

State of Alaska

SEAN PARNELL, Governor

Commercial Fisheries Entry Commission

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MEMORANDUM

To: Jim Marcotte, Executive Director
Board of Fisheries
Department of Fish and Game M/S 1100

Date: November 2, 2010

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From: Commercial Fisheries Entry Commission
Peter Froehlich, Commissioner
Bruce Twomley, Commissioner

Subject: Restructuring Proposals

This memorandum provides the Commercial Fisheries Entry Commission's (CFEC) comments on the five "restructuring" proposals that the Board of Fisheries (Board) will be considering during the 2010-2011 regulatory cycle. The memorandum also provides our understanding of which proposals may require regulatory action by CFEC as well as the Board.

CFEC generally supports changes that will improve conditions for Alaska salmon fishermen and their families. However, CFEC will withhold comment on the merits of these specific proposals since we have not heard the arguments for and against the proposals and since, in one case, we may need to have our own separate regulatory proceeding should the Board take action. Like Board members, we will be interested in the problems, if any, these proposed regulations might cause management and enforcement, the extent to which such proposed regulations may lead to effort increases, and the extent to which each proposal might improve profitability by reducing total harvesting costs, increasing ex-vessel value, or other means.

Proposal 69:

Proposal 69 would allow Kodiak salmon purse seine, beach seine, and set gill net entry permit holders to use power or hand troll gear as an alternative gear in order to target Coho salmon from August 1 through September 30.

CFEC's salmon administrative area for the salmon troll fisheries is "statewide" and a salmon hand troll or power troll limited entry permit holder currently can fish for salmon in any waters where the Board allows troll gear as legal gear for salmon. To accommodate this proposal, CFEC would need to have our own regulatory proceeding to determine whether or not the Kodiak area should be removed from CFEC's statewide salmon troll administrative area and made a separate area.

Should the Board decide to adopt a regulation allowing troll gear as an alternative gear for CFEC salmon permit holders in the Kodiak area, contingent upon CFEC action, the Board's deliberations and rationale will help inform our discussion. Nevertheless, CFEC would still need to engage in our own regulatory proceeding and it is possible that we could reach a different conclusion once we have heard all of the arguments for and against the proposal.

Proposals 117 and 118:

These proposals would allow a person who holds two Cook Inlet salmon set gill net permits to operate two legal complements of gear under the conditions specified in the proposals. AS 16.05.251(i) provides the Board with the authority to adopt such regulations, notwithstanding AS 16.43.140(c)(5). No concomitant regulatory action by CFEC would be needed. We note (in contrast to Proposal 119, which would produce a net reduction in potential gear) Proposals 117 and 118 would not produce a net reduction in potential gear.

Proposal 119:

This proposal would allow a person who holds two Cook Inlet salmon drift gill net permits to utilize an additional 50 fathoms of gear. AS 16.05.251(i) provides the Board with the authority to adopt such regulations, notwithstanding AS 16.43.140(c)(5). No concomitant regulatory action by CFEC would be needed.

Proposal 120:

This proposal would appear to alter portions of 5 AAC 21.333 governing the use of additional gear in the Cook Inlet salmon drift gill net fishery when two permit holders are fishing together and jointly operating the gear. No concomitant regulatory action by CFEC would be needed.

cc: Denby Lloyd, Commissioner, ADF&G
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