

J. B. NARDESICH
601 RALPH RD.
NARNEK, AK
99633

To: A D F & G 907 439 2201

DECEMBER 2012 MEETING DUE

RE: 32' FOOT BOAT RESTRICTION

PRESERVATION OF THIS LONGSTANDING
RULE CONTINUES TO SERVE ITS
PURPOSE.

THOSE INDIVIDUALS VYING FOR REMOVAL
OF THE 32' LIMIT RULE WHO DON'T
EVEN "KNOW WHY THEY HAVE IT" ARE
NOT AWARE OF LOCAL CULTURE AND
STATE PRACTICE. OF THOSE OTHERS
WHO CLAIM 'LIMITED SPACE' IT WOULD
BE INTERESTING TO SEE IF THEIR
OWN BOAT(S) (OF THE TWO DOZEN

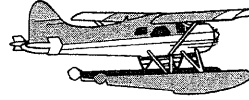
CHARACTERS WHO DIS-REGARDED LAW)
ARE "MAKING-WAKE" BECAUSE OF
A BIG-FLAT BOW — WHAT A PITY
FOR THEM. (SEE MY ALLIGATOR TEARS).

GIVE IT ANOTHER 10 YRS. SO THE
OLD (AND GONE BROKE!) GUYS CAN
FADE OUT WITH A FULL LIFETIME
FROM THEIR "LITTLER" BOATS. IF
THEY WANT TO STAY IN THE GAME
BY THEN, THEY'LL BE ENOUGH 'NEWER'
ONES USED FOR SALE.

I LOOK FORWARD TO ~~THE~~ 2025
AND ALL THE TRANSFORMATIONS OF
THESE TIMES LEVELING OUT SOME.
MEANWHILE, I RIDE ON WITH A
"HACKED" BOW — TWIN-SCREW — 12 1/2
FOOT BEAM — SATISFIED.

High Adventure

Air Charter, Guides & Outfitters, Inc.



Located on the Kenai Peninsula

Phone: (907) 262-5237
haac@alaska.net
www.highadventureair.com

P.O. Box 486
Soldotna, Alaska 99669

November 8, 2012

Members of the Board,
ATTN: Bristol Bay BOF Comments
Board Support Section
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811-5526

RECEIVED

NOV 14 2012

BOARDS

RE: PROPOSAL 239 – 5 AAC 67.022(g)(6)

As a Sports fishing Outfitter and having a camp on the Nushagak River, we wouldn't be against the *Single Hook* proposal for the Bristol Bay King Salmon. We have professional experienced guides that handle all released fish without creating an unnecessary mortality rate.

We are, however **OPPOSED** to the "No Bait" proposal. Alaska Department of Fish & Game already has the power to restrict bait, limits, and catch and release only during poor runs and feel this proposal is unnecessary. This restricts the fisherman of having a reasonable opportunity to catch a fish when waters are high and muddy.

We appreciate your consideration to this in advance.


Greg Bell

Owner

High Adventure Air Charter, Guides & Outfitters

FISHING - HUNTING - FLIGHT SEEING

Public Comment #22

Daniel C. Macdonald
201 Hawthorn Road
PO Box 5993
Bellingham, WA 98225

November 12, 2012

RECEIVED
NOV 14 2012
BOARDS

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

Re: Bristol Bay Set Gillnet Dual Permit Proposals

- PROPOSAL 44. I support this proposal
- PROPOSAL 45. I support this proposal
- PROPOSAL 46. I support this proposal
- PROPOSAL 47. I support this proposal
- PROPOSAL 48. I support this proposal
- PROPOSAL 49. I support this proposal
- PROPOSAL 50. I support this proposal
- PROPOSAL 51. I support this proposal
- PROPOSAL 52. I support this proposal
- PROPOSAL 53. I support this proposal
- PROPOSAL 54. I support this proposal

Dear Board of Fisheries:

I am a Nushugak setnetter and dual permit holder. The ability to hold and operate two permits and additional units of gear has allowed my family oriented fishing operation to become more efficient and profitable. I have then been able to reinvest additional revenues in new fishing skiffs which are safer, and were built to hold chilled fish in insulated slush ice compartments, improving our overall fish quality and contributing to an industry wide goal of the best product possible to compete in tough world markets.

Each of the above referenced proposals are directed at removing the sunset provisions of 5 AAC 06.331, which now allows in [u], a CFEC permit holder to operate two set gillnet permits and additional gear. If the Board does not approve any of these proposals, subsection [u] will not apply after December 31, 2012.

My investments in permits, skiffs, gear, sites, and equipment were made for the long haul with the hope that the Board would see fit to remove the sunset provision. Without the opportunity afforded under the present dual permit rules, it is doubtful that these financial commitments to setnetting would have been made.

While am in support of each of the proposals 44-54, I believe that **PROPOSAL 54** addresses other issues and inconsistencies in existing regulations and presents the best alternative.

Additionally, because *drift gillnet* operations are presently allowed to fish dual permits, *set gillnetters* could become disadvantaged with regard to allocations between the sectors if none of the PROPOSALS 44-54 were to be passed.

Thank you for the opportunity to comment.

Respectfully,

A handwritten signature in black ink that reads "Dan Macdonald". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Dan Macdonald

November 7, 2012



Dear Members of the Board,

RE: Opposition to Proposal 239

I am writing to provide testimony to my opposition of the Board of Fish (BOF) Proposal 239 (Prop 239).

My name is Kent Anderson. I am the owner of Anderson's Outdoors-Alaska Salmon Camp, a small guided sport fishing camp on the lower Nushagak River. I have been operating the camp since 2004 and guiding anglers in Alaska since 1995. I hold a Chogguing Land Use Permit for my operation. I also have a degree in Fish Biology and was previously employed by a state Fish and Wildlife agency. I have great respect for the Alaska Dept of Fish and Game (ADFG) in the management of the fish and game resources in Alaska. Other states should pay attention and implement some of the management tools used in Alaska.

Prop 239, as written, has the potential to greatly impact my business; primarily due to the decreased potential to catch king salmon with the no bait restrictions which, in turn, will decrease the satisfaction of my guests, resulting in fewer returning guests. I also feel that Prop 239 is not a science or management based proposal needed to ensure the sustainability of the Nushagak river king salmon. The Nushagak –Mulchatna King Salmon Management Plan (NMKSMP) is already in place to conserve the resource.

As we all know, the Nushagak River supports one of the healthiest runs of king salmon in Alaska. In 2012, when most of Southcentral Alaska had decreased runs and restrictions/closures, the Nushagak River saw an increase in king salmon numbers as compared to the previous 2 years. I support and practice using single hook for ease of releasing kings that are not retained, however, restricting the use of bait will be detrimental to my business. There is no sound science to back up the implementation of a permanent regulation restricting bait as a way to protect the run. ADFG already has the ability to restrict bait, on an as-needed basis, if the numbers of kings are not meeting escapement within the NMKSMP guidelines. Unlike other rivers in the Bristol Bay area, the lower Nushagak does not support a large population of native rainbow trout and char that may also be susceptible to over harvest by using bait.

Prop 239 will not only negatively impact the guide/lodge industry but also the local (Dillingham) sport anglers and private sport anglers. These groups may only have a limited opportunity to fish for king salmon and may only know techniques that use bait, such as drifting. Also, often water conditions are such (high & dirty) that the use of bait (scent) is critical for success.

I am a small operation, hosting only 8 guests/week for a 4 week season. I employ 2 additional people, 1 of which is a disabled veteran whose sole source of income is working seasonally for

me. The past several years have been a very challenging time to stay in business due to the economic times and implementing additional restrictions on our king salmon fishery will make it a greater challenge to stay in business in the future. Approving Prop 239, and the potential of affecting our business, will have a trickle down affect on the Dillingham community. Local businesses provide fuel, food, air taxi services, overnight lodging, boat repairs and supplies for the camps located on the river. Our camps have a very small window of time to operate, and like any business; we need to make a little profit to stay in business. This requires filling nearly 100% of our available space just to stay afloat. Approving Prop 239 and placing additional restrictions on the Nushagak will have no positive impact on our industry, the local economy, and will not be a measure to increase or sustain the runs of king salmon.

I would support, in agreement with the Nushagak Advisory Board, a “single hook” restriction to aid in a lower release mortality concern. Barbless will not benefit this significantly and with many young or inexperienced anglers it will assist in their catch and satisfaction, plus the ability to enforce a barbless restriction without harassing every angler will be difficult for the State Troopers. I would like to see a wording of “Single hook only”

RE: Support of Proposal 75 & 77

As stated above, my business relies on the opportunity to take visitors to Alaska on a fishing trip that meets or exceeds their expectations. These visitors bring millions of dollars annually to the State of Alaska. Most of which stays in Alaska.. In years past, with low escapement numbers, those of us in-river sport fish groups have bore the burden of conservation. I feel strong that this should be an equitable share of responsibility within all user groups. Conservation of the resource will benefit all in the long term.

Often, during years with a high sockeye abundance, consecutive tides are netted, resulting in very low daily escapement into the Nushagak River by all species of salmon. On these occasions, we see a dramatic decrease in our sport catch rates, which in turn impacts the guest satisfaction.

Also years with a delayed migration into the river, due to environmental factors (cold water, low water, temperature, etc), many king salmon are impacted unintentionally (harvested or drop out mortality) as by-catch during the early sockeye openers. By approving Prop 75, with a June 28th date or until adequate numbers of early returning king salmon have entered the Nushagak, this will ensure sustainable runs in the future, maintain genetic diversity throughout the entire run of kings, and still allow for the harvest of surplus sockeye later in the run.

Kent Anderson
Owner/operator
Alaska Salmon Camp, Inc
dba: Anderson’s Outdoors-Alaska Salmon Camp

Contact Info

Email : salmoncamp@me.com

Cell: 503-550-6303



Public Comment
BOF - Bristol Bay
2012 mtg

November 14, 2012

ATTN: Bristol Bay BOF Comments
Board Support Section
Alaska Dept. of Fish & Game
P.O. Box 115526
Juneau, AK 99811-556

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NOV 14 2012

BOARDS
ANCHORAGE

Members of the Board,

My name is Bud Hodson, I have been guiding anglers on the Nushagak River since 1976. I participated in the development of the Nushagak-Mulchatna Chinook Management Plan. I own and operate Tikchik Narrows Lodge.

PROPOSAL 239 - 5 AAC 67.022 (g) (6). Special provisions for seasons, bag, possession, size limits and methods and means in the Bristol Bay Area.

I **APPOSE Proposal 239**, restricting the use of bait and single hook only on the Nushagak for the following reasons:

The **NUSHAGAK-MULCHATNA CHINOOK SALMON MANAGEMENT PLAN (NMCSMP)**, already authorizes the Department management tools to manage the sport fishery.

- Reduce the bag limit and possession limits.
- Reduce the season
- Prohibit the use of bait**
- Require catch and release only
- Close the fishery to the fishing for Chinook Salmon

The NMCSMP, was a **negotiated** plan between Sport Fishing and Commercial Fishing. The plan sets an **allocation** to Sport Fishing. The use of bait, the mortality associated with a catch and release fishery **were part of those negotiations and considered when setting the allocation.** At the time of the negotiations, Commercial Fisherman did not want the Sport Fishery to continue to grow and re-allocate Kings from the Commercial Fishery to the Sport Fishery. The allocation to the Sport Fishery was made to allow some growth but not grow past the 5,000 Chinook allocation. It was recognized that the Sport Fishery was going to bear the in season burden of conservation. Because of this, it was acknowledged that if the run exceeded escapement the allocation would be lifted.

The Department set the biological escapement goal at 65,000 Chinook and allocated 5,000 to the Sport Fishery and another 5,000 Chinook for subsistence. When the fishery is healthy and projected escapements will exceed 75,000 the allocation of 5,000 is dropped and **bait should be allowed.**

Summer (June/September)
P.O. Box 690, Dillingham AK 99576
(907) 644-3961 no fax use info@tikchik.com
www.tikchiklodge.com

Winter (October/May)
P.O. Box 220507 Anchorage AK 99522
(907) 243-8450 info@tikchik.com
www.tikchiklodge.com

November 14, 2012

Bristol Bay BOF Comments – Page 2 – Bud Hodson

PROPOSAL 239 - 5 AAC 67.022 (g) (6). Special provisions for seasons, bag, possession, size limits and methods and means in the Bristol Bay Area. **Continued**

The NMCSMP has worked well. The Department has used the management tools successfully to ensure escapement for many years.

In a sport fishery, anglers need opportunity to catch fish. In the case of the Nushagak River, daily escapement varies greatly. One day's high escapement can be followed by two or three days of very weak escapement. On days of low escapement, it is difficult to catch kings, even with bait, let alone without bait. Especially in high dirty water.

I support the **Nushagak Advisory Committee's** amendment to **PROPOSAL 239 – TO ALLOW BAIT**. Dillingham and Nushagak River Residents use bait. There was also discussion about young Native guides just starting out and no bait restrictions could make it difficult for them.

I am in favor of **eliminating treble hooks**, I do think that going barbless is overkill. Fish & Game has stated "*that there is little to no biological advantage to barbless hooks, while enforcement can be problematic*". We also have a lot of kids and families, it is difficult for a 7 to 10 year old to keep the line tight throughout the fight with a King Salmon. Barbless hooks would be very difficult for young and novice anglers.

The 2012 Nushagak River escapement of Chinook was **107,000 (32,000 over the escapement goal of 75,000 Chinook.)**

The 2013 ADF&G pre-season forecast for the Nushagak River Chinook Salmon is for a **commercial harvest of 45,000 Chinook, with a range of 25,000 to 65,000 harvest.** There is not a conservation problem for Nushagak Chinooks Salmon, in fact **they are healthy.**

PROPOSAL # 2 –Extend the catch & release the catch and release are for rainbow trout on the upper Nushagak River. This is my proposal, my comments are with the proposal.

PROPOSAL # 3 – From June 8 through October 31, only un-baited, barbless, single hooks artificial flies may be used.

I am **APPOSED** to this proposal. Fish & Game has stated that there is little to no biological advantage to barbless hooks, while enforcement can be problematic. On the Agulapak River, which is one of the designated "Fly Fishing" only rivers, we will use hooks as small as a size 22 midge, (about ¼ of a inch in size). We routinely land rainbows over 24" on these small flies. Without a barb there is no way to land a big fish. We also have young kids (6 year and up) and novices learning to fly. Using a barbless hook would diminish their chance to land a rainbow trout. It is over kill.

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November 14, 2012

Bristol Bay BOF Comments – Page 3 – Bud Hodson

PROPOSAL # 4 – Prohibit putting fish parts in waters where use of bait is prohibited.

I **SUPPORT** this proposal. It does not make sense to have protected waters restricting the us to Fly Fishing only and no bait, yet allow chumming with salmon eggs.

PROPOSAL # 6, 7 & 8 – reduce the king salmon bag limit in Bristol Bay. I **SUPPORT** proposal 7, which reduces the king salmon bag limit. Proposal # 7 is my proposal, my comments are on the proposal. I would point out that my concerns for the King Salmon are shared by the Togiak Traditional Council, who authored proposal # 8.

PROPOSAL # 9 – Limited guided use in Bristol Bay. I **APPOSE** this proposal. It is too broad and no solution to the outlined problem.

PROPOSAL # 85 – Create a Togiak River King Salmon Management Plan.

I **SUPPORT** the concept, however the Togiak River does not have a sonar and ADF&G has no way of knowing the day to day escapement which would be needed for management decisions.

Thank you for your time and consideration.

Sincerely,

Bud Hodson
Own/operator

Summer (June/September)
P.O. Box 690, Dillingham AK 99576
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I'm writing in support of proposals 44-5aac through 54-5aac, the **revocation of the "sunset clause."**

Bristol bay setnetting is a very family oriented fishery. As time passes though, older members pass away, while younger members may move on to their own careers. As unfortunate as it is, it is hard to trust a crewman or even some friends with a regular permit transfer, when they know they can cause you problems or even just walk away with your investment.

I would also like to point out, that with two setnet permits our gear allotment is still less than that of one drift permit.

We are not trying to cause a monopolization in the industry. We would just like to protect our's and our families investments, and be able to work enough gear to make it economically viable.

Thank you for your time.

Sincerely Barrett Gribble

Kevin Schrier
7030 NW Churchill Way
Corvallis, OR 97330
Permit #SN60602
Nov. 8, 2012

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

Bristol Bay Finfish Proposal Comments

My name is Kevin Schrier and I grew up in Kenai, AK. I fished in Cook Inlet for many years before moving my fishing operation to Bristol Bay, where I've been setnetting on the Kvichak River since 1996. I've seen the Kvichak come back from some very poor years and realize how critical it is to have good management and a flexible review process. Please consider my comments on several of the proposals, and thanks in advance for your hard work.

#15 ADF&G opens fishing at the 8 ft. tidal mark for a reason - to give everyone water to fish. Some setnet sites are on cutbanks and are quite deep, while others are on mud flats and are a ways off shore at the 8 ft. mark. While I agree that it is bad practice to leave a running line at these offshore locations, it is not practical to remove screw anchors and buoys. Please reject #15.

#21 and #22 Setnet markings on buoys and skiffs are sufficient. These proposals are unnecessary.

#23 Add setnet gear to this proposal as well. I agree that marking just the ends of the net is sufficient.

#24 Any new fishery would add complexity to an already difficult management system. Please reject #24.

#32 - 35 Every Board cycle has new proposals for longer drift boats. I favor the 32 foot limit for enforcement and management standards. In addition, rivers and river mouths already feel tight when boats are moving about - adding length to drift boats would only intensify this.

#44 - 54 This group of proposals permanently allows dual ownership of permits for an individual setnetter. I strongly support this action, as it helps families to keep permits in their names and provides a better opportunity for fishermen struggling economically. It is not hard to imagine that a setnetter fishing a mud flat would

need to fish more gear than one whose sites are on a deep cutbank to have a similar catch. For this person dual ownership is extremely helpful. And thinking toward the future, dual ownership would provide better business opportunities in times of poor returns, economic recession and possible shifts in ocean temperature.

#58 - 61 These proposals revisit the General District. I am opposed to opening this area, as I think it could result in unintended interception of fish headed for the Kvichak River.

#66 Setnet fishermen on the Kvichak used to sit for days while waiting for escapement. Allocation has allowed them the opportunity to fish in a more balanced fashion throughout the season. Also, allocation has been an extremely effective management tool for ADF&G. Please reject #66.

#67 Fish and Game has done a great job of managing salmon runs, and any imposed static schedule of fishing (in this case, staggering of fishing periods) would decrease their flexibility. Please reject this proposal.

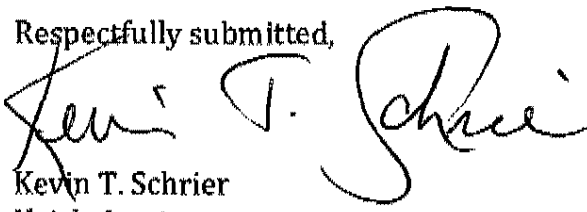
#68,69,71,72 These proposals aim to open specific areas for fishing once minimum escapement goals have been met. I think the extra burden on enforcement and management should preclude these actions. Please reject #68, 69 and 71.

#70 I fished in the Alagnak River Special Harvest Area during every year this was open, and the drift boat participation was extremely small. This river is narrow and shallow and is not conducive to drift boats other than those with minimal draft. Conversely, it is ideally suited to shallow draft, maneuverable setnet skiffs and I feel the fishery should be managed as it has been in the past. I strongly recommend rejecting proposal #70.

#76 Please allow ADF&G maximum flexibility - reject proposal #76

Thank you.

Respectfully submitted,


Kevin T. Schrier
Kvichak setnetter



United States Department of the Interior NATIONAL PARK SERVICE

Alaska Region
240 West 5th Avenue, Room 114
Anchorage, Alaska 99501

IN REPLY REFER TO:

1.A.1(AKRO-SUBS)

NOV 15 2012

Mr. Karl Johnstone, Chair
Alaska Board of Fisheries
ATTN: BOF COMMENTS
Boards Support Section
Alaska Department of Fish and Game
PO Box 115526
Juneau, Alaska 99811-5526

Dear Chairman Johnstone:

During your December 2012 meeting in Naknek, you will be addressing proposed regulatory changes affecting the Bristol Bay Area. Within this area, the National Park Service (NPS) is the land managing agency for Katmai National Park and Preserve, Lake Clark National Park and Preserve and that portion of the Alagnak River designated as a Wild River.

We share with you the desire to implement a sound management strategy for the fishery resources within this area. The enclosed comments address proposals 4, 9, 68 and 69. These proposals, depending on action taken, could affect the fishery resources and the subsistence and sport users who utilize these resources on the aforementioned NPS units.

Conservation of the fishery resource is the primary objective of both Federal and State regulators and managers. We, therefore, offer the comments on these proposals in the spirit of cooperation with the State regulatory process. We believe that, through a cooperative State/Federal regulatory and management process that emphasizes fishery conservation, the fishery resources will be perpetuated for the use and enjoyment of all user groups for this and future generations.

Thank you for considering our comments. If you or your staff has questions, please contact Nancy Swanton, Subsistence Program Manager, at 644-3597 or Dave Nelson, Fishery Biologist at 644-3529.

Sincerely,


Debora Cooper for
Sue E. Masica
Regional Director

Enclosures (1)

cc:
see attached list

cc:

Cora Campbell, Commissioner, ADF&G
Pat Pourchot, Special Assistant to the Secretary for Alaska
Tim Towarak, Chair, Federal Subsistence Board
Monica Wellard, Executive Director, Board of Fisheries
Jeff Regnart, Director, Commercial Fisheries Division, ADF&G
Charles Swanton, Director, Division of Sport Fish, ADF&G
Hazel Nelson, Director, Division of Subsistence, ADF&G
Pete Probasco, Assistant Regional Director, Office of Subsistence Management
George Pappas, OSM Liaison to the Board of Fisheries
Debora Cooper, Associate Regional Director, NPS
Mary McBurney, Subsistence Program Manager, Lake Clark and Katmai National Park and Preserve
Troy Hamon, Chief of Resources, Katmai National Park and Preserve
Eric Veach, Acting Superintendent Katmai National Park and Preserve
Joan Darnell, Acting Superintendent, Lake Clark National Park and Preserve
Nancy Swanton, Subsistence Program Manager, NPS
Dave Nelson, Fishery Biologist, NPS
Stephen Fried, Fisheries Division Chief, the Office of Subsistence Management

**NATIONAL PARK SERVICE (NPS)
COMMENTS ON
ALASKA BOARD OF FISHERIES PROPOSALS**

**For The
BRISTOL BAY MANAGEMENT AREA**

**State of Alaska
Board of Fisheries Meeting
December 4-12, 2012
Bristol Bay Borough School
Naknek, Alaska**



**United States Department of the Interior
NATIONAL PARK SERVICE
Alaska Region
240 West 5th Avenue,
Anchorage, Alaska 99501**

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The following comments address the aforementioned proposals as they affect fishery resources in National Park Service (NPS) units in the Bristol Bay area of Alaska and the subsistence and sport users who depend on those resources. The NPS units are: Katmai National Preserve, Lake Clark National Park and Preserve and that portion of the Alagnak River designated a Wild River. Federally qualified subsistence users having a customary and traditional use of the subsistence fishery resources in these NPS Units are rural residents of the Kvichak/Illiamna-Lake Clark drainages. Subsistence fishing is prohibited in Katmai National Park but is allowed in the Preserve. Sport fishing also occurs in waters within these NPS units in accordance with State and NPS regulations.

NPS Comments

Proposal 4: Prohibit placing or discarding fish parts in the freshwaters of the Bristol Bay Management Area where use of bait is prohibited. The intent of the proposal is to prohibit the practice commonly referred to as “chumming.”

Current State regulations:

5AAC 75.955. Definitions

(36) "bait" means any substance applied to fishing gear for the purpose of attracting fish by scent, including fish eggs in any form, natural or preserved animal, fish, fish oil, shellfish, or insect parts, natural or processed vegetable matter, and natural or synthetic chemicals;

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area

This regulatory citation contains a lengthy list of Bristol Bay Area waters where the use of bait is prohibited or otherwise limited by time and area. Some of these waters are within Katmai and Lake Clark National Park and Preserve and that portion of the Alagnak River designated as a Wild River.

Current Federal regulations:**50 CFR 100.25 Subsistence taking of fish, wildlife, and shellfish: general regulations**

(a) *Definitions. The following definitions apply to all regulations contained in this part:*

Bait means any material excluding a scent lure that is placed to attract an animal by its sense of smell or taste; however, those parts of legally taken animals that are not required to be salvaged and which are left at the kill site are not considered bait.

50 CFR 100.27 Subsistence taking of fish:

(b) *Methods, means, and general restrictions. (1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by regulations in this section), you may use the following legal types of gear for subsistence fishing:*

xix) A rod and reel

50 CFR 100.27(e) (5) Bristol Bay Area

(vii) *Outside the boundaries of any district, unless otherwise specified, you may take salmon by set gillnet only.*

(xvii) *You may take rainbow trout only by rod and reel or jigging gear. Rainbow trout daily harvest and possession limits are two per day/two in possession with no size limit from April 10 through October 31 and five per day/five in possession with no size limit from November 1 through April 9.*

A National Park Service regulation prohibiting chumming is applicable in Lake Clark and Katmai National Park and Preserve and all other waters in the Bristol Bay Area within NPS units.

36 CFR 2.3(d)(3) *The following are prohibited:*

(3) *Chumming or placing preserved or fresh fish eggs, fish roe, food, fish parts, chemicals, or other foreign substances in fresh waters for the purpose of feeding or attracting fish in order that they may be taken.*

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impacts to NPS qualified subsistence users/fisheries: None. As noted, "chumming" is prohibited in Bristol Bay waters within NPS units. This regulation supersedes State regulation that currently allows this practice.

NPS Position/Recommended Action: Oppose as written. This is a proposed sport fishing regulation that would not affect Federal subsistence users. Subsistence users could continue to return inedible parts of fish to the water in which they were harvested and thus continue an on-going practice. However, if adopted, inedible parts of sport caught fish taken in waters where

bait is prohibited would have to be disposed of in upland areas. This would be contrary to resource conservation as nutrients from the carcasses would not be returned to the aquatic ecosystem. Further, fish waste disposed of in upland areas would create an unnatural condition that would attract predators such as bears. This could lead to increased and undesirable bear/human interaction in the Bristol Bay area.

The intent of this proposal is to render the practice of "chumming" an unlawful activity. If the Board agrees with this intent, we would be supportive of a modified proposal that would align with the National Park Service regulation (36 CFR 2.3(d) (3) referenced above.

Proposal 9: Requests limiting the number of days guided sport anglers can fish in Bristol Bay. The proponent implies that this could be effected by limiting the number of client days a commercial operator may provide. The proponent does not specify a number.

Current State regulations: No regulation limits the number of days a guide may provide to clients in the Bristol Bay Area.

Current NPS regulations:

16 USC 5966 Sec. 418. Commercial Use Authorizations.

(a) IN GENERAL. To the extent specified in this section, the Secretary, upon request, may authorize a private person, corporation, or other entity to provide services to visitors to units of the National Park System through a commercial use authorization. Such authorizations shall not be considered as concessions contracts pursuant to this title nor shall other sections of this title be applicable to such authorizations except where expressly so stated.

(b) CRITERIA FOR ISSUANCE OF AUTHORIZATIONS.

(1) REQUIRED DETERMINATIONS.---The authority of this section may be used only to authorize provision of services that the Secretary determines will have minimal impact on resources and values of the unit of the National Park System and are consistent with the purpose for which the unit was established and with all applicable management plans and park policies and regulations.

(2) ELEMENTS OF AUTHORIZATION.---The Secretary shall---
(A) require payment of a reasonable fee for issuance of an authorization under this section, such fees to remain available without further appropriation to be used, at a minimum to recover associated management and administrative costs;

(B) require that the provision of services under such an authorization be accomplished in a manner consistent to the highest practicable degree with the preservation and conservation of park resources and values;
(C) take appropriate steps to limit the liability of the United States arising from the provision of services under such an authorization; and
(D) have no authority under this section to issue more authorizations than are consistent with the preservation and proper management of park resources (emphasis added) and values, and shall establish such other conditions for issuance of such an authorization as the Secretary determines appropriate for the protection of visitors, provision of adequate and appropriate visitor services, and protection and proper management of the resources and values of the park.

Application of these regulations to NPS Units in Bristol Bay:

Katmai National Park and Preserve: Guides/guiding operations are required to have a Commercial Use Authorization permit. The permit is valid for up to two years and authorizes commercial guiding operations in the Park and Preserve. In 2012, 22 permits were issued to guided fishing operations for activities in the Alagnak Wild River and the Park and Preserve. At this time, the Park's Superintendent has not limited the number of commercial permits that may be issued to sport fishing guides. Permit stipulations do, however, limit the number of clients per guide to 15 and may restrict where and when guided fishing activities may occur.

Lake Clark National Park and Preserve: The Park and Preserve are the headwaters and spawning grounds for many of the Kvichak River sockeye salmon stocks. This Park and Preserve also requires sport fishing guides/operators to obtain a Commercial Use Authorization permit. In 2012, 35 permits were issued to guided fishing operations. At this time, the Park's Superintendent has not limited the number of commercial permits that may be issued to sport fishing guides/operators. Permit stipulations do, however, limit the number of clients per guide to 15 and may restrict where and when guiding activities may occur.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impacts to NPS subsistence users/fisheries: The proponent leaves the Board and its Committee process to specify the allowable guided angler days in the Bristol Bay Area. Without a definitive number, it is not possible to qualify or quantify the effect of adopting this proposal on federally qualified subsistence users, sport fishing guides, non-guided anglers or the fishery resources that support these activities on waters within NPS units.

NPS/Recommended Action: The information provided in the proposal is insufficient for the NPS to adopt a position. Sport fishing guides/operators are required to obtain a permit from the

appropriate NPS Superintendent to conduct guiding activities in NPS units in the Bristol Bay area. Currently, there are no limitations on the number of permits that may be issued but permit stipulations provide for where, when and how many clients are authorized per guide. If this proposal were adopted in some more specific form, Park Superintendents would assess its impact on the current Federal permitting process and respond accordingly.

Proposal 68. Establish a new set gillnet fishery in the Kvichak River adjacent to the village of Levelock that would open when the Kvichak River reaches minimum escapement.

Current State regulations:

5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

(a) The purpose of this management plan is to establish the allocation of sockeye salmon between the commercial set and drift gillnet fisheries within the Naknek-Kvichak District and to establish management measures for the department to achieve the allocation.

5 AAC 67.025. Kvichak River Drainage Sockeye Salmon Management Plan

(a) The purpose of this management plan is to ensure biological spawning escapement requirements of sockeye salmon into the Kvichak River drainage upstream of its confluence with the Alagnak River (Branch River). It is the intent of the Board of Fisheries to address the trade-off between biological, social, and economic concerns for Kvichak River drainage sockeye salmon. This management plan provides guidelines to the department to minimize allocation conflicts between sport and subsistence users of the sockeye salmon resource. The department shall manage the Kvichak River as follows:

(1) if the inseason escapement is projected to be two million sockeye salmon or more, the existing sport fishing regulations in this title will be in effect;

(2) if the inseason escapement is projected to be less than two million sockeye salmon, the commissioner shall, by emergency order, impose restrictions on the sport fishery as follows:

(A) a reduction in bag and possession limits from five fish to two fish; and

(B) a closure of waters within the Kvichak River drainage to sport fishing for sockeye salmon that may have the potential for conflict between the sport and subsistence fisheries, including

(i) Alexi Creek and all waters within 150 yards of its confluence with the Newhalen River;

(ii) the waters of Sixmile Lake and one-quarter mile downstream of Sixmile Lake in the Newhalen River and the lower one-quarter mile of the Tazimina River;

(iii) all waters within one-half-mile of the confluence of the Gibraltar River with Lake Iliamna; and

(iv) the waters of the Kvichak River adjacent to the community of Igiugig as posted between ADF&G regulatory markers.

(b) If the department projects that the spawning escapement will be less than two million sockeye salmon, and the Naknek-Kvichak District is also closed to commercial fishing for 10 consecutive days, the commissioner may, by emergency order, implement one or more of the following additional restrictions to the sport fishery:

(1) reduction of the sockeye salmon bag and possession limit to one fish;

(2) closure of additional waters that have a potential for conflict between the sport and subsistence fisheries;

(3) closures during the spawning season;

(4) closure of the entire Kvichak River drainage to sockeye salmon fishing.

(c) The department shall manage for a harvest of 15,000 sockeye salmon in the sport fishery.

Current Federal regulations:

50 CFR 100.27 (e)(5) Bristol Bay Area. The Bristol Bay Area includes all waters of Bristol Bay, including drainages enclosed by a line from Cape Newenham to Cape Menshikof.

(i) Unless restricted in this section, or unless under the terms of a subsistence fishing permit, you may take fish at any time in the Bristol Bay area.

(vii) Outside the boundaries of any district, unless otherwise specified, you may take salmon by set gillnet only.

(C) You may also take salmon without a permit in Lake Clark and its tributaries by snagging (by handline or rod and reel), using a spear, bow and arrow, or capturing by bare hand.

(D) You may also take salmon by beach seines not exceeding 25 fathoms in length in Lake Clark, excluding its tributaries.

(E) You may also take fish (except rainbow trout) with a fyke net and lead in tributaries of Lake Clark and the tributaries of Sixmile Lake within and adjacent to the exterior boundaries of Lake Clark National Park and Preserve unless otherwise prohibited.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impact to Federal subsistence users/fisheries: Levelock is not within Federal waters. However, a commercial harvest here could impact Federally qualified subsistence users further upstream in Lake Clark National Park and Preserve by reducing the number of sockeye salmon available to meet their subsistence needs. The sockeye salmon run to Lake Clark could also be reduced to the detriment of the resource.

NPS/Recommended Action: Oppose A commercial harvest of sockeye salmon at Levelock, even if the minimum Kvichak River escapement were achieved, would reduce the number of sockeye salmon available to Federally qualified subsistence users in waters within Lake Clark National Park and Preserve. This could make it more difficult for subsistence users to meet their needs.

There are 18 years of counting tower estimates for the Lake Clark sockeye salmon run. Although run strength has shown considerable variability, the run has been trending down. The long term average is ~598,000 fish. Runs in the last 5-years have been below this average. A new commercial fishery adjacent to Levelock could further depress this sockeye salmon run creating a conservation concern.

Achieving the Kvichak River minimum escapement goal assumes a numerical distribution to the various spawning populations proportionate to historic escapements/production. This is an ideal management objective that may not always be achieved and the potential failure to achieve a random distribution of spawners could be exacerbated by a new commercial sockeye salmon fishery at Levelock.

Further, there is no sockeye salmon escapement goal for Lake Clark. Eighteen years of data are available for analysis and establishment of a goal should be considered. This would be useful for refining management of the Kvichak River run as a whole.

The NPS is neutral regarding the allocative aspects of this proposal between State users.

Proposal 69. Open the Alagnak River Special Harvest Area (ARSHA) to set gillnets when the Kvichak Section is open.

Current State regulations:

5 AAC 06.373. Alagnak River Sockeye Salmon Special Harvest Area Management Plan

(a) The goal of this management plan is to allow the harvest of surplus Alagnak River sockeye salmon stocks in the Alagnak River Special Harvest Area when sockeye salmon returns to the Kvichak River prevent the harvest of sockeye salmon within the Kvichak District.

(b) The Alagnak River Special Harvest Area (ARSHA) consists of the waters of the Alagnak River from ADF&G regulatory markers located 1.5 miles upstream of its confluence with the Kvichak River, upstream to ADF&G regulatory markers located downstream of South Slough.

(c) Salmon may be taken in the ARSHA under this section only during fishing periods established by emergency order.

(d) Salmon may be taken in the ARSHA with set gillnet and drift gillnet gear. Salmon harvested in the ARSHA will not count against the allocations of sockeye salmon to the gillnet fisheries specified in 5 AAC 06.364(b). To the extent practicable, drift gillnet and set gillnet fishing will open separately, with openings alternating between the two gear groups. If, after a total of four openings, the harvest from either gear group is less than 50 percent of the other gear group's harvest, alternating openings will not be required, and the department may increase the number of openings for the gear group with the greater harvest.

(e) When the ARSHA is open under this section, a gillnet may only be operated as follows:

(1) a set gillnet may not exceed 25 fathoms in length;

(2) a set gillnet may not be set or operated within 150 feet of another set gillnet;

(4) a set gillnet must be operated in a substantially straight line perpendicular to the nearest bank of the Alagnak River;

(5) notwithstanding 5 AAC 39.240(a) a vessel may not have more than 50 fathoms of set gillnet gear for each CFEC permit holder on board the vessel;

(6) all gear and equipment associated with set gillnet fishing in the ARSHA must be removed from the water when it is not being used to fish in the ARSHA;

(7) no more than 50 fathoms of drift gillnet may be used to take salmon;

(8) a CFEC permit holder may not use more than one gillnet to take salmon at any time;

(9) a drift gillnet vessel may not have more than 150 fathoms of drift gillnet on board the vessel.

Current Federal regulations:

50 CFR 100.27 (e)(5) Bristol Bay Area. The Bristol Bay Area includes all waters of Bristol Bay, including drainages enclosed by a line from Cape Newenham to Cape Menshikof.

(i) Unless restricted in this section, or unless under the terms of a subsistence fishing permit, you may take fish at any time in the Bristol Bay area.

(vii) Outside the boundaries of any district, unless otherwise specified, you may take salmon by set gillnet only.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impact to NPS subsistence users/fisheries: The ARSHA is located several miles downstream of federal public waters. Subsistence fishing/fisheries that occur in the upper Alagnak River, managed as a Wild River by the NPS, would likely be minimally affected if the magnitude of recent sockeye salmon runs to this river system continues.

NPS Position/Recommended Action: Oppose. Strong annual sockeye salmon runs to the Alagnak River will not necessarily continue as the norm. During years with weak salmon runs to the Alagnak River but strong runs to the Kvichak River, the NPS would have conservation concerns regarding the continued sustainability of Alagnak River sockeye salmon. Automatically opening the ARSHA to commercial fishing based upon run strength in the adjacent but separate Kvichak River watershed would be contrary to sound management practices with potential negative consequences to the sockeye salmon resource.

Alaska Board of Fisheries comments**Bristol Bay Herring Proposals**

Dear Members of the Board,

My name is Tom Nelson; I am a Seiner from Homer, Alaska and have participated in The Togiak sac Roe Herring fishery for over 25 years. I would like to comment on the proposals affecting Bristol Bay herring.

Proposal #11 I support this proposal

Seine and gillnet fisheries operate in separate areas of the district and each should be allowed to harvest their respective quotas in the most efficient manner to maximize quality.

Proposal #12 I OPPOSE this proposal.

This fishery was pioneered and has been largely harvested by the seine fleet. The allocation was already changed from 25% gillnet to 30% in a previous board cycle. The gillnet fleet in recent years has been open to 24 hours continuous fishing time and the gillnet quota is still not met. Any local fisherman has unlimited and ample opportunity to fish as much as they want. Under the current regulation there are no constraints for anyone wanting to gillnet herring. The proposal states that only a few non-residents would be harmed, I take great offense to this statement. 90% of the seine fleet are Alaska residents, and like me most have participated for 20-30 years. Herring prices rise and fall like everything, but The Togiak herring fishery is on average 20% of my income. Last years it was 40%, and would be a significant financial loss for my operation if any changes are made to restrict the seine fleet.

Proposal #13 I OPPOSE this proposal

In the more than 25 years I have been involved in the Togiak Herring fishery I have seen biomass fluctuations due to natural survival cycles. At no time have I ever felt the biomass was weak or over estimated. Some years it's downright impressive to see hundreds of thousands of tons on the grounds at the same time. The ADFG staff has done a great job of forecasting the returns and at no time have I felt like we overharvested. We need to base our estimates on the science of scale samples and aerial surveys that our very qualified ADFG staff employs, not anecdotal observations of "There are not as many herring around". To the statement of "substantial subsistence requirements" of the village residents, In all my years I have never observed any effort by the residents to procure herring for food. I have never seen a subsistence gillnet or any salting or drying of herring in the villages. I have observed some limited collection of roe on kelp, but the only real effort comes when a buyer wants to purchase some roe on kelp. I am not saying that there is no subsistence of herring, but in my observations it is very limited. Tens of thousands of tons of post spawn herring stage right in front of the Togiak village, procurement of subsistence food would be easy. I goes to show that herring is NOT a substantial

subsistence food for the residents of the villages. Again this would be a significant financial hardship to close this fishery.

Proposal #14 | OPPOSE this proposal

Herring move around and spawn in different areas. In 2012 a large spawn occurred from pyrite point all the way to cape newcgham, which has never been observed. Sometimes spawn is heavier to the East, it just depends on the entry pattern for the herring. A good portion of the Anchor Point area is already closed to fishing. I see no need to expand this. Again I have observed very limited subsistence collection of roe on kelp by the village residents. I feel it's a false statement to claim herring and herring roe as a substantial subsistence food.



(907) 283-5811



(907) 283-8700



(907) 283-5821



(907) 283-5821



(907) 283-9430

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NOV 16 2012
BOARDS

November 6, 2012

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

Re: Non-published Proposal to curtail use of Eggs on the Nushagak River

Public Comment

I urge the Board of Fisheries to vote against the non-published proposal that would curtail the use of salmon eggs when fishing for King Salmon in the Nushagak River.

Our family has fished for Kings in the Nushagak River for many years. Each June and July we fly to the Nush to fish for Kings from our boat which we store each winter in the area. It is several trips that our family looks forward to each year.

Our trips support the local communities with the purchase of fuel, food and a place to stay for a number of nights.

Knowing how hard it is to hook a King Salmon without using eggs as bait, we will definitely consider moving to other rivers if the use of eggs is curtailed.

Please consider 1) single hook 2) barbless hook 3) shorter fishing hours or 4) a shorter season but we urge you to continue to allow the use of salmon eggs as bait in the Nushagak River.

Sincerely;

John C. Davis

Attn; BOF COMMENTS
Boards Support Section
Alaska Department of fish and game
PO Box 115526
Juneau, Ak 99811-5526
Fax: 907- 4656094

Homer ak Nov 15th 2012

To the board of fisheries, regarding Bristol Bay finfish proposals

Honorable board members.

I am an Alaskan resident and have been fishing in the Bay for 20 years. Fishing with my family is probably the best school I could offer to my sons and it enabled them to pay for a good part of their college education. Unfortunately I'm not able to attend this years board meeting in Naknek. Had it been in Anchorage I could have attended for some periods. I know I speak for many permit holders and deckhands when I ask you to hold all future board meetings in Anchorage and therefore spread the burden of travel and lodging to all attendees, and hold it in a place that has all the infrastructure for such an event

I'm writing in support of proposals 37 /38.

The last few years have proven how beneficial permit stacking is by eliminating a few hundred boats competing for salmon. Each "D" on a boat means 100 fathoms of gillnets that are not fished; a benefit for all!

So far the stacking has only been used by skippers who had a family member or a very trust worthy deckhand to hold the second permit. I urge you to extend the privilege to own and operate 2 permits in one's name! (Just like the set netters).

I also believe that proposal 60 would be beneficial to all fishers!

Fishing late in the season often turns to a Russian roulette; the enforcement is pretty much gone and only an occasional fly by busts a few boats that were pushing the lines. Why have boundaries when the escapement goals have been met or all eastside districts are off the EO? If we don't have unnecessary rules, there won't be any outlaws and every fisher can focus on catching fish and not play hide and seek with the cops!

I wish you all a pleasant and productive meeting in Naknek!

Sincerely



Konrad Schaad
FV Skua
53200 N McNeil Pt
Homer Ak 99603
907 299 2790
schaad@gmail.com

Martin Machado
1236 Chestnut St.
San Francisco, CA 94109

Nov. 14, 2012

Boards Support Section
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811-5526
Fax #907-465-6094

My name Martin Machado and I've been a setnetter as both a crewman and permit holder in the Naknek/Kvichak district. Thanks for considering my thoughts on the following proposals:

#15 At my sites, I have to fish a ways off shore when ADF&G opens fishing at the typical 8 foot tidal mark. While I do not leave a running line there, I do have a buoy and screw anchor set up. It would be impractical and almost impossible to remove my screw anchors and buoys and then re-set them between fishing openers; in addition, we need flexibility to move our gear on the mud flats. Please reject #15.

#44 - 54 I would like to keep the option of dual ownership open for myself in the future. I have friends that currently hold two permits and their operations have been efficient and without problems. If I were to invest in two setnet permits I would like to do so openly and proudly and not have to place a permit in a crewmember's name. I strongly support #44-54.

#66 We setnetters on the Kvichak get to make a living because of allocation. Please do not consider taking this away from us. Without allocation, we were the last in line to get fish. Please reject #66.

Thank you.



Martin Machado
Kvichak Setnetter

Michael Machado
1037 11th St., Apt #1
Santa Monica, CA 90403
Nov. 14, 2012

Boards Support Section
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811-5526
Fax #907-465-6094

My name is Michael Machado and I'm a setnet crewman in the Naknek/
Kvichak district. Thanks for your hard work and please consider my
thoughts on the following proposals:

#15 This proposal limits the movement of setnetters way too much. We
need flexibility to fish the tides and move our gear. Please reject #15.

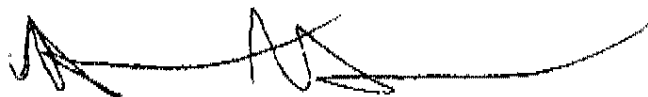
#44 - 54 This group of proposals looks at dual ownership of permits for
setnetters. If I buy in to the Bristol Bay setnet industry, I would like the
option to own and fish 2 permits, as this would give me the opportunity to
grow my business when the time was right. I strongly support proposals 44 -
54.

#66 Allocation has allowed us to fish steadily throughout the season
rather than wait for escapement. It is a very effective management tool for
ADF&G, and gives everyone a chance at the fish. Please reject #66.

#70 The Alagnak river is tiny. Its shallow waters are not a place for most
of the drift fleet. Please let Fish and Game manage this area as it has in the
past and reject proposal 70.

Thank you.

Michael Machado



Michael Machado

11/14/12

ELI ROBERT HUFFMAN III
14003 Woodthorpe Lane
Houston Texas 77079

Alaska Department of Fish & Game
ATTN: Boards Support Section
PO Box 115526
Juneau, Alaska 99811-5526
Fax: (907) 465-6094

RE: Proposal # 239 -5 AAC 67.002(g)(6)

I STRONGLY OPPOSE THE NO-BAIT PORTION OF THIS PROPOSAL
HOWEVER, I FIRMLY SUPPORT THE SINGLE HOOK PORTION OF THIS PROPOSAL.

To whom it may concern,

I first began working as a sport fishing guide on the Nushagak River in 2004. I have spent months and months of my life fishing for King Salmon on the lower Nushagak River, and alongside my clients have caught and released thousands of Nushagak Chinook Salmon.

In my experience the use of treble hooks can cause serious damage to fish and are actually less effective than single hooks. I exclusively fish with single hooks as does the sportfishing operation I worked with (Jake's Nushagak Salmon Camp). Treble hooks are less likely to get a good solid hookset, resulting in tears and gashes inside the mouth of the fish where the hook pries loose, and multiple treble hooks on artificial plugs have a tendency to stick into other parts of the fish including eyes, gills, pectoral fins and other areas around the face. Single barbed hooks, whether run in tandem or alone do not result in this type of damage. Treble hooks are also much more dangerous to anglers and guides who are attempting to quickly and safely release fresh, hard-fighting salmon, as the person can easily get hooked by the frantic thrashes of a salmon. Single hooks get good solid hooksets in the corner of the mouth which allow for fast reel-in times and allow sportfisherman to quickly release healthy fresh salmon that are not tired. Treble hooks which often foul-hook salmon cause fights to last much longer, causing lactic acid build-up and resulting in fish that are released exhausted, not full of energy. Over the years I have observed fewer and fewer anglers using treble hooks, but nonetheless, many are not educated enough about the negatives posed by treble hooks usage. Also many do not recognize that the treble is truly a less effective hook. Experienced anglers across the globe universally recognize that single hooks are far preferable in nearly every sportfishing endeavor, and in fishing for Chinook Salmon, this holds true as well. I support the Single Hook only proposal for the Nushagak River, but I REJECT THE NO BAIT PORTION OF THE PROPOSAL..

Page 1 of 2

I strongly oppose the no-bait provision of the proposal. The lower Nushagak is a massive river and generally runs quite murky. When it rains upriver turbidity is diminished to a few inches. Futhermore, Nushagak sportfisherman know that the run is sporadic, feast or famine if you will, and the fish arrive and move upriver in quick pulses with the tides, and sometimes barely run for many days at a time. On most days, the use of bait is essential to angler success. Often, residents from Dillingham only have a day or two per season to come across the bay and attempt to harvest their Nushagak kings for the year, and statistically speaking these vacation days are bound to fall on the slower days of fishing. Elimination of the use of bait would dramatically hinder the ability to catch and harvest a king for these individuals who depend on the harvest to feed their families. Same goes for non-resident sportfisherman whom often travel across the globe to experience King Salmon fishing on the Nushagak. If we affect their success ratio's, we will see diminished tourist dollars with significant ill effect to the local economies. Really, the use of bait (coupled with the use of single hook only tackle) should not have an effect on upriver spawning recruitment, as the fish have already entered the river and only a limited few will be harvested. If a particular run is not meeting its' historic numbers, ADF&G has the ability to restrict bait at that time and suspend the sport harvest of King Salmon at that time, in order to ensure proper escapement. A blanket restriction on the use of bait seems unnecessary as a general management strategy and is contradictory to the stated goals in our intended utilization of the Nushagak King Salmon resource. The goal is to utilize the resource; elimination of the use of bait will not allow efficient and economic utilization of the resource (reminding you that much of this economic utilization results in catch and release and is therefore highly renewable and of little consequence to the resource). Please reject the proposal to institute a no-bait fishing regulation on the Nushagak King Salmon sportfishery.

Thank you for your consideration of my comments



Eli Robert Huffman III

Page 2 of 2

Native Village of Nunapitchuk
Nunapitchuk IRA Council
P.O. Box 130
Nunapitchuk, AK 99641
Phone: 527-5705; Fax: 527-5711
Email: tribaladmin@yupik.org

November 15, 2012

Board of Fisheries Comments
ADF&G
P.O. Box 115526
Juneau, AK 99802

Fax #: 465-6094

Proposal 105- 5 AAC 07.365 Kuskokwim River Salmon Rebuilding Management Plan.

“Support” with modification change of 5 ½” mesh instead of 4”, on C.(2).

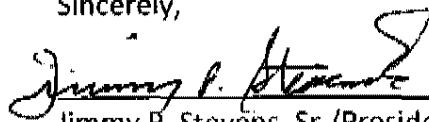
Reasoning behind this is that there were too many small Chinook salmon floating downstream of a 4” set net. And on top of floating downstream the fish were rotten and not adequate for cutting up to dry.

Support as amended.

Preferred amendment:

(2) during subsistence closures announced by emergency order, [OF THREE CONSECUTIVE DAYS PER WEEK IN JUNE AND JULY,] all salmon nets with a mesh size larger than FIVE AND A HALF INCHES must be removed from the water, and fish wheels may not be operated; [HOWEVER, THE COMMISSIONER MAY ALTER FISHING PERIODS BY EMERGENCY ORDER BASED ON RUN STRENGTH AND TO ACHIEVE ESCAPEMENT GOALS;]

Sincerely,


Jimmy P. Stevens, Sr./President

JPS, Sr.:ejw
Cc:files

George (Will) Bishop
PO Box 1047
Homer, AK. 99603

907-299-3377

November 15, 2012

Dear members of The State of Alaska Board of Fisheries

As a set-net permit holder for the past 32 years and attendee of the majority of the previous 25 years worth of board of fish meeting regarding Bristol Bay proposals and discussion I find myself without an opportunity to attend due to this years location of the meetings.

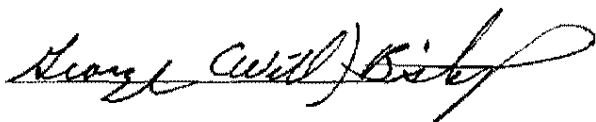
Please consider my comments on the following proposals

Proposal # 50: I am in favor. As a current dual permit holder I feel it is necessary to continued to be able to hold two permits in order to make this a financially viable fishery for many.

Proposal # 56: I am in favor. I have often wondered how & why this regulation ever came to be since it takes away the power for ADF&G to account for fish caught in my district (Egegik) during this time frame and to continue to allow for a diversified brood stock for the river's returning salmon.

Proposal #'s 64 - 65: I am in favor of any one of these proposals. When the allocation regulation was implemented (approx. 16 years ago) there was no forethought regarding the driftnets current stacking regulation and moreover no consideration to the number of interim permits dwindling due to the permit holder's age (they are either expiring or retiring). Unlike drift permits set-net permit holders need a beach location to operate. This criteria severely limits this gear type's opportunity to expand & profit. The drift fleet has realized the advantage of stacking permits which takes drift gear out of the water & is very aware of the dwindling number of interim use permits being applied for many seasons.

Sincerely, George (Will) Bishop

A handwritten signature in black ink that reads "George (Will) Bishop". The signature is written in a cursive style with a large, sweeping flourish at the end.

RE: bait ban proposal

Page 3 of 4

sport fishing for king salmon in the Nushagak River drainage, excluding the Wood River drainage, to unbaited, single-hook, artificial lures from May 1 through July 31, as follows:

(g) In the Nushagak River drainage, excluding the Wood River drainage, and unless otherwise specified in 5 AAC 06.361 or 5 AAC 06.368, the following special provisions apply:

(6) only unbaited, single-hook, artificial lures may be used May 1 through July 31.

ISSUE: Anglers on the Nushagak River anecdotally catch and release many king salmon per angler per day during periods of high king salmon abundance. Regulations allow the use of multiple hook lures and bait raising concerns of catch and release related mortality in the fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers will continue to use bait, which is demonstrated to result in higher catch rates relative to when bait is not used, and may contribute to release related mortality, and multiple hook lures in the sport king salmon fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, though if fewer king salmon are caught and released, the harvested fish may be less likely to suffer hook related injury.

WHO IS LIKELY TO BENEFIT? Anyone who wants to reduce catch rates of king salmon by sport anglers on the Nushagak River.

WHO IS LIKELY TO SUFFER? Anglers who use bait and/or treble hooks to catch king salmon in the Nushagak River sport fishery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries. (HQ-F12-XXX)

[REDACTED]

[REDACTED]

My understanding is that there is a bait ban proposal that is being considered for the Nushagak.

I am strongly opposed to any such restriction. I have owned a camp on the river for 17 years. I bring a group of guys there every year. If this proposal is adopted it is most likely that I will not be able to get anyone to go back there on vacation again. We go there because we are allowed to use bait. If this proposal passes, we will just have to close up camp.

We bring multi thousands of dollars of revenue into this area each year and we are just a small group of people. We spend money on boats, motors, repairs, fuel, accommodations, flights, camping equipment, camp permits and food and we are just a few people. What will the economic impact be without us or the many other camps up and down the river that will certainly be affected?

RE: bait ban proposal

Page 4 of 4

Please DO NOT follow through with a bait ban on the Nushagak River.

Sincerely,

Alan Kimpton



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



FWS/OSM12079.GP

NOV 16 2012

Mr. Karl Johnstone, Chair
Alaska Board of Fisheries
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811

Dear Chair Johnstone:

The Alaska Board of Fisheries (Board) will deliberate 2012/2013 regulatory proposals that address Bristol Bay commercial, sport, and subsistence finfish fisheries beginning December 4, 2012. We understand that the Board will be considering approximately 88 proposals at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and developed comments on eight proposals that may have an effect on Federal subsistence users and fisheries in this area. We may wish to comment on other proposals if other issues arise during the meeting that may have an effect on Federal subsistence users and fisheries.

We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

If you have questions, you may contact George Pappas, State Subsistence Liaison, Office of Subsistence Management, at (907) 786-3822.

Sincerely,

Peter J. Probasco
Assistant Regional Director

Enclosure

cc:	Cora Campbell, ADF&G	Monica Wellard, ADF&G, Juneau
	Tim Towarak, Chair FSB	Drew Crawford, ADF&G, Anchorage
	Hazel Nelson, ADF&G, Anchorage	Jennifer Yuhas, ADF&G, Anchorage
	Jeff Regnard, ADF&G, Anchorage	Interagency Staff Committee
	Charles Swanton, ADF&G, Juneau	Administrative Record



**FEDERAL STAFF COMMENTS ON
ALASKA BOARD OF FISHERIES PROPOSALS**

BRISTOL BAY MANAGEMENT AREA

**State of Alaska
Board of Fisheries Meeting
December 4 – 12, 2012
Naknek, Alaska**

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Federal Comments

The following comments address these proposals only as they affect Federally qualified subsistence users and resource conservation.

Proposal 4 would prohibit placing or discarding fish parts in the freshwaters of the Bristol Bay Management Area where use of bait is prohibited. The intent of the proposal is to prohibit the practice commonly referred to as “chumming.”

Existing State Regulations:

5AAC 75.955. Definitions. (36) "bait" means any substance applied to fishing gear for the purpose of attracting fish by scent, including fish eggs in any form, natural or preserved animal, fish, fish oil, shellfish, or insect parts, natural or processed vegetable matter, and natural or synthetic chemicals;

5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area

This regulatory citation contains a lengthy list of Bristol Bay Area waters where the use of bait is prohibited or otherwise limited by time and area. Some of these waters are within the Federal conservation units of Katmai and Lake Clark National Park and Preserve; and the Togiak and Becharof National Wildlife Refuges.

Existing Federal Regulations:

§ 100.25 Subsistence taking of fish, wildlife, and shellfish: general regulations.

(a) *Definitions. The following definitions apply to all regulations contained in this part:*

Bait means any material excluding a scent lure that is placed to attract an animal by its sense of smell or taste; however, those parts of legally taken animals that are not required to be salvaged and which are left at the kill site are not considered bait.

§ 100.27 Subsistence taking of fish:

(a) *Applicability*

(15) You may not use fish taken for subsistence use or under subsistence regulations in this part as bait for commercial or sport fishing purposes.

(b) Methods, means, and general restrictions. (1) Unless otherwise specified in this section or under terms of a required subsistence fishing permit (as may be modified by regulations in this section), you may use the following legal types of gear for subsistence fishing:

(xix) A rod and reel

(e) (5) Bristol Bay Area

(vii) Outside the boundaries of any district, unless otherwise specified, you may take salmon by set gillnet only.

(xvii) You may take rainbow trout only by rod and reel or jigging gear. Rainbow trout daily harvest and possession limits are two per day/two in possession with no size limit from April 10 through October 31 and five per day/five in possession with no size limit from November 1 through April 9.

A National Park Service regulation prohibiting chumming is applicable in Lake Clark and Katmai National Park and Preserve and all other waters in the Bristol Bay Area within National Park Service units.

36 CFR 2.3(d)(3) The following are prohibited:

(3) Chumming or placing preserved or fresh fish eggs, fish roe, food, fish parts, chemicals, or other foreign substances in fresh waters for the purpose of feeding or attracting fish in order that they may be taken.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

Impacts to Federal subsistence users/fisheries: Possibly. The proposed regulation would not only prohibit the practice of chumming, which is already prohibited under Federal regulations, but would also prohibit the discarding of fish parts in areas where use of bait is prohibited, which is allowed under Federal regulations as long as discarded parts are not required to be salvaged. Therefore, adoption of this proposal would not simplify enforcement efforts. Additionally, requiring fish waste to be discarded on land rather than in the water increases the possibility of bear-human encounters, if people did not properly dispose of the waste.

Federal Position/Recommended Action: Oppose. This proposal cannot be supported for resource conservation reasons. This proposal is directed at those fishing under State sport fishing regulations. Federal users could continue to return inedible parts of fish to the water in which they were harvested and thus continue an on-going practice. The Alaska Board of Fisheries has addressed conservation concerns for stocks in waters with bait restrictions through regulation.

Proposals 6, 7, and 8 are addressed together because they all request modification of sport fishery harvest limits for Chinook salmon in the Togiak area.

Proposals 6 and 7 request changing Chinook salmon sport fisheries bag limit between Cape Constantine and Cape Newenham.

Proposal 8 requests a sport fisheries bag limit reduction for Chinook salmon in the Kulukak and Togiak river drainages for Chinook salmon over 20” in length to one fish per day, with three in possession of which only one may be greater than 28” in length.

Existing State Regulations:

5AAC 67.020. Bag limits, possession limits, and size limits for Bristol Bay Area

*(1) king salmon(fresh waters)
3 per day, and 3 in possession, 20 inches or greater in length, of which only 1 fish may be 28 inches or greater in length, 10 per day, 10 in possession, under 20 inches in length (jack salmon), 5 fish annual limit, and a harvest record is required, as specified in 5AAC 67.024(b), 20 inches or greater in length in combination of king salmon taken from fresh and salt waters; a king salmon removed from the water shall be retained and becomes part of the bag limit of the person originally hooking it; a person may not remove a king salmon from the water before releasing the fish.*

Existing Federal Regulations: None. Taking salmon with a rod and reel for federal subsistence in the Bristol Bay area is prohibited, except for the use of rod and reel for snagging in Lake Clark and its tributaries. There are no harvest limits for Chinook salmon in Bristol Bay Area waters under Federal subsistence fisheries jurisdiction.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

Impacts to Federal subsistence users/fisheries: Yes. Federal subsistence harvest opportunities for and spawning escapements of Chinook salmon in the Togiak area could increase, if sport fishery harvests of this species decreased as a result of adoption of proposals 7, 8, or 9. Federal subsistence users in the Togiak Area have voiced concerns about their inability to meet their subsistence Chinook salmon harvest needs.

Federal Position/Recommended Action: Support. Statewide Chinook salmon abundance has been very low in recent years and reduced exploitation rates have been necessary to address conservation concerns in many fisheries. Reducing sport fishery harvest limits in the Togiak Area should provide for conservation of this resource and continuance of subsistence fishing opportunities.

Proposal 9 requests limiting access to rivers by guided sport fishing clients in the Bristol Bay Area, possibly through limiting the number of client days a commercial operator may provide by an unspecified amount.

Existing State Regulations: None. The number of fishing guides who may operate in the Bristol Bay Area are not limited under State regulations.

Existing Federal Regulations: While Federal subsistence regulations do not apply to guided sport fishing, this use is regulated by Federal agency regulations.

USFWS Refuge Regulations:

50 CFR 36.41 Permits:

(a) Applicability. The regulations contained in this section apply to the issuance and administration of competitively and noncompetitively issued permits for economic and/or other privileged uses on all national wildlife refuges in Alaska. Nothing in this section requires the refuge manager to issue a special use permit if not otherwise mandated by statute to do so. Supplemental procedures for granting historical use, Native Corporation, and local preferences in the selection of commercial operators to hold permits to provide visitor services, other than hunting and fishing guiding on refuges in Alaska, are addressed in §36.37, Revenue producing visitor services.

National Parks Federal Regulations:

16 SC 5966 Sec. 418. Commercial Use Authorizations.

IN GENERAL. To the extent specified in this section, the Secretary, upon request, may authorize a private person, corporation, or other entity to provide services to visitors to units of the National Park System through a commercial use authorization. Such authorizations shall not be considered as concessions contracts pursuant to this title nor shall other sections of this title be applicable to such authorizations except where expressly so stated.

CRITERIA FOR ISSUANCE OF AUTHORIZATIONS.

(1) REQUIRED DETERMINATIONS.---The authority of this section may be used only to authorize provision of services that the Secretary determines will have minimal impact on resources and values of the unit of the National Park System and are consistent with the purpose for which the unit was established and with all applicable management plans and park policies and regulations.

(2) ELEMENTS OF AUTHORIZATION.---The Secretary shall---

(A) require payment of a reasonable fee for issuance of an authorization under this section, such fees to remain available without further appropriation to be used, at a minimum to recover associated management and administrative costs;

(B) require that the provision of services under such an authorization be accomplished in a manner consistent to the highest practicable degree with the preservation and conservation of park resources and values;

(C) take appropriate steps to limit the liability of the United States arising from the provision of services under such an authorization; and

(D) have no authority under this section to issue more authorizations than are consistent with the preservation and proper management of park resources and values, and shall establish such other conditions for issuance of such an authorization as the Secretary determines appropriate for the protection of visitors, provision of adequate and appropriate visitor services, and protection and proper management of the resources and values of the park.

Application of Federal Agency Regulations to Bristol Bay Federal Public Lands Waters:

Togiak National Wildlife Refuge: The number of sport fishing guides is limited through a prospectus special use permitting system utilized to solicit competition from applicants seeking to

provide a commercial service on the refuge. The competitive permitting process for the Togiak Refuge limits the number of commercial sport fishing guides through an evaluation process outlined in *50 CFR 36.41(e)*. Currently, 33 permits have been issued to commercial fishing guides; eight of these to air charter services to transport clients to Refuge lands. Permits are valid for five years with a five-year renewal option for permittees in good standing with the Refuge. The permits are valid only on the Togiak, Good News, and Kanektok Rivers. High mountain lake permits are also issued to fishing guide operations in remote wilderness lakes.

Becharof National Wildlife Refuge: This Refuge does not limit the number of sport fishing guides/operations, but is cognizant that guided anglers could impact Refuge resources. The USFWS annually issues an average of 40 special use permits for fishing guides, outfitters, and transporters for the Becharof Refuge and adjacent Alaska Peninsula Refuge. Angler effort, catch, and harvest is estimated through the ADF&G administered Statewide Harvest Survey and guided angler effort is estimated through the ADF&G administered Guide Log Book program. The Refuges and the King Salmon Fishery Resources Office have conducted creel surveys and established public-use monitoring camps at the Ugashik Narrows to collect information on the amount of fishing effort. Continued monitoring of angler use and its effect at key sites is planned. During 2012, a USFWS study at Ugashik Narrows was conducted to determine levels and types of usage of the area. This study was designed to be compatible with a similar study completed approximately 10 years ago to compare patterns of human use. Data collected from the 2012 study will assist the Refuge in determining whether restrictions on human usage, including commercial fish guiding operations, are needed to ensure the level of these uses are compatible with the purposes of the Refuge. New information will be used to evaluate compatibility as part of the adaptive-management process.

Izembek National Wildlife Refuge: This Refuge does not limit the number of sport fishing guides and issues an average of two permits annually. This level of sport fish guiding does not appear to adversely affect fishery resources or unduly compete with other user groups. If applicants for recreational fishing guide permits greatly increase, a competitive permit application process might be needed.

Katmai National Park and Preserve: Guides and guiding operations are required to have a Commercial Use Authorization permit. The permit is valid for up to two years and authorizes commercial guiding operations in the Park and Preserve. In 2012, 22 permits were issued to guided fishing operations for activities on the Alagnak Wild River. At this time, the Park's Superintendent has not limited the number of commercial permits issued to sport fishing guides. Permit stipulations do, however, limit the number of clients per guide to 15 and may restrict where and when guiding activities may occur. When the Alaska National Interest Lands Conservation Act was adopted, subsistence uses of fish within the existing Katmai National Park was not authorized (CFR 36 Subpart F §13.470). Because subsistence fishing in Katmai National Park is not authorized, competition between guided anglers and subsistence users does not exist.

Lake Clark National Park and Preserve: The Park and Preserve are the headwaters and spawning grounds for many of the Kvichak River sockeye salmon stocks. Sport fishing guides/operators are required to obtain a Commercial Use Authorization permit. In 2012, 35 permits were issued to guided fishing operations. At this time, the Park's Superintendent has not limited the number of commercial permits issued to sport fishing guides. Permit stipulations do, however, limit the number of clients per guide to 15 and may restrict where and when guiding activities may occur.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

Impacts to Federal subsistence users/fisheries: Adoption of this proposal could reduce competition for fisheries resources and increase subsistence fishing opportunities in waters under Federal subsistence jurisdiction. Impacts to Federally qualified subsistence users and fisheries cannot be determined without a better understanding of the methodology, that may be used to reduce guided angler days in Bristol Bay sport fisheries.

Federal Position/Recommended Action: No Position. There is currently insufficient information for the Federal Subsistence Management Program to adopt a position. Sport fishing guides and operators are required to obtain a permit to conduct guiding activities in Togiak, Becharof, and Izembek National Wildlife Refuges, and Katmai and Lake Clark National Parks and Preserves. All permitted commercial fishing guides are required to adhere to defined permit stipulations that provide for where, when and how many clients are authorized per guide. Refuge Managers and Park Superintendents can alter those stipulations to limit impacts of guides and operations on resources and other users.

Proposal 26 and 29 similarly request closing waters near the Togiak River mouth to some or all commercial fishing to allow for improved Chinook salmon passage into the river. Proposal 26 requests expanding waters closed to all commercial salmon fishing near the Togiak River mouth from June 1 to June 30 for Chinook salmon conservation. Proposal 29 requests expanding waters closed to commercial salmon driftnet fishing all year for Chinook salmon conservation. The proposed closed waters boundaries are different for each proposal.

Existing State Regulations:

5AAC 06.380 Closed Waters

- (e) The following locations in the Togiak District are closed to the taking of salmon*
(1) those waters of the Togiak River upstream of a line from 59° 03.33' N. lat., 160° 20.08' W. long., to 59° 03.66' N. lat., 160° 22.36' W. long.;

Existing Federal Regulations: None. The proposal addresses waters immediately adjacent to the exterior boundaries of the Togiak Refuge.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

Impacts to Federal subsistence users/fisheries: Yes. Adoption of either proposal could allow an increased proportion of the Chinook salmon run to enter the Togiak River each year, providing additional opportunities for resource conservation and inriver Federal subsistence fishing. Federal subsistence users in the Togiak Area have voiced concerns about their inability to meet their subsistence Chinook salmon harvest needs.

Federal Position/Recommended Action: Support a combination of both proposals. Statewide Chinook salmon abundance has been very low in recent years and reduced exploitation rates have been necessary to address conservation concerns in many fisheries. Implementing time and area fisheries restrictions as recommended by these proposals may reduce exploitation rates on Chinook salmon entering the Togiak River, increase the number of fish available for spawning, and improve harvest opportunities for Federally qualified subsistence users.

The Office of Subsistence Management supports a cautious and conservative approach for managing harvest of Chinook salmon in the Togiak River system since an annual escapement monitoring program is not in place. The Federal Subsistence Program funded a tagging study to provide assessment of Chinook

salmon escapements in the Togiak River during 2008-2012. Estimates of spawning distribution were achieved each year and showed some consistent differences from historic aerial survey estimates. Estimates of inriver abundance were obtained for 2010 (10,096) and 2011 (7,041). The estimate for 2011 is less than the SEG (threshold of 9,300). Analysis for 2012 is underway.

Mark-recapture methods to calibrate aerial surveys and assist with abundance estimates are too expensive to continue on an annual basis. The primary components of the telemetry studies have been rendered unusable for obtaining future Chinook salmon spawning abundance estimates based on aerial surveys because of the absence of aerial surveys and changes in recent aerial survey methodologies.

Proposal 69. Open Alagnak River Special Harvest Area (ARSHA) to set gillnets when Kvichak Section is open.

Existing State Regulations:

5 AAC 06.373. Alagnak River Sockeye Salmon Special Harvest Area Management Plan

(a) The goal of this management plan is to allow the harvest of surplus Alagnak River sockeye salmon stocks in the Alagnak River Special Harvest Area when sockeye salmon returns to the Kvichak River prevent the harvest of sockeye salmon within the Kvichak District.

(b) The Alagnak River Special Harvest Area (ARSHA) consists of the waters of the Alagnak River from ADF&G regulatory markers located 1.5 miles upstream of its confluence with the Kvichak River, upstream to ADF&G regulatory markers located downstream of South Slough.

(c) Salmon may be taken in the ARSHA under this section only during fishing periods established by emergency order.

(d) Salmon may be taken in the ARSHA with set gillnet and drift gillnet gear. Salmon harvested in the ARSHA will not count against the allocations of sockeye salmon to the gillnet fisheries specified in 5 AAC 06.364(b). To the extent practicable, drift gillnet and set gillnet fishing will open separately, with openings alternating between the two gear groups. If, after a total of four openings, the harvest from either gear group is less than 50 percent of the other gear group's harvest, alternating openings will not be required, and the department may increase the number of openings for the gear group with the greater harvest

Existing Federal regulations:

50 CFR 100.27 (e)(5) Bristol Bay Area.

(i) Unless restricted in this section, or unless under the terms of a subsistence fishing permit, you may take fish at any time in the Bristol Bay area.

(ii) In all State commercial salmon districts, from May 1 through May 31 and October 1 through October 31, you may subsistence fish for salmon only from 9 a.m. Monday until 9 a.m. Friday. From June 1 through September 30, within the waters of a commercial salmon district, you may take salmon only during State open commercial salmon fishing periods.

(vii) Outside the boundaries of any district, unless otherwise specified, you may take salmon by set gillnet only.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

Impact to Federal subsistence users/fisheries: Yes. The ARSHA is located several miles downstream from Federal public waters of the Wild River. As long as recent large sockeye salmon runs to this river continue, there may be little effect from commercial harvests on Federal subsistence fishing that occurs in the Wild River.

Federal Position/Recommended Action: Oppose. Annual sockeye salmon abundance to the Alagnak and Kvichak River systems do not necessarily track the same. Managing the sockeye salmon returns to these two systems based on the strength of the return to the Kvichak River raises significant conservation concerns when the Alagnak return is weak. Sound management practices would support the continued practice of managing the ARSHA separately.



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November 14, 2012

Alaska Board of Fisheries
Bristol Bay Finfish
Bristol Bay Borough School
2 School Road
Naknek, AK

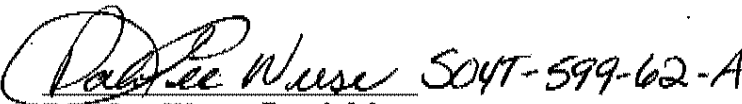
RE: Proposal 48 - Repeal sunset clause for a dual set gillnet permits for single permit holder.

Big Creek Fisheries along with the undersigned set & drift gillnet permit fishermen are in favor of repealing the sunset clause allowing the regulation to continue as written.

The regulation as it is currently written has benefitted the fisheries industry and the family fishing businesses. Allowing the sunset clause to go into effect would eliminate the dual permit holding and would negatively affect the family fishing businesses.

Sincerely,


John R. Boggs, Plant Manager


Dale Lee Weese, Beach Manger

PS: Additional fishermen signatures will be presented at the meeting.



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November 14, 2012

Alaska Board of Fisheries
Bristol Bay Finfish
Bristol Bay Borough School
2 School Road
Naknek, AK

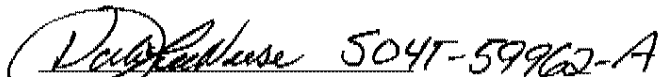
RE: Proposal 56 – Prior to June 25, if a drift gillnet permit holder intends to fish in either the Ugashik or Egegik district they must be registered for that district.

Big Creek Fisheries along with the undersigned drift & set gillnet permit fishermen are in favor of Proposal 56.

Drift gillnet permit holders need to register with the district they intend to fish.

Sincerely,


John R. Boggs, Plant Manager


Dale Lee Weese, Beach Manger

PS: Additional fishermen signatures will be presented at the meeting.



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November 14, 2012

Alaska Board of Fisheries
Bristol Bay Finfish
Bristol Bay Borough School
2 School Road
Naknek, AK

RE: Proposal 63 – Increase set gillnet allocations to 20% in Nushagak, Nakneec-Kvichak, Egegik and Ugashik districts.

Big Creek Fisheries along with the undersigned set and drift gillnet fishermen are in favor of increasing the set gillnet allocation percentages to 20% per district.

Sincerely,


John R. Boggs, Plant Manager

 504T-59962-A
Dale Lee Weese, Beach Manger

PS: Additional fishermen signatures will be presented at the meeting.

Chris Ringlee

Board of Fisheries Rule Proposal Comments

November 15, 2012

2-

I **support** the proposal submitted by Bud Hodson to reduce the amount of bait fishing allowed in the Nushagak River. Currently the Nushagak River is closed to fishing for Chinook above Harris Creek as per the Nushagak-Mulchatna Chinook Salmon Management Plan, but bait fishing is still allowed in the area and this may lead to incidental catches of protected spawning Chinook salmon.

Bait fishing has been proven to lead to higher catch and release mortality associated with subject species including Chinook, rainbow/steelhead trout, and coho salmon. Resident fish caught on bait experience significantly higher mortality than those caught on artificial lures or flies. This result is confirmed repeatedly in numerous review papers. (Wright, 1970; Wydoski, 1977; Mongillo, 1984; Hooton and Wilson-Jacobs, 1985; Taylor and White, 1992; Muoneke and Childress, 1994; Hooton, 2001)

The Nushagak Rainbow trout population has seen an overall decrease in size and abundance in recent years. Adopting a conservation based angling restriction supported by the sport fishing industry would promote and prioritize rainbow trout sustainability in the upper Nushagak watershed.

3-

I **support** the proposal submitted by Brian Kraft to require barbless hooks in unbaited, single-hook, artificial fly waters. Barbed hooks are unwarranted in rainbow trout fisheries and the issues brought forth by Brian are valid. Studies by ADF&G on the Alagnak drainage have shown high percentages of rainbow trout with hook damage and marks indicating high intercept and recapture rates. Adopting this rule propels for barbless hooks by the sport fishing industry along with appropriate conservation based management would influence the rainbow population in a positive manner.

4, 95-

I support these proposals as amended by my supporting documentation. *Close sections of rivers, streams, and lakes to fishing within 300' where a documented cleaning station is located (i.e. Lodge, Boat/aircraft loading area, Lunch spot).*

The amended regulation would mimic restrictions currently in place at weirs and counting tower locations where large numbers of fish are concentrated. I agree with the evidence that chumming alters resident species behavior and distribution in response to available food sources. However, the original proposal is vague and creates unwarranted blanket restrictions placed upon anglers wishing to legally harvest salmon in these waters. The wording of the original proposal would restrict depositing cleaned salmon carcasses in areas where salmon retention is open, but bait is prohibited. This restriction goes against ecological principles of salmon returning to natal streams to spawn and ultimately depositing critically important marine derived nutrients in the system. By removing carcasses from the system entirely, this proposal creates further wasting of vital nutrients and could create further implications between bears and humans regarding disposal of carcasses away from waterways.

The Board of Fisheries should investigate further into regulations restricting guides, lodges, and anglers practicing "chumming" in bait free sections, but the original proposed regulation has unwarranted consequences if adopted as is.

6-

I support the proposal to clarify the regulations pertaining to Chinook salmon harvest within Bristol Bay. ADF&G personnel submitted this proposal and I agree with the proposal.

7-

I support the proposal submitted by Bud Hodson to reduce the Chinook daily limit on the Togiak River. The Togiak River Chinook run size in 2011 was approximately 7100 Chinook (Tanner and Sethi, 2012) and was well below the ADFG established escapement goal of 9300 Chinook. (Baker, 2009) With no established monitoring system on the Togiak River for Chinook other than the now discontinued USFWS Chinook project, The BOF should adopt this conservation-based restriction submitted by a prominent and influential member of the sport fishing industry.

8-

I **support** the proposal submitted by the Togiak Traditional Council to reduce the amount of sport harvested Chinook in the Togiak River. I also ask that the Commercial fishery in Togiak and Kulukak Bays be managed in a matter to prioritize Chinook salmon sustainability.

26-

I **support** the proposal submitted by the Togiak Traditional Council to close the section of Togiak bay to protect early timed Chinook Salmon in the Togiak River. I am in favor of **ALL** conservation-based proposals to protect Togiak River Chinook salmon.

29-

I **support** the proposal submitted by the Josh Berberich to enact a buffer zone at the mouth of the Togiak River to protect Chinook salmon. Radio Telemetry data has shown radio tagged Chinook drop out of the Togiak River, reside in the bay, and return to successfully spawn upriver. (Tanner and Sethi, 2011; Tanner Sethi, 2012) The same papers indicate additional tagged Chinook are harvested in the bay subsistence and commercial fisheries.

85-

I **support** the proposal submitted by the Togiak Traditional Council to enact a Togiak River Chinook Management Plan. Currently, the Togiak River has no management plan despite major concerns from the sport fishing industry and subsistence fishers including the Togiak Traditional Council. A plan mimicking the Nushagak-Mulchatna Chinook management plan would prioritize Chinook salmon sustainability in the Togiak River.

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Wydoski, R. S. 1977. Relation of hooking mortality and sublethal hooking stress to quality fishery management, p. 43-87 in R. A. Barnhart and T. D. Roelofs (ed.) *Catch and Release Fishing as a Management Tool*. Humboldt State University, Arcata, California.

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