

Rip Carlton

Subject:

FW: BOF

RC 27

Karl Johnstone
ADFG Board Of Fish

Dear Sir,

I am writing in support of a proposed TAC increase of the Aleutian Island Golden King Crab. I have been a active fisherman in AGKC for more than 30 years. I am currently the owner/operator of the FV Aleutian No. 1. I have seen the fishery go from ok, to good, better and now great. I have seen firsthand what a healthy fishery we have from the deck and now the wheelhouse. I have seen the fishery improve before rationalization and continue to improve after rationalization. We have a small group of very involved fisherman like myself who are pro actively worked with ADFG/NMFS to try and get a model that everyone agrees will work. My boat the Aleutian No. 1 is currently working with ADFG to try and get a pot survey done this summer and incorporate some new data that will assist in model development and accuracy. This is in my opinion the best crab fishery in Alaska, we were hoping to get a new model and subsequent TAC increase a few years ago, It looks like it may be a few more years before we see the model done, that being the case I would hope you could support our request for the TAC increase this year.

Sincerely,

Rip Carlton
F/V Aleutian No.1

The fishery managers have admirably in the last 2 years modified these restrictions in season. Last year the season opened as a 12 hour fishery. This is good for the period of time when there is a lot of participation.

The managers should be encouraged to vacate the time restrictions when the effort has reduced significantly. Especially for Area 3, which is at least a 6 to 8 hour drive to the boundary from any port. This will allow fishermen to travel between the grounds and the markets much more effectively and still fish efficiently. As set up now, it will cost the fisherman most of a day to travel back and forth to port.

Proposal 363 proposes to remove Port Nellie Juan from the commercially closed area. Please SUPPORT this proposal.

The commercial closed areas were created to allow small boats with limited range to be able to catch shrimp near ports, without having to compete with commercial shrimping interests. Due to limited fuel capacity and limited ability to safely navigate longer and more open waters, this is a safety consideration. The Port Nellie Juan waters do not fit this description. This area is more than 25 nautical miles from the nearest port. It is mainly a large open fjord subject to heavy weather. It is risky for small boats that are less seaworthy to venture this far. The non commercial boats that fish here have the range to choose to travel anywhere to fish. It should not be kept closed to commercial interests just to favor the larger more seaworthy sport vessels.

Proposal 364 would allow commercial fishermen to have 10 pots (a change from 4) on a longline before being required to have a buoy at each end. Please SUPPORT this proposal.

There are a two reasons that this is a smart idea: To reduce lost gear, and for Safety reasons.

Lost gear due to the set moving away from where it has been set is probably the largest contributor to lost pots.

Shrimp pots are relatively light (approximately 5 to 30 pounds each). Thus they do not have a strong anchoring effect. Buoys are buoyant, with up to 100 lbs of floatation. When current and waves are pushing a buoy, it exerts force on the pots, and can walk them away from where they were set. The greater the ratio of the buoyancy of the buoy to the total weight of the pots on the line, the greater are the chances that the buoy will move the pots.

So more pots on a longline with one buoy will allow more anchoring weight to prevent the buoy from "walking" the set away.

Also more pots on a longline help anchor the "walking" effects of a buoy by acting like an anchor with a chain. With more pots, there is a greater chance that near the far end of the longline, there will be no upwards force on some of the pots, thus there is less likelihood that they will be pulled away from where they were set. They can "anchor" the set, even if the buoy line forces have lifted a pot or 2 off of the bottom.

If you have a 5 pot set with a buoy at both ends, then that has probably greater than twice the chance of "walking" as a 4 pot set (regulation) with one buoy.

If you have an 8 pot set with a buoy at both ends, then that has the equivalent chance of "walking" as a 4 pot set (regulation) with one buoy. It may well be greater because you would have 2 buoys dragging the set away.

However if you have an 8 pot set with one buoy, it has way less than half of the chance of walking away than a 4 pot set, due to more anchoring weight, and to the chain effect.

Due to the need for more than 25% extra buoy line (relative to depth), the buoy does not sit above the set. It floats as much as 400 or 500 feet horizontally away from the pots. So with a short set, it marks the general area of the set. If you have more pots on the line, there would be a length when it would be good to generally mark the other end of the set, which if you have 11 pots @ 50 feet apart, would be 500 feet long. This marking can potentially reduce crossed longline gear conflicts, as other fishermen could see two buoys 500 feet apart, and may set further away from them.

Pots "walking" away definitely leads to more lost gear; which is a negative concern of fishery managers and fishermen. I believe that adopting this proposal will make a significant improvement in the amount of gear that is lost. More pots on a one buoy longline will have a better ratio of anchoring power to floatation to help combat the physics of what the weather and currents do to buoys.

There is also a safety factor. When pulling the pots with a buoy at the other end, there is a risk of getting the slack buoy line wrapped in the boats propeller. Often shrimp are caught close to shore, where maneuvering is somewhat restricted. This could provide for a dangerous situation.

SUPPORTing this proposal (364) should help to reduce lost gear, and increase safety margins, especially when close to shore.

Proposal 368

Creates an Octopus Management Plan.

Please SUPPORT this proposal.

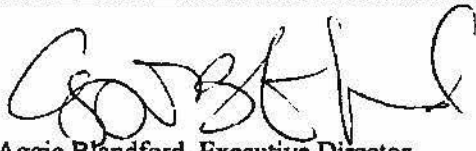
Octopus is caught in shrimp pots as they like to eat shrimp also. Being able to retain octopus creates some economic benefit for the fishermen, and with a management plan, the stocks of octopus can be kept healthy, and managers will be able to get some data as to their abundance also.

We also share the concern of the Department that if this minimum threshold provision is not removed, there is the distinct possibility of foregone harvest in the event the TAC is determined to be below 4,000,000 pounds. We note this foregone harvest would result in the unnecessary loss of income for our vessels, processors, the State of Alaska, and most notably our crab-dependent communities.

Thank you again for considering Proposal #384 out of cycle.

Sincerely,

WESTERN ALASKA COMMUNITY DEVELOPMENT ASSOCIATION

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

Aggie Blandford, Executive Director

cc: WACDA Board of Directors/CDQ Panel

Alaska Department of Fish and Game

Date March 20, 2012**PROPOSAL 346**

Proposal 346 will amend the regulatory description of the eastern boundary of the Kodiak Management Area for Dungeness crab. If adopted, this would create a mismatch with the shared portion of the Prince William Sound Management Area boundary. The substitute language below will ensure that the boundaries continue to match. There should be no management effect resulting from this change.

5 AAC 32.200. Description of Registration Area E

Registration Area E has as its western boundary the longitude of Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long** and as its eastern boundary the longitude of Cape Suckling (144° W. long.)

5 AAC 32.205 Description of Registration Area E districts and sections

(b) Outside District: all waters in the Prince William Sound Area that are seaward of the Inside District and between the longitude of Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long** and the longitude of Cape Suckling (144° W. long.). The Outside District sections are as follows:

Alaska Department of Fish and Game

Date March 20, 2012**PROPOSAL 357**

Proposal 357 will amend the regulatory description of the eastern boundary of the Kodiak Management Area for shrimp. If adopted, this would create a mismatch with the shared portion of the Prince William Sound Management Area boundary. The substitute language below will ensure that the boundaries continue to match. There should be no management effect resulting from this change.

5 AAC 31.200. Description of Registration Area E

Registration Area E has as its western boundary the longitude of Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long** and as its eastern boundary the longitude of Cape Suckling (144° W. long.).

5 AAC 31.205. Description of Registration Area E districts and sections

(b) Outside District: all waters in the Prince William Sound Area that are seaward of the Inside District and between the longitude of Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long** and the longitude of Cape Suckling (144° W. long.). The Outside District sections are as follows:

My name is David Pinguoch. I have operated a multiday charter business from the port of Whittier for 21 years. I would support Proposal 374 IF the word "sport" was removed from the proposal. The Whittier Advisory Committee and the Prince William Sound Charter Boat Association also support the proposal if the word "sport" is removed.

Conservation - First, I disagree, based on first hand experience, that this proposal when applied to shrimping in Prince William Sound improves the resource. It does exactly the opposite. Fish and Game incorrectly informed me last year that this proposal passed so I operated under this proposal in 2011. In 2010 when operating with my sport shrimp permit, I pulled pots an average of 1.4 pulls per trip. In 2011, when the clients had their own shrimp permit I averaged almost 2.2 pulls per trip, an increase of 50%. When clients had their own permit in hand, it wasn't uncommon that they asked to pull the pots daily or even twice daily. When I had the permit, it was much less on their minds and it was more like a bonus to the fishing trip. The big question is if the shrimp pot limit for one fishing license and per boat is the same, how does it improve the resource?

Reporting - Allowing sport fish guides to use their shrimp permits for reporting sport caught shrimp will provide more accurate reporting. Fish and Game has demonstrated the sport fish logbooks show 15% more harvest than client surveys for halibut. In 2011 only one of my clients filled out the permit without being prompted to do so. I also had one client tell me he had no intention of mailing in the permit. Wouldn't more accurate accounting be beneficial to all?

Violations - If failure to return a shrimp permit is or becomes a citable offense, am I as a sport fish guide equally responsible for my clients actions even though I have no control over whether the client turns in his/her shrimp permit?

Legality - I understand the issue is that we are selling the shrimp as part of the charter. What if I simply change my advertising to state "meals provided, except for sport caught seafood". Would that not negate the issue when applied to sport caught seafood?

Tourism - In Hawaii no fishing license is needed to fish on salt water. Sport caught fish can be sold. In Canada, I was told by a client who decided to come to Alaska because of issues with Canadian regulations that Alaska was almost as bad. He cited a case where non-residents were allowed to harvest 10 fish of a certain species, but they were only allowed to export 4. He learned of this regulation while attempting to cross the border out of Canada. The number of Alaska fishing licenses being sold is decreasing. Is a regulation that does nothing for the resource needed?

Southeast Alaska - Does this regulation exist in southeast Alaska because of conservation or was the intent more of an allocation issue presented by the commercial shrimp industry.

Below I wrote a story that will hopefully provide an alternative to the endless pages of regulation and opinions you must have to read, yet provide a perspective that I think is needed here.

Cap'n and Jethro

Hey Cap'n, what we gonna catch today? How about yellow eye rockfish Jethro?

Jethro reels up a big yellow eye and Cap'n gaffs it and brings it onboard. A few minutes later Jethro reels up a small yellow eye. Cap'n, can I let that one go so I can get another big one. Cap'n gaffs it and explains that all yellow eye must be kept since they seldom survive a trip back to the bottom

What can we fish for now Cap'n? Let's try ling cod fishing Jethro. Jethro reels up a ling cod and hands Cap'n the gaff. Cap'n puts down the gaff and tells Jethro he can't use a gaff on ling cod unless he's sure it is legal. Cap'n nets it, measures it and lets it go. Cap'n, why did you let it go, won't it die like the yellow eye? Ling cod have to be a minimum

of 32 inches Jethro and their air bladders are much different than yellow eye so they can survive a trip back to the bottom.

Cap'n goes in to use the head and Jethro reels up a halibut. When Cap'n arrives on deck Jethro is holding the pole, a gaff and net. Cap'n, I was going to help you out whilst you was distracted but I wasn't sure if the fish was too small, if I had to keep it, if I was supposed to use the gaff or the net. Cap'n explains that either the net or gaff is legal if he wants to keep it and there is no size limit and if he wants to release it is chances of survival are good. Jethro catches 2 nice halibut and on the way to another fishing hole asks the Captain how many halibut he can keep. Cap'n explains that the daily limit is 2 and the possession limit is 4 so he can have a total of 4 for the trip.

After anchoring Cap'n sets Jethro up for jigging for silvers and Jethro catches 3 right away. They still had some time left before anchoring for the night so Cap'n catches 3 silvers. Jethro thinks silver fishing is great and wants to catch more, but he read in the regulations that the daily limit and the possession limit was 3 so he figured he was done. Cap'n, I sure wish I could catch more of them silvers. They are fun to catch and my wife loves salmon. Well, Jethro, if I freeze these silvers we can catch 3 more tomorrow. But Cap'n I read in the regulations that the possession limit is 3. It is Jethro, but for salmon once they are frozen they no longer count in your possession limit. Well Cap'n, why don't you freeze the halibut then? Cap'n explains that halibut are a Federal fish and the meaning of possession is different. Jethro just looks at Cap'n trying to figure out if he is lying to him just so he doesn't have to catch more halibut.

On the way to the nights anchorage Jethro asks since they can catch more silvers if it'd be alright to have one of the silvers for dinner. Cap'n tells Jethro as long as they eat one of his. Jethro is now convinced that Cap'n isn't being very nice about this whole fishin' trip. Cap'n, that just don't seem to be very hospitable of you. Cap'n explains to Jethro that it is illegal for Cap'n to allow Jethro to eat one of his sport caught salmon while on the boat. (this is taking the same concept as Proposal 374 and applying it to salmon) Cap'n tells Jethro that he can take all of the silvers home with him, they just have to eat his while on the boat. Dinner was quiet that night.

Next morning, Jethro is up bright and early, takes a shower, combs his hair and puts on clean clothes - the first time since getting on the boat. Cap'n is happy, not only that Jethro showered, but to see he was in better spirits. They had just enough time to catch another daily limit of silvers and then head for home. On the way in Jethro snoop around the boat looking in every nook and cranny on the boat.

Back at the dock, Cap'n asked Jethro what he was lookin' for. Well Cap'n, last night I was trying to make sense of all them rules about gaffing, netting, limits, and such. I was able to make sense of all the things you told me until it came to eating them salmon. You said I couldn't eat your salmon onboard, but once I got off the boat with them I could eat them on the dock as sushi or barbecue one up at my camp sight or whenever I wanted. Well that just don't make no sense at'al and I finally figured it out. You was video taping me for a reality show - Worlds Most Gullible People or somethin' like that so I was lookin' for your hidden cameras. Why do you think I done took a shower and dressed up - it surely wasn't for you, not after what you done put me through.

America is regulating itself to death with over reaching unnecessary economically detrimental laws. Until I got to the part in the story about not being able to eat the salmon, the regulations in the story independently make sense and are worthy. Is a regulation that adds extra paperwork for Fish and Game, does nothing to conserve the resource and in my case actually works against conservation, decreases the accuracy of harvest and could negatively impact the charter/tourism industry justified? I for one, don't think so.

Right after completing this letter I picked up the Turnagain Times and read about 5 roadway signs that must come down along the Seward Highway. State Rep. Mike Hawker wrote letters to the 5 sign/business owners and stated, "At this time, the fact is that no degree of common sense will mitigate their zeal to conduct successful right of way clearing action regardless of whether it is in the best interest of citizens, adds to public safety or kills the economic foundation of our community." Thank you for your time, David Pinguoch

Department of Fish and Game
Submitted at the request of Karl Johnstone

3/20/2012

Substitute language for PROPOSAL 345



(a) In the Kodiak, Chignik, Alaska Peninsula, and Aleutian Districts, male Dungeness crab may be taken or possessed from 12:00 noon May 1 until **11:59 pm December 30** [12:00 NOON JANUARY 1], except in **waters of the Kodiak District south of the latitude of Boot Point (56° 49.98' N. lat.) and east of longitude of Boot Point at 153° 46.10 W. long. and waters south of the latitude of Cape Ikolik at 57° 17.40' N. lat. and west of the longitude of Boot Point at 153° 46.10 W. long.** [SOUTH OF THE LATITUDE OF THE SOUTHERNMOST TIP OF BOOT POINT AND SOUTH OF THE LATITUDE OF SOUTHERNMOST TIP OF CAPE IKOLIK], male Dungeness crab may be taken or possessed only from 12:00 noon June 15 until **11:59 pm December 30.** [12:00 NOON JANUARY 1].

RC 34

March 20, 2012

Karl Johnstone, Chair
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526

RE: Westward Scallop Fishery Proposals, 350, 352, 353---Historical Perspective on the Alaska Weathervane Scallop Fishery

Dear Chairman Johnstone:

Development of the Alaskan weathervane scallop fishery has gone through significant controversies since its beginnings in the spring of 1968 when a handful of scallop boats ventured out from New Bedford, Massachusetts to pioneer the fishery. The East Coast scallopers at the outset fished rough-shod on the crab grounds, and seldom hesitated to tow through crab pots, breaking lines and buoys loose, resulting in lost pots. Utilization of dredge gear for harvesting scallops on king crab grounds, led local Kodiak fishermen, fearing dredge damage to sensitive crab habitat, to organize for political action. Generally speaking, Kodiak fishermen were quite hostile to the abrasive East Coast scallopers and fist fights and brawling in the town bars were common. The local crab fishermen, a powerful lobbying group, organized opposition with the Board of Fisheries and they were also successful in getting Governor Wally Hickel to intervene with the Board. Hostilities were severe enough during the 70s', that scallopers often chose to land their product in Seward.

As early as August of 1968, some scallop boat owners accepted voluntary onboard observers who collected biological information on scallops, including bycatch of crab species. Also a voluntary logbook program was started. Bycatch was demonstrated to be a low average rate of 1.6 crab per tow.

Despite voluntary protectionist attempts by some of the fleet, the Board of Fisheries moved aggressively to curtail the wild scallopers. Early in 1969 and also in 1970 the Board of Fisheries closed extensive areas to scallop fishing off the West side of Kodiak and the South side of the Alaska Peninsula to protect finfish and shellfish resources and habitat. This discouraged the development of the scallop fishery and several of the boats diversified into crab and other fisheries. Effort continued to decline through 1977, when only two scallop boats remained in the fishery. From 1980 through 1982, a second wave of development occurred and fifteen new entrant boats entered the fishery and by 1992 at-sea processing technology began to develop, but the fishery still languished with effort, conservation and marketability issues.

In 1988, a third migration of fifteen new entrant vessels entered the fishery and by 1993, they were accounting for 1.5 million pounds of shucked meats. By 1992, all vessels

converted to onboard processing and Alaska scallops developed a reputation for consistent high quality. By the early 1990s, ADFG and a new breed of scallopers became concerned about overcapitalization of the fishery, increased landings of small immature scallops and concern about the bycatch of depressed king and tanner crab stocks.

In 1993, Carl Rosier, Commissioner of ADFG declared the weathervane scallop fishery a High Impact Emerging Fishery. At the request of the Alaska Crab Coalition, one of the first management actions he took was to close the Aleutian Islands Petrel Bank king crab area to scallop fishing. This occurred immediately following the exploratory trip of one scallop catcher processor, with an observer, that recorded a high bycatch of king crab. ADFG and the Board of Fisheries then began developing an interim management plan, which created nine separate management areas, that closely corresponded to king crab management areas. Scallop vessels were required to check in and check out of registration areas. Fishermen were also required to submit logbook and landing information with dates and areas identified. Area Guideline Harvest Ranges were established to prevent overfishing and maintain reproductive potential. Crab bycatch caps were established for the registration areas and set at 1% of the total crab population for areas with crab harvests, and .5% for areas closed to crab harvests. The stringent management measures, along with a mandatory 100% observer program, paid for by industry, were adopted with the support of a progressive sector of the fleet.

In 1992, the NPFMC supported by ADFG, and the scallop fleet, concerned about overcapitalization and a "loophole" in State regulations that left scallop fishing in federal waters unregulated, collaborated to begin developing an FMP and a moratorium control date on new entrants. Shortly after, in realization of the potential benefits of a fleet reduction program, the majority of the fleet joined the cooperative management effort.

At this point the scallop fleet approached the Alaska Crab Coalition to inquire of trawl closure protection areas in the Bristol Bay portion of the Eastern Bering Sea and volunteered to stay out of areas already closed to trawling; volunteered 100% observer coverage and accepted a low king crab cap of 500 crabs. This has resulted to this day in the scallopers fishing West of 164 degrees W. longitude, with the exception of a small area North of Unimak Island that intersects four ADFG statistical areas. The ACC supported the development of the federal FMP delegating management authority to the State of Alaska. ACC also supported limited entry in federal waters at the NPFMC and the state waters limited entry permit program within CFEC and the Legislature. With the implementation of the moratorium under the FMP, the fleet was reduced in size from eighteen to nine.

Today, the scallopers have four boats operating in Alaskan waters, and three of them have formed into a fishing and marketing cooperative. Fishermen and boats fish cooperatively and routinely forego fishing in areas of high scallop CPUE to avoid the bycatch of king crab. By limiting future capacity, the Council created a less competitive atmosphere that has created incentives that have fostered the development of a

sustainable fishery, that is highlighted by cooperative research and management strategies among the participants with ADFG and the Board of Fisheries



Arni Thomson
720 M Street #101
Anchorage, Alaska 99501

Reference: Distribution, Abundance and Spatial Management of the Weathervane Scallop Fishery in Alaska; Teresa Turk, A thesis submitted in partial fulfillment of the requirement for the degree of Master of Science, University of Washington, 2000.