RC 176

Alaska Board of Fisheries
Committee Report

COMMITTEE F

Groundfish
February 25, 2009

Board Committee Members:

1. Bill Brown, *Chair
2. Mel Morris
3. Bonnie Williams

Alaska Department of Fish and Game Staff Members:

1. Cleo Brylinsky – Fisheries Biologist, Groundfish Project Leader, Commercial Fisheries
2. Mike Vaughn – Fisheries Biologist, Commercial Fisheries
3. Kamala Carroll – Fisheries Technician, Commercial Fisheries (Notetaker)
4. Allison Sayer – Research Analyst, Commercial Fisheries (Notetaker)
5. Jennifer Stahl – Fisheries Biologist, Commercial Fisheries (Notetaker)
6. Steve McCurdy – Management Biologist, Sport Fisheries (Notetaker)
7. Judy Lum – Fisheries Biologist, Sport Fisheries (Notetaker)
8. Mike Jaenicke – Fisheries Biologist, Sport Fisheries
9. Diana Tersteeg – Fisheries Biologist, Sport Fisheries (Notetaker)
10. Robert Chadwick – Regional Management Coordinator, Sport Fisheries
11. Scott Kelley – Regional Supervisor Groundfish, Commercial Fisheries
12. Kelly Piazza – Management Biologist, Sport Fisheries
13. Kyle Hebert – Marine Fisheries Supervisor, Commercial Fisheries
14. Troy Tydingco – Management Biologist, Sport Fisheries
15. Brian Marston – Management Biologist, Sport Fisheries
16. Rob Bentz – Deputy Director, Sport Fisheries
17. Al Cain –Enforcement Specialist

Advisory Committee Members:

1. John Scoblic - Ketchikan AC
2. Joel Hansen, Tad Fujioka - Sitka AC
3. Otto Florschutz – Wrangell AC
4. Mike Saunders – Upper Lynn Canal AC
5. Jim Beard - East Prince of Wales AC
6. Cheyne Blough - Icy Strait AC

Public Panel Members:

1. Matt Donohoe – Alaska Trollers Association (ATA/Self)
2. Tom Ohaus – Southeast Alaska Guide Organization (SEAGO)
3. Seth Bone - SEAGO
4. Tony Phillips - SEAGO
5. Theresa Weiser – Southeast Charter Boat Owner's Association (SCBOA)
6. Kent Hall - SCBOA
7. Jim Roesch - Self, Charter
8. Randy Gluth - Self, Sport
9. Tory O'Connell - Self, Longline/biologist
10. Mike Reif - Self, Longline & charter
11. Linda Behnken – Alaska Longliner Fishermens Association (ALFA)
12. Kathy Hansen – Southeast Alaska Fishermens Alliance (SEAFA)
13. Julianne Curry – Petersburg Vessel Owners Association (PVOA)
14. Jeff Farvour - Longline
15. Richie Davis – Seafood Processor's Cooperative (SPC)

Federal Subsistence Representative:

1. Rod Campbell

The Committee met February 21, 2009 at 3:10 p.m. and recessed at 4:45 p.m. The Committee reconvened February 22, 2009 at 8:15 a.m. and adjourned at 10:15 a.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (27 total) 43, 330-355.

PROPOSAL 43 – 5 AAC 28.089. GUIDING PRINCIPLES FOR GROUNDFISH FISHERY REGULATIONS. Delete portions of groundfish guiding principles as follows: 5 AAC 28.089 – delete sections 1, 2 and 5.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, RC 151.

Timely Public Comment: None.

Record Comments: None.

Narrative of Support and Opposition:

- A panel member asked for clarification of why the Eastern Gulf of Alaska was not included.
- The Eastern Gulf of Alaska is not included in the guiding principles because Alaska Department of Fish and Game staff were developing biomass based approaches for species within its management jurisdiction.
- A board member stated that the guiding principles had been removed from the regulations for specific areas.

Department:

- The proposed change does not apply to groundfish fisheries in the Eastern Gulf of Alaska.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- A panel member stated that the proposal was sarcastic.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 330 – 5 AAC 28.175. LOGBOOKS FOR THE EASTERN GULF OF ALASKA AREA. Require location data described in logbooks to be expressed in degrees and decimal minutes.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 8, AC 10, AC 15.

Timely Public Comment: None.

Record Comments: RC 42, RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

Department: Housekeeping.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- This will aid the department and will not pose a hardship for fishermen.
- This is already done in the geoduck fishery.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 331 – 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA; AND 5 AAC 28.150. CLOSED WATERS IN EASTERN GULF OF ALASKA AREA. Close guided sport and commercial bottom fisheries in Port Frederick between Christ Point and Cannery point.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8.

Timely Public Comment: None.

Record Comments: RC 42, RC 151, RC 155, RC 235, RC 257.

Narrative of Support and Opposition:

- The committee discussed that the intent of the proposal is to create a Local Area Management Plan (LAMP).
- The Sitka AC representative stated that some members of the Sitka AC were not comfortable voting because it is out of their jurisdiction but felt that if the community wanted to start a LAMP they should be able to do so.
- A panel member stated that there is a protocol for initiating the LAMP process, which requires all stakeholders to be involved before engaging Board of Fisheries involvement.
- The Icy Strait AC stated that as the intent of this proposal was to begin the LAMP process, this proposal can be withdrawn if the proposal language interferes with that process.

Department:

- The department reminded the panel that the state does not have any jurisdiction over the management of halibut.
- The board has adopted a positive finding for customary and traditional use for groundfish in that area.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The public panel wanted to express on the record a lot of support for developing a LAMP.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Icy Strait, Sitka.
Oppose: None.

Public Panel Recommendation: Consensus to oppose the proposal and replace it with directive to begin the LAMP process.

Board Committee Recommendation: No action (based on protocol).

Substitute Language: None.

PROPOSAL 332 – 5 AAC 28.150. CLOSED WATERS IN EASTERN GULF OF ALASKA AREA; AND 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. Close area around Naha Bay from all bottom fishing.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 9, AC 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 1, PC 9, PC 84.

Record Comments: RC 235.

Narrative of Support and Opposition:

- Many panel members felt that this proposal was out of their area and desired to abstain.

Department:

- The department noted it does not have the authority to regulate halibut fishing.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- The Ketchikan AC was opposed because it would close commercial and sport fishing in that area.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation, Jensen conflicted.

Substitute Language: None.

PROPOSAL 333 – 5 AAC 28.160. LINGCOD ALLOCATION GUIDELINES FOR EASTERN GULF OF ALASKA AREA. Amend the regulation to raise guideline harvest level for lingcod in central outside Southeast Alaska area.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 6, AC 8, AC 9, AC 10, AC 12.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC 50, PC 68, PC 80, PC 85, PC 89, PC 99, PC 112, PC 113.

Record Comments: RC 98, RC 151, RC 152, RC 155, RC 235, RC 257.

Narrative of Support and Opposition:

Department:

- Effort in the directed fishery was relatively low in 2004 and 2006 and the guideline harvest level (GHL) was not achieved. This may account for increases in CPUE in 2007 and 2008. The longline fishery has left a lot of its bycatch allocation. Longliners are constrained by the 5% bycatch limit and there has been no DSR fishery recently so there has not been bycatch taken in that fishery.
- The current guideline harvest range (GHR) was put in place in 2000. Prior to that time the GHR was quite a bit higher and under that level CPUEs were declining. Since the institution of the new GHR, CPUEs have increased. There is no stock assessment for lingcod. Currently lingcod is managed to the upper end of the GHR and there has not been harvest up to that end. If harvest was reaching the upper end of the GHR for several years and there were still high CPUEs the department would consider raising the GHL.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The intent of the proposal was not to raise the GHL or reallocate lingcod but to update the possibly outdated science as to how the GHL is determined.
- Several panel members stated that if there is any way in the future to perform a stock assessment it should be performed.

Opposition:

- Lingcod could be vulnerable because of their life history and should be managed conservatively.
- Everyone would like more information on all species, but there are limits to funding.
- Lingcod stock assessment is difficult and the department made considerable efforts towards this without developing adequate methods.

- The Ketchikan AC is opposed to this proposal due to concern for conservation of the resource.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: Ketchikan.

Public Panel Recommendation: Consensus to oppose as written with the comment on the record that it is desirable to have the best possible science.

Board Committee Recommendation: No recommendation, Jensen conflicted.

Substitute Language: None.

PROPOSAL 334 – 5 AAC 28.165. LINGCOD ALLOCATION GUIDELINES FOR EASTERN GULF OF ALASKA AREA. Increase allocation of lingcod to sport fishery.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, AC 2, AC 8, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC 50, PC 55, PC 68, PC 80, PC 85, PC 89, PC 97, PC 99, PC 112, PC 113.

Record Comments: RC 93, RC 98, RC 151, RC 152, RC 257.

Narrative of Support and Opposition:

- Support for this proposal was withdrawn by the proposer (RC 93) because at the time of submission it appeared there was underutilization in directed and longline fisheries. It appears there was more effort in 2008 and the longliners may increase their effort in the future.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- The lingcod fishery is valuable for longliners. It has recently been underutilized because of drops in halibut quota in which lingcod is bycatch and also the lack of openings for directed DSR fishing, which has a relatively large lingcod bycatch allowance. There is a proposal to change bycatch allowances to better allow longliners to utilize their allocation.
- Lingcod has recently been commercially underutilized in the Southern Southeast Outer Coast (SSEOC) because the price was low for lingcod and high for fuel so it became less economically viable, and sport catch dropped as well. It would be better to wait and see what happens than to change allocations.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 335 – 5 AAC 28.165. LINGCOD ALLOCATION GUIDELINES FOR EASTERN GULF OF ALASKA AREA. Allocate lingcod equally between the sport fishery and the directed commercial dinglebar fishery.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 8, AC 9, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC 50, PC 55, PC 68, PC 80, PC 85, PC 89, PC 97, PC 99, PC 112, PC 113.

Record Comments: RC 41, RC 98, RC 151, RC 152, RC 155, RC 257.

Narrative of Support and Opposition:

- Support for this proposal was withdrawn by the proposer with RC 41.
- Ketchikan AC took no action because the proposal was withdrawn.

Department:

- In some cases this will increase sport allocation and in some cases it will increase the directed dinglebar allocation.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- When the lingcod plan was put together there was an extensive collaboration between people of all different gear groups and the longline group was allocated less than its historic percentage of the catch in recognition of the entry level permit fishery for lingcod. This was supported as long as the longline fleet had enough of an allocation to prosecute other fisheries without exceeding their lingcod allocation. Currently, halibut is at low levels but halibut stocks may recover and quotas increase at some point in the future so the amount of lingcod caught as bycatch by longliners could increase. The work done to arrive at the existing allocation should be respected.
- In the past dinglebar fishermen were required to have the vessel monitoring system (VMS) to fish in federal waters but this is no longer required. The VMS was cost prohibitive, and participation in the dinglebar fishery may increase without this requirement.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 336 – 5 AAC 28.173. LINGCOD POSSESSION AND LANDING REQUIREMENTS FOR EASTERN GULF OF ALASKA AREA. Increase the bycatch allowance of lingcod from 5% to 10% in the Central Southeast Outside Section.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 8, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 35, PC 36, PC 68, PC 85, PC 89, PC 112.

Record Comments: RC 42, RC 98, RC 151, RC 155, RC 235, RC 257.

Narrative of Support and Opposition:

- There was a request for clarification of whether the allowance would be set at either 5% or 10% or be set between 5% and 10%.
- Support was expressed for granting emergency order (EO) authority to the department to adjust the bycatch allowance or return it to 5% each year depending on activity in the various relevant fisheries and extending the upper limit to 20%, with the reminder that the commercial allocation will not be exceeded. This should also be based on the best available science.
- A board member stated this model has the flexibility to be safe for stocks despite general opposition to bycatch increases.

Department:

- The clarification was made that the typical upper limit is 20% and bycatch limits exceeding 20% must be set by the board.
- The department would know early in the season what halibut catch limits will be and whether there will be directed DSR fishery so department could make timely decisions.
- The department would prefer a range of bycatch allowances between 5 and 10% or possibly higher.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Support was expressed with recommended changes to ensure the allocation is not exceeded but there is an opportunity for more full utilization. Ten percent may be too high or too low at some point in the future. The department should have the ability to be flexible with clear direction from the board to be sure the allocation is not exceeded.
- The Wrangell AC supported the proposal with the caveat that they would not support it if it prevented the prosecution of a dinglebar fishery.
- This will give longliners the ability to benefit fully from their allocation.
- The Sitka AC supported this proposal as amended with EO authority for the department.

Opposition:

- The ATA board supported a 10% bycatch limit but had not voted on a limit higher than that and so the panel member representing the ATA could not express support for the amended language.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Sitka, Wrangell.
Oppose: None.

Public Panel Recommendation: Consensus to support with EO authority given to alter the bycatch allowance from year to year and a 20% upper limit.

Board Committee Recommendation: Consensus to support, Jensen conflicted.

Substitute Language:

5AAC 28.173 Lingcod possession and landing requirements for Eastern Gulf Of Alaska Area.

(a) In the Southeast District, a vessel fishing for

[(1)HALIBUT WITH LONGLINE GEAR MAY NOT LAND OR HAVE ON BOARD LINGCOD IN EXCESS OF 5 PERCENT, BY ROUND WEIGHT, OF ALL HALIBUT ON BOARD THE VESSEL, EXCEPT THAT IN THE ICY BAY SECTION, A VESSEL MAY NOT HAVE IN EXCESS OF 10 PERCENT, BY ROUND WEIGHT, OF ALL HALIBUT ON BOARD THE VESSEL;]

(2) sablefish may not land or have on board lingcod, except as specified in (3) of this subsection;

(3) halibut and sablefish at the same time may not land or have on board lingcod in excess of **the amount of bycatch set by the department specified in the first emergency order of the season,** [FIVE PERCENT], by round weight of all halibut on board the vessel. **The commissioner may, by emergency order, close the fishing season and immediately reopen the season with a different bycatch level based on harvest data.**

PROPOSAL 337 – 5 AAC 28.165. LINGCOD ALLOCATION GUIDELINES FOR EASTERN GULF OF ALASKA AREA. Make surplus dinglebar quota available to the troll fleet.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 6, AC 8, AC 9, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC, 50, PC 68, PC 80, PC 85, PC 113.

Record Comments: RC 42, RC 98, RC 151, RC 152, RC 214, RC 235, RC 257.

Narrative of Support and Opposition:

- The proposer wishes to withdraw support for the proposal (RC 214).

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- This could be workable in fisheries that are short, such as the Fairweather fishery. Support was expressed for adding any leftover poundage from the directed fishery to the troll fishery after directed fishing is closed.

Opposition:

- The Ketchikan AC and panel members stated the proposal does not seem possible because the fisheries are concurrent.
- The annual catches vary. Reallocation does not make sense because catches are not consistent. There are areas where trollers do not catch their full bycatch allocation so it seems wrong to allocate them more.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus, Jensen conflicted.

Substitute Language: None.

PROPOSAL 338 – 5 AAC 28.113. LINGCOD FISHING SEASONS FOR EASTERN GULF OF ALASKA AREA, and 5 AAC 28. 133. GROUNDFISH AND HALIBUT TAKEN WITH SALMON TROLL FISHING GEAR IN THE EASTERN GULF OF ALASKA AREA. Allow trollers to retain lingcod as bycatch during April in the Icy Bay Subdistrict.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 68, PC 85, PC 112.

Record Comments: RC 98, RC 151, RC 235, RC 257.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- At that time of the year there will be nest guarding males caught. That has harmed stocks in the past.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation, Jensen conflicted.

Substitute Language: None.

PROPOSAL 339 – 5 AAC 47.020(7). GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Allow guided and nonresident anglers to keep one lingcod over 55 inches annually.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 9, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC 68, PC, 80, PC 85, PC 89, PC 97, PC 99, PC 112.

Record Comments: RC 42, RC 98, RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

Department:

- The department recommends changing the language referring to sport anglers in the lingcod fishery to distinguish only between resident and nonresident anglers, and to discontinue distinguishing between guided and unguided anglers. In Southeast Alaska only approximately 2% of guided anglers are residents.
- The department clarified that unguided resident anglers were permitted to keep fish over 55" long.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The department recommendation for distinction between nonresidents and residents as opposed to other categories of sport anglers received support from the panel.
- The possibility of catching a trophy will generate a lot of interest in sport fishing for lingcod without substantially increasing the sport lingcod harvest.
- Charters will not go out looking for trophy fish. A panel member stated there is a trophy program for other fish, but not for lingcod. Large lingcod will not be targeted, but anglers should be allowed to keep a trophy if they catch it.
- A panel member stated a precedent was set for a trophy fishery when the 48" minimum size limit for king salmon went into effect for the 2008 season. Lingcod are more likely to survive hook and release fishing than king salmon.

Opposition:

- The quota is in round pounds. If fish up to 55" can be kept the GHL could be exceeded.
- The large fish are all female and the eggs from large females are more successful. These fish should not be targeted.

- The fishing effort would cycle through a lot of fish in order to obtain the trophy fish. The fish are difficult to handle, which presents challenges for a catch and release fishery. The trophy size should be reduced because the current desired 55" length promotes high levels of catch and release.
- The 48" minimum regulation for king salmon created a catch and kill fishery, and the same would occur with lingcod.
- If a trophy fishery is allowed, fishing pressure in specific areas where there are large fish will increase. This could lead to an elimination of large lingcod.
- Although the Ketchikan AC voted to support this proposal, some members were concerned about the potential for a catch and release fishery.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on the proposal but would like to discontinue distinction between guided and unguided in favor of residents and nonresidents.

AC Positions: Support: Ketchikan.
Oppose: Sitka.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language:

5 AAC 47.060. Lingcod delegation of authority and provisions for management.
(a) The Alaska Board of Fisheries (board) has allocated the harvest of lingcod in seven management areas of Southeast Alaska (Eastern Gulf of Alaska) to the commercial and sport fisheries under 5 AAC 28.160 and 5 AAC 28.165. The board recognizes that harvest regulations in the sport fishery may need to be modified to attain the allocations in the seven management areas.
(b) If the commissioner determines that the regulations must be modified to attain the allocation, the commissioner may establish, by emergency order, minimum size limits, maximum size limits, and annual limits in any of the seven management areas for [GUIDED AND] nonresident sport anglers.
(c) Repealed 3/13/2004
(d) Nonresident bag and possession limit of one lingcod 55 inches or greater in length; from May 16-November 30; One fish annual limit.

PROPOSAL 340 – 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA, and 5 AAC 28.105. DESCRIPTION OF EASTERN GULF OF ALAKSKA AREA DISTRICTS, SUBDISTRICTS, SECTIONS AND SECTORS, and 5 AAC 28.160. HARVEST GUIDELINES AND RANGES FOR EASTERN GULF OF ALASKA AREA. Amend boundary for lingcod sport fishery near Cross Sound and Yakobi Island.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC, 50, PC 68, PC80, PC 85, PC 89, PC 97, PC 99, PC 112.

Record Comments: RC 98, RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

- Referring to table 335-3, a panel member stated that there appears to have been low directed fishing effort for lingcod in the Northern Southeast Outside (NSEO) management area. The member asked whether the department had the authority to transfer surplus from the directed fishery to other user groups.

Department:

- Regulations in the Yakutat area may become more restrictive in the future because harvests have increased in 2008.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- The sport fishery has been over its allocation in multiple years. The initial allocation process was complicated and to make the proposed changes would be like starting over.
- Part of the problem with the directed lingcod fishery in NSEO is that sometimes the fish were not there at certain times of year for unknown reasons.
- Fish populations and fishermens' reasons for targeting or not targeting a given species change from year to year. A user group should not lose its allocation if it does not fully prosecute a fishery in a given year.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects. Oppose modification of lingcod management area boundaries.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 341 – 5 AAC 28.160. HARVEST GUIDELINES AND RANGES FOR EASTERN GULF OF ALASKA AREA. Modify allocation of demersal shelf rockfish between commercial and sport fisheries.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19, RC 37.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 8, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 35, PC 36, PC 50, PC 68, PC 84, PC 85, PC 89, PC 97, PC 99, PC 112, PC 113, PC 117.

Record Comments: RC 23, RC 77, RC 98, RC 149, RC 151, RC 152, RC 155, RC 185, RC 203, RC 205, RC 170, RC 230, RC 235, RC 228, RC 229, RC 257.

Narrative of Support and Opposition:

- This proposal received a lengthy discussion from the panel members as to the feasibility of the charter fleet staying within its 16% allocation and how the allocation was arrived at during the 2006 Board of Fisheries meeting.
- All members of the panel expressed a desire to protect demersal shelf rockfish (DSR) and awareness of their vulnerability to overfishing.
- Charter industry representatives described industry willingness to participate in rockfish recompression and other conservation methods as part of their desire to protect the resource.
- The longline industry representative described current information-sharing projects to help longliners avoid areas of high rockfish abundance and willingness to assist the charter fleet in the creation of similar projects for themselves.
- There was lengthy discussion as to whether yelloweye are targeted in the charter industry or whether yelloweye are incidental to other targeted species.
- Requiring recompression and release will lead to increased avoidance because recompressing rockfish is cumbersome.
- Overfishing Level (OFL) had been exceeded for several years, which could have resulted in federal intervention, before 2006.
- The board wished to clarify that in 2006 and 2007 the people who could not fish were the directed fishers and the people who continued unimpeded were the sport and halibut fishermen, and also clarify that subsistence is a fairly consistent amount of pounds from year to year, not a percentage.

Department:

- The 18.3% that the sport fishery was reported to have taken last year is a preliminary number. Further clarification was made that the sport harvests over 20% were prior to allocation of 16% to the sport fleet.
- There is an error in table 341-1 in RC 19. The correct table can be found in staff comments RC 2 table 341-1.

- Anticipated subsistence removal has been deducted from the commercial total allowable catch (TAC) and the department would like guidance from the board on how to account for estimated subsistence harvest of DSR in the future.
- In 2000, full retention of DSR taken in state waters by the commercial fisheries was required; then in 2005 the regulation was extended to federal waters. The discard mortality was estimated to be lower in 2005 than it was in prior years without full retention requirements because the fish were supposed to be retained. The estimated discard mortality from 2005 and subsequent years is 10% of the reported commercial halibut bycatch of yelloweye landed.
- The methods for estimating DSR bycatch in the commercial halibut fishery were updated in 2007.
- DSR is managed very conservatively. The TAC is set well below the overfishing level.
- In 2006 and 2007, there was no directed commercial DSR fishery because there was not sufficient quota to open an orderly fishery.
- The public should not anticipate coastwide closure to sport fishing in 2009. In 2006 the department indicated that there would be discussion with industry if it became necessary to implement time and/or area closures.
- There is no clear trend in exceeding the sportfish allocation and there is no regulation that immediate action will be taken if the sportfish GHL is exceeded. Time and area closures to sport fishing in the immediate future are unlikely.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The current allocation to the charter industry is very close to their recent historical harvest and there is uncertainty regarding the future size of the TAC and how subsistence removals will be applied to the TAC.
- All management tools under current regulation, except for time and area closures, have been used to try to keep the sport harvest within its GHL. Implementation of these closures would be highly detrimental to the charter industry.
- Halibut discard mortality in the longline sector was high. The discards were factored into the allocation process and contributed to high DSR allocation to the commercial sector. Discard mortality in the halibut fishery is higher than the entire sport catch. During 2000-2005 there was a consistent level of sport catch. The commercial industry took more than the TAC during that time. Discard mortality has decreased.
- The commercial industry was awarded a high allocation as a result of overharvesting the TAC.
- The charter industry has done its best to avoid targeting DSR, but could not get down to the allocation. There is concern that with subsistence to be taken off the top in the future there will still be trouble and closures in future years.
- The charter industry is not looking to take valuable fish away from another sector, just to have enough to operate. The charter industry wants bag limits to remain low to discourage targeting.

Opposition:

- Some charter operators oppose this proposal.
- The DSR has been an important part of halibut fishery for 50 years and became valuable as a directed fishery when value added product was developed and is important for winter sales. The directed fishery keeps processors working in winter and is available as an entry level fishery.
- When DSR is taken in halibut and longline fisheries, DSR must all be kept, creating full accountability. The full retention requirement of bycatch avoids waste. Work has been done with the fleet to keep everyone accountable.
- The board set the DSR allocation during the last meeting and said don't come back looking for more. The board looked at the history in setting the initial allocation and just the last 5 years were used as the basis for the allocation, giving the charter fleet more than they would have had if their long term history had been used. The charter fleet asked for and got an additional 2%.
- Everybody knows how to avoid rockfish if they work at it.
- Alaska Longline Fishermens Association (ALFA) has a strong desire to stay within its allocation and keep the directed fishery option for a small boat fishery. The longline fleet has worked hard to avoid rockfish.
- The charter fleet says they expect bookings to be down next season and last year were barely over their allocation. There is every reason to believe sport allocation is adequate because the bag limits in the sport fishery are lower and they are expecting fewer bookings.
- It is a bad precedent to reward people for going over their allocation.
- The sport catch of yelloweye increased in 2008 because there was a change in the king salmon management plan and there was targeting of yelloweye.
- A panel member recommended keeping 16% allocation and putting in a 10% conservation allocation buffer that would come from the commercial allocation. If a sector hits their allocation they can use the buffer for the current year to avoid closure.
- The commercial fishery has a more stable number of users and is easily monitored. In guided sport, it is different. Because of the endless number of potential clients, the only cap is a cap on the resource.
- Sport charter clients demand something when the primary species is not available. Yelloweye unfortunately become that target as a fallback.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation, Jensen conflicted.

Substitute Language:

5AAC 28.160 Harvest guidelines and ranges for Eastern Gulf of Alaska Area.
(c) (1) (A) The annual allowable catch of demersal shelf rockfish is calculated based on the federal total allowable catch (TAC) of demersal shelf rockfish with 84% allocated to the commercial fisheries and 16% allocated to the sport fisheries, **after the estimated subsistence harvest is deducted from the TAC**;

PROPOSAL 342 – 5 AAC 28.111. DEMERSAL SHELF ROCKFISH FISHING SEASONS FOR EASTERN GULF OF ALASKA AREA. Clarify split season allocations for DSR in internal waters.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 8, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, PC 99.

Record Comments: RC 42, RC 98, RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

- This was seen as a housekeeping measure and was not discussed further.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 343 – 5 AAC 28.111. DEMERSAL SHELF ROCKFISH FISHING SEASONS FOR EASTERN GULF OF ALASKA AREA. Open a summer season for directed fishing of demersal shelf rockfish.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, AC 8, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 50, PC 68, PC 84, PC 85, PC 89, PC 97, PC 99, PC 112, PC 117.

Record Comments: RC 42, RC 151, RC 155.

Narrative of Support and Opposition:

- There was discussion as to how this regulation could be enforced because it would be difficult to determine what the target species was if all species were on board a vessel.

Department:

- Staff stated that the adoption of this proposal would put state regulations in direct conflict with federal regulations.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- This could lead to conservation problems.
- Enforcement difficulty.
- There could be potential for exceeding TAC and this is not worth the possibility of fishing during the summer despite better weather in summer.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 344 – 5 AAC 28.111. DEMERSAL SHELF ROCKFISH FISHING SEASONS FOR EASTERN GULF OF ALASKA AREA. Extend the commercial DSR fishery into the summer months for jig gear in internal waters areas.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, AC 8, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 68, PC 85, PC 89, PC 112, PC 117.

Record Comments: RC 42, RC 155.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- There was opposition based on staff comments and allowance of more directed fishing for other gear groups. The commercial sector is satisfied with the current balance and does not want to exceed the OFL.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 345 – 5 AAC 28.171. ROCKFISH POSSESSION AND LANDING REQUIREMENTS FOR EASTERN GULF OF ALASKA AREA. Adjust bycatch allowance for demersal shelf rockfish.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 8, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 36, PC 68, PC 85, PC 89, PC 99, PC 117.

Record Comments: RC 42, RC 98, RC 151, RC 155, RC 212, RC 235, RC 257.

Narrative of Support and Opposition:

- There was a request for explanation of how much flexibility the department would have.

Department:

- This proposal would allow for full utilization of DSR in any given year and allow the department to adjust bycatch allowance taking into account the size of the halibut quota and whether there is a directed DSR fishery.
- Twenty percent is in regulation as the upper limit. The department would have to look at past harvest to set a bycatch allowance and it would take some time and work.
- This regulation would not affect the opportunity for a directed fishery.
- The department made the clarification that discard at sea is currently not permitted.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The longline fleet currently has reduced harvest/income because of halibut quota reductions.
- This would add incentive for compliance with full retention regulations.
- It is not appropriate to say the commercial sector should not catch their full allocation when the sector has worked hard to remain under its allocation.
- This won't increase catch but will allow people to sell more of their catch and realize more of the value of their catch as there have been cuts in other fisheries.

Opposition:

- DSR are a valuable long lived species that should be managed conservatively.
- There is potential for commercial fishermen to make sets targeting DSR on the way in from fishing for halibut or making sets in shallower water to catch more yelloweye. The average ex-vessel value was about $1 per pound. This species should be an incidental catch to higher value fisheries.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus, Jensen conflicted.

Substitute Language:

5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska area. (a) In the Southeast District, a CFEC permit holder must retain, weigh, and report all demersal shelf rockfish taken. Except as provided in (b) of this section, all demersal shelf rockfish in excess of 10 percent, round weight, of all target species on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket. All proceeds from the sale of excess demersal shelf rockfish bycatch shall be surrendered to the state. **The commissioner may, by emergency order, close the fishing season and immediately reopen the season with a different bycatch level based on harvest data.**

PROPOSAL 346 – 5 AAC 28.111. DEMERSAL SHELF ROCKFISH FISHING SEASONS FOR EASTERN GULF OF ALASKA AREA and **5 AAC 28.171. ROCKFISH POSSESSION AND LANDING REQUIREMENTS FOR EASTERN GULF OF ALASKA AREA,** and **5 AAC 28.160. HARVEST GUIDELINES AND RANGES FOR EASTERN GULF OF ALASKA AREA.** Repeal directed fishing for DSR and make it bycatch only with a bycatch rate to be set by emergency order.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 35, PC 50, PC 68, PC 85, PC 89, PC 99, PC 117.

Record Comments: RC 42, RC 155, RC 212, RC 235.

Narrative of Support and Opposition:

- The proposer would like to withdraw their support for this proposal (RC 212) based on their support for the DSR fishery as an entry-level fishery and based on the department's support of proposal 345.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action due to withdrawal of support by proposer.

Board Committee Recommendation: No action, Jensen conflicted.

Substitute Language: None.

PROPOSAL 347 – 5 AAC 28.171. ROCKFISH POSSESSION AND LANDING REQUIREMENTS FOR EASTERN GULF OF ALASKA AREA. Restore the directed fishing for slope rockfish in internal waters.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 8, AC 9, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 50, PC 85, PC 89, PC 112.

Record Comments: RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- There was a working group to discuss this during the last board meeting and it was rejected.
- These species are bycatch in commercial and deepwater recreational fisheries.
- The species are extremely longlived, up to as many as 200 years.
- There is little information about these species.
- The bycatch limit on this species is adequate.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose due to biological concerns.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 348 – 5 AAC 28.171. ROCKFISH POSSESSION AND LANDING REQUIREMENTS FOR EASTERN GULF OF ALASKA AREA. Clarify intent of full retention regulations, housekeeping.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 8, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, PC 99.

Record Comments: RC 42, RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

- This was seen as a housekeeping measure and there was no further discussion.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 349/350 – 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. Require the use of a recompression device for releasing rockfish caught in sport fisheries in Southeast waters.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, Proposal 349 – AC 2, AC 6, AC 8, AC 9, AC 10, AC 12, AC 15. Proposal 350 – AC 2, AC 9, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, Proposal 349 - PC 11, PC 50, PC 68, PC 89, PC 99. Proposal 350 - PC 11, PC 50, PC 68, PC 89, PC 99.

Record Comments: RC 42, RC 98, RC 151, RC 155, RC 203, RC 257.

Narrative of Support and Opposition:

- Proposals 349, 350, and 352 were all discussed together.
- There was some question as to whether charter boats would have to give up a rod fishing for halibut to release fish.
- There was a suggestion to amend the proposal so that if a vessel is trolling it should not be required to release fish at depth.
- Many charter operators were present at a presentation demonstrating the effectiveness of release tools. An offer was also made to bring researchers to the next board cycle to present on the recompression issue.
- The board applauds efforts to explore uses of these devices but requests clarification about specifics of the devices.
- With bird avoidance devices (BADs) there was initial difficulty determining what would work for what boats; there were opportunities to experiment and a grace period for implementation. There was a recommendation to give the fleet opportunities for innovation.
- Charter representative stated desire for charter operators to help gather information about survivability, such as instituting a tagging program.
- Clients may be familiar with OR, CA, WA where there is a 100-year rebuilding plan for yelloweye and no yelloweye can be kept.
- There was discussion regarding recent research done on recompression devices and whether or not recent research is applicable to Alaska sport fisheries at this time.

Department: Referenced staff comments.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Release at depth really does work, and clients appreciate it.

- These measures will not result in higher catch and release. Anglers are required by law to keep their first fish. They are good to eat, but not good sport to catch.
- There is currently 100% mortality of caught fish, and this will improve survival. If fish live even a short time a different angler could catch the same fish, reducing overall mortality. The fish are not floating behind the boat.
- It is unlikely there will be prolonged catch and release fishing with adoption of this proposal.
- Release is time consuming; charter boats would be likely to avoid the area if they were mandated to release.
- Charter operators want to do something and are willing to wait another cycle or implement now, even without any change to the estimate of mortality.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with amendments for vessel in the process of trolling.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 351 – 5 AAC 28.171. ROCKFISH POSSESSION AND LANDING REQUIREMENTS IN EASTERN GULF OF ALASKA AREA. Require DSR caught in excess of bycatch limits in commercial fisheries to be released at or near the bottom.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 9, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, PC 36, PC 50, PC 68, PC 85, PC 89, PC 99, PC 112.

Record Comments: RC 42, RC 98, RC 151, RC 155, RC 201, RC 236 RC 235, RC 257.

Narrative of Support and Opposition:

- Withdrawn; proposer understands that it is not practical. RC 201 withdraws support by proposer.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- Being required to retain rockfish is a disincentive for catching them because it takes time and hold space. Fish have been on the hook too long for recompression to be successful.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action, Jensen conflicted.

Substitute Language: None.

PROPOSAL 352 – 5 AAC 47.065. DEMERSAL SHELF ROCKFISH DELEGATION OF AUTHORITY AND PROVISIONS FOR MANAGEMENT. Require the release of demersal shelf rockfish (DSR) in excess of a sport fish angler's bag limit at or near the bottom.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, PC 50, PC 68, PC 89.

Record Comments: RC 155.

Narrative of Support and Opposition:

- This proposal was discussed in conjunction with proposal 349 and 350.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with amendments for vessel in the process of trolling.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 353 – 5 AAC 47.065. DEMERSAL SHELF ROCKFISH DELEGATION OF AUTHORITY AND PROVISIONS FOR MANAGEMENT. Require the retention of yelloweye rockfish and add specifications to release of other rockfish.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 8, AC 10, AC 12, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 50, PC 68, PC 99.

Record Comments: RC 98, RC 151, RC 155, RC 257.

Narrative of Support and Opposition:

- Proposer was unaware of other release mechanisms and proposals at the time of submitting proposal. The intent of this proposal was to allow release of fish that seemed like they could swim down on their own rather than to retain apparently healthy fish.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Quillback and other small rockfish caught in shallow water can swim down on their own; it seems like a waste to have to kill the fish.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Sitka.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 354 – 5 AAC 28.150. CLOSED WATERS IN THE EASTERN GULF OF ALASKA AREA. Allow the sale up to bycatch limits of black rockfish captured in areas closed to the directed fishing of black rockfish.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 6, AC 8, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, PC 99.

Record Comments: RC 42, RC 151, RC 155, RC 235, RC 257.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support, Jensen conflicted.

Substitute Language: None.

PROPOSAL 355 – 5 AAC 28.105. DESCRIPTION OF EASTERN GULF OF ALASKA AREA DISTRICTS, SUBDISTRICTS, SECTIONS AND SECTORS, and **5 AAC 28.150. CLOSED WATERS IN EASTERN GULF OF ALASKA AREA.** Allow directed black rockfish fishing in areas currently closed except for Sitka Sound.

Staff Reports: RC 3, RC 4, Oral Tab 15, Written Tab 29.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, AC 8, AC 10, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89.

Record Comments: RC 42, RC 155.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: Ketchikan.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

RC 177

Alaska Board of Fisheries
Committee Report

COMMITTEE G

Southeast and Yakutat Commercial Troll
February 21, 2009

Board Committee Members:

1. Karl Johnstone, *Chair
2. Howard Delo
3. Vince Webster

Alaska Department of Fish and Game Staff Members:

1. Brian Lynch – Regional Troll Fisheries Biologist, Commercial Fisheries
2. Pattie Skannes - Regional Assistant Troll Fisheries Biologist, Commercial Fisheries
3. Leon Shaul – Coho Research Project Leader, Commercial Fisheries
4. Bill Davidson – Regional Management Coordinator, Commercial Fisheries
5. Kevin Monagle – Juneau Area Management Biologist (Note taker), Commercial Fisheries
6. Dave Harris – Juneau Area Assistant Management Biologist (Note taker), Commercial Fisheries

Advisory Committee Members:

1. John Scoblic – Ketchikan AC
2. Tad Fujioka – Sitka AC
3. Jeff Fraker – Yakutat AC
4. KC Mapes – Yakutat AC
5. Steve Hendershot – Edna Bay AC
6. Otto Florschutz – Wrangell AC

Public Panel Members:

1. Eric Jordon – Chum Trollers Association
2. Rick Bierman – Self
3. Stan Malcom – Petersburg Charterboat Association
4. Don Westlund – Self
5. Fred Fayette – Self
6. Greg Bigsby – Lynn Canal Gillnetters
7. Aaron Bean – Self
8. Linda Danner – Chum Trollers Association-not present

9. Dave Otte – Alaska Trollers Association President
10. Jev Shelton – Self
11. Arnold Enge – United Southeast Alaska Gillnetters
12. Ed Hansen – Southeast Alaska Fishermen's Alliance
13. Walt Pasternak – Self
14. Tom Fisher – Self
15. Jim Becker – Self
16. Paul Ipock – Self
17. Mathew Stroemer – Self
18. Mark Moats – Seafood Producer's Coop board

Federal Subsistence Representative: None.

The Committee met February 21, 2009 at 3:05 p.m. and adjourned at 5:25 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (19 total): 244*, 245*, 246*, 247*, 248*, 249*, 250*, 251*, 252*, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329. *also addressed in Committee E.

***PROPOSAL 244 – 5 AAC 33.364. SOUTHEAST ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.** Amend this regulation to modify enhanced salmon allocation plan for Northern Southeast Alaska.

Staff Reports: RC 3 Written Tab 18, RC 4 Oral Tab 6.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 19, 20, 21, 25, 37, 48, 55, 75, 82, 87, 89, 92, 94, 95, 99, 101, 102, 108, 113, 116.

Record Comments: RC 25, 29, 39, 50, 51, 91, 103, 111, 152, 160, 163, 175, 235.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Current Joint Regional Planning Team process is flawed; two gear groups can agree to oppose the third.
- This would be the first time fish would be taken from one gear group and given to another, rather than increase hatchery production to balance the allocations.

Opposition:

- Support for the Regional Planning Team (RPT) agreement.
- Taking non-regional hatchery production out of consideration also removes coho projects and leaves trollers further below their allocation.
- New production no longer a viable option because most hatcheries are near their production capacity.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 245 – 5 AAC 33.364. SOUTHEAST ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.** Amend this regulation to modify enhanced salmon allocation plan for Northern Southeast Alaska.

Staff Reports: RC 3 Written Tab 18, RC 4 Oral Tab 6.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 21, 48, 55, 82, 89, 92, 94, 99, 102, 108, 113.

Record Comments: RC 25, 29, 39, 50, 51, 91, 111, 150, 152, 160, 163, 175, 182, 235.

Narrative of Support and Opposition:

Department: None.

Department of Law:

- Although the board has broad authority, the board's authority to amend hatchery permits is limited.

Federal Subsistence Representative: None.

Support:

- In response to Department of Law comments, RC 182 was submitted to review and revise enhanced allocation plan.
- Current Joint Regional Planning Team process is flawed; two gear groups can agree to oppose the third.
- This would be the first time that fish would be taken from one gear group and given to another, rather than increase hatchery production to balance the allocations.

Opposition:

- Support for the RPT agreement.
- If Northern Southeast Regional Aquaculture Association (NSRAA) production is removed, then onus for allocation falls on Southern Southeast Regional Aquaculture Association (SSRAA).
- Removes coho projects and leaves trollers further below their allocation.
- New production no longer a viable option because most hatcheries are near their production capacity.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 246 – 5 AAC 29.150. CLOSED WATERS; and 5 AAC 33.350. CLOSED WATERS.** Close Coffman Cove to commercial trolling, gillnetting, and seining.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 21, 55, 89, 92, 94, 99, 108, 113, 119.

Record Comments: RC 25, 29, 39, 111, 152, 175, 235.

Narrative of Support and Opposition:

- PC 119 withdraws the proposal due to a misunderstanding.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None

Support: None.

Opposition:

- Consensus to oppose in Committee E.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action due to proposal withdrawal. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 247 – 5 AAC 29.150(i). CLOSED WATERS.** Amend regulation to be consistent with what is now being implemented by emergency order.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99, 113.

Record Comments: RC 29, 152, 175, 235.

Narrative of Support and Opposition:

Department: Housekeeping. This puts into regulation what is currently done by emergency order.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support as housekeeping.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 248 – 5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY (i)(1).** Uncouple troll and set gillnet openings in the Yakutat Area.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 92,113.

Record Comments: RC 29, 67, 152, 175, 194, 235.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- More opportunity for trollers.
- Will relieve congestion for Situk River set gillnetters as this would provide more options for set gillnetters who are also trollers.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Yakutat.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 249 – 5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS; 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION.** Allow drift gillnet and troll gear on board a vessel while participating in either fishery.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 7, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 5, 89, 99.

Record Comments: RC 29, 155, 175, 235.

Narrative of Support and Opposition:

Department: None

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Allows switching between trolling and gillnetting more efficiently.
- Reduces fuel costs.
- Avoids loss of fishing time.
- Reduces fleet carbon "footprint".

Opposition:

- Fisherman could carry gear for someone else.
- More "high-grading" of fish between gear types.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell, Petersburg, and Sitka.
Oppose: Craig.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 250 – 5 AAC 33.XXX. NEW SECTION.** Make a new regulation to allow one unit of troll gear and one unit of drift gillnet gear to be on board vessel simultaneously in Southeast Alaska.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: RC None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 40, 89, 113.

Record Comments: RC 29, 152, 155, 175, 235

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:
- Allows switching between trolling and gillnetting more efficiently.
- Support if 252 is passed.

Opposition:
- Fisherman could carry gear for someone else.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell, Petersburg, and Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 251 – 5 AAC 29.XXX and 33.XXX. NEW SECTIONS.** Add gear stowage requirements for dual licensed vessels and allow salmon harvested from only one gear type onboard.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 75, 89.

Record Comments: RC 29, 155, 175, 235.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Allows switching between trolling and drift gillnetting more efficiently.

Opposition:

- Fisherman could carry gear for someone else.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Craig, Wrangell, Petersburg, and Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 252 – 5 AAC 29.XXX and 33.XXX. NEW SECTIONS.** Require vessels participating in both troll and gillnet fisheries deliver product from one fishery before starting the next.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3, 4.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 92, 99, 113.

Record Comments: RC 29, 42, 152, 155, 175, 235

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: The department supports this proposal. This proposal is closely linked to proposals 249, 250, and 251 and the department strongly recommends that this proposal be adopted if the board adopts any of these proposals.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support due to no opposition.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

PROPOSAL 320 – 5AAC 29.090(a). MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES. Amend the regulation to allow uncaught king salmon remaining from the winter fishery GHL to be available during spring troll fisheries.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 82, 83, 92, 113.

Record Comments: RC 29, 42, 50, 51, 98, 152, 155, 184, 214, 235.

Narrative of Support and Opposition:

- After consultation with ATA and the department, author submitted revised version as RC 184.

Department: Revised proposal is likely to result in a small increase in catch, which is not expected to increase the number of king salmon non-retention days during the summer fishery.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Supports revision.
- NSRAA says this will allow additional opportunity (time and area) to access hatchery kings.

Opposition:

- Oppose as written.
- Sport fishery cannot roll over unharvested fish.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus. Jensen conflicted.

Substitute Language:

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(F) when the pre-season Chinook salmon Abundance Index is at least 1.15 and the amount of the winter troll fishery GHL remaining on May 1, is 10,000 or more king salmon, the following provisions are in effect:

(i) between 10,000 and 15,000 fish, 250 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section;

(ii) greater than 15,000 fish, 500 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section.

PROPOSAL 321 – 5AAC 29.080(a). MANAGEMENT OF THE WINTER SALMON TROLL FISHERY. Amend the regulation to adjust guideline harvest level in winter salmon troll fishery for Alaska hatchery component.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 92, 113.

Record Comments: RC 29, 42, 152, 155, 235.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Will increase hatchery percentage in overall harvest because winter fishery has higher hatchery percentage than the summer fishery.

Opposition:

- Concern that this proposal would allow the winter catch to exceed the 45,000 fish winter fishery cap and could lead to more non-retention days during summer fishery.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 322 – 5AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY. (b)(2). Removes the closure in winter salmon troll fishery for District 8.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 40, 62, 68, 92, 109, 113.

Record Comments: RC 29, 42, 152, 200, 215, 235.

Narrative of Support and Opposition:

- ATA submitted RC 215 to withdraw the proposal due to recent discussions.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Wrangell AC supported only with amendments in RC 200 to protect area of high local sport use.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell.
Oppose: None.

Public Panel Recommendation: No action.

Board Committee Recommendation: No action. Jensen conflicted.

Substitute Language: None.

PROPOSAL 323 – 5AAC 29.090(f). MANAGEMENT THE SPRING SALMON TROLL FISHERIES. Repeal subsection (f) of this regulation.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 8, 10, 13.

Timely Public Comment: RC 1, Public Comment Tab, PC 89.

Record Comments: RC 29, 42, 155, 220, 235.

Narrative of Support and Opposition:

- The department submitted RC 220 clarifying the intent of the proposal to treat this area as a spring troll area that will be managed under provisions of 5 AAC 29.090(d)(1)(D).

Department:

- This area is no longer used by the department as an index of pink and chum salmon abundance.
- The department currently has the regulatory authority to establish this area as a spring troll area to be managed under provisions of 5 AAC 29.090 and intends to do so.
- Spring troll fisheries are managed for king salmon, not pink and chum salmon. However, pink and chum salmon harvested incidentally to king salmon may be retained and sold.
- If the area is managed as a spring troll area, it could be open longer and the resultant king salmon catch may be greater than it is as the pink and chum salmon index area with a king salmon cap of 500 fish.
- Any increase in the harvest of non-Alaska hatchery-produced (Treaty) king salmon is not expected to result in an increase in king salmon non retention and incidental catch and release mortalities during the summer troll fishery.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- Concern that operating as a spring troll area would be too restrictive and essential tender support may be unavailable.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

PROPOSAL 324 – 5AAC 29.090(f). MANAGEMENT THE SPRING SALMON TROLL FISHERIES. Allow fishing 7 days a week in the Cross Sound Pink and Chum area from the second Monday in June through June 30, or until 500 king salmon are harvested.

Staff Reports: RC 3 RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 13.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 113.

Record Comments: RC 29, 42, 81, 152, 155, 235.

Narrative of Support and Opposition:

Department:

- This area is no longer used by the department as an index of pink and chum salmon abundance.
- Spring troll fisheries are managed for king salmon, not pink and chum salmon. However, pink and chum salmon harvested incidentally to king salmon may be retained and sold. \

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Support for increasing amount of fishing time available in the area.
- Proposers want to create a stable fishery for pink and chum salmon which includes seven days per week openings.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka, Elfin Cove through a panel member.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No action due to action taken on proposal 323. Jensen conflicted.

Substitute Language: None.

PROPOSAL 325 – 5AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY. Extend closing date for coho salmon troll fishery to September 30.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 8, 9, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 92, 94, 113.

Record Comments: RC 29, 42, 51, 73, 152, 155, 235.

Narrative of Support and Opposition:

Department:

- The requirements to extend the fishery are less restrictive than those to close the fishery. Data analysis may not be timely enough to close if low abundance warrants a closure.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The late season is more of a local fishery and effort will be low as boats prepare for other fisheries during this time. Trollers are currently shut down at this time, but not gillnetters.
- Support, because packers are expensive to operate and under the current regulations it is not known until immediately prior to September 20 whether the coho salmon fishery will be extended and packers required.

Opposition:

- There is an existing allocation plan for wild coho that this proposal could upset.
- This would extend burden of conservation to inside fisheries; troll extensions are currently granted in times of high abundance.
- It is easier for the department to extend the fishery past regulation closure than to close early, and can extend in specific areas of high abundance.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 326 – 5AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY. Amend regulation to delay the start of the coho salmon retention period from the current June 15 to July 10 and would extend the summer troll fishery though September 30.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 32, 89, 92, 113.

Record Comments: RC 29, 42, 152, 155, 235.

Narrative of Support and Opposition:

Department:

- During years when the first king salmon retention period is less than ten days, non-retention days for both king and coho or complete closures would be needed prior to July 10th and would reduce fishing opportunities.
- The department opposes implementation of non-retention periods for any species that will result in increased incidental mortalities.
- Coho troll catch and release mortality is estimated at 26% and could result in longer August coho closures.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- Sufficient numbers of coho are available in southern areas to open on June 15.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on the allocative issues this proposal may present but opposes the implementation of non-retention periods for any species that will result in increased incidental mortalities.

AC Positions: Support: None.
Oppose: Craig.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 327 – 5 AAC 29.110(a) MANAGEMENT OF COHO SALMON TROLL FISHERY. Extend closing date for troll fishery in portion of Behm Canal and Clarence Strait to September 30 to target coho produced at the Neets Bay hatchery.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 21, 89, 92, 94, 99, 108, 113.

Record Comments: RC 25, 29, 42, 51, 73, 111, 152, 214, 235.

Narrative of Support and Opposition:

Department:

- The department would not likely conduct test fisheries or open limited experimental fisheries in this mixed stock area.
- A management plan would need to be developed prior to establishing an fishery targeting hatchery coho outside of existing terminal harvest areas.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Support for the joint RPT plan and this proposal is supported in that plan.
- Processors would like to see access to these fish.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: While neutral on the allocative aspects of this proposal, the department opposes the concept of allowing increased fishing time in regulation in a mixed stock fishing area outside of any THA based only upon the presence of hatchery fish.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 328 – 5AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS. Amend the regulation to allow holders of transferable hand troll permits to use two powered troll gurdies.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 7, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 92, 113.

Record Comments: RC 28, 29, 42, 150, 152, 155, 192, 235.

Narrative of Support and Opposition:

- Author submitted RC 92 withdrawing this proposal in response to Department of Law's comments.

Department: None.

Department of Law:

- Proposal conflicts with CFEC regulations and is beyond the board's authority.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: While neutral on the allocative aspects of this proposal, the department opposes the proposal due to the significant management changes and increased costs and workload that would result if adopted.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action.

Board Committee Recommendation: No action due to lack of authority. Jensen conflicted.

Substitute Language: None.

PROPOSAL 329 – 5AAC 29.120 (e). GEAR SPECIFICATIONS AND OPERATIONS. Increase allowable number of hand troll gurdies to four after July 1 west of Cape Spencer.

Staff Reports: RC 3 Written Tab 17, RC 4 Oral Tab 3.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 7, 8, 12.

Timely Public Comment: RC 1, Public Comment Tab, PC 113.

Record Comments: RC 29, 42, 67, 152, 155, 194, 214, 216, 235.

Narrative of Support and Opposition:

- RC 194 submitted by author as substitute language.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Current situation unfair as power troll can fish six gurdies and hand troll only two in this area. Prior to 1981 hand trollers were allowed to fish four gurdies.
- Gear restriction was imposed due to high effort; currently there are around half as many hand troll permits available as at the time the restriction was imposed.
- It is difficult for hand trollers to work four gurdies, but if they want to in this area, let them.
- Will help Yakutat hand trollers in the difficult economic times of today.
- Proposers willing to exclude summer king salmon fishery if concession will help pass an amended proposal.

Opposition:

- Some trollers object to the current inequality of allowing power trollers to operate six gurdies west of Cape Spencer compared to the four allowed east of Cape Spencer, and feel allowing hand trollers to operate extra gurdies west of Cape Spencer will expand this inequality.
- If hand trollers want to add additional gurdies, buy a power troll permit.
- Could increase the cost of a hand troll permit for fishermen wanting to enter the fishery.
- There will be an increase in effort in the area.

SSFP: Not discussed.

PROPOSAL 329

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POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Yakutat.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus. Jensen conflicted.

Substitute Language:

5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS.

(e) No more than two troll gurdies and four fishing rods may be on board any salmon hand troll vessel. A downrigger may not be used in conjunction with a fishing rod**:**

(1) notwithstanding (e) above, no more than four gurdies may be on board a hand troll vessel following the end of the initial summer fishery king salmon opening;

(2) prior to the opening of the winter troll fishery as specified in 5 AAC 29.070(b)(1), (e) above applies;

(3) only two gurdies may be operated in waters open to commercial trolling south of the latitude of the southernmost tip of Cape Spencer;

(4) four gurdies may be operated only in the waters of the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer following the end of the first summer fishery king salmon retention period through the end of the summer troll fishery.

Proposal 305

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Movement of Sediment by Anglers and the Implications for Transporting Aquatic Nuisance Species

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Abstract

Movement of anglers among rivers presents a potential network for the spread of whirling disease *Myxobolus cerebralis* and other aquatic nuisance species (ANS). The objective of this study was to quantify the movement of anglers and the quantity of sediment they carry on angling equipment. High-use fishing access sites were randomly selected for surveying on six rivers in southwestern Montana. Survey questions focused on dates and locations of angling trips in the past 30 d, equipment cleaning practices, and aquatic nuisance species awareness. In addition to the questionnaire, sediment samples were collected from boots and waders with a pressure sprayer. Median number of fishing access sites used during the previous 30 d by resident and non-resident anglers was three. Non-residents fished in more states in the previous 30 d than residents and traveled farther distances to fish in the previous 30 d than residents. Mean quantity of sediment carried on one boot-wader leg was 8.39 g (± 1.5, 95% CI). Integration of angler movement patterns, angler numbers, and mean quantities of transported sediment suggests that anglers in southwestern Montana are potentially moving tons of sediment among fishing access sites every year, thereby making transport of ANS highly likely.

Introduction

Falling under the names alien, nonnative, and exotic, invasive species have captured attention around the world as a major force in ecosystem degradation (Sala et al. 2000). The impetus for our research developed from the following observations: preliminary research conducted by Montana Fish, Wildlife and Parks indicated that anglers in southwestern Montana were highly mobile, anglers are in contact with benthic sediment, and some aquatic nuisance species (ANS) are resilient, tolerant of environmental stresses, and are deposited in benthic sediment. Anglers have been documented transporting species such as New Zealand mud snails (NZMS) in other areas of the country. This led us to question 'are anglers in southwestern Montana unknowingly transporting ANS?'

Whirling disease *Myxobolus cerebralis* presents a good example of an ANS that could potentially be transported by anglers. *Myxobolus cerebralis* is a two-host metazoan parasite that alternates between an oligochaete worm host and a salmonid fish host in a presporogonic and sporogonic myxospore stage, respectively (Brinkhurst 1996). The myxospore stage is highly resistant to environmental stresses such as freezing, exposure to low pH, digestion by fish-eating birds and fish, and desiccation (Hoffman and Markiw 1977; Wolf and Markiw 1982; El-Matbouli and Hoffman 1991; El-Matbouli et al. 1992; Hedrick et al. 1998; Kerans and Zale 2002). These resilient features of the myxospore stage make it likely that it will persist in an environment and make the inadvertent transport of viable myxospores by humans among water bodies feasible.

The incidental transfer of *M. cerebralis* and other ANS among drainages by anglers is poorly understood. The objectives of this project were to identify the movement patterns and profile of anglers in southwestern Montana, assess angler knowledge of ANS and preventative cleaning practices, and to quantify the amount of sediment carried by anglers on boots and waders.

Methods

Anglers were surveyed at access sites on the Beaverhead, Bighorn, Gallatin, Madison, Missouri, and Yellowstone rivers in October of 2004 and between June and August of 2005 and 2006. Survey questions focused on dates and locations of fishing trips in the previous 30 d, planned fishing trips in the coming week, and their cleaning practices for angling equipment. In addition, sediment samples were taken from boots and waders with a hand-held pressure sprayer and a mild detergent (sodium hexametaphosphate). Each boot was rinsed for 30 s at 2.11 kg/cm^2 (30 psi). One of the two boot samples taken from each angler was dried in an oven and weighed to determine the amount of sediment carried by anglers. The other boot sample was frozen and assayed for the presence of *M. cerebralis* myxospore DNA with polymerase chain reaction testing (PCR).

Results

Forty percent of the surveyed anglers were Montana residents, whereas 60% where non-residents (n = 487). Mean distance traveled by Montana residents from their home was 115 km (± 17, 95% CI) and mean distance traveled by non-residents was 1,738 km (± 74, 95% CI). Median number of drainages in which they fished during the past 30 d by resident and non-resident anglers was 2. Number of fishing access sites used in previous 30 d varied from 0 to 12 (Figure 1). Distance traveled to fish 30 d prior to the survey also differed significantly between residents and non-residents ($t_{389} = 7.44$, $P = < 0.0001$) (Figure 2).

Fifty-one percent of Montana residents and 49% of non-residents reported occasionally, rarely, or never cleaning their boots and waders in between uses. Mean quantity of soil carried on one boot-leg was 8.39 g (± 1.50, 95% CI).

Integrating angler movement data, cleaning practices, and sediment quantity carried with fishing license sales data from the six counties where surveys were conducted provides an estimate of the potential soil carried by anglers in southwestern Montana. The result is approximately 2,866 kg of dry soil being moved by resident and non-resident anglers every 30 d during the summer months in southwestern Montana.

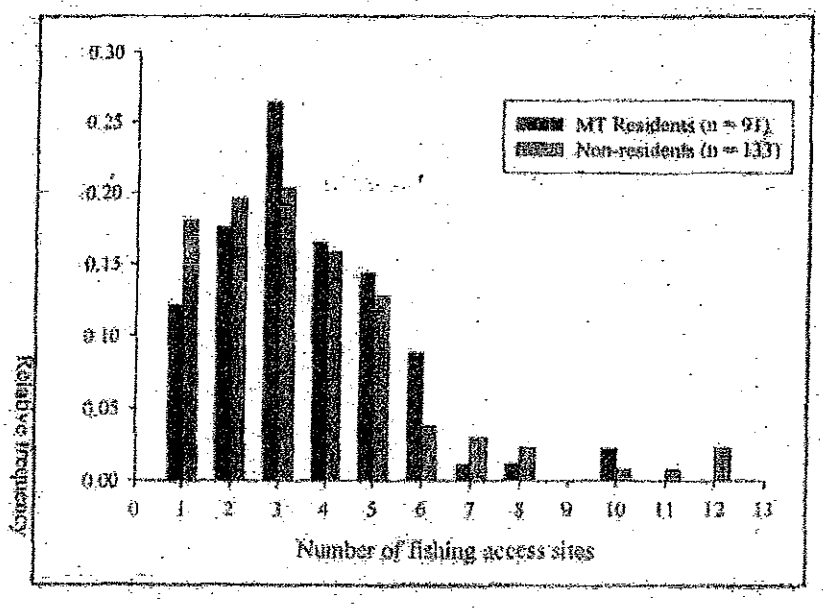

Figure 1. Relative frequency of number of fishing access sites used by Montana resident and non-resident anglers 30 days prior to being surveyd, including the survey site. Surveys were conducted during October of 2004 and between June and August of 2005 and 2006.

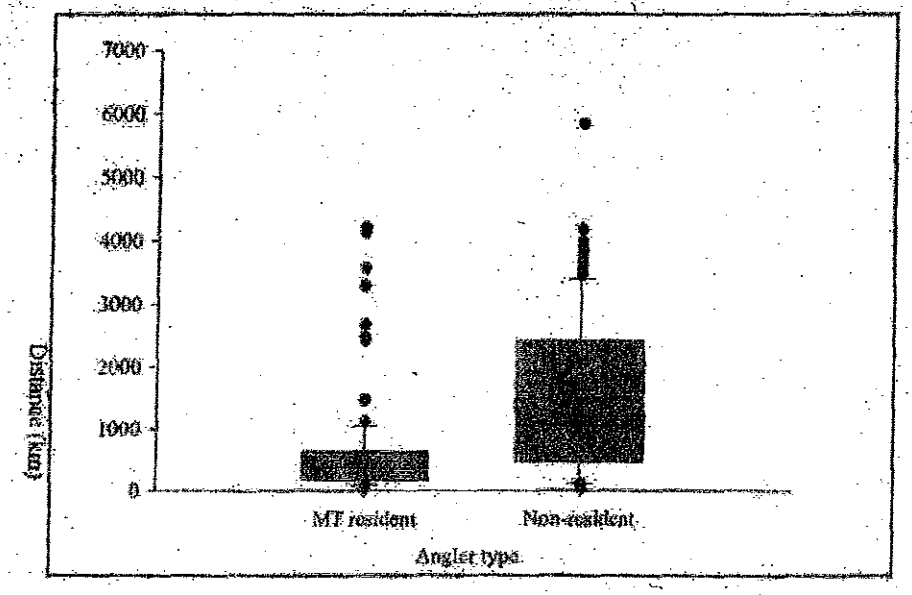

Figure 2. Distance traveled to fish by Montana reside (n=103) and non-resident anglers (n=188) during 30 days prior to being surveyed. Surveys were conducted during October of 2004 and between June and August of 2005 and 2006. Boxplots indicate interquartile range (25%, median, and 75%) and mean (dashed line). Dots indicate outliers.

Discussion

In summary, we documented frequent movement of anglers in southwestern Montana and the transport of significant quantities of sediment on boots and waders. We also documented that anglers are familiar with ANS yet, despite past educational campaigns by state agencies (i.e. Montana Fish, Wildlife and Parks) and environmental organizations (i.e. Federation of Fly Fishers), the survey revealed a departure between everyday fishing practices and aquatic disease prevention. Our research suggests that future ANS education campaigns must address sediment transport by anglers to be effective.

References

Brinkhurst, R.O. 1996. On the role of tubificid oligochaetes in relation to fish disease with special reference to the myxozoa. Annual Review of Fish Diseases 6:29-40.

El-Matbouli, M., T. Fischer-Scherl, and R. W. Hoffman. 1992. Present knowledge of the life cycle, taxonomy, pathology, and therapy of some *Myxosporea* spp. important for freshwater fish. Annual Review of Fish Diseases 3:367-402.

El-Matbouli, M. and R. W. Hoffman. 1991. Effects of freezing, aging, and passage through the alimentary canal of predatory animals on the viability of *Myxobolus cerebralis* spores. Journal of Aquatic Animal Health 3:260-262.

Hedrick, R. P., M. El-Matbouli, M. A. Adkison, and E. MacConnell. 1998. Whirling disease: re-emergence among wild trout. Immunological Reviews 166:365-376.

Hoffman, G L. and M. E. Markiw. 1977. Control of whirling disease (*Myxosoma cerebralis*): use of methylene blue staining as a possible indicator of effect of heat on spores. Journal of Fish Biology 10:181-183.

Kerans, B. L., and A.V. Zale. 2002. The ecology of *Myxobolus cerebralis*. Pages 145-166 *in* J.L. Bartholomew and J. C. Wilson, editors. Whirling disease: reviews and current topics. American Fisheries Society, Symposium 29, Bethesda, Maryland.

Sala, O. E., and 18 others 2000. Global biodiversity scenarios for the year 2100. Science 287:1770-1774.

Wolf, K. and M. Markiw. 1982. *Myxosoma cerebralis*: inactivation of spore by hot smoking of infected trout. Canadian Journal of Fisheries and Aquatic Sciences 39:926-928.

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[Management Brief]

RC 179

Adherence of *Myxobolus cerebralis* Myxospores to Waders: Implications for Disease Dissemination

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Abstract.—The vectors involved in the spread of whirling disease, which is caused by *Myxobolus cerebralis*, are only partly understood. However, the parasite has rapidly become established in many regions, suggesting that it is easily disseminated. We gained insight into transport vectors by examining the surface porosity of common wading equipment materials and the adherence of *M. cerebralis* myxospores to them. Interstitial spaces within rubber, felt, lightweight nylon, and neoprene were measured on scanning electron microscope images. Myxospores were applied to each material, the material was rinsed, and the myxospores recovered to assess adherence. The mean interstitial space size of rubber was the smallest (2.0 μm), whereas that of felt was the largest (31.3 μm). The highest recovery rates were from rubber and the glass control. Percent myxospore recovery varied by material, the recovery from felt being lower than that from all other materials. The potential for felt to carry even small numbers of myxospores suggests that the introduction of *M. cerebralis* by felt-soled wading boots is possible.

The vectors involved in the spread of whirling disease, which is caused by *Myxobolus cerebralis*, are only partly understood. The parasite has rapidly become established in many regions and is responsible for major declines of some salmonid year-classes in North America (Nehring and Walker 1996; Vincent 1996; Bergersen and Anderson 1997; Bartholomew and Reno 2002). Movements of infected fish can account for many infection sources. However, a number of infections suggest other transport vectors. For example, the stocking of rainbow trout *Oncorhynchus mykiss* into streams with wild salmonid populations in Montana ceased in the early 1970s, and thus *M. cerebralis* was probably not introduced by state agencies stocking infected fish (Vincent 1987). In addition, the disease-free status of private and federal hatcheries in Montana suggests that transport of infected hatchery fish before the 1970s was an unlikely source of the infection (Baldwin et al. 1998).

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Identification of *M. cerebralis* transport vectors is a high priority for managing the parasite. Some potential vectors include movements of infected fish, fish-eating birds, pet store trade in aquatic oligochaetes, anglers, boats, motors, and other aquatic recreational equipment (Meyers et al. 1970; Halliday 1976; Bergersen and Anderson 1997; Bartholomew et al. 2005). In addition, transfer of the parasite could result from movement of water or soil among drainages (Bergersen and Anderson 1997; Baldwin et al. 1998). Fishing access sites, in particular, can become degraded from concentrated use by humans. Degraded habitats may harbor greater abundances of the oligochaete host *Tubifex tubifex* (Zendt and Bergersen 2000), and *M. cerebralis* myxospores may be more likely to be found in such areas (Nickum and Bartholomew 2001). Further, dominance of sediments by fines has been associated with high site-specific whirling disease risk (Krueger et al. 2006). Fishing access sites may represent areas where soil, water, and myxospores are contacted by humans and moved to other sites.

Inadvertent transport of viable myxospores by humans is a potential vector of parasite introduction. The myxospore stage of *M. cerebralis* is resistant to environmental stresses, such as smoking (Wolf and Markiw 1982), aging, freezing, chemical exposure, and digestion by fish-eating birds and fish (Hoffman and Putz 1969; El-Matbouli and Hoffmann 1991). Myxospores can withstand temperatures from −20°C to +60°C (Hoffman and Putz 1971; Hoffman and Markiw 1977) and can resist biodegradation for years while retaining infectivity (Halliday 1976). Recent investigations have indicated that myxospores do not retain their infectivity after ultraviolet irradiation or complete desiccation (Hedrick et al. 2008); however, the resilient features still make it likely that myxospores will persist in the environment and survive overland transport by humans in dark, moist conditions.

The ability of anglers and recreationists to transport soil and water containing *M. cerebralis* myxospores among fishing access sites depends on the type of equipment used and the exposure of that equipment to

water and soil. The predominant materials used in the construction of wading boots and waders are rubber, felt (outer soles), lightweight nylon (breathable laminate, including Gore-Tex), and neoprene. The surface patterns and properties of these materials may dictate whether it is probable that *M. cerebralis* myxospores will adhere to them or become lodged within them when exposed.

We examined the surface patterns of rubber, felt, lightweight nylon, and neoprene and determined whether *M. cerebralis* myxospores adhered to these materials. Our goal was to contribute to a better understanding of the secondary transport mechanisms for this parasite. Such information may aid the development of effective control strategies and improve prediction of future parasite spread (Johnson et al. 2001).

Methods

Surface patterns of wading materials.—The four materials tested (rubber, felt, lightweight nylon, and neoprene) varied in both design and construction: the rubber material consisted of fabric with a rubber overlay; the felt material was a dense mat of randomly woven synthetic fibers; the lightweight nylon material included two layers of nylon, a coating, and a waterproof laminate; and the neoprene material consisted of a neoprene foam layer with fabric layers on the top and underside of the foam. Magnified images (200×) of all material types were taken with a scanning auger electron microprobe at the Montana State University Image and Chemical Analysis Laboratory. Preliminary images revealed different weave patterns between two commercial brands of lightweight nylon and neoprene. Thus, both types of both materials were examined. Lightweight materials were selected from the products that manufacturers considered to be their "value" lightweight breathable laminate waders, which sold for less than US$180 and therefore represented an affordable wader for most anglers.

The interstitial spaces within each material were measured to quantify whether myxospores could be absorbed into the material. Material images were imported into Adobe Photoshop (Adobe Systems 2003), and vertical transects were placed over each image at 1-cm intervals. Images were calibrated in SigmaScan Pro (SPSS 1999) according to the scale imprinted on each image by the scanning auger electron microprobe. Three vertical transects were selected randomly, and the interstitial spaces along each were measured to determine the average interstitial space size for each material. The images were assumed to be two-dimensional for these measurements with no account for depth of fibers. An interstitial space was defined as a gap between adjacent fibers greater than 1 μm. Although much smaller than a myxospore, 1-μm spaces were measured to characterize the material surface thoroughly.

Myxospore adherence to wading materials.—Myxospores were extracted and isolated from rainbow trout supplied by the Montana State University Aquatic Sciences Laboratory by means of the continuous plankton centrifuge method (O'Grodnick 1975). Myxospore abundance was estimated with a 0.4-mm Neubauer hemocytometer and compound microscope (Markiw and Wolf 1974). Counts were replicated three times per grid on the hemocytometer. When the three replicate counts exceeded the mean ± 10%, additional replicate counts were taken. After myxospore concentration was estimated, the sample was diluted with dechlorinated water to obtain a concentration of approximately 35,000 myxospores/mL of water. This solution was agitated for 2 min to suspend the myxospores before they were applied to wading materials.

A volume of 0.6 mL containing about 20,000 myxospores was drawn from the stock solution with a micropipette, the micropipette tip was positioned directly on the surface of the test material, and the solution was expelled onto a 3-cm^2 piece of material. The volume expelled daily varied from 0.5 to 0.7 mL, new myxospore solutions being prepared each time. The myxospore solution was left on the material for 7.5 min to allow the myxospores to settle (Gates 2006). This length of time corresponds to the settling rate of silt particles (Tan 1996), which are comparable in size and density to *M. cerebralis* myxospores. We assumed that myxospores would settle at a rate similar to that of silt particles. The settling time promoted physical contact between the myxospores in solution and the material. The material square was then rinsed for 1 s at a water pressure of 2.11 kg/cm^2 with a hand pump pressure sprayer containing water and aqueous sodium hexametaphosphate (a mild de-aggregating detergent) at a concentration of 6,200 mg $[NaPO_3]_6$/L of water (Lemmon and Kerans 2001). Sodium hexametaphosphate was added to de-aggregate myxospores (Lemmon and Kerans 2001) and simulate a mild soap solution that might be used by anglers to clean equipment. The 2.11 kg/cm^2 water pressure equals the output of a residential 15-m garden hose and therefore simulates the cleaning of angling equipment at home (Rumbarger 2003). The 1-s interval was the estimated fraction of time that a 3-cm^2 piece of a boot or wader would be sampled if the leg was rinsed from the knee down for 30 s (Gates 2006). The rinse solution was collected in a 50-mL centrifuge tube. Aqueous $[NaPO_3]_6$ was added to the rinse to increase the volume

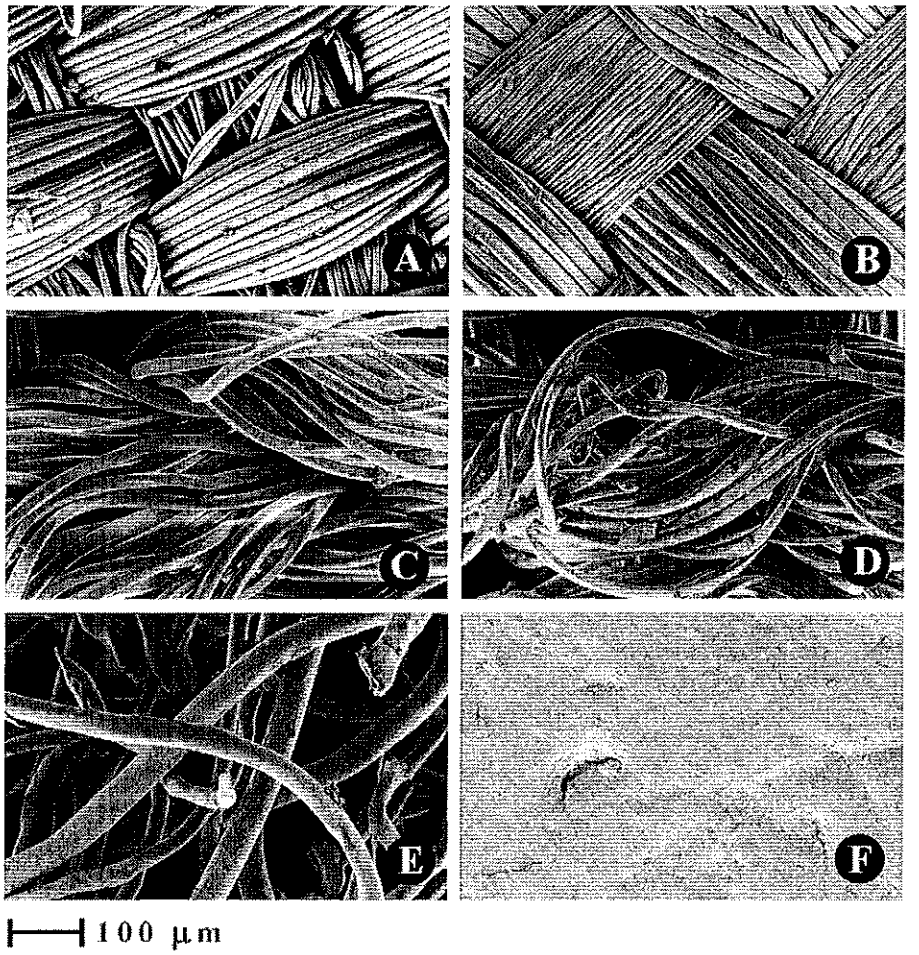

FIGURE 1.—Images of wading equipment material types at 200× magnification: (A) lightweight nylon 1, (B) lightweight nylon 2, (C) neoprene 1, (D) neoprene 2, (E) felt, and (F) rubber.

to 5 mL. The rinse solution was then agitated for 4 min by repeated inversion of the centrifuge tube to distribute rinsed myxospores evenly throughout the solution. After agitation, myxospores rinsed from the material were counted as described above. This process was performed on all six material types (rubber, felt, lightweight nylon 1, lightweight nylon 2, neoprene 1, and neoprene 2) and a glass control. Three replicates were performed to produce a mean percent myxospore recovery for each treatment (material).

Unevenly distributed myxospores in solution produced variability in the hemocytometer counting procedure, creating slight differences in the amounts of myxospores applied to each treatment (20,000 ± 3,367). Ninety-five percent confidence intervals were calculated for the myxospore quantities in each experiment to measure the variability in counts. The confidence intervals reported are actually means of several such intervals because the experiment was conducted over the course of several days and separate confidence intervals were calculated each day. All measures of variability are listed as means ± 95% confidence intervals. The confidence intervals of the myxospore quantity added to each treatment were used to calculate myxospore recovery as a percent (the number of myxospores rinsed as a function of the number exposed to each treatment) to prevent variability in the results.

An analysis of variance (ANOVA) and least-squares means multiple comparison procedure with a Tukey adjustment were used to determine whether interstitial space size and percent myxospore recovery differed among material types (SAS Institute 2005).

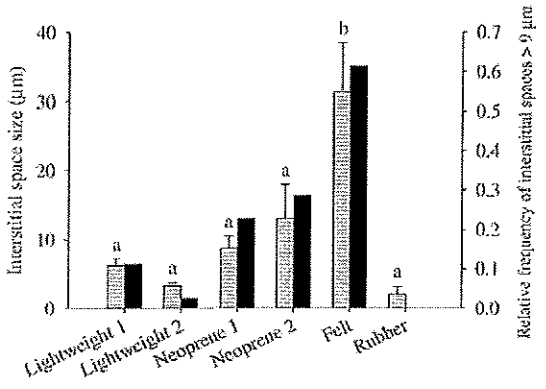

FIGURE 2.—Mean interstitial space size for lightweight nylon, neoprene, felt, and rubber materials (gray bars) and relative frequency of interstitial spaces more than 9 μm (black bars). Measurements were taken along randomly selected transects of images at 200× magnification. The values associated with gray bars with the same lowercase letter are not significantly different (error bars = 1 SE).

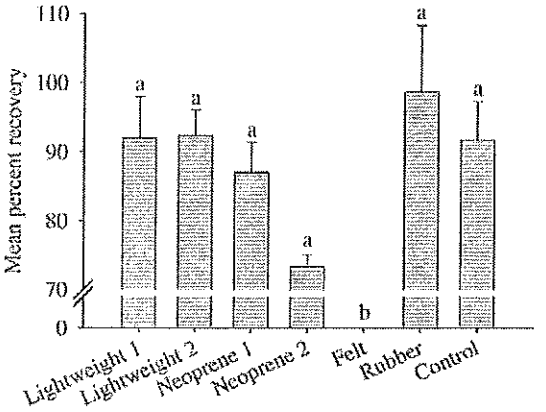

FIGURE 3.—Mean percent myxospore recovery for lightweight nylon, neoprene, felt, and rubber. The values associated with bars with the same lowercase letter are not significantly different (error bars = 1 SE).

Results

Surface Patterns of Wading Materials

Rubber had the smallest mean interstitial space size (2.0 μm) and the fewest spaces ($n = 5$; Figures 1, 2). Felt had the largest mean interstitial space size (31.3 μm). The two lightweight nylon materials had the greatest number of interstitial spaces ($n = 53$ for lightweight nylon 1, and $n = 40$ for lightweight nylon 2); however, the spaces were small (<8 μm; Figure 1). The different fiber weave patterns of the two types of lightweight nylon and the two types of neoprene caused differences in the mean interstitial space size (Figure 2). Interstitial spaces differed significantly among materials ($F_{5, 12} = 8.76$, $P = 0.001$). Felt had significantly larger interstitial spaces than all other material types (Figure 2).

Myxospore Adherence to Wading Materials

Myxospore recovery was highest from rubber and the glass control (Figure 3) and differed significantly among materials ($F_{6, 14} = 43.11$, $P = < 0.001$). The mean percent recovery from felt was significantly less than that from all other materials (Figure 3). Felt trapped all myxospores, neoprene 2 trapped 27% of myxospores, and neoprene 1 trapped 13% of myxospores.

Discussion

Any material with interstitial spaces of 9 μm or more could trap *M. cerebralis* myxospores because the myxospores are about 8.7 μm long and 8.2 μm wide (Lom and Hoffman 1971; Nehring et al. 2003). Felt and both types of neoprene had the greatest number of interstitial spaces large enough to trap myxospores. The decrease in percent of myxospores trapped among felt, neoprene 2, and neoprene 1 corresponded to decreases in mean interstitial space size.

The lightweight nylon materials trapped fewer myxospores than both types of neoprene and felt. The different weave patterns of the lightweight materials did not result in significantly different percent recoveries, but the relative frequency of interstitial spaces large enough to trap myxospores was low for both types. In addition, the lightweight materials had a water repellent layer that may have aided in rinsing the material clean.

The similar myxospore recovery for rubber and the glass control suggests that rubber wading equipment is the easiest to clean effectively. Spaces on rubber were bubbles and ridges on the surface of the material. The lack of interstitial spaces combined with the small size of the spaces suggests that rubber does not have the surface features that would trap myxospores. These results, combined with the water repellent properties of rubber, make it a good candidate for angling equipment that will not transport whirling disease myxospores and other aquatic nuisance species.

Exposure of wading equipment to myxospores in the field could occur through several different mechanisms. Myxospores in the water column could be pressed against the material by water velocity or could be encountered by stepping on or lying on top of sediments containing myxospores. Our experiments simulated water velocity by pressing the myxospore solution onto each material. The settling time provided an exposure period of several minutes to promote

physical contact between the myxospores in solution and the material. In laboratory tests, felt-soled waders exposed to myxospores by stepping on sediments containing partially decomposed whirling disease–infected rainbow trout were found to transmit the myxospore and subsequently infect the oligochaete host (P. Reno, Oregon State University, personal communication).

A small number of myxospores placed in an environment can lead to disease propagation (Stevens et al. 2001). The potential for felt to carry even small numbers of myxospores suggests that introduction of *M. cerebralis* by anglers is possible, although the processes necessary to release myxospores from felt were not explored in this study. It is possible that myxospores are not released from felt and thus do not pose a transport risk; however, waders and boots did transfer the parasite to susceptible hosts in a laboratory experiment (P. Reno, personal communication). If fishing access sites represent areas of increased whirling disease risk from habitat degradation, they may also represent sites where anglers are more likely to expose their wading equipment to myxospores. Many unanswered questions remain regarding the transport vectors and conditions necessary for proliferation of *M. cerebralis*. We recommend the use of rubber-soled wading boots over felt-soled boots in *M. cerebralis*–infected drainages because felt can retain *M. cerebralis* myxospores after exposure.

Acknowledgments

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References

Adobe Systems. 2003. Adobe photoshop CS, release 8.0. Adobe Systems, San Jose, California.

Baldwin, T. J., J. E. Peterson, G. C. McGhee, K. D. Staigmiller, C. C. Downs, and D. R. Stanek. 1998. Distribution of *Myxobolus cerebralis* in salmonid fishes in Montana. Journal of Aquatic Animal Health 10:361–371.

Bartholomew, J. L., B. L. Kerans, R. P. Hedrick, S. C. MacDiarmid, and J. R. Winton. 2005. A risk assessment based approach for the management of whirling disease. Reviews in Fisheries Science 13:205–230.

Bartholomew, J. L., and P. W. Reno. 2002. The history and dissemination of whirling disease. Pages 3–24 *in* J. L. Bartholomew and J. C. Wilson, editors. Whirling disease: reviews and current topics. American Fisheries Society, Symposium 29, Bethesda, Maryland.

Bergersen, E. P., and D. E. Anderson. 1997. The distribution and spread of *Myxobolus cerebralis* in the United States. Fisheries 22(8):6–7.

El-Matbouli, M., and R. W. Hoffmann. 1991. Effects of freezing, aging, and passage through the alimentary canal of predatory animals on the viability of *Myxobolus cerebralis* spores. Journal of Aquatic Animal Health 3:260–262.

Gates, K. K. 2006. Myxospore detection in soil and angler movement in southwestern Montana: implications for whirling disease transport. Master's thesis. Montana State University, Bozeman.

Halliday, M. M. 1976. The biology of *Myxosoma cerebralis*: the causative organism of whirling disease of salmonids. Journal of Fish Biology 9:339–357.

Hedrick, R. P., T. S. McDowell, K. Mukkatira, E. MacConnell, and B. Petri. 2008 Effects of freezing, drying, ultraviolet irradiation, chlorine, and quaternary ammonium treatments on the infectivity of myxospores of *Myxobolus cerebralis* for *Tubifex tubifex*. Journal of Aquatic Animal Health 20:116–125.

Hoffman, G. L., and M. E. Markiw. 1977. Control of whirling disease (*Myxosoma cerebralis*): use of methylene blue staining as a possible indicator of effect of heat on spores. Journal of Fish Biology 10:181–183.

Hoffman, G. L., and R. E. Putz. 1969. Host susceptibility and the effect of aging, freezing, heat, and chemicals on spores of *Myxosoma cerebralis*. Progressive Fish-Culturist 31:35–37.

Hoffman, G. L., and R. E. Putz. 1971. Effect of freezing and aging on the spores of *Myxosoma cerebralis*, the causative agent of salmonid whirling disease. Progressive Fish-Culturist 33:95–98.

Johnson, L. E., A. Ricciardi, and J. T. Carlton. 2001. Overland dispersal of aquatic invasive species: a risk assessment of transient recreational boating. Ecological Applications 11:1789–1799.

Krueger, R. C., B. L. Kerans, E. R. Vincent, and C. Rasmussen. 2006. Risk of *Myxobolus cerebralis* infection to rainbow trout in the Madison River, Montana, USA. Ecological Applications 16:770–783.

Lemmon, J. C., and B. L. Kerans. 2001. Extraction of whirling disease myxospores from sediments using the plankton centrifuge and sodium hexametaphosphate. Intermountain Journal of Sciences 7:57–62.

Lom, J., and G. L. Hoffman. 1971. Morphology of the spores of *Myxosoma cerebralis* (Hofer, 1903) and *M. cartilaginis* (Hoffman, Putz, and Dunbar, 1965). Journal of Parasitology 57:1302–1308.

Markiw, M. E., and K. Wolf. 1974. *Myxosoma cerebralis*: isolation and concentration from fish skeletal elements: sequential enzymatic digestions and purification by differential centrifugation. Journal of the Fisheries Research Board of Canada 31:15–20.

Meyers, T. U., J. Scala, and E. Simmons. 1970. Modes of transmission of whirling disease of trout. Nature (London) 227:622–623.

Nehring, R. B., K. G. Thompson, K. Taurman, and W.

Atkinson. 2003. Efficacy of passive sand filtration in reducing exposure of salmonids to the actinospore of *Myxobolus cerebralis*. Diseases of Aquatic Organisms 57:77–83.

Nehring, R. B., and P. G. Walker. 1996. Whirling disease in the wild: the new reality in the intermountain West. Fisheries 21(6):28–32.

Nickum, D., and J. Bartholomew. 2001. Whirling disease: putting the pieces together. Pages 125–126 *in* P. Schill, S. Moore, P. Byorth, and B. Hamre, editors. Wild trout VII: management in the new millennium: are we ready? Wild Trout, Symposium 7, Bozeman, Montana.

O'Grodnick, J. J. 1975. Whirling disease *Myxosoma cerebralis* spore concentration using the continuous plankton centrifuge. Journal of Wildlife Diseases 11:54–57.

Rumbarger, J. 2003. Electrical and plumbing. Pages 303–350 *in* J. Rumbarger, editor. Architectural graphic standards for residential construction. Wiley, Hoboken, New Jersey.

SAS Institute. 2005. SAS statistical software, release 9.3.1. SAS Institute, Cary, North Carolina.

SPSS. 1999. SigmaScan pro image analysis, release 5.0.0. SPSS, Chicago.

Stevens, R., B. L. Kerans, J. C. Lemmon, and C. Rasmussen. 2001. The effects of *Myxobolus cerebralis* myxospore dose on triactinomyxon production and biology of *Tubifex tubifex* from two geographic regions. Journal of Parasitology 87:315–321.

Tan, K. H. 1996. Sediment sampling, preparation, and analysis. Marcel Dekker, New York.

Vincent, E. R. 1987. Effects of stocking catchable-size hatchery rainbow trout on two wild trout species in the Madison River and O'Dell Creek, Montana. North American Journal of Fisheries Management 7:91–105.

Vincent, E. R. 1996. Whirling disease and wild trout: the Montana experience. Fisheries 21(6):32–33.

Wolf, K., and M. Markiw. 1982. *Myxosoma cerebralis*: inactivation of spore by hot smoking of infected trout. Canadian Journal of Fisheries and Aquatic Sciences 39:926–928.

Zendt, J. S., and E. P. Bergersen. 2000. Distribution and abundance of the aquatic oligochaete host *Tubifex tubifex* for the salmonid whirling disease parasite *Myxobolus cerebralis* in the upper Colorado River basin. North American Journal of Fisheries Management 20:502–512.

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Recent Press Releases

September 12, 2008
Contact:
Erin Mooney, National Press Secretary 703-284-9408

FOR IMMEDIATE RELEASE:

Trout Unlimited Asks Manufacturers to Eliminate Production of Felt-Soled Waders and Equipment by 2011
Effort will help prevent spread of aquatic nuisance species in America's rivers and streams.

SALT LAKE CITY – At its annual meeting today, Trout Unlimited (TU) asked fishing equipment manufacturers to stop producing felt-soled waders and wading shoes by 2011 to help stop the spread of aquatic nuisance species (ANS) by anglers in America's rivers and streams.

Many waders, wading boots and shoes used by anglers have felt-soled bottoms that are used to provide traction while walking in water. Felt is a material that transmits aquatic nuisance species such as New Zealand mud snails, the invasive algae called didymo and the parasite that causes whirling disease, a disease fatal to trout. Felt soles can very easily become impregnated with mud and other organic matter, and become difficult or impossible to clean and disinfect.

"While the elimination of felt soles on waders and boots will not entirely prevent the spread of ANS, this action will help reduce the risk and help protect our precious aquatic resources," said David Kumlien, executive director of the Whirling Disease Foundation. This action will also help make the public more aware of the threat of ANS and hopefully will motivate them to change their behavior and practices related to other aquatic recreational activities that may also contribute to the spread ANS."

New technology and materials provide viable alternatives to felt. Some manufacturers are already using these newer materials on wading shoes and angling products.

Preventing the proliferation of aquatic nuisance species (ANS) is central to TU's mission to conserve and protect North America's trout and salmon fisheries. The impact of ANS to native species is substantial, second only to loss of habitat, and is responsible for causing losses in biodiversity, changes in ecosystems, and impacts on economic enterprises such as agriculture, fisheries, and international trade. The costs of preventing and controlling invasive species are not well understood or documented, but estimates indicate that the costs are quite high.

"It's like a war on our streams, rivers and lakes, with a new enemy rearing its ugly head each week. First, whirling disease, then mud snails, then some invasive aquatic plant," said Jack Williams, Trout Unlimited's senior scientist. "We have to be more aggressive in our battle against the spread of invasive species."

ANS are present in many rivers, streams and lakes around the country. For example, zebra mussels were first found in Lake St. Clair near Detroit, Michigan in 1986 and now infest waters from Vermont to Oklahoma. Each year $30 million is spent in the Great Lakes to monitor and control zebra mussels, which are responsible for massive changes in the Great Lakes ecosystem including elimination of native mussels and creating toxic algae blooms. Additionally, zebra mussels are creating significant impacts on Great Lakes fishery resources and fishery restoration efforts. The invasive algae didymo, often called "rock snot", is present in rivers throughout the country, from the Upper Connecticut River in New Hampshire, to South Dakota's Rapid Creek. Didymo was first seen in New Zealand, in 2004. The country has placed a ban on felt boots for the upcoming 2008 season. A number of U.S. states where aquatic nuisance species are found have reportedly discussed the possibility of outlawing felt-soled wading equipment.

RC181

RC181

STATEWIDE SUBSISTENCE FISHERIES HARVEST MONITORING STRATEGY

Study Number FIS 00-017

FINAL REPORT

Submitted by:

Subsistence Fisheries Harvest Assessment Working Group

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December 2000

RECOMMENDATIONS FOR A UNIFIED SUBSISTENCE FISHERIES HARVEST ASSESSMENT PROGRAM

Developed by Subsistence Fisheries Harvest Assessment Working Group
December 2000

Recommendations beginning on page 2 are in **bold**. The basic justification is indented. Supporting/explanatory points are listed as "bullets." Examples are in *italics*. The Appendix contains definitions of terms.

GUIDING PRINCIPLES

Collection of accurate harvest data is an essential component of any effective resource management program.

Both baseline and time series data are needed, with frequency of updates dependent upon management and user needs.

Partnerships strengthen harvest assessment programs.

New programs need to build upon successful existing programs and coordination of programs should be a primary goal.

Programs must be developed to fit local circumstances and needs.

Costs, including the potential for long term funding sources, must be considered when designing and modifying programs.

Programs need to foster communication and trust.

Ultimately, program success depends upon acceptance by the participants in the fishery.

Program results need to be available in a timely manner, understandable to the public, and readily accessible through both written reports and a centralized database.

Collection and application of traditional ecological knowledge and other contextual information are integral components of successful harvest assessment programs.

Confidentiality of information will be protected consistent with state and federal law.

Harvest assessment programs need to be subject to systematic and periodic evaluation.

SPECIFIC RECOMMENDATIONS BY PROGRAM COMPONENT

A. General (operational plans and funding)

A.1. All programs need to develop and be guided by an operational plan.

A. 2.The essential components of an operational plan are as follows:

- **A purpose statement, including research questions and/or management issues addressed, goals, and objectives**
- **Key personnel**
- **Partnerships**
- **Coordination with other harvest assessment and resource assessment programs**
- **Description of study area**
- **Data collection methods, including data collection instruments**
- **Data analysis methods**
- **Timeline**
- **Costs: direct, indirect, and in-kind**
- **Potential uses of the data**
- **How the results will be reported back to the public**
- **Evaluation procedures, including community feedback and peer review**

Justification: presently, many programs, including some that have operated for years, have little to no written documentation of their procedures or their costs. This makes evaluation of their performance and their results difficult.

A.3. When considering the development and implementation of a harvest reporting system, the management agency needs to make a commitment to sufficient funding to design and support an effective program that is appropriate to local circumstances.

Justification: Harvest assessment programs with inadequate funding will cut corners in key components such as community outreach, follow-up data collection methods, and program evaluation. Management bodies must recognize, up-front, the differing costs of various harvest assessment methods and choose methods that are consistent with data needs and available funds.

B. Organization of programs

B.1. The management agencies responsible for the fishery must be involved in all harvest assessment programs because they are ultimately responsible for resource management. Their level of involvement may vary based upon partnership arrangements, among other factors.

Justification: the management regime (the laws under which management takes place) defines ultimate responsibility and authority for subsistence fisheries management. The Alaska Board of Fisheries and Federal Subsistence Board determine reporting requirements and other subsistence regulations. As staff, ADF&G and federal agencies are responsible for implementing the regulations and managing the fisheries.

B.2. Community and public involvement is a key element in all effective harvest assessment programs; it can take several forms and exist at a variety of levels.

Justification: Community involvement builds awareness of the program and understanding of the need for the information. It enhances communication, builds trust, and promotes understanding and acceptance on the part of subsistence fishers. For example, a tie in with existing tribal natural resource programs can help avoid duplication of effort and intrusiveness. Community involvement can also build a sense of shared ownership and responsibility for the program results.

B.3. When developing a harvest assessment program, become informed about other harvest assessment programs taking place in the communities or area, and attempt to coordinate with them.

Justification: Multiple rounds of interviewing or multiple forms to keep records on may become burdensome for fishery participants. Through community consultation, opportunities for coordination of data collection efforts might be identified. Such coordination might also result in cost savings for programs.

B.4. Fisheries harvest assessment programs must seek collaborative stewardship arrangements with tribes and user organizations, which can take a variety of forms.

See ADF&G (1999) statement on collaborative stewardship

Justification: collaborative stewardship is a strong form of partnership that will enhance understanding and acceptance of programs. A key outcome is willingness on the part of fishers to answer questions to the best of their ability during interviews and record data accurately on permit reports or calendars.

B.5. Tribal governments, at a minimum, shall be informed about all subsistence fisheries harvest assessment programs in their regions.

RC 182

Amended
Proposal 245- 5 AAC 33.364 Southeastern Alaska Area Enhanced Salmon Allocation Management Plan.

The board is requested to direct a thorough review of the Southeast Alaska Area Enhancement Plan with a view to revising and updating the plan as necessary. Among the topics that should be considered are:

1. Creating separate plans or separate catch accounting for the two regional aquaculture associations
2. Altering the compliance accounting procedures
3. Reviewing the reference base period
4. Assessing the methods to ensure equitable distribution of benefits from enhancement taxes
5. And incorporating consensus-based methods for future decision-making.

Issue: The enhanced salmon allocation plan for southeast Alaska is outdated especially for the northern region. It has not been reviewed or revised for 15 years. The plan mandates a percentage sharing arrangement for enhanced salmon that is tied to a more than 20 year old pattern of harvests by the commercial fleets, is based on active fleet sizes that are no longer accurate, employs an inappropriate statistical accounting procedure and does not adequate reflect the past twenty years of ramped up production from new and existing hatchery production.

What will happen if nothing is done? The enhanced salmon allocation applied in Northern SEAK will become even more detached from the realities of the salmon resources and salmon fisheries. Existing conflicts will continue to increase

Will the quality of the resource harvested or products produced be improved? N/A

Who is likely to benefit? Fishermen of all gear types should benefit from a more fair, equitable and secure arrangement for accessing salmon that are produced with support of enhancement taxes.

Who is likely to suffer? No one should suffer from this change if equitably put together

Other Solutions considered? (a) Staying with the status quo. The current arrangement is seriously out of date. It is also subject to inequitable manipulation. (b) Create a new enhanced allocation task force.

2-20-09

RC 183

TO: BOF

FR: DON WESLUND

RE: PROPOSAL #225

I HEREBY REQUEST THAT THIS PROPOSAL BE WITHDRAWN FROM CONSIDERATION.

DON WESTLUND

RC 184

Refer Proposal 320

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(F) when the pre-season Chinook salmon Abundance Index is at least 1.15 and the amount of the winter troll fishery GHL remaining on May 1, is 10,000 or more king salmon, the following provisions are in effect:

(i) if the number of king salmon remaining on the winter troll fishery GHL is between 10,000 and 15,000 fish, 250 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section;

(ii) if the number of king salmon remaining on the winter troll fishery GHL is greater than 15,000 fish, 500 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section.

5AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

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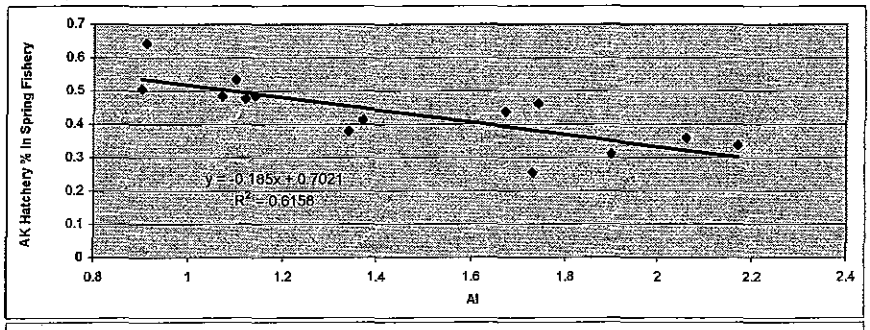
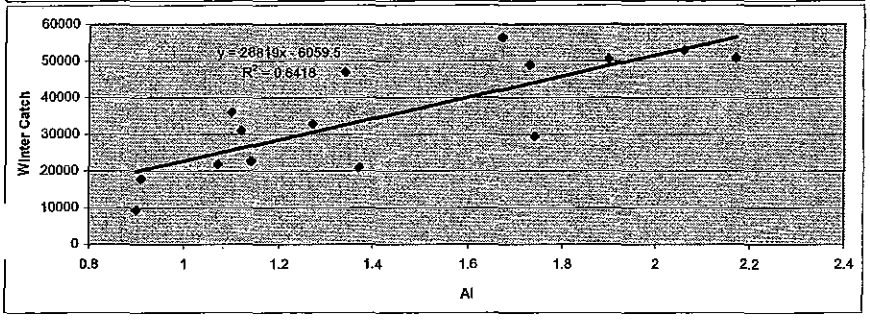
ii. if the number of king salmon remaining on the winter troll fishery GHL is greater than 15,000 fish, 500 additional non-Alaska hatchery king salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section.

There seems to be a grouping of points below 1.15 and anything lower than that provides, on average, only enough fish for the first summer opening for a 4-5 day fishery.





	Post Season	Total Winter Catch	Spring Troll AK Hatchery %	allgear	troll	spring treaty	winter treaty	Post Season Remainder for Summer		Pre Season	Pre Season Troll Alloc.	Remainder for summer 99 Agreement	1st opening	With 15% cut	New 1st opening w/15% Cut
1994	1.67	56,400	44%	253,790	197,390	9,301	54,400	133,689							
1995	0.91	17,900	64%	101,874	83,974	6,330	15,800	61,844	10 days	1.14	117,582	95,452	66,816	81,134	56,794
1996	0.90	9,400	51%	100,909	91,509	7,760	7,700	76,049	10 days	0.71	82,572	67,112	46,978	57,045	39,932
1997	1.37	21,000	41%	195,593	174,593	15,291	19,300	140,002							
1998	1.27	32,800	26%	182,342	149,542	19,235	30,400	99,907							
1999	1.12	31,000	48%	135,950	104,950	14,183	28,800	61,967	6 days	1.15	142,298	99,315	69,521	84,418	59,092
2000	1.10	36,100	53%	131,718	95,618	9,585	33,000	53,033	5 days	1.14	117,582	74,997	52,498	63,747	44,623
2001	1.14	22,600	49%	140,182	117,582	9,773	19,800	88,009							
2002	1.74	29,400	46%	263,839	234,439	14,524	27,400	192,515							
2003	2.17	50,854	34%	325,569	274,715	20,212	46,474	208,029							
2004	2.06	52,886	36%	309,777	256,891	23,503	46,710	186,678							
2005	1.90	50,464	31%	286,808	236,344	35,323	44,990	156,031							
2006	1.73	48,919	26%	262,403	213,484	40,470	44,926	128,088							
2007	1.34	46,872	38%	191,618	144,746	27,521	42,160	75,065							
2008	1.07	21,825	49%	125,371	103,546	30,333	18,885	54,328	5 days	1.07	125,371	76,153	53,307	64,730	45,311

Proposal 341

			Total Allowable Catch and Mortality of DSR in SEO[1]						
Year	TAC	Directed Fishery	Halibut Fishery	Hal Dscrd Mortality	Sport Mortality	Total SEO Mortality	Sport Pct of TAC	Comm Pct of TAC	Unused TAC
2000	340	183	94	148	80	505	23.5%	125.0%	
2001	330	172	147	122	71	512	21.5%	133.6%	
2002	350	136	153	140	87	516	24.9%	122.6%	
2003	360	102	174	107	74	457	20.6%	106.4%	
2004	450	173	155	179	104	611	23.1%	112.7%	
2005	410	42	195	162	90	489	22.0%	97.3%	
2006	410	0	205	21	77	303	18.8%	55.1%	26.1%
2007	410	0	198	20	60	278	14.6%	53.2%	32.2%
2008	382	42	148	15	70	275	18.3%	53.7%	28.0%

[1] *From Table 241-1 of RC-19 Deliberation Materials by ADF&G, Feb 17, 2009*

Significant decrease in assumed discard mortality of DSR in commercial halibut fishery starting in 2006

Commercial halibut catch limit for 2006 was quite high (10.6 million lbs)

RC 185

PROPOSAL 341: 5AAC 28.160. HARVEST GUIDELINES AND RANGES FOR EASTERN GULF OF ALASKA AREA. Increase the amount of Southeast Alaska demersal shelf rockfish (DSR) total allowable catch (TAC) allocated to the sport fisheries from 16% to 25% and decrease the amount of the TAC allocated to commercial fisheries from 84% to 75%.

Table 241-1. Total Allowable Catch (TAC) in metric tons and mortality by fishery of DSR in the Southeast Outside Subdistrict (SEO), 1982–2008.

Year	TAC (mt)[1]	Directed Fishery	Halibut Fishery	Halibut Discard Mortality[3]	Sport Mortality[4]	Subsistence	Total SEO Mortality	Sport Percent of TAC
1982		106	14		28		148	
1983		161	15		29		205	
1984		543	20		15		578	
1985		395	100		13		512	
1986		451	43		20		514	
1987		803	52		18		873	
1988	660	515	37		21		573	3.20%
1989	420	356	119		15		490	3.60%
1990	470	207	136		17		360	3.60%
1991	425	386	119		18		523	4.20%
1992	550	364	189		16		569	2.90%
1993	800	345	272		20		637	2.50%
1994	960	283	154	175	34		646	3.50%
1995	580	177	112	108	25		422	4.30%
1996	945	345	85	179	28		637	3.00%
1997	945	267	87	217	38		609	4.00%
1998	560	241	117	190	47		595	8.40%
1999	560	235	112	174	73		594	13.00%
2000	340	183	94	148	80		505	23.50%
2001	330	172	147	122	71		512	21.50%
2002	350	136	153	140	87		516	24.90%
2003	360	102	174	107	74		457	20.60%
2004	450	173	155	179	104	23	611	23.10%
2005	410	42	195	162	90	16	489	22.00%
2006	410	0	205	21	77	24	303	18.80%
2007	410	0	198	20	60	21	278	14.60%
2008	382	42	148	15	70[5]	21[5]	275	18.30%

[1] There was no TAC prior to 1988.

[2] Halibut Fishery "Landings" for 2006–2008 also include landings from all other non DSR directed groundfish and test fisheries.

[3] Estimated based on NMFS test fishing. For 2006–2008 it is assumed to be 10% of harvest.

[4] Estimated using SWHS harvest estimates, creel species composition sampling, and catch estimates from creel sampling and logbooks.

[5] Preliminary estimate.

RC 186

LISA MURKOWSKI
ALASKA

COMMITTEES:
ENERGY AND NATURAL RESOURCES
RANKING MEMBER
JBCOMMITTEE ON ENERGY

FOREIGN RELATIONS
RANKING MEMBER, SUBCOMMITTEE ON
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(907) 543–1639

January 9, 2009

Ms. Rhoda Jensen
Mayor Pro Tempore
City and Borough of Yakutat
PO Box 160
Yakutat, Alaska 99689-0160

Dear Ms. Jensen:

Thank you for contacting me regarding the petition by the City and Borough of Yakutat to the Alaska Board of Fisheries and for sending me the City and Borough's Resolution 08 – 118. I appreciate hearing your concerns and of your attempt to have the State of Alaska Board of Fisheries consider reopening Area D for the spring king salmon troll fishery.

I am a strong supporter of the Alaska Board of Fisheries process. It is an open and transparent public process that allows the stakeholders of Alaska to participate in the management of our State's fisheries. The Board process is a large part of the success that Alaska has enjoyed in managing one of the few sustainable fisheries in the world. I applaud you for working in the process and hope the Board will address your petition. Please do not hesitate to contact me if I may be of assistance.

Again, thank you for contacting me.

Sincerely,

Lisa Murkowski
United States Senator

these data along with estimated harvests were used in a stock-recruit analysis to establish an escapement goal range for the Stikine River of 14,000 to 28,000 large chinook salmon (Bernard et al. 2000; Appendix 1.2). This *biological escapement goal* range has been reviewed and accepted by the Chinook Technical Committee, ADF&G, and the joint Transboundary Technical Committee.

Alsek River

In 1981, ADF&G set the Alsek River goal at 5,000 chinook salmon, based on the 1979 Klukshu River weir count of 3,200 and a guessed expansion factor of 1.56 for the remainder of the drainage. The Transboundary Technical Committee developed an initial system-wide escapement goal range, developed circa 1985, which was 7,200 (U.S. estimate) to 12,500 (Canadian estimate). This goal was in effect through 1991. In 1991, the joint goal was revised to an index goal of 4,700 (Klukshu weir count of escapement; Pacific Salmon Commission 1991). A stock-recruit analysis was initially developed in 1996 but underwent review by the ADF&G, CDFO (including Pacific Scientific Advice Review Committee), Transboundary Technical Committee, and Chinook Technical Committee, with subsequent revision through 1998. In the final technical report, McPherson, Etherton, and Clark (1998) recommended a revised Klukshu River chinook salmon escapement goal of 1,100 to 2,300 chinook salmon, and this revised goal was reviewed and accepted by ADF&G, the Transboundary Technical Committee, and the Chinook Technical Committee in 1998 (Appendix 1.3).

The current escapement goal was based on an analysis of the stock-recruitment relationship of parent year spawners and returning adults, using a Ricker[a] model to estimate stock-recruitment parameters. Note that the *biological escapement goal* range of 1,100 to 2,300 chinook salmon spawners counted past the Klukshu River weir is an index for the Alsek River drainage. Mark–recapture studies conducted jointly with Canada since 1997 indicate that the Klukshu River supports about one-fifth of the total spawners in the Alsek River drainage (Pahlke and Etherton 2001). It is anticipated that by 2006 a drainage-wide escapement goal for the Alsek River will be developed.

Situk River

The 1981 escapement goal was set at 5,100 fish. In 1982, the goal was revised to 2,000 large fish. In 1991, ADF&G revised the Situk River chinook salmon escapement goal to 600 large spawners based upon a spawner-recruit analysis (Unpublished memorandum available from Scott McPherson, ADF&G), which was reviewed and used by the Chinook Technical Committee. The Alaska Board of Fisheries directed ADF&G to manage the stock for a range of 600 to 750 large spawners in 1991. In 1997, ADF&G revised the Situk River escapement goal range to 500 to 1,000 large spawners, to conform to the Department's escapement goal policy and to provide a more realistic *maximum sustained yield* range for management. The Chinook Technical Committee reviewed and accepted this change in 1998.

Because the *biological escapement goal* analysis for the Situk River stock was done over 10 years ago and substantial new information has accumulated since that time, the *biological escapement goal* analysis was updated for this Alaska Board of Fisheries cycle (see Appendix 1.4). We estimated parent spawners and subsequent recruitment for the 1977 to 1994 brood

[a] for R (run size) and S (stock size) the Ricker model is parameterized as $R = \alpha S \exp\{-\beta S + \varepsilon\}$, for ε a random variable. α is defined as Rickers productivity parameter. β is defined as Ricker's carrying capacity parameter.

years. Statistical testing revealed that time series autocorrelation was present in the residuals output from a Ricker model.

We corrected for the autocorrelation and estimated stock size (S) that maximizes sustained yield (S_{MSY}, point estimate) to be 730 large spawners, and a range predicted to produce 90% of *maximum sustainable yield* of 450 to 1,050 large spawners (Scott McPherson, unpublished). This range is not substantially different from the prior *biological escapement goal* range. This analysis will be presented to the Chinook Technical Committee for review before June 2003.

Chilkat River

The 1981 escapement goal was set at 2,000 large fish, based on a guess of the fraction of the total escapement represented by the survey counts. ADF&G compiled available escapement, age, and harvest data for this stock, and a review team recommended a *biological escapement goal* range of 1,750 to 3,500 large spawners for the Chilkat River chinook salmon stock (Appendix 1.5) as measured in the annual mark–recapture program (the authors' unpublished data). This analysis has been accepted by ADF&G and will be presented to the CTC for review before June 2003.

King Salmon River

In 1981, ADF&G set the index goal at 200 large fish, based upon the prior highest survey counts of 200 spawners in 1957 and 211 spawners in 1973. In the mid-1980s, ADF&G revised the King Salmon River chinook escapement goal to 250 large spawners counted through the weir (total escapement). In 1997, ADF&G revised the goal to 120 to 240 total large fish, based upon a spawner-recruit analysis for the 1971 to 1991 brood years (McPherson and Clark 2001). This range is ADF&G's most current estimate of *maximum sustained yield* escapement and has been accepted by an ADF&G review team and the Chinook Technical Committee as a biologically based escapement goal (Appendix 1.6).

Andrew Creek

In the early 1980s, ADF&G set the Andrew Creek chinook salmon escapement goal at 750 large fish total escapement. In 1997, an initial stock-recruit analysis was developed that underwent review by ADF&G and the Chinook Technical Committee. This analysis was completed in 1998, and the technical report (Clark et al. 1998) recommended a revised *biological escapement goal* range of 650 to 1,500 large chinook salmon, which was accepted and adopted by the ADF&G and the CTC (Appendix 1.7).

Unuk River

The 1981 ADF&G goal was 1,800 large index spawners. This goal was mistakenly based upon a 1978 count thought to be 1,765 fish, which was revised downward in 1985 to 1,106 fish upon discovery that some tributary counts were entered twice. The corrected count was still the largest pre-1981 index count. In 1994, ADF&G revised the goal to 875 large index spawners, based upon a spawner-recruit analysis (McPherson and Carlile 1997), which the Chinook Technical Committee reviewed and accepted. In 1997, ADF&G revised the goal to a range of 650 to 1,400 large index spawners as recommended in the McPherson and Carlile (1997) report and in compliance with the ADF&G Escapement Goal Policy. The Chinook Technical Committee reviewed and accepted this change in 1998 (Appendix 1.8). This stock is one of those that ADF&G anticipated being updated for the current Alaska Board of Fisheries cycle. Analysis is

RC 188

Central Council
Tlingit and Haida
Indian Tribes of Alaska

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

CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA
Seventy-Third Annual General Assembly
April 16-19, 2008
Juneau, Alaska

Resolution GA/ 08-26

Title: **King Salmon Quota**

By: Yakutat Tlingit and Haida Community Council

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 26,000 tribal citizens; and

WHEREAS, The Unites States of America and the Canadian Governments have entered into a unilateral agreement to share and to protect the fish species known as the King Salmon in order to ensure the King Salmon survive and reproduce itself forever; and the agreement between the two countries will be known here, for short, as the King Salmon Quota; which sets a number or allowable amount of King Salmon that can be safely caught each year; and

WHEREAS, within the two countries, each state receives a number of King Salmon that they are allowed to be caught by all user groups within that state, such as Alaska, and it is the duty of that state to make sure they do not surpass that number of King Salmon caught by all user groups, which includes hand and power trollers. Among the states involved is the State of Alaska, and they are bound to ensure they live up to the agreement through the Department of Fish (Fisheries) and Game, that develops the regulations and enforces those regulations; and

WHEREAS, these King Salmon are caught by the regulations set forth by the Alaska Department of Fisheries and must abide to the laws of the United States and the State of Alaska Constitutions and we, as citizens must also abide by those regulations; and

WHEREAS, the State of Alaska sets openings with regulations that allow King Salmon from the Quota to be caught and one such opening known as the "Hatchery Opening". That opening is for catching King Salmon near hatcheries and closes all other areas to catching King Salmon. Only thirty-five percent (35%) caught are hatchery king salmon the other sixty-five percent (65%) are Quota King Salmon.

WHEREAS, the other areas that are closed, Fisherman and other user groups are denied their rightful share of the International King Salmon Quota that is, by right and permit, to be shared by everyone in the state that is presently bring denied them not for renewable resources problems but simply because Yakutat is not located near a hatchery; and

WHEREAS, the State of Alaska, within their constitution, forbids the State of Alaska to make regulations that deny their citizens from making a living and the closing of some areas such as Yakutat. It would be like having all the grocery stores in Juneau shut down by the State and having the residents of Juneau shop in Yakutat. The sea supplies a great part of our Grocery stores, among the most revered are the King Salmon; and

WHEREAS, Yakutat has Quota King Salmon swimming through our area and hand/power trollers have been unable to fish Quota King Salmon during the hatchery openings, thereby having a detrimental effect on the fishing elements of Yakutat (fisherman, cannery workers, grocery stores, oil companies, hardware stores, and all other businesses that depend upon fisherman); and

NOW THEREFORE BE IT RESOLVED, that the Seventy-Third General Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska convened in Juneau, Alaska on April 16-19, 2008, hereby supports (by all means necessary) Yakutat Tlingit and Haida Tribal Members and other Yakutat citizens to re-open the hand and power troll season in the areas around Yakutat for the ability to participate in the spring troll King Salmon Quota during the months of May and June, OR to have the State of Alaska "cease and desist" fishing until such time that all permits are capable of participating in said fishery.

BE IF FURTHER RESOLVED, that the Central Council of Tlingit and Haida Indian Tribes of Alaska send copies of this resolution to the Alaska Congressional Delegation, Central Council of Tlingit and Haida Indian Tribes of Alaska Tribal Judges, State of Alaska Fish and Game Departments, Alaska Senator Alert Kookesh, and Alaska Representative Bill Thomas.

ADOPTED this 19th day of April 2008, by the Seventy-Third General Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska.

CERTIFY

President William E. Martin

ATTEST

Tribal Secretary Michele Metz

RC 189

YAK-TAT KWAAN, INC
RESOLUTION 08-0927

WHEREAS, Yak-Tat Kwaan, INC is a ANCSA Native Corporation and,

WHEREAS, Yakutat has within their small community, eighteen power trollers and 69 hand trollers that depend on fishing for a living, and are presently excluded from making a living during May and June of every year since 1981,and

WHEREAS, The United States of America and the Canadian Governments have entered into a unilateral agreement to share and to protect the fish species known as the King Salmon in order to ensure the King Salmon survive and reproduce itself forever; and the agreement between the two countries will be known here, for short, as the King Salmon Quota; which sets a number or allowable amount of King Salmon that can be safely caught each year, and

WHEREAS, within the two countries, each state receives a number of King Salmon that they are allowed to be caught by all user groups within that state, such as Alaska, and it is the duty of that state to make sure they do not surpass that number of King Salmon caught by all user groups, which includes hand and power trollers. Among the states involved is the State of Alaska, and they are bound to ensure they live up to the agreement through the Department of Fish (Fisheries) and Game, that develops the regulations and enforces those regulations; and

WHEREAS, these King Salmon are caught by the regulations set forth by the Alaska Department of Fisheries and must abide to the laws of the United States and the State of Alaska Constitutions and we, as citizens must also abide by those regulations; and

WHEREAS, the State of Alaska sets openings with regulations that allow King Salmon from the Quota to be caught and one such opening known as the "Hatchery Opening". That opening is for catching King Salmon near hatcheries and closes all other areas to catching King Salmon. Only thirty-five percent (35%) caught are hatchery King Salmon. Only thirty-five percent (35%) caught are hatchery King Salmon the other sixty-five (65%) are Quota King Salmon.

WHEREAS, the other areas that are closed, Fisherman and other user groups are denied their rightful share of the International King Salmon Quota that is, by right and permit, to be shared by everyone in the state that is presently bring denied them not for renewable resources problems but simply because Yakutat is not located near a hatchery; and

WHEREAS, the State of Alaska, within their constitution, forbids the State of Alaska to make regulations that deny their citizens from making a living and the closing of some areas such as Yakutat. It would be like having all the grocery stores in Juneau shut down by the State and having the residents of Juneau shop in Yakutat. The sea supplies a great part of our Grocery stores, among the most revered are the King Salmon; and

WHEREAS, Yakutat has Quota King Salmon swimming through our area and hand/power trollers have been unable to fish Quota King Salmon during the hatchery openings, thereby having a detrimental effect on the fishing elements of Yakutat (fisherman, cannery workers, grocery stores, oil companies, hardware stores , and all other businesses that depend upon fisherman); and

NOW THEREFORE BE IT RESOLVED, that the Yak-Tat Kwaan, Inc Board of Directors met in Yakutat, Alaska on September 27, 2008, hereby supports (by all means necessary) Yak-Tat Kwaan, INC shareholders and other Yakutat citizens to re-open the hand and power troll season on the areas around Yakutat for the ability to participate in the spring troll King Salmon Quota during the months of May and June, or to have the State of Alaska "cease and desist" fishing until such time that all permits are capable of participating in said fishery.

BE IT FURTHER RESOLVED, THAT THE Yak-Tat Kwaan, Inc Board of Directors send copies of this resolution to the Alaska Congressional Delegation, Central Council of Tlingit and Haida Indian Tribes of Alaska Tribal Judges, State of Alaska Fish and Game Departments, Alaska Senator Albert Kookesh, and Alaska Representative Bill Thomas.

ADOPTED this 27th day of September 2008, by the Yak-Tat Kwaan, Inc Board of Directors.

CERTIFY

_____

Melony Jackson-Lord, Vice President

RC 190

This sign sheet is for support of the OUT OF ORDER BOARD OF FISHERIES REGULATION PROPOSAL FOR THE YAKUTAT SPRING TROLL TEST FISHERY for may-1 thru may-15, Dated Feb-13-2009.

1. [signature] - BOROUGH MGR - BOX 347, YAKUTAT 99689
2. [signature] Stone Mayor
3. [signature] chair Salmon Board
4. [signature] manager Delta Western
5. [signature] MANAGER ACCO
6. Kathy Jacobson Yakutat true Value, Box 109 Yak 99689
7. [signature] FISHERMAN PO BOX 442
8. VINCENT JACOBSON, FISHERMAN, BX 28
9. Robin Beens YCC INC Manager PO BOX 188 Yakutat 99689
10. Bob Fraker Yakutat Outfitters PO BOX 284 YAK
11. RD Kilcourty, Bewater Charter, BOX 428, YAKUTAT, AK
12. Scott Chaplunk, Captain's Seafoods BX 2 99689
13. [signature] Yakutat Seafoods BOX 419, YAKUTAT
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.

CITY AND BOROUGH OF YAKUTAT
RESOLUTION 08-118

A RESOLUTION OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA REGARDING KING SALMON QUOTA IN AREA D.

WHEREAS, the City and Borough of Yakutat, according to the 2008 Comprehensive Economic Development Strategies (CEDS) for Yakutat has a population of 606 citizens in 2007 (less twenty-five percent since 2000, which then the population was 808), and;

WHEREAS, Yakutat has within their small community, eighteen power trollers and 69 hand trollers that depend on fishing for a living, and are presently excluded from making a living during May and June of every year since 1981 and;

WHEREAS, the State of Alaska, Department of Fish and Game, division of fishery has provision for the enclosed petition with a hundred-twenty-six signatures, within the Commercial Fishing Regulation, under General Provisions, 5ACC96.626 JOINT BOARD POLICY (a) under AS 44. 62.220 that allows this enclosed Yakutat petition to be considered as a non-emergency change, since the Petition involves the re-opening to be considered as a non-emergency change, since the Petition involved the re-opening and inclusion to the 2009 Spring King Salmon Season in May and June of 2009, and ;

WHEREAS, also Under the General Provision of the Commercial Fishing Regulations, 5AAC 39.999. POLICY FOR CHANGING BOARD AGENDA (a), (1), (C), and (b) Explanation is as follows: (a), (1), (C) is to correct the elimination of Area D and others from trolling during the present Spring King Trolling Season that were grandfathered in from the year 1981 and (b) to allow all the Hand and Power Troll permits in the State of Alaska to catch their fair share of the Pacific Salmon Treaty King Salmon Quota: and;

WHEREAS, the City and Borough of Yakutat Supports the enclosed Resolution of the Tlingit and Haida Indian Tribes of Alaska that was passed in Convention unanimously this April of 2008 and applauds their effort to help our Community of Yakutat in our effort to promote a more stable economy,

WHEREAS, the City and Borough of Yakutat cannot find any passage nor law in the Pacific Salmon Treaty that forbids Yakutat "Area D" fishermen from participating in the Pacific Salmon Treat Spring Troll Fishery for King Salmon; and;

WHEREAS, the main thrust of The Pacific Salmon Bilateral Agreement pertaining to Yakutat is toward the Alsek River, which is in the United States and Also in Canada; and

WHEREAS, the 2005 Situk River Management Plan refers to a river that is the United States only and is not part of the Bilateral Pacific Salmon Treat:

BE IT RESOLVED: the City and Borough of Yakutat in our regular meeting held on, September 4, 2008 here by petitions the State of Alaska Board of Fisheries under 5 ACC 96.625 to accept this petition and to amend the present State of Alaska regulations that prevents "Area D" and other legitimate areas from participating in the Pacific Salmon Treaty Spring King Salmon Quota;

I, a resident of Yakutat, hereby sign this petition to request the State of Alaska to stop the illegal practice of using the State of Alaska Department of Fisheries regulations to forbid certain areas and user groups from catching their fair share of the Spring Quota King Salmon (between May 1, through June 30), which is in the agreement between the Canadian/United States Unilateral King Salmon Quota agreement. The King Salmon Quota is to be caught and shared by all user groups, not just the hatchery areas.

PRINTED NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Penney James	Penney James	Box 411 Yakutat	907-784-3236

I, a resident of Yakutat, hereby sign this petition to request the State of Alaska to stop the illegal practice of using the State of Alaska Department of Fisheries regulations to forbid certain areas and user groups from catching their fair share of the Spring Quota King Salmon (between May 1, through June 30), which is in the agreement between the Canadian/United States Unilateral King Salmon Quota agreement. The King Salmon Quota is to be caught and shared by all user groups, not just the hatchery areas.

PRINTED NAME	SIGNATURE	ADDRESS	PHONE NUMBER
TED VALLE SR	Ted Valle	BX 277	3266
Kenneth J Pigeon	Kenneth J Pigeon	Box 172 Yakutat 99689	(907) 784-3005
Michael D Jensen	Michael D Jensen	PO Box 93 Yakutat	907-784-3491
STEPHEN C VALE	Stephen C Vale	PO 92 YAKUTAT	NA
Clifford Williams	Clifford Williams	PO Bx 47	911
Alex Sowa		Box 116	3559
Eli Hanlon	Eli Hanlon	Box 182	3493
Shane Brown	Shane A Brown	Box 251	#3361
Andrew B. Hills	Andrew Hills	BOX 365	907-784-3602
Ronnie G Converse Sr		Box 172	907-784 3005
Jay B Hensley	Jay B Hensley	Box 428	907-784-3414

es it of Yakutat, hereby sign this petition to request the State of Alaska to stop the illegal practice of ____ the State of Alaska Department of Fisheries regulations to forbid certain areas and user groups from catching their fair share of the Spring Quota King Salmon (between May 1, through June 30), which is in the agreement between the Canadian/United States Unilateral King Salmon Quota agreement. The King Salmon Quota is to be caught and shared by all user groups, not just the hatchery areas.

PRINTED NAME	SIGNATURE	ADDRESS	PHONE NUMBER
PAUL J. TROCAR	Paul J Trocar	B. & Box 37	784-3049
SUSAN R. BOWMAN	Susan R Bowman	POBox 420	784-3836
Edward KRKOVICH	Ed Krkovich	Box 478	784-3650
CHRIS COOK	Chris Cook	Box 441	784-3380
Alice Porter	Alice Porter	Box 257	784-3092
Eric Lee	Eric Lee	Box 14	784-3092
Wanda Benson	WANDA JO BENSON	BOX 493 YAK	907 [illegible]

I, a resident of Yakutat, hereby sign this petition to request the State of Alaska to stop the illegal practice of using the State of Alaska Department of Fisheries regulations to forbid certain areas and user groups from catching their fair share of the Spring Quota King Salmon (between May 1, through June 30), which is in the agreement between the Canadian/United States Unilateral King Salmon Quota agreement. The King Salmon Quota is to be caught and shared by all user groups, not just the hatchery areas.

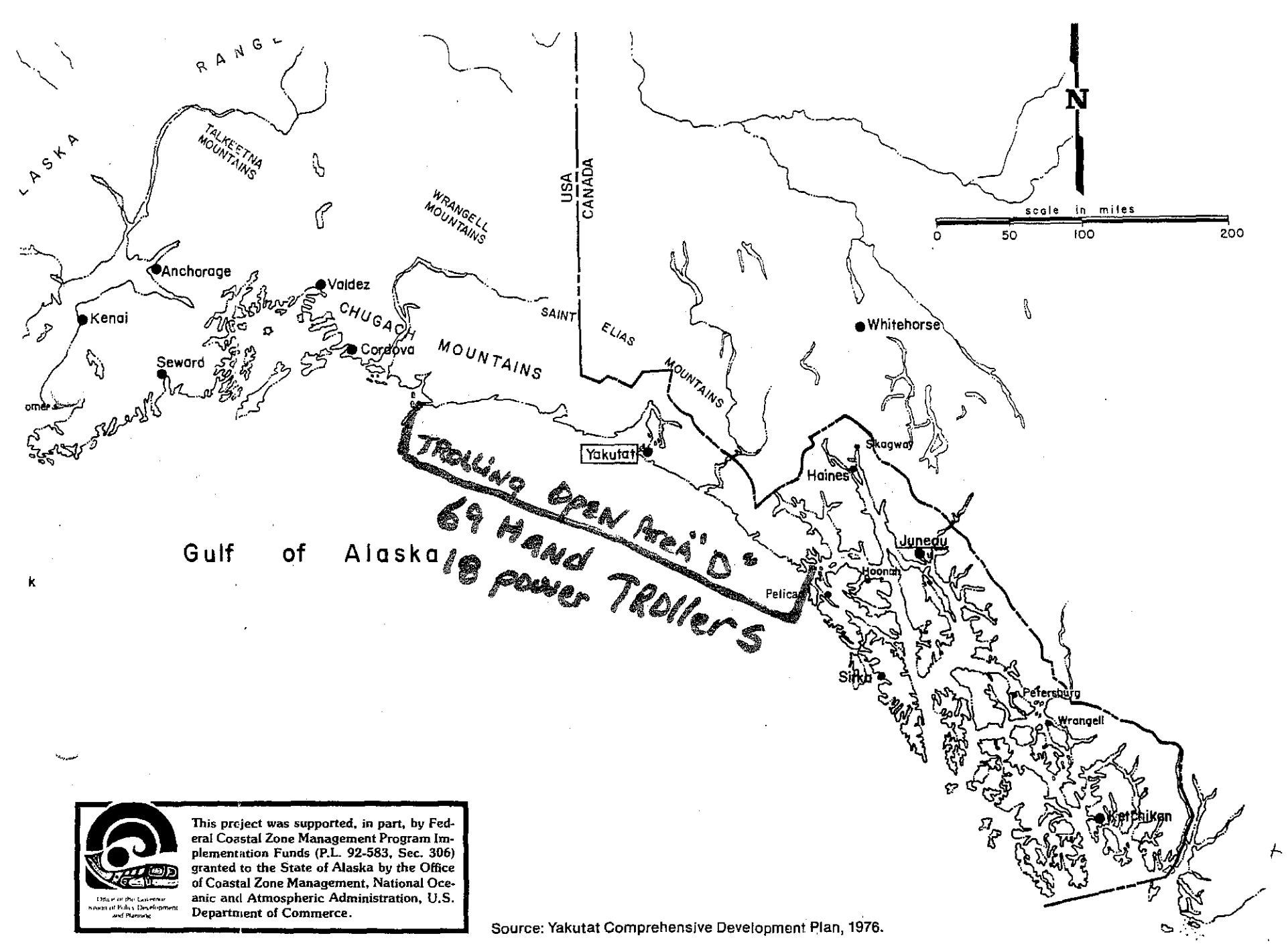
PRINTED NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Greg Dierick		PO Box 421 Yakutat	907 784 3625
Caroline Powell	Caroline Powell	PO Box 159 "	" " - 3482
	Larry Powell	P.O. Box 159 "	- 3482
	BEVERLY J. BRENNER	POB 485	3040
JEFF Fraker		PO Box 517 Yak, AK	907 784 3077
Herb Holcomb		P.O Box 114 Yak AK	907 784 3221
VIRGIL Schumacher		Po Box 168 YAKUTAT	907-784-3858
DAVID STONE		P.O Box 204, YAKUTAT	907 784 3937
GEOFF WIDDOWS		P.O. Box 342 YAKUTAT	784 3261
Brandon W. Johnson	Brandon W Johnson	P.O. Box 67 Yakutat	784-3239
CASEY MAES		PO BOX 415 YAKUTAT	3307
[illegible]		P.O Box 415 Yakutat	3598
[illegible]		Po Box 465 Yaku AK	unknown
JAMES NELSON		P.O. Box 449 AK	3348

I, a resident of Yakutat, hereby sign this petition to request the State of Alaska to stop the illegal practice of using the State of Alaska Department of Fisheries regulations to forbid certain areas and user groups from catching their fair share of the Spring Quota King Salmon (between May 1, through June 30), which is in the agreement between the Canadian/United States Unilateral King Salmon Quota agreement. The King Salmon Quota is to be caught and shared by all user groups, not just the hatchery areas.

PRINTED NAME	SIGNATURE	ADDRESS	PHONE NUMBER
MOSES WEAVER		Box 963 Yakutat	784-3392
Crystalrose Porter		Box 257 Yakutat, AK	784-3392
[redacted]	[redacted]	[redacted]	[redacted]

I, a resident of Yakutat, hereby sign this petition to request the State of Alaska to stop the illegal practice of using the State of Alaska Department of Fisheries regulations to forbid certain areas and user groups from catching their fair share of the Spring Quota King Salmon (between May 1, through June 30), which is in the agreement between the Canadian/United States Unilateral King Salmon Quota agreement. The King Salmon Quota is to be caught and shared by all user groups, not just the hatchery areas.

PRINTED NAME	SIGNATURE	ADDRESS	PHONE NUMBER
Dennson Schumacher	Dennson Schumacher	PO Box 25	907-784-3046
Alex Ekis	Alex Ekis	Box 50	907-784-5000
Jesse Pavlik		Box 256	(907) 784-3990
Donald Pate	Donald L Pate	PO Box 402	907-784-3347
Carrie Nelton	Carrie Nelton	388	784-3172
Emily Dierick			
Rick Newlun	Rick Newlun	291	3241
Ingrid L Shadden		P.O. Box 74	784-3270
Ron Pelissier		Box 496	784-3545
Erving J Gross	Erving J Gross	Box 475	784 3358
	Mark Morton	Box 388	784-3172



This project was supported, in part, by Federal Coastal Zone Management Program Implementation Funds (P.L. 92-583, Sec. 306) granted to the State of Alaska by the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

Source: Yakutat Comprehensive Development Plan, 1976.

2/21/09

RC 191

TO: St of Ak. Board of Fisheries

FROM: Charles Fogle
F/V Invincible
Incentive
LADY Aleutian

RE: Equal split herring fishery

NUMBER OF PAGES INCLUDING THIS ONE: 2

Attn. Board.

I was down in Sitka tues. wed. + thurs of this week + testified against proposals 209 + 210. There was no momentum or legal way the Board could Allocate a st. water fishery. At the Dec meeting in Cordova steven Daugherty stated that the Board did not have authority to Allocate state Fisheries & pts all around the state did not attend this meeting, because everybody thought it was a dead Issue. I just Bought

my permit for 400k four year ago. I will be financially Burden if you allow this fishery to become equal split. I will lose ~~my~~ Jobs for my two tenders and I will not be able to employ as many people, if it goes equal split. Equal split will Be devestating for hundreds of Jobs in the fleet, communities, and Pilots The ramifications of a rationalized Fishery are endless. I know this because I am involved in the massive problems Due to BSAI Crab rationalization. In this fragile time our economy is in the state of AK. cannot put more people out of work. I apologize for the hand written note. I just heard about this + am frantically trying to express my concern - Thanks, Chuck R. Falk +

RC 192

February 21, 2009

To: The Alaska Board of Fisheries

Meeting currently in Sitka, Alaska

RE: Proposal # 209 "Equal Share Fishery"

Dear Board of Fish members,

I know this seems terribly late in the game, but it has come to many of us permit holders attention, that the BOF may be seriously considering proposal # 209. The reason that this is such a shock to many of us is that we were told that this proposal was "dead in the water" because of the Supreme Court's decision on the Chignik Cooperative.

Since I was one of the fishermen who created the Chignik Cooperative, and since I have worked intimately with the Department of Law, ADF&G, Board Members, and others to change this law to allow the Chignik Cooperative to be re-authorized, I am extremely well versed on this topic! We spent thousands of $$, hired professional lobbyists in Juneau for the past 3 years since the Supreme Court decision, and worked closely with The Alaska Department of Law to somehow "solve" the BOF dilemma in being able to allocate within a fishery. And to date, we have not had any luck in this process – or so I thought! I am a fisherman who was totally supportive of the Chignik cooperative – because that is what is was – a true cooperative where fishermen *worked together*, and where the local community benefited by what we were doing. While we were creating the Chignik Coop, I FOUGHT AGAINST the Sitka "Equal Share" fishery – because they do totally different things, and the benefit is for far fewer people!

I also have participated in the BOF process for over 20 years and have been to at least (4) prior Sitka Herring BOF meetings where the BOF discussed, studied and wrestled over the Sitka "Equal Spare" idea over and over again. Every single time, the BOF decided against the "Equal Share' fishery in Sitka because of the numerous social, economic and political problems it caused.

SO after all of this, since it was a small, single proposal for the Sitka meeting this year, most of us, even after talking to our processors, the Department of Fish and Game, and some Board members, figured that it was never going anywhere, mainly because nothing had changed with regard to the "Grunert Decision" against the Chignik coop –so many of us did not attend the Sitka BOF meeting because we were told that Proposal # 209 had no chance!

Now, we hear that the Department of Law has rendered a "new" decision with regard to the "Grunert" Supreme Court decision – apparently, they are now saying that if the BOF **forces** ALL permit holders into the exact same allocation (100% equal share) then they DO have the authority to do this! I am totally shocked by this "New" opinion, especially since I have personally been so intimately involved in trying to get the Legislature to allow the BOF to have the authority to allocate within fisheries, with regard to Chignik!

I can only assume, that since the Department of Law was so concerned that the "Grunert" decision could potential challenge the legality of the Chatham Black Cod "Equal Share" fishery, and since there has been a strong lobbying attempt to get this clarified so that the ***Sitka Equal Share fishery*** could be attempted, that now we have this "new" legal opinion by the Department of Law!

The result of this is that you, the Alaska Board of Fisheries, mainly comprised of new members, who really have no prior knowledge of the LONG history of the Equal Share battle in Sitka, are being presented with a proposal THAT SEEMS TO HAVE NO OPOSITION! **THIS IS NOT THE CASE!** There are many permit holders, Pilots, crewmembers, tender men, etc, etc , who would be negatively affected if you pass this proposal – AND THE REASON WE ARE NOT THERE TO TELL YOU, IS BECAUSE WE ALL WERE UNDER THE IMPRESSION THAT THE "GRUNERT" (CHIGNIK) SUPREME COURT DECISION WOULD NOT ALLOW YOU TO EVEN CONSIDER THIS!

I had a conversation with Dave Gordon, ADF&G manager of the Sitka Fishery a couple months ago, and we talked about the up-coming BOF meeting. Neither of us even considered the Equal Share proposal to have a chance, because we knew what the Department of Law had said about this issue! WE are totally being caught by surprise here – and it is unfair that you Board Members do not get a chance to hear the real truth about what this "Equal Share" fishery does to the Sitka Herring Fishery.

If 50 permit holders get an equal share, they will all pile on a just of couple boats, hire no pilots, no crew, need way fewer tenders, and bring all the fish to the dock in Sitka to just a few processors. This sounds like good "Economic" sense – but is much like paying the Wall Street big-wigs huge bonuses! The city of Sitka will suffer huge economic loss! Instead of 500-600 permit holders, crew members, pilots, tender men, processors showing up in Sitka in March – a much appreciated time of year for the businesses of Sitka; only a few permit holders will show up to TAKE their "Equal Share' out of Sitka sound, and like a bunch of Carpet Baggers, leave with their $$, and have minimal financial impact on Sitka. Pilots will no longer be needed, crew no longer needed, tenders no longer needed, and several processors completely eliminated from the fishery.

YES – this may sound good for some of us permit holders, BUT what you BOF members, who have not heard all this SEVERAL times before don't realize, are all of the downstream affects that this has on the Sitka Community! I am personally shocked that the Department of Law changed their mind on this issue, and THAT is why NONE of us who are opposed to this fishery are there in Sitka to tell you! PLEASE DO NOT APPROVE PROPOSAL # 209 – without hearing ALL of the facts on this LONG, well discussed battle!

There are many new permit holders who have paid huge amounts of money for these Sitka permits, and who have invested a tremendous amount of $$ in vessels and gear specifically for the Sitka Herring fishery. They did this AFTER believing that this "Equal Share" idea was long dead! It has been heard in front of the BOF over and over again and voted down every time! Nothing has changed, except for a new Department of Law Opinion!

I have compiled a list of permit holders and pilots in just a couple of hours, who are ABSOLUTLEY AGAINST THIS PROPOSAL!! I am sure there are more, and obviously processors, hundreds of crewmembers who would be out of jobs, tenders etc. who are against it as well. I don't believe that the businesses and people of Sitka even have a clue as to how devastating your decision would be! They have not had a chance to be heard from either. We would have been in Sitka to tell you all of this past history, if it had not been for this totally unexpected, last minute change of opinion from the Department of Law!

Please feel free to contact me to discuss any of this history or my involvement in the fishery - and I can give you phone numbers for the fishermen and pilots below if you wish to speak with them! PLEASE do not shove this management regime down our throats, without even hearing all of the past history, AND from all of the participants!!

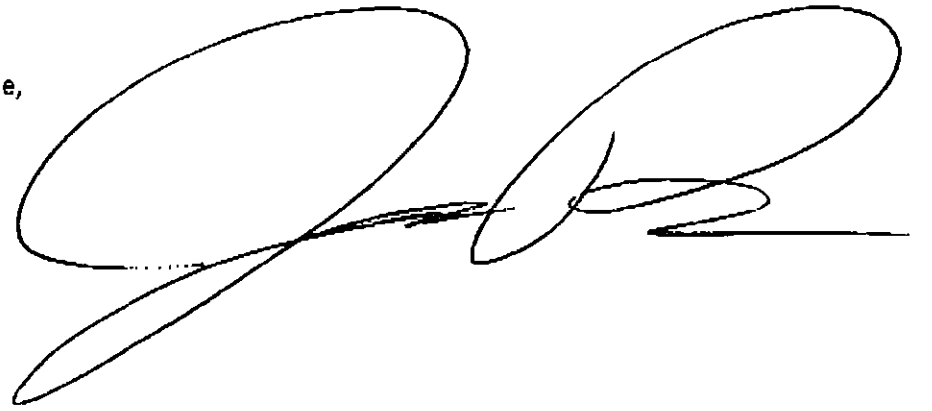
Thank you very much for your time,

Sincerely,

Jamie Ross

F/V "Shadowfax"

Homer, Alaska (907) 299-2081



Fishermen contacted in the last hour against Proposal # 209

Jamie Ross
Erik Fellows
Ken Jones

Beaver Nelson

Rob Nelson

Phil Fogle

Gary Suydam

Steven Suydam

Sam Mutch

Pilots against

Brad Heil
Dave Hilty
Frank Foody

Mark Engler

Billy Vollendorf

John Hillman

Merrill Dana

Dennis Thacker

Doug Reimer

RC 193

On behalf of the Juneau Chapter of Trout Unlimited I would like to withdraw our support of Proposal 292.

Thank you,

Mark Kaelke

Mark Kaelke

2/22/09

YAKUTAT A.C.
AC 194

Prop 248. In the early 80's there were no protective corridors in place to limit the percentage of fish being taken that were destined for the Situk river. There were a large number of boats that would troll back and forth right outside the mouth of the Situk 7 days a week that were having a significant impact on the Situk river coho stocks at the time, and it was felt by the local gillnet fleet that the percentage of fish being taken in this manner was uneven. Other than years of unusually high abundance, the gillnet fleet is open from Sunday noon through Wednesday noon, and closed the rest of the week to allow escapement up the river. A proposal was ratified and sent in by the Yakutat Advisory Committee and approved by the board of fish to make it so when gillnet fishing is closed to meet weekly escapement goals, trolling would be closed in state waters from approximately 10 miles east of the mouth of the Situk to Pt. Mamby(approximately 30 miles west of the mouth of the Situk.) Since that time the state has determined that having boats trolling in front of the river was a bad idea at any time when the cohos are running, and implemented permanent no trolling corridors that extent approximately 5 miles on either side of the river, and out to the 3 mile line. Over time the overall changes in prices of fish, fuel, etc., have made a lot of changes to both Yakutat's gillnet fleet, and the local and transient troll fleets. There was a time when 100-150 power trollers would fish the area described, increased costs and logistics have cut these numbers down considerably. A gillnet permit for the Yakutat area allows the permit holder to fish many ocean areas and rivers between the areas of Cape Fairweather and Cape Suckling, however most rivers that once were accessible and produced significant catches of fish for the gillnet fleet, have become cost prohibitive to fish any more. This has caused a condensing of the gillnet fleet on the only river in the district you can drive to, the Situk. With so many gillnet permits on the river, per capita catches have decreased, and caused many to look for other ways of producing cohos. There are now approximately 60 to 70 handtroll permits that are being fished out of converted gillnet skiffs and pleasure boats, many of these people are dual permit holders who aren't interested in participating in the already over crowded gillnet fishery on the Situk. There are four main problems with the current law as it is. 1) It's redundant. The state already has a permanent protective corridor in place around the mouth of the Situk, the existing 40 mile corridor that denies access to all of Yakutat bay during times of gillnet closures is excessive. The current law manages the entire Yakutat bay area which is a mixed stock area based solely on stock asessment from one river, the Situk.2) In late August and all of September the weather is such that there are many days when the small local troll fleet, comprised of mostly small boats, is forced to go 3 miles out into the open ocean in order to fish, causing a serious safety concern. 3) The current regulation has cost lost fishing time for the troll fleet during the late summer king salmon opener by prohibiting fishing anywhere inside Yakutat bay after August 7th, unless the Situk river is open to gillnetting, conserving king salmon was never the intent of this ordinance as adopted. 4) Having commercial troll closures in the described area has created an atmosphere of inequality as

YAKUTAT A. C.
RC

sportfishing aboard charter boats in this area is exempt from the ordinance and allowed to harvest fish 7 days a week. Basically the current law makes a 3 day per week super exclusive zone for the guided sportsfish fleet.

248 basically just states that the Yakutat advisory committee, which originally implemented the current law, no longer sees it as necessary, needlessly prohibitive to the troll fleet and the community of Yakutat in general, and requests that it be rescinded. THE REMOVAL OF 5 AAC 39.000(I)1 WOULD ALLOW TROLLING OF ALL SPECIES IN STATE WATERS IN ACCORDANCE WITH THE GENERAL TROLL SEASON.

Proposal 329- Up until about 1985 power trollers were allowed to use 6 lines and hand trollers 4 lines in federal waters west of cape Spencer. At that time both user groups were reduced by 2 lines in the interests of conservation. Since that time, power trollers right to use 6 lines has been reinstated, while hand trollers has not. The prevailing feeling on this amongst those who troll in this area is that if the rights to the extra 2 lines is going to be restored for one user group, then it should be restored for the other. 329 asks simply for that. There may be some who feel that this might cause hand trollers state wide to want 4 lines in the area they fish in. The simple answer to that question is; do they power troll with 6 lines in your area? The answer, of course, is no. The cape Spenser to cape Suckling area is unique in this fashion. Mathematically speaking, 3 lines should be allowed for hand trolling here where 6 power troll lines are allowed. While we can't argue against the math of this, I invite everyone to consider how hard it would be for a small hand troll vessel to drag 3 lines without driving around in a circle all day. I bet if you asked anyone who power trolls in this area, they would much rather see the hand trollers get 4 lines so they troll in straight line, rather than have a bunch of boats trolling in circles all over the drag.

The last devil's advocate question that gets bounced off of this proposal is, how many more fish would be taken if it passes. Remember, 6 or 4 lines can only be fished in federal waters, 3 miles offshore. Out of the 60 to 70 handtroll permits in this area, approximately 50 to 60 of them are being fished out of a 19 ft. open skiff, or small converted pleasure craft. the numbers of days that the handtroll fleet can even go out an fish this area is limited to flat calm days, so realistically the catches are not likely to be that significant.

Prop 314

Currently the sportfisherman utilizing the early part of the sockeye run are potentially taking home the bag limits of other sportsfishers from the latter part of the season on years of weak run strengths.

this proposal is just proper management practice. This is how it's done on almost all other heavily sport fished rivers around the state. Proposal 314 does not take away from ADFG the option to increase the bag limit once run strengths have prove to be strong, it simply starts the season conservatively in order to preserve fishing opportunity at a later date.

In the past, initial 6 fish bag limits, coupled with a weak sockeye return mid-run have caused escapement goals to fall below minimum. This causes reactionary measures to kick in, historically this means going to hook and release only.

Starting out conseratively with 3 fish limit, 6 in posession will avoid this drastic measure while maintaining the ADFG's option to increase the baglimit by emergency order on years of over abundance.

Prior to 1997 sport sockeye harvests in the Situk river were under 1% of the commercial harvests. Since 1997 there have been 2 emergency closures and a peak in the sport harvest was reached in 2004 when 35% of the sport/commercial take was attributed to sport fishing.

YAKUTAT A.C.
RC

Opening Testimony (4 lines for outside waters Cape Spencer to Cape Suckling).

The hand troll fleet west of Cape Spencer is needlessly hampered in their fishing effort by the unnecessary restriction of fishing only two lines. Up until the implementation of the limited entry in the hand troll fishery,four lines were allowed. When the limited entry system was originally enacted,there were 2162 hand troll permits in the fishery. There are now 1066 actively fishing permits. 1096 permits have been eliminated. The hand troll fleet is loosing 38 permits a year on average since 1980 and will bottom out in the near future at 734 permanent hand troll permits.

In a resolution(No.79-57 FB)by the Chairman of the board of fish,dated December 11,1979,it was stated that the troll catch would be allocated to result in an 80/20 split,(80% power troll,20% hand troll). The hand troll catch over the last ten years has averaged 6.3%.

Due to the reduction in the number of permits,the relatively low impact of the hand troll fishery,we feel that the reestablishment to four lines is warranted. We would like to see this gear change effective for the entire troll season,July-1 through the closure of the troll season.

The Troll fishery in the Yakutat area is closely tied to the management of the Situk River set-gill-net fishery. Some portions of (181-60)troll area are permanently closed during the coho troll season and others are closed when the Situk River gill-net fishery is closed. As it stands now ,when the Situk River gillnet period closes the troll fleet must move to outside waters. Power trollers can fish six lines in outside waters and hand trollers can fish only two.

Originally,the use of six lines by the power troll fleet was allowed west of Cape Spencer due to the high cost of fuel and the distance to the fishing grounds. This arbitrary limit of two lines for hand trollers is not based on any biological necessity,and unnecessarily hampers the hand troll fleet in out side waters west of Cape Spencer.

Amendments to proposal 329

Hand trollers are required to only have two hand gurdies mounted on board their vessel from October 11 to the end of the July King salmon season. Only four hand gurdies may be used from the end of the July king salmon season to September 20. As discussed in committee we all felt these two amendments would keep the effort of the summer king salmon fishery the same as the past. And by having the extra two gurdies not mounted in the winter and spring fisheries would keep fowl play to a minimum.

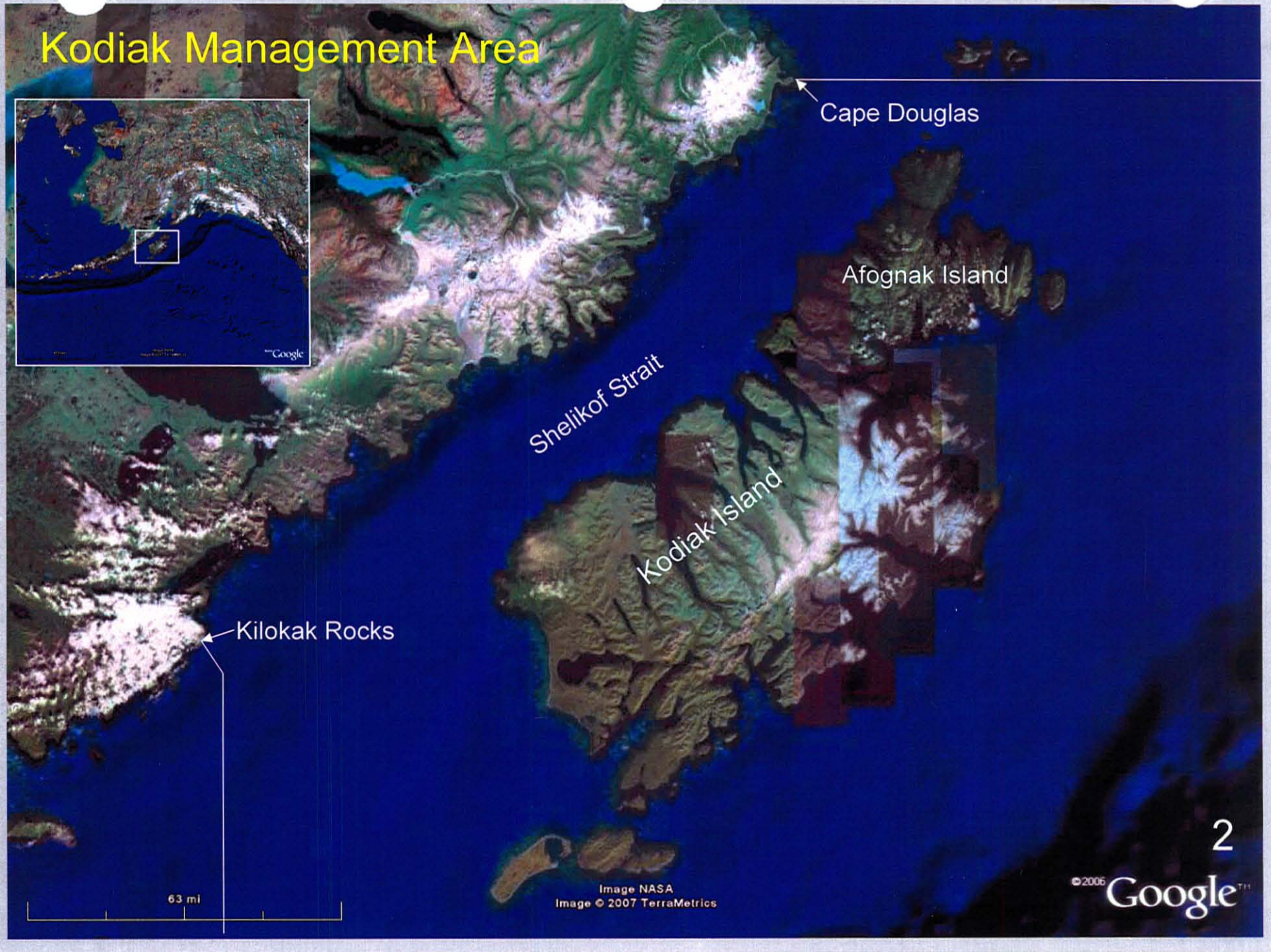
Kodiak Management Area Herring Sac Roe Fishery

by

Geoff Spalinger

Report to the Alaska Board of Fisheries

RC 195


Kodiak Management Area
Cape Douglas
Afognak Island
Shelikof Strait
Kodiak Island
Kilokak Rocks
63 mi
Image NASA
Image © 2007 TerraMetrics
©2006 Google

Harvest Strategy

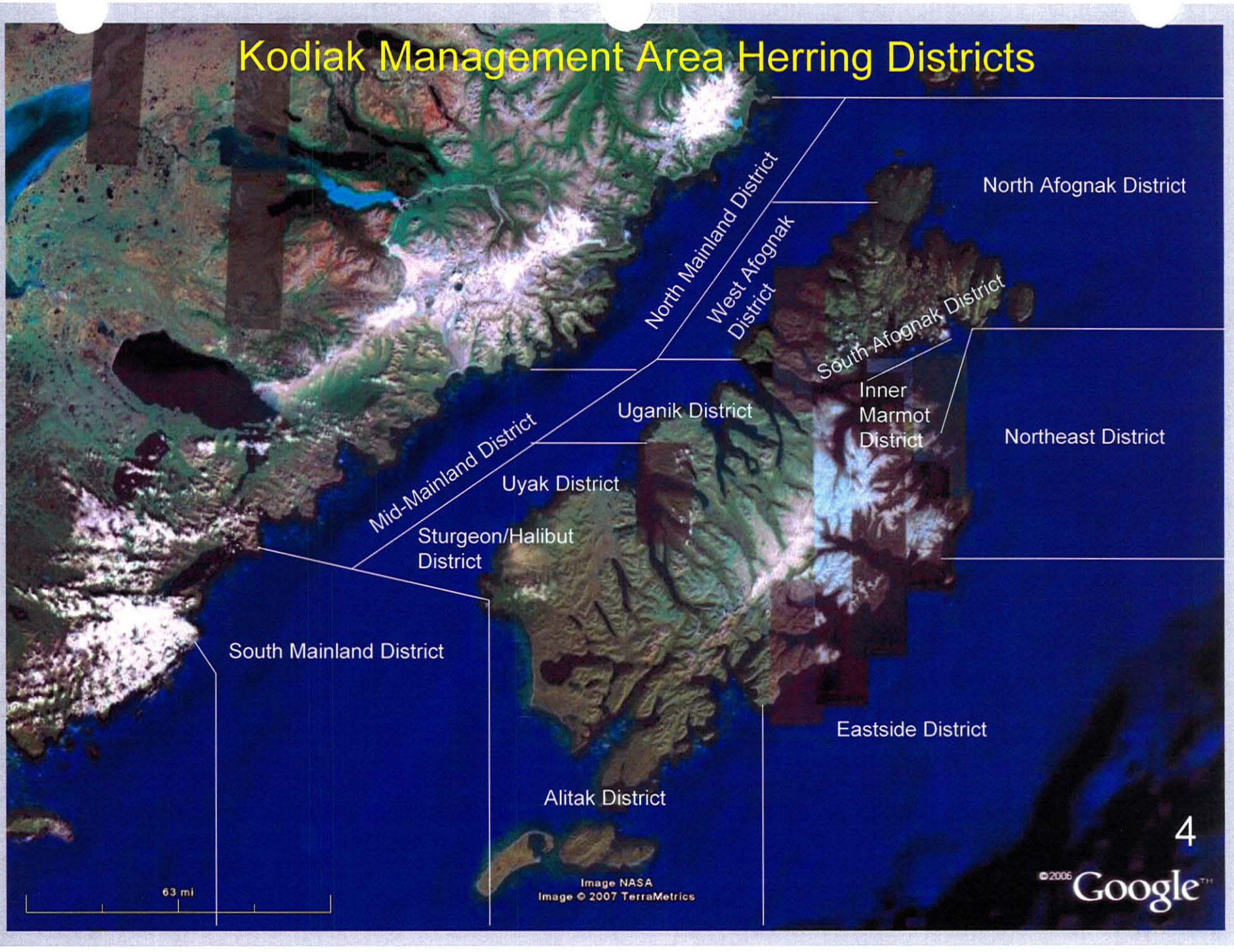
1) Season opens April 15 and closes June 30

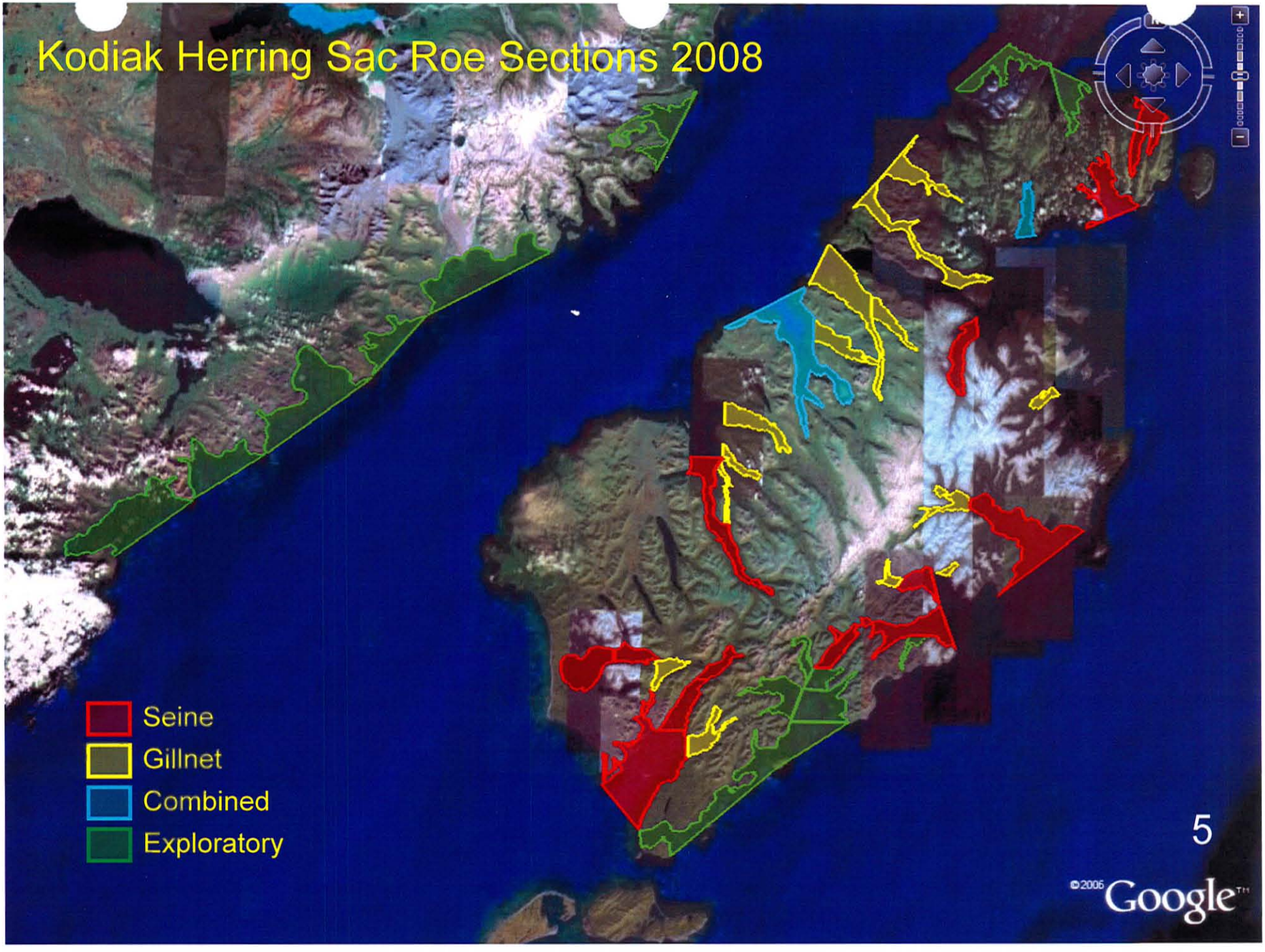
2) Gear is limited to purse seines and gillnets

3) 75% of preseason Guideline Harvest Level (GHL) to seine fleet

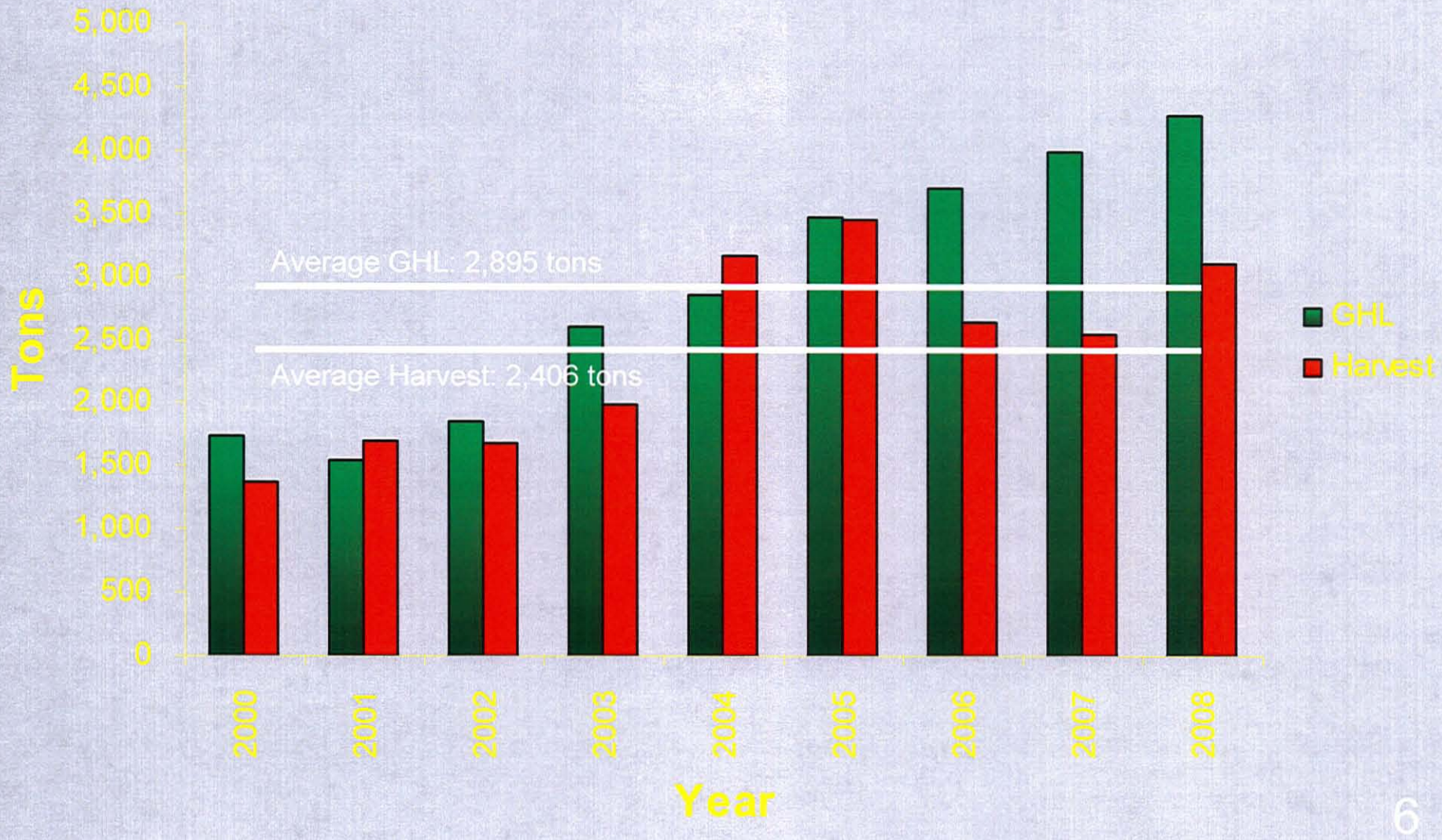
4) 25% of preseason GHL to gillnet fleet

5) Establishes separate areas for purse seines and gillnets

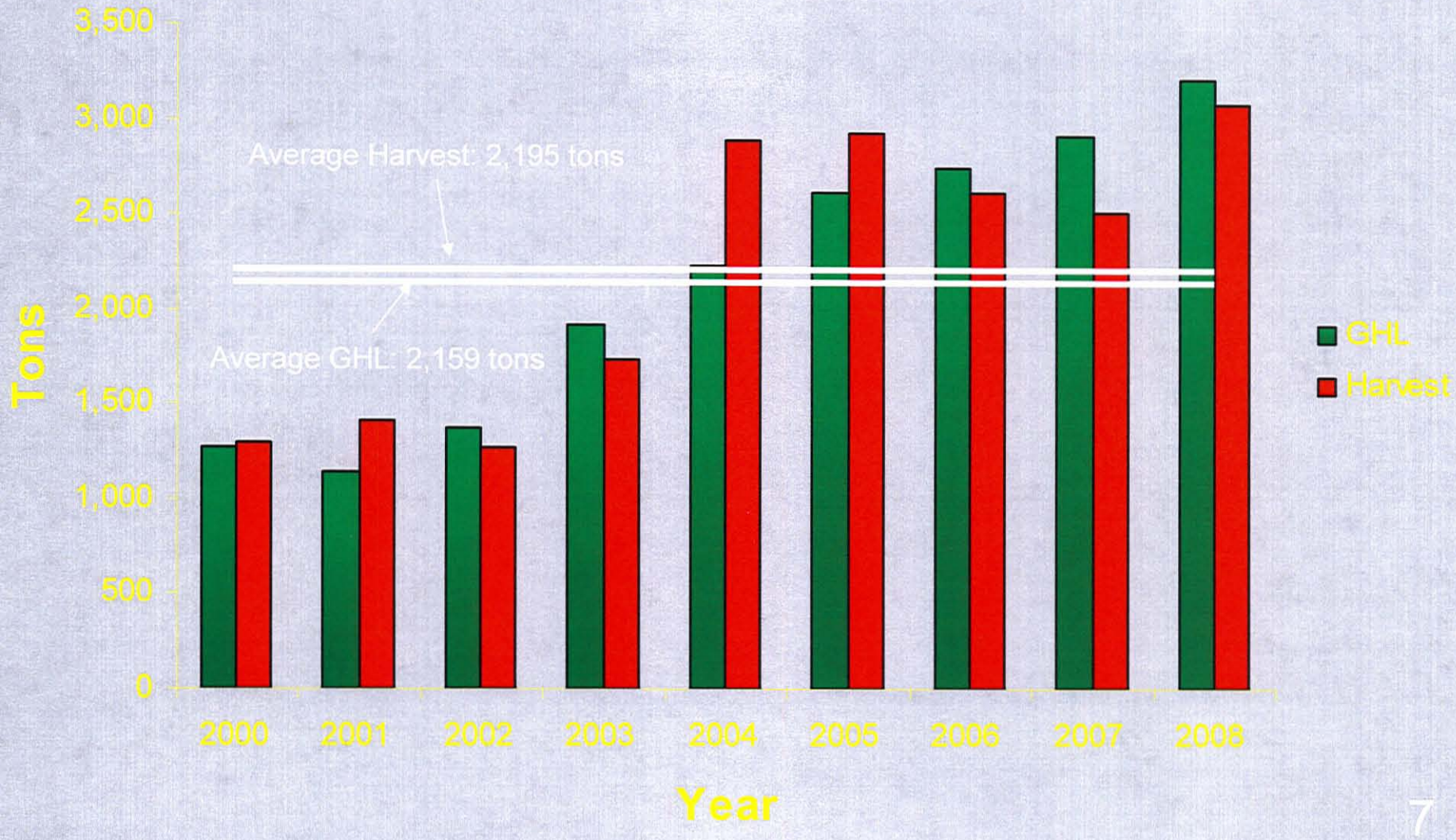

Kodiak Management Area Herring Districts
North Afognak District
North Mainland District
West Afognak District
South Afognak District
Inner Marmot District
Northeast District
Uganik District
Mid-Mainland District
Uyak District
Sturgeon/Halibut District
South Mainland District
Eastside District
Alitak District
63 mi
Image NASA
Image © 2007 TerraMetrics
©2006 Google™


Kodiak Herring Sac Roe Sections 2008
Seine
Gillnet
Combined
Exploratory
5
©2006 Google™

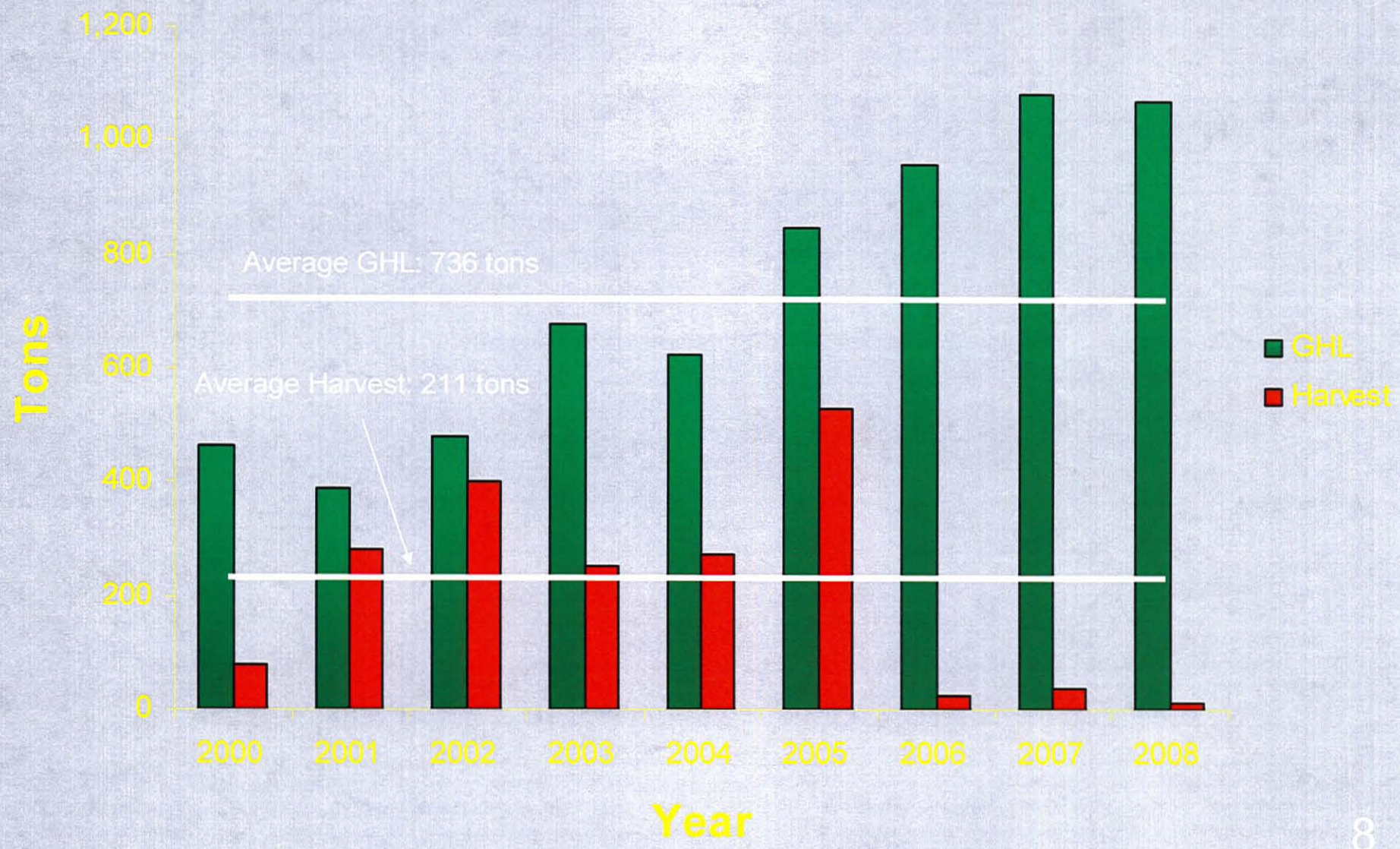
GHLs vs. Harvest, 2000 - 2008



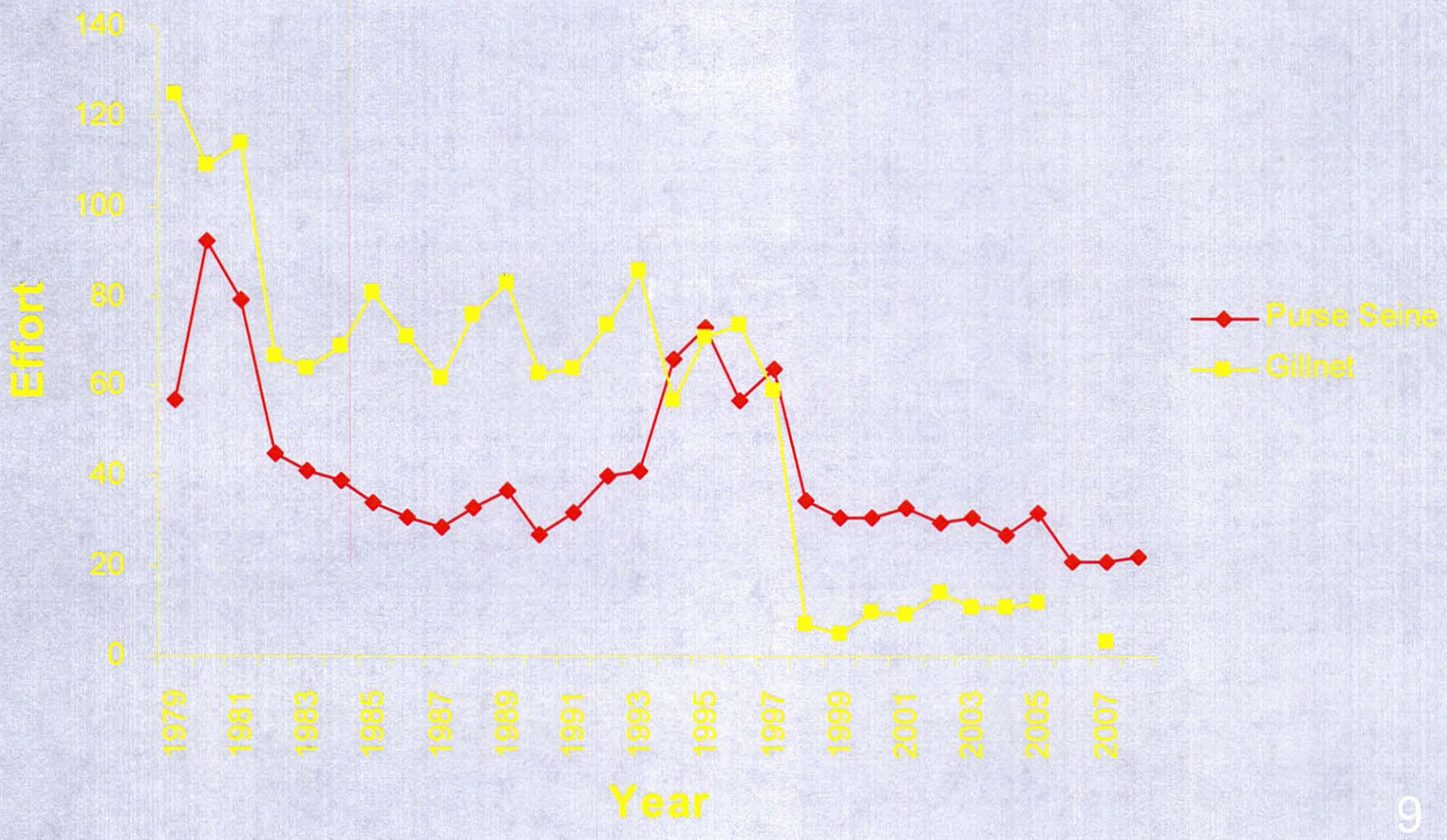
Purse Seine GHLs and Harvest, 2000 - 2008



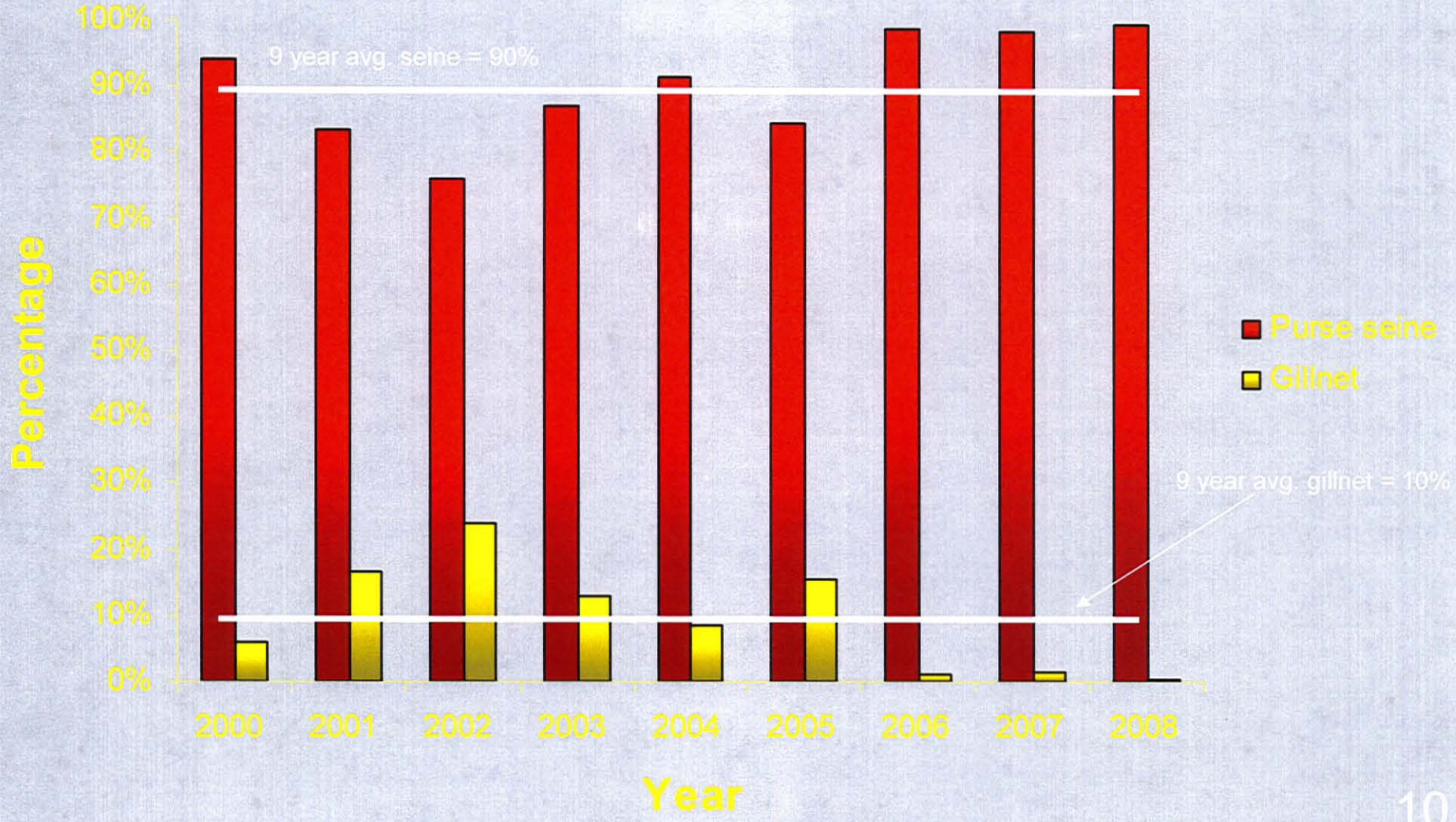
Gillnet GHLs and Harvest, 2000 - 2008



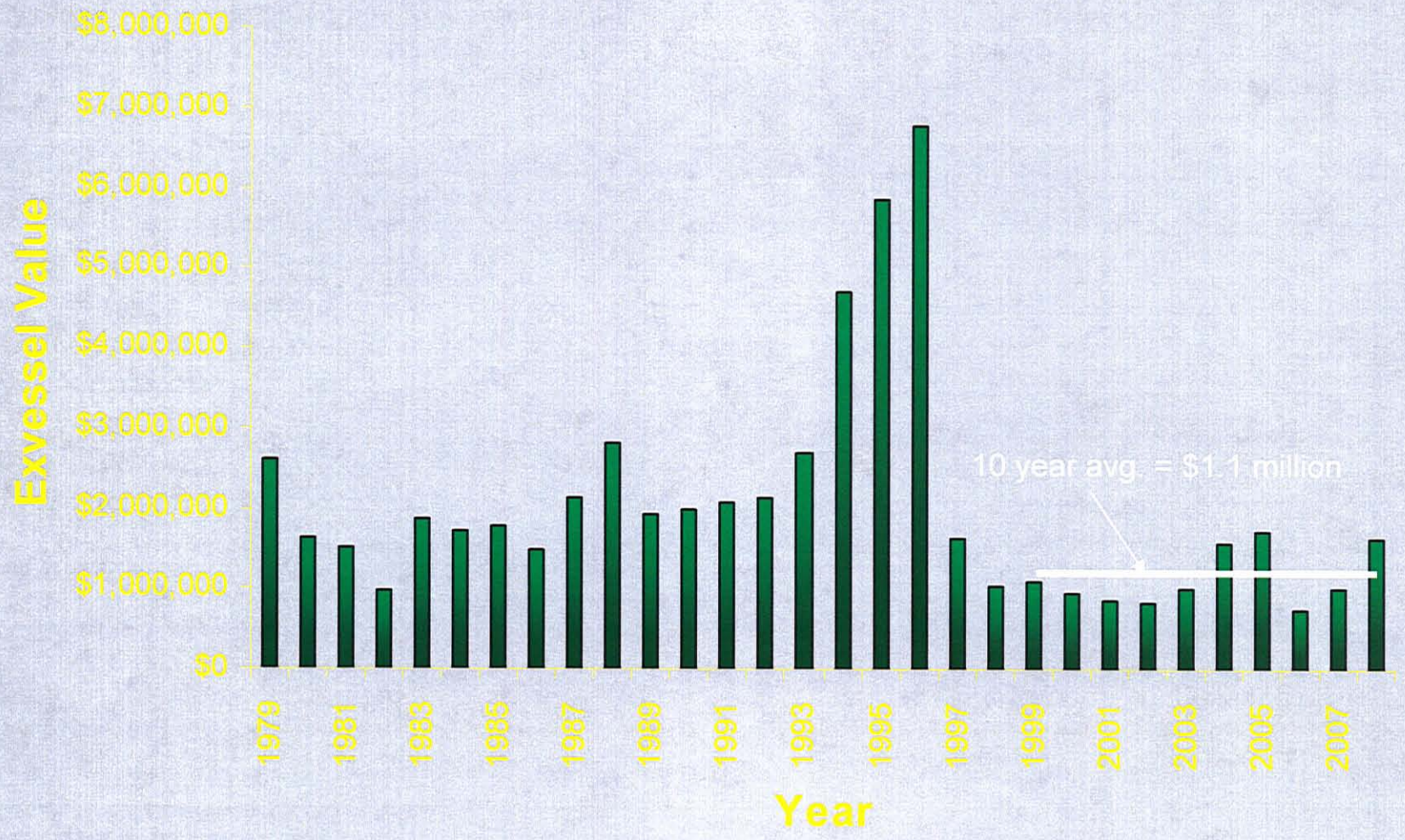
Fishery Participation by Gear Type, 1979 - 2008



Percentage of Harvest by Gear Type, 2000 - 2008



Exvessel Value, 1979 - 2008



RC196

Sitka Herring Group
410 Calhoun
Juneau, Ak. 99801

Mr. Chairman, Board members:

The following draft Equal Harvest Share (EHS) management plan for the Sitka Sound Sac roe herring seine fishery is being submitted as an attempt to present a workable format for conducting such a fishery. The plan is based on the protocols used during the so called Co-op fisheries that have already taken place in Sitka during several years when harvest of remaining quotas was deemed to be uncontrollable or necessary to optimize quality. While these EHS have allowed for a more complete and precise harvest of available quotas, the inherent difficulties in obtaining written consent of all 51 permit holders makes the present procedure largely ineffectual and arbitrary.

In addition to following, the general protocols of the previously conducted EHS fisheries, this draft plan additionally attempts to address issues that have become evident to the Sitka Herring Group and ADF&G personnel. The general issues covered in the attached plan are as follows:

a. Calculation of share amount
b. Registration and provisions to allow for "harvest pools"
c. Department "emergency order" authority, and ability to control harvest capacity during open periods, and provisions to assure equitable treatment to all permit holders
d. Provisions to limit high grading
e. Provision to limit "dumping" of lower quality sets
f. Transfer provisions to allow for the catch reconciliation and overage control
g. Tender reporting requirements
h. Accountability through dockside validation

Please consider the updated following draft management plan as a template for the development of an EHS fishery.

Sincerely, Dea Hatch
Sitka Herring Group
Feb. 21, 2009

Proposed Equal Harvest Share Management Plan for the Sitka Sound Sac Roe Fishery

In managing the commercial Sac roe herring fishery in Section 13-B north of the latitude of Aspid Cape (Sitka Sound, etc.), the department shall

1) Manage the fishery consistent with the applicable provisions of 5 AAC 27. 110 (b), 5AAC 27 .160 (g), and 5 AAC 27 .190;

2) Manage the fishery as an Equal Harvest Share fishery so that each participating and valid GO1A permit card holder shall be awarded and equal share of the annual GHL to be taken during the open season as set by the department under the following guidelines:
   a. The department shall determine the annual equal harvest share by dividing the annual guideline harvest level by the number of CFEC permits and interim use permits eligible to be fished in the fishery.

   b. All permit holders must be registered with a local representative of the department before participating, and be on board the harvest vessel during the fishery. Permit holders may register to operate in "harvest pools" that include multiple permit holders if applicable. Harvest pools shall appoint a designee to report harvest information to the department as specified in this section.

   c. The commissioner, by emergency order, will establish opening parameters including time, area, and effort levels restrictions and reporting requirements in consideration of the following:

      The department may restrict the number of active fishing vessels for any given opening as deemed necessary to provide for an orderly fishery; the number of fishing vessels shall be determined through preseason and inseason consultation with Industry in consideration of providing a fair and equal opportunity for all CFEC permit holders

      The department may require that all vessels actively fishing during an open period to report to the department immediately prior to making a set and report the outcome of the set including the location, the amount of herring harvested, roe percentage, and other information as determined by the department to be necessary for the management of the fishery. Roe samples must be available before any Fishery takes place.

      The fishery will only occur during daylight hours

d. All sets sampled at ten (10) percent and above shall be retained and completely pumped for delivery to a registered herring buyer. If excessive catch is occurring the department may close the fishery.

e. All herring in a set shall be retained and completely pumped if the transfer of herring into a vessel has been started, or if the set has been dried up, or if the herring have been held in a pursed seine net for longer than 45 minutes. No sets may be released without approval from a department representative

f. Catches in excess of an individual permit holders EHS or harvest pool cumulative EHS may be transferred to other registered permit holders or harvest pools. All proceeds from overages not transferred shall be surrendered to the state. Permit holders may be prosecuted under AS 16.05.723 for overages not transferred in excess of 5%

g. All tender vessels with herring on board must contact and provide to the department prior to leaving the fishing grounds, the amount of herring on board in tons, the name of the vessels permit holder(s) and harvest pool(s) that made the deliveries, and the name of the processing facility the herring will be landed. Also the expected date and time of arrival at he processing facility

h. Dockside validation as specified by the department shall be required for all deliveries to processing facilities

RC197

2-2209

TO: BOF

FR: DON WESLUND

RE: PROPOSAL #328

I HEREBY REQUEST THAT THIS PROPOSAL BE WITHDRAWN FROM CONSIDERATION.

DON WESTLUND

RC198

PROPOSAL 376

5 AAC 27.510. Fishing season and periods for Kodiak Area.

(4) [TO PARTICIPATE IN THE SAC ROE HERRING FISHERY, A CFEC PERMIT HOLDER MUST REGISTER WITH THE DEPARTMENT FROM APRIL 1 THROUGH APRIL 14.] **before participation in the sac roe herring fishery after May 7, a CFEC permit holder must be registered with the department.**

5 AAC 27.535. Harvest strategies for Kodiak Area

(e)(1)[(C) HARVEST OR EFFORT, OR A COMBINATION OF BOTH HARVEST AND EFFORT, THE DEPARTMENT MAY ALLOW ONE GEAR TYPE TO OPERATE IN AN AREA DURING ANY OPEN PERIOD WITHOUT REGARD TO THE ALLOCATION SPECIFIED IN THIS SUBSECTION;]

(e)**(8) notwithstanding any other provisions of this section, from May 8 through June 30, the department may open any area to any or all legal gear types.**

Oliver N Holm

PROPOSAL 376 - 5 AAC 27.535. Kodiak herring sac roe harvest strategy; 5 AAC 27.510. Fishing seasons and periods for Kodiak Area.

PROPOSED BY: Bruce Schactler.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to rescind the current allocation regulation and apply fishing time separated by time, but not area. The proposal also indicated that the allocation strategy could be reinstated when needed or justifiable.

WHAT ARE THE CURRENT REGULATIONS? Under statewide provisions **(5 AAC 27.535)(e)**, ADF&G shall manage the sac roe herring fishery to provide opportunities for gillnet permit holders to harvest approximately 25 percent and purse seine permit holders to harvest approximately 75 percent of the total preseason guideline harvest level for the Kodiak management area.

5 AAC 27.510(a) Unless otherwise provided for by emergency order, herring may be taken during the sac roe season from April 15 through June 30, as follows:

(1) from April 15 through May 7 fishing periods for purse seines are from 12:00 noon until 9:00 p.m. on odd-numbered days, and from 9:00 a.m. until 12:00 noon on even-numbered days if a harvestable surplus is available; from May 8 through June 30, fishing periods for purse seines are from 12:00 noon until 10:00 p.m. on odd-numbered days, and from 9:00 a.m. until 12:00 noon on even-numbered days if a harvestable surplus is available;

(2) from April 15 through June 30, the fishing periods for gillnets are from 12:00 noon on odd-numbered days until 12:00 noon on even-numbered days;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would eliminate the allocation strategy and change the fishing schedule as dictated in the current management plan.

BACKGROUND: A Kodiak allocative herring sac roe harvest strategy (5 AAC 27.535) was developed through a Board of Fisheries (board) Herring Task Force (established in 1999). The task force consisted of purse seine and gillnet permit holders, and department staff. The harvest strategy provides opportunity for gillnet permit holders to harvest approximately 25% and purse seine permit holders to harvest approximately 75% of the total Kodiak Management Area herring sac roe guideline harvest level (GHL).

The harvest strategy requires the department to establish GHLs by section, based on historical harvest data, current and past fishery performance, commercial catch samples, and aerial surveys. The department is then required, for each district that has more than one section open to fishing, to assign, by section, 20% to 30% of the district GHL to gillnet permit holders and 70% to 80% of the district GHL to purse seine permit holders.

During the 2005 Kodiak board meeting, several modifications were made to this allocative harvest strategy. One allowed the department to combine adjacent sections within a district and manage them as a single unit when information indicated that adjacent sections were actually a single herring stock. The plan was also changed so that purse seine and gillnet gear may be

allowed to fish the same section to achieve the allocation percentages by gear type within a district. Also, the provision concerning section harvest overages being applied to a district GHL was eliminated from the plan.

Further changes to the herring sac roe management plan occurred during the Kodiak January 2008 board meeting. A new regulation required all permit holders participating in the 2008 fishery to register with the department prior to the fishery season opening date of April 15. New regulations also allowed the department, based on the department's assessment of harvest or effort, or a combination of both harvest and effort, to allow a gear type into an area regardless of the allocation. The department attempted to use the preseason registration to ascertain district effort levels by the gillnet fleet and intended to rollover any unused gillnet allocation to the purse seine fleet. However, the gillnet fleet indicated preseason that all of their district allocations would receive gillnet effort; thus, the department did not have any gillnet allocations to rollover into the seine allocations. The current harvest strategy does not provide the department with inseason criteria to adjust allocations by gear.

In the 9 years since the inception of the allocative harvest strategy, an average of 9 gillnet permit holders have made deliveries, with an average of less than 4 making deliveries since 2006. In the 9 years prior to the allocation strategy, an average of 55 gillnet permit holders harvested herring during the sac roe fishery. The gillnet harvest percentage has declined from an average of 20% (1991 - 1999) to an average of 10% (2000 - 2008), with 1% or less occurring in the recent three years (2006 - 2008). It would be difficult to predict future harvest given the volatility of the herring sac roe market. Herring sac roe prices have increased in the previous 2 seasons; however, effort levels by gillnet permit holders remains very low.

Table 1. Kodiak Management Area herring sac roe comparison of harvested and unharvested GHLs by gear type.

			GHL by Gear Type		Harvest by Gear Type		GHL not harvested by Gear Type	
Year	Total GHL	Total Harvest	Seine	Gillnet	Seine	Gillnet	Seine	Gillnet
2000	1,735	1,370	1,270	465	1,290	80	0	385
2001	1,540	1,694	1,135	405	1,412	282	0	123
2002	1,860	1,677	1,380	480	1,274	403	106	77
2003	2,600	1,992	1,920	680	1,738	254	182	427
2004	2,850	3,167	2,225	625	2,894	273	0	352
2005	3,475	3,463	2,625	850	2,932	531	0	319
2006	3,705	2,643	2,745	960	2,617	26	128	934
2007	4,000	2,546	2,915	1,085	2,510	36	405	1,049
2008	4,290	3,099	3,220	1,070	3,086	13	134	1,057
Average 2000 to 2008	2,895	2,406	2,159	736	2,195	211	106	525
5 Year 2004 to 2008	3,664	2,984	2,746	918	2,808	176	133	742

All values are in tons.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal as written, although the department is **NEUTRAL** on the allocative aspects of the proposal. This proposal does not provide sufficient information for the department to determine how it would manage the herring sac roe fishery if this proposal is adopted.

The proposal indicates the department will manage the sac roe herring fishery similar to prior management strategies that separated gear by time. The department is unclear about exactly which management strategy is being referred to.

If this proposal is adopted, the department will need guidance from the board on establishing criteria for implementing allocations between purse seine and gillnet gear.

COST ANALYSIS: The department does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

Otto Florschutz
Wrangell AC

RC200

Alaska Board of Fish

Proposal 322
The Wrangell AC supported this proposal amended to read:

Close the Stikine River side of Greys Passage from the west end of Greys Island to the west end of Rynda Island.

RC201

RC

SEAGO withdraws support to Proposal 351.

Tom Ohaus
SEAGO

RC 202

I JeFF Fraker want to withdraw support to RC's 186 Thru 190. These RC's are for Support to Yakutats SPRing fishery. AFter reviewi These RC'SThey have Potental to harm AlASKA's Troll industries as a whole.

Jeff Fraker 2-22-09

JeFF Fraker

RC203

Proposal 341

Issue: The sport fishing sector has implemented all the management tools within their tool box except for area and time closure. To avoid use of area and time closure the following solution is offered.

Solution: Increase the sport allocation from 16% to 25% and reduce the commercial allocation from 84% to 75%.

I am opposed to Proposal 341 as written
I can support a compromised version of Proposal 341

Suggested Compromises to Proposal 341

The Bigger Issue: DSR is our "spotted owl" species for the outside waters of southeast. DSR are extremely long lived and very slow to recover once the stocks are depressed. Foremost, DSR stocks must be managed particularly conservatively. Secondary, but also exceedingly important, area and time closures must be avoided for the sport fishing sector now, and either the sport fishing or commercial sectors in the future.

A Better Solution: This allocation suggestion is humbly offered as a better approach to maintain a healthier DSR stock and avoid area and time closures.

10% - Conservation / Emergency Only Allocation*
16% Sport Fishery Allocation
74% Commercial Fishery Allocation

* Conservation / emergency only allocation will not be harvested except to avoid area and time closures by the sport fishery or commercial fishery _____plus more (develop & implement additional tools to stay within allocation) and more_____.

An Addition to the Better Solution: This solution includes the adoption of Proposal 349, a proposal that requires sport fishers to use recompression devices in the release of rockfish. The science of the West Coast and Alaska suggest "potential" promise in the "successful" release of DSR. I would suggest the ADF&G Department be very cautious and consider a very low percentage of survival of released fish. Requiring the release of rockfish will create an additional incentive to avoid rockfish. Having release many rockfish, I can state releasing rockfish is a burden to the point of avoidance. For only a few percentage points of survival I will avoid rockfish first to avoid the hassle of releasing.

Submitted by Mike Reif (commercial longline / charter fisher)

RC 204

There is an error in the regulation book that needs to be corrected. The correct wording that was passed by the Board in 2006 is shown below with the corrections UNDERLINED; ~~highlighted~~. The District 8 fishery has been managed using the correct wording the last three years and the Department would like to have the correct wording in the regulation book to prevent confusion.

5 AAC 33 is amended by adding a new section to read:

5 AAC 33.368. District 8 King Salmon Management Plan. The purpose of the management plan in this section is to provide for abundance based management, reduce the conflicts between commercial and sport fishermen, and reduce the incidental harvest of steelhead, as follows,

(1) District 8 will open on the second Sunday in June except, the commissioner may open, by emergency order, drift gillnet fishing in the waters of District 8 beginning on the first Monday in May <u>through the second Saturday in June;</u>

(2) the commissioner may not establish a fishing period on a Saturday, Sunday, or a <u>State of Alaska or Federal holiday;</u>

(3) <u>the commissioner may not establish a fishing period later than 8:00 a.m. the Wednesday before the Memorial Day weekend;</u>

(4) fishing periods will begin at 8:00 a.m.; and

(5) fishing periods may not exceed four days a week.

Compromise - Proposal 341

Date: February 22, 2009

Submitted By: South East Alaska Guides Organization, (SEAGO)

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

Change proposal #341: 20% sport and 80% commercial.

RC 206

Petersburg Vessel Owners Association

PO Box 232
Petersburg, AK 99833
Phone & Fax: 907.772.9323
pvoa@gci.net • www.pvoaonline.org

February 22, 2009

RE: SUPPORT PROPOSAL #209, SITKA SOUND COMMERCIAL SAC ROE FISHERY, EQUAL SPLIT

Dear Chairman Jensen and Board Members,

Petersburg Vessel Owners Association (PVOA) took a 'no position' stance on proposal #209, Sitka Sound equal split based on information provided questioning the legality of the issue. Given new information presented at the Board of Fisheries finfish meeting clarified the legal issues in question, the majority of PVOA Sitka Sound permit holders would like to **SUPPORT PROPOSAL #209.**

Sincerely,

Julianne Curry
Director

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF COMMERCIAL FISHERIES

SARAH PALIN, GOVERNOR

2030 Sea Level Dr. #205
KETCHIKAN, ALASKA 99901
PHONE: (907) 225-5195
FAX: (907) 225-3756

RC 207

February 22, 2009

Alaska Board of Fisheries, Sitka Alaska

Subject: open area for the herring pound fishery in Craig and Klawock, proposal 215.

The department wants to ensure that the board realizes the importance of the Fish Egg Island subsistence closure for the herring pound fishery.

The Craig herring pound fishery was initiated in 1991 with a cooperative effort by the ADF&G, the Klawock/Heenya Corporation and the Shaan-Seet Corporation.

One of the initial conditions agreed to by all parties was that the area around Fish Egg Island would remain closed due to its historical use as a subsistence area for the harvest of roe on kelp.

The original open area for the commercial fishery was designed using the following criteria;

- Being able to seine herring and move them no further than one mile from the pound locations;
- Sheltered area for pound locations;
- Proper water depth;
- Away from the macrocystis beds near Fish Egg, Alberto, and Wadleigh Island where traditional subsistence harvest occurs;
- Near the area where herring will school prior to spawning;
- Out of major shipping lanes.

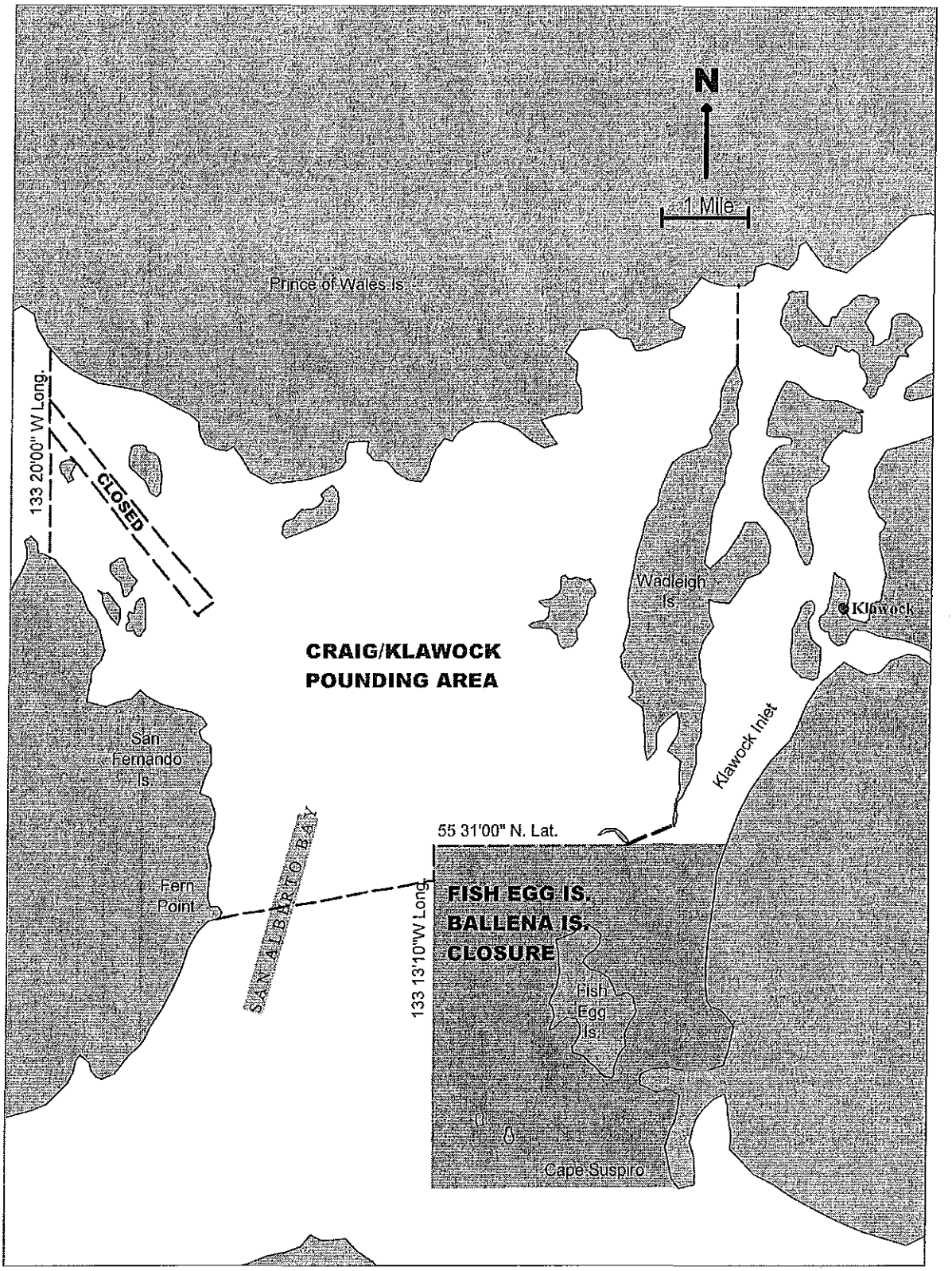
The Alaska Board of Fisheries established regulations for the Section 3-B (Craig/Klawock area) herring spawn-on-kelp in pounds fishery in 1992.

The fishery in section 3-B is the largest spawn on kelp subsistence fishery in the state. The majority of the harvest occurs on and around Fish Egg Island. The department issues on average 156 permits (1966 to 2006 avg.) to subsistence users for this fishery.

I have attached a chart of the Fish Egg Island subsistence closure.

Thank you.

Scott Walker
Area Management Biologist
Alaska Department of Fish and Game
Ketchikan Alaska 99901 (907) 225-5195
scott.walker@alaska.gov


N
1 Mile
Prince of Wales Is.
133 20'00" W Long.
CLOSED
CRAIG/KLAWOCK
POUNDING AREA
Wadleigh
Is.
Klawock
Klawock Inlet
San
Fernando
Is.
SAN ALBERTO BAY
55 31'00" N. Lat.
Fern
Point
133 13'10"W Long.
FISH EGG IS.
BALLENA IS.
CLOSURE
Fish
Egg
Is.
Cape Suspiro

RC208

Alaska Board of Fisheries
2009

Charge to the Alaska Department of Fish & Game and the Southeast Alaska salmon Enhancement Task Force

Findings: The Alaska Board of Fisheries recognizes that the commercial salmon industry came together in an effort to address salmon enhancement allocation issues through the 12-9-08 RPT consensus. While this consensus addresses many of the current issues of allocation between seine, gillnet and troll gear groups, the RPT proposal falls short in addressing any long-term solutions. In fact, many parts of the RPT proposal sunset in three years without addressing any of the underlying challenges. The Southeast Alaska Salmon Enhancement plan finally adopted in 1994 has not had any substantive review to date. The Alaska Board of Fisheries expects that many of the allocation issues associated with the RPT proposal of 2008 to reappear before the board in the next board cycle.

Purpose: Due to the potential of having a reoccurring problem before the Board of Fisheries, the Alaska Board of Fisheries believes that it is in the best interest of the commercial salmon industry in southeast Alaska to review and where appropriate recommend changes improved the future performance of the salmon enhancement plan for southeastern Alaska. This review of the salmon enhancement plan shall be reviewed by a reconstituted salmon enhancement task force. The task force shall have a written report ready for the Alaska Board of Fisheries prior to the 2012 Southeast Alaska board cycle.

1. The Department of Fish & Game (F&G) shall provide staff for technical support and to help facilitate meeting planning. The Southeast Alaska Salmon Enhancement Task Force is hereby formed and shall have the following voting membership of 9. Each task force member will be permitted a designated voting alternate. The task force will operate by consensus only and be made up of the following members:
   - Three gear group members from the Northern Southeast Regional Aquaculture Association (NSRAA) represented by one seine seat, one troll seat, and one gillnet seat.
   - Three gear group members from the Southern Southeast Regional Aquaculture (SSRAA). Association represented by one seine seat, one troll seat and one gillnet seat.
   - One seat, Executive Director or employee designee of NSRAA.
   - One seat, Executive Director or employee designee of SSRAA.
   - One seat, Executive Director or employee designee of the non-regional PNP Douglas Island Pink &Chum (DIPAC).

2. The Board of Fisheries requests that the task force seats shall be filled by knowledgeable individuals interested in working together for a common good and who will approach any review of the salmon enhancement plan with an open mind.

3. The Board of Fisheries expects the task force and associated F&G staff to meet at minimum of three times per year for two day or longer workshops. Agenda items shall be confined to the review and evaluation of all aspects of the southeast salmon enhancement plan, and the

RC209

February 22, 2009

Alan Reeves
PO Box 741
Wrangell, AK 99929

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

Dear Chairman Jensen and Board of Fish Members,

RE: Committee B – King Salmon Management Plans

Proposal #227 - District 8 King Salmon Management Plan

This would provide conceptual Language for an amendment to proposal #227 that has been agreed upon with a few District 8 gillnetters and trollers.

5 AAC 29.095(a) District 8 King Salmon Management Plan

When the transboundary river fishery is open, trolling will be open 5 days per week in District 8 – Monday through Friday.

Comments: We understand that with this amendment, both the troll and gillnet fishery will be operating at the same time. This amendment allows the sport fishery to have access in the area without either commercial group operating on the weekends.

Sincerely,

Alan Reeves

RC210

SEAGO

SouthEast **Alaska** Guides Organization

Date: February 22, 2009

Proposal 137; Amended language establishing bag and possession limit on Blackcod

Chairman Jensen, Board Members,

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

( ) Blackcod (Sablefish) may be taken from January 1 – December 31: **10 fish daily bag limit, 1 daily bag limit in possession and no annual limit, no size restrictions.**

Explanation; the precedence for a 10 fish daily bag limit has been established in Southeast Alaska on species that are abundant and have little documented harvest by sport fishers, Dolly Varden, Brook Trout and Grayling among others. Blackcod certainly fall into that description. Difficulty in accessing the Blackcod resource due to its preferred habitat, specialized gear requirements and sportfish gear restrictions will all act as barriers to large scale harvest. Anyone wishing to target Blackcod will be further constrained by tide and weather conditions limiting their ability to effectively fish at the depths required.

For those recreational fishers willing to spend the time and money attempting to take Blackcod, A reasonable harvest opportunity should be provided.

Thank you for your consideration.

Tom Ohaus

Tom Ohaus
President
Southeast Alaska Guide Organization, SEAGO

Substitute language for 376

5 AAC 27.510(a)(4) is repealed and readopted to read:

(4) before participation in the sac roe herring fishery after April 30, a CFEC permit holder must be registered with the department.

5 AAC 27.535(e)(1)(C) is repealed and readopted to read:

(C) notwithstanding any other provision of this section, from May 1 through June 30, depending on the level of registered effort, the department may open to either gear group any area with remaining allocation available if the fishery would not result in overharvest of the resource.

RC 212

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

February 22, 2009

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

Dear Chairman Jensen and Board of Fish Members,

Committee F - Groundfish

RE: Proposal #345

Southeast Alaska Fishermen's Alliance would like to withdraw proposal #346 based on staff support for proposal #345.

Sincerely,

Kathy Hansen

Kathy Hansen
Executive Director

RC 213

THE HERRING COMMITTEE

Just a quick note to express my interest as to what will be happening when you deliberate on all the things before you.

I started on boats in 1941 though I was only one of the eaters on the boat though by the time I was ten, I became a deckhand for my grandfather spending many years on deck before I owned my on rig.

I lived through the bad years, when finally we became a state and could correct the excesses of the fisheries under the Federal management, which I believe was the excess use of the Traps.

I have watched the herring fisheries start from a minimal amount barely able to sustain a harvest, to today where I believe that the Department of Fisheries herring model has gotten out of hand and needs to be reconfigured to reflect the fact that there are no 3-4 year old herring, to re-look at the over harvest of 9-10 year old fish that are about to leave the fisheries.

You have heard a lot of anecdotal information about how much herring there seems to be, I have spent winters and summers trolling in most bays in Fredrick Sound, Chatham Straights, Stevens Pass, Sumner Straights and the outside waters from Noyes Island to Cape Edwards, I will say that after the reduction plant herring seiners were done fish there were not much herring left of the SE, Alaska herring stocks.

I have watched many of the bays with little dabs of herring slowly add volume to their schools This doesn't mean that they are commercially viable, what looks like a large school of fish when hundreds of bays herring move out in the straights to feed shouldn't be fished on because we already have seen what happens when this occurs.

I am neither for or against Co-op fisheries, though I will say that if most of the fisherman were in favor of Co-op it would show in how the fisheries was conducted since 1978.

I am not in favor of fishing Salisbury Sound on anecdotal information, this is not science and never will be. A stock assessment needs to take placed and a threshold needs to be put into place if the size of the stock warrants it,

I can see this adjacent stocks concept opening fisheries all over SE Alaska, I also say that there is a real problem with the model concept that the Department of Fisheries is using to allow fisheries to take place, this can be shown in the area's that herring fisheries have take place and have been lost, Foggy Bay, Cat Island, Auke Bay, to name a few, then there is the winter herring fisheries that have lost fish, around Ketchikan, Wrangell Narrows, Port Camden.

Good luck with your deliberations, I know with all the pressure it will not be easy.

RALPH GUTHRIE
380 KAAGWAANTAAN
SITKA, ALASKA 99835
907-747-8913
907-738-3058

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

RC 214

February 22, 2009

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

RE: New Positions on Select Proposals

Dear Chairman Jensen and Board Members:

We offer the following revisions to ATA's positions, based on discussions with various stakeholders.

PROPOSAL 288 Clarify ATA's position on non-resident Possession/Annual Limits for coho salmon

ATA's proposal was submitted using the existing regulation to show our commitment to support no less than the current 12 fish as a non-resident annual limit. This was offered because testimony over the years from the guided sector seemed to indicate that non-resident anglers do not regularly take home more than the possession limit, so it seemed appropriate and sufficient for most circumstances. Now we learning that might not be the case.

ATA is open to a higher annual limit and creative ways to combine bag and annual limits to meet the diverse needs of guided anglers. While we would first prefer to see a proposal from the guided industry or the Board, we would be happy to share ideas in this regard and work through any areas of disagreement on this important topic.

The most important thing to our members is that the Board of Fisheries takes whatever action is necessary, at this meeting, to implement annual limits. We will have representatives at the entire meeting to participate in any further discussions.

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

PROPOSAL 320 Allow unharvested winter chinook to be caught in spring fishery SUPPORT w/Amend

ATA developed a compromise with the proposer, who submitted RC 184, and now supports the following:

5AAC 29.090 MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES

(F) when the pre-season Chinook salmon Abundance Index is at least 1.15 and the amount of the winter troll fishery GHL remaining on May 1 is 10,000 or more king salmon, the following provisions are in effect:

(i) if the number of king salmon remaining on the winter troll fishery GHL is between 10,000 and 15,000 fish, 250 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section;

(ii) if the number of king salmon remaining on the winter troll fishery GHL is greater than 15,000 fish, 500 additional non-Alaska hatchery-produced salmon will be added to the maximum allowable number of non-Alaska hatchery-produced salmon to be taken as provided in (D) of this section.

PROPOSAL 327 Extend to September 30th the troll closure date in Behm Canal SUPPORT

ATA submitted this proposal in an attempt to catch late returning Neets Bay hatchery coho. After discussing with ADFG their concerns, we modified our proposal and request the following:

> Establish an experimental troll fishery in Behm Canal to target coho salmon returning to Neets Bay hatchery through September 30. The fishery will be used to collect coded wire tags and genetic samples, with the goal of developing a management plan to access late returning Alaska hatchery-produced coho.

PROPOSAL 329 Increase number of HT gurdies to 4 West of Cape Spencer SUPPORT w/Amendment

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

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

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

PROPOSAL 337 Make any surplus dinglebar lingcod quota available to the troll fleet WITHDRAWN

ATA withdraws support for this proposal.

Thank you for your time and commitment to serve.

Best regards,

Dale Kelley

Dale Kelley
Executive Director

Alaska Trollers Association

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

RC15

February 22, 2009

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

RE: Districts 8 & 11 Transboundary Rivers Directed Chinook Fishery

Dear Chairman Jensen and Board Members:

In 2005, the Pacific Salmon Commission (PSC) Transboundary Rivers agreement provided for directed Chinook fisheries in the Taku and Stikine Rivers in both the US and Canada. Most Chinook from these fisheries do not count against the long-standing PSC Chinook quota. The PSC sets the annual Allowable Catch (AC) for both nations, and the countries are free to develop management plans that meet the needs of their respective user groups. In Alaska, harvesters include sport, gillnet, and troll. In 2006, the Board of Fisheries developed management plans for the Transboundary Rivers fisheries.

ATA submitted and/or took positions on a number of proposals relative to the TBR fisheries. Since proposals were submitted, new information has come to light and negotiations occurred between some of the TBR stakeholders. We offer the following revisions to ATA positions.

PROPOSAL 227 District 8 TBR Fishery SUPPORT w/MODIFICATION

Attached is an outline of ATA's position relative to time and area in District 8. ATA is asking for a 5 day per week fishery from May 1 – June 30, in existing areas, whenever a directed Chinook fishery is allowed in the district. In addition, ATA supports closing the troll fishery on Memorial Day.

Our previous position asked for 7 days per week, based on low troll catch rates relative to the gillnet fleet.

PROPOSAL 228 Open a portion of Fredrick Sound to trolling Mon-Wed in May/June WITHDRAW

ATA has withdrawn support from this proposal.

PROPOSAL 229 Increase non-resident annual limit on Stikine River Chinook to 8 fish SUPPORT

ATA previously opposed this position.

PROPOSAL 230/231 District 11 TBR Fishery Time & Area SUPPORT w/MODIFICATIONS

Attached is an outline of ATA's position relative to time and area in District 11. The proposal includes a stepped approach relative to U.S. TAC, which is abundance based. You will note that ATA does not support any troll fishing in the district until the U.S. TAC reaches 11,001.

The new position modifies several lines and reduces some of the fishing time previously requested. It is important to understand that trollers are not as effective as other gear types in terminal areas, so providing trollers adequate time and area are essential to fair sharing of the Taku River Chinook.

PROPOSAL 322 Remove the Stikine River winter troll closure in District 8 WITHDRAW

ATA has removed support for this proposal due to strong objections from Petersburg anglers. The closure was originally established to protect Stikine River Chinook. According to ADFG, the Stikine Chinook run is rebuilt and management has changed significantly, making this closed area unnecessary. There is no fixed allocation of the Stikine River Chinook. Therefore, this closure is not necessary for conservation or allocation and is, instead, strictly social in nature. We ask that the Board of Fisheries recognize this fact, by incorporating into the official record and any associated findings comments from RC-2 ADFG Briefing Documents:

> ... As a result of the aforementioned management and associated stock assessment improvements, the department believes that the Stikine River closure is no longer necessary for conservation or protection of returning Stikine River king salmon prior to March 31.
>
> The March 31 date would make the District 8 regulation consistent with the Sections 11-B, 11-C and 11-D regulations in 5 AAC 29.080(b) (3) (B) that were adopted at the 2003 board meeting (ADFG, RC-2, p.323).

ATA Position on District 11 Directed Chinook Fisheries

0 - 11,000 **No troll fishery**

11,001 – 17,500

1. **11A: Area**

   - Piling Point to Outer Point
   - Marmion Island Light to Circle Point

   11A: Time

   Monday to Wednesday – no weekends - in any week that a directed king salmon drift gillnet fishery occurs.

2. **11B: Time and Area**

   7 days/week in all of 11B any week that a directed king salmon drift gillnet fishery occurs.

3. **Trolling closed in all of District 11 Memorial Day weekend**

17,501 – 30,500

1. **11A: Area**

   - Piling Point to Outer Point
   - Marmion Island to Salisbury to Pt. Greeley

   11A: Time

   4 days/week – no weekends - in any week that a directed king salmon drift gillnet fishery occurs.

2. **11B: Time and Area**

   7 days/week in all of 11B any week that a directed king salmon drift gillnet fishery occurs.

3. Trolling closed in all of District 11 Memorial Day weekend

30,501 – 63,000

1. **11A: Area**

   - Piling Point to Outer Point
   - Marmion Island to Salisbury to Pt. Greeley

   11A: Time

   5 days/week – no weekends - in any week that a directed king salmon drift gillnet fishery occurs.

2. **11B: Time and Area**

   7 days/week in all of 11B any week that a directed king salmon drift gillnet fishery occurs.

3. **Trolling closed in all of District 11 Memorial Day weekend**

District 11 Rationale

From Statehood until the chinook fishery was closed (1977), the troll fleet averaged 35% of the Taku River harvest share. Considering the modification and improvement of gillnet gear in the 60s and 70s, it's likely that the troll percentage of harvest was even higher than 35% pre-statehood.

ATA recognizes that achieving a fixed allocation or percentage would be unduly disruptive for other users. However, trollers still want an opportunity to harvest a fair share of the salmon runs they helped to rebuild.

Under the Taku River King Salmon Management Plan, trollers averaged just 16 fish (0.001%) of the commercial harvest in 2005 and 2006. Trollers need more fishing time and area to achieve a level of parity with the gillnet fleet. ATA is asking for modest increases in time/area to help accomplish this goal. Practical differences in gear efficiency in terminal areas makes it unlikely that increased time and area would significantly impact the balance of harvest, but it could do a lot to provide opportunity for the local fleet during a slow time of year.

Typical gillnet harvest rates are many times that of the troll fishery. In 2005, gillnetters in District 8 harvested at a rate 4.5 times that of the trollers. CPUE in District 8 averaged 2.4 for troll and 10.6 for gillnetters in 2006-08 - or 5 gillnet fish for every 1 fish caught by trollers. In 2008 alone, that ratio was 7:1. Trollers need more fishing time and area to catch fish, particularly in terminal areas. ADFG estimates that if trollers had been open 7 days per week in District 8 these past three years, they would have averaged only about 1000 more fish.

Limiting the fishery to the backside of Douglas Island and the Taku River area keeps trollers out of hatchery release sites for the sport fishery and other prime sportfishing areas. Sportfishing on the backside of Douglas Island is fairly low key until July/August, when trollers head to other fishing grounds. We are asking for a slight line modification that is unlikely to create troll/sport conflict.

District 11	Troll	Gillnet	Total Troll & Gillnet
1960	1,155	8,398	
1961	2,380	7,173	
1962	1,500	5,580	
1963	2,002	2,229	
1964	4,765	2,178	
1965	6,098	3,650	
1966	4,607	4,221	
1967	3,243	5,166	
1968	3,534	4,454	
1969	2,794	5,091	
1970	2,084	2,762	
1971	952	4,947	
1972	250	4,544	
1973	1,748	7,054	
1974	1,408	2,378	
1975	1,572	1,899	
1976	50	1,369	
1977	112	539	
Total	**40,254**	**73,632**	**113,886**
Percent	**35%**	**65%**	

Pacific Salmon Treaty Taku River Quota					
Allowable Catch		US Allocation		Canadian Allocation	
Lower	Upper	Lower	Upper	Lower	Upper
0	5,000	0	0	0	5,000
5001	20,000	1	11,000	5,000	9,[illegible]
20,001	30,000	11,001	17,500	9,000	12,[illegible]
30,001	50,000	17,501	30,500	125,000	19,500
50,001	100,000	30,501	63,000	19,500	37,000

Taku Chinook	2005	2006	Average
Troll Fishery			
King Salmon	21	11	16
Permits Fished	3	4	3.5
Days open	35	18	26.5
CPUE	0.2	0.2	0.2
Projected troll harvest if fishery open 7days/week	36	33	34
Drift Gillnet Fishery			
King Salmon	19,840	10,936	15,388
Permits Fished	121	120	120
Days open	32	26	29
CPUE	5.1	3.5	4.3
Sport Fishery			
King Salmon			

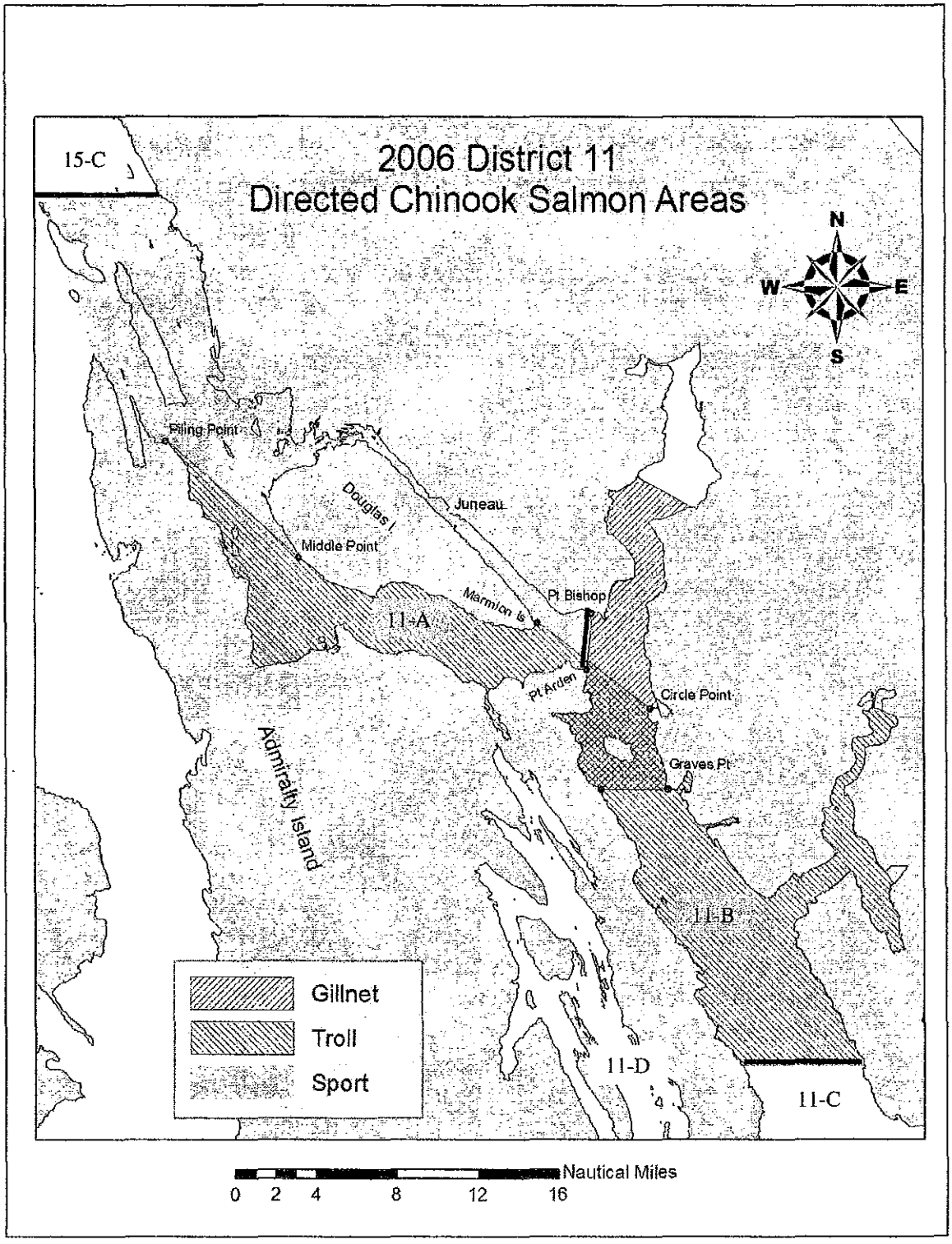


Figure 230-1.–2006 Taku River directed king salmon fishing areas.

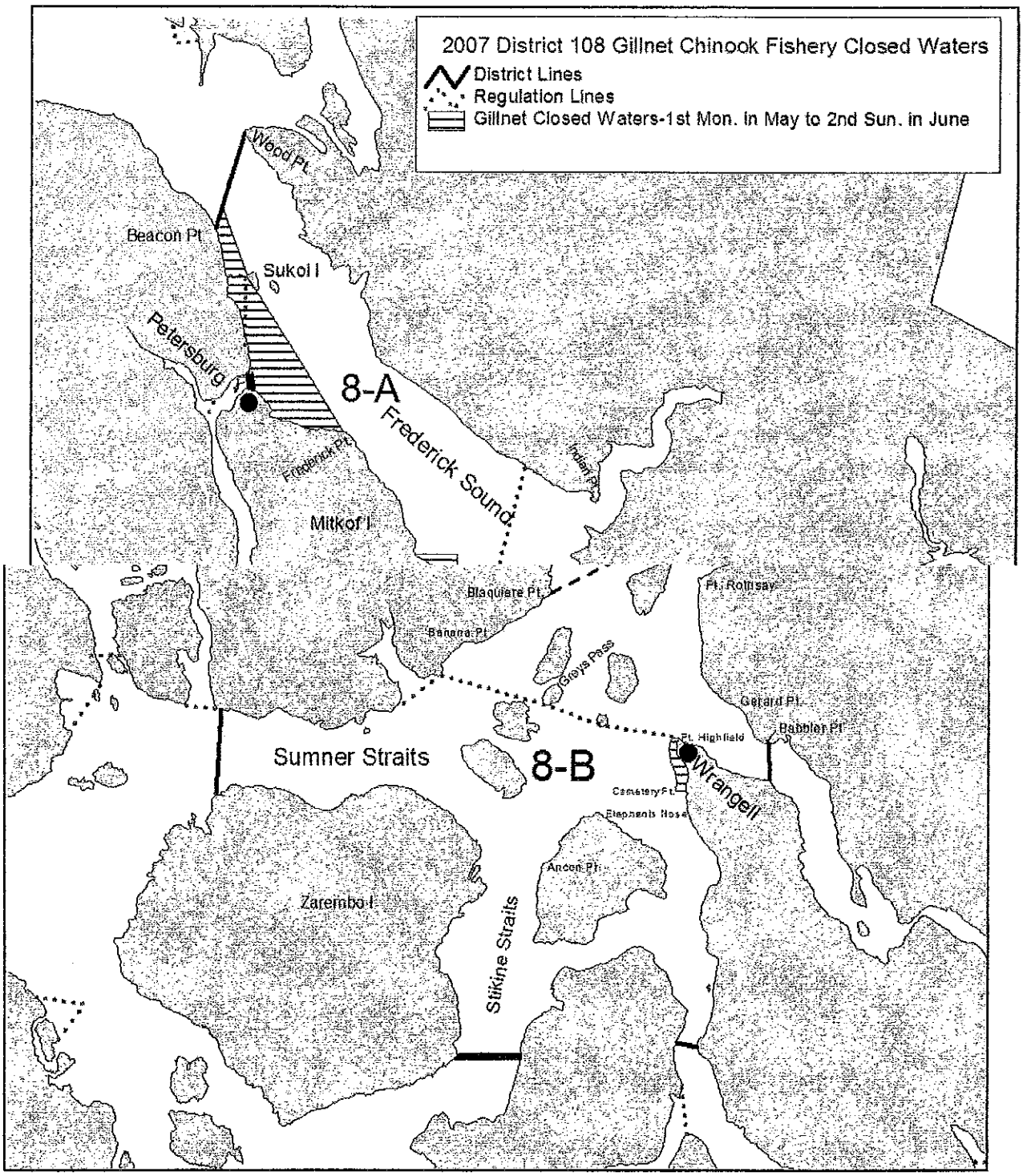


Figure 228-1.–District 8 directed Stikine River king salmon fishery areas.

ATA Position on District 8 Directed Commercial Chinook Fisheries

Intent

Unless otherwise noted, the directed king salmon troll fishery in District 8 shall occur throughout the district from May 1 through June 30, whenever a directed commercial king salmon fishery is allowed.

The directed fisheries must be managed to ensure that both the directed troll chinook and gillnet sockeye fisheries continue unimpeded.

Time and Area

District 8

1. Trolling shall occur 5 days per week, with the following exceptions:

    - No trolling on the weekends.
    - No trolling Memorial Day Weekend

Hatchery Access and Sockeye Fishing in Lower Chinook Abundance Years

If Stikine River abundance does not allow a directed commercial king salmon fisheries in Dist.8:

- The troll fleet will operate under the terms of the spring troll fishery regulations targeting Alaska hatchery kings.
- The gillnet fleet will begin fishing on the second Sunday in June, taking chinook incidental to the sockeye fishery.

District 8 Rationale

From Statehood until the Stikine River chinook fishery was closed (1977), the troll fleet averaged 31% of the harvest share. The percentage was higher than that pre-statehood.

Since 2006, trollers have averaged just 11% of the commercial harvest and 9% of the combined sport and commercial harvest of Stikine chinook.

Typical gillnet harvest rates are many times that of the troll fishery. In 2005, gillnetters in District 8 harvested at a rate 4.5 times that of the trollers. CPUE in District 8 averaged 2.4 for troll and 10.6 for gillnetters in 2006-08 - or 5 gillnet fish for every 1 fish caught by trollers. In 2008 alone, that ratio was 7:1. Due to the nature of their gear, trollers need more fishing time and area to catch fish, particularly in terminal areas. ADFG estimates that if trollers had been open 7 days per week in District 8 these past three years, they would have averaged only about 1000 more fish.

While it would be difficult to achieve a fixed allocated number or percent without unduly disrupting other users, trollers still want an opportunity to harvest a fair harvest share of the fish they helped to rebuild. To do that, the troll fleet is seeking additional time and area.

District 8	Troll	Gillnet	Total Troll & Gillnet
1960	4,337	0	
1961	2,413	0	
1962	461	588	
1963	1,590	1,207	
1964	1,406	2,303	
1965	804	2,490	
1966	1,041	3,340	
1967	1,670	6,245	
1968	898	3,623	
1969	1,323	4,512	
1970	1,680	2,677	
1971	721	3,321	
1972	1,608	8,090	
1973	3,285	8,913	
1974	1,972	7,840	
1975	682	1,529	
1976	301	1,101	
1977	262	1,287	
Total	**26,454**	**59,066**	**85,520**
Percent	**31%**	**69%**	

Pacific Salmon Treaty Stikine River Quota Allocation

Allowable Catch		US Allocation		Canadian Allocation	
Lower	**Upper**	**Lower**	**Upper**	**Lower**	**Upper**
0	5,000	0	500	0	4,500
5001	20,000	501	11,000	4,500	9,000
20,001	30,000	11,001	17,500	9,000	12,500
30,001	50,000	17,501	30,500	125,000	19,5
50,001	100,000	30,501	63,000	19,500	37,000

	Troll	Gillnet	Sport
2006	1,895	19,728	2,944
2007	1,313	8,918	3,268
2008	1,055	7,043	1,035
Total	**4,263**	**35,689**	**7,247**
	9%	**76%**	**15%**
Troll	4,263	**11%**	
Gillnet	35,689	**89%**	
Total	39,952		

Stikine Chinook	2006	2007	2008	Avg
Troll Fishery				
Chinook	1,895	1,313	1,055	1,421
Permits Fished	90	76	92	87
Days open	44	30	37	43
CPUE	2.7	3.1	1.7	2.5
Projected troll harvest if fishery open 7days/week	2,794	2,822	1,767	2,461
Difference in catch	900	1,509	712	1,040
Drift Gillnet Fishery				
Chinook	19,728	8,918	7,043	11,896
Permits Fished				
Days open				
CPUE	13.0	10.5	8.2	10.6
Sport Fishery				
Chinook	2,944	3,268	1,035	2,416
Total All Gear	24,566	13,499	9,133	15,733

RC216

Amendments to proposal 329

Hand trollers are required to only have two hand gurdies mounted on board their vessel from October 11 to the end of the July King salmon season. Only four hand gurdies may be used between Cape Spencer and Cape Suckling in Federal waters from the end of the July king salmon season to September 20. As discussed in committee we all felt these two amendments would keep the effort of the summer king salmon fishery the same as the past. And by having the extra two gurdies not mounted in the winter and spring fisheries would keep fowl play to a minimum.

Yakutat AC Jeff Fraker Date 2-22 09.

RC217

Steve Demmert
F/V Julia Kae
S.L. Demmert Fisheries, Inc.
13619 Mukilteo Speedway D5-343
Lynnwood, Wa 98087
Mobile Phone 1-206-909-0341

Alaska Board of Fisheries
Sitka, Alaska
February 23, 2009

Dear Chairman Jensen and Board Members:

I would like to present some photographs of herring roe on branches that I delivered and made available to community members in Sitka, Alaska in April 2008. This was a fishing industry effort.

Photo 1. With the help of community members I set branches and retrieved herring roe on branches for community members in Sitka during the sac roe fishery in 2008. I delivered approximately 15,000 lbs of roe on branches. No subsistence survey of my two deliveries was conducted.

Photo 2. Cutting branches and distributing roe April 2008.

Photo 3. Herring roe on branches, 2008.

Sincerely,

Steve Demmert, F/V Julia Kae

Amendment to proposal 314

RC218

When the inriver run of sockeye salmon to the Situk River weir has reached 40,000 fish by the 7th day of July , the commissioner shall, raise the in river bag limit to six fish per-day and 12 in possession.

Yakutat AC Jeff Fraker Date-2-23-09

RC219

SEAGO

SouthEast **Alaska** Guides Organization

Compromise - Proposal 296-298

Date: February 22, 2009

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

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

Conceptual Substitute Language for Proposal #296-298:

All fishing gear must be [kept in immediate control, and gear may not be left unattended while fishing] **closely attended**; Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish; Rod holders may be used; the rod must be easily removed [without delay]; rod may be left in the holder while playing fish; and electric reels may be used if designed for sport fishing and attached to a fishing rod.

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

Thank you for your consideration.

Stan Malcom
Board Member
Southeast Alaska Guide Organization, SEAGO

RC220

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF FISH AND GAME

DIVISION OF COMMERCIAL FISHERIES

304 Lake Street, Room 103
SITKA, ALASKA 99835
PHONE: (907) 747-6688
FAX: (907) 747-6239

February 23, 2009

Department clarification of the intent of department proposal 323

In our proposal 323 to repeal section (f) of 5AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES (Cross Sound Pink and Chum fishery) we inadvertently left out our intent to implement a spring fishery that will be managed under the provisions of subsection (D) of this regulation. Under the current provisions of 5 AAC 29.090, the department has the authority to establish and open spring troll fisheries by emergency order. It was, and always has been our intention to do so in the same geographical area currently delineated in subsection (f) if the Board adopts this proposal.

RC227

February 23, 2009

Alaska Board of Fisheries
Meeting in Sitka AK

RE: Proposals # 209 & 210 and 10,000 Ton cap

We oppose converting the Sitka Sound Sac Roe herring fishery into any coop type of fishery and limiting the quota in opposition to Fish & Games' sound biological data.

#1. Proposal # 209 & 210 were not considered lawful by the Department of Law as recently as the Cordova Board of Fisheries meeting this last December where we were assured the equal split proposition for Sitka herring was a dead issue. For the Dept. of Law to change their positions on this at the last moment does not allow stakeholders the time to prepare a response.

The stakeholder response to the equal split proposals in the 2006 BOF meeting is well-documented as virtually all people affected by the proposed actions were opposed to its passage other than [redacted] herring seine permit holders who felt they were at a competitive disadvantage in the fishery as presently conducted.

#2. Passage of these proposals will result in a huge loss of jobs in the tendering, fish spotting, and actual fishing crews as the fleet and support effort consolidates. This will take a very lucrative fishery with widespread economic benefits and concentrate those benefit in the hands of 50 permit holders. Our government is trying to create jobs - this proposal eliminates jobs with no benefit to the resource.

#3. Permit values for Sitka permits continues to go up- forcing equal split will reduce those values as fishermen will be limited in their economic returns.

#4. Roe quality is unlikely to be improved without excessive "sifting" of fish resulting in an unnecessary handling mortality. ADFG will not allow this.

#5. Equal split is already available to the fleet if all permit holders agree to it as we have done many times in the past when biological or economic conditions have warranted.

#6. Equal split penalizes fishing boats, tender and spotter pilots who have upgraded their equipment and skills and redistributes value to the under performers who do not upgrade.

#7. If equal split is passed, permit transfers will cease as the permit becomes a guaranteed retirement program. Young newcomers will have no opportunity to enter the fishery. Is this how we want our fisheries to be?

#8. ADFG has done a very competent job of managing the Sitka sac roe fishery with ample opportunity for all user groups to meet their needs. The herring stocks are strengthening - not weakening. Placing a 10,000 ton cap on the fishery would be a political decision.

Alaska's fishery resources should be managed based on sound biological information Secondhand anecdotal "oldtimers" recollections, anthropology, psychological studies and such should not be used as the basis for sound management practices.

Sincerely, Emil J. Beaver Nelson IV

Emil Nelson, Permit Holder
owner

Rob Nelson, Permit holder, Boat
Robert W Nelson

TOM NELSON - BOAT owner
plus 5 other crewmembers, 2 tenders & 7 Rec. crews.

RC777

Sitka Fish & Game Advisory Committee

Tad Fujioka, Chairman
214 Shotgun Alley Sitka, AK 99835

Re: Proposal 309 (Establish Allocation of Coho for Guided Sector)

Since offering my oral testimony on Wednesday asking the board to help Sitka and the rest of Southeast Alaska heal the divisions within our communities, several people have asked me for examples of what I meant. I intentionally left references to specific user groups out of Wednesday's testimony because there are disagreements between many of them, and all such disagreements are potentially worth addressing.

While there are many such conflicts, Proposal 309 Establishing an Allocation of Coho to the Guided Sector, is the best single example that I can point to of a specific proposal that protects the groups involved from the frightening threat of their future being controlled by a different sector. This proposal, while offered by a troller, protects both trollers and guides. The trollers are given the certainty that they will not be asked to repeatedly cut back to make room for a charter industry that has a recent history of irregular, but increasing coho harvest. Equally important, the charter sector is protected from clumsy attempts by the troll sector to regulate an industry that they don't fully understand. If this proposal is passed, neither SEAFA nor the ATA would have reason to call for a 12 fish annual limit, the redefinition of preserved fish or for prohibiting catch and release. The Guided industry will have the management of their future in their own hands. It will be up to this industry, not the trollers or other traditional commercial fishermen to determine the best way to serve their clients within the bounds of their allocation.

I suggest that those who support the charter industry, take a good look at this proposal and recall the bitter fights over king salmon prior to the firm allocation and institution of the king salmon management plan. The king salmon management plan is a good example of a policy that has greatly reduced the level of tension over what formerly was the most hotly contested issue between these user groups for many board cycles. Nobody wants this fight again.

I further suggest that given the history of king salmon, lingcod and yelloweye, the day for a charter allocation of coho will come. While with a strong resistance, it might not happen this year, but in 3 years the issue will

remain, unresolved and festering. Within six years the parallels to the king salmon struggles will be undeniable. Given that charter bookings are down this year and likely will remain down in 2010 as well, the charter fleet is better off taking the offer that is on the table today then waiting three years and seeing the lower catches of 2009 and 2010 get included in the average at that time.

Simultaneously, I urge those whose are aligned with the troll industry to also remember the long bitter fights over king salmon, and to be willing to support a charter quota even somewhat higher than the ten-year average in order to secure a peace for the long-term good of the industry.

All fishermen are optimists by nature, and thus it is natural for those on both sides of the issue to think that they will prevail in the end. Rather than this rosy view, I suggest that the only realistically assured outcome without such an allocation is more hostility, more bitterness, and more of the behavior that is detrimental to all in the fishing community.

Our AC supported this proposal 10-2-1. The dominate comment from the minority was that the 10-yr average was not the appropriate time period. The arguments that I've outlined above are for the adoption of some predictable allocation scheme. The specific means for obtaining the number are much less important than support for the general concept. Whether the ultimate allocation is a fixed number, a range, a percentage of an early in-season estimate, a rolling multi-year average, or some other mathematical construct, is a minor matter in comparison to the adoption of the means to provide long-term stability for coho allocation. Even if you don't believe the 10-year average to be optimal, please at least support the formation of a task force charged with developing an alternative, with the understanding that the 10-year average will be used beginning in 2012 unless the taskforce can come to a consenus on a different proportionment method. The Sitka AC asks for your support on this proposal. It is the first step towards peace for the community at large.

Tad Fujioka
Chairman Sitka AC

RC223

Nels Otness
Box 366
Petersburg, Alaska 99833
Phone: 907-772-4784
Fax: 907-772-3836

2/23/09

Chairman Jensen
Board of Fisheries
Sitka, Alaska
Fax: 907-747-5186

Proposal # 210

I strongly support the equal share quota among the Permit Holders for the Sitka Sound Sac Roe fishery.

1.) It will provide more safety for the crews, vessels, nets, skiffs, tenders, Roe technicians etc.
2.) It will keep the fishery from exceeding the overall quota

Nels Otness
Original Permit Holder

Nels K Otness Sr.

RC 224

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

February 22, 2009

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

Dear Chairman Jensen and Board of Fish Members,

RE: **Committee D** - Sport fisheries

Proposal #137 - SEAFA members urge the Board to ***implement a 2 fish daily bag limit and 2 bag limits in possession and no annual limit along with recording requirements for sablefish (blackcod).*** We believe that this stock does have some biological and conservation concerns. We do not believe that all the pertinent information came out in the committee process.

We would request that you ask the Commercial fisheries division how the sablefish TAC is determined? What and how the allowance for other removals is determined? What the effect to the stock would be if a new growing fishery with unknown quantities being removed would do to the management of the commercial fishery on a fully utilized stock that is in a decline?

We would also suggest that the Board consider requiring the charter fleet to record what species are being harvested and release that are currently listed under "other" on the logbook so that next board cycle the board might have better information to determine the removals occurring from the resource.

Proposal #368 (138) - Withdrawn SEAFA would like to withdraw this proposal from Board consideration and instead we support a task force to look at the issue of possession limits and other issues.

Proposal #286 - Develop a task force: As we stated in committee, we believe that the task force to address the issue of possession limits should be reconstituted. To that end we have attached a draft charge for development of a task force regarding possession limits.

Proposal #296-298

As we stated in committee we are offering this conceptual language for Proposals #296-298. It is based on the Washington State sport-fish regulation summary. We are asking for conceptual language to allow regulation, law and enforcement specialists to write the final language as appropriate.

Conceptual Substitute Language

- All fishing gear must be kept in immediate control, and gear may not be left unattended while fishing;
- Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish;
- Rodholders may be used; the rod must be easily removed without delay; rod may be left in the holder while playing fish; and
- Electric reels may be used if designed for sport fishing and attached to a fishing rod.
- A fishing rod is a tapered, often jointed, rod equipped with a hand grip upon which is mounted a reel to deploy and retrieve the fishing line.

Thank you for this opportunity to comment. We are available at any time to discuss these issues further.

Sincerely,

Kathy Hansen

Kathy Hansen
Executive Director

RC 225

Sitka Tribe of Alaska

Response to Committee Report:
Committee A – Southeast Herring

February 23, 2009
Alaska Board of Fisheries

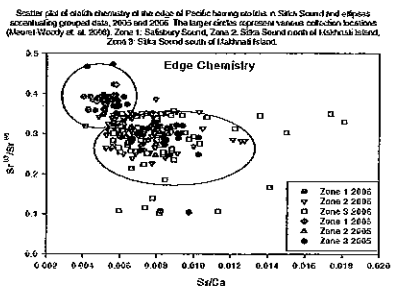
RC 225

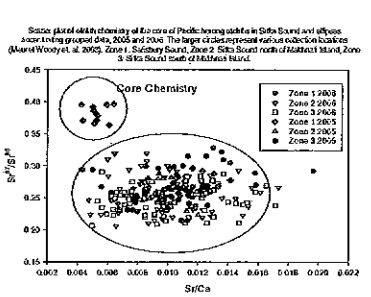
TO: Alaska Board of Fisheries
FROM: Sitka Tribe of Alaska
RE: Response to Committee A Report - Support Proposal 200 / Oppose Proposal 217
DATE: February 23, 2009
RC 114

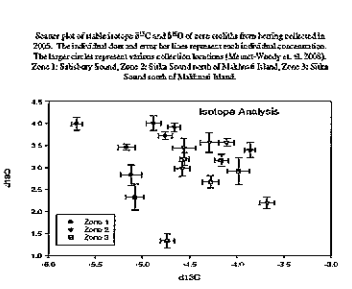
The limited sampling ADF&G has done in the area is insufficient to detect age composition differences and aerial survey coverage is spotty. ADF&G lacks any knowledge on Salisbury Sound herring stocks. The only hard data on stock separation is from the Sitka Tribe of Alaska and the results show a difference. A 2005 and 2006 study by the Heather Meuret-Woody at Sitka Tribe, and Dr. Brenda Norcross and Dr. Nate Bickford from the University of Alaska Fairbanks of herring otolith microchemistry of trace elements [(Mg/Ca, Sr/Ca, Sr/Sr, and Ba/Ca) and stable isotopes analysis ($\delta^{18}O$ and $\delta^{13}C$)] has concluded that there are 2 stocks of herring in Sitka (i.e. Sitka Sound (north and south of Makhnati Island) and Salisbury Sound).

- **Both edge and core chemistries** of the examined otoliths revealed **2 distinct chemical signatures: Salisbury Sound and Sitka Sound.**
- Discriminant analysis of **stable isotopes supported the trace element findings**; carbon isotopes distinguished 2 distinct herring spawning locations (i.e. Salisbury Sound and Sitka Sound).
- Carbon isotopes were also able to **distinguish herring that hatched in Salisbury Sound** from those that hatched in Sitka Sound.
- Other differences in the Salisbury Sound stock such as: timing of spawn, run time, differences in age composition, non-contiguous spawn.
    - Salisbury Sound herring population **spawns 14-18 days after** the main spawning event in Sitka Sound.
    - Age composition of Salisbury Sound herring is younger than Sitka Sound herring.
    - Spawning event is limited to specific areas in Salisbury Sound and is not contiguous with Sitka Sound herring spawn.
- ADF&G's agenda is to group Salisbury Sound herring with Sitka Sound herring in order to guarantee the large GHL is harvested.
- There is **no conservation strategy for Salisbury Sound** in the current management plan.
- In 2006, **4,204 tons of herring** out of the **total GHL of 9,942 tons** was harvested in Salisbury Sound, however only **3.8 miles of spawn** was documented in Salisbury Sound out of **57.4 miles** of total spawn (Davidson et. al, 2009).

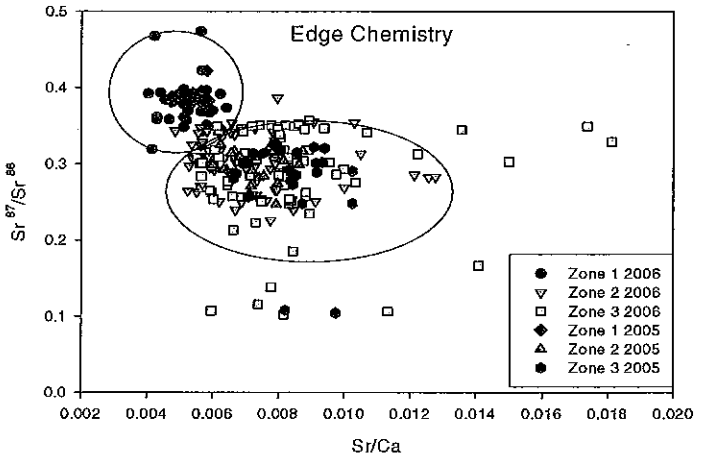
SUGGESTED OPTIONS: Commercial harvest herring in Salisbury Sound proportionally and move boundary to encompass all of 13-A.



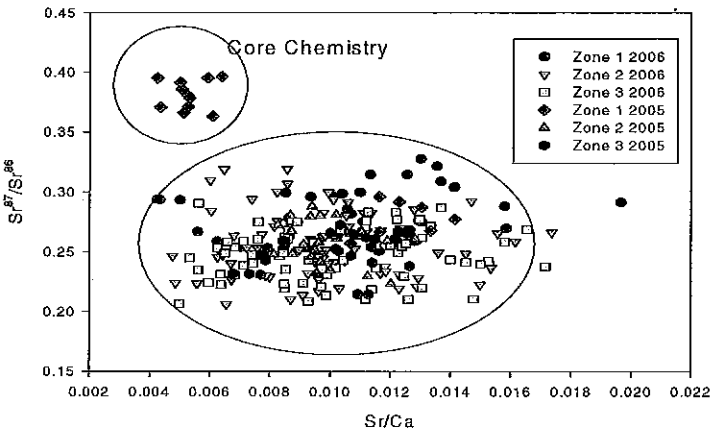




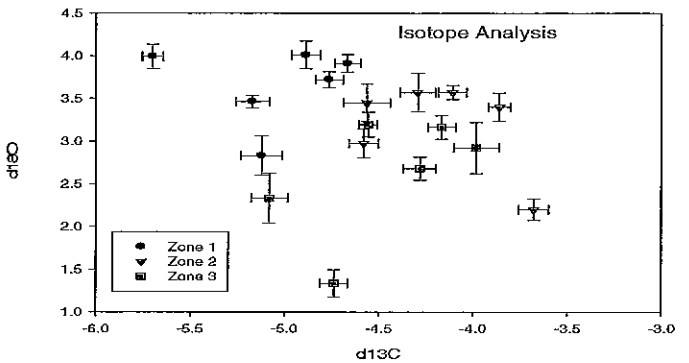
Scatter plot of otolith chemistry of the edge of Pacific herring otoliths in Sitka Sound and ellipses accentuating grouped data, 2005 and 2006. The larger circles represent various collection locations (Meuret-Woody et. al. 2008). Zone 1: Salisbury Sound, Zone 2: Sitka Sound north of Makhnati Island, Zone 3: Sitka Sound south of Makhnati Island.



Scatter plot of otolith chemistry of the core of Pacific herring otoliths in Sitka Sound and ellipses accentuating grouped data, 2005 and 2006. The larger circles represent various collection locations (Meuret-Woody et. al. 2008). Zone 1: Salisbury Sound, Zone 2: Sitka Sound north of Makhnati Island, Zone 3: Sitka Sound south of Makhnati Island.



Scatter plot of stable isotope $\delta^{13}C$ and $\delta^{18}O$ of core otoliths from herring collected in 2005. The individual dots and error bar lines represent each individual concentration. The larger circles represent various collection locations (Meuret-Woody et. al. 2008). Zone 1: Salisbury Sound, Zone 2: Sitka Sound north of Makhnati Island, Zone 3: Sitka Sound south of Makhnati Island.



To: **Alaska Board of Fisheries**
Re: **Committee Report for Committee A — RC171 — Southeast Herring**
Date: **23 February 2009**
Subj.: **Comments regarding Committee Report for Proposal 203 — harvest rate**
From: **Evelyn Brown and Vince Patrick**

Preface. In our Record Comments 43 and 53, we addressed a set of proposals for Sitka herring in their larger contexts. At this final stage, possibly the most important context is that the issues behind a core set of related proposals have been **ten years in the making**. It seems totally unfair and completely unreasonable to task the Board with their **resolution in ten days**. But the problems are real, they are before us today, and we must do the best with what we have. To that end, our comments here on corrections and omissions are followed by **suggested options.**

Harvest rate. This was not raised in committee in part as a courtesy to Dr. Dressel. It was only the day prior that we had the first opportunity to collaboratively review recent results. Our results and those of Peter Hulson, ASA consultant to ADF&G during August through December 2008, are very similar. Although we do not speak for our colleagues, we believe among us there is general agreement that the state of herring since 1999 can be described by **either 1 or 2**:

1. The **strong increase in egg-deposition since 1999 is reliable** and the **change for natural survival in 1998** (64% to 85%) and the **change for maturation rate in 2002** (from 33%, 93%, 100%, 100% to 12%, 33%, 63%, 85% at ages 3, 4, 5, and 6) required to keep the ASA model in balance **are both real** and **the pre-fishery mature biomass estimate of 73k tons is reliable**.

   OR

2. The strong increase in egg-deposition is less accurate and **mile-spawn is more accurate,** the corresponding near-constant estimated biomass since 1999 **requires little change for natural survival and little or no change for maturation rate** (i.e., past ecosystem and physiological properties persist), and **the pre-fishery mature biomass estimate is 38k to 43k tons**.

AND

It is **NOT POSSIBLE to determine which of these two obtains** because the required additional data is not part of the current management protocol (e.g., juvenile surveys, observations to validate maturation rates, surveys for immature to mature ratio). With the data available, it is not possible to know **whether the 2009 GHL of 14.5k tons is 20% or 35% harvest rate.**

At this time, the most critical tool is the ASA model and the realism of the major changes for survival and maturation required for the model to keep up with egg-deposition. Confirmation of the realism of the changes is essential for confident selection of **1** and dismissal of **2**.

SUGGESTED OPTION: Immediate peer review of the ecological and physiological changes made to the ASA for Sitka herring.

Without peer review, the sole option is the precautionary reduced harvest (10%) of 203.
In Prince William Sound, maturity was accelerated in 1997 (from 0%, 79%, 100% to 46%, 77%, 100% ages 3, 4, 5) and natural survival is nearly unchanged (0.78 and 0.5 for ages 3-4 and 5-9). The delayed maturity in Sitka has not been reported for any other southeast stock managed using ASA.

To: Alaska Board of Fisheries
Re: Committee Report for Committee A — RC171 — Southeast Herring
Date: 23 February 2009
Subj.: Comments - Committee Report for Proposal 203 — threshold for fishing - amended
From: Evelyn Brown and Vince Patrick

Preface. In our Record Comments 43 and 53, we addressed a set of proposals for Sitka herring in their larger contexts. At this final stage, possibly the most important context is that the issues behind a core set of related proposals have been **ten years in the making**. It seems totally unfair and completely unreasonable to task the Board with their **resolution in ten days**. But the problems are real, they are before us today, and we must do the best with what we have. To that end, our comments here on corrections and omissions are followed by **suggested options.**

"Threshold for Fishing" — c correction. One of us failed to restate successfully in committee the recommended revised "fishing threshold" and its rationale as stated in RC53 (lines 124-131 and Figures 1 and 2). In brief, RC53 states

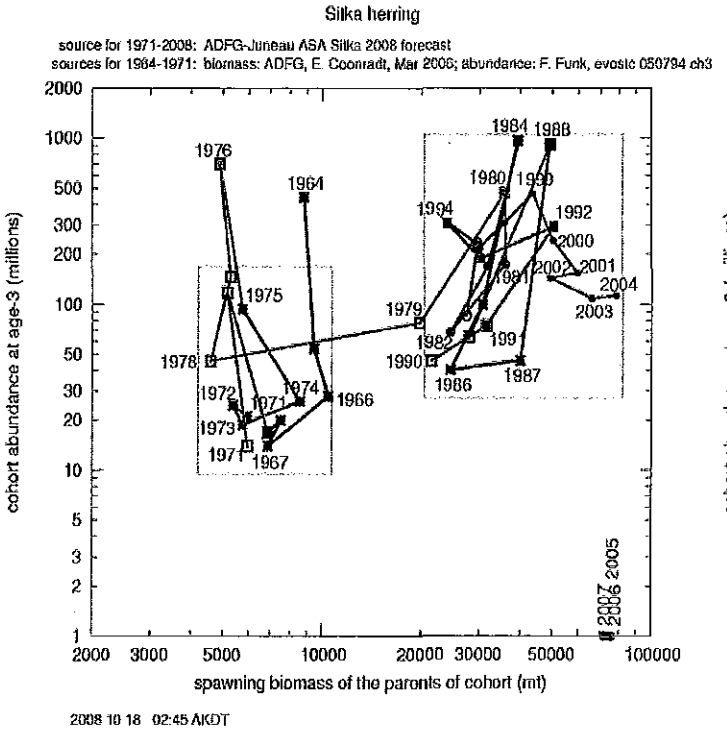
- the **smallest spawning biomass** for Sitka herring during all of the post-1979 period (from the ADF&G 2007 ASA) is **23.7k short tons**;
- this is the smallest observed (ASA estimated) spawning biomass in the 29-year sequence of spawning and recruitment that has sustained the above 23.7k ton biomass.
- **escapement biomass of 27k short tons** as the **post-fishery target** provides a **15% margin of safety** between the post-fishery target and the smallest observed stock-sustaining spawning biomass.
- existing practice is 10% harvest rate at the "fishing threshold," hence, the **"fishing threshold" for pre-fishery mature biomass is 30k short tons.**

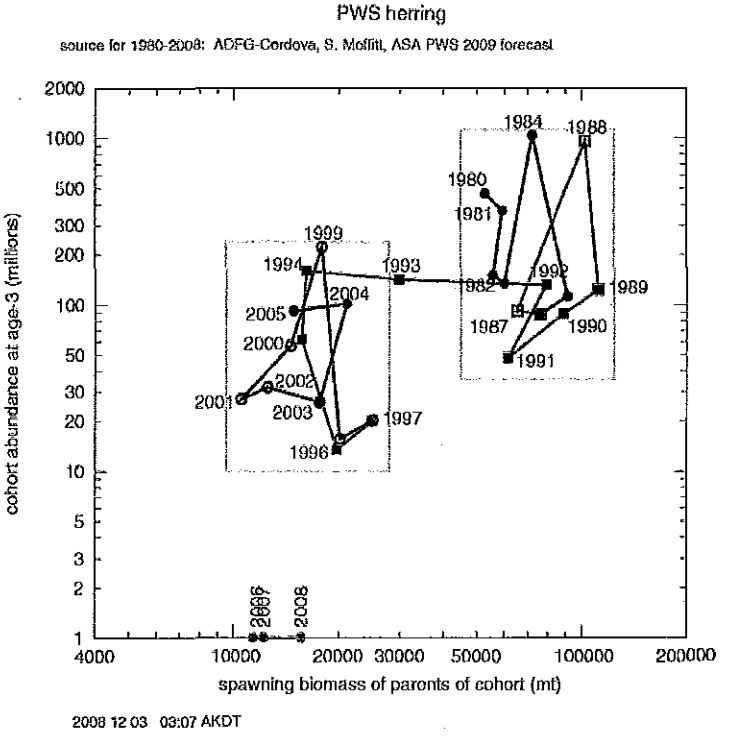
The Committee Report correctly notes that this is an updating of the prior method; it includes recognition of two distinct population sizes in the 1964 to 2008 record and of a "never occupied" biomass range from 10k tons to 23k tons that separates the upper and lower spawning biomasses. The recommended threshold is based on ADF&G ASA estimates of spawning biomass (S. Dressel) and also on recent age structured analyses of Sitka herring by Funk (2005) and by Hulson, et al (2008).

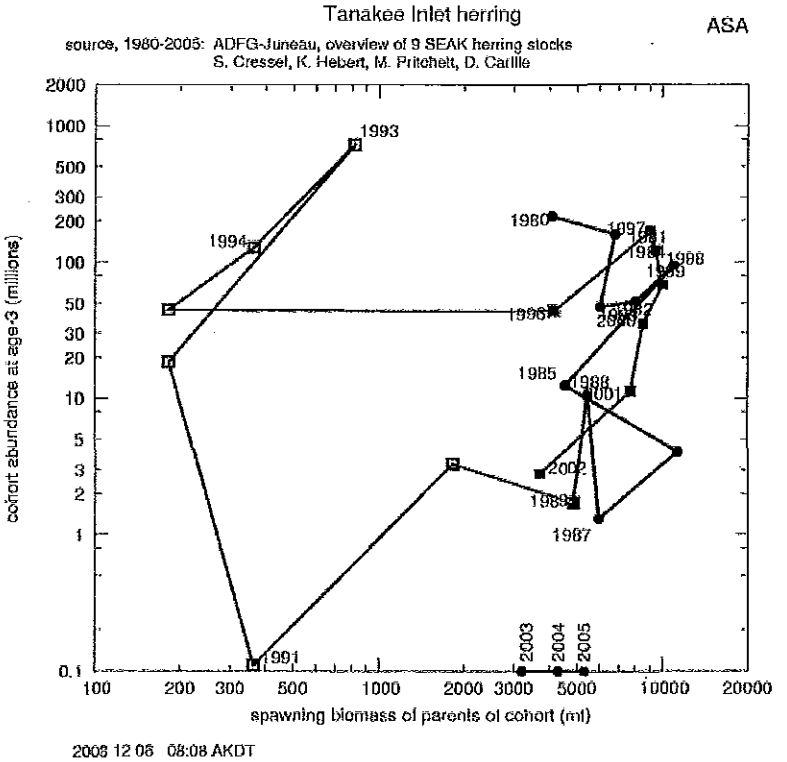
(The existence of two distinct and separated stock sizes is readily evident in record for Prince William Sound and in some of the smaller southeast herring stocks with Tanakee Inlet the best example. See page 3.)

SUGGESTED OPTIONS: Amend to propose threshold for upper biomass level and construction of guidelines for the lower population size:
(1) 30k ton threshold if the spawning biomass is greater than 20k tons;
(2) initiate studies for appropriate harvest guidelines for spawning biomass less than 10k tons.

(During the 1960s and 1970s, there were harvests on the order of 500 tons.)


Sitka herring
source for 1971-2008: ADFG-Juneau ASA Sitka 2008 forecast
sources for 1964-1971: biomass: ADFG, E. Coonradt, Mar 2005; abundance: F. Funk, evostc 050794 ch3
cohort abundance at age-3 (millions)
spawning biomass of the parents of cohort (mt)
2008 10 18 02:45 AKDT


PWS herring
source for 1980-2008: ADFG-Cordova, S. Moffitt, ASA PWS 2009 forecast
cohort abundance at age-3 (millions)
spawning biomass of parents of cohort (mt)
2008 12 03 03:07 AKDT


Tanakee Inlet herring
ASA
source, 1980-2005: ADFG-Juneau, overview of 9 SEAK herring stocks
S. Cressel, K. Hebert, M. Pritchett, D. Carlile
cohort abundance at age-3 (millions)
spawning biomass of parents of cohort (mt)
2008 12 06 08:08 AKDT

To: Alaska Board of Fisheries
Re: Committee Report for Committee A — RC171 — Southeast Herring
Date: 23 February 2009
Subj.: Comments - Committee Report for Proposal 203 — subsistence & spawning
From: Evelyn Brown and Vince Patrick

Preface. In our Record Comments 43 and 53, we addressed a set of proposals for Sitka herring in their larger contexts. At this final stage, possibly the most important context is that the issues behind a core set of related proposals have been **ten years in the making.** It seems totally unfair and completely unreasonable to task the Board with their **resolution in ten days.** But the problems are real, they are before us today, and we must do the best with what we have. To that end, our comments here on corrections and omissions are followed by **suggested options.**

Subsistence & Spawning. The extremely unusual failure for subsistence harvest of herring eggs in 2002 is the driving but not obvious factor behind many herring proposals. But among all the proposals presented to the Board, there is not a single one which addresses the direct cause of the failed subsistence harvests in 2002, 2003, 2005, 2007 and 2008: **spawning distribution.**

In 5 years out of 8 since 2002, the spawning distribution for Sitka herring, like so many other parameters for the stock during this period, became something never before seen:

- During the **38 years** between 1964 and 2002, Sitka herring **spawned on the west side of Sitka Sound** south of Inner Point and north of Schoals Point **3 times: 1966, 1967, 1996.**
- **In 2002 and 2003,** Sitka herring **spawned on the west side of Sitka Sound.**
- In 2005, 2007, and 2008 Sitka herring spawned on the west side and breeched the ancient barrier of Shoals Point, spawning to the south and east and closer to the Gulf of Alaska.

For even the most casual observer, this screams two obvious questions:

1. What caused this huge behavior change?
2. What is the significance of this change for future recruitment?

The answer regarding the significance for subsistence harvest of herring eggs is immediate: the ancient behavior that was the basis for the "traditional harvest areas" is now disrupted.

What was the response of ADF&G to this never before seen behavior? Nothing.

- ADF&G initiated no precautionary study when it redefined harvest schedules in 1998.
- ADF&G initiated no study regarding the causes of the extremely rare spawning behavior that occurred four years after the harvest change.
- ADF&G initiated no study when it reoccurred in 2003 and then with a vengeance in 2005.
- From 2002 to today, ADF&G has initiated no study to access the consequences of the new behavior for recruitment.

Sitka Tribe of Alaska could commence its own research into these obvious questions. But what would it do with the results given the ADF&G attitude to the questions?

SUGGESTED OPTION:

(1) It is in everyone's interest to begin to get answers to the two basic questions.
(2) If the circulation pattern reported by Sunderg is even close to accurate, the sac roe fleet should be at the front of the queue for answers regarding the future prospects for recruitment for Sitka herring (and for the market price for sac roe permits.)

Figure 2.11 shows the net surface circulation in Sitka Sound that was inferred from the drift bottle trajectories. It appears that regional currents strongly affect local tide-generated currents in Sitka Sound. For example, the local gyre shown in Figure 2.11 near the entrance to Sitka Sound sometimes exists and at other times is absent. The size, shape and possibly even the existence of this local gyre may vary, depending on tides, winds, freshwater runoff, and other factors (Sundberg, 1981).

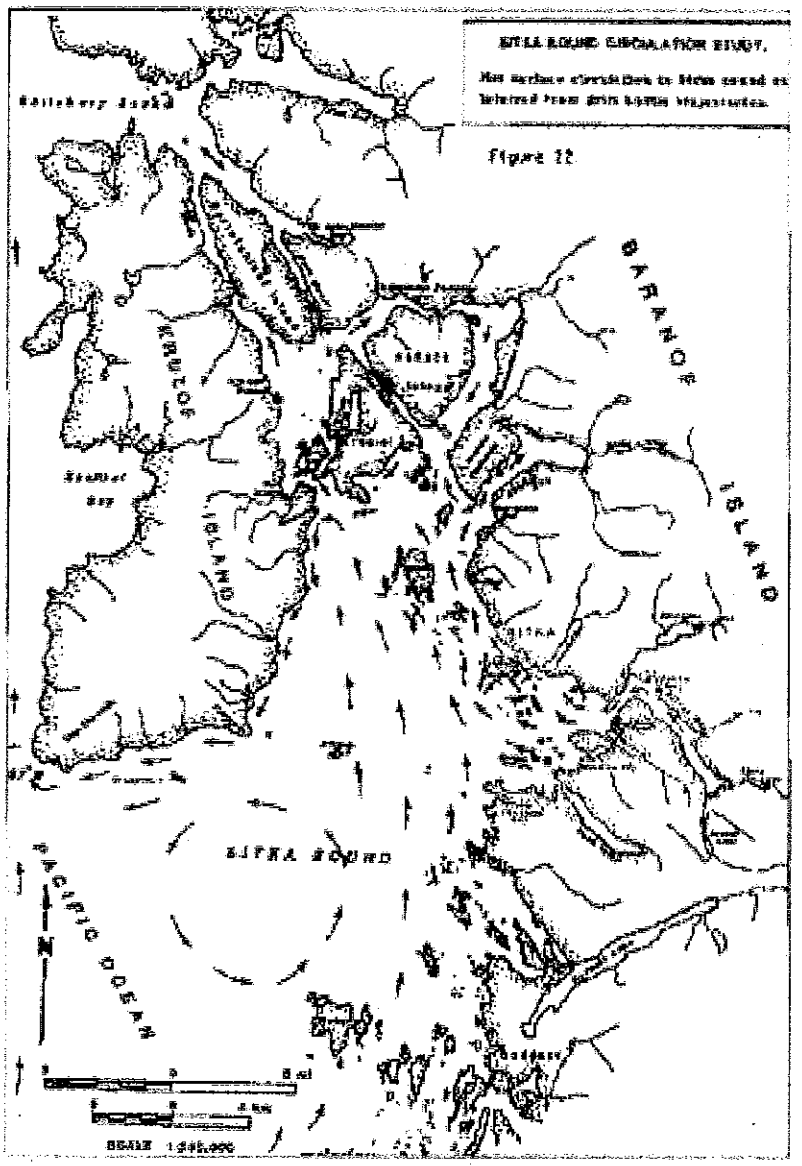


Figure 2.11 Net Surface Currents in Sitka Sound as Inferred from Drift Bottle Trajectories (from Sundberg, 1981)

TO: Alaska Board of Fisheries
FROM: Sitka Tribe of Alaska
RE: Response to Committee A Report - Support Proposal 204
DATE: February 23, 2009
RC 113, 114, 117, 122

ADF&G statistics reflect registered catch, not **unaccounted mortality** induced by fishing gear such as: escapee mortality, net bursts, severe stress, severe scale loss, severe skin loss, and released mortality.

- ADF&G has **not conducted any studies** on test fishing mortality despite the concerns of Sitka Tribe. The department is unable to accurately assess the level of herring mortality in released purse seine sets.
- In 2008 Sitka Tribe staff **observed and documented the unaccounted magnitude of underwater discarding and surface mortality**, the result of the commercial herring fishery. Underwater video of dead herring on the bottom after the fishery demonstrates that net capture mortality can be significant.
- Significant mortality from net capture has been observed in the PWS pound fishery. Stating that it "doesn't exist" and ignoring the possibility of an affect is not prudent nor does it demonstrate a conservative approach.
- In 2000 there were **67 test sets**, totaling **4,891 tons** while the actual **GHL was 5,120 tons**, or 96% of the harvested herring were "tested" and then released.
- In 2007 there were **47 test sets, 21 of which were done prior to the sac roe fishery, 80% of the tested fish were over 10% roe, and 5,217 tons of herring were "tested."** Also over 50% of the test sets were conducted in the Tribe's highest used subsistence herring egg area.

(Davidson et al, 2009 – Regional Information Report 1J08-24, p. 30)

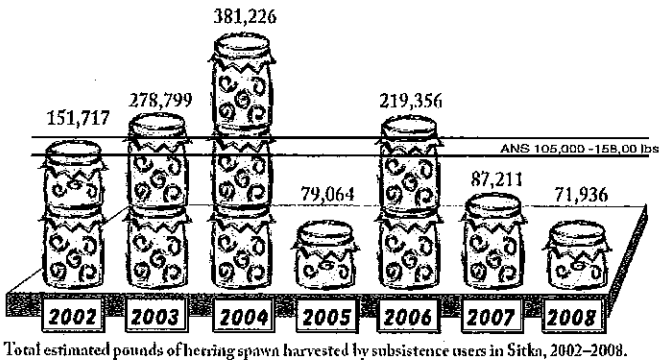
Year	# of test sets made	Avg set sizes (tons)	Sum of set sizes (tons)	GHL (tons)	GHL minus test sets	% change in GHL
1999	34	128	4,352	8,476	4,124	-51%
2000	67	73	4,891	5,120	229	-96%
2001	48	92	4,416	10,597	6,181	-42%
2002	47	107	5,029	11,042	6,013	-46%
2003	51	101	5,151	6,969	1,818	-74%
2004	53	154	8,162	10,618	2,456	-77%
2005	49	134	6,566	11,192	4,626	-59%
2006	29	121	3,509	10,412	6,903	-34%
2007	47	111	5,217	11,904	6,687	-44%
2008	14	116	1,624	14,723	13,099	-11%
Average	44	114	4,892	10,105	5,214	-53%
Total	439		48,917	101,053	52,136	

SUGGESTED OPTIONS: Limit the amount of test fishing conducted to no more than 25% of the GHL.

February 23, 2009
Response to Report of Committee A

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

- This is a range based on data gathered through STA and ADF&G's annual customary and traditional herring egg harvest survey.
- This range is based on the mean estimated harvest in 2002, 2003, 2004 and 2006, the years in which reasonable opportunity has been provided to subsistence users (as indicated when the estimated harvest has exceeded the low range of the current ANS).
- Survey data indicating a reduced participation by subsistence harvesters of herring eggs is best explained by the reduced number of days of spawn, not a reduced interest in subsistence herring eggs.
- STA believes the statement contained in Committee Report A from ADF&G Subsistence division regarding why ANS is not being achieved[1] (in 2005, 2007 and 2008) is irrelevant to establishing the appropriate ANS level and as such should be struck from the record. If included in the record, STA would like to contribute that our position is that in years where reasonable opportunity has not been provided it is because the commercial sac roe fishing has impacted the duration of herring spawn and the location of spawn distribution. This is the basis (in addition to conservation concerns) for STA's efforts to put forth Proposals 203 and 204.



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

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

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

February 23, 2009
Response to Report of Committee A

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

- STA and ADF&G's annual herring egg harvest survey is a collection of the best available data regarding actual subsistence herring egg harvest.[2]
- The Sitka ADF&G Commercial Fish Division requires subsistence harvesters to attain and return harvest permits for spawn on kelp. When this permit data is compared to the harvest estimates attained by our annual herring egg harvest survey there is as much as a **50%** difference in harvest estimates attained. The average annual variation over the seven year survey period has been **34.7%,** with permits under reporting annual harvest.
- Public confidence in the ADF&G and STA annual customary and traditional herring egg survey could be bolstered by ADF&G securing consistent funding for their participation in the survey.
- In 2005 the Sitka Tribe collaborated with the Division of Subsistence on a similar project. While still in draft form, review copies of the final report are being circulated which show: Harvest estimates from the **salmon permit system** were only **41%** of the subsistence harvest estimated through the face-to-face surveys .[3]
- One report published by ADF&G's Division of Subsistence cites research conducted by ADF&G, the USFS and ISER which found:
  "In 1988, researchers with ADF&G, USFS, and Univ. of Alaska's Institute of Social and Economic Research conducted face-to-face surveys of randomly sampled households in Southeast, Alaska communities to document harvest and use of all wild resources for the previous 12-month period. Estimates of harvest of salmon for home use based on these harvest surveys can be compared to permit harvest reports for the same year. Harvest estimates provided during the personal interviews resulted in a regional harvest estimate that is several times larger than that based on returned permits: **based on the permits, an estimated 30,737 salmon** were harvested for home use in rural Southeast Alaska in 1987, compared with an estimated **172,293 salmon based on face to face interviews**. *The researchers gave several reasons for, what they concluded was, more accurate information from the interviews: they offered confidentiality to respondents, provided broader coverage in terms of gear types, and in a number of households providing information made it easier for users to respond with information.*[4]

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

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

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

prop 357

DSR Allocation Behnken 2/21

RC226

Every charter operator who testified said:

- The economy has downsized their business and they expect much fewer clients (we heard 40%)
- They do not target yelloweye (this was also the predominate testimony in 2006)

Fact: In 2007 the charter industry was able to stay below their DSR allocation even with a 2 fish halibut bag limit (took 1.9 million lbs of halibut (http://www.fakr.noaa.gov/npfmc/current_issues/halibut_issues/ADFG_halibutdata908.pdf).

Fact: The 2009 halibut charter quota is down to 788,000 pounds – NMFS has published a rule to implement a one fish bag limit – since yelloweye is a bycatch the catch should automatically be reduced by at least half given the 1.91 million lb catch last year and this year's management target. (Unless they sue to get more of the resource as they did last year).

Fact: The DSR quota was reduced in 2008 for everyone yet the charter industry took 10 tons more than they took in 2007. The reason an allocation is based on percent is so that sectors share in conservation –

- The charter industry did not work to reduce their bycatch in 2008, clearly they can take less fish as they did in 2007. The Staff report indicates there was targeting for rockfish because of reduced king salmon fishing.

Fact: the average weight for retained charter caught yelloweye is much higher than the average weight for the commercial yelloweye landed.

- This could indicate high grading and it is likely that released fish are smaller in size than those retained.

SEAGO supports decompression release of yelloweye which could allow for increased survival, yet no one testified to this as a future solution. Published studies indicate an 82% survival rate if rockfish are released within 2 minutes of surfacing (Cal State Longbeach) and 100% survival of fish to 30 days for the ones that survived initial release (OSU).

Fisheries management implications

The results of this research provide evidence of both short-term and long-term postrelease survival of line-caught southern California nearshore and shelf rockfish recompressed to capture depth (from 55 to 89 m). Findings suggest that the utility of recompression devices is high if used within minutes of capture. A variety of assisted release (i.e., recompression) methods, including inverted weighted milk crates and "fish descenders", currently exist to return overinflated fish to depth following capture (Theberge and Parker 2005). Although the use of recompression devices would not be practical for a strictly catch-and-release fishery, recompression would provide a practical means for decreasing discard mortality of incidentally caught rockfish.

http://www.usc.edu/org/seagrant/Publications/PDFs/Jarvis_Lowe_rockfish_barotrauma.pdf

Fact: The directed commercial fishery has been managed on time/area closures since it's inception. ... idea that an entire coastline or season would need to be closed to charter fishing to meet a ...anagement target or that yelloweye are "everywhere" is disingenuous.

Fact: **The commercial fishery has worked to reduce their bycatch so that they would have room for an increasing halibut fishery as these stocks rebuild. Taking fish from this historic sector, to provide for growth in the charter sector sends a terrible message to the commercial fleet – take as much fish as possible every year or charter will take it from you.**

In 2006 the BOF considered a 80/20 split and rejected it for the 84/16 split to prevent targeting in the charter fishery.