-0-2 Minority Position was concerned with DNR management and where the legislative money would come from.

Andy Couch made a motion for the AC to write a letter of support for the Emergency Petition concerning management of Yentna River sockeye salmon that would be considered by the Board of Fisheries at the March 16 -21, 2010 statewide meeting. 2nd by Mark Chyson. Motion carried 13-0-0 Jr. Vote 3-0.

Stephen Warta made a motion to approve fishing proposal 184 which would prohibit felt soled foot gear statewide. 2nd by Andy Couch. ADF&G position is neutral on issue. Bennett suggested an amendment could be offered to extend time period before implementation. Guisepppe was opposed to proposal. Max mentioned that retailers already have a supply that they should be able to sell. Several AC members did not want to be restricted if there was no proven concerns. Proposal failed 0 - 13 - 0. Jr Vote 0-3-0.

Steve moved to approve proposal 169. 2nd by Mark Chryson. The Proposal opposed 0-13-0. Jr. vote 0-3-0.

Daniel Warta made a motion that Jr. vote be taken first so regular AC members could see the Jr positions before casting their votes. 2nd. by Mark. Motion carried Jr. vote 3-0-0. and 13-0-0.

The question was asked as to whether the AC would like to man a booth at the Mat-Su Outdoorsman Show, as Tony Russ had offered the AC a free booth to participate. Several members mentioned that there did not seem to be interest from the public. Others mentioned the time of manning the booth for litter interest from public. motion failed JR.0-3-0. Members 0-13-0.

Steve moved to approve proposal 164 which would make new requirements on commercial user's homepack. 2nd. by Mark. Many of the AC members had a difficult time knowing exactly what the proposal would accomplish. Proposal failed Jr. vote 0-2-1. 2-3-8 Minority comment was that what applies to the goose should also apply to the gander.

Motion to approve proposal 187, which would allow the use of bait by handicapped / disabled anglers statewide, made by Kathy. 2nd by Mark. It was mentioned that special provisions already existed, and passing of this proposal could lead to enforcement issues, or in appropriate use of the provision. Motion failed. JR vote 0-2-1. 0-12-1.

Meeting Adjourned at 9:50 p.m.

Minutes recorded by Andy Couch

Next meeting: March 24, 7-10 PM, MTA building in Palmer.



12851 Midway Place, Cerritos, California 90703-2141, U.S.A.
Mailing Address: P.O. Box 60311, Artesia, California 90702-6031
Telephone: (562) 602-9589 Facsimile: (562) 404-6212

RC 51

March 11, 2010

To whom it may concern:

Daiwa's power assist reels are not designed or intended for commercial use, but are portable, battery powered reels intended for use by sport fishermen on normal sport fishing rods. They cannot be compared directly to the larger, fixed hydraulic and electric units used by commercial fishermen.

Their purpose is to enhance the sport fishing experience by reducing the drudgery of retrieving the heavy weights and rigs required to fish at greater depths. Manually winding up eight, ten or more pounds of sinker from hundreds of feet deep to check baits is extremely hard work and impractical to do manually. The reels help reduce that effort, allowing sport fishermen easier access to previously inaccessible depths and species, access that would otherwise be denied to youth, elderly and female anglers.

Daiwa's power assist reels feature an adjustable drag and manual winding handle. The idea is to let the electric part take care of the drudgery of retrieving baits, yet after the hookup, fight a fish on the handle as with ordinary sport fishing reels. Of course, fish with swim bladders stop fighting as the bladder expands when they are brought up. The power retrieve helps insure they are brought to the surface within a reasonable time, meaning less time for hooks to work loose and potentially cause loss of the fish.

We are unaware of any state in America that has banned use of these reels.

Sincerely,

Bill Liston
Vice President, Advertising & Promotion
Daiwa Corporation



SELDOVIA FISHING ADVENTURES INC.
David and Peggy Cloninger
P.O. Box 121, Seldovia Alaska 99663
Phone: 907-234-7417, Fax: 907-234-8444
www.fishhalibut.com
e-mail: fishfun@xyz.net



March 6, 2010

RC 52

Dear Alaska Board of Fish:

I've become aware that the Board of Fish is proposing to ban the use of sport fishing electric reels in the halibut sport fishing industry. I am opposed to such a measure because it would negatively impact my charter fishing business in Seldovia, Alaska.

I have been using various models of sport fishing electric reels since 1987 to the present. All of these reels are mounted on regular fishing rods and none weighed more than five pounds. They use the same drag system as any traditional fishing reel and none of them will winch a fish to the surface. A fisherman has to use the same pumping action as a traditional rod and reel. The only difference from the traditional set up is that the sport fishing electric reel takes up the slack that is gained by the pumping action of the rod. The latest models I am using also have a crank so that they can be used in the traditional way as well.

Sport fishing electric reels enable the handicapped, the elderly, women and children to participate in halibut fishing when they would otherwise be excluded from using this public resource because they cannot physically handle a traditional halibut rod and reel. In my opinion, not allowing the use of sport fishing electric reels discriminates against these groups.

I have found that sport fishing electric reels attract fishermen to my remote area of Alaska, who would otherwise stop and fish with businesses on the road system. This is important to me and for the economic well being of my community, because many of these people would not come the extra distance were it not for the attraction of trying sport fishing electric reels while halibut fishing. We have a difficult enough time to get tourists to come to our remote village, without making it harder by eliminating the use of sport fishing electric reels. We need every advantage we can find to attract business during these economically depressed times.

In conclusion, I am adamantly opposed to the elimination of sport fishing electric reels from the halibut sport fishing industry and request that you vote against imposing such an unfair restriction on our industry.

Sincerely,

David R. Cloninger
Seldovia Fishing Adventures Inc.
P.O. Box 121
Seldovia, Alaska 99663
907-234-7417

RC 53



KETCHIKAN GATEWAY BOROUGH

1900 First Ave Suite 115 • KETCHIKAN, ALASKA 99901

• 907/228-6605 • fax 907/228-6697

www.borough.ketchikan.ak.us

OFFICE OF THE BOROUGH MAYOR

March 11, 2010

Honorable Sean Parnell
Governor, State of Alaska
State Capitol, 3rd Floor
Juneau, Ak 99801-0001

Dear Governor Parnell:

Last year the Alaska Board of Fisheries took regulatory action which initiated a commercial Dungeness crab opening June 15 through August 15. The Alaska Department of Fish and Game opposed the proposals which sought to align the commercial Dungeness crab season in Districts 1 and 2 with the summer season in northern parts of the region. The Ketchikan Gateway Borough Assembly is very much opposed to the summer Dungeness crab opening in Districts 1 and 2.

Attached is Ketchikan Gateway Borough Resolution No. 2159 requesting an emergency closure order for the scheduled summer commercial Dungeness crab season in Alaska Department of Fish and Game Districts One and Two in Southeast Alaska.

Although the opening was held in 2009, the Borough is reaffirming its request for closure of the summer commercial Dungeness crab opening for 2010 and subsequent years. The Borough Assembly would appreciate any support you can provide to assist in this endeavor.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Kiffer", is written over a faint, larger outline of the signature.

Dave Kiffer
Mayor, Ketchikan Gateway Borough

Attachment: KGB Resolution No. 2159

KETCHIKAN GATEWAY BOROUGH

RESOLUTION NO. 2159

A RESOLUTION OF THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA, REQUESTING AN EMERGENCY CLOSURE ORDER FOR THE SCHEDULED SUMMER COMMERCIAL DUNGENESS CRAB SEASON IN ALASKA DEPARTMENT OF FISH AND GAME DISTRICTS ONE AND TWO OF SOUTHEAST ALASKA; AND PROVIDING FOR AN EFFECTIVE DATE

RECITALS

WHEREAS, a Summer Commercial Dungeness Crab fishery opening has been scheduled for Districts One and Two in Southeast Alaska; and

WHEREAS, a summer fishery in District One and Two has been closed for over 20 years due to soft shell and mortality concerns; and

WHEREAS, the fishery is not in the best interests of the resource or the users of the resource in the affected area, otherwise known as the Ketchikan and inside Prince of Wales areas; and

WHEREAS, no new scientific data supports the opening of a Summer Commercial Dungeness Crab fishery; and

WHEREAS, during the summer months, Dungeness crabs are soft-shelled, causing a high mortality rate during handling of undersized crab that are thrown back in the water. This mortality rate of crabs does not meet the definition of a sustained yield harvest method mandated by State law; and

WHEREAS, there are no local processors in Districts One and Two who will handle the harvest; and

WHEREAS, staff of the Alaska Department of Fish and Game oppose the Summer Commercial Dungeness Crab fishery because of existing data showing the negative effect of the fishery due to females molting and the soft-shell associated handling mortality rate. Additionally, the Department is not staffed nor funded properly to monitor the fishery and conduct related research; and

WHEREAS, the City of Ketchikan, also a political subdivision of the State of Alaska, through Resolution No. 09-2274, has requested an emergency closure order for the scheduled summer Commercial Dungeness Crab Season in Districts One and Two of Southeast Alaska; and

WHEREAS, Representative Kyle Johansen of Ketchikan, the State of Alaska House Majority Leader, and Bill Thomas of Haines, the State of Alaska House Finance Chairman believe the opening of the Commercial Dungeness Summer season in Districts One and Two should be reconsidered; and

WHEREAS, local tribal groups are opposed to the fishery as it will affect their traditional and customary uses, and the local Board of Fish Advisory Committee has asked for an emergency closure based on available Alaska Department of Fish and Game data and other scientific data; and

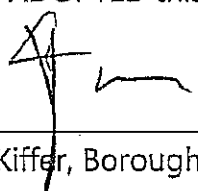
WHEREAS, local Ketchikan area commercial crab fishermen, as well as charter fishermen and subsistence users, oppose the opening,

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FACTS, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA as follows:

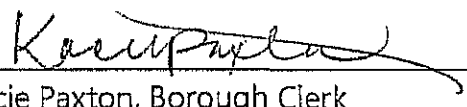
Section 1. The Assembly of the Ketchikan Gateway Borough petitions the Board of Fish and the Commissioner of the Alaska Department of Fish and Game for an Emergency Closure Order of the scheduled Summer Commercial Dungeness Crab season.

Section 2. This Resolution shall become effective immediately upon adoption.

ADOPTED this 1st day of June, 2009.

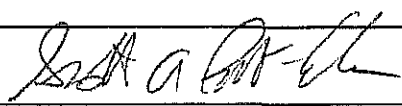


Dave Kiffer, Borough Mayor



Kacie Paxton, Borough Clerk

APPROVED AS TO FORM:



Scott A. Brandt-Erichsen, Borough Attorney

EFFECTIVE DATE:		JUNE 1, 2009		
ROLL CALL	YES	NO	ABSENT	
Gibbons	✓			
Harrington	✓			
Painter	✓			
Phillips	✓			
Salazar	✓			
Shoemaker	✓			
Thompson	✓			
Mayor (tie votes only)				
4 AFFIRMATIVE VOTES REQUIRED FOR PASSAGE				



Alaska Longline FISHERMEN'S ASSOCIATION

Post Office Box 1229 / Sitka, Alaska 99835 907.747.3400 / FAX 907.747.3462

March 1, 2010

Mr. Vince Webster
Chairman
Alaska Board of Fisheries
Juneau, AK

RC 54

Re: Statewide Finfish Proposals
Support: 175, 177, 182, 188
Oppose: 174, 180, 181

Dear Chairman Webster and Members of the Board,

I am submitting these comments on behalf of the Alaska Longline Fishermen's Association (ALFA). ALFA is a non-profit association of independent commercial longline vessel owners and crewmembers who are committed to continuing the sustainable harvest of sablefish, halibut, and groundfish, while supporting healthy marine ecosystems and strong coastal communities.

ALFA's membership **SUPPORTS** Statewide proposals 175, 177, 182, and 188, and **OPPOSES** proposals 174, 180, 181, and 190. We are particularly concerned with proposals that allow increased sport harvest of the vulnerable and fully allocated deep water species and have focused our comments on this issue:

Electric Reels: Support 182, Oppose 180 and 181

The proposals addressing the use of electric reels in sport fisheries have been thoroughly discussed in the open public forum of the Sitka Advisory Committee. Fishermen from every sector urged against allowing power gear in the sport fishery for both resource and ethical reasons. Electric reels allow easy access to deepwater, slow growing species that are otherwise difficult to access by anglers, hence increasing pressure on vulnerable stocks. Although bag limits exist for some of these species, the bag limits are designed as maximums and were never expected to be reached by large volumes of anglers. Many deepwater species are also vulnerable to surfacing pressure change, hence mortality is high and "releasing" fish above specified bag limits further compromises resource health.

Watching an electric reel retrieve a fish is not angling, nor is it "sport" fishing in any ethical sense of the word. Alaska can maximize the value of its fisheries by supporting the historic commercial fisheries (that sustain the State economy and local communities through jobs and essential revenues while providing highly nutritious seafood to

consumers world-wide) and by promoting the ethical **experience** of sport fishing while providing a reasonable amount of seafood harvest. The resource, the State, the fisheries and the communities win by such an approach. Allowing the few who promote excess in sportfish harvest to prevail at the expense of the resource and the historic subsistence, sport and commercial harvesters would violate the resource conservation and management principles that define the State of Alaska. ALFA urges the board to support proposal 182.

Sablefish bag limits: Support Proposal 175

Proposal 175, which was generated by the Sitka Advisory Committee, is consistent with State management principles of allowing sport fishermen a *“reasonable level of angling opportunity and harvest while at the same time providing for protection against high levels of harvest that could be harmful for the stock.”* As described in comments above (see Electric reel comments), deepwater species are vulnerable due to life history characteristics, fully allocated, and have not historically been accessible in any significant quantity to sport anglers. Of these species, the sablefish stock is of particular concern to ALFA members and should have been identified as a species of concern by the Alaska Department of Fish and Game (ADF&G).

ADF&G sablefish managers recently conducted port meetings to explain inside water stock assessment methods and projected stock trends. The message from managers was grim, with concerns expressed regarding poor recruitment, poor age composition, and continued biomass declines. Also explained was the possibility that erroneous assumptions regarding migration between state and federal waters may be allowing significant overharvest (to a B17 level when B45 is the management target), which could demand substantial additional quota reductions in the future to address. This should have been brought to the Board’s attention relative to this proposal. Regardless of how questions regarding migration are resolved, recruitment to the fishery continues to be weak and stocks are in significant and recognized decline. Although this is not a result of over-fishing by the commercial fishery, which operates under an equal quota share system and has remained within target harvest levels, commercial fishermen face continued and substantial additional reductions in harvesting opportunities in the future.

Without question, current stock conditions demand conservative management of all harvesting and preclude development of any new fisheries. In March 2009 ADF&G sport fish division indicated that the self-reported harvest of sablefish from state waters was seven fish. Now staff comments reveal self-reported guided sport catch for 2009 as being 3,844 sablefish in southeast Alaska with 81% of this coming from 4 facilities. At a 10 pound (round weight) average this is 3.5% of the 2009 commercial quota of 1.07 million pounds and is equivalent to more than 2 equal quota shares in the commercial fishery. In short, the bag limits adopted by the Board in 2009 allow a new fishery, primarily fished by nonresidents, to substantially impact a hundred year old fishery, primarily fished by residents. This is counter to the Board’s own allocation criteria and should not be allowed.

At this point the vast majority of the sablefish harvest, and the use of electric reels to access sablefish and other deepwater species, is associated with a very small sector of the guided sport industry. If the Board acts now to address this newly developing sport/commercial fishery a serious resource conservation and allocation issue can be avoided. Allowing this new fishery to grow will exacerbate already obvious resource and allocation problems. If the use of electric reels expands into federal waters the severity of the impact and conflicts will increase exponentially. ALFA urges the Board to practice sound resource management and follow its own allocation criteria by prohibiting electric reels and reducing the sablefish bag limit to 2 fish.

Thank you for your time and careful consideration.

Sincerely

A handwritten signature in cursive script, appearing to read "Linda Behnken".

Linda Behnken
Executive Director, ALFA



RC ~~13-25~~

~~27-44~~

~~42-53~~

55-56

NEXT RC

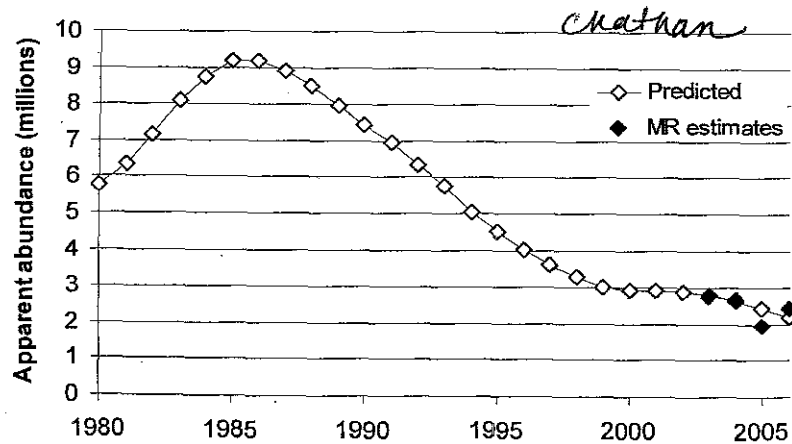
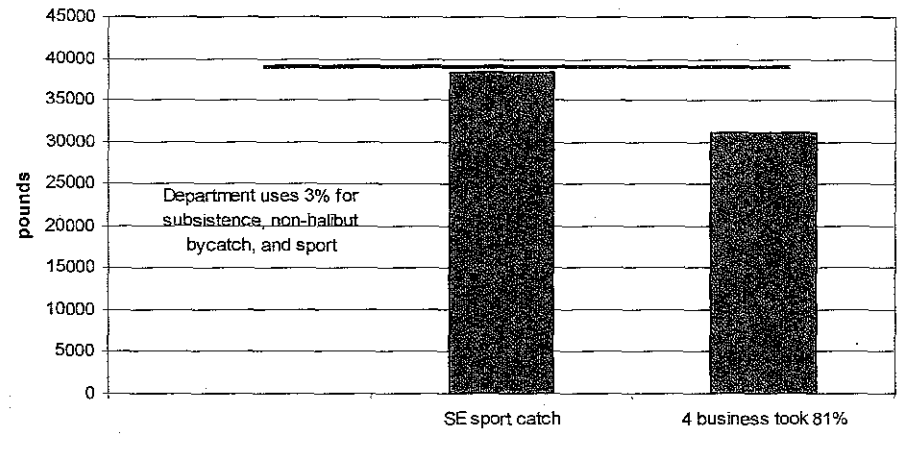
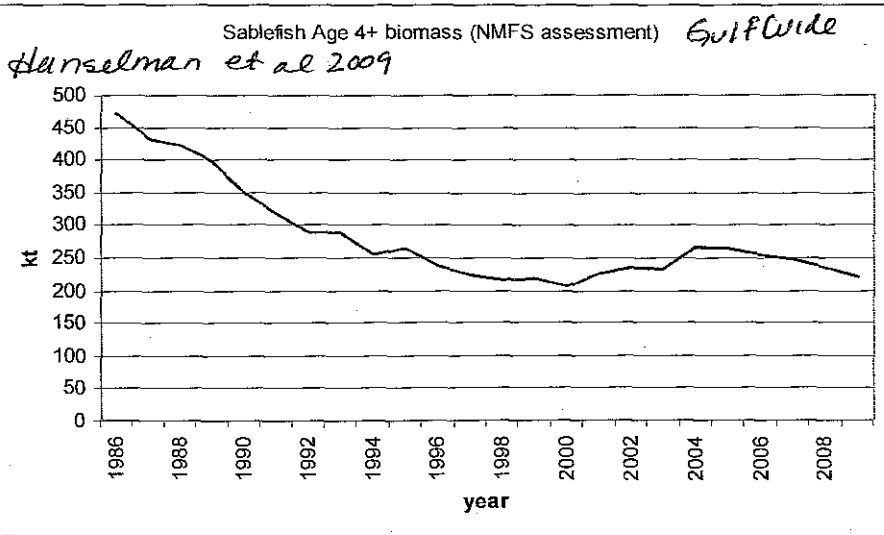


Figure 57.—Mark-recapture estimates of abundance, 2003–2006, and predicted abundance of sablefish at time of longline survey, 1980–2006, under base model ($M = 0.1$, q for mark-recapture estimates fixed at 1). *Meuter report 2009*

<http://www.afsc.noaa.gov/refm/docs/2009/GOAsablefish.pdf>
<http://www.sf.adfg.state.ak.us/FedAidpdfs/SP10-01.pdf>

Support 182 (prohibit Electric Reels), 175 (2 sable daily 4 annual)

- Prohibiting electric reels has the combined effect of establishing appropriate definition of sport fishing while protecting deep water species including thornyheads
- ADF&G data shows small number of businesses currently targeting blackcod (4 in each region)
- Sport catch is large compared to the staff testimony in February 2009.
- Sablefish stocks are in a steep decline throughout their range even after more than a decade of conservative management. They are the most important groundfish fishery (\$) managed by the State
- ADFG reduced the quota 29% after the 2009 BOF meeting is reducing the harvest rate again in 2010 and Meuter (2009) had estimated that Chatham stocks may be at 17% of unfished spawning stock condition because of low recruitment (this is less than half B_{msy}) – not the appropriate time to have a new fishery develop on this stock, especially without accurate catch reporting. **This information was not available to the BOF last year.**
- Self-reporting is not a legitimate way to collect critical data on removals especially with sensitive stocks.

<http://www.boards.adfg.state.ak.us/fishinfo/meetinfo/2008-2009/april%2028%20teleconf/april28staff-comm.pdf>

COOK INLET AQUACULTURE ASSOCIATION REQUEST FOR BIDS FOR 2009 SALMON SALES

RC 56

March 31, 2009

The Cook Inlet Aquaculture Association's Marketing Committee is requesting specific bids for fish we anticipate having available for sale during the 2009 season. There are four basic groups of fish:

- Resurrection Bay/Bear Lake June Run Sockeye Salmon,
- Lower Cook Inlet July Run Sockeye Salmon
- Bear Lake Advanced Maturation Coho

In 2009, CIAA developed a cost recovery harvest plan for Trail Lakes Hatchery which includes the June run sockeye in Resurrection/Bear Lake and the July run sockeye in Kachemak, Tutka and Kamishak Bays. This plan, approved by the Alaska Board of Fisheries in March of 2009, provides CIAA with a *Special Harvest Area* priority to meet its revenue goal.

CIAA's 2009 cost recovery revenue goal is ~~\$1,500,000~~. Based on the 2009 projected run strength, CIAA expects to harvest nearly 100% of the returns to Resurrection, Kachemak, and Kamishak Bays. The first sockeye should be available for CIAA cost recovery harvest in Resurrection Bay on or about May 25, 2009. The cost recovery harvest will continue into Kachemak and Kamishak Bays only until the revenue goal is achieved. Once the revenue goal is met, CIAA harvest operations will cease and common property fisheries will begin. July run ~~sockeye returning to Tutka Bay~~ will be harvested in association with the collection of broodstock and ~~will be harvested for cost recovery even if the cost recovery revenue goal has been met.~~ MIXED STOCKS

The best information we have about what to expect is contained on the accompanying sheets as is any special condition relating to the bid for a specific group of fish.

The bids should meet the following deadline and contain the following elements.

1. All bids must be received at CIAA headquarters no later than 5:00 p.m., April 22, 2009. The Marketing Committee will make every effort to select and notify the successful bidders on or before April 24, 2009.
2. CIAA will accept bids submitted by regular mail, Fax or e-mail. Bids should be sent to:

Cook Inlet Aquaculture Association
 40610 Kalifornsky Beach Road
 Kenai, AK 99611
 Fax: (907) 283-9433
glandrei@ciaanet.org



**MAYOR'S BLUE RIBBON
SPORTSMEN'S COMMITTEE**

Matanuska-Susitna Borough
350 East Dahlia Avenue • Palmer, AK 99645

RC 57

March 15, 2010

Dear Chairman Webster and Members of the Alaska Board of Fisheries:

This message is written in support of the emergency petition before the Board concerning the management of Yentna / Susitna River sockeye salmon. The Matanuska - Susitna Mayor's Blue Ribbon Sportsmen's Committee appreciates the Board's position, stated on record during the last Upper Cook Inlet Board of Fisheries meeting, that achievement of salmon spawning escapement goals (with attainment of a goal range minimum taking priority over exceeding goal range ceilings elsewhere) is the top management priority for Upper Cook Inlet salmon fisheries.

Like the petitioner, we question the Alaska Department of Fish and Game's changing of Yentna River sockeye salmon enumeration that in 2009 resulted in the Department achieving less than one third of the Yentna River sockeye salmon goal range minimum in place at conclusion of the 2008 Board meeting as measured with the 2008 standard (Bendix Sonar-like) numbers. Information in the Department's Feb. 19, 2010 comments to the petition shows that simply measuring sockeye escapement by upriver Yentna system weirs, rather than using the system standard of the previous 27 years, could result in a 50% reduction of the number of sockeye salmon allowed by ADF&G into the Yentna drainage.

Would ANY Upper Cook Inlet user group be happy with a 50% reduction in number of sockeye salmon and corresponding reductions in all other salmon stocks available for both spawning escapement and potential harvest, based solely on an extremely allocative out of cycle ADF&G decision? 50% is the magnitude of reduction in river Yentna / Susitna users are facing from just the ADF&G change in enumeration method, change / reduction of the Yentna system sockeye salmon escapement goal likely piles on additional loss.

As ADF&G points out in its comments to the petition, "The public has come to rely on this regularly scheduled (BOF cycle) participatory process as the basis for changing fish and game regulations." The same could be said for changing allocations (which is the responsibility of the Board and not ADF&G). ADF&G's out of cycle actions, as mentioned above, have significantly altered salmon allocations in the contentious Upper Cook Inlet Region. Because ADF&G's out of cycle actions altered both escapement enumeration and user allocations, the question for groups who lost significant allocation is no longer, should the Board take out of cycle action, but rather, **What action should the Board take?**

Please consider use of the **proven Upper Cook Inlet Conservation Corridor Concept** - formerly in regulation for 3 regular drift periods during the month of July. As pointed out in the emergency petition (and conveniently ignored by ADF&G comments to the petition) for as many years as ADF&G has record, each year's Yentna River sockeye salmon escapement goal, was NEVER ACHIEVED without: one total closure of or two restriction of the Upper Cook Inlet Drift Fleet to the Kasilof and Kenai sections during at least one regular period on or before July 16.

While the petition only requests a required Conservation Corridor action for one regular drift period between July 8-16, please note: during many (if not all) years where ADF&G obtained the Yentna River sockeye salmon escapement goal, use of this same Conservation Corridor and / or closure of other drift areas occurred during additional regular July drift periods. It would be beneficial for ADF&G, the Board, and public to know how many Conservation Corridor actions / area closures were taken during regular drift periods on each of the years the Yentna River sockeye salmon escapement goal has been obtained. If ADF&G is reasonably attempting to obtain the Yentna River sockeye salmon escapement goal as a management priority, then should not the Department know, and be willing to share with all interested parties, the type and number of drift restrictions that achieved objective Yentna sockeye goal levels in the past? With poor projected returns of both Yentna River and Kenai River sockeye salmon for 2010, should not ADF&G be planning for, at a minimum, the same type and number of restrictions that achieved past Yentna escapement goal success during the 2010 season?

Even though ADF&G is currently planning to have a Yentna River Didson sonar counter in place during July of 2010, and thus the required administrative, budgeting and fiscal powers will already have been exercised by the Department, ADF&G seems to be resisting in season use of Bendix- like sonar enumeration for Yentna sockeye management purposes with their following comment to the petition, "As confirmed by the Department of Law, the board has no 'administrative, budgeting, or fiscal powers' that would allow the board to direct the kind of sonar that the department employs for fish counting (AS 16.05.241)."

Even if the Board may not direct what type of sonar ADF&G uses, a simple solution to transition back to status quo (measured by the 2008 Upper Cook Inlet BOF meeting) would be to ask ADF&G to mathematically convert the older Bendix sonar escapement goal range to a correspondingly higher range as would be measured by the newer Didson sonar. Along with an ADF&G plan which included proven number and type of drift restrictions used to obtain Yentna escapement goal objectives during past years, this new Didson adjusted goal could be used in conjunction with the sonar count for in season management liberalizations or restrictions, if a larger or smaller than expected escapement of Yentna sockeye salmon materialized during the 2010 season.

The Didson adjusted escapement range could be adopted as a 2010 emergency OEG, to be reviewed after the 2010 season, and all subsequent actions could occur through the public process at next winter's Upper Cook Inlet Board of Fisheries meeting. The true

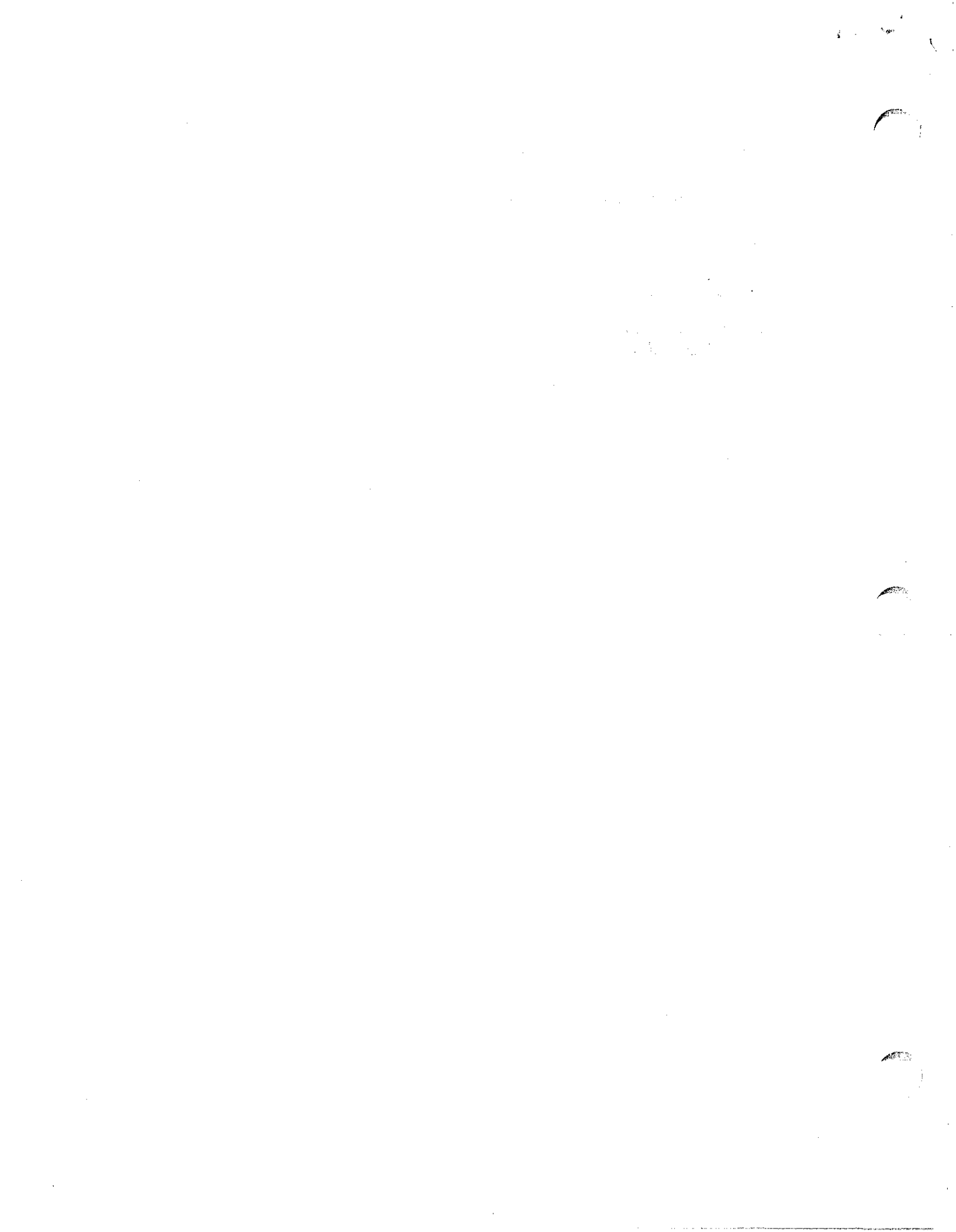
intent of the emergency petition and this letter of support is to return Yentna / Susitna River salmon spawning escapements and allocations to levels adopted by the Board of Fisheries at conclusion of the 2008 Upper Cook Inlet Meeting.

Thank you, Chairman Webster and Board Members, for your thoughtful consideration.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Knowles". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

T. Bruce Knowles, Chairman
MAYOR'S BLUE RIBBON SPORTSMEN'S COMMITTEE





**MAYOR'S BLUE RIBBON
SPORTSMEN'S COMMITTEE**

Matanuska-Susitna Borough
350 East Dahlia Avenue • Palmer, AK 99645

RC 58

March 12, 2010

Alaska Department of Fish and Game
Board Support Section
P.O. Box 115526
Juneau, Alaska 99811

RE: BOARD of FISHERIES STATEWIDE PROPOSALS

Dear Chairman Webster and Board Members:

I am writing on behalf of the Matanuska-Susitna Borough Mayor's Blue Ribbon Sportsmen's Committee. This committee was convened by Mayor Talis Colberg to review fishing and hunting issues and to craft responses regarding these outdoor activities to the appropriate State Board and to the Borough Assembly. Our committee consists of seven members that are confirmed by the Borough Assembly.

The following are the Committee's comments on proposals to the Statewide Finfish regulations that will be addressed at your Anchorage meeting beginning March 16, 2010.

Regarding Proposals 170, 171, 172: Definitions of Escapement Goals

We oppose proposals 170 and 171 and offer an amended language for proposal 172. Proposals 170 and 171 have some important issues that we believe should be corrected by the BOF. We agree with the proponents of these proposals that "new" escapement goals that have allocative issues should be reviewed, before implementation, during the BOF's normal regulatory cycle. The policy for Statewide Salmon Escapement Goals (5AAC 39.273 (b) calls for an escapement goal development, "process that facilitates public review of allocative issues". We also concur that ADF&G's present use of SEG's, which normally are expressed as a range but

sometimes as a lower bound are confusing to the public. The logic behind ADF&G's use of these two approaches to escapement management is not clearly documented in the Policy For The Management Of Sustainable Fisheries.

During this past year, residents of the Mat-Su Valley have experienced the confusion and frustrations of dealing with out-of-cycle changes to important escapement goals that have significant allocation impacts. After 27 years of managing Yentna River sockeye salmon in-season via sonar, ADF&G abandoned the program in favor of post-season weir based goals. This action, just a year after the BOF met on Upper Cook Inlet, eliminated a BOF developed OEG for the Yentna River and further muted a BOF directive that stated, "Achievement of the lower end of the Yentna River optimal escapement goal shall take priority over not exceeding the upper end of the Kenai River escapement goal".

The Yentna River sonar goal escapement goal was in turn replaced by two weirs generated escapement goals of weak scientific validity. Both weirs' SEGs are expressed as a range, which implies to some that exceeding the upper range constitutes over escapement (and foregone harvest). Looking closer at the "new" range bounded escapement targets we see in one case (Judd Lake) that the data consists of only seven counts collected over a 36-year period. Four of these counts were weir based, one a tower count and two aerial estimates (converted to weir count by a Bristol Bay aerial conversion).

The other sonar replacement goal (Chelatna Lake) was developed from 10 years of non-consecutive weir information, however, the weirs were washed out during four of these years which required estimating fish passage during high water. In addition, an undefined number of stocked sockeye salmon enhanced the escapements and the escape data used to develop the "new" goal. The stocking program was undertaken to "jump start" the system because production was considered to be low. The escapement goal was therefore presumably developed during years of low production and from weir counts that had chronic high water issues - hardly the quality of data one might want to establish a not-to-exceed upper escapement ceiling.

Our experience with Yentna River sockeye salmon escapements leads us to the conclusion that SEG's need not always be defined as a range. We believe there are many cases where harvest and/or escapement data are so

weak that that ADF&G cannot scientifically justify an upper end to a SEG. In many situations, a precautionary lower bound SEG would be a more prudent strategy for establishing a new escapement goal.

For proposal 172 we offer the following amended language: (new language in **bold print** but deleted not shown)

5AAC 39.222. (f)(36) “ sustainable escapement goal” or”(SEG)” means a level of escapement, indicated by an index or an escapement estimate, that is known to provide for sustained yield over a 5 to 10 year period, used in situations where a BEG **is not warranted** ; the SEG is the primary management objective for the escapement, unless an optimal escapement or inriver goal has been adopted by the board, will be developed from the best available biological information, **and should be scientifically defensible on the basis of that information**; the SEG will be determined by the department and will be stated as a range”(SEG Range)” or a lower bound”(Lower Bound SEG)” that takes into account data uncertainty; the department will seek to maintain escapements within the bounds of the SEG Range or above the lower bound of the Lower Bound SEG.

Regarding Proposal 165: Open Personal Use fisheries after Escapement goals are satisfied

Our committee is opposed to this proposal. We are not aware of any personal use fishery that is threatening the achievement of sustainable escapements. Therefore, these important “Alaskan only” fisheries should be subject to the same management standards that apply to sport and commercial fisheries. Alaskans would unnecessarily be denied access to significant harvestable surpluses if they could not participate in these fisheries until after the escapements are assured. Harvests should normally be taken throughout the course of a run rather than at a consistent point in the spawning migration.

Regarding Proposal 166: Eliminate sport fishing license requirement for personal use fisheries

We are opposed to this proposal. Funds currently generated from the sale of sport fish licenses are used to manage heavily used and often congested personal use fisheries. A sport fish license requirement assists with proof of

Alaskan residency and sometimes helps to enforce illegal fishing activities. A mandatory sport fishing license requirement also helps to insure that personal use permits are only issued to Alaska residents.

We appreciate the opportunity to comment on these proposed regulations. Sportsmen's Committee members expect to attend the March meeting and would be available should you have questions at that time.

Sincerely,

A handwritten signature in cursive script that reads "T. Bruce Knowles".

T. Bruce Knowles, Chair
Mayor's Blue Ribbon Committee

cc: Mayor Talis Colberg

RC ~~25~~

~~27~~

~~4253~~

~~555~~

59-60

NEXT RC



Substitute language for proposal 167
Division of Commercial Fisheries
March 16, 2010

5 AAC 39.105 Types of Legal Gear.

(d)(25) a mechanical jigging machine is a device that deploys a line with lures or baited hooks, and retrieves that line and lures or hooks with electrical, hydraulic, or mechanically powered assistance; a mechanical jigging machine allows the line with lures or hooks to be fished only in the water column; a mechanical jigging machine must be attached to a vessel registered to fish with a mechanical jigging machine [AND]. The mechanical jigging machine may not be anchored or operated [OFF] unattached to the vessel.



Substitute language for proposal 173
Division of Commercial Fisheries
March 16, 2010

5 AAC 28.086 Parallel Groundfish Fisheries Emergency Order Authority. (a) In addition to the provisions of this chapter and the reporting requirements specified in 5 AAC 39.130, and notwithstanding any contrary provisions of this chapter, the commissioner may open and close, by emergency order, parallel groundfish fisheries during which area closures, gear and vessel size restrictions, and bycatch control measures may be imposed as the commissioner determines reasonably necessary to coordinate state-waters fishery seasons and parallel fishery seasons to correspond with federal groundfish fishery management measures in adjacent federal waters.

(b) For the purposes of this chapter, unless otherwise specified, a 'parallel groundfish fishery' means a fishery in state waters opened by the commissioner, by emergency order, to correspond with a federal groundfish fishery in adjacent federal waters.

March 15, 2010

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
FAX: (907) 465-6094

SUBJECT: Proposals 200 & 201 – 2010 Statewide Finfish Meeting

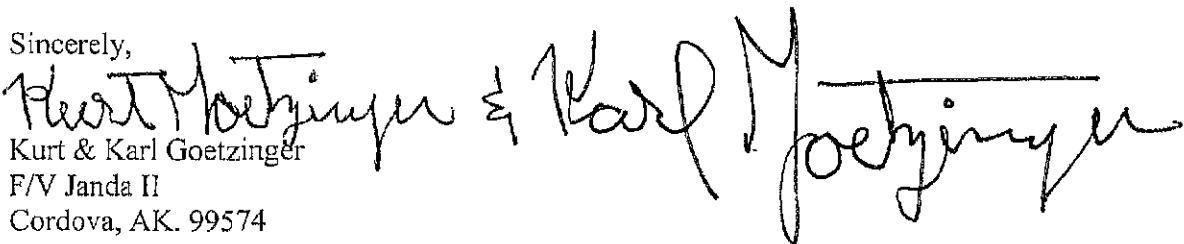
To the Board-of-Fisheries,

This letter is in opposition to BOF Proposals 200 & 201 which intend to have the Chitina “personal use” fishery on the Copper River re-classified as a “subsistence” fishery. This re-classification could restrict the commercial fishery at the mouth of the Copper River and negatively impact the incomes of those 500 permit holders who rely on this fishery to support themselves and their families.

In addition, such a re-classification would put the majority of the Copper River salmon escapement burden onto the valuable commercial and sport fisheries and could possibly restrict the Glennallen subsistence fishery in low run years. All are very negative potential outcomes as a result of a re-classification of this recreational dip net fishery from personal use to subsistence.

Please place working people, family incomes and the economy of the Prince William Sound region before the Chitina recreational dip net fishery and reject BOF Proposals 200 & 201.

Sincerely,


Kurt & Karl Goetzinger
F/V Janda II
Cordova, AK. 99574

PHILIP R. CLARK

29 College Rd. #6
Fairbanks, Alaska 99701-1739

Phone (907) 451-4327
Fax (907) 451-4325

Send to: Alaska Board of Fisheries	From: Philip R. Clark
Attention: BOF Comments	Date: Monday, March 15, 2010
Office location: Juneau, Alaska	Office location: Fairbanks, Alaska
Fax number: (907) 465-6094	Phone number: (907) 451-4327

Urgent Reply ASAP Please comment Please review For your information

Total pages, including cover: 1

Comments:

Dear Members of the Board of Fisheries:

I strongly oppose Proposal Number 200. This would further restrict the definition of someone eligible for subsistence status and would put further restrictions on Alaskans' right to enjoy and reap our state's natural resources. The burdens placed upon us are onerous already, and the fines and punishments equal to violent crimes against human beings. By what moral code do you continue to regulate the "king's deer"? You definitely are not within the constraints of the Alaska Constitution, common sense, or common law.

I urge you to cease politicizing Alaska's wildlife and natural resources, and instead take a common sense, Alaskan approach to stewardship, ignoring the Washington tree-huggers and their ilk.

Sincerely,

Philip Clark

7:15pm call to order

7 Members present: George Faerber, Gus Gustafson, Vern Logan, Pat Walsh, Steve Runyan, Gary Foster (alternate), and Todd Kingery (alternate). Bruce Knowles, Ted Schackle, Terrence Shannigan, and Jerry Sousa excused

Voting on Fisheries proposals: Vern Logan moves to approve, George Faerber seconds

164- 2-0-5 motion passes: abstention comment: Not enough background information. Without more information, we were unsure of the effects of this passing. We approve of the idea of attempting to better enumerate fish harvest, and apparently address shortage of returning fish.

165- 0-7-0 oppose

166- 0-7-0 oppose

169- 0-7-0 oppose

7:25pm Randy Quincy arrives

170- 0-5-3 oppose

171 No action, but we approve of the idea that the Department should go through the Board's approval instead of changing goals outside the public process. Members spoke to the change in counting methodology on the Yentna after the 2008 BOF meeting, and the removal of in-season sonar count data, done without public participation. We strongly disapprove of that action.

172 7-0-1 approve

176 8-0-0 approve

178 8-0-0 approve

179 6-0-2 approve

180 Umbrella proposal for all electric reel proposals; 8-0-0 approve

184 0-3-5 oppose

185 6-0-2 approve

187 4-3-1 approve

189 0-8-0 oppose

190 3-3-2 fail Committee would be in favor of returning it to halibut charters, but not king salmon.

191 8-0-0 approve

192 8-0-0 approve

200 Amended to accept the AOC's recommended wording. 8-0-0 approve

201 8-0-0 approve

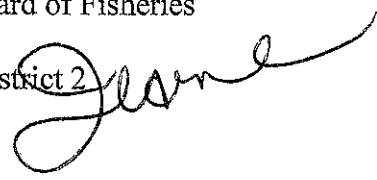
9:30 meeting adjourn

RC 69

March 8, 2010

To: James Marcotte, Executive Director Board of Fisheries

From: Dr. Jeane Breinig, Subsistence User, District 2



Subject: Summer Commercial Crab Opening

Thank you for your attention to this serious matter. I am a Kasaan tribal member and strongly oppose the summer crab opening as it will severely impact the ability of our people to sustain our traditional and customary crab harvesting. We do not agree that the opening will provide for the highest and best use of the crab resources because this strategy will only serve to further deplete the already declining stock.

A better policy would be to maintain the commercial winter opening between December and February, thereby allowing the crab time to grow. Studies show that in seven months a crab doubles in weight. ~~Therefore, the commercial crab fisheries would also benefit by~~ maintaining a summer closure and derive more economic benefit from the larger and heavier crab when sold in the winter season. This policy would satisfy both commercial and subsistence users, and I urge you to stop the summer commercial crab opening. Thank you for your attention.

jeanebreinig@gmail.com
907-929-2824

RC 65

Kenneth E. Tarbox
Box 3507
Soldotna, Alaska

Board of Fisheries
March 2010 Statewide Meeting
Anchorage, Alaska

March 11, 2010

Dear Mr. Chairman,

This letter is in support of the petition to increase the closed to chinook fishing area at the mouth of Slikok Creek. As a fish biologist with over 20 years experience on the Kenai Peninsula this is a prime example of when to use the pre-cautionary principle of fisheries management.

Local staff of ADF&G has indicated to me that they presently do not consider this population of chinook at risk and that they have studies on going to better define the situation. I strongly disagree with this stance if formalized as the official ADF&G position at the Board of Fisheries (BOF) meeting. I must respond to the local staff comments since the official comments of ADF&G are not published. My comments are not intended to cast aspersions on local staff but to point out why this petition should pass.

The sustainable salmon policy of the BOF states:

- (A) *a precautionary approach, involving the application of prudent foresight that takes into account the uncertainties in salmon fisheries and habitat management, the biological, social, cultural, and economic risks, and the need to take action with incomplete knowledge, should be applied to the regulation and control of harvest and other human-induced sources of salmon mortality; a precautionary approach requires*
- (i) *consideration of the needs of future generations and avoidance of potentially irreversible changes;*
 - (ii) *prior identification of undesirable outcomes and of measures that will avoid undesirable outcomes or correct them promptly;*
 - (iii) *initiation of any necessary corrective measure without delay and prompt achievement of the measure's purpose, on a time scale not exceeding five years, which is approximately the generation time of most salmon species;*
 - (iv) *that where the impact of resource use is uncertain, but likely presents a measurable risk to sustained yield, priority should be given to conserving the productive capacity of the resource;*
 - (v) *appropriate placement of the burden of proof, of adherence to the requirements of this subparagraph, on those plans or ongoing activities that pose a risk or hazard to salmon habitat or production;*

The data supplied by ADF&G to the Kenai Area Fisherman's Coalition (KAFC) and submitted with the petition clearly indicates that Slikok Creek chinook salmon population is at significantly lower numbers than historical levels.

Average foot stream survey counts of 165 spawning fish are conservative as single foot counts rarely see more than 50% of the total population. ADF&G is trying to lower these numbers by confusing the issue with Crooked Creek straying but this is insignificant in reality – a few percent at most.

In contrast, the recent weir counts of 70 fish translates to less than 70 fish spawning as mortality takes place upstream of the weir site due to bear predation and other causes. Therefore it is likely that this population is at risk of not sustaining itself. The foot survey during the weir counting period was less than 33 fish.

ADF&G indicated that they plan to study the situation and respond in the future. The problem with this approach is that it is not precautionary given this data set. At what weir counts does ADF&G define a problem? If the weir counts goes lower than present it may be too late to recover this population. The risk/benefit analysis should favor the fish not the users in this case.

It is unfortunate that members of the public have to refute ADF&G on conservation issues but that is the case here. ADF&G local staff has indicated that chinook populations are down and therefore runs may increase in the future. This is not correct as there is an escapement goal for the Kenai River and in recent times the number of fish spawning in the Kenai has been at the high end of the goal.

Therefore, in the future more spawning fish will not enter the system due to increased run sizes. Users will harvest any increases in run size in order to maintain escapements in the goal range. This is the classic problem of escapement goal management that does not consider spawner distribution in tributary streams in setting the goal. Small stream systems that have lower productivity tend to be over-harvested. It is very important for the BOF to realize that small populations in small stream systems are the first to be lost relative to habitat and harvest issues.

So why would ADF&G not support a modest increase in the size of the closed area at the mouth of Slikok Creek? The trade off is less than one mile of additional closed area in a river system spanning 50 miles of fishable area vs. risk to a wild population of chinook salmon.

Further if ADF&G is correct the population recovers then the only harm are a few years of a small area closed to fishing. If ADF&G are wrong and KAFC biologists and members are correct, the Slikok Creek population is lost to future generations. This is the exact situation that requires a precautionary principle to be applied. ADF&G has no data on Slikok Creek to indicate a recovering population while ADF&G's own data shows increased risk. If the precautionary principle is not applied in this situation then when will it be applied?

Thank you for your time and consideration of this matter.

Sincerely,

Kenneth E Tarby

Kenneth E. Tarbox
Box 3507
Soldotna, Alaska

Board of Fisheries
March 2010 Statewide Meeting
Anchorage, Alaska

March 5, 2010

RC66

Dear Mr. Chairman,

I am sorry I cannot attend the meeting but would like to offer the following comments on the proposals I submitted via the RC process.

Proposal 166 – to eliminate the sport fish license requirement for the personal use fisheries.

The ADF&G and Fish and Wildlife Protection comments focus on two issues -- money and the ability to enforce the regulations which prohibit non-residents from participation in the fishery. In an effort to allow those who only personal use fish to operate with just a personal use permit I offer the following modification to my proposal and therefore the new regulatory language would read:

(a) Finfish, shellfish, and aquatic plants may be taken for personal use only by a holder of a valid resident Alaska sport fishing *license or Alaska driver license or Alaska identification card* or by an Alaskan resident exempt from licensing under AS 16.05.400.

This modification will serve the purpose of protection, not result in a significant impact on ADF&G, and serve the purpose of the proposal.

I would direct you to a recent ADF&G comment on the powers of the Board of Fish and note that they informed the Board that they have, according to the Department of Law, no “administrative, budgeting, or fiscal powers”. Therefore, consideration of impacts on ADF&G budget is not the responsibility of the Board.

Other considerations as to why the sport fish license should be removed are as follows:

1. The cost of a sport fish license has fees associated with it for paying off two hatcheries which do not support the personal use fishery.
2. A family of 4 with two teenage kids who are 16 would be required to have 4 sport fish licenses for a total of nearly 100 dollars. Fish and Wildlife protection has ruled that a sport fish license is required to participate in the fishery even if it is a household permit.

This is very costly to families for a fishery that was suppose to replace subsistence fishing (this replacement language has been stated in court by the State).

3. Personal use fishing is not sport fishing by definition.

4. Those who sport fish will not have to obtain a second license. However, those who do not sport fish will be allowed to have a cost savings for participation in the fishery.

Proposal 170 &171 – discussion of goal types and direction to the ADF&G

There is a fundamental change in the way the ADF&G is approaching escapement goal management in Alaska. In the early 2000 the ADF&G brought to the Board a proposal (known as proposal 2) to request sustainable escapement goal thresholds. That proposal met strong objections from the user groups because a threshold does not allow the users to know what management actions are coming at various escapement levels.

ADF&G could provide for additional fishing opportunity above the threshold or they may not – this was considered too much flexibility for ADF&G. One reason for concern was that ADF&G was speaking about allowing escapements to range very high as an experiment on what the system could produce. Users were obviously nervous of this because they feared if the system failed they would pay the price. The proposal failed because of these reasons.

Unfortunately, ADF&G decided to create this new goal type anyway, which is not in regulation, called the SEGT (sustainable escapement goal threshold) and apply it to various systems.

The example I use in the proposal of the Anchor River is exactly the reason the public was not supportive in the past. No one knows how ADF&G will manage when the escapement exceeds the SEGT. In fact, for the Anchor River there is substantial fishing power – both freshwater and marine – and therefore the idea that the fishery cannot be managed to a goal is not correct. In addition, ADF&G has published a report which defines a BEG for the system.

In summary if the Board wants to have an SEGT they should define clearly in regulation a definition and the application circumstances for its use.

Proposal 179 – discussion of closed to retention vs. closed to fishing.

Following is an email exchange between the Director of Sport Fish Division and me on this proposal. As you can see from reading the exchange we have a fundamental disagreement on when and how the closed to retention language is applied and why it is applied.

The ADF&G staff comments on this proposal state that this is used only in two circumstances. I pointed out in my response to Director Swanton this is not the case and therefore the Board should have a full and open discussion of these examples and regulatory language. If the only circumstances to be used are what is intended in the staff comments then that should be in regulation.

In addition, I would like to point out that the ADF&G proposal 178 recognizes the confusion but does not solve the issue of the regulatory language and when it applies. Nor does the ADF&G staff comment note that their request for increased flexibility has allocative overtones. In some cases all user groups, other than the sport fishery, could be closed for conservation and yet the sport fishery allowed to fish on the stock of concern. The hook and release mortality, which moves one further from the escapement goal, could be substantial. This allocative decision should remain with the Board not ADF&G.

----- Original Message -----

From: Ken & Connie Tarbox

To: Swanton, Charles O (DFG)

Cc: Lloyd, Denby S (DFG) ; Hilsinger, John R (DFG) ; Bedford, David G (DFG)

Sent: Thursday, February 25, 2010 12:12 PM

Subject: Re: Policy call by ADF&G-what is your opinion?

Charlie, thanks for your response but there is some misunderstandings I think on your part as to what ADF&G has done in the past relative to this topic. For your information I did read the whole comments section and saw the justification for the use of closed to retention. Unfortunately, that rationale is not what is being done in practice. I think what I want (and others who have looked at this topic) is for ADF&G to follow the regulations, not create new terms, and be honest in the discussions. I noticed not once has ADF&G mentioned that closed to retention is used to provide opportunity to a user group yet in conversations with staff this is an obvious reason and highly allocative.

However, given all this and the fact it is before the Board of Fish I was hoping that you and the leadership would have looked at the emergency orders and seen that they are not consistent with your position. So I have included below some examples of where ADF&G closed to retention when they were well into the run and admitted they will not make the goal. Here they are for your review (I took these right off the ADF&G web page) and it took me just a few minutes to find these representative examples:

July 29, 2008. Entire Situk River drainage closed to retention of sockeye salmon. Run is 80% in according to e.o. I quote from the e.o. "*As a result of escapement counts near the lowest on record, and few fish in the lower river below the weir, the total escapement is not projected to meet the escapement goal. Therefore it is warranted to close the sport fishery in the Situk River.*"

In this e.o the staff wrote it was necessary to close the river but only closed to retention. This e.o. does not meet the requirements set forth in the ADF&G response. A sockeye fishery is not like other species fisheries. Also, I would like to point out that in a mixed stock fishery if one species with a sustainable goal is of conservation concern all fisheries should close. Keeping fisheries open on abundant stocks while allowing harvest on stocks of conservation concern is not sustainable fishery management. In addition the closed to retention has significant allocation overtones which ADF&G ignored in their response.

June 17, 2008 - Karluk River Sockeye Salmon - restricted to non-retention. The goal is 110,000 to 250,000. From the e.o - "*Even based on late run timing for the Karluk River, it appears that the escapement goal will not be met.*"

July 5, 2007 - Unalakleet River - prohibits retention of king salmon. From the e.o "*appears escapement goal will not be met*" and "*plan notes when the projected escapement below the lower end of the escapement goal, all fishing will close*"

This e.o is very telling since it states clearly that the plan says the fishery will close but ADF&G closed to retention.

Aug 7, 2007 Susitna River sockeye salmon went to catch and release. Total sockeye escapement for the year projected at 63,573 fish in the e.o. Run estimated at 95% and the count at this point was around 60,000. Goal is 90,000 to 160,000. The fishery should have been closed to fishing as sockeye fishing in the Susitna River is not like fishing for other species.

These are just a few of the examples of where the rationale you state has been violated...

Take care and I hope ADF&G will be forthcoming at the Board of Fisheries meeting and give the Board of Fisheries a full discussion of this issue with these examples. If you want to close to retention the public deserves a rationale for why this allocative and conservation action is being used. In fact, allowing fisheries to continue is just the opposite of conservation when one is below the goals.

Ken.

----- Original Message -----

From: Swanton, Charles O (DFG)

To: Ken & Connie Tarbox

Cc: Bedford, David G (DFG) ; Hilsinger, John R (DFG) ; Lloyd, Denby S (DFG)

Sent: Wednesday, February 24, 2010 1:21 PM

Subject: Policy call by ADF&G-what is your opinion?

Ken: after conferring with both the Commissioners Office and Commercial Fisheries Division Directors Office, this response is on the Departments behalf. I have read your concern from last week and it appears that in citing "*in addition, it would prohibit catch and release fishing when escapement goals are not expected to be met, which would decrease the flexibility for the area manager to adapt to unique system specific situations when they arise*", you misinterpreted our staff comments by focusing on a single sentence rather than the comments in their entirety.

The Department does not ignore escapement goals. Our comments clearly state that we select between a closure and non retention based upon specific conservation issues unique to each fishery. The staff comments provide two justifications for choosing non retention as the preferred approach and three examples for selecting fishery closure depending on the conservation issues faced, we urge you to focus on these examples in order to better understand what the comments are intended to convey.

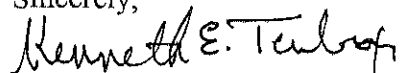
It is troubling to me that you assert that we have "new policy on escapement goal management" which is not policy nor is it new; the elements we are trying to clarify are embedded within 5 AAC 75.003. This very issue has been addressed numerous times since November 2007 when you first raised the question regarding our emergency order authority. The Department of Law stated at the time: "If the Department is satisfied that its use of catch and release EO's sufficiently addresses conservation under the circumstances, then the current language (5 AAC 75.003) authorizes it.

Based on what has been conveyed in concert with our staff comments, I continue to support seeking clarity within this regulation while maintaining fishery management flexibility to tailor actions to specific conservation or biological circumstances that arise.

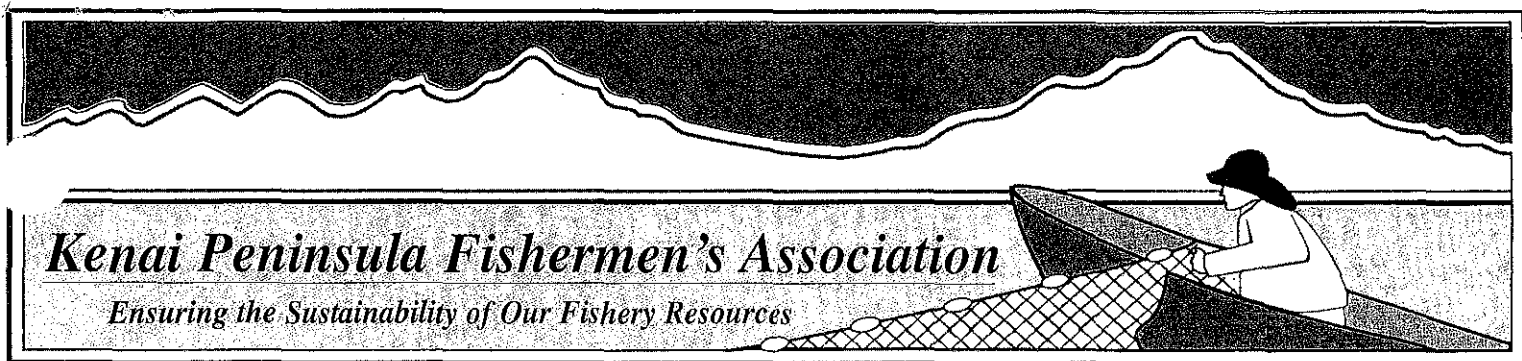
Respectfully,
Charlie Swanton

Thank you for consideration of these proposals.

Sincerely,



Kenneth E. Tarbox



43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669-8276
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: kpfa@alaska.net

March 15, 2010

Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK. 99811-5526

RC 68

ATTN: Alaska Board of Fisheries

Chairman: Webster

The Kenai Peninsula Fishermen's Association would like to submit our comments for the Statewide meeting, March 16-19 2010.

Support:

Proposals 166,169,170,171,172,176,179,180,188

Oppose:

Proposals: 164,168,190

Comments In Support:

*166 - At present there is inconsistencies in the way PU fisheries are managed around the state. An important tenet to sustainable fisheries management is the states duty to have enforcement, assessment and management on a given fishery.

We would amend this proposal to have the BOF recommend to the State Legislature to create a new classification and fee structure for Personal Use fisheries.

Our understanding was that a bill had to be introduced this session. Confusion in the legislative process inadvertently left introduction of a new bill out. We believe the BOF can be instrumental in supporting legislative action in the near future.

A new minimal fee structure would be associated with a resident only user. Bonafide resident PU fishers and their families would need to support their eligibility with Alaska State ID and to agree with a signature to State requirements.

Fees that were collected could be accounted for in a receipt supported fund.

Immediate needs like sanitary facilities and trash collection could be addressed immediately with the generated funds.

Long range planning could incorporate other State agencies to help minimize any negative impacts from the prosecution of this fishery.

*169 – KPFA seeks to better define terms within current regulation. Statute language should be supported in regulation. Clear definitive rules and policies are necessary for the fair and equitable promulgation of current and future management plans. The public as well as the members of the BOF and the department should not be burdened with language that requires subjective reasoning. Inconsistencies in application of the rules will leave subsequent BOF members changing rules based on their own personal interpretations (bias). The public will not know from one Board cycle to the next what to expect. This is disruptive to the lifestyles and to the livelihoods of Alaskan residents.

*170, 171 and 172 – These proposals are similar yet different in justification. KPFA continues to address the need for clarity. The statewide meeting held triennially is the only time that the BOF has adequate time to reassess or confirm terms that they will be making future critical decisions on. We encourage the Department of Fish and Game to work with the BOF and the public to solidify the meaning of these terms.

*176 – There is an abundance of Spiny Dogfish currently in Alaska State waters. This liberalization would not amount to a significant change in overall population.

*179 – This clarification will help managers deal in-season with critical conservation decisions in a real time basis. New information in the world of fisheries management has now included recent mortality studies in the escapement assessments. Burden sharing is an important tool to distribute the conservation necessity over all user groups.

*180 – This is a housekeeping regulation and should be instituted to protect those who use the equipment in a recreational manner. This should result in a better distribution of the resource among more recreationalists.

*188 – This also is housekeeping to remain compliant with Federal management.

Comments In Opposition:

*164 – This proposal is confused and is probably not enforceable without a very expensive cost. Laws are already established that should police any identified illegal

activities. We do not believe this to be a statewide issue and possibly should be taken up as a regional proposal.

*168 – This is an allocative issue that would tilt historical catches in some fisheries. Individuals that could not invest in larger vessels could lose a reasonable opportunity to harvest with the disparity as a result of increased competition.

*190 – This is an allocative proposal that would cause the board to re-address complicated catch/harvest distributions within a fishery. We would caution the Board from taking any action that would create more conflict between State and Federal management. Resident anglers would lose out on opportunities in fully allocated fisheries.

KPFA members appreciate the Board as well as Fish and Game staff in considering our advisements. Our members will contribute other Record Copies while the BOF is in session. We also will participate in the committee process.

Thank you,

Robert Williams
President

Kenai/Soldotna Fish & Game Advisory Committee

02/10/2010

Called to Order

RC 69

Roll Call

Present: Chair Crawford, Vice Chair Shadura II, Secretary Brandt, VanDevere, Mandurano, Corr, Bernecker, Payne, Bucy, Dykema, Tappan, Darby, Darch, Ermold, Foust, Joseph, Maher. Absent: Carmichael, Eggemeyer

Agency Staff Present: Robert Begich, Tom Vania

- A. Chair Crawford gave an update on BOG proposals that were passed: exotic animals, bait stations, establishing a predator control plan, seaducks restrictions by species, and BOG Cycle changes.

(Maher excused, Ermold left at 9:15PM)

- B. Shadura II reviewed the letter written by KAFC to BOF regarding having public testimony for the 2011 UCI BOF, during the October work session that will be in Kenai. Shadura II made a motion to support BOF staying one more day for public testimony during the October Work session 2010, Tappan seconded. Crawford asked if there was any objection, seeing none motion passed. Shadura II withdrew his request to represent the AC at the statewide meeting due to conflict of interest.
- C. Public - Ken Tarbox brought forward proposals, 166, 170, 171, & 179 that he submitted for the 2010 Statewide BOF meeting and asked for questions and discussions. Roland Maw also requested that Proposal 200 and 201 be taken up by the AC.
- D. Chair Crawford opened the floor to Statewide BOF proposals, 15 members present for voting. Chair Crawford had a brief discussion with the AC the difference between State and Federal Subsistence.

Board of Fish proposals

Proposal 165- Corr moved to support, Bucy seconded. 0/014/1, nay; fish have already gone by and it may be too late to harvest.

Proposal 166- Tappan moved to support, Corr seconded. Differentiates the personal use and sport fishing usage. 5/8/2, pro; fee should go towards personal use management, nay; does not include fees, abstain; bigger issue.

Proposal 170 & 171- Brandt moved to take no action based on action taken on 172, Bucy seconded. 15/0/0

Proposal 172- Shadura II moved to support, Corr seconded. Department supports this proposal. 14/0/1, clears any unanswered questions, abstain; didn't fully understand.

Proposal 178- Shadura II moved to support, Brandt seconded, 13/0/1, abstain; not clear enough.

Proposal 179- Shadura II, Corr seconded, 3/9/2.

Proposal 180- Bucy moved to support, Shadura II seconded, 14/0/0.

Proposal 182- Bucy moved to support, Corr seconded, 0/14/0, legal methods and means should be allowed by everyone.

Proposal 183- Shadura II moved to take no action based on action taken on 182, Tappan seconded, 14/0/0.

Proposal 184- Shadura II moved to support, Corr seconded, 14/0/0, Committee concerned about invasive species.

Proposal 189- Payne moved to support, Tappan seconded, 0/14/0, pro; competition is healthy for the economy.

Proposal 192- Shadura II moved to support, Brandt seconded, 0/14/0, existing definitions are adequate.

Next Meeting February 18, 2010 at 6:30PM, location to be announced.

Shadura II moved to adjourn, Tappan seconded, no objection, meeting adjourned.

Kenai/Soldotna Fish & Game Advisory Committee

02/18/2010

Called to Order

Roll Call

Present: Chair Crawford, Vice Chair Shadura II, Secretary Brandt, Mandurano, Bernecker, Payne, Bucy, Dykema, Ermold, Foust, Joseph, Maher, Carmichael, Eggemeyer,. Absent: VanDevere, Corr, Tappan, Darby, and Darch.

Agency Staff Present: Robert Begich, Jeff Selinger, and Ted Spraker from BOG

- A. Public - Roland Maw speaking for BOF proposal 200 & 201.
- B. Discussion about priority issue.
- C. Chair Crawford opened the floor to Statewide BOF proposals, 13 members present for voting.

Board of Fish proposals

Proposal 200-Shadura II moved to support, Bucy seconded. 0/12/1, nay; concerned about vagueness of the proposal, does not go far enough to define subsistence way of life, too ambiguous. This needs to be a joint board decision, it affects game as well.

Proposal 201- Eggemeyer moved to support, Mandurano seconded, 0/13/0, nay; concern that priority of subsistence fishery will effect other user groups.

Proposal 164- Shadura II moved to support, Ermold seconded, 0/9/4, agree with the department position, abstain; should be restrictions just like on subsistence and personal use.

Proposal 168- Shadura II moved to support, Brandt seconded, 0/13/0, allocative.

BOG Proposals, 12 members, (Bucy left), 13 Members (Carmichael present)

Proposal 3- Crawford moved to support, Brandt seconded, 0/12/0, it is unnecessary in this area.

Proposal 10- Crawford moved to support, Ermold seconded, 13/0/0, support as written.

Proposal 12- Mandurano moved to support, Ermold seconded, 13/0/0, support as written.

Proposal 30- Mandurano moved to support, Ermold seconded, 11/2/0, No biological reason, opposed; concern for population of brown bear and illegal activity.

Proposal 55- Crawford moved to support, Brandt seconded, 0/13/0, takes away more area from a renewable resource.

Proposal 56- Crawford moved to support, Ermold seconded, 10/1/2, no conservation concern, opposes; compromises the prior decision made by the Board, abstain; not enough data present.

Proposals 57 & 61- Brandt moved to take no action based on action taken on 56, Ermold seconded. No objections

Proposals 58, 59, & 60- Brandt moved to take no action based on action taken on 55, Eggemeyer seconded. No objections.

Proposal 115,121, 122, 123- Crawford moved to support, Ermold seconded. 13/0/0, Support to reauthorize anterless permits in these areas.

- D. Crawford asked the committee if they wanted to generate a 2011 UCI BOF proposal. Proposals have to be submitted by April 9, 2010. Shadura II as that committee generated proposal be taken up after Statewide Finfish meeting.
- E. Shadura II brought forth a letter asking groups to sign onto the letter regarding habitat issues during subsistence and personal use fisheries.

Next Meeting March 31, 2010 time and location to be announced.

Mandurano moved to adjourn, Foust seconded, no objection, meeting adjourned.

Submitted by ADF&G 3-15-10

RC# 70

Corrections to Staff Comments provided for Proposal 195

This serves to correct two spreadsheet errors found in Table 195-1, update 2009/10 harvest information in Table 195-2 and correct reference made to Table 195-1 and Table 195-2 in the text.

PROPOSAL 195: 5AAC 32.110(1). Fishing seasons for Registration Area A.

PROPOSED BY: Richard Peterson, President of the Organized Village of Kasaan.

WHAT WOULD THE PROPOSAL DO? This proposal would close portions of District 2 in Southeastern Alaska to commercial Dungeness crab fishing during the summer season.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 32.110. Fishing seasons for Registration Area A.

In Registration Area A, male Dungeness crab may be taken or possessed only as follows:

- (1) in Section 13-B, except the waters of the Sitka Sound Special Use Area described in 5 AAC 32.150(10), and beginning February 29, 2012, in Districts 1 and 2, except the waters of Whale Passage described in (2) of this section, from 12:00 noon October 1 through 11:59 p.m. February 28;
- (2) in the waters of Section 13-B that are in the Sitka Sound Special Use Area described in 5 AAC 32.150(10), and in the waters of Whale Passage north and west of a line extending from 56° 05.65' N. lat., 133° 07.30' W. long. to 56° 05.85' N. lat., 133° 06.40' W. long., from 12:00 noon October 1 through 11:59 p.m. November 30;
- (3) in all other waters of Registration Area A, from 12:00 noon June 15 through 11:59 p.m. August 15 and from 12:00 noon October 1 through 11:59 p.m. November 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Portions of District 2 (Figure 195-1, District 2 is also referred to as District 102) would be closed to commercial Dungeness crab fishing during the summer season (June 15–August 15). It is unclear whether portions of District 2 closed to commercial Dungeness crab harvest in the summer would revert to the fall/winter season as previously described for District 2 prior to the 2009 board meeting on Southeast shellfish, and currently described for the waters of Section 13-B that are not in the Sitka Sound Special Use Area as described above in 5 AAC 32.110(1), or be limited to a fall only season similar to those described for the waters of Section 13-B that are in the Sitka Sound Special Use Area and the waters of Whale Passage as described above in 5 AAC 32.110(2).

BACKGROUND: Until the late 1950s, a summer soft shell closure for the Southeast Dungeness crab fishery was in effect from May 1 through September 1. It was subsequently revoked and various fishing season closures have been introduced and modified to reduce fishing pressure during sensitive periods in the life history of the species. Beginning in 1985, the commercial fishery was closed between August 16 and September 30 because field studies indicated that this is the primary period when females molt and mate. In the briefing document for the board meeting held at that time, reasons for the proposed change include soft shell and associated handling mortality concerns, as well as allocation problems between personal use and

commercial users in Section 13-B. Research supports these field studies indicating that peak timing of the female molt and mating period is late summer through early fall (August–September) and the primary male molt period is spring through early summer (March–June). In response to increasingly high effort levels and high harvest rates, the season was further shortened in 1989 by reducing the winter season in northern and central districts to October 1 through November 30. The season remained October 1 through February 28 in southern Districts 1, 2, and Section 13-B until changes were adopted during the 2009 Southeast shellfish board meeting.

At the 2009 board meeting, the board changed the commercial fishing season description for Districts 1 and 2 to match the summer (June 15–August 15) and fall (October 1–November 30) commercial fishing seasons in place for the majority of Southeast Alaska. This action effectively eliminated the winter commercial fishing season (December 1 through February 28) previously described for Districts 1 and 2. The board included a sunset date for the season description change for Districts 1 and 2. In the absence of further regulatory change, Districts 1 and 2 will revert back to a fall and winter season on the sunset date of February 29, 2012.

A history of commercial Dungeness crab harvest specific to District 2 by fishing season can be found in Table 195-1 and throughout Registration Area A in Table 195-2. The majority of commercial harvest in District 2 occurs in the sub district of 102-60 (Kasaan Bay). Over the last ten full seasons, the harvest taken from 102-60 in comparison to the total harvest taken in District 2 has averaged 89%.

In response to department concerns about the adequacy of 3-S (size, sex, season) management to deal with handling of soft shell males during the summer season, high harvest rates and the intensity of the fishery, the *Southeast Alaska Dungeness Crab Management Plan* (5 AAC 32.146) was promulgated by the board at its 2000 meeting. This management plan obliges the department to estimate the season harvest 14 days after the start of the summer fishery and to reduce the season length if the estimate is below one of two thresholds. To date, no changes to season length have been triggered by this plan. Since Dungeness crab harvest has been below the upper threshold of 2.25 million pounds only 4 times and never below the lower threshold of 1.5 million pounds in the 29 seasons since the fishery became fully exploited in the 1981/82 season it is unknown whether anything short of large-scale recruitment failure would trigger this plan. Thus, concerns remain regarding the sufficiency of the current management regime to maximize production of hard shelled crabs by the fishery, protect crabs during vulnerable life history periods and maintain sufficient brood stock between seasons to provide for sustained yield.

There are currently two areas in District 2 closed to commercial Dungeness crab fishing. These waters include portions of Thorne Bay (5 AAC 32.150(5)) and Twelve Mile Arm (5 AAC 32.150(11)) and are shown for reference in Figure 195-1.

A portion of District 2 has a customary and traditional use finding (5 AAC 02.108(a)(3)(E)) for Dungeness crab (Figure 195-1). Although it is difficult to determine what portion comes from District 2, the Division of Subsistence estimated consumption of Dungeness crab in the community of Kasaan in 1998 to be roughly 1000 pounds harvested, with 85.7% of households surveyed participating in subsistence use of Dungeness crab. The current bag and possession

limit is 20 crab per person. There is no closed season for those fishing under subsistence regulations.

District 2 also supports sport and personal use fisheries. The harvest from sport and personal use fisheries is difficult to gauge. No permitting system is in place for these fisheries. The Statewide Harvest Survey administered by the Division of Sport Fish does estimate Dungeness crab harvest in personal use and sport fisheries but the estimates produced for Southeast Alaska are not district specific. The sport Dungeness crab fishery in the waters of District 2 is open year round with bag and possession limits of 3 male Dungeness crab and male Tanner crab in combination. The personal use Dungeness crab fishery in the waters of District 2 that do not have positive customary and traditional use findings for subsistence are open year round with bag and possession limits of 20 male crab, except in the waters of Thorne Bay west of the longitude of the southernmost tip of Thorne Head, where the bag and possession limit is 5 crab per person. There is no closed season for those fishing under sport or personal use regulations.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 195-1. Commercial Dungeness crab harvest in District 2 in pounds by season, 1982/83 to present.

Season	Summer (June-Aug.)	Fall (Oct.-Nov.)	Winter (Dec.-Feb.)	Total
1982/83	*			*
1983/84	*	*		*
1984/85	9,900	*	*	11,188
1985/86	3,039	*	1,696	*
1986/87	CLOSED			
1987/88	CLOSED	5,850		5,850
1988/89	CLOSED	5,188		5,188
1989/90	CLOSED	*		*
1990/91	CLOSED	*	*	*
1991/92	*	*	*	*
1992/93	CLOSED	*		*
1993/94	CLOSED	*		*
1994/95	CLOSED			
1995/96	CLOSED	*		*
1996/97	CLOSED	*	18,927	*
1997/98	CLOSED	22,269	86,278	108,547
1998/99	CLOSED	64,049	18,379	82,428
1999/00	CLOSED	51,251	5,857	57,108
2000/01	CLOSED	56,621	6,536	63,157
2001/02	CLOSED	70,867	18,961	89,828
2002/03	CLOSED	107,307	8,744	116,051
2003/04	CLOSED	76,867	14,940	91,807
2004/05	CLOSED	67,490	17,763	85,253
2005/06	CLOSED	60,763	*	*
2006/07	CLOSED	67,714	*	*
2007/08	CLOSED	131,729	*	*
2008/09	CLOSED	66,406	*	*
2009/10	93,224**	23,740	CLOSED	116,964**

* Where number of permits is less than three, the information is considered confidential.

** Corrected data entries made to spreadsheet 3/15/2010.

Table 195-2—Southeast Alaska Registration Area A, Dungeness crab harvest in exvessel pounds by year and district, 2000/01–2009/10.

District	Year										Average
	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	
101	78,743	78,280	132,851	132,229	197,842	118,796	73,614	47,781	65,274	85,509	101,092
102	63,157	89,828	116,051	91,807	85,253	63,768	68,114	138,147	67,006	116,964	90,010
103	31,318	41,104	14,791	34,989	25,472	39,704	44,342	40,441	*	15,489	31,961
104	*	*								*	*
105	146,617	373,997	515,881	227,520	85,171	56,731	114,851	204,713	360,651	130,014	221,615
106	354,436	1,166,696	1,558,903	772,701	826,111	708,441	509,390	696,243	592,223	405,392	759,054
107	46,745	222,721	422,682	172,638	248,544	190,936	152,375	184,092	154,903	90,916	188,655
108	613,881	792,040	1,585,850	829,198	652,588	948,483	1,011,573	1,017,894	844,572	606,817**	890,290**
109	483,689	434,225	1,207,888	569,142	473,614	316,497	545,360	908,960	612,171	340,366**	589,191**
110	378,250	159,149	280,581	188,656	357,632	209,763	309,884	549,674	378,122	315,785	312,750
111	25,004	275,299	918,015	676,605	570,564	567,509	865,895	484,202	637,676	489,839	551,061
112	100,012	169,916	223,562	432,395	448,333	380,441	305,700	284,288	293,955	220,526	285,913
113	171,737	161,796	145,357	118,584	181,038	181,384	251,305	194,512	161,767	308,514	187,599
114	54,777	100,999	120,304	177,010	336,717	269,926	113,207	282,391	229,345	185,834	187,051
115	15,166	36,866	89,949	113,575	100,122	153,101	138,360	375,017	325,792	254,847	160,280
Total	2,565,410	4,104,128	7,332,665	4,537,049	4,589,001	4,205,480	4,503,970	5,408,355	4,731,668	3,569,697	4,554,742

* Where number of permits is less than three, the information is considered confidential.

** Updated harvest information as of 3/15/2010.

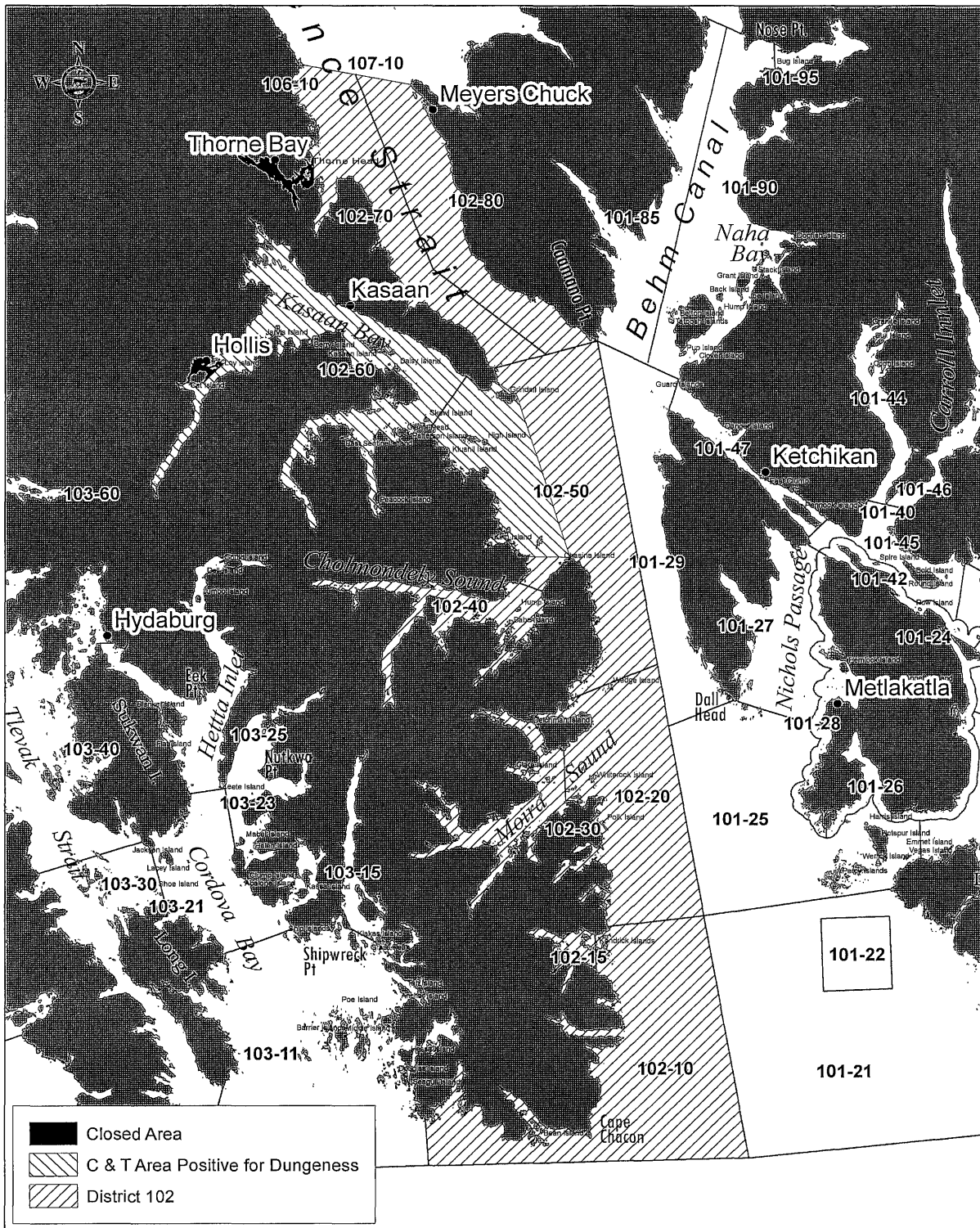


Figure 195-1. Map of District 2, referenced as District 102, including areas currently closed to commercial fishing for Dungeness crab and areas with a customary and traditional use finding.

**Board of Fisheries Statewide Finfish, Supplemental Issues, Subsistence Finding Standards and Chitina Dipnet Fishery meeting of March 16-20, 2010 at the Anchorage Hilton Hotel
RC Index RC 71**

Log #	Submitted by	Topic
1	ADF&G Boards Support	BOF Workbook
2	ADF&G	Department Comments on Statewide Finfish and Supplemental Proposals
3	University of AK- Gordon Kruse	Oral report slides on Bering Sea Tanner Crab Size study
4	NPFMC – Diana Stram	Oral report slides on crab rebuilding
5	ADF&G – Stefanie Moreland	Oral report slides on crab rebuilding options
6	ADF&G Eric Volk & Bob Clark	Oral report slides on SSFP
7	ADF&G – SF	Oral report slides on Chitina Fishery
8	ADF&G – SF	Written report on Chitina fishery
9	ADF&G – Subsistence	Eight criteria worksheet re: Chitina
10	ADF&G – Subsistence	Oral report slides Chitina overview
11	ADF&G – Subsistence	Chitina deliberation slides
12	ADF&G	Staff comments on Prop 200 & 201
13	Don Nagel	Mgmt of Yentna River sockeye petition
14	Ryan Kapp	CFEC report 10-N, Feb 2010
15	AK Sportfishing Assoc.	Mgmt of Yentna sockeye salmon
16	Ken Tarbox	Prop 166, 170, 171, 179
17	Glenn Hamar	Prop 195
18	Valhary Braz	Prop 195
19	Dennis Pollock	Prop 195
20	Philip Wiley	Chatham Strait black cod
21	City of Kasaan	Prop 195
22	Concerned residents of Kasaan	Prop 195
23	Dept of Economic Development	Analysis of Prop 168 – seine fishing vessel length
24	Della Coburn	Prop 195
25	Saxman AC	AC minutes
26	ADF&G Moreland	Briefing on BSAI crab FMP
27	Pacific NW Crab AC	Crab rebuilding plan
28	Craig AC	AC minutes
29	Daniel Rinella	Prop 195
30	Gary Adkinson Jr	Prop 195
31	AK Scallop Assoc.	Annual catch limits on AK weathervane scallop fishery
32	ICEPAC	ACL – Bering Sea/Aleutian Island crab
33	AK Outdoor Council	UCI emergency petition
34	Mat Valley AC	Addendum to minutes Prop 165 & 166
35	Seward AC	AC minutes
36	SEAFSA	Prop 200 – 201
37	Kevin Stack	Prop 200 – 201
38	Mike Adams	Prop 200 – 201
39	Stuart & Elaine Meyer	Prop 200 – 201
40	Chris Bourgeois	Chitina fishery
41	Kenneth Adams	Prop 200

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42	Seafood Producers Coop	Comment PC 38 - Prop 182
43	Tracy Morphis	Prop 200 – 201
44	Simon Molodin	Prop 200 – 201
45	Chad Roberts	Prop 200 – 201
46	Robert Linville	Prop 200 – 201
47	Eastern Interior RAC	Yukon River Chinook
48	Charles Deville	Prop 200 – 201
49	Mat Valley AC – Andy Couch	Letter re: petition
50	Mat Valley AC – Andy Couch	March 10, 2010 AC minutes
51	Richard Yamaha for Daiwa Corp	Electric reel proposals
52	Richard Yamaha for Seldovia Fishing Adventure	Electric reel proposals
53	Lloyd Gossman	Ketchikan Gateway Borough comments
54	Torie O’Connell for AK Longline Fisherman Assoc	Comments on proposals
55	Torie O’Connell for ALFA	Prop 175 & 180
56	Dianne Dubuc	CIAA – 2009 Salmon Sales request for bids
57	Bruce Knowles – Mayor’s Blue Ribbon Sportfishers	Letter supporting UCI emergency petition
58	Bruce Knowles – Mayor’s Blue Ribbon Sportfishers	Comments on proposals
59	ADF&G – CF	Prop 167 substitute language
60	ADF&G – CF	Prop 173 substitute language
61	Kurt & Karl Goetzinger	Prop 200 – 201
62	Phillip Clark	Prop 200-201
63	Susitna Valley AC	March 10, 2010 minutes
64	Jeane Brenig	Summer commercial crab opening
65	Ken Tarbox (via Dwight Kramer)	Slikok Creek closure
66	Ken Tarbox (via Dwight Kramer)	Prop 166
67	Paul Shadura – Kenai/Soldotna Fish & Game AC	March 12, 2010 letter
68	Paul Shadura – KPFA	Proposal comments
69	Kenai / Soldotna Fish & Game AC	Feb 10 & 18, 2010 minutes
70	ADF&G – CF	RC 2 update
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Name	Representing	Subject / Related RC, PC or AC
1. Don Fox	Kodiak AC	Comments on proposals AC 10
2. Steve Vanek	Central Peninsula & Self	Comments on proposals AC 12
3. Steve Runyan	Susitna Valley AC	Comments on proposals RC 63
4. Mike Kramer	Fairbanks AC & Self	Prop 164, 175, 190 & 192 AC 4 & 17
5. Richard Yamada	AK Charter Assoc.	Electric reels RC 51 & 52, PC 39
6. Larry Edfelt	Territorial Sportsman	SF proposals PC 48
7. Ron Leighton	Village of Kasaan	Prop 195 PC 12
8. Julia Coburn	Self & ? Organization	Prop 195
9. John Blair	SEAGO	Comments on proposals PC 29
10. Thomas Stewart	Self	Bag limits, sablefish
11. Victoria O'Connell	Self & AK Longline Fisheries Assoc.	Support 175 & 182 RC 54 & 55
12. Bruce Knowles	Mat-Su Blue Ribbon	Comments on proposals
13. Larry Painter	Self	Area 1 & 2 Dungeness fishery PC 41
14. Ryan Kapp	Self	Prop 168
15. Dwight Kramer	Kenai Area Fisherman's Coalition	Slikok Creek Chinook petition
16. Mark Kaelke	Trout Unlimited-AK	Prop 184 PC 25
17. Dave Kumlien	Trout Unlimited	Support Prop 184
18. Doug Wells/Lenny Herzog	Bering Sea Fisheries Research Foundation	Crab rebuilding
19. Arni Thomson	PNCIAC	Crab rebuilding
20. Douglas Blossom	Self	Prop 166
21. Tom Buchanan	Self	CIAA Spring '09 prop 380
22. Mel Grove	Self	Prop 188 – 190
23. Ricky Gease	KRSA	Statewide proposals PC 22
24. Andy Szczesny	Self	Prop 184
25. Scott Eggemeyer	KRPGA	Prop 184-felt soled boots
26. Roland Maw	UCIDA & Self	Proposal comments PC 14 & 20
27. Jim Stubbs	Anchorage AC	Proposal comments AC 5
28. Paul Shadura	KPFA/Kenai/Soldotna AC	Proposal comments RC 67

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Name	Representing	Subject / Related RC, PC or AC
29. Keith van den Broek	PWS/CR AC	Proposal comments AC 7
30. Andy Couch	Mat Valley AC	Proposal comments AC 15, RC 34, 49-50
31. John Scoblic	Ketchikan AC & Self	Proposal comments AC 9
32. Stu Merchant	Craig AC & Self	Proposal comments RC 28
33. Tad Fujioka	Sitka AC & Self	Proposal comments AC 16
34. Mike Peterson	Juneau/Douglas AC & Self	Proposal comments AC 11
35. Lloyd Gossman	Saxman AC & Self	Proposal comments AC 14, RC 25 & 53
36. Dianne Dubuc	Seward AC	Proposal comments RC 56

My name is Tory O'Connell, I am a fisheries biologist who has conducted management and research on groundfish species for more than 2 decades and served 15 years on the federal Plan Team advising on stock assessments. Today I represent myself and the 100 vessel owners, their deckhands and their families that are members of ALFA.

With respect, I believe that if you were plunked down in front of these proposals and given the facts without any sector or personality issues, the Board would support the Sitka AC proposals 182 and 175 and **Prohibit electric reels as sport gear and approve a 4 fish annual nonresident limit for sablefish statewide.**

The Board's thornyhead proposal highlights how difficult it is to manage long-lived species. RC 55 shows sablefish stock trends: You were missing two critical facts in your decisions last year: 1) You did not know that Dr. Mueter, an outside expert hired by Fish and Game to review sablefish, concluded that Chatham blackcod may be at its lowest level, a level that would trigger rebuilding under federal guidelines and 2) The department dropped the 2009 Chatham commercial quota 29% after your meetings and intends to drop the harvest rate again for 2010. Gulf wide offshore populations are also in steep decline –these fisheries have been conservatively managed: this is a gulfwide recruitment issue.

The Department language for electric reels in 180 should be inserted into proposal 182. I do not believe the Dept intends to advocate for electric reels. **Providing recreational anglers unlimited efficiency reduces the recreational experience and increases the pressures on stocks and management**, dangerous given the limitations of the SWHS and reliance on unverified charter logbooks. A reminder: last winter staff reported sablefish catch to be unknown but "small" (creel estimates of 7 to 11 fish). Now, unverified data indicates that charters took more than 5,600 blackcod in 2009: 3,877 in Southeast– that is equivalent to the 3% (38,726 pounds) the department took off the quota for all subsistence, sport, and non-longline catch –certainly not a small amount. If both the SWHS and the logbook data is accurate it would mean 66% of the average total "unregulated" species catch (including herring) in SE is sablefish taken primarily by 4 businesses, possible but not likely. Clearly the accuracy of sport catch is questionable, an uncertainty this stock cannot afford, and a good reason for a 4 fish annual limit.

The Sitka AC proposal provides for a generous angling limit even for a healthy stock - most highly prized fish have similar limits. Anglers accept this; they expect Alaska to be a leader in decision making for sustainable fisheries. Mr. Fujioka's testimony was compelling – please support this diverse group and their thoughtful process by supporting the Sitka AC proposals.

Thank you. I would like to serve on this committee.

<http://www.afsc.noaa.gov/refm/docs/2009/GOAsablefish.pdf>

<http://www.sf.adfg.state.ak.us/FedAidpdfs/SP10-01.pdf>

<http://www.boards.adfg.state.ak.us/fishinfo/meetinfor/2008-2009/april%2028%20teleconf/april28staff-comm.pdf>

RC 74

To: Alaska Department of Fish and Game

P.O. Box 115526

Juneau Ak. 99801- 5526

Subject: Thornyhead Rockfish- Proposal # 177

We are concerned about the Thorneyhead rockfish, which is a deep water fish that can live more than 80 years. We believe the inherent problem with managing deep water fish, such as these, is that after the fish is caught and brought to the surface, the pressure change has killed the fish. If an angler should exceed the one-fish bag limit (as suggested in Proposal # 177) while fishing for personal use, which allows two hooks, the additional fish may not be retained and as such would then be wasted.

We understand there to be no targeted angling for these fish, but they may be taken incidentally while fishing for Black Cod, where regulations require a log entry and limits are in place.

We would like to suggest that no limit be established for the thorneyhead rockfish and, when one is caught, that it be logged in so data can be collected on the specie. Currently, there appears to be little data on these fish when caught by sport fisherman and it is our opinion that this would be a positive first step in assessing the situation.

Respectfully submitted on March 16, 2010,

Mike Peterson - 

Greg Brown

Bill Bahleda

Jenny Pursell

Public Comment for the Alaska Board of Fisheries March 2010 Meeting Submitted By:

Cambri Dallmann
1358-A Normandy Ct
Fort Wainwright, AK 99703

RECEIVED
MAR 16 2010
BOARDS

Proposal 200 - Oppose

Proposal 201 - Support a positive C&T finding for the Chitina Dipnet Fishery

It is regrettable and unfortunate that we as Alaskans have come to struggle to have the definition of the word "subsistence" interpreted and used to take away part of our unique customary and traditional heritage. Not in recent history has a pending decision by the Board of Fisheries had the potential to impact the lives of so many. **I am strongly opposed to prop. 200 creating new language in criteria 8, defining "a subsistence way of life" as a way of life based on consistent, long term reliance upon the fish and game resources for the basic necessities of life. As I see it this means without the harvest of these fish and game resources the subsistence user would starve. In these modern times this language would set a standard that no new as well as existing Customary & Traditional use could meet and surely result in a negative C&T finding for the use of salmon stocks in the Chitina Dipnet Fishery. Then, our dipnetting use would have no more preference than commercial fishing use by non-residents and residents.**

For me and my family, dipnetting in the Copper River has become and is a definite source of food to support our household that we count on as a staple on our table throughout the winter. My family harvests and consumes a wide variety of Alaska's edible resources. I rely on the Salmon dipnetted in the Copper River as a necessity in table fair to provide meat over the winter to sustain my family. I would like to make the point that there is no other area that offers the quality of Copper River salmon other than the Copper River in the Chitina Sub-district. I support more appropriate amended language to prop.200 stating that "a subsistence way of life" means **a way of life that is consistent with long term use of fish and game resources, when available, to supplement the basic necessities of life.**

I am passing down this skill and knowledge to my children to instill and preserve the respect of nature, while maintaining a way of life and standard of living for them. Voting yes to proposal 201 is definitely in the best interest for all Alaskans to protect our lifestyle now and in the future.

I implore your support and allowing us to live as we have chosen and to give the majority of Alaskans, not just a few, the opportunities to enjoy her natural resources.

Signed

Cambri Dallmann

Public Comment for the Alaska Board of Fisheries March 2010 Meeting Submitted By:

Luke Dallmann
1358-A Normandy Ct
Fort Wainwright, AK 99703

RECEIVED
MAR 16 2010
BOARDS

Proposal 200 - Oppose

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Signed

LUKE DALLMANN