
ALASKA BOARD OF FISHERIES

Work Session

Anchorage | October 12-13, 2023

On-Time Public Comments

| | |
|--|------|
| Aadsen, Tele..... | PC1 |
| Alaska Trollers Association..... | PC2 |
| Aleutians East Borough | PC3 |
| Allen, Robert | PC4 |
| Anderson, Stosh | PC5 |
| Area M Seiners Association | PC6 |
| Bassett, Lauri..... | PC7 |
| Bristol Bay Fishermen's Association..... | PC8 |
| Brouwer, Thatcher | PC9 |
| Calista Corporation | PC10 |
| Campen, Benjamin..... | PC11 |
| Chignik Intertribal Coalition | PC12 |
| Chitina Dipnetters Association..... | PC13 |
| Chythlook, Craig | PC14 |
| Concerned Area M Fishermen | PC15 |
| Cordova District Fishermen United..... | PC16 |
| Crab Observer Oversight Task Force..... | PC17 |
| Donart, George | PC18 |
| Eells, Tyler | PC19 |

| | |
|--|------|
| Farvour, Jeff | PC20 |
| Hall, Jamin | PC21 |
| Hall, Naomi..... | PC22 |
| Hemminger, John | PC23 |
| Jeffrey, Sue..... | PC24 |
| Jordan, Eric..... | PC25 |
| Klingler, Denise & Mark | PC26 |
| Manos, Andrew | PC27 |
| Marinkovich, Matt | PC28 |
| Murphy, Connor..... | PC29 |
| Owecke, Paul..... | PC30 |
| Payne, Susan | PC31 |
| Rice, Kim..... | PC32 |
| Shadura II, Paul A | PC33 |
| Silver Bay Seafoods | PC34 |
| Southeast Alaska Fishermen's Alliance | PC35 |
| Southeast Alaska Guides Organization | PC36 |
| Tomaszewski, Frank | PC37 |
| Trident Seafoods | PC38 |
| Vick, Gale..... | PC39 |
| Winkler, Anitra | PC40 |
| Yukon River Drainage Fisheries Association | PC41 |



Submitted by: Tele Aadsen

Organization Name:

Community of Residence: Bow, WA

Comment:

Tele Aadsen

F/V Nerka

Bow, WA

ACR 11 – SUPPORT

Alaska Department of Fish and Game (The Department) ACR 11 updates the Alaska King Salmon Management Plan to reflect changes made by the Pacific Salmon Treaty. This brings Alaska regulations in line with the way the Alaska All Gear catch limit is calculated. ACR 11 states there are no other changes to the King Salmon Management Plan, but The Department already made a change to the King Salmon Management Plan outside the auspice of the Board of Fish process.

I support changing the cited regulation to reflect the changes to the way the All Gear Harvest limit is calculated because it is based on the requirements of the Pacific Salmon Treaty.

If the Board of Fish chooses to take up ACR 11, then they should also take up ACR 12 and 13. ACR 12 aligns the Alaska King Salmon Management Plan with the new tiers under the Pacific Salmon Treaty. ACR 13 addresses the discrepancy between what was agreed to in RC 178 at the 2022 Board of Fish and the active King Salmon Management Plan.

The State of Alaska should fully comply with all of the Pacific Salmon Commission changes which go beyond what is covered in ACR 11. ACR 12 adds additional language necessary to meet requirements under these new tiers. ACR 13 corrects The Department's unilateral, allocative change to the King Salmon Management Plan that favors sport fish and ignores the 80/20 split by managing sport to the all-gear harvest ceiling rather than the sport fishery harvest ceiling. By passing ACR 11, The Department appears to be formalizing an out-of-cycle, allocative change to the king salmon harvest in Southeast Alaska.

Please consider ACR 11, 12, and 13 to provide a full update to the King Salmon

Management Plan.

ACR 12 - SUPPORT

ACR 12 updates the King Salmon Management Plan to reflect the change from 7 to 17 tier system under the new All Gear Harvest limit under the Pacific Salmon Treaty.

This ACR retains the 80/20 split between commercial and sport harvest, as agreed to in RC 178 and still referenced in 5 AAC 29.060 (b)(5).

I support ACR 12. RC 178 and 5 AAC 47.055 (b) (1) both include the language that manages the sport fishery to an average of 20%. In the summer of 2023, the sport fishery harvested at least 28% of the All Gear Catch limit after nets. I urge the BOF to update the King Salmon Management Plan to reflect the agreement of RC 178 and the mandatory changes from the Pacific Salmon Commission.

ACR 13 - SUPPORT

I urge the board to take ACR 13 and change 5 AAC 47.055 (b) (2) back to the language the Board of Fish adopted in RC 178 at the March 2022 Board of Fish meeting.

I support ACR 13. This ACR meets 5 AAC 39.999 (1) (B) and 5 AAC 39.999 (1) (c) necessary for bringing up out-of-cycle regulations. It identifies a change to a regulation written and voted on in the March 2022 BOF.

ACR 13 identifies a small omission in 5 AAC 47.055, (b) (2) which removed the phrase “sport fishery.” This small omission allowed the sport sector, which includes the charter and guide sector, to exceed their allocation of king salmon by more than 15,000 fish. Since there is a hard cap on the total number of king salmon under the treaty, the sport fishery took those king salmon from the trollers’ allocation.

Why this omission concerns me? I am a second-generation Southeast Alaska salmon troller, fishing out of Sitka since 1985. My husband & I have operated the F/V Nerka together since 2006, self-marketing our frozen-at-sea catch to restaurants, food co-ops, & individuals throughout the U.S., promoting the unparalleled quality & sustainability of Alaska’s wild salmon. Our customers choose us because they believe in Alaska’s conservation-based commercial fisheries. So do I. Having been an Alaska Trollers Association member for over 20 years, I understand the success & integrity of Alaska’s fisheries management depends on all gear groups’ informed & active participation in the process... & participation hinges on trust.

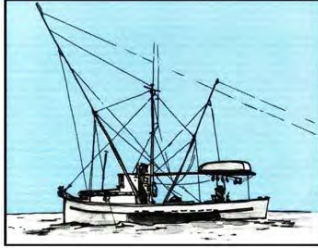
For the Department to change the language of a unanimous agreement after the fact, outside the BOF process & with zero transparency or open participation, is an egregious breach of trust. This was an offense not only to those who were at the BOF table & did the work to reach that agreement, but also an offense to the State of Alaska’s purported management values. If the Board of Fish is to maintain its integrity, this change must be addressed & remedied.

Please correct this error in regulations by changing the language in 5 AAC 47.055, (b) (2) back to the language of RC 178. Retaining a sport harvest ceiling would allow The Department to manage the sport fishery to an average of 20%, as intended by the Board of Fish when they voted unanimously for RC 178 in March of 2022.

Thank you.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 11: Support ACR 12: Support ACR 13: Support



Alaska Trollers Association

130 Seward #205
Juneau, AK 99801
(907) 586-9400
alaskatrollers@gmail.com
www.aktrollers.org

September 27, 2023

State of Alaska
Board of Fisheries
c/o ADFG Board Support
P.O. Box 115526
Juneau, Alaska 99811

Re: Comments on ACR 11, ACR 12, and ACR 13

Dear Board of Fisheries Members:

As you are aware, the Alaska Trollers Association (“ATA”) represents the power trollers and hand trollers who fish throughout the waters of Southeast Alaska, up to and including Yakutat. Our more than 450 members including 40% of the power troll fishery. We represent these men and women who compose a fishery which supports thousands of Southeast Alaska jobs.

Our fishery has experienced dramatic declines over the last century, particularly through the reductions mandated by implementation of the Pacific Salmon Treaty (“PST”). Nevertheless, we continue to fight for our livelihoods and our way of life. Most recently, we took the initiative to intervene in costly litigation brought by the Wild Fish Conservancy (“WFC”), a Seattle-based, litigious nonprofit hell-bent on shutting down our fishery. In 2021, we fended off an effort by WFC to shut down our fishery when WFC requested a temporary injunction from the Western District of Washington. Earlier this year, we successfully obtained emergency relief from the Ninth Circuit Court of Appeals that kept our fishery open for the summer season and upcoming winter season.

We will continue to fight, in the court room if necessary, to preserve our fishery and our way of life. It is with that sentiment in mind that we are writing to comment on ACR 11, ACR 12, and ACR 13. Fundamental to our comments on all three ACRs is the 80/20 split between trollers and sport fishers of the annual harvest ceiling established by the Pacific Salmon Commission (“PSC”) after subtracting the amounts allocated to the purse seine, drift gillnet, and set gillnet fisheries. 5 AAC 29.060(b)(1)-(5). Most recently, we worked with the Southeast Alaska Guides Organization (“SEAGO”) and Territorial Sportsmen Incorporated (“TSI”) to agree upon substitute language for Proposal 82 known as RC 178 that was adopted by the Board of Fisheries (“Board”) in March 2022. Central in RC 178 the 80/20 split between troll and sport was retained and provided certainty to all parties.



We are most concerned with the language change that ACR 13 intends to fix, but offer comments on ACR 11 and 12 as well.

1) ATA's Comments in Support of ACR 13.

As outlined above, during the March 2022 Board meeting in Anchorage, the Board required Southeast Alaska Chinook stakeholders to attempt to come to an agreement on allocation. The three stakeholder groups were TSI (representing Juneau resident sport fish harvesters), ATA (commercial hook and line trollers, of which 85% are Alaska residents), and SEAGO (guided sport lodges catering to out-of-state clientele). After much debate, stakeholders agreed to language that was then embodied in RC 178. Board member McKenzie Mitchell sponsored RC 178, and the Board unanimously voted to enter RC 178 unchanged into the record. Sometime after that vote, the language in ACR 178 was changed. That change needs to be undone, and ATA provides these comments on ACR 13 consistent with the requirements of 5 AAC 39.999.

A) ACR 13 Is Necessary for a Fishery Conservation Purpose or Reason.

The new not-agreed-to language creates a conservation issue in allowing out-of-state sports anglers to fish with no in-season management. This is the consequence of eliminating the words "sport fishery" from 5 AAC 47.055(b)(2). Effectively, the change allows for sport fishing to occur uninterrupted throughout a season, even if the sport fishery exceeds the allocation of 20% set forth in 5 AAC 29.060(b)(1)-(5). Notably, this change contradicts the objective of the Southeast Alaska King Salmon Management Plan to "manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission" after subtracting the commercial net allocation from that harvest ceiling. 5 AAC 47.055(b)(1). In-season management is the cornerstone of Alaska's well-respected historic management success, and its elimination is not only contrary to Alaska's sustainable fishing policies, but also ignores the understanding laid out in the Pacific Salmon Treaty, which directs the United States to use "in-season indicators".

The elimination of the words "sport fishery" from 5 AAC 47.055(b)(2), by effectively eliminating in-season management of that fishery, also contradicts the agreement between ATA, SEAGO, and TSI to eliminate the prior objective of managing the Chinook fishery in Southeast Alaska in a way that minimized in-season management of the sport fishery. Specifically, in RC 178, ATA, SEAGO, and TSI agreed to eliminate the language "PROVIDE STABILITY TO THE SPORTS FISHERY BY ELIMINATING INSEASON REGULATORY CHANGES, EXCEPT THOSE NECESSARY FOR CONSERVATION PURPOSES" from 5 AAC 47.055(b)(5). The intent of eliminating this language was to allow statute 5 AAC 47.055 to once again follow Alaska policies and law by allowing for appropriate in-season management of the sport fishery consistent with Alaska's long-standing practice of sustainable management of its fisheries.

B) ACR 13 Is Necessary to Correct an Error in a Regulation.

ATA does not understand the exact reasons why RC 178's language was changed between the time it was adopted by the Board and the time it was published in Register 244. Sometime after the March Board meeting, critical language in the signed Agreement was unilaterally



changed and was then entered incorrectly into Alaska’s Administrative Code. This action was either unintentional and therefore needing correction, or intentional, in which case it was unlawful under the Board’s process for adopting regulations because it contains a material change from what was approved by the Board when it voted on RC 178. This change, however, has serious consequences. This change permits out-of-state (in 2019, 75% of all SEAK sport harvest, Alaska Department of Fish and Game) sport anglers unlimited access to the all-gear SEAK king salmon quota. It contradicts the sport fishery harvest limits in 5 AAC 47.055 laid out in (c), (d), (e), (f), (g), and (h). These sport harvest limits were introduced in an out-of-cycle Board Meeting (January 2019) because of the language change in the PST that occurred in 2018. The 2018 PST change introduced a SEAK all-gear hard cap on Chinook harvest with a pay-back clause, but no allowed savings of underages. Therefore, Chinook harvest in Southeast Alaska can no longer be managed on an average, as had been the case.

The elimination of “sport fishery” from 5 AAC 47.055(b)(2) also creates internal conflicts with other parts of the Alaska Administrative Code. 5 AAC 29.060, “Allocation of King Salmon in the Southeast Alaska-Yakutat Area,” states that (b) “...the annual harvest allocation of the annual harvest ceiling for each fishery is as follows” (5), “sport fishery: 20%, after the net fishery allocations in (1)-(3) of this subsection are subtracted from the annual harvest ceiling.” Now, without reference to the sport fishery harvest ceiling, 5 AAC 47.055(b)(2) as published nullifies the allocation of 20% of the annual harvest to the sport fishery.

C) ACR 13 Is Necessary to Correct an Effect of a Fishery That Was Unforeseen When Regulation Was Adapted.

The calculation of the quota by the PST (Spring 2023) and subsequently low harvest allocations also suffered from an unforeseen situation. After 2018, the new CPUE seven-tier PST model over calculated the abundance (AI) of Chinook three out of four years. A new 17-tier three-part formula was introduced this spring by the PSC. It now appears that SEAK Chinook abundance (AI) was significantly under calculated for 2023. In reality, the 2023 Chinook season had a very high CPUE for both sport fishers and trollers. With high availability, no in-season management, and an artificially low SEAK king quota, out-of-state sport anglers went well over their allocation (ATA believes that 20,000 Chinook over the sport fishery’s 37,200 Chinook allocation have been harvested). To ensure Alaska would not be out of compliance with the United States obligations under the PST, the troll allocation was reduced by this same amount. Effectively, this transferred an important Alaska resource to out-of-state sport fishers because 85% of the troll fishers are Alaskan residents, while the majority of sport fishers are out-of-state harvesters. This unforeseen effect continues for as long as the sport fishery remains open.

D) ATA’s Concluding Remarks Regarding ACR 13.

ATA invested in a significant legal effort to keep the Southeast Alaska troll fishery open, fending off an attack by a Seattle-based organization that is determined to shut down the fishery. ATA intervened in that lawsuit because it understands that sometimes litigation is necessary to preserve its members’ way of life. The unilateral language change to 5 AAC 47.055(b)(1) undermines the Board’s process and its relationship with the Alaska Department of Fish and Game. It undermines the Alaska Department of Fish and Game’s ability to sustainably manage SEAK Chinook fisheries. ATA is confident that the Board will adopt ACR 13 and correct this error, but reserves all rights to pursue other avenues, including legal challenges, if the Board does not adopt ACR 13.

2) ATA's Comments on ACR 12.

ATA supports ACR 12 as it also attempts to maintain the 20-80 split between sport and commercial troll fishers. Maintaining this split has been the management objective since 1996. Again, due to the recent changes in the PST Agreement from a seven-tier system to a 17-tier system, new caps for each of the 17 tiers need to be calculated.

3) ATA's Comments on ACR 11.

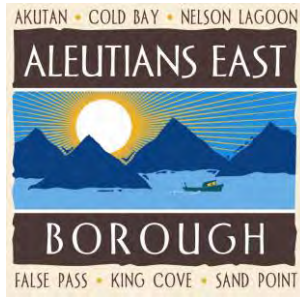
For trollers, there is a problematic phrase in ACR 11: "This ACR is intended to create a more stable management plan which will continue to implement sport fish management actions based on the Alaska all-gear catch limit, and the resulting allocation to the sport fishery, regardless of the methodology used by the Pacific Salmon Commission (PSC) to calculate it." What does this mean, exactly? Is the Alaska Department of Fish and Game talking about an all-gear harvest ceiling or a sport fish harvest ceiling? Does this phrase mean sport fisheries will not have a specific harvest cap, but will have the all-gear harvest cap? This phrase is similar to what happened to 5 AAC 47.055 (b)(2) and seems to contradict itself, because in ACR 11 the Alaska Department of Fish and Game also states it wants to be in compliance with 5 AAC 29.060, which specifies that sport fishing has a harvest ceiling of 20%. ATA respectfully requests that the Board provide clarification that this ACR is being considered in a manner that would be in compliance with 5 AAC 29.060 and the intended language of 5 AAC 47.055(b)(2), specifically that the sport fishery is managed in reference to the 20% harvest ceiling prescribed for that fishery.

ATA continues to appreciate the Board's continued dedication to the preservation and promotion of the Southeast Alaska troll fishery, a priority the ATA shares with the Board.

Sincerely,

Amy Daugherty
Executive Director
Alaska Trollers Association

Cc: Alaska Attorney General Treg Taylor
Sen Gary Stevens, Senate President
Representative Cathy Tilton, House Speaker
Sen Bert Stedman, Chair Senate Finance
Rep Rebecca Himschoot
Rep Dan Ortiz
Doug Steding, Esq.



September 26, 2023

Chair Märit Carlson-Van Dort
Alaska Board of Fisheries

RE: Aleutians East Borough Opposition to Agenda Change Requests 2 and 3

Dear Chair Märit Carlson-Van Dort,

The Aleutians East Borough urges the Board of Fisheries to not accept Agenda Change Requests (ACRs) 2 and 3, as they do not meet your criteria for accepting ACRs. We agree with the Alaska Department of Fish & Game Staff assessment found in RC 2, that there is no conservation purpose or error in regulations or unforeseen effects from regulations being adopted, that would justify accepting either of these ACRs. If the Board were to accept either ACR 2 or 3 and schedule to the Board of Fisheries 2023/2024 agenda, it would force South Alaska Peninsula fishermen to come defend their fisheries for the third year in a row, at significant expense to these fishermen.

The Aleutians East Borough is the municipal government that encompasses the communities of King Cove, Sand Point, Cold Bay, Nelson Lagoon, Akutan and False Pass. Our communities were founded on local salmon fisheries. Salmon processing was established in the Borough over one hundred years ago, and salmon have sustained the Aleut people here for thousands of years. Salmon are critical to Borough residents for our culture and our economy. ACRs 2 & 3 are unwarranted attacks on salmon fisheries within our Borough waters.

ACRs 2 and 3 were submitted in spite of recent Board action in February 2023 that included a robust public process, and resulted in a compromise solution that allows limited fishing to continue in the South Alaska Peninsula salmon fisheries, with restrictions intended to allow chum salmon to pass through the area. The Area M Seiners Adaptive Fleet Management plan is working and we applaud their efforts. The seiners actions to conserve chum in 2022 resulted in the lowest chum to sockeye ratio in 50 years, and 2023 chum harvest was reduced 63% year over year. We are encouraged to see that Yukon River and Kuskokwim River Chum salmon escapement for summer 2023 was the highest escapement for Chum salmon for both these rivers since 2019. We are optimistic for the future of these stocks. There is no conservation purpose or reason to consider these ACRs at this time.

At the Statewide Shellfish meeting of the Board in March of 2022, the Board also took action (Proposal 282) directed at South Peninsula salmon fisheries to address concerns of Chignik salmon fishermen. We are happy to see Chignik Sockeye salmon escapement in 2023 at the highest level since 2015, and that Chignik Management Area fishermen harvested over 1 million Sockeye salmon this past summer. We believe forcing South Peninsula fishermen to defend their fisheries



again at another Board meeting this cycle will be a significant undue burden for most of these individuals.

There are no errors in regulation that we are aware of that would warrant a Board agenda change to add either ACR 2 or ACR 3 out-of-cycle. We believe the Board of Fisheries settled on a fair solution for all sides at the February 2023 meeting.

The Aleutians East Borough urges the Alaska Board of Fisheries to reject Agenda Change Requests 2 and 3 that do not meet your Board criteria for accepting agenda change requests and are basically out-of-cycle proposals. We look forward to the Board Work Session in October and our staff will be available at that time to answer any questions you may have. We would like to extend an invitation to any Board Members that are able, to come visit our communities next summer and observe our salmon fisheries. We look forward to the possibility of hosting your visit to observe these historic fisheries and the communities that rely on them.

Thank you for the opportunity to comment on these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Alvin D. Osterback".

Alvin D. Osterback, Mayor



Submitted by: Robert Allen

Organization Name:

Community of Residence: Seattle WA

Comment:

Regarding ACR-1. I am in clear and total opposition to this proposal. I've been a Kodiak Deep water setnet fisherman since 1980. My Kodiak setnet operation requires a total of 16 anchors averaging 150-200 lbs each. All of these anchors are joined with a series of anchor lines and set lines to which we attach our gillnets during the various openings of the three month long salmon season. A requirement to remove those anchors and lines when not actively fished at every closure would be an undue hardship with little benefit. Our sets pose no danger to bycatch and there are no driftnet fisheries allowed in Kodiak waters. The proposal has no merit.

Respectfully Submitted,

Robert Allen

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose

Stosh Anderson

Box [REDACTED]
Kodiak AK [REDACTED]



PC5

24 Sept 2023

Alaska Board of Fisheries
Marit Carlson-Van Dort, Chair
Online portal

RE: Support for ACR # 5

Dear Chair Carlson-Van Dort, Alaska Board of Fisheries Members:

The Bristol Bay vessel specification regulation (5AAC 06.341) has not kept up with the requirements of the fleet. Industry and the State should have brought attention to requirements and discrepancies for the BoF to act upon over the years. When the current regulation was last amended, the BoF could not anticipate all the changes to vessels in today's fleet. The vessels are heavier and catch more wind, thus needing larger and heavier anchor gear that requires larger anchor rollers. Refrigeration coolers mounted directly on the transom to keep submerged in sea water is the most practical design. These are examples of what ACR 5 addresses.

The items addressed in ACR 5 are substantially safety and quality not vessel competitive factors. Addressing and adopting ACR 5 this winter will resolve many issues for the fleet and the troopers.

Thank You for your consideration,

Stosh Anderson
I have fished in Bristol Bay for 48 seasons



Comments of Area M Seiners Association to Agenda Change Requests 2 and 3 September 25, 2023

The Area M Seiners Association submits these comments on Agenda Change Request (ACRs) 2 and 3, which were submitted by the Fairbanks Fish and Game Advisory Committee and the Western Interior Regional Advisory Council, respectively. ACR 2 seeks an out-of-cycle review of, and unspecified changes to, the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365 (June Management Plan). ACR 3 seeks to reduce commercial salmon seine depth in the Southwestern and Unimak Districts of Area M (5 AAC 09.332).

The ACRs ask the Board of Fisheries to consider these out-of-cycle changes to address concerns about insufficient Yukon and Kuskokwim chum runs. However, the ACRs do not meet Board policy for agenda change requests. Under 5 AAC 39.999(a)(1), the Board will, in its discretion, change its schedule for consideration of a proposed regulatory change in response to an agenda change request only for **a fishery conservation purpose or reason, to correct an error in a regulation, or to correct an effect on a fishery that was unforeseen when a regulation was adopted**. The Board will not accept an ACR that is predominantly allocative in nature in the absence of new information found by the Board to be compelling. 5 AAC 39.999(a)(2). These limitations on ACRs reflect “the importance of public participation in developing management regulations” and the Board’s recognition that “public reliance on the predictability of the normal board process is a critical element in regulatory changes.” 5 AAC 96.625(e).

ACR 2

At the outset, ACR 2’s proponent acknowledges that this is nothing more than an attempt to have the Board reconsider Proposal 140, which was exhaustively debated for seven days at the Board’s February 2023 Alaska Peninsula Finfish meeting. Proposal 140 was rejected by the Board



in favor of RC 190, which became the current June Management Plan.¹ In addition, ACR 2's request for observer coverage of the June fishery was made in Proposal 138 at the Feb. 2023 Board meeting, and rejected by all 7 Board members. *See* Feb. 26, 2023 Board meeting, statements of Chair Carlson Van-Dort at 10:51am (noting that "inherent in the idea of caps there is an element of necessary accountability" which the Board had "debated at length here today").

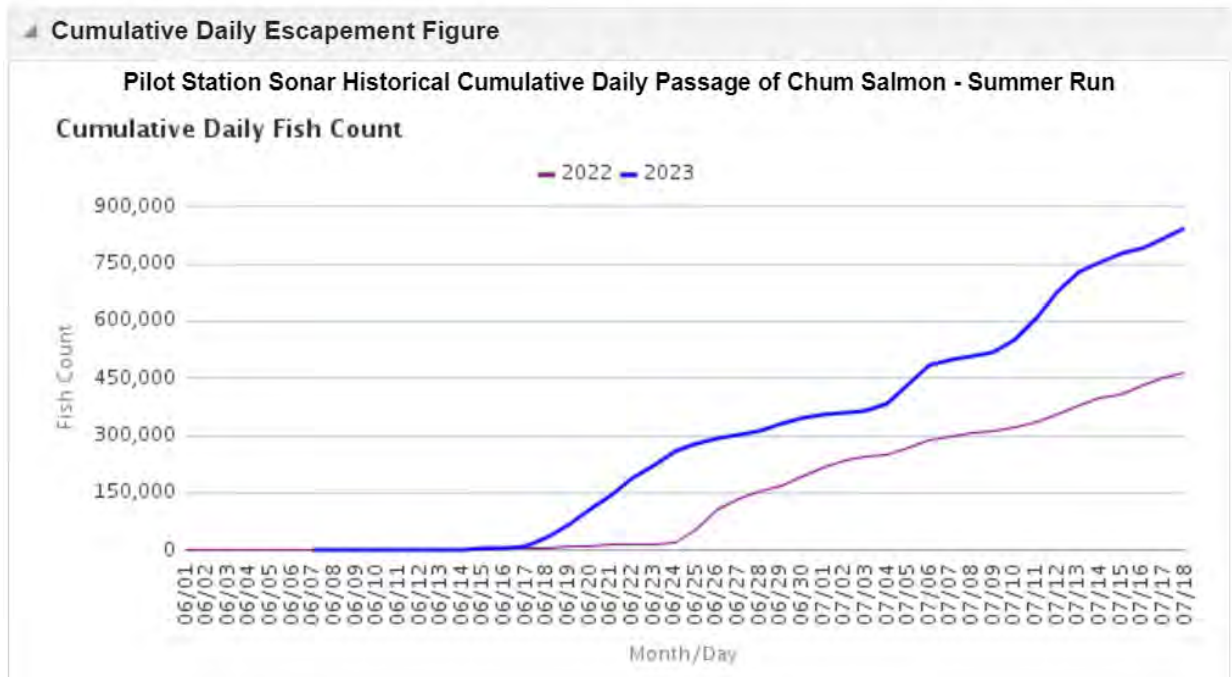
ACR 2 is predominantly allocative in nature. 5 AAC 39.222(f)(1) defines "allocation" as it is used in the sustainable salmon policy to mean "quotas, time periods, area restrictions, percentage sharing of stocks, and other management measures providing or limiting harvest opportunity." Clearly, ACR 2 involves allocation as it proposes changing June fishery management "to specific windows," *i.e.* time periods, with the goal of limiting harvest opportunity. The Board should decline to hear an allocative proposal out-of-cycle when there is no new information that was not considered by the Board at its February 2023 meeting adopting the current version of the June Management Plan. The only new information is that Yukon & Kuskokwim summer chum escapement increased by a factor of two in 2023 as compared to 2022; Area M chum harvest declined by over 300,000 chum in 2023 as compared to 2022 along with a substantial decline in sockeye harvest consistent with reduced fishing time and area; and subsistence harvest opened on both the Yukon and Kuskokwim in 2023. The subsistence harvest of summer chum has not been determined, but based on historical records it is likely to be respectable, especially when compared to 2021 and 2022.

ACR 2 fails to demonstrate that there is a conservation concern that warrants an agenda change request. ACR 2 asserts that "the situation was not improved in 2023" with regard to a

¹<https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/Summary%20of%20Actions%20AreaM-Chignik%202023.pdf>



“severe decline” in Coastal Western Alaska (CWAK) chum and king salmon.”² This is not true. The Yukon River summer run stock escapement in 2022 was 450,000 while in 2023 the escapement was 845,000 chum, which is close to 300,000 summer chum above the forecast³:



845,000 summer chum is well within the ADF&G escapement bounds of 500,000 to 1.2 million. Due to the higher escapement, summer run chum subsistence salmon fishing was open in Yukon districts 1-4 and 5 ABC in summer 2023.⁴ Summer chum do not extend significantly beyond

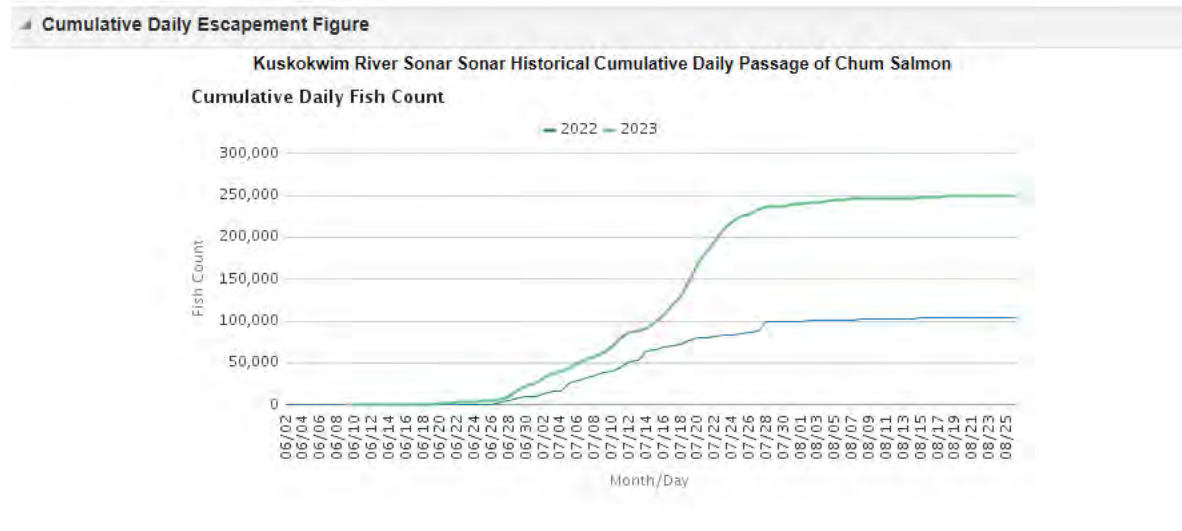
² The 2003-2022 average June fishery harvest is 6,044 Chinook. ADF&G, SP 23-07 at p. 36 (Table 1), available at <https://www.adfg.alaska.gov/FedAidPDFs/SP23-07.pdf>. The 2023 June fishery harvest of Chinook was 1,735. <https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareaakpeninsula.salmonharvestsummary>. Those Chinook are all headed to different rivers and drainages, thus making it highly unlikely that Area M June chinook harvest has any meaningful impact on any single run. Based on the Chinook genetic stock composition from Shedd, K., et al., 2016 report, the majority of chinook caught in the Area M June fishery may be from British Columbia and the West Coast of the U.S. See ADF&G, FMS No. 16-11, *Genetic Stock Composition of the Commercial and Sport Harvest of Chinook Salmon in Westward Region, 2014-2016* at Appendix B1 p. 114, by Shedd, Kyle et al. (Dec. 2016) (64.2% of Chinook harvested in South Peninsula and Chignik Management Areas in 2014 were from B.C. and U.S. West Coast).

³ Graph source: https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareayukon.salmon_escapement

⁴ <https://www.adfg.alaska.gov/static/applications/defnewsrelease/1506817489.pdf>



subdistricts 5 ABC. The Department of Fish and Game (ADF&G) is confident that Yukon River summer chum escapements fell within the drainage-wide escapement goal range, although final review of data is not available at this time. Kuskokwim chum returns also rebounded in 2023⁵:



Subsistence and commercial fishing were open on the Kuskokwim in 2023.⁶ Thus, the situation has improved significantly for chum since 2022 and there is no new evidence of an additional conservation concern.

The Board made regulatory changes to the Area M June Management Plan in February 2023 specifically for the conservation of CWAK chum stocks by creating significantly longer June closure periods and closing the Sanak Island Section for the entirety of the June fishery. These measures reduced fishing time only for purse seine gear during the first two commercial fishing periods—from 88 hours to 68 hours for the first period and from 88 hours to 66 hours for the second period. These changes to the June Management Plan were specifically intended to reduce harvest of CWAK-bound chum and ACR 2 presents no evidence to indicate that they have been

⁵ <https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareakuskokwim.emihd>

⁶ <https://www.adfg.alaska.gov/static/applications/dfnewsrelease/1528358401.pdf>;
<https://www.adfg.alaska.gov/static/applications/dfnewsrelease/1529956606.pdf>



unsuccessful in achieving that objective. In addition, the seiners voluntarily agreed to additional 26 self-imposed stand-downs within otherwise-open periods and area, and ADF&G further reduced the June 16 and June 20 fishing periods by 50% for Chignik sockeye conservation purposes.

These time and area reductions were effective in reducing chum harvest, as the Board hoped when it adopted RC 190 in February 2023. Feb. 25, 2023 Board meeting, statements of Chair Carlson-Van Dort at 11:42am (noting that a successful change to the June Management Plan would look like “a meaningful reduction in the incidental harvest of AYK chum salmon, . . . meeting escapement goals in those rivers . . . , and providing opportunity for subsistence . . .”) By all those measures, the June Management Plan was successful in 2023. Indeed, ACR 2 admits that Area M chum harvests were lower in 2023. The 2023 June fishery harvested 200,000 chum (genetic stock analysis not yet determined), which is less than half of the 540,000 chum harvested in 2022.⁷ ACR 2 acknowledges this reduction in chum catch, yet questions “the reporting” and alleges that “[a] factor that may have contributed significantly to the 2023 lower June fishery chum harvest is the practice of ‘chum chucking,’ or throwing non-targeted species overboard to avoid reaching cap triggers.” According to ACR 2, “[c]hum chucking is likely a direct result of the voluntary plan and the fleet-wide chum harvest caps that were adopted” by the Board in February 2023.

As evidence, ACR 2 cites that “9 drift fishermen . . . have been cited for non-retention of fish, namely chum and/or king chucking,” in June 2023. ACR 2 acknowledges that the drift fleet was not included in the voluntary seiner agreement, yet asserts that citation of 9 drift fishermen

⁷ <https://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareaakpeninsula.salmonharvestsummary>



for “chucking” salmon overboard was the reason why the cap triggers (which applied only to the seine fleet) were not reached. ACR 2 fails to explain why drift fishermen would have any incentive to throw salmon overboard when their fishing time would not be affected if the chum triggers were reached. ACR 2 also fails to explain how a voluntary seiner agreement, which the drifters were not part of, is implicated by drift fishermen allegedly violating State fishery regulations. Regardless, the ACR fails to acknowledge that the June fishery’s sockeye catch was also markedly lower than average and thus the low chum catch is the result of reduced fishing time in Area M leading to lower salmon catch overall.

ACR 2 compounds its faulty logic by admitting that the increase in citations in 2023, as compared to 2017-2022, can be attributed to the increased trooper presence on the fishing grounds in 2023. However, violations likely occur in every fishery. ADF&G indicates that 100 of the 209 permit holders who made landings in June were contacted by Alaska Wildlife Troopers (RC 2 at p. 2). That includes holders of drift, set net and seine permits. Of those 100 permit holders, citations were issued across 5 vessels. There were some June 2023 Area M fishery violations that are moving through the judicial system at this time. These few citations, if proven, will result in punishment. But like all state fisheries, the majority of fishermen operate by the rules. These few citations are not evidence “of a high level of non-retention of non-targeted salmon” in any sector. ACR 2 provides no evidence, other than its own self-serving yet unsupported hyperbole, that there are high levels of “chum chucking” by Area M *seine* fishermen.

Contrary to ACR 2’s implication that there was under-enforcement in the seine fishery because “[s]eine catches were not observed when the fish was sorted.” It is true that enforcement tends not to observe sorting at the tender or the processing plant, but there is no incentive for the tender or processor to count chum as sockeye. That would result in underpaying the fishermen,



who do observe the sorting of salmon, as chum fetch lower prices than sockeye. Fishermen have a financial stake in obtaining an accurate counting of their catch. Discarding salmon at the tender or processing plant simply does not occur and ACR 2 presents no evidence otherwise.

Even if ACR 2 demonstrated the existence of a conservation problem, which they do not, it is still insufficient under the Board's ACR Policy because it does not demonstrate that the problem can be addressed by adjusting the June Management Plan. No evidence was submitted as to the magnitude of the alleged non-retention or the types of salmon involved. ADF&G "does not believe the magnitude of discarding observed in 2023 presents a management or conservation concern." (RC 2 at 3). No evidence is given in ACR 2 regarding the relationship between harvest under-reporting and any meaningful benefit to CWAK returns. ACR 2 acknowledges that the "relationships between the intercept of chum in Area M and the declines of CWAK chum ha[ve] not been adequately established" Regardless, Yukon summer chum returns increased in 2023, subsistence opportunity was provided in the AYK region, and ADF&G is projecting returns within the escapement goal range. Thus the alleged impact of alleged non-retention has not been established nor has the ACR proponent demonstrated any conservation need to adjust the June Management Plan.

It is well-established that Area M June harvest rates of CWAK chum are too low to impact any particular chum run. The Western Alaska Salmon Stock Identification Program (WASSIP) identified total harvests, harvest compositions and harvest rates in the Area M June fisheries in 2006, 2007 and 2008. ADF&G's 2022 genetic study sought to update stock composition and harvest rates of chum salmon harvested in South Alaska Peninsula fisheries. The harvest composition identifies the percentage contribution of different runs to the overall harvest in a given area or fishery. The harvest rate identifies the percentage of a total run that is harvested in a given



area or fishery. For conservation purposes, the harvest rate is the more important metric; a low harvest rate indicates a low impact on the run, regardless of the percentage contribution of the run to the overall harvest in the fishery. This data, which was exhaustively discussed and debated at the February 2023 Board meeting, remains the best available data on harvest rates of CWAK origin fish in the June fisheries.

These studies confirm Area M fisheries have very low harvest rates on CWAK stocks (which includes runs originating from 800 miles of coastline from Bristol Bay to Norton Sound). WASSIP aggregated all Central Alaska chum stocks, including AYK and Bristol Bay to a single genetic stock group. The WASSIP study found that the Alaska Peninsula harvest rates on the CWAK Reporting Group, including Norton Sound, the Yukon, Kuskokwim and Bristol Bay, were relatively small. Combining the Shumagin Islands Section, Dolgoi Island Area, Ikatan Area and Unimak District, the harvest rates in the June Alaska Peninsula fisheries on the CWAK group were 2.2% in 2007, 3.5% in 2008 and 6.9% in 2009.⁸ In 2004, looking at similar data from the 1987 tagging study and the mid-1990s genetic studies, the Board of Fisheries found that “the June fishery is a low impact fishery with very low harvest rates (in the low and mid single-digit range, percentage-wise) on the separate stocks involved.” (Board of Fisheries Finding # 2004-229-FB at 2).⁹ The Board “agree[d] with prior boards which have found that the impact of the June fishery on specific stocks of AYK chum salmon is negligible and that reducing the chum harvest in the

⁸ ADF&G Special Publication 12-25, *Harvest and Harvest Rates of Chum Salmon Stocks in Fisheries of the Western Alaska Salmon Stock Identification Program (WASSIP), 2007-2009* at Tables 22-33. Munro A., et al. <http://www.adfg.alaska.gov/FedAidpdfs/sp12-25.pdf>

⁹ https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2018-2019/akpen/rcs/rc048_Dale_Carlson_BOF_Finding_2004-229-FB.pdf



fishery would not produce detectable results or measurable benefits to AYK chum runs. (c.f., board finding # 96-164-FB).”¹⁰ *Id.* at 4.

The 2022 genetic study again found low harvest rates of CWAK chum in the Area M June fishery. ADF&G, RIR No. 5J2302 at 36 Table 28 (South Alaska Peninsula June harvest rate on CWAK of 5.5%); Table 25 (June seine fishery harvest rate on CWAK of 3.2%).¹¹ The harvest rates for Area M fisheries include not just AYK chum in these low harvest rates but also Bristol Bay and Norton Sound chum which are part of the CWAK stock group. And Area M fisheries are only one of several that potentially intercept AYK-bound salmon; as the most recent study confirms, those interceptions cannot cause the chum declines seen in the AYK beginning in 2020. Harvest rates at those levels cannot be the driver of Yukon River summer chum abundance, which is highly variable, but poor ocean rearing conditions do explain the abnormally low returns in 2021 and 2022.¹²

The 2022 study further demonstrates that the majority of chum caught in the Area M June fishery are of Asian origin (58%). The large amount of immature Asian chum caught in the June fishery suggest yet another potential reason for AYK chum declines. Recent scholarship shows that “smaller adult length-at-age, delayed age-at-maturation, and reduced productivity and abundance of the Norton Sound [chum] salmon population were associated with greater production of Asian hatchery chum salmon,” and that those findings “indicate that competition with hatchery

¹⁰ <https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/findings/ff96164x.pdf>

¹¹ <https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/RIR.5J.2023.02.pdf>

¹² Presentation of Dr. Kathrine Howard, *AYK Chum Salmon Marine Research: A Report to the Alaska Board of Fisheries* (Feb. 2023), available at [https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/11 Marine research Overview.pdf](https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/11%20Marine%20research%20Overviewhttps://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/11%20Marine%20research%20Overview.pdf)



chum salmon contributed to the low productivity and abundance of Norton Sound chum salmon.” (Ruggerone, G.T., *et al.* 2012).¹³ The high abundance of Asian chum in the Area M fishery at the same time that CWAK summer chum are present suggests that competition between Asian and CWAK chum for prey has a negative impact on CWAK chum abundance.

Given the otherwise low harvest rates on the CWAK-bound chum in the June fisheries, there is no reason to believe they have either contributed to or can ameliorate the low-run sizes in recent years. Accordingly, ACR 2 has not demonstrated a conservation concern warranting an agenda change to reopen the June Management Plan.

ACR 2 also fails to establish an effect on a fishery that was unforeseen when the regulations were adopted. In February 2023, the Board thoroughly reviewed the June Management Plan in light of chum concerns and amended that plan accordingly. ACR 2’s proponent raised the issue of “chum chucking” to the Board in its testimony. Feb. 23, 2023 Board meeting, testimony of Fairbanks Advisory Committee (Virgil Umphenour) and Mr. Umphenour’s personal testimony. The Board itself discussed the issue and how the existence of chum “caps” could create the incentive to throw chum catch overboard to avoid reporting. *See* Feb. 25, 2023 Board meeting, statements of Chair Carlson-Van Dort at 11:15am (observing that caps “disincentivizes honest fishing”); at 11:39am (referencing public testimony about “literal convictions” for “not reporting dead chum”), at 12:00pm (caps force fishermen “to make a decision ... whether to follow the law and we know that in the past there have been instances where that hasn’t happened.”); Feb. 26, 2023 Board meeting, statement of Member Mitchell at 9:56am (expressing concerns that caps incentivize discarding) and 10:03am (raising the issue of discarding because it is “important to

¹³ Ruggerone, G.T., *et al.*, Evidence for competition at sea between Norton Sound chum salmon and Asian hatchery chum salmon. *Environ. Biol. Fish* (2012) 94:149-163



consider” the “unintended consequences of different [management] actions); *but see* Feb. 26, 2023 Board meeting, statement of Capt. Aaron Frenzel, Alaska Wildlife Troopers at 9:54am (acknowledging that caps “can incentivize discarding of a species of fish” but noting that he “could not find a history of” the “large cases” described in public testimony despite “enforcement effort” in Area M during that time). The Board also discussed the possibility of onboard observers or an electronic monitoring program, and rejected both.¹⁴ Thus it can hardly be said that the issue was unforeseen, as both the ACR proponent and the Board discussed it extensively.

Regardless, 2023 AYK chum returns improved over 2022, and subsistence opportunity was provided in the AYK. And it is well-known that the annual Yukon summer chum run has strong cycles of high and low abundance over the long term. ADF&G, FMS 15-07 at p. 15 (2015).¹⁵ Under these circumstances, ACR 2 fails to demonstrate an effect on Yukon and Kuskokwim salmon that was unforeseen when the June Management Plan was reviewed and revised in February 2023.

Because ACR 2 is predominantly allocative and no new, compelling information exists to warrant its acceptance, we request that the Board reject ACR 2. The Area M June Management Plan has been before the Board during the last two annual cycles (as ACR 7 at the February 2022 Board meeting and during its regular three-year cycle at the February 2023 Board meeting). Opening the June Management Plan up for unspecified changes for the third year in a row subverts

¹⁴ See Board vote on RC 138, Feb. 26, 2023, *available at* <https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/Summary%20of%20Actions%20AreaM-Chignik%202023.pdf> (rejecting onboard observer proposal); *see also* Feb. 2023 Board meeting RC 192 (proposed June management plan language requiring onboard video surveillance), *available at*

https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2022-2023/peninsula/rcs/RC192_Tanana_Chiefs_Conference_Substitute_Language_based_on_RC188.pdf

¹⁵ <https://www.adfg.alaska.gov/fedaidpdfs/fms15-07.pdf>



the three-year Board cycle by removing all semblance of reliance and predictability which “is a critical element in regulatory changes” to fisheries management plans. 5 AAC 96.625(e).

ACR 3

ACR 3 seeks to amend 5 AAC 09.332 to reduce seine net depth in just the Southwestern and Unimak Districts of Area M from 375 meshes to 250 meshes. The ACR asserts that the request is warranted for “conservation of non-target species, such as Yukon and Kuskokwim bound chum and chinook salmon, which are at historically low numbers.” Proponent asserts that “three more years of non-targeted salmon species caught in the process of this fishery . . . will be even more detrimental to the recovery of these salmon populations.”

Numerous proposals regarding alleged AYK chum interception by the Area M fisheries were put forward and exhaustively debated at the February 2023 meeting. Proponent had the opportunity to suggest changes to Area M seine nets as part of the regular Board cycle for consideration at the February 2023 meeting. Proponent failed to do so. ACR 3’s proposer cites no new information or concerns about insufficient Yukon and Kuskokwim chum runs to warrant out-of-cycle consideration of this ACR.

Proponent cites zero evidence that reduced seine net depth in Area M will have any impact on returns of AYK chum and chinook. For all the reasons stated above in opposition to ACR 2, there is no such evidence.

Furthermore, it is impractical to impose differing seine net depths for different districts within Area M. Seiners move between districts and fish multiple districts during the summer. There is insufficient time to change nets between openings. It would be unfair for the Board to consider this request out-of-cycle because it would limit the opportunity for the Board to hear



directly from individual seiners about the expense and hardship that this proposal would impose on fishermen in Area M.

Because the ACRs do not meet Board policy for agenda change requests, they should be rejected.

Respectfully submitted,

Area M Seiners Association

By: _____
Kiley Thompson, President



Submitted by: Lauri Bassett

Organization Name:

Community of Residence: ANCHORAGE, AK

Comment:

Jeff and Lauri Bassett

Our family participates in the Kodiak Island setnet fishery. We oppose ACR1. This proposal comes with a considerable safety issue making it impossible for the setnetters around the state to safely comply with this regulation.

Setnetters are stationary fishers. They place their gear (known as “sets”) in position prior to the first opening and remove it at the end of the season. The gear includes anchors, anchor lines, and buoys. It takes a tremendous amount of effort to both place and remove their sets. Each end of this process requires setnetters to plan ahead and look for safe weather windows to accomplish the task. These are not decisions that can be made at the last minute without considering the weather.

As the process works now, when openings are called, setnetters attach their nets to the sets and remove their nets at closure time. If unsafe weather is forecasted, they may be unable to set out nets during fishery openings; or may have to pull nets early. Leaving sets in place that are not being fished would put setnetters in the position of non-compliance with the regulation. It may also force setnetters to set out nets in bad weather to remain in compliance with the regulation.

ACR1 is simply not practical and would put setnet fleets around the state in jeopardy.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose



Bristol Bay Fishermen's Association

P.O. Box 60131
Seattle, WA 98160
Phone/Fax (206) 542-3930



September 27, 2023

ATTN: BOF COMMENTS
Alaska Department of Fish and Game
Boards Support Section
PO Box 25526
Juneau, Alaska 99802-5526

The Bristol Bay Fishermen's Association (BBFA) does not support the ACR's (#4, #5 and #6) submitted for your consideration regarding the 32-foot vessel length regulation. A comprehensive review, not a confusing and piecemeal approach, to update the regulation, should be heard during the regular Bristol Bay Board of Fish cycle. The length limit is very important to all affected participants, and they need to be at the table.

The 32-foot vessel length limit in Bristol Bay is a long-standing regulation and served the Bristol Bay region well for many years. The 32-foot length limit today is controversial and needs review and updating. When the regulation was put in place it significantly increased the vessel capacity from a sailboat to a modern power boat. The 32-foot limit, at the time it was enacted, addressed the needs and concerns of communities, processors, and fishermen.

As the situation was back when sailboats were modernized to power boats, today with the demand for refrigerated fish, up to four-person crews, much larger volumes of fish and new technologies, BBFA believes that the 32-foot regulation should be reviewed and changed during the next Board cycle for Bristol Bay.

The current regulation is complicated and open to interpretation. It has caused the fleet a great deal of confusion and distress. The regulation, as written, has too many caveats and beckons to be reviewed.

One of the most important problems that has come to light is the common practice of overloading vessels. The majority of the fleet is now fishing with overloaded boats due to refrigerated sea water in the holds and large catches of salmon. The average amount of water carried in the boats can lead to overloading and potential swamping. In general, too many vessels do not have the capacity to accommodate the demands of the fishery.

The questions are, do we want to eliminate the 32-foot limit, or do we want to keep a length limit on vessels, and can the regulation be enforced? We suggest that the Board of Fisheries consider changing the length limit to 36 feet inclusive of all extremities. This will bring most, if not all, current vessels into compliance. This would provide clarity in regulation and simplify enforcement. This would provide opportunities for smaller vessels to be lengthened to provide better and safer fishing vessels and provide the capacity necessary for Bristol Bay into the foreseeable future.

Sincerely,

Luke Peterson, BBFA President



Submitted by: Thatcher Brouwer

Organization Name:

Community of Residence: Juneau, Alaska

Comment:

Dear Honorable Board of Fisheries Members,

I write in support of ACR 12 and ACR 13 and urge you to accept these agenda change requests during the Board of Fisheries Work Session in October. They both clearly meet the agenda change request criteria. Furthermore, it is important that they be adopted so that we can continue to maintain the historic 80%-20% split of Chinook salmon between the commercial and sport sectors in Southeast Alaska.

Agenda Change Request 12 corrects an effect on a fishery that was unforeseen when the Board of Fisheries updated the Southeast Alaska Chinook Sport Management Plan in 2022 and then subsequently in 2023 the Pacific Salmon Commission process changed the process used to determine the Southeast all-gear Chinook harvest limit. It is critical that this proposal be adopted so that we can maintain the historic 80% -20% split of Chinook salmon. The current Southeast Alaska Chinook Sport Management Plan is designed to work with a process the Pacific Salmon Commission no longer uses to determine the harvest limit. It is time to update the Southeast Alaska Chinook Management Plan.

Agenda Change Request 13 corrects an error that was made following the 2022 Southeast Alaska Board of Fisheries meeting. The language of the agreement that was adopted at the Board of Fisheries meeting in RC 178 was not the same as the language that is being used in regulation. The phrase "sport fishery" was incorrectly dropped from 5AAC 47.055 in January 2023 as Registered 244. 5AAC 47.055, b(2) should read "allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling." Without the phrase "sport fishery" included, the sport fishery in Southeast Alaska has the ability to catch more than their historic 20% of the Chinook allocation. This season the commercial fishery quota was cut in season because the sport harvest had exceeded their allocation. With growth in the guided sport sector, it is likely that this will continue to happen, effectively changing the historic agreed to allocation. Adopting this ACR will correct an error that has already impacted the commercial Chinook fishermen and will continue to, if not corrected.

Thank you for considering my comments in support of accepting and ultimately adopting ACR 12 and ACR 13.

Sincerely,

Thatcher Brouwer

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:



September 27, 2023

Calista Corporation's Comments on Senate Bill 128

Dear XXX:

Calista Corporation (“Calista”) is an Alaska Native Regional Corporation, created pursuant to the Alaska Native Claims Settlement Act (“ANCSA”). The Calista Region encompasses about 57,000 square miles and is the second largest Alaska Native Claims Settlement Act region in land size, roughly the size of the state of New York. Calista serves over 36,000 Shareholders and thousands more Descendants of Shareholders. The Calista region hosts approximately 30,000 residents and a substantial number of Calista’s Shareholders and Descendants live in the Calista Region whom rely upon salmon for financial, social, and cultural support.

The Calista Region is isolated; there are no roads nor rail connecting it with outside communities. Consequently, all necessities must be flown or barged to each community. The cost of food, fuel, transportation, and energy in the Calista Region is extraordinarily high – often the highest in the nation; the cost of heating fuel in the Calista Region is currently seven times the national average. The community members of the Calista region depend primarily on a subsistence way of life, as jobs are scarce, and until recently, commercial fishing in the Yukon Kuskokwim region was a pivotal part of the economy. With the collapse of the commercial fishing industry and recent limits on subsistence living, numerous communities within the Calista region have sustained outmigration of the communities, primarily among the younger generation. When outmigration occurs, the communities suffer. Language is lost and tribal members’ connection to their community, culture, and traditional way of life is eroded.

While organized as a for-profit corporation under Alaska state law, Calista, along with all of the other Alaska Native Corporations (“ANCs”), has a broad social and cultural mission. ANCSA expressly provides that ANCs are to act as vehicles for the provision of various benefits to their shareholders, such as financial distributions (dividends), elder benefits, homesite lots, education scholarships, cultural preservation, land and subsistence protection, and community economic development programs.¹ These benefits and programs can be provided to non-shareholders (i.e., family members of shareholders) and “on a basis other than pro rata based on share ownership.”² As the United States Supreme Court has recognized, “ANCs are *sui generis* entities created by federal statute and granted an enormous amount of special federal benefits as

¹ See 43 U.S.C. § 1606(r).

² *Id.*



part of a legislative experiment tailored to the unique circumstances of Alaska and recreated nowhere else.”³

As an ANC created under ANCSA, Calista exists to serve the interests of the Alaska Native people of the Calista Region through profitability, celebration of rich heritage and ownership of the traditional Native lands transferred to Calista under ANCSA. Calista is guided by an overarching vision of intergenerational prosperity for its Shareholders and Shareholder Descendants. Calista’s mission is to increase Shareholder benefits and economic opportunities through innovation, growth, leadership, partnership, execution and financial discipline. Calista furthers this mission through a variety of strategic support for Shareholder communities and provides financial and non-financial benefits and assistance to its Shareholders and Descendants. For example, in 2021, Calista spent over \$22,000,000 on direct financial assistance for its Shareholders and Descendants, including Shareholder and Descendant employment, scholarships, internships/apprentices, donations, distributions, and funeral assistance. Calista also provides numerous non-financial benefits and services to its Shareholders and Descendants. This includes management of its lands to permit Shareholders and Descendants to hunt and fish and to facilitate the maintenance of a traditional subsistence lifestyle for Shareholder communities.

The Decline of AYK Salmon and its effects.

Starting in 1993 with the collapse of the chum salmon run on the Kuskokwim River, the commercial salmon fishing industry has been struggling, and continued to decline until all commercial fishing ceased. Even then, the commercial fishermen spoke of the intercept of the salmon in Area M. This decline continued and eventually subsistence fishing on the Kuskokwim and Yukon rivers was limited, and eventually closed altogether.

Historically, salmon sustained the population of the Calista region year-round. Salmon runs were strong enough for the population to dry or freeze enough salmon to sustain the population through the winter, mitigating the high cost of living in the region while providing a healthy food staple for the people. With the decline of salmon, the population was forced to rely on alternative sources of food, consisting of protein from other fish and game stocks, and from the grocery store. Until recently, it was common to see fish racks and smokehouses filled with salmon along the Yukon and Kuskokwim Rivers. Today, those fish racks are filled with other species of fish, such as red salmon, northern pike, whitefish, and other animals. Harvest of local game such as moose and caribou have increased considerably as well. As a result, these species are beginning to show signs of distress: Reports of poaching have increased, including members of the Yukon and Kuskokwim Region openly defying a recent ban on subsistence fishing. It is important to note that subsistence and a traditional way of life are key components.

The Causes of the Salmon Collapse.

Though there are numerous theories encompassing the collapse of the salmon stocks of the Yukon and Kuskokwim Rivers, there is one thing all experts agree on. The source of this collapse does not arise within the fresh waters of the Yukon and Kuskokwim Rivers. However, once the

³ *Yellen v. Confederated Tribes of the Chehalis Reservation*, 141 S. Ct. 2434, 2443 (2021) (“*Chehalis*”).



fish return to the oceans, they suffer from poor marine survival rates.⁴ While fisheries in the Yukon and Kuskokwim Region have limped along or closed for decades, Area M Fisheries are recording record catches. Adding to the harvest burden, Arctic Yukon Kuskokwim salmon (“AYK salmon”) are forced to compete with an ever-increasing stock of Asia originated hatchery salmon for a limited North Pacific biomass. As a result of this increased competition from Asian hatchery fish, chinook and chum salmon are suffering high mortality rates and returning earlier and smaller.

As Area M Fisheries are a mixed stock of Asian hatchery salmon and AYK salmon, among other stocks, both species are harvested indiscriminately in certain areas of the Area M Fishery. When hatchery fish are introduced into an ecosystem alongside indigenous salmon and harvest increases among the mixed stock, the indigenous stock tends to suffer because their reproduction rates are not artificially supplemented. Based on this information, the reduction of salmon numbers from the previously produced WASSIP study are unsurprising.⁵ Increased salmon fishing in the mixed stock fishery, driven primarily by hatchery fish, compounds the impact on the AYK salmon, as their decline is not as recognizable in the mixed stock fishery. As a result, the mixed stock fishery will show high numbers due to support of the hatchery fish, but the increased fishing will stress the indigenous AYK salmon. As a result, the predictable outcome of increased harvest of a mixed stock fishery is unsurprising.

Subsistence Priority

Section 17 of article VIII of Alaska’s Constitution provides:

Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.

The sustained yield clause of the Alaska constitution provides:

Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

In 1992 the Alaska legislature adopted AS 16.05.251(h), which required the Board of Fish to “adopt by regulation a policy for the management of mixed stock fisheries consistent with sustained yield of wild fish stocks.” In response, the Board adopted 5 AAC 39.220. That regulation requires that “conservation of wild salmon stocks consistent with sustained yield shall be accorded the highest priority,” and that “allocation of salmon resources will be consistent with the subsistence preference in AS 16.05.258, and the allocation criteria set out [in the Board’s regulations].” AS 16.05.258 mandates the Board “adopt regulations that eliminate other consumptive uses in order to provide a reasonable opportunity for subsistence uses.”

⁴ <https://www.ktoo.org/video/gavel/senate-resources-committee-2023011102/?eventID=2023011102>

⁵ The author of this letter learned of the raw numbers of the South Peninsula Fisheries, but was unable to obtain to find the study prior to this letter’s submission.



Calista holds that the Board of Fish must also consider the Importance of Subsistence to the Native Alaskans.

Initially included in the Alaska Native Claims Settlement Act (ANCSA), last minute adjustments to ANCSA led to the removal of the protection of subsistence rights for Native Alaskans. Congressional intent was for the Secretary of Interior and state of Alaska to “take any action necessary to protect the subsistence needs of the Natives.” Many believed this would be sufficient, but it soon became apparent that more concrete protections were needed. Congress next attempted to correct this injustice and enshrine subsistence guarantees to Native Alaskans through the Alaska National Interest Lands Conservation Act (ANILCA). ANILCA initially contained a Native Alaskan subsistence priority, but this provision was changed to a rural subsistence priority at the urging of the State of Alaska, contending that a Native Alaskan Priority would be unconstitutional. Despite this concession and the adoption of ANILCA, the State of Alaska held the rural subsistence priority unconstitutional, nonetheless.⁶ More than 50 years after relinquishing their sovereignty and control of 70% of the state of Alaska, native Alaskans continue to be denied the benefits of their bargain. Subsistence is a way of life, and salmon harvest is central to all cultures within the Calista Region. Religion revolved around balance with the environment and harmony with animals captured. Many tribes within the Calista region were nomadic and traveled depending on the seasons to suit the animals harvested. Many animals, including salmon, play integral parts in cultural and religious ceremonies to this day.

The “Effect” of the Board’s Policies in Area M.

AYK Salmon escapement for the past four years has not been sufficient to ensure adequate escapement, let alone numbers that permit for subsistence. Even in the decades preceding that, the communities dependent on AYK salmon have suffered, including loss of commercial and subsistence opportunities despite an equal constitutional right to Alaska’s Salmon Resources.

By permitting overharvest of AYK salmon stocks within Area M, the Board of Fish has failed its constitutional and statutory mandates to ensure Yukon and Kuskokwim residents’ access to salmon for commercial and residential purposes. Area M Fisheries have grown to the point that the fleet is now flooded with massive boats and non-resident fishermen, and the practices are opposed by several indigenous groups within Area M. Meanwhile, AYK fishermen – nearly every one an Alaskan resident - have suffered the closure of their commercial fishery, the loss of their subsistence way of life, and harm to their economic well-being. While there are other factors that may play a role in the salmon disaster, the factors within the Board of Fish’s control have remained unattended. For a state that prides itself in its fisheries, this result should be nothing less than embarrassing.

Calista Supports the Board’s Acceptance of Agenda Change Request 2.

Calista challenges that the chum cap arbitrarily selected by the Board of Fish will meaningfully make a difference in chum intercept in Area M, and in fact will permit overfishing of a depleted stock. A fixed chum cap is an inflexible tool that doesn’t take into consideration the

⁶ *McDowell v. State*, 785 P.2d 1 (1989).



run's strength. When the run is low, as it has been since 2020, a chum cap is extraordinarily high, averaging the intercept rate over the past decade leading to the most precipitous decline in salmon since statehood. Conversely, when the chum numbers are high, the chum cap arbitrarily stops fishing in a time of abundance.

Moreover, one of the unintended consequences of the chum cap came into fruition in June of 2023, where Alaska State Troopers were able to observe several fishermen illegally discarding chum salmon. Following the citations, there were reports of fishermen being advised of ways to avoid the mandatory retention requirement. These actions undermine the chum cap and encourage overfishing and manipulation of ADF&G's industry dependent study of intercept in Area M. More importantly, since gillnets are a terminal means of harvesting, the salmon released cannot be presumed to spawn in their native streams, but instead die in the ocean. Chum Chucking, as this despicable practice is called, harms the fishermen and women in the terminal fisheries by depriving the native streams of much needed salmon in times of dire need where every salmon matters, while allowing the Area M fishery to stay open despite intercepting a high number of salmon.

Finally, the Aleutian Peninsula is an extremely broad and sparsely populated region, and the Alaska State Troopers have a very limited capacity to monitor this vast area. As such, it is certain that the chum chucking is far more prevalent than the handful of citations issued and will continue unless legislative reforms and increased patrols are funded to the point of being an effective deterrent. The citations issued were insufficient to effectively deter fishermen from this practice in the future. In the meantime, it is imperative that the Board embrace a more effective means of salmon conservation, such as escapement windows, to ensure adequate escapement of this precious resource.

This Agenda Change Request is not allocative as it seeks to conserve salmon. With closures in effect for the bulk of the AYK, the intended beneficiary of this regulation is the spawning beds and no individuals or groups. The previously adopted proposal failed to meaningfully reduce salmon interception and in fact encouraged non-retention of salmon, effectively wanton waste.

Calista Supports the Board's Acceptance of Agenda Change Request 3.

Calista also supports ACR 3's acceptance. Chum and Chinook salmon typically swim at greater depths than sockeye, the target species of the Area M fishery. This proposal has not been submitted before, and the issue was discussed at prior meetings given the continued low numbers for the AYK region, so it is imperative that the chum harvest be limited to the greatest extent possible.

This proposal is not allocative as it seeks to conserve salmon. With closures in effect for the bulk of the AYK, the intended beneficiary of this regulation is the spawning beds and no individuals or groups.

Thank you for your time and consideration to these vital matters, as well as for providing the opportunity to comment on the same. Should you have any questions or concerns, please do not hesitate to contact our offices.



Quyana,

CALISTA CORPRATION

A handwritten signature in blue ink, appearing to read "Andrew Guy".

Andrew Guy
President & CEO



Submitted by: Benjamin Campen

Organization Name:

Community of Residence: SITKA

Comment:

Hello Board of Fish Members,

I previously submitted comments in support of ACR 12 and 13 and would like to also voice my support for ACR 11, but only if 12 and 13 are also taken up by the Board.

Alaska Department of Fish and Game (The Department) ACR 11 updates the Alaska King Salmon Management Plan to reflect changes made by the Pacific Salmon Treaty. This brings Alaska regulations in line with the way the Alaska All gear catch limit is calculated. ACR 11 states there are no other changes to the King Salmon Management Plan, but The Department already made a change to the King Salmon Management Plan outside of the Board of Fish Process.

I support changing the cited regulation to reflect the changes to the way the All Gear Harvest limit is calculated because it is based on the requirements of the Pacific Salmon Treaty.

If the Board of Fish chooses to take up ACR 11, then they should also take up ACR 12 and 13. ACR 12 aligns the Alaska King Salmon Management Plan with the new tiers under the Pacific Salmon Treaty. ACR 13 addresses the discrepancy between what was agreed to in RC 178 at the 2022 Board of Fish and the active King Salmon Management Plan.

The State of Alaska should fully comply with all of the Pacific Salmon Commission changes which go beyond what is covered in ACR 11. ACR 12 adds additional language necessary to meet requirements under these new tiers. ACR 13 corrects The Department's unilateral, allocative change to the King Salmon Management Plan that favors sport fish and ignores the 80/20 split by managing sport to the all-gear harvest ceiling rather than the sport fishery harvest ceiling. By passing ACR 11, The Department appears to be formalizing an out-of-cycle, allocative change to the king salmon harvest in Southeast Alaska.

Please consider ACR 11, 12, and 13 to provide a full update to the King Salmon Management Plan.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 11: Support ACR 12: Support ACR 13: Support



**CHIGNIK INTERTRIBAL COALITION
427 AIRPORT ROAD
CHIGNIK LAGOON, ALASKA 99563**

September 27, 2023

Please find enclosed the comments from the membership of the CIC on ACR's 2 and 3.

ACR 2

Reduce fishing time and repeal chum salmon harvest triggers in the South Unimak and Shumagin Islands June Salmon Management Plan (5 AAC 09.365)

(C) To correct an effect on a fishery that was unforeseen when a regulation was adopted:

Based on testimony of Area M fishermen, processors and ADF&G, the Board left regulation of the Area M fishery to the processors and provided chum harvest triggers as an attempt to reduce chum bycatch. The "Adaptive Management Plan" promoted by processors and Area M fishermen was supposed to voluntarily direct Area M fishers away from areas with high chum harvest numbers and eliminate the long-standing practice of "chum chucking" in Area M. Basically, this entire plan was based on assertions from ADF&G and local processors; non-verifiable assertions without any data to prove their assumption that "Adaptive Management" could work in place of enforceable regulations. There is no real, in-season accountability in the "Adaptive Management Plan" passed by the Board in February. The unprecedented number of citations for failure to retain all caught salmon that occurred in Area M this past season proves that.

The processing industry should not be entrusted with regulating our fisheries via "unwritten rules" but rather the Board should retain its authority to regulate Alaska's fisheries as provided by law - especially when statewide stocks of Chinook and chum salmon are restricted from being harvested in a multitude of other areas due to conservation concerns. Time and Area and gear restrictions are proven methods the Board has used in the past to reduce unwanted bycatch; we respectfully ask the Board to return to these methods.

ACR 3

Reduce commercial salmon seine depth in the Southwestern and Unimak Districts of Registration Area M (5 AAC 09.332).



(A) for a fishery conservation purpose or reason:-The June/July South Alaska Peninsula commercial fishery is a sockeye driven fishery. The sockeye salmon migrating through this area do so close to the surface and as such, nets 375 meshes deep, are not needed to successfully target sockeye as evidenced by other regulatory areas of the state. Area M is also the only place in the state that allows seine vessels to utilize a total aggregate of up to 400 fathoms of seine gear.

The depth and length of Area M seine nets significantly increase bycatch of both Chinook and chum salmon, both species which dive to escape (not a problem with sockeye). Over the countless years of our fishing experience, we noted that members of the fleet with deeper nets always caught more chums and Chinook than other successful sockeye fishermen around them. Chinook in years 2, 3 and often 4 are focused on feeding and tend to run much deeper than mature Chinook returning to their natal streams. Mature Chinook returning to their natal streams rise to follow the shallow freshwater lens floating on top of the more salty ocean water below. Our fishing fleet knows that incidental catch of chum and Chinook can be reduced with shallower gear, such as 250 meshes deep.

The impact of harvesting non-targeted chum and Chinook salmon when targeting sockeye has a needless impact on AYK and Norton Sound chum and Chinook salmon as well as depleted Chinook stocks in Areas L, K, Cook Inlet, PWS, Southeast, Canada and Washington. Such needless bycatch, often wasted as discarded mortality, impacts escapement, Subsistence harvests, Sport and Commercial users in other regions and ecosystem needs. We respectfully request that the Board consider reducing the depth and length of the seine gear in Area M.

Sincerely,

A handwritten signature in black ink, appearing to read "George Anderson", with a long horizontal line extending to the right.

George Anderson
Chignik Intertribal Coalition, President



Chitina Dipnetters Association
PO Box 72665
Fairbanks, AK 99707
Chuck Derrick, Pres.
cderrick@chitinadipnetters.com

September 25, 2023

The next BOF meeting dealing with Copper River/Prince William Sound Finfish, is slated for December 10-16, 2024 and located in Cordova. This is the next time Copper River dipnetting issues and proposals will be addressed. In the past, the 3 year cycle for the Copper River finfish meeting, has bounced between Cordova and Valdez. The Chitina Dipnetters Association (CDA) would like to see a location change for next year's meeting from Cordova to Anchorage for the following reasons.

Holding the Copper River Finfish meeting in Cordova makes it easy for the Cordova commercial fishing fleet to attend, but disenfranchises the 7,000-10,000 Alaskan residents, who annually purchase a Chitina Personal Use dipnet permit, the ability to attend in person and make their voices heard. Cordova is off the road system, remote in the winter (when most Copper River meetings are held), there is only one flight per day in and out of the town and is very costly and many times hindered by inclement coastal weather, internet is spotty, cell service is nill unless your carrier is GCI, lodging and restaurants that are open in the winter are very limited, the terrain and streets in Cordova are steep and icy and most attendees are on foot (Anchorage is flat). At the 2021 PWS/Copper River finfish meeting held in Cordova, many attendees including BOF members had room heat problems and food availability problems.

Valdez, although on the road system, is not much better. Most of these coastal fishing communities' visitor amenities in the winter are closed down.

Holding the Copper River finfish BOF meeting in Anchorage offers a wide choice of lodging and food amenities and gives the many personal Use Copper River dipnetters, as well as upriver subsistence users, the ability to testify in person, meet BOF members and not break the bank to do so.

Charles Derrick, President
Chitina Dipnetters Association



Submitted by: Craig Chythlook

Organization Name: International Arctic Research Center Food Security Working Group

Community of Residence: Fairbanks

Comment:

September 26, 2023

Alaska Board of Fisheries

PO Box 115526

Juneau, AK. 99811-5526

Dear Members:

Thank you for this opportunity to comment on the 2023 ACRs.

I have been a commercial fisherman in the Bristol Bay region as SO3T permit owner for twenty years. I have participated in subsistence fishing and hunting in the region my whole life and I am a third generation commercial fisherman.

I am writing in support of ACRs 2, 3, 5, and 10 with opposition to ACR 9.

I strongly support the board taking a position of supporting ACR 2. I contradict the Departments Staff Comments on this ACR not meeting the requirements for an Agenda Change Request. The 2023 Bristol Bay Season Summary from this years commercial fishery has data showing we have not met our minimum chinook escapement for seven out of eight years and for the fifth year in a row we have not met our minimum chum salmon escapement (1541607348.pdf (alaska.gov)). On September 25, the Nushagak AC met to discuss their position on the ACRs. The AC came to a conclusion that it is very important to support ACR 2, the Nushagak AC was crucial in giving meaningful feedback to the board during the Bristol Bay BOF meeting to push back the department's action plan discussion until the State Finfish meeting, you listened. The Nushagak AC believes that this is a conservation issue, the regional AC believes that there are regulatory impacts that were unforeseen with the illegal discard of chum and chinook salmon by the Area M fleet to avoid meeting the fish caps and enumeration, and the AC believes that if we do not take action now - we will have two or more years of no action when we have a stock of concern designation and likely a future SOC designation for BB chum salmon.

As you already know, the board adopted a Nushagak King Salmon Stock of Concern Action Plan during the 2023 Statewide Finfish meeting and the August 2023 in-season South Peninsula harvested summary shows a catch of 7,166 chinook salmon and reported nearly one-million chum salmon with just shy of 200k chums for the June fishery (Alaska Peninsula In Season Commercial Harvest Estimates, Alaska Department of Fish and Game).

I argue that because of the stock of concern status, this interception is directly impacting the Bristol Bay fishery with king harvest and certainly is impacting chum salmon bound for Bristol Bay waters and we will be discussing a stock of concern designation for Bristol Bay chum salmon during or before the next BB board cycle.

The Area M fishery has over two decades of documented cases where members of the fleet throw chum and chinook salmon overboard to prevent enumeration and stop/slow their fishing time - more citations were handed out to the Area M fleet Trooper citations for salmon discards add grist to regional Alaska fishery dispute - Alaska Public Media.

It is my fear that if the board does not take action on this now and we spend another two years waiting for action, that the Bristol Bay fishery which is an existing limited entry fishery with a known conservation concern of chum salmon, the

board will delay action while the Area M fleet will continue to self-police and discard salmon bound for CWAK river systems.

I, like many others believe, caps do not work. Our CWAK stock and the people relying on those salmon are bearing all the burden of conservation - with very limited to a third season of zero subsistence fishing, it is your obligation to be providing harvestable surplus of both fish stock [AS 16.05.258 (b)] - this is a subsistence priority over all other user groups. Beyond providing subsistence priority, without action and continuing to silo your actions with the cumulative impacts of federal fisheries impacts and climate change - you are artificially censoring board discussions and decisions to the massive impacts a lack of salmon are having to Indigenous cultural exchange, our cultural and spiritual livelihoods, and our Indigenous identities of being successful as salmon people - a continuation of siloing resource impacts/use to just a state vs just a federal fishery vs just uncontrollable climate change - is killing our Indigenous peoples. It is no surprise that there seems to be a correlation between salmon abundance and negative statistical data in many salmon dependent communities.

You need to stop only considering what happens within an artificial boundary, the fish and our people who have lived in reciprocity since time immemorial - we do not accept your boundaries and we do not accept your limitations - you must be accountable to the collective impacts and realities that focusing only on state managed limited entry fisheries and their user groups.

It is my opinion, if this continues to happen under both state and federal watch we will be supporting a cultural genocide, upheld by laws intended to kill the Native save the man.

Thank you,

Craig Chythlook

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose ACR 2: Support ACR 3: Support ACR 4: Oppose ACR 5: Support ACR 9: Oppose ACR 10: Support

**Concerned Area M Fishermen
35717 Walkabout Rd.
Homer, AK 99603**



PC15

September 27, 2023

Alaska Board of Fisheries
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Re: CAMF Opposition to ACR #2

Dear Chair Carlson-Van Dort and Board of Fisheries members,

Concerned Area M Fishermen (CAMF) represents salmon drift permit holders who participate in the June South Unimak/Shumagin Island fishery, as well as in the post-June fishery in the South Unimak area. CAMF represents approximately 115 permit holders and their families. We have members residing in coastal Alaska from False Pass, King Cove, Sand Point, to the Kenai Peninsula, and also in the Anchorage Mat-Su bowl area.

CAMF opposes the adoption and scheduling of Agenda Change Request (ACR) #2 into the 2023/2024 meeting cycle since we do not believe this request meets any of the three criteria listed in the Board's "Policy for Changing the Board of Fisheries Agenda". CAMF agrees with ADF & G staff comments on ACR #2 which also finds that none of the 3 listed criteria are met.

The authors of ACR #2 assert that the situation with Coastal Western Alaska (CWAK) summer chum stocks "was not improved in 2023". To the contrary, the summer chum escapement in the Yukon was approximately 846,000 summer chum, which was the highest escapement since 2019 and considerably higher than the low escapement of 153,000 experienced in 2021. This escapement is at the midpoint of the lower and upper drainage wide goal for the Yukon. There was also a subsistence fishery this year, with liberal fishing time for chums. The subsistence fishery was closed in 2021 and 2022. On the Kuskokwim, the summer chum passage at the Bethel sonar site was over twice the 2022 count. There was also ample subsistence opportunity on the Kuskokwim, for both chum and king salmon as well. After the extremely low returns experienced in 2021 in these systems, the trend trend has been upward, and there is no reason to believe at this time 2024 will be different.

The authors of ACR #2 also assert that "summer chum harvest" was approximately 200,000 for the 2023 June South Unimak and Shumagin Island fishery. This seems to imply that this harvest of chum is CWAK summer chums when only a small percentage of the chums harvested in June are bound for western Alaska. In 2022, based on genetic catch sampling, the percentage of CWAK chums in the June fishery harvest was 17.7%. Although results from



the 2023 harvest are not yet available, it is not unreasonable to think it will be approximately the same as 2022, and therefore only a fraction of the June 2023 chum harvest is bound for western Alaska rivers and streams.

Mandatory retention of all salmon harvested in the June fishery, per regulation, was discussed at length at the February 2023 Board of Fisheries regulatory meeting for the Alaska Peninsula. At that meeting, the Alaska Wildlife Troopers committed to an enhanced enforcement effort throughout the month of June to address this issue. To our knowledge, 3 drift boats and one set net boat were cited for non-retention of salmon. All persons on these vessels were cited, crew included, for a total of 9 citations written. We do not believe these cases are indicative of widespread non-retention of salmon by the fleet as a whole, as claimed by the ACR authors, nor do we believe these citations be used as an inference of behavior across the entire fleet. We believe that an overwhelming majority of commercial fishermen abide by the fishery regulations in what ever fisheries they participate in, this one included. Further, we believe the non-retention issue is an enforcement matter and is best addressed by continued enforcement efforts in the fishery.

The ACR petitioners seem to be implying that the Board should schedule the management of the June fishery into the 2023/2024 meeting cycle to reconsider a proposal (Proposal 140) they authored at the February Alaska Peninsula regulatory meeting. This proposal failed on a 4-3 vote. The proper avenue, in our opinion, is for the authors to bring this proposal back before the Board at its next scheduled regulatory meeting, not trying to get it on the agenda through the ACR process.

CAMF urges the Board not to support this Agenda Change Request.

Respectfully,

A handwritten signature in black ink that reads "Steve Brown". The signature is written in a cursive, flowing style.

Steve Brown, President
35717 Walkabout Rd.
Homer, AK 99603

September 27, 2023



PC15

Alaska Board of Fisheries
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Re: CAMF Opposition to ACR #3

Dear Chair Carlson-Van Dort and Board of Fisheries members,

Concerned Area M Fishermen (CAMF) represents salmon permit holders who participate in the June South Unimak/Shumagin Island fishery, as well as in the post-June fishery in the South Unimak area. CAMF represents approximately 115 permit holders and their families. We have members residing in coastal Alaska from False Pass, King Cove, Sand Point, to the Kenai Peninsula, and also in the Anchorage Mat-Su bowl area.

CAMF opposes Agenda Change Request (ACR) #3. This is a request to the Board asking that the gear depth for purse seines be reduced for the June South Unimak and Shumagins Islands fishery. None of the three criteria listed under the Board's "Policy for Changing the Board of Fisheries Agenda" is met by this ACR. Proposals modifying purse seine depth have been previously considered by the Board, and the subject of this ACR is more properly considered during the next regular scheduled regulatory meeting for the Alaska Peninsula.

Respectfully,

A handwritten signature in black ink that reads "Steve Brown".

Steve Brown, President
Concerned Area M Fishermen
35717 Walkabout Road
Homer, AK 99603



Background information for the South Unimak Shumagin Island June Fishery.

Salmon have been harvested at South Unimak and in the Shumagin Islands during the month of June for over a century. There's a reason for this: the sockeye we catch are in prime condition and of the highest quality, bringing top dollar in the market. The June fishery may be the most scrutinized commercial fishery in the State and is very valuable to its participants, to the Alaska Peninsula economy, and to the State, and deserves to be managed in a manner that recognizes and enhances its economic and social importance. This is especially critical in this time of competition with farmed salmon and as Alaska seeks to generate greater revenues from its natural resources. Past Boards have understood the value of the June fishery and have been committed to assuring a viable sockeye harvest while protecting migrating salmon bound for other areas.

In 2004, the Board adopted significant changes to the South Unimak and Shumagin Islands June Salmon Management Plan, 5 AAC 09.365. These revisions simplified the management approach, ending a two-decade long experiment of imposing increasingly complex and untested regulations aimed at constraining our harvest of migrating salmon, especially chum salmon. That experiment culminated in 2001 with the adoption of a management plan that drastically cut our fishing time and severely impaired the area managers' ability to maintain a reasonable sockeye harvest. The Board in 2004 recognized multiple problems with the prior plans – not the least of which is that the various limits imposed on the June fishery over time had no effect on the fisheries intended to benefit from such limits – and opted instead for a straightforward management regime of scheduled openings that give us enough time on the water to sustain a reasonable harvest while providing a balance of closed periods. We encourage Board members to review the findings prepared by the Board in 2004 (2004-229-FB). In adopting these changes to the June fishery management plan, the key question the Board asked was whether the fishery would still perform within historical levels of harvest? The Department answered yes. Experience under the 2004 plan confirms that the Department was correct. The harvest of sockeye in the June fishery has ranged from roughly 3.9 million fish in 2022 to 660,000 in 2014, averaging 1,346,000 for the period 2012-2021.¹ During the same time, the harvest of chum ranged from approximately 179,000 chum salmon in 2015 to 1,168,600 in 2021 and has averaged around 502,000 fish for that period. The chum harvest in 2022 was 540,000. This past season saw a dramatic decrease in harvest of sockeye and chum. In 2023 844,300 sockeye and 199,372 chums were harvested in June.

In 2023 the Board further restricted the June fishery. Fishing time for the seine fleet was reduced from 352 hours in June to 310 hours. The entire Sanak Island Section was closed to fishing in June. Harvest triggers and caps of chums were also adopted by

¹ See South Alaska Peninsula Annual Management Report, 2022, Fisheries Management Report No.22-23 (December 2022), at 71, Appendix B5.



the Board. If the chum salmon harvest equals or exceeds 300,000 fish by June 18 the fishing time for the seine fleet is reduced by 44 hours during the remaining fishing periods in June. If the harvest cap of 450,000 chums is reached the fishery is closed for all gear types. In addition, the drift gillnet fleet and seine fleet agreed to “stand down” and not fish on the opening day of June 10th to pass chums through the fishery. The seine fleet also developed an application that provided “real time” harvest information to try to determine times to fish when sockeye harvest can be maximized, and chum harvest can be minimized.

Area M fishermen well understand the need to limit their harvest of chum salmon and have taken several steps toward this end. For instance, the commercial fleet (all gear types) participates in “chum harvest pools” where all chum we catch are pooled then divided equally among the fleet. This eliminates any incentive for an individual to target chum. In addition, the fleet has voluntarily stood down and not fished when there has been an abundance of chums present. In 2022, the seine fleet further adopted a voluntary “hot spot” stand down program whereby fishermen quit fishing in certain times and areas if local chum harvest was determined to be too high. This program had 100% participation by the seine fleet, and the harvest of chum in 2022 was cut in half relative to 2021. But it must also be recognized that occasionally there will be years when the presence of chum in Area M waters--particularly considering the dramatic increase in Asian chum hatchery production--that they will be hard to avoid. At some point, vessels will need to fish if they are to maintain a reasonable sockeye harvest. It is also important to dispel the notion advanced by some that the chum harvest in the June fishery should only be considered as “by-catch” to our harvest of sockeye. Chum salmon have been harvested in the June fishery as long as it has existed and constitute an important economic component of the fishery.

Detractors of the June fishery have long asserted that the mixed stock nature of the fishery risks adverse biological impacts. We disagree. Based on several studies of the June fishery – including tagging; genetic stock identification (GSI), including Western Alaska Salmon Stock Identification Program (WASSIP), the 2022 GSI for chum in Area M; and mark-recapture data – certain conclusions have become clear:

1. Bristol Bay sockeye stocks in the fishery are highly mixed, and there is no risk that we will tap into a vein of fish from one river and have a disproportionate impact on a single stock. WASSIP data for sockeye clearly demonstrated the low harvest rates in the June fishery for stocks with origins in Bering Sea and Bristol Bay drainages. It is highly likely due to similar migration patterns that chums harvest rates in the June fishery are very similar to sockeye. (Figure 3)
2. The chum salmon harvested in our fishery originate from a wide geographic area – Japan, Russia, the AYK, Bristol Bay, the Alaska Peninsula, South-central Alaska, Canada, and the Pacific Northwest. (Figure 10 and Figure 11)



3. WASSIP results showed that the harvest levels of the June Fishery were smaller than the error in estimates of the size of the Bristol Bay sockeye and AYK chum runs. (Figure 4, Figure 5, Figure 6, Figure 7, Figure 8, Figure 9)
4. Yukon fall chum, whose declines in the mid-1980s were cited as the basis for imposing the first chum cap, are present in very small numbers in the June fishery; and (Figure 7, Figure 8, Figure 9, Figure 11, Figure 13)
5. Only a fraction of any migrating runs pass through the area of the June fishery, with the rest returning through Aleutian passes to the west. An international tagging study immediately west of the fishery shows that AYK chum runs pass through Aleutian Island passes with similar run timing. (Figure 14)
6. The percentage of Asian chums in the June fishery has greatly increased since the WASSIP study was conducted. From 2007 to 2009 Asian chums ranged from 20% to 29% of the SUSI harvest. In 2022 the median estimate for Asian chums was 58% of the harvest. (Figure 10)

In summary, the June fishery has little biological impact on the salmon runs migrating through the South Peninsula area and there is no conservation risk from permitting a viable fishery to be prosecuted there. Proposals seeking to further restrict the Area M fisheries are based on the belief that there is, or should be, a priority allocation for stakeholders closer to the stream of origin of salmon stocks. This attitude is in direct conflict with the position of the State of Alaska as signatory of the Pacific Salmon Treaty, which recognizes the intrinsic equity claim for fisheries near waters where salmon grow to maturity. The State vigorously maintains that there is at least as much, if not more right to harvest based on the idea of contributions to growth in contrast to stream of origin. Within Alaska salmon are a common property resource that ‘belong’ to everyone, not just those nearest the stream of origin. The current June fishery management plan is working well, and data from WASSIP confirm the basis for prior Board actions and findings. CAMF was one of the eleven signatories of the original Memorandum of Understanding for WASSIP and was a participant and contributor throughout the nine-year study.

Figure 1.



Catch Per Boat Day in June Fishery Since Limited Entry

Prepared by CAMF
Source ADFG

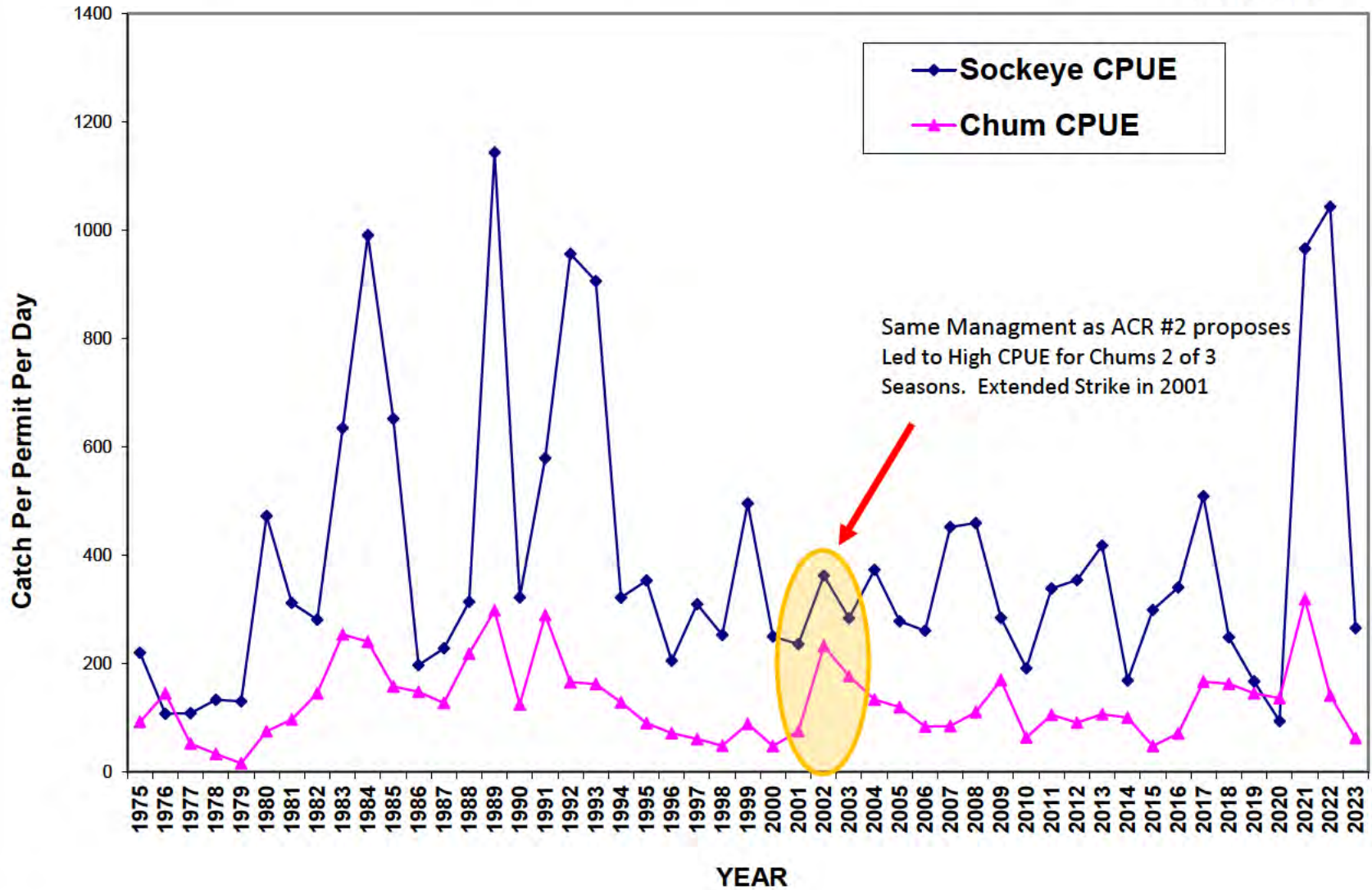


Figure 2.



June SUSI Sockeye and Chum Harvest

Prepared by CAMF
Source ADFG

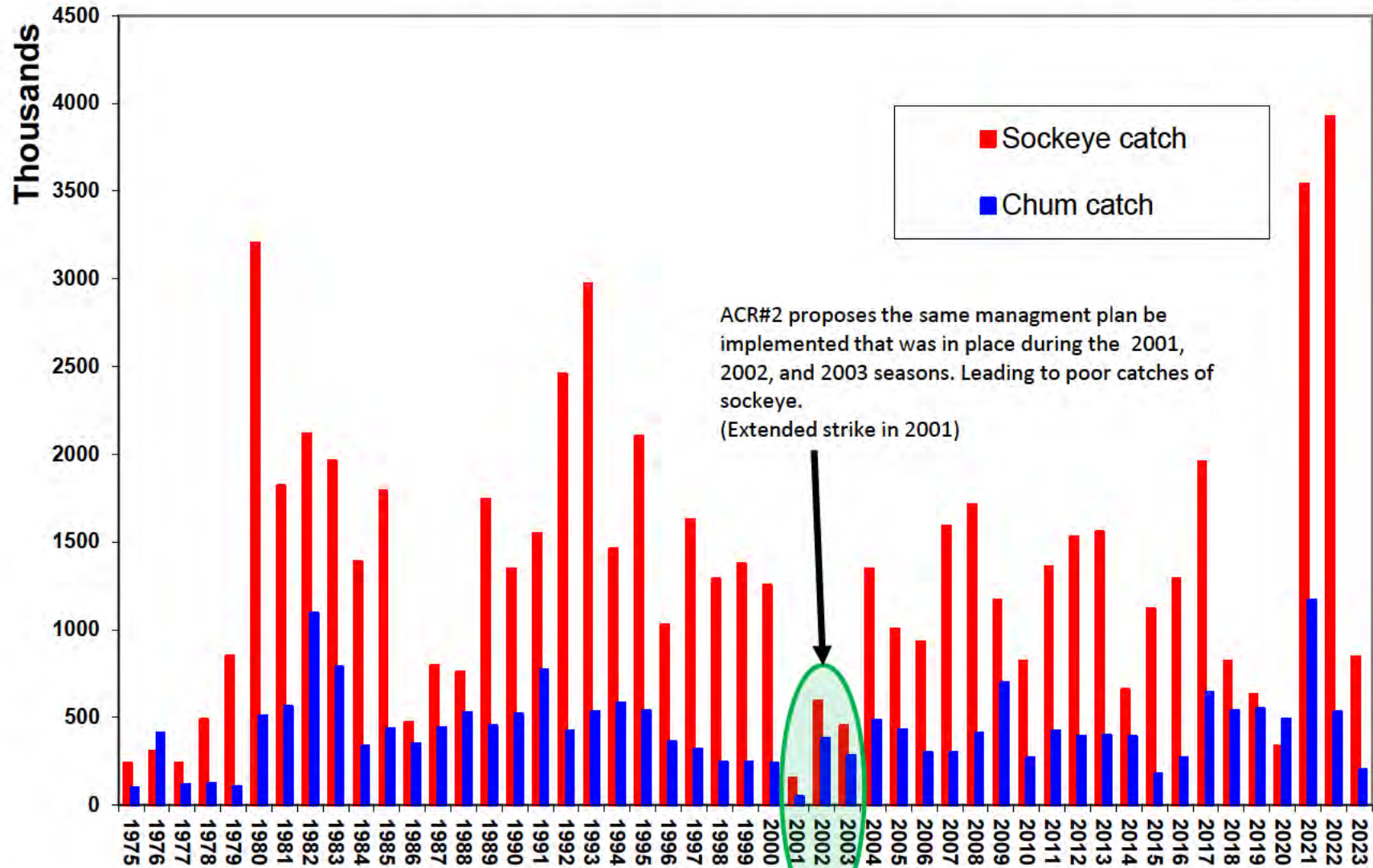


Figure 3.

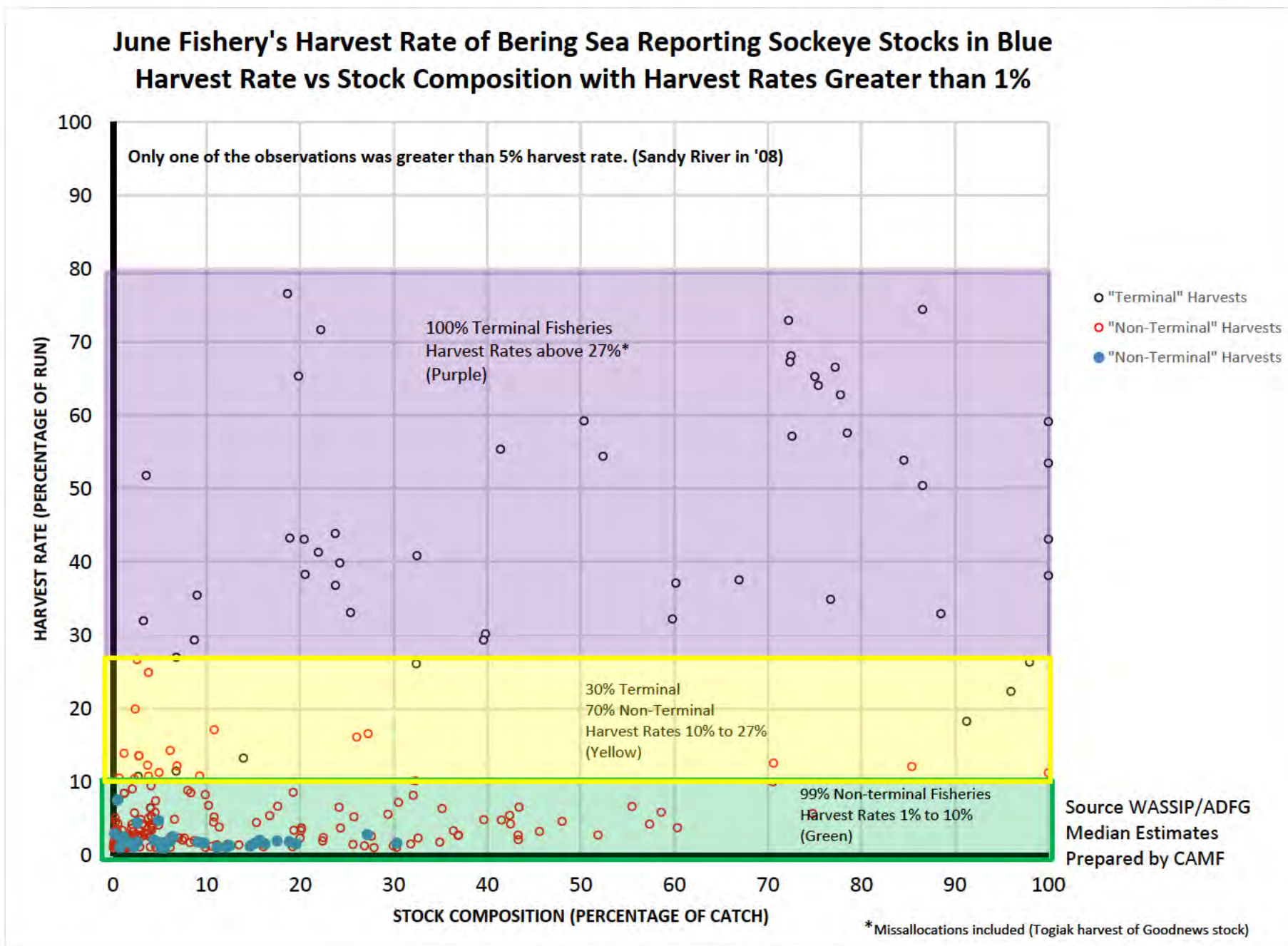


Figure 4.

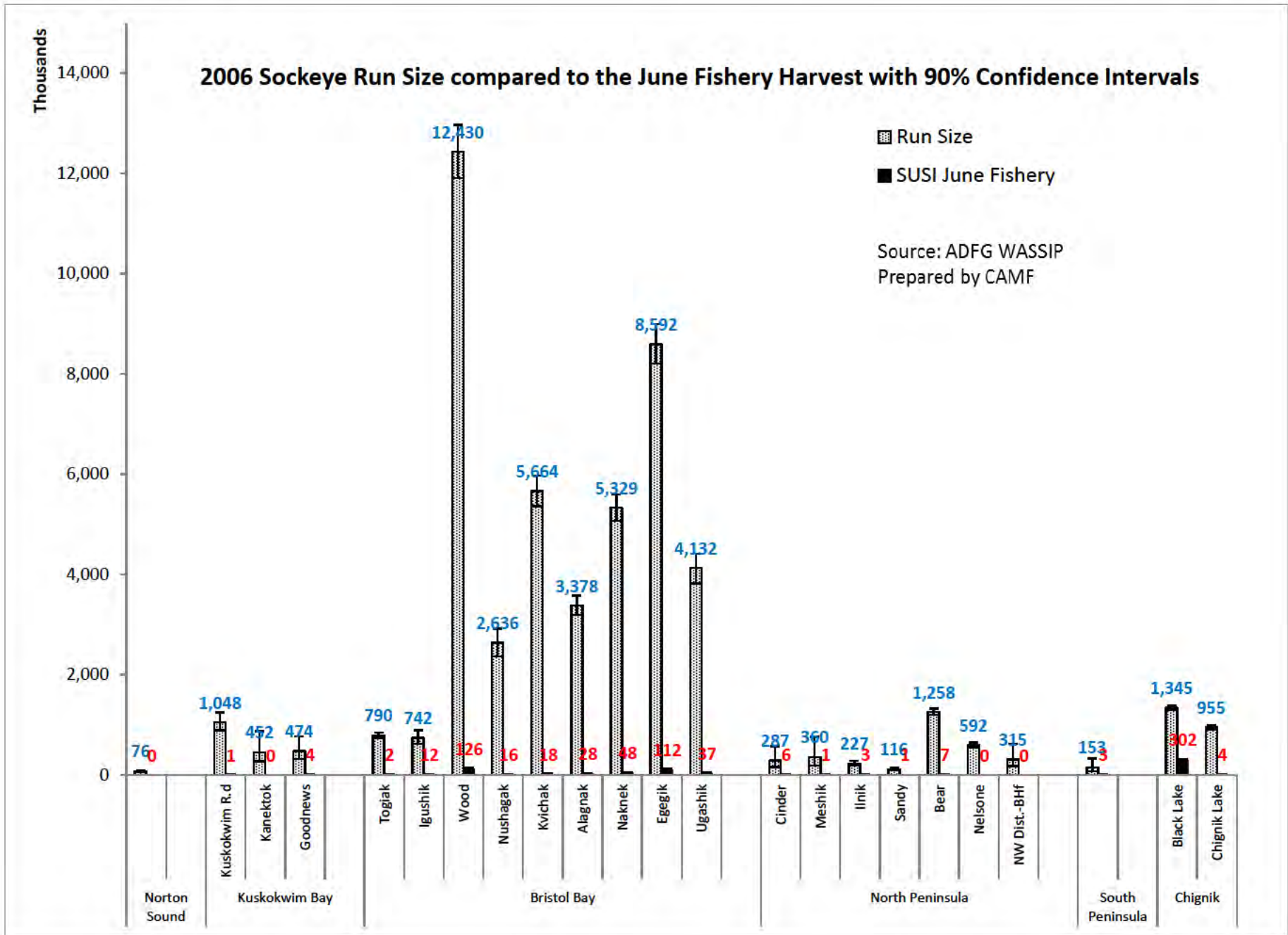


Figure 5.

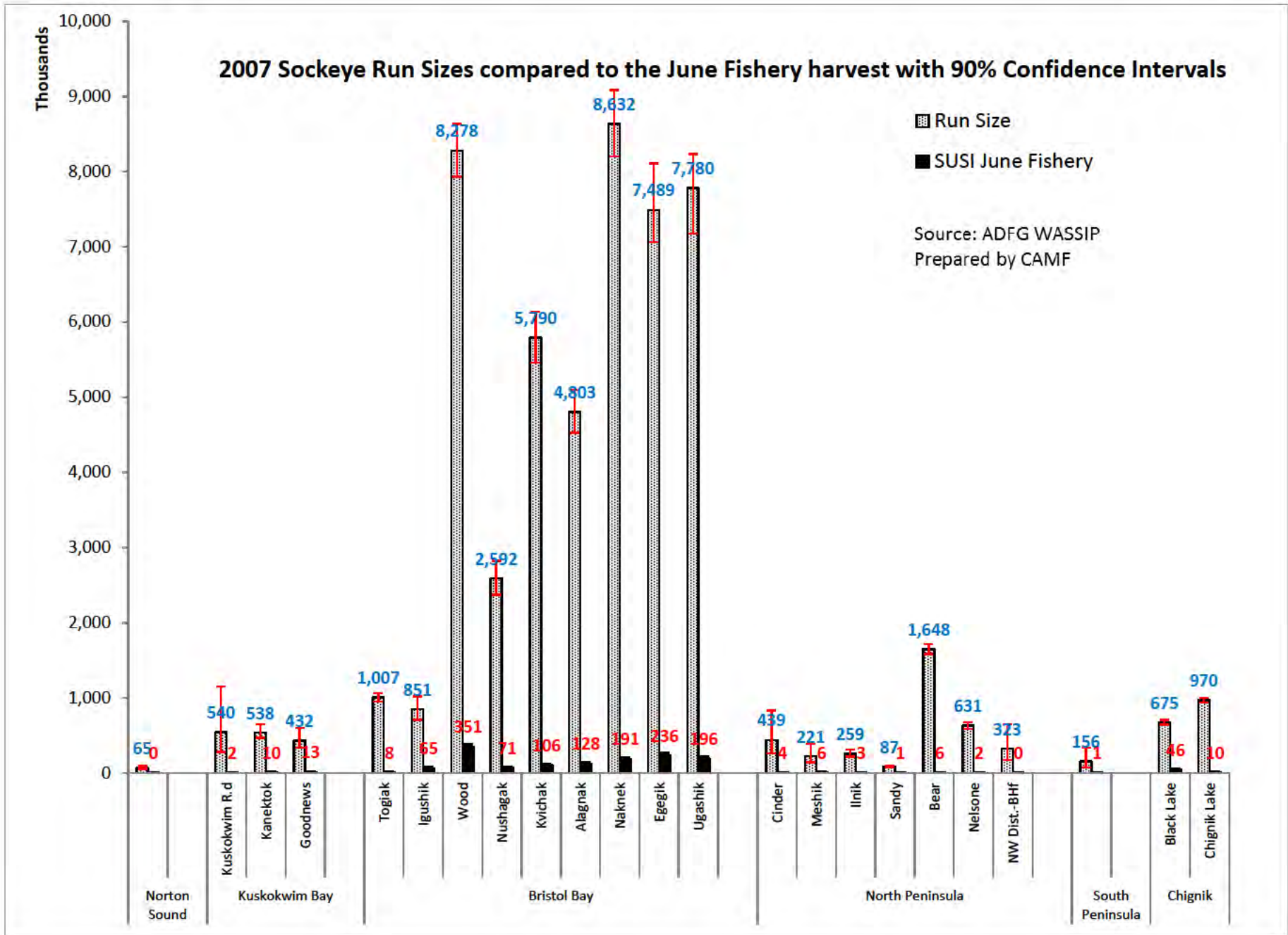


Figure 6.

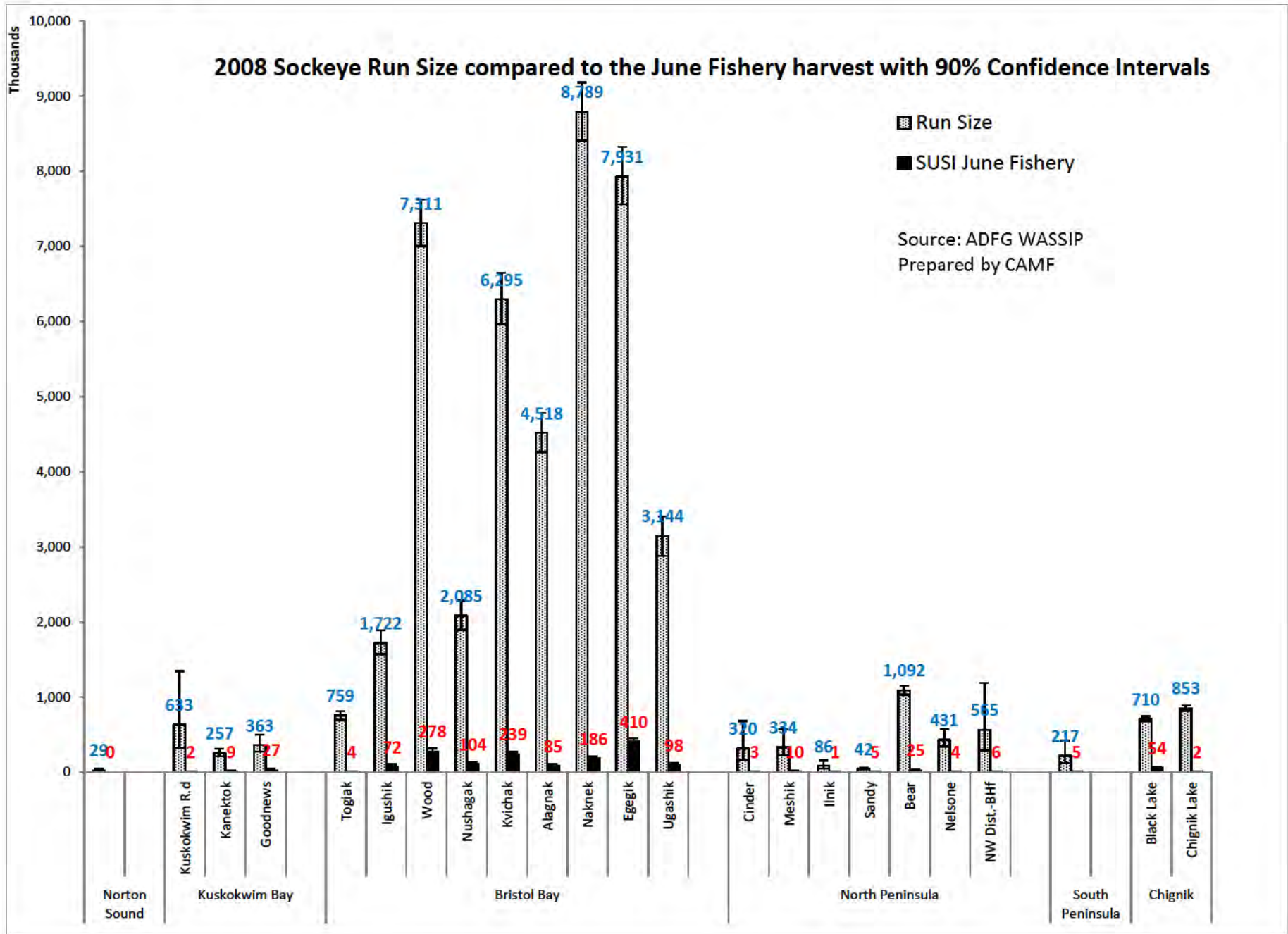


Figure 7.

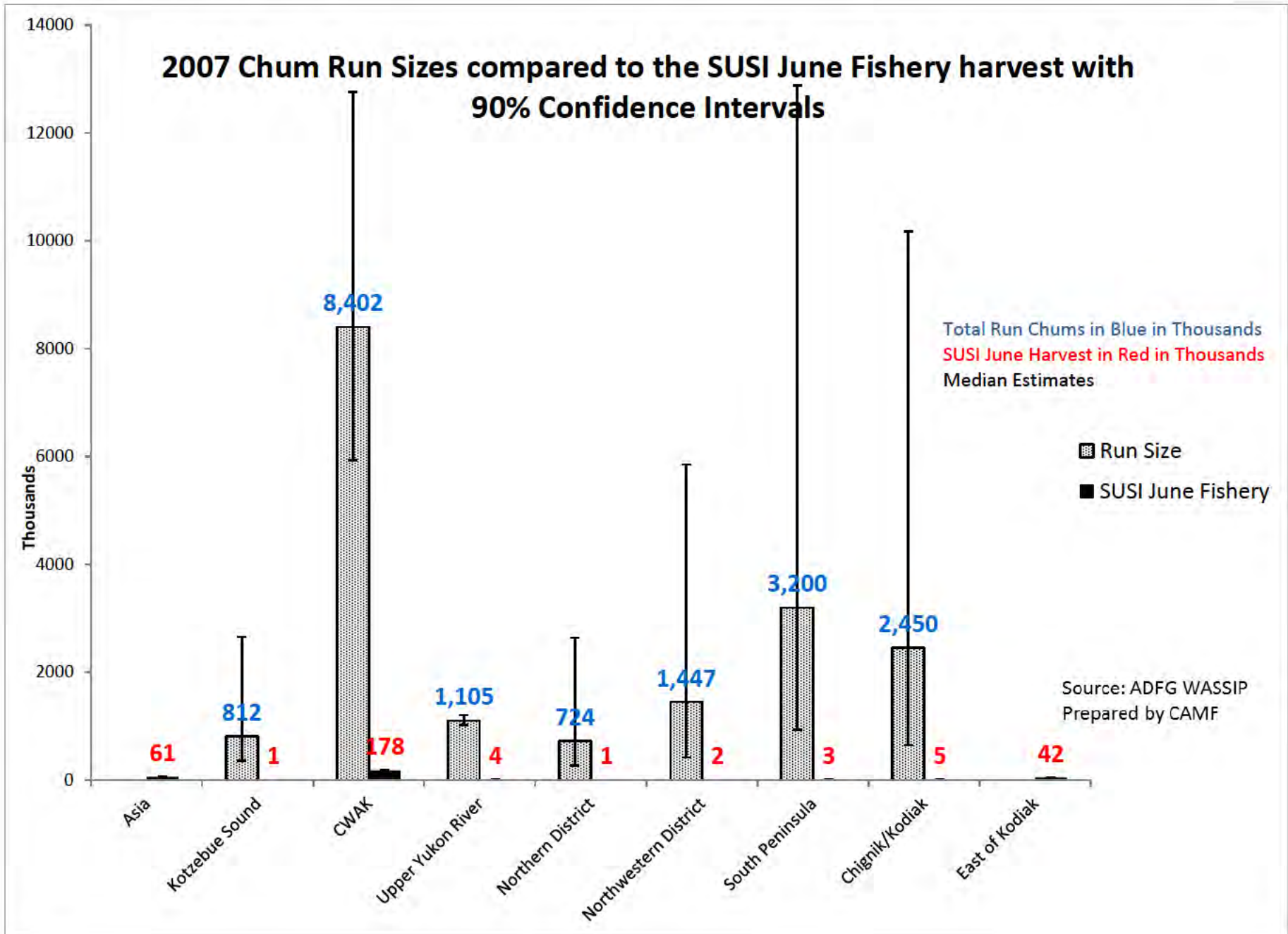


Figure 8.

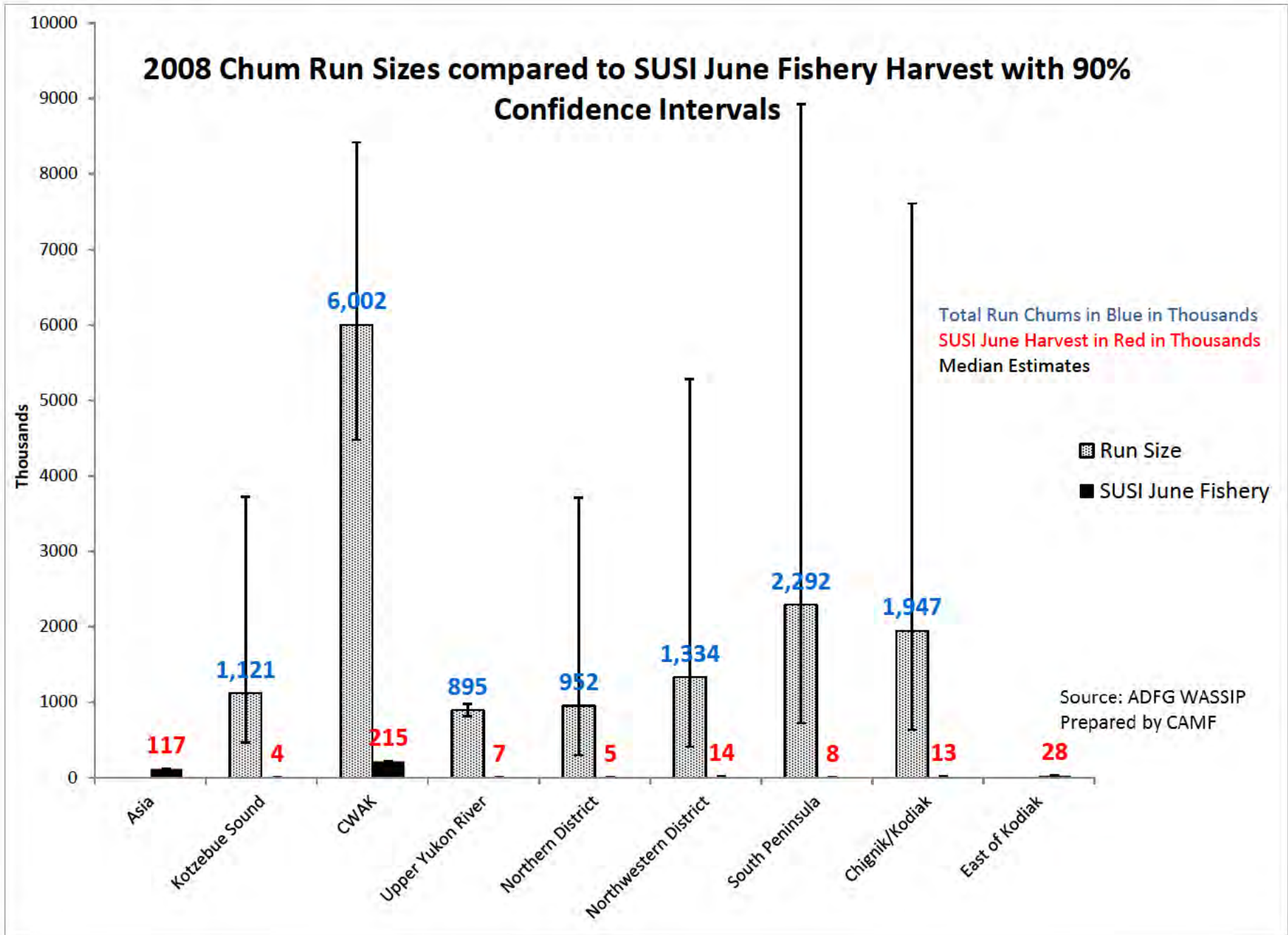
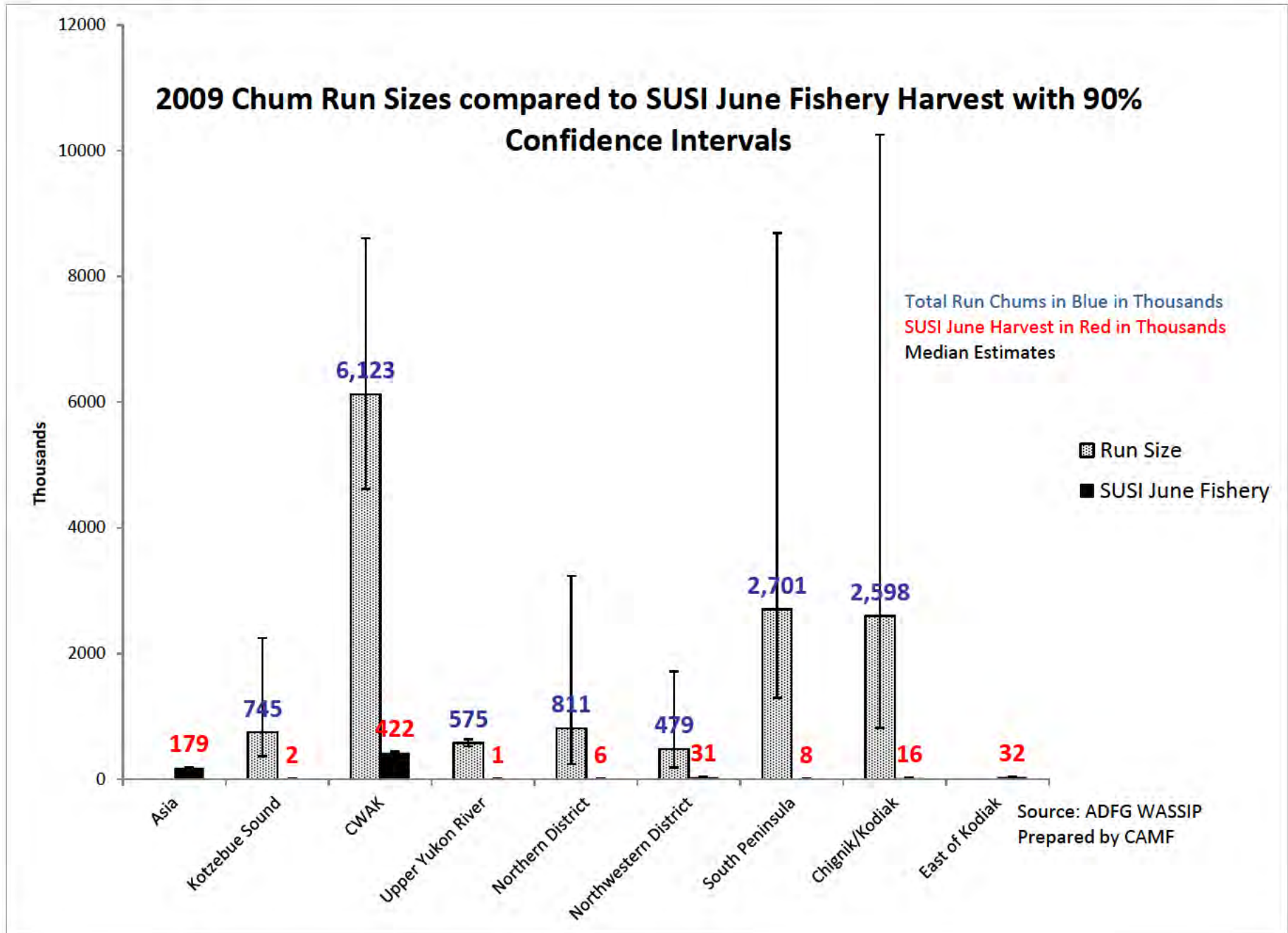


Figure 9.



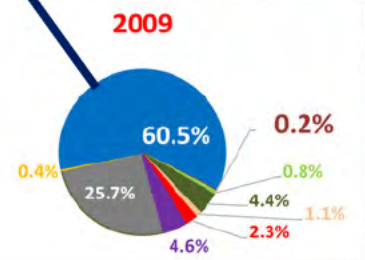
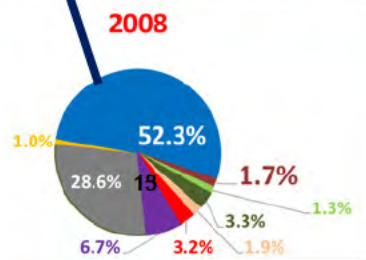
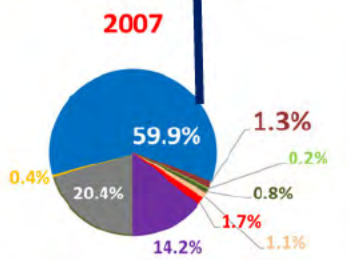
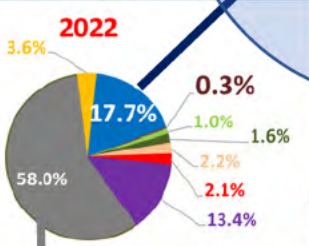
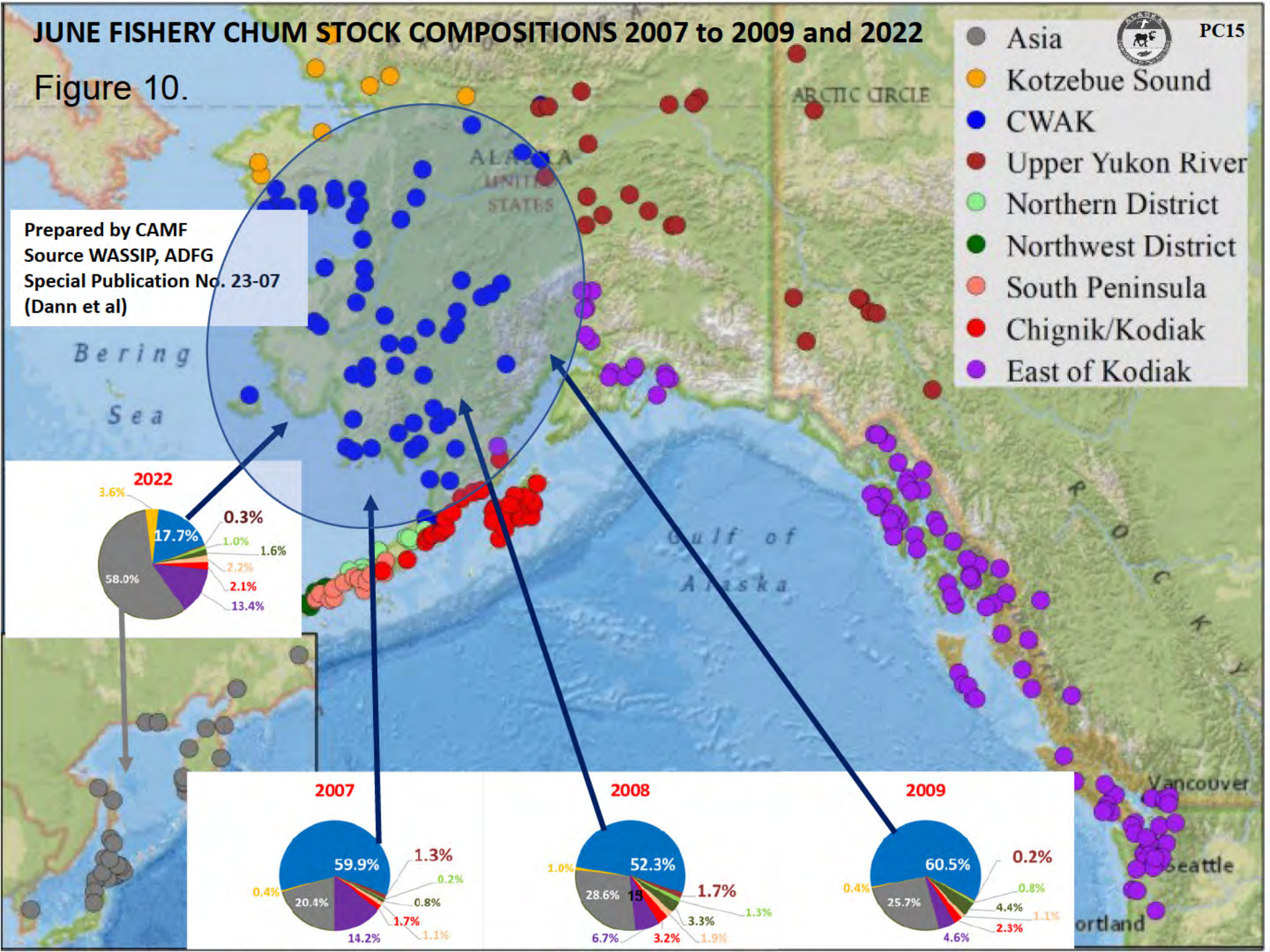
JUNE FISHERY CHUM STOCK COMPOSITIONS 2007 to 2009 and 2022



Figure 10.

Prepared by CAMF
 Source WASSIP, ADFG
 Special Publication No. 23-07
 (Dann et al)

- Asia
- Kotzebue Sound
- CWAK
- Upper Yukon River
- Northern District
- Northwest District
- South Peninsula
- Chignik/Kodiak
- East of Kodiak



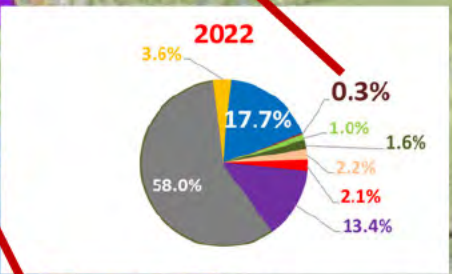
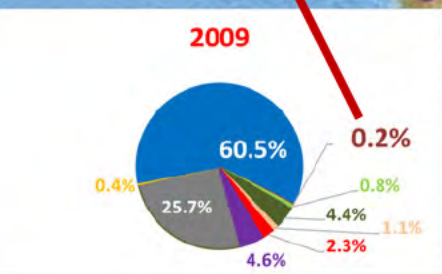
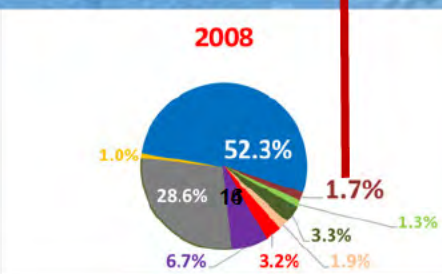
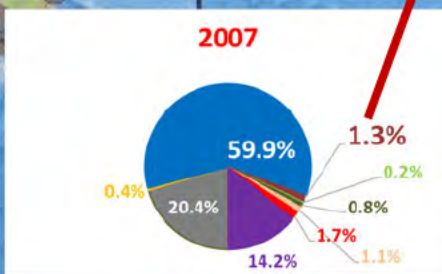
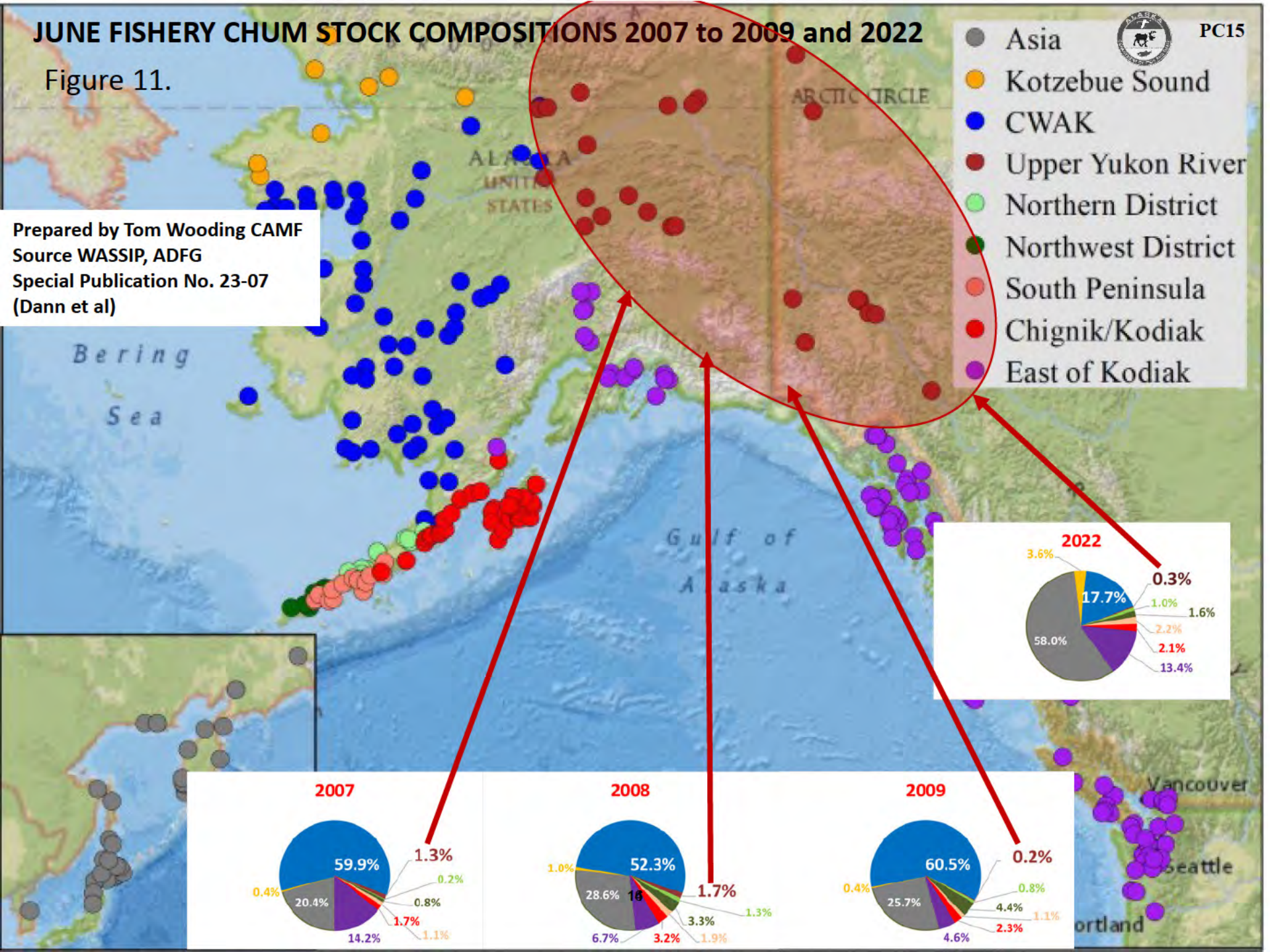
JUNE FISHERY CHUM STOCK COMPOSITIONS 2007 to 2009 and 2022



Figure 11.

- Asia
- Kotzebue Sound
- CWAK
- Upper Yukon River
- Northern District
- Northwest District
- South Peninsula
- Chignik/Kodiak
- East of Kodiak

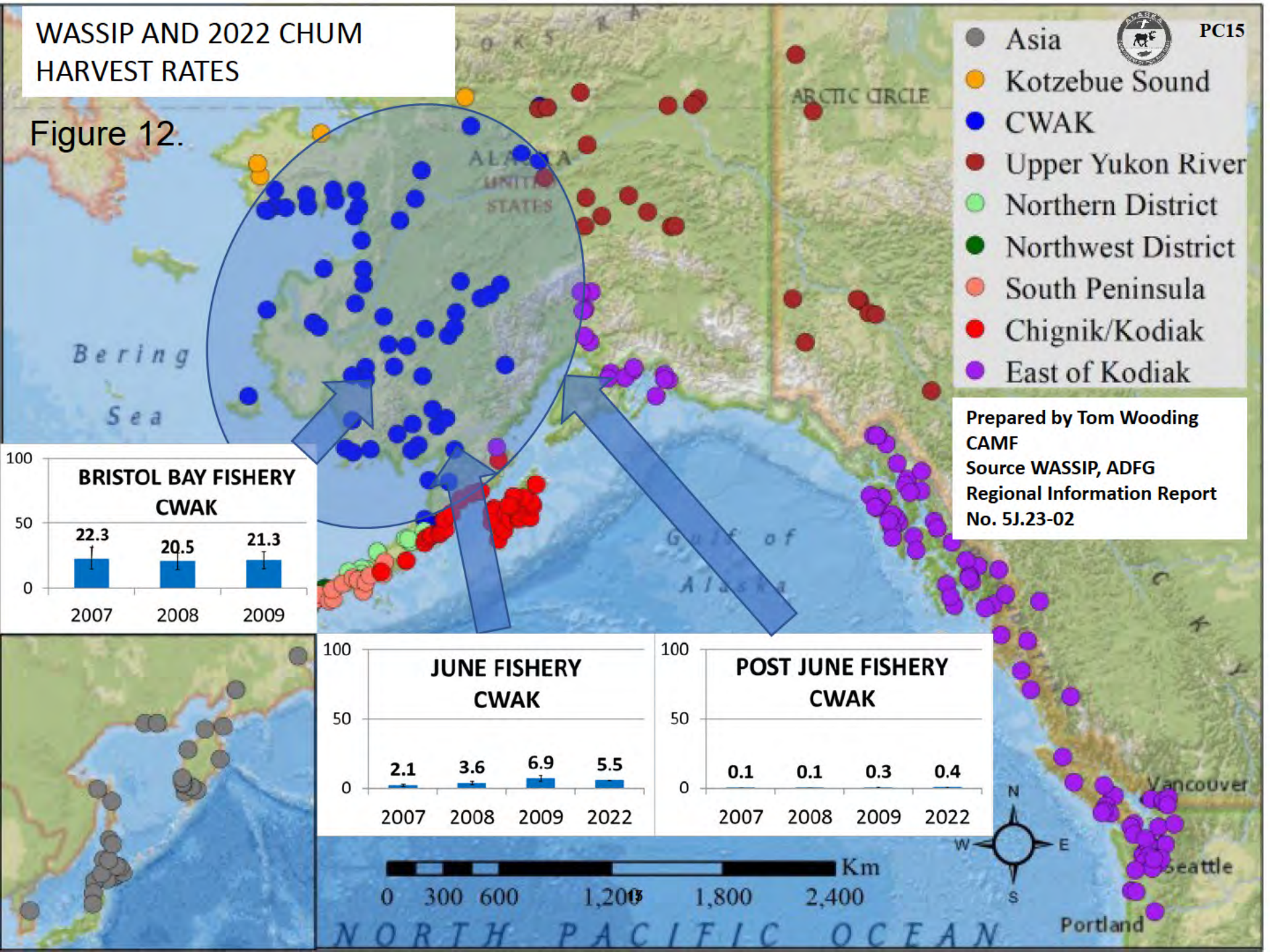
Prepared by Tom Wooding CAMF
 Source WASSIP, ADFG
 Special Publication No. 23-07
 (Dann et al)



WASSIP AND 2022 CHUM HARVEST RATES

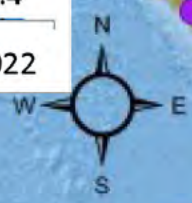
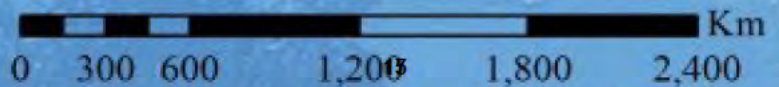
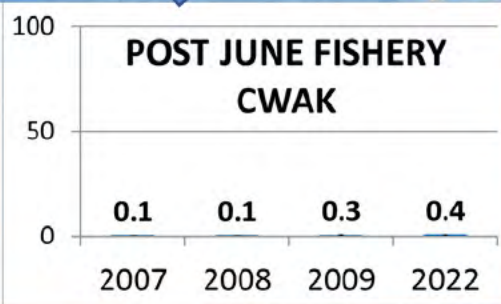
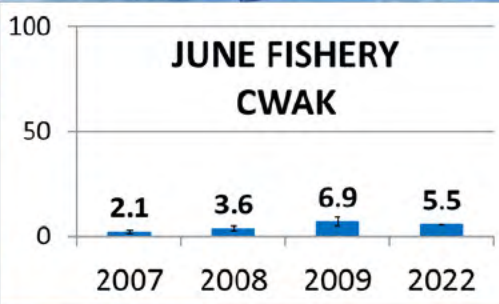
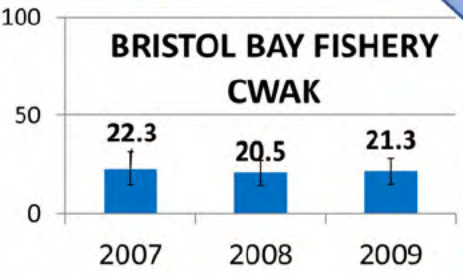


Figure 12.



- Asia
- Kotzebue Sound
- CWAK
- Upper Yukon River
- Northern District
- Northwest District
- South Peninsula
- Chignik/Kodiak
- East of Kodiak

Prepared by Tom Wooding
 CAMF
 Source WASSIP, ADFG
 Regional Information Report
 No. 5J.23-02



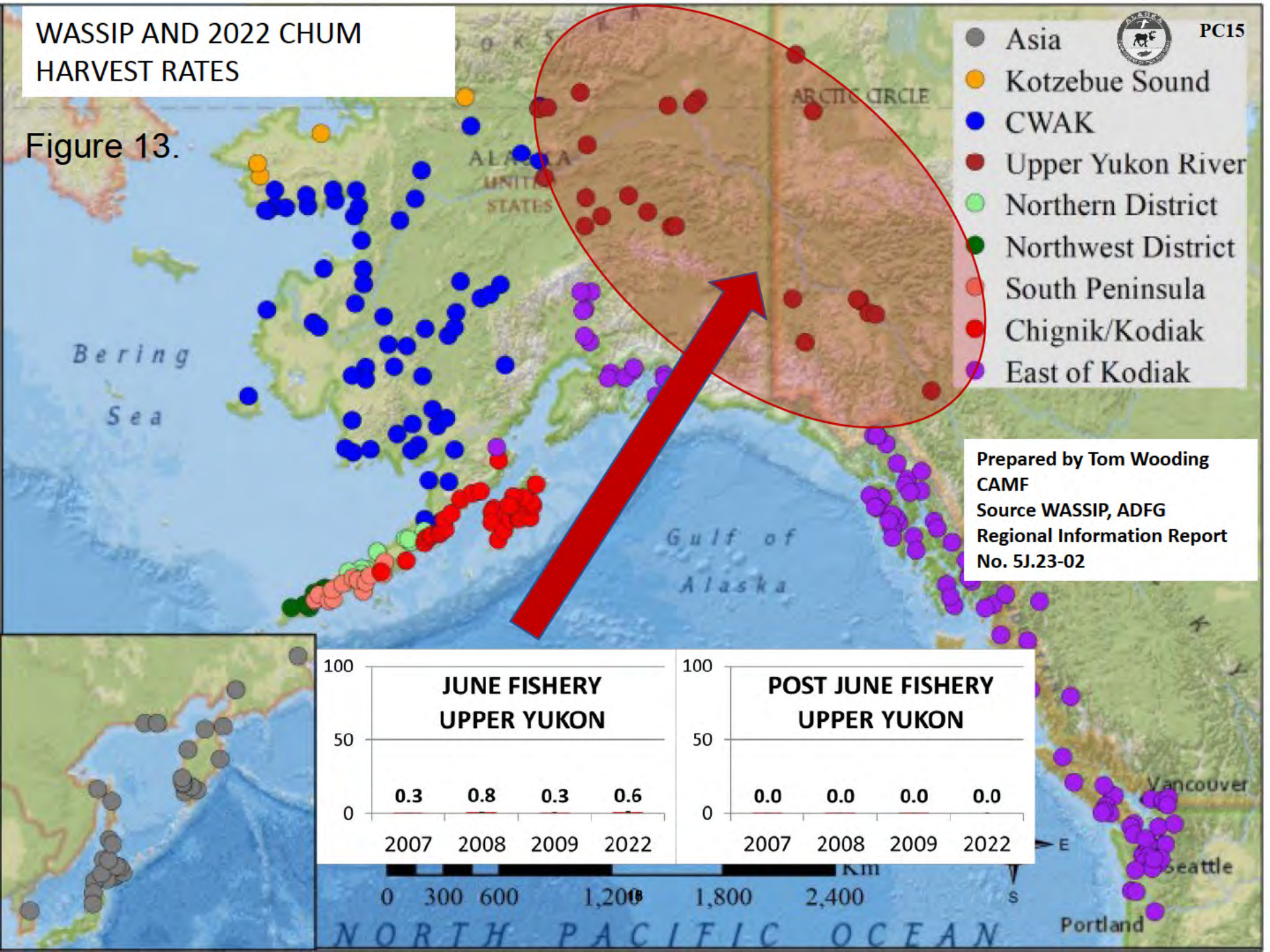
NORTH PACIFIC OCEAN

Vancouver
 Seattle
 Portland

WASSIP AND 2022 CHUM HARVEST RATES

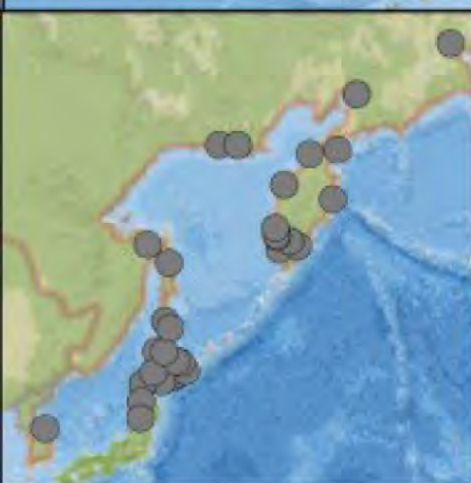


Figure 13.



- Asia
- Kotzebue Sound
- CWAK
- Upper Yukon River
- Northern District
- Northwest District
- South Peninsula
- Chignik/Kodiak
- East of Kodiak

Prepared by Tom Wooding
 CAMF
 Source WASSIP, ADFG
 Regional Information Report
 No. 5J.23-02



| JUNE FISHERY UPPER YUKON | | | | |
|-----------------------------|------|------|------|------|
| 100 | | | | |
| 50 | | | | |
| 0 | 0.3 | 0.8 | 0.3 | 0.6 |
| | 2007 | 2008 | 2009 | 2022 |

| POST JUNE FISHERY UPPER YUKON | | | | |
|----------------------------------|------|------|------|------|
| 100 | | | | |
| 50 | | | | |
| 0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | 2007 | 2008 | 2009 | 2022 |

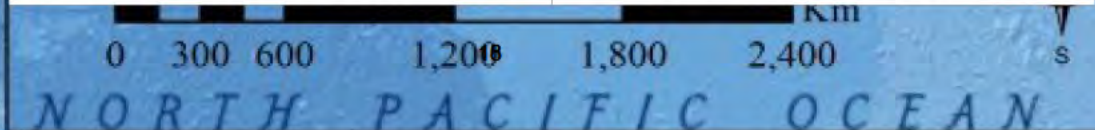
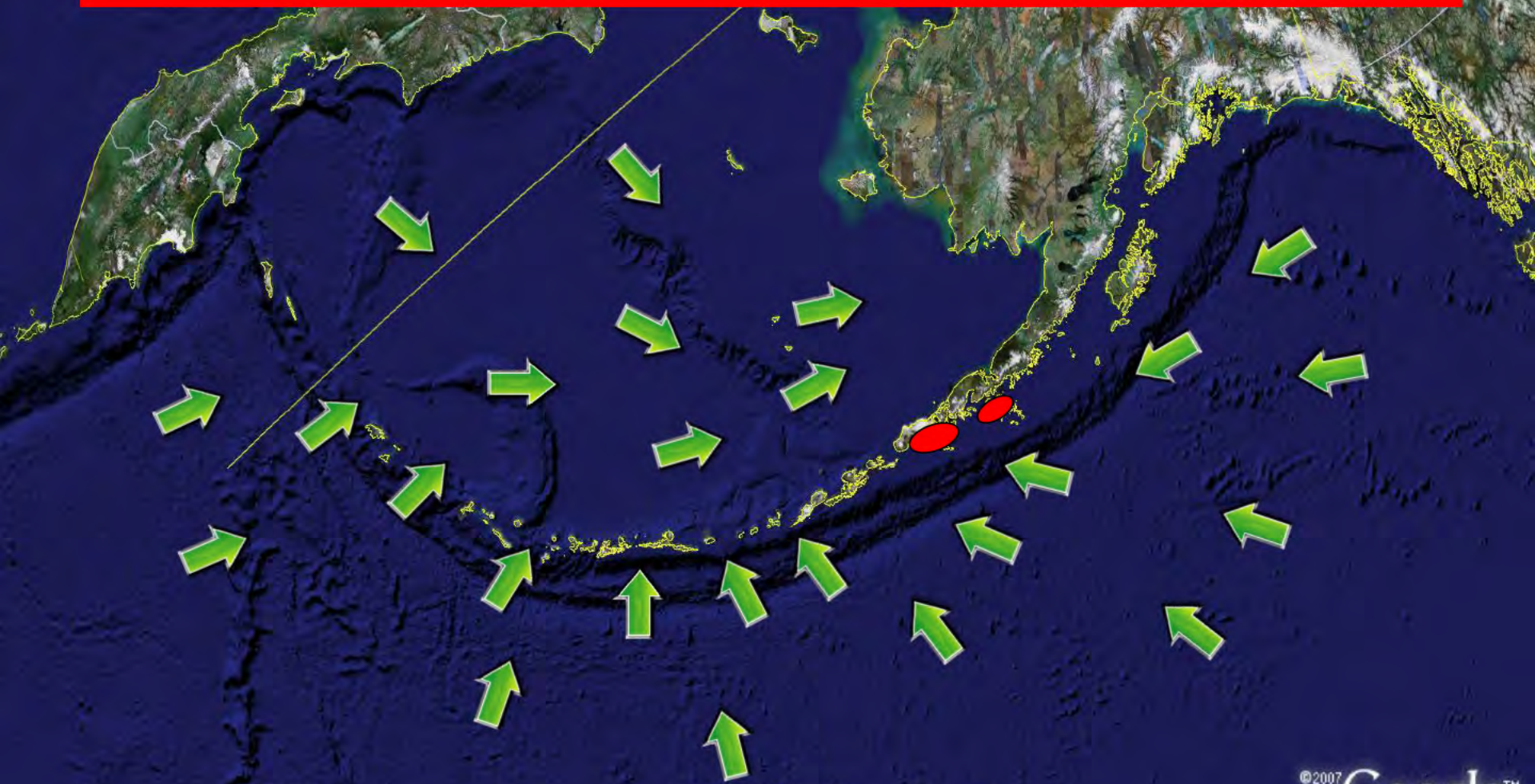


Figure 14. Due to the fact the migration occurs on a vast area of the ocean the SUSI June Fishery doesn't have the capability of achieving high harvest rates on a given stock.

The SUSI June Fishery is very small in size compared to the North Pacific and Bering Sea



© 2007 Europa Technologies
Image © 2007 NASA
Image © 2007 TerraMetrics

© 2007 Google™



Märit Carlson-Van Dort, Chair
Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 999811

September 27, 2023

Re: 2023-2024 Board of Fisheries Worksession
Comments for Agenda Change Requests

Dear Chair Carlson-Van Dort and Members of the Board of Fisheries,

Cordova District Fishermen United (CDFU) is an industry-based nonprofit strengthening commercial fishing in the Prince William Sound region by advocating for the needs of community-based fishermen. Since 1935, CDFU has represented fishermen and their families for thriving fisheries that sustain regional ecosystems, communities, and ways of life - ensuring they are well informed, resourced, and mobilized to affect positive change for all harvesters in the region.

As you deliberate, we respectfully ask you to consider our comments:

ACR 8 - OPPOSE

5 AAC 24.XXX. Restrict Copper River District commercial fishing opportunity until a specified level of sonar passage at Miles Lake has been achieved.

This ACR does not meet any of the criteria for an Agenda Change Request, and should not be accepted.

The ACR claims to address conservation, but the Copper River salmon fishery is being managed sustainably by ADF&G. Upper Copper River sockeye escapement goals have been achieved during each of the last 20 years, and exceeded four times during that period.

Additionally, we would oppose this ACR if it were a proposal. The harvest restrictions ACR 8 aims to achieve are reallocation of resources between user groups. Restricting



commercial fishing until specific levels of sonar passage at Miles Lake essentially takes access of early Copper River sockeye and chinook salmon and instead allocates those fish to upriver subsistence, personal use and sport harvest. The Copper River fishery relies on small consistent commercial fishing openers as its best tool to gather initial run data that supports all user groups and healthy, well-managed runs.

**

Thank you for your time and consideration of our comments. We greatly appreciate the attention to the issues facing our fleet and fisheries. Should you have a need for us to help clarify anything regarding our comments, please don't hesitate to contact me.

Sincerely,

Jess Rude
Executive Director



BERING SEA/ALEUTIAN ISLANDS
CRAB OBSERVER OVERSIGHT TASK FORCE

Date: September 18, 2023

To: Märít Carlson-Van Dort, Chair
Alaska Board of Fisheries

From: Linda Kozak and Jamie Goen, COOTF Co-Chairs

Subject: Additional appointment request to the COOTF

The Alaska Board of Fisheries has authorized the Crab Observer Oversight Task Force membership to be from nine (9) to fifteen (15) members. Currently the COOTF has ten appointed members.

At our spring meeting, it was recommended the COOTF make a request to the Board that an additional individual be appointed to the COOTF for a three-year term, until March 2026. The members of the COOTF voted unanimously to approve this recommendation.

Attached is the resume of Cory Lescher and as is clearly shown, Cory's experience and involvement in the Bering Sea/Aleutian Islands crab fisheries would make him an asset to the COOTF. Cory is currently the Science Advisor/Policy Analyst for the Alaska Bering Sea Crabbers Association and regularly attends meetings where crab issues are addressed, both in the federal and state arenas. In addition, Cory's experience as a federal fisheries observer make him uniquely qualified to participate and assist the COOTF in our work with the department staff on the shellfish observer program.

Thank you for reviewing our request.

Cory J. Lescher



PC17

Anchorage, AK, [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED]

EDUCATION

Alaska Pacific University

Masters in Environmental Science

Fisheries, Aquatic Science, & Technology Laboratory

Anchorage, AK

9/21/17 – 8/2/21

Degree:

Masters in Environmental Science

Thesis:

Examination Of Crab Catch Estimation And Discard Survival In The Bering Sea Demersal Trawl Fishery

Activities:

American Fisheries Society, Alaska chapter

University of Oregon

Bachelors of Science, Marine Biology

Eugene, OR

9/24/05 – 12/10/10

Degree:

Bachelors of Science in Marine Biology

Activities:

University of Oregon Outdoor Program

EXPERIENCE

Alaska Bering Sea Crabbers

Science Advisor/Policy Analyst

Anchorage, AK

7/13/20 – Present

- Lead analyst for crab harvesters working at the intersection of policy and science on issues including bycatch, citizen science and protected areas
- Actively engaged with the North Pacific Fishery Management Council and their Crab Plan Team through presentations, discussions and liaising for the commercial crab industry
- Created, implemented, and actively deploying bi-annual skipper's polls to collect on the ground observations to help inform science and fisheries managers to better track changes in crab fisheries and climate conditions
- Representing ABSC, including travel to remote fishing communities, and fostering important relationships between agencies, community members, other stakeholder groups and the commercial crab industry and partners
- Committee co-chair for the Alaska Fishing Communities bycatch subgroup: facilitating interactive discussions at the monthly meetings, taking detailed notes and reporting back to the larger group

Fisheries, Aquatic Science, & Technology Laboratory

Graduate student advised by Dr. Bradley P. Harris

Anchorage, AK

9/21/17 – 8/2/21

- Designed and managed an exempted fishing permit to examine and compare catch accounting techniques to enumerate trawl-bycaught Red King Crab in the Bering Sea
- Investigated crab vitality metrics applicable for the evaluation of fishing impacts on crab condition
- Presented at several local and federal conferences and meetings and participated in numerous outreach events

Alaska Seafood Cooperative

EFP Field Project Manager

Dutch Harbor, AK

03/12/15 – 08/25/18

- Extensive knowledge of projects focused on the reduction of fisheries bycatch mortality, halibut deck sorting EFP for the Amendment 80 groundfish fleet
- Acquired specialized skills and abilities managing research projects onboard commercial fishing vessels, including halibut deck sorting, factory halibut censusing and electronic length board testing
- Produced preliminary bycatch and discard mortality reports for industry and fisheries managers
- Exemplary communication skills with fishing captains,

North Pacific Fisheries Research Foundation

EFP Field Project Manager

Dutch Harbor, AK

01/20/15 – 07/15/16

- Managed the testing of multiple salmon excluder designs on various midwater trawl vessels to minimize bycatch
- Gained an in-depth understanding of fish behavior with species including salmon, pollock, and halibut
- Conducted essential data collection techniques utilizing various underwater optics (e.g. Williamson and Associates trawl cam, Mac Marine tube camera and GoPro)

**Alaskan Observers Inc.**

Lead Observer/ Assistant Field Coordinator

Newport, OR
01/01/13 – 12/10/14

- Demonstrated leadership qualities, strong work ethic and accountability to be promoted to this position
- Utilized non-violent communication skills while coordinating with NMFS observers, vessel owners, and captains
- Completed daily billing invoices for all current vessels and accounting of deployed observers for payroll

Alaskan Observers Inc.

NMFS Fisheries Observer

Newport, OR
01/11/11 – 12/31/12

- Collected fishery-dependent abundance, length, weight, and species composition data onboard commercial fishing vessels along with various biological sampling including otoliths, gonads, scales and tissues
- Acquired an extensive knowledge of West Coast fish species, fishing gear types, and sampling methods, and spent multiple days at sea in adverse conditions
- Built strong work ethic by working efficiently over long hours around the clock to keep up with fishing activity

SCIENTIFIC PUBLICATIONS

- Lescher, C., Yochum, N., Harris, B., Wolf, N., Gauvin, J., 2021. Selecting species specific vitality metrics to predict red king crab (*Paralithodes camtschaticus*) discard survival. Fish. Res. 240, 105964.
<https://doi.org/10.1016/j.fishres.2021.105964>

BOARDS AND PANELS

- North Pacific Research Board, Advisory panel member
- United Fishermen of Alaska, Alternate Board member
- Alaska Society of Outdoor and Nature Photography, Board member

PRESENTATIONS AND OUTREACH

- North Pacific Fisheries Management Council's Crab Plan Team meeting – Exempted Fishing Permit (EFP) Final Report, May 2021, Virtual
- *Alaska Marine Science Symposium: *Exploring Vitality Metrics to Assess Red King Crab (Paralithodes camtschaticus) Discard Survival*, January 2020, Anchorage AK
- Fisheries Innovation for Sustainable Harvest (FISH) Workshop presentation: *Assessment of Trawl-Caught Red King Crab (Paralithodes camtschaticus) Vitality Metrics*, December 2019, Seattle WA
- Science day at Village of Nanwalek school, May 2019, Nanwalek AK
- Fisheries science guest lecture, East high school marine biology class, April 2019, Anchorage, AK
- Fisheries Innovation for Sustainable Harvest (FISH) Workshop presentations: *Selecting vitality metrics to predict post-discard survival in trawl-caught red king crab* and *Field guide to using cameras in your trawl net*, December 2018, Seattle WA
- OLE (Opportunities in LifeLong Education) guest lecture, Topics in Current Alaska Fisheries Research Workshop, October 2018, Anchorage AK
- North Pacific Fisheries Management Council – Exempted Fishing Permit (EFP) proposal presentation, December 2018, Anchorage AK
- North Pacific Fisheries Management Council's Crab Plan Team meeting – *Catch accounting of trawl-bycaught red king crab (Paralithodes camtschaticus) in the Bering Sea*, Sep. 2018, Seattle WA
- Fish form and function guest lecture, Alaska Pacific University (APU) biology course, April 2018, Anchorage AK
- Science day at Village of Nanwalek school, May 2018, Nanwalek AK
- Fisheries science guest lecture, East high school marine biology class, March 2018, Anchorage AK

AWARDS*

- Best student presentation: Alaska Marine Science Symposium: *Exploring Vitality Metrics to Assess Red King Crab (Paralithodes camtschaticus) Discard Survival*, January 2020, Anchorage AK



Submitted by: George Donart

Organization Name:

Community of Residence: Anchorage, AK

Comment:

I support Agenda Change Request #2 for the Board of Fish to revisit the chum interception issue from the February 2023 Board meeting on the Area M South Unimak and Shumigan Islands June Salmon Management Plan . I want to see this review happen at one of the upcoming Board of Fish meetings prior to the 2024 season so that chum and chinook salmon stocks of AYK origin are protected.

Unforeseen consequence of regulations is one of the criteria for granting an ACR. I support this request due to the unforeseen consequences of RC190 amendment to Proposal #136 which established time-sensitive triggers for Area M fishing closures in the event that the fleet surpassed a given amount of intercepted chum salmon. This appears have encouraged illegal fishing practices by a number of fishermen in the Area M fleet.

Alaska State Troopers, for perhaps the first time, cited many fishermen for wanton waste of salmon known as "chum chucking." This practice was to prevent triggering the maximum interception quota and closing the fishery. There were 9 citations for this "chum chucking". It appears that last year's presence of the fishing grounds may have been the first time when AK Wildlife Troopers have patrolled Area M. It is also probable that the high number of citations were part of a larger pattern of wanton waste, and likely many more violations occurred, but were not seen by Troopers. Counting on meager, irregular law enforcement to keep honest the drift net and seine fleets, as well as processing plants isn't enough to stop this wanton waste without the solutions outlined in ACR #2.

Unless re-visited by the Board of Fish, the June management plan for Area M will remain in place until the 2026 Alaska Peninsula Board meeting, and wanton waste will continue, though perhaps by more stealthy means.

I request that the Board of Fisheries grant Agenda Change Request #2 before the beginning of the 2024 salmon fishing season.

Thank you.

Sincerely,

George Donart

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 2: Support ACR 3: Support



Submitted by: Tyler Eells

Organization Name:

Community of Residence: Sitka, Alaska

Comment:

Alaska Department of Fish and Game (The Department) ACR 11 updates the Alaska King Salmon Management Plan to reflect changes made by the Pacific Salmon Treaty. This brings Alaska regulations in line with the way the Alaska All gear catch limit is calculated. ACR 11 states there are no other changes to the King Salmon Management Plan, but The Department already made a change to the King Salmon Management Plan outside of the Board of Fish Process.

I support changing the cited regulation to reflect the changes to the way the All Gear Harvest limit is calculated because it is based on the requirements of the Pacific Salmon Treaty.

If the Board of Fish chooses to take up ACR 11, then they should also take up ACR 12 and 13. ACR 12 aligns the Alaska King Salmon Management Plan with the new tiers under the Pacific Salmon Treaty. ACR 13 addresses the discrepancy between what was agreed to in RC 178 at the 2022 Board of Fish and the active King Salmon Management Plan.

The State of Alaska should fully comply with all of the Pacific Salmon Commission changes which go beyond what is covered in ACR 11. ACR 12 adds additional language necessary to meet requirements under these new tiers. ACR 13 corrects The Department's unilateral, allocative change to the King Salmon Management Plan that favors sport fish and ignores the 80/20 split by managing sport to the all-gear harvest ceiling rather than the sport fishery harvest ceiling. By passing ACR 11, The Department appears to be formalizing an out-of-cycle, allocative change to the king salmon harvest in Southeast Alaska.

Please consider ACR 11, 12, and 13 to provide a full update to the King Salmon Management Plan.

ACR 12

ACR 12 updates the King Salmon Management Plan to reflect the change from 7 to 17 tier system under the new All Gear Harvest limit under the Pacific Salmon Treaty. This ACR retains the 80/20 split between commercial and sport harvest, as agreed to in RC 178 and still referenced in 5 AAC 29.060 (b)(5).

I support ACR 12. RC 178 and 5 AAC 47.055 (b) (1) both include the language that manages the sport fishery to an average of 20%. This past summer the sport fishery harvested at least 28% of the All Gear Catch limit after nets. I urge the BOF to update the King Salmon Management Plan to reflect the agreement of RC 178 and the mandatory changes from the Pacific Salmon Commission.

ACR 13

I urge the board to take ACR 13 and change 5 AAC 47.055 (b) (2) back to the language the Board of Fish adopted in RC 178 at the March 2022 Board Of Fish Meeting.

I support ACR 13. This ACR meets 5 AAC 39.999 (1) (B) and 5 AAC 39.999 (1) (c) necessary for bringing up out of cycle regulations. It identifies a change to a regulation written and voted on in the March 2022 BOF Meeting.

ACR 13 identifies a small omission in 5 AAC 47.055, (b) (2) which removed the phrase "sport fishery." This small omission allowed the sport sector, which includes the charter and guide sector, to exceed their allocation of King Salmon by more than 15,000 fish. Since there is a hard cap on the total number of King Salmon under the treaty, the sport fishery took those king salmon from the trollers' allocation.



Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 11: Support ACR 12: Support ACR 13: Support



Dear Members of the Board of Fisheries,

My Name is Jeff Farvour, I'm a career year around salmon troller in Sitka. Commercial salmon trolling for chinook makes up more than half of my yearly income. Please see the below comments on ACR's 11-13.

Comments on ACR 11

The full extent of the intent of ACR 11 is unclear.

ACR 11 states that it seeks to update the Southeast Alaska King Salmon Management Plan to "to align with new methods to set catch limits adopted by the Pacific Salmon Commission (PSC)" by "remove references to the "Southeast Alaska Winter Troll fishery CPUE" and the "king salmon abundance index" currently referenced within 5 AAC 47.055 but maintain the PSC tiered management structure and prescribed management actions based on the number of king salmon allocated to the sport fishery." The ACR then goes on to say under additional information, "...*continue to implement sport fish management actions based on the Alaska all-gear catch limit, and the resulting allocation to the sport fishery,...*"

While it's important for regs to be aligned throughout the PSC, BoF and SoA, they should not dismiss, over or under state or otherwise avoid troubling key aspects of the affects or interpretation of those regulations.

Specifically, the ACR does not mention a mistake in 5 AAC 47.055 which omitted agreed up and signed language in RC 178 from the 2022 SE BOF meeting. ACR 13 requests to remedy that mistake.

So, while ACR 11 appears to be silent on what the affects or potential affects that ACR 11 may have on chinook allocation use, the full intent of this ACR is unclear but it should be understood before proceeding.

Comments on ACR 12- Support

ACR 12 recommends amending "the *Southeast Alaska King Salmon Management Plan* to align with new methods to set catch limits adopted by the Pacific Salmon Commission citing." The ACR states that "The Pacific Salmon Commission adopted a new method of



calculating the Alaska all-gear catch limit which now includes 17 possible outcomes (tiers). While the *Southeast Alaska King Salmon Management Plan* contains 7 possible management tiers the domestic allocation between gear groups is directed by *Allocation of king salmon in the Southeast Alaska-Yakutat Area* (5 AAC 29.060) and has not changed” and provides corresponding tables to illustrate what that looks like. Additionally, the ACR states “This ACR is not intended to be allocative. Rather its purpose is to maintain the historic 20%- 80% allocation between sport and commercial troll.”

This is logical and well understood.

Comments on ACR 13- Support

ACR 13 seeks to amend substantive regulatory language that was incorrectly changed by ADFG from a written agreement titled RC 178. That agreement was signed by ATA, Territorial Sportsman and SEAGO at the 2022 SE Board of Fisheries. As a troll participant stakeholder, I participated in those negotiations and witnessed the signing of the that ACR.

Specifically, ACR seeks is to reinsert “sport fishery” back into 5AAC 47.055, b(2) to read “*allow uninterrupted sport fishing in salt waters for king salmon, **while not exceeding the sport fishery harvest ceiling;***” as was signed and agreed to during long negotiations. RC 178 would never have been signed by trollers without the words “sport fishery” in that section.

To understand the magnitude of this language omission, the result is that it triggered an extraordinary reallocation of roughly 15000 chinook from the troll fishery and possibly some from commercial gillnet and seine as well. The reallocation inflicted substantial harm to trollers to the tune of a \$2.5M loss to the troll fishery in ex vessel and first wholesale. Additionally, due to the aprox 85% residency rate of the troll fishery participants, that economic impact would be much higher when adding in multiplier affects. The language omission also seems it would likely make it very difficult for the commercial fishery managers to do their job.

In short, while trollers would have never signed an agreement that removed that language, this egregious event allowed the sport sector to harvest chinook by roughly 40% over its allocation at great expense to the troll fishery. I ask that the Board accept ACR 13 and schedule it into an upcoming BOF meeting.

Sincerely, Jeff Farvour



Opposition to ACR1

My name is Jamin Hall. My wife and I own a set net site in Uganik Bay on the west side of Kodiak Island. I am writing on opposition to ACR1 which seeks to require all setnet gear in the State of Alaska be removed from the water when not being actively fished. This would be a tremendous burden on Kodiak set netters. We are a completely different fishery from Bristol bay set netters, who this proposal seems to be aimed at. This is not the time for this agenda change request to be taken up. There is no pressing reason why this is important to be take up out of cycle.

In Kodiak, depending on configuration, we fish nets that can be up to 4 times longer including the shore lead. Our nets are also much deeper. We have to have heavier lead and cork lines to manage the larger nets. We often have ripping current, and numerous times throughout the year we have sizeable storms, and as a result we need to have a much more robust framework to hold the set in place. Our set usually consists of 6) 150# anchors and 4) 250# anchors, that's 10 anchors totaling 1900#. Some seasons we fish multiple permits, doubling that number. At the beginning of the season we set all these anchors in 3-4 trips from the beach. At the end of the season we do the reverse. It is a lot of work! In our 18' long by 8' wide skiff we do all this moving, and setting of anchors by hand, without the help of hydraulics. We are able to use the power of the outboard to pull the anchors to the surface of the water, but we still have to struggle the anchors into the skiff by hand. It would be an extreme hardship for us to have to do all this work many times throughout the season, and would probably put us and many other set netters under.

I fished as crew for 9 years on a Bristol drift boat; in all those years we regularly got tangled with other drift nets, but never got entangled with any set net gear. If some Bristol bay drift gill netters can't keep control of their gear and keep it from entangling stationary objects perhaps they need to change their strategies, or fishery. And if they are unhappy with aspects of their fishery they need to take it up at the proper time and place rather than dragging all the diverse set net fisheries in the state into it.

I am firmly opposed to ACR1. It is out of cycle and not an eminent disaster in any way. It lumps all the diverse set net fisheries in the state together instead of specifically targeting its



apparent intended fishery. ACR1, if implemented would be a be a huge hardship for Kodiak set net sites, with its monumental addition of physical labor involved. Set netting is not all the same and different areas have vastly different practices and regulations that need to be treated individually rather than lumped together.

Thank you,
Jamin Hall



Submitted by: Naomi Hall

Organization Name:

Community of Residence: Kodiak, AK

Comment:

My name is Naomi Hall, and I am writing in opposition to ARC 1. This blanket proposal is unrealistic and has significant potential to make set gillnetting an unviable fishery throughout the state. The work required every day to remove all gear related to setnetting from the water when it is not being “actively” fished is significant.

Setnetting around the state is not a one size fits all fishery, for example, comparing a Bristol Bay setnet operation to a Kodiak operation is like comparing apples to oranges. Throughout the state net configurations vary based on the region of the state, net depths and lengths change. Setnetting is already what I would describe as a rudimentary fishery that is already a ton of work daily.

I grew up setnetting and now my husband and I are raising our young family at our own setnet operation in Kodiak. Going fishing for the summer is a huge part of our children’s lives, something they talk about all winter, and look forward to. I would hate for that to be taken away by an ACR that lumps all set net operations together.

Again, I would like to state my opposition to ACR 1 as too far reaching to be taken up out of cycle and with such widespread consequences.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose



Submitted by: John Hemminger

Organization Name:

Community of Residence: Sitka, AK

Comment:

ACR 11

Alaska Department of Fish and Game (The Department) ACR 11 updates the Alaska King Salmon Management Plan to reflect changes made by the Pacific Salmon Treaty. This brings Alaska regulations in line with the way the Alaska All gear catch limit is calculated. ACR 11 states there are no other changes to the King Salmon Management Plan, but The Department already made a change to the King Salmon Management Plan outside of the Board of Fish Process.

I support changing the cited regulation to reflect the changes to the way the All Gear Harvest limit is calculated because it is based on the requirements of the Pacific Salmon Treaty.

If the Board of Fish chooses to take up ACR 11, then they should also take up ACR 12 and 13. ACR 12 aligns the Alaska King Salmon Management Plan with the new tiers under the Pacific Salmon Treaty. ACR 13 addresses the discrepancy between what was agreed to in RC 178 at the 2022 Board of Fish and the active King Salmon Management Plan.

The State of Alaska should fully comply with all of the Pacific Salmon Commission changes which go beyond what is covered in ACR 11. ACR 12 adds additional language necessary to meet requirements under these new tiers. ACR 13 corrects The Department's unilateral, allocative change to the King Salmon Management Plan that favors sport fish and ignores the 80/20 split by managing sport to the all-gear harvest ceiling rather than the sport fishery harvest ceiling. By passing ACR 11, The Department appears to be formalizing an out-of-cycle, allocative change to the king salmon harvest in Southeast Alaska.

Please consider ACR 11, 12, and 13 to provide a full update to the King Salmon Management Plan.

ACR 12

ACR 12 updates the King Salmon Management Plan to reflect the change from 7 to 17 tier system under the new All Gear Harvest limit under the Pacific Salmon Treaty. This ACR retains the 80/20 split between commercial and sport harvest, as agreed to in RC 178 and still referenced in 5 AAC 29.060 (b)(5).

I support ACR 12. RC 178 and 5 AAC 47.055 (b) (1) both include the language that manages the sport fishery to an average of 20%. This past summer the sport fishery harvested at least 28% of the All Gear Catch limit after nets. I urge the BOF to update the King Salmon Management Plan to reflect the agreement of RC 178 and the mandatory changes from the Pacific Salmon Commission.

ACR 13

I urge the board to take ACR 13 and change 5 AAC 47.055 (b) (2) back to the language the Board of Fish adopted in RC 178 at the March 2022 Board Of Fish Meeting.

I support ACR 13. This ACR meets 5 AAC 39.999 (1) (B) and 5 AAC 39.999 (1) (c) necessary for bringing up out of cycle regulations. It identifies a change to a regulation written and voted on in the March 2022 BOF Meeting.

ACR 13 identifies a small omission in 5 AAC47.055, (b) (2) which removed the phrase "sport fishery." This small omission allowed the sport sector, which includes the charter and guide sector, to exceed their allocation of King Salmon by more than 15,000 fish. Since there is a hard cap on the total number of King Salmon under the treaty, the sport fishery took those king salmon from the trollers' allocation.

Please correct this error in regulations by changing the language in 5 AAC47.055, (b) (2) back to the language of RC 178. Retaining a sport harvest ceiling would allow The Department to manage the sport fishery to an average of 20%, as intended by the Board of Fish when they voted unanimously for RC 178 in March of 2022.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 11: Support ACR 12: Support ACR 13: Support



PC24

Submitted by: Sue Jeffrey

Organization Name:

Community of Residence: Kodiak, Alaska

Comment:

My name is Sue Jeffrey and my husband and I have been fishing our family salmon setnet site on the west side of Kodiak Island for 37 years. ACR#1 would require our fishing operation and all setnet operations throughout the state to remove all anchors and buoys from the water when not actively fishing. We oppose ACR #1 for a number of reasons:

1. Our salmon season is typically 3 ½ months long, during which Fish & Game manages salmon escapements by opening and closing our fishing periods multiple times throughout our 3 ½ month season.
2. Our nets fish in water up to 300 feet deep on the west side of Kodiak Island, which has 25-foot tides and strong currents, all of which requires many large anchors to hold our nets in place throughout our long salmon season.
3. Our setnet operation is not unique. The 15+ neighboring setnet sites in 7-mile-wide Uganik Bay area all hold their nets with large anchors because, like our nets, theirs also are subject to strong currents, 25-foot tides and gale-force winds that blow in from the Shelikof Strait.
4. And, like our operation, most of the setnet sites in our bay have been fishing their nets in the exact same location for more than 40 years without causing navigational hazards

In conclusion, ACR #1 affects all set gillnet operations statewide, including Kodiak. Mandating Kodiak's setnet fishery now, after decades of fishing the same locations and same gear, to be required to pull and deploy heavy anchors, lines and buoys several times throughout the season in heavy seas and during big tides is an unreasonable burden. I believe there is no justification to take this matter up out of cycle.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose



Submitted by: Eric Jordan

Organization Name:

Community of Residence: Sitka, Alaska

Comment:

Sitka, AK Sept. 23,, 2023

Dear BOF members, I am writing to support Agenda Change Requests ACR's 11, 12, & 13. After carefully reviewing the ACR requests and the policy for changing the agenda I find all three of these requests meet A, B, and C of the criteria in the broadest terms and the board should consider all three. But, the board in its wisdom did not anticipate the problem needing to be addressed here. As a former BOF member myself, a member of our Sitka F&G AC for 45 years, and a facilitator and participant in numerous task forces and committees to make agreements and obtain BOF passage of negotiated regulatory language and RC's detailing the exact wording and signatures of participants, I know, as few do, how sacrosanct these agreements and the resulting BOF adopted regulatory language is. So, in the most forgiving sense the BOF can use (B) to consider the wording change to delete "sport fishery" in 5 AAC47.055, (b) (2) to be an error in regulation. However, I don't believe it was an "accidental error". I suspect individuals at the highest level within the Department of Fish & Game purposefully changed the wording which benefitted the "non resident sport fishery" at the expense of myself, other resident sport fishermen, and other commercial trollers. If so, this would be "malfeasance" defined as "wrongdoing, especially by a public official". And, if true and unaddressed, would lead to criteria (A) and C coming into play as the BOF processes and Department integrity to abide and implement BOF actions comes into play. It is with great pain that I am compelled to write this public comment. I have spent years working with the BOF and ADF&G. I have been in countless conversations with fishermen defending the BOF and ADF&G management. This breach of trust by someone or a few in the Dept. must be addressed by the BOF ASAP.

Please correct this error in regulations by changing the language in 5 AAC47.055, (b) (2) back to the language of RC 178. Retaining a sport harvest ceiling would allow The Department to manage the sport fishery to an average of 20%, as intended by the Board of Fish when they voted unanimously for RC 178 in March of 2022.

Eric Jordan F/V I Gotta Sitka, AK

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 11: Support ACR 12: Support ACR 13: Support



Dear Board of Fisheries,

Thank you for your time. I am writing on behalf of my husband and myself, to tell you of our support of ACR's number 11, 12, and 13.

ACR 11 is requested by the Alaska Dept. of Fish and Game and will serve to bring Alaska's King Salmon Management Plan up to date and in line with requirements of the Pacific Salmon Treaty. Currently the Alaska All Gear catch limit calculation does not align with provisions of the Pacific Salmon Treaty. We support ACR 11 so that the Alaska Dept. of Fish and Game will have the ability to bring the All Gear Harvest limit in line with the requirements of the Pacific Salmon Treaty.

ACR 12 is needed to align the Alaska King Salmon Management Plan from the 7 tier system to the 17 tier system now in place under the All Gear Harvest Limit in the Pacific Salmon Treaty. The adoption of ACR 12 will keep the 80/20 allocation between commercial and sport harvest that has been in place since 1996 and agreed to in RC 178 and referenced in 5 AAC 29.060. We support making this change to the 17 tier system in order to meet management requirements under the Pacific Salmon Treaty and allow for In Season King Salmon Management for all gear groups.

ACR 13 Corrects a Clerical Error where the term, "Sport Fishery" was omitted in 5 AAC47.055. Unfortunately, this omission caused the Sport sector to exceed their agreed upon allocation by 15,000 King Salmon in 2023. Because the All Gear Catch Limit is a firm number, this overage by the Sport sector was taken from the Commercial Fisheries. This overage put the sport sector way beyond the 80/20 allocation agreed upon by all parties in RC 178. We believe the omission was accidental and as such will be an easy item to remedy. It is extremely important that this mistake not continue into 2024.

Thank you for your time and consideration of these items,

Denise & Mark Klingler



Submitted by: Andrew Manos

Organization Name:

Community of Residence: anchorage ak

Comment:

I appose ACR 2 and 3. I have attached a report of our logs from our adapative managment plan for review. the fleet worked together to reduce our chum harvest.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:



Area M Seiners Association Adaptive Fleet Management Program June 2023 Post-Season Report

Key Results

- In total, there was **135.5 hours in the Shumagins and 129.59 hours in South Unimak** of foregone fishing time above and beyond the regulatory management schedule, primarily a result of the adaptive management program.
- Preliminary estimates: harvest of 199,888 chum salmon and 881,288 sockeye salmon across all gear types. ADFG is still finalizing detailed harvest information, but our data portal estimates 155,323 chum salmon were harvested by the seine fleet.
- 2023 harvest of chum was 61% below the 10-year average and 56% below the 20-year average. It was 63% lower than 2022 harvest and 82% lower than 2021.

Adaptive Management Plan Summary

Fishermen Board Management

The fishermen board's ("Board") purpose was to manage overall fleet harvest to optimize sockeye harvest and allow chum to pass through the fishing grounds. Board members were elected to ensure fair representation among all fleets delivering to various processors and spatial distribution, with board members serving as conduits for updates from the fishing grounds. The board typically met at least twice per day; in the evening to discuss a tentative fishing schedule for the following day and again in the morning to confirm the schedule after preliminary harvest data was uploaded to the portal for the previous day. The Board would then deliberate whether fleet-wide closures or more spatially targeted closures were necessary, using a combination of preliminary harvest data, number of vessels and fish tickets contributing to data, species ratio, updates from fishing grounds, and harvest trends by non-seine gear. Once a closure was finalized, a Board member would log it in the portal and a notification email was sent to the entire fleet. The Board tried to provide at least a two-hour notice before a fleet wide closure.

Volume across all species was relatively low the entire season, but the board still opted to use a conservative approach of controlling total fleet harvest using fleet-wide mandatory closures during the first two periods, in hopes of larger volume days later in the season. As low volumes persisted through the season and it was clear chum trigger thresholds would not be met, the board transitioned to using spatially targeted voluntary standdowns based on species ratio objectives. Since these standdowns were area-focused, the vessels in that area had the option to stay and wait until the closure was over or move to another open area with less chum presence.

Individual Vessel Accountability

The management agreement stipulated a secondary level of accountability for individual vessels. Vessel captains were provided with a login for the data portal, which displays their vessel report card. Report cards list each fish ticket by landing date and include a breakdown of harvest by species and chum ratio, and calculates their variance of chum harvest and ratio from the fleet average on a daily and period basis. In effect, individual vessels could see whether they were within the fleet average or an outlier in terms of chum performance. Fishermen worked to stay within certain targets, but were only assessed at the end of each period. This allowed them to maintain some autonomy to decide when and where to fish daily based on their performance relative to the fleet, provided fishing was open.

Processor Involvement

Processor involvement was critical to all phases of data flow and all three processors were highly engaged (Silver Bay Seafoods - False Pass, Trident Seafoods – Sand Point, Peter Pan Seafoods – King Cove). Prior to the season, the seine fleet collectively requested that their respective processors mandate 100% participation from the fleet in order to have a market in June. This was accomplished via signed

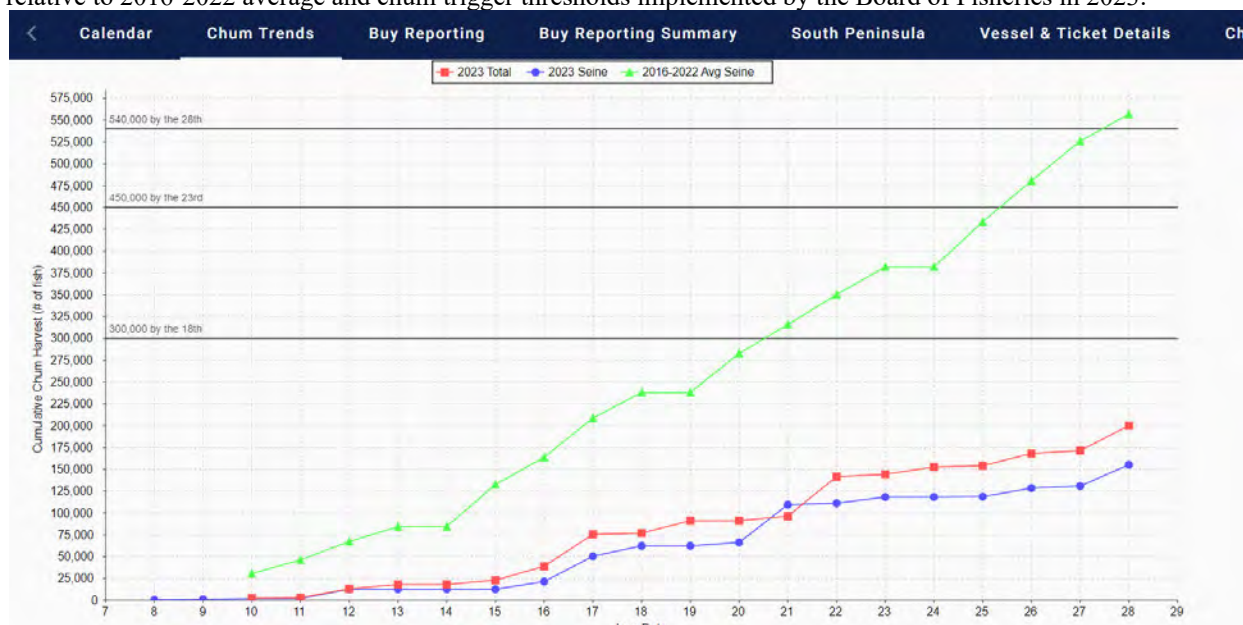


management agreements with the processors serving as the enforcing party in the agreement. The board consulted with processors to develop a tender sampling design with minimum requirements, although for larger deliveries processors often opted for more robust sampling. When possible, average weights were calculated from samples and extrapolated to the delivery using internal worksheets. These data were transmitted to the plant, where plant staff develop preliminary harvest reports that are submitted to the ADFG Area Management Biologists for inseason reporting and to the data portal by 9AM each morning.

Portal Management

The Portal Manager (“PM”) was responsible for QA/QC of portal data. Every morning the PM would verify all processors submitted their preliminary data and manually input the total harvest for all gear types in the South Peninsula (Figure 1) and review preliminary data for any potential data entry errors. At the end of each period the PM worked with processors to verify the correct number of fish tickets were entered to match the preliminary data, and did a side-by-side analysis of preliminary data vs. fish ticket data. The portal software was also adjusted regularly based on fishermen feedback.

Figure 1. Graph updated daily to show chum harvest by the seine fleet and total chum harvest by all gear types, relative to 2016-2022 average and chum trigger thresholds implemented by the Board of Fisheries in 2023.



Management Results

- There was 100% participation from seine fleet for a total of 66 vessels with signed agreements, 9 of which were Board members at some point in the season.
- The fleet implemented a total of 25 closure events in addition to regulatory closures (8 mandatory full-fleet closures and 17 area specific standdowns) in order to avoid chum.
- Each closure/standdown ranged in duration from 1 hour to 13.5 hours and occurred at various times throughout each period.
- Shumagins had an additional 77 hours of regulatory closures and 40 hours of mandatory full fleet closures, resulting in a **38% reduction** in fishing time from regulation.
- South Unimak had an additional 37 hours of mandatory full fleet closures, resulting in a **12% reduction** in fishing time from regulation.
- Voluntary are-specific standdowns were calculated separately as they were technically still allowed to fish by moving locations.
 - Shumagins had an additional **18.5 hours** of voluntary standdowns



- South Unimak collectively had an additional **92.59 hours** of voluntary standdowns
- Ultimately, the reduction in fishing time was almost identical between the Shumagins and South Unimak areas.
- In total, there was **135.5 hours in the Shumagins and 129.59 hours in South Unimak** of foregone fishing time above and beyond the regulatory management schedule.
- Of the 9 citations on 5 vessels, only one vessel was a member of the Seiners Association/participant in the Adaptive Management Plan. The vessel is contesting the citation (the violation was for a single fish of unknown species that was being cleaned from the net).

Table 1. Closures by regulation and fleet management program

| Regulatory Fishing Period | Start Hours | Additional ADFG Regulatory Closures | | Full Fleet Closures Hours | | Voluntary Area Specific Standdown Hours | | Total Additional Closed Fishing Hours | |
|---------------------------|-------------|-------------------------------------|--------------|---------------------------|--------------|---|--------------|---------------------------------------|---------------|
| | | Shumagins | South Unimak | Shumagins | South Unimak | Shumagins | South Unimak | Shumagins | South Unimak |
| 10-Jun | 68 | | | 23.5 | 27.5 | 10.5 | 11 | 34 | 38.5 |
| 16-Jun | 66 | 33 | | 5 | 9.5 | | 22.84 | 38 | 32.34 |
| 20-Jun | 88 | 44 | | 11.5 | | | 36.75 | 55.5 | 36.75 |
| 25-Jun | 88 | | | | | 8 | 22 | 8 | 22 |
| Total | 310 | 77 | | 40 | 37 | 18.5 | 92.59 | 135.5 | 129.59 |

Harvest Results

- The preliminary inseason estimates a harvest of 199,888 chum salmon and 881,288 sockeye salmon across all gear types. ADFG is still finalizing detailed harvest information, but our data portal estimates 155,323 chum salmon were harvested by the seine fleet.
- 2023 harvest of chum was 61% below the 10-year average and 56% below the 20-year average, and 63% YOY decrease from 2022 harvest, and an 82% decrease from 2021.
- 2023 harvest of sockeye was 45% below the 10-year average and 37% below the 20-year average.
- Chum to salmon ratio in 2023 was approximately 18% which is lower than the 10 and 20-year averages of 24%, but higher than the ratio in 2022 which was 12%.
 - Likely because 2022 was the largest Bristol Bay sockeye run in history, with largest sockeye harvests on record for both Bristol Bay and Alaska Peninsula.

Table 2. Overview of chum and sockeye harvests from 2021-2023 compared to historical averages.

| Year | Permits | Chum/Permit | Chum | Sockeye | Chum:Sockeye |
|---------------|---------|-------------|-----------|-----------|--------------|
| | | | | | Ratio |
| 2021 | 229 | 5103 | 1,168,601 | 3,541,620 | 25% |
| 2022 | 235 | 2325 | 546,274 | 3,916,417 | 12% |
| 2023 | 209 | 956 | 199,888 | 881,288 | 18% |
| 10-yr average | 227 | 2278 | 517,180 | 1,607,755 | 24% |
| 20-yr average | 214 | 2145 | 459,007 | 1,419,808 | 24% |
| 2001-2003 avg | 162 | 1468 | 237,840 | 426,948 | 36% |



9-27-23

Comments by Matt Marinkovich
Commercial Fisherman

Thank you for this opportunity for my opinion to be considered.

I support ACR #4, #5, and #6. All of these deal with clarifying regulations regarding vessel length.

I take the legalities of vessel length very seriously. Way back around 1990 or so, I partook in cutting the stern off of our newly-purchased (used) fiberglass Bristol Bay gillnetter, to oblige the all-of-a-sudden enforced vessel length regulation. I'm not clear of the specifics of what led to that enforcement decision at the time, but I remember plunging the Sawzall through the fiberglass, and hauling our stern to the dump (then we still had to cut 6" off the bow!).

I purchased a jet boat in 2018 from a boat builder who had constructed multiple vessels of the same design as mine. If the rules are all of a sudden enforced by an interpretation that makes my boat illegal, it will take a lot more than a Sawzall to make my boat compliant; it would very likely take over \$100,000 and a month's work. With all the other boats in Bristol Bay that has the same configuration as my vessel, I would say it is impossible to get them all compliant in one year's time, because there is not the man-power available to do the job.

I absolutely have every intention of following the regulations; I would not intentionally buy a boat that I knew was out of compliance. Enforcement has been looking at boats configured like mine for well over 10 years. I like the suggestion in ACR #4 of basically throwing those regulations out. I also like the more thorough ACR#5 approach of more clearly defining the existing regulations such that the regulations will work with the existing boats that have evolved appropriately with technology and the demands placed on fishermen and their boats through the evolution of the fishery. The modern-built boats have become the way they are for very good reasons. The regulations in question serve no constructive purpose and justifiably should be abolished.

As pointed out in the ACRs, this issue has not been addressed in 30 years. Why wasn't this regulation enforced after the first few boats with these regulation violations were constructed? It would have kept very many future-built (now past-built) vessels compliant (like my boat), or it would have caused the regulation to be addressed and modified. Now that so much unregulated progress has been accomplished, it makes sense to either throw the regulation out, or adjust the regulation to fit the technological evolution that happened during the 30-year absence of enforcement of this regulation.

Please follow suggestions put forth in ACR #4, 5, and 6.

Thank you for your time and service on the Board of Fish

Sincerely,

Matt Marinkovich



Submitted by: Connor Murphy

Organization Name:

Community of Residence: Kodiak, AK

Comment:

Alaska Department of Fish and Game

ATTN: Board of Fisheries

P.O. Box 115526

1255 W. 8th Street

Juneau, AK 99811-5526

RE: 2023 Work Session Agenda Change Request ACR 1

Dear Chair and Board of Fisheries Members,

As a lifelong Alaskan and an Area M Set gill net permit holder that fishes on the North Alaskan Peninsula in Port Moller. I am writing about my concerns about ACR 1.

Set net anchors and buoys are often left out for closures because they are a hassle remove from the water to say the least. Each permit holder is allowed 2 nets in most stat areas in Area M and each net is often fished with 3 anchors; one for the shoreward, one for the seaward end, and one usually 10 fathoms of net before the seaward end to create a hook. Each one of my set ups with chain, anchor, lines and buoys weighs approximately 300 pounds apiece and under this ACR I would be required to place an additional of 1800 pounds of anchors every time I am not “actively fishing” on top of 2 100 fathoms of gillnet that weighs approximately 1300 pounds when wet, plus the weight of fish was caught before pulling the net. This ACR will jeopardize the lives of set netters and their crew who work out of small skiffs just to retrieve their anchors by overloading their skiffs with nets, anchors, lines and buoys along whatever fish they caught just to remain compliant.

If there is a set net fishing closure during a small craft, gale, or storm warning, this ACR will most certainly result in fatalities from overloaded skiffs sinking from taking on too much water with the additional weight from the mandatory anchor removal. I have had short notice closures where I had to pull my nets in 40 knots winds to stay legal and I can tell you if I was forced to remove all my set net anchors in my skiff along with my nets, I would not likely be here today writing to you because my skiff would have capsized.

From my personal experience, I have not had one encounter from another operators fishing gear or wildlife entanglement from leaving my buoys out on fishing closures. This is not a statewide issue as the author persist. In addition, set net buoys and anchors are currently allowed to be left in the water during fishery closures. This is not a new regulation or a new occurrence and should not meet ACR requirements to even be considered for being proposed out of cycle.

Even if you feel this ACR 1 meets the criteria required, please do not move forward with this. Over the decades, regulation changes have been made to make our fisheries safer, this would be the step wrong direction and result in multiple fatalities and make set netting more dangerous than it already is.

Sincerely,

Connor Murphy

PO Box [REDACTED]

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose ACR 2: Oppose ACR 3: Oppose



PC30

Submitted by: Paul Owecke

Organization Name:

Community of Residence: Trempealeau, Wisconsin

Comment:

Thank-you Board members for your consideration.

I have been an active participant and permit holder in the PWS set net fishery since 1983. I oppose ACR #1. This proposal has been submitted in previous board cycles for PWS and been unanimously defeated on grounds of safety concerns and that set net gear has not measurably interfered with drift harvest. If this ACR is a valid concern in the region that the proposer participates then the proposal should be considered for that region only as the regions are not uniform in setnet operations.

In PWS there is one single fishing district that setnets are utilized. Within this district there are subdistricts divided into smaller components that open and close by emergency order in order to facilitate terminal hatchery harvest. It is a regular occurrence where during a fishing period a permit holder may fish for as little as one or two hours in a terminal area and move to utilize sites elsewhere in the district for the remainder of the fishing period. Adoption of the terms of ACR 1 would prevent a long held use pattern utilized for decades in this fishing district.

This proposer has perhaps limited knowledge of the time and effort required to deploy and retrieve setnet equipment. It is not unusual to wait for days to get weather conditions suitable to deploy or retrieve setnet lines, buoys and anchors. To be required to remove this equipment on a mandated time line is a serious safety concern and has been enough of a concern that the BOF has defeated similar proposals for PWS in previous board cycles.

Also, I would request that you review the catch data for any gear group that participates alongside setnet operations. It becomes quite clear that the deployment of setnet gear has no measurable effect on any other gear groups harvest ability. To implement the sweeping change proposed in ACR1 that would adversely affect setnet harvest and compromise safety in order to eliminate the inconvenience of setnet gear to other gear types is not warranted.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose



Submitted by: Susan Payne

Organization Name: Sourdough Solar

Community of Residence: Kodiak, AK

Comment:

I oppose ACR1 because I read that Statute 5AAC 39.107 does not define gear for stationary gear type, only requires that the permit holder be within a reasonable distance of the gear, so this proposal does not pertain to this Statute. Stationary gear would need to be defined in this Statute.

When we have closures within a season, we are required to remove the net, the fishing portion of the gear, from the anchors and set lines. It is unreasonable to require the entire set (anchors, buoys, and set lines) to be removed inside the defined season (eg: Kodiak from June 1-October 15). It takes us days to set and pull the number of anchors needed to hold the gear in place and can only be done in calm weather conditions. It would become an allocative issue because of the burden placed on stationary gear.

As written, proposal expects setnetters to pull gear whenever not fishing, we sometimes cannot fish days or openings due to weather, weather forecasts, illness, or other family and business matters.

Many setnetters hold DNR Shore Leases that give us the right to fish a certain location during a management area season. Our understanding is that these leases supercede other uses within the area of the shore lease.

Thank you for your consideration,

Susan Payne

Permit Holder

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose



Submitted by: kim rice

Organization Name:

Community of Residence: girdwood, Alaska 99587

Comment:

my name is Kim Rice,i am a member of the lower Bristol Bay advisory board and a set netter in Egegik for 36 years with my family, we fish 4 set net permits. We are apposed to acr 1. this proposal has been brought up many times in the past , and failed each time.we can not remove our anchors easily. All our anchors are within our state shore fishery leases. we move our nets according to the tide. one tide may be too strong a tide to fish on one site so it may go unfished till the next tide with better current. we fish with multiple anchors and screw anchors, none of them move easily.usually takes several days to remove at end of fishing season. Very big No on acr 1 it is allocative.

No on these, ACR4 , ACR5, ACR6. I am apposed to these. The rules were in the reg book when these boats were being built. now they want to change the rule to satisfy their needs. the majority of fleet followed the rules when their boats were built. many of these million dollar boats are illegal under current regs. they knew when they built their boats but built them thinking they could get away with these modification, and sneak by. 32 feet is 32 feet

current regs should not be changed

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose ACR 4: Oppose ACR 5: Oppose ACR 6: Oppose



September 27, 2023

To:

Alaska Board of Fisheries

P.O. Box 115526

Juneau, Ak. 99811-5526

Chairperson Carlson - Van Dort,

I am enclosing a copy of an Agenda Change Request (ACR) that I submitted for this session of the Alaska Board of Fisheries Worksession scheduled for October 11-12, 2023. I received a notice from Executive Director Art Nelson that this ACR did not fit the description of a regulatory matter and that it was an in-cycle matter. It was also suggested that may still address the subject during the regular course of business, as the Board does consider meeting locations at this meeting.

I do disagree however with the assumption that this ACR did not require a regulatory definition as the Board has in the past addressed the Cook Inlet location issue and a policy (2018-289-FB) that in fact advised a workable solution. A rotating schedule that would offer the public and stakeholders, reasonable access to the open meetings process.

In response to a 'Final Report-Ombudsman Investigation, J2019-0374' it would appear that a response from the Board by Chairperson Reed Morrisky (August 15, 2019) indicated that:

"We will issue the work session meeting notice in a reasonable and customary manner, and specifically identify a vote will occur again on the UCI meeting location.

At the same time the board will review its *Policy Regarding the Location of the Upper Cook Inlet Finfish Meeting* (2018-289-FB) to determine if it holds any future viability."

This policy was rescinded on October 24, 2019. It is not clear if the discussions of "any future viability" was formally discussed or would be addressed in a formal finding or policy adjustment.

It is a different time and situation and the complete closing of the East Side Set Net (ESSN) fishery and restrictions to the in-river users was traumatic to all concerned. Local businesses and the community, as a whole, will continue to suffer long-term negative ramifications and their independent and collective voices should be heard. The cost of attending the meeting for the Kenai Peninsula community members in the Anchorage area would be prohibitive for many. Costs have increased precipitously within the Anchorage area and accommodations and travel is an extreme burden to place on many.

I have talked with many businesses and community leaders in the local Kenai/Soldotna area, and many have shared an interest in supporting whatever needs the BOF may need to hold the meetings in our area. History from previous attempts to convene meetings in the local area have shown strong support and in the current climate may even be cost saving compared to the high costs and limitations in the Anchorage vicinity. Letters of request and support will be forthcoming.



It is my individual hope and that of the community that the Board will at the very least discuss the possibility of accommodating the Kenai/Soldotna concerns by amending the location for the 2024 Upper Cook Inlet Finfish Regulatory scheduled for February 23 – March 7 to Kenai-Soldotna area.

Thank you,

Paul A. Shadura II

[REDACTED]

[REDACTED]

AGENDA CHANGE REQUEST FORM
ALASKA BOARD OF FISHERIES



PC33

The Board of Fisheries (board) reviews each state managed fishery under its authority once every three years in what is referred to as the board's "three-year cycle". Each year the board takes up regulatory subjects from a consistent set of regions and species, repeating every three years. Regulatory subjects in the current meeting cycle are referred to as "in-cycle" subjects.

The board recognizes there are times when "out-of-cycle" subjects require more immediate attention and created the "agenda change request" (ACR) process to allow consideration of these subjects. The board solicits ACRs 60 days prior to its fall work session. Accepted ACRs are scheduled at a subsequent meeting during the current meeting cycle. More on the board's long-term meeting cycle is [here](#).

For the 2023/2024 meeting cycle, the following regulatory regions, species and uses are "in-cycle":

- Lower Cook Inlet Finfish all uses.
- Kodiak Finfish, all uses.
- Upper Cook Inlet Finfish, all uses.

The deadline for ACRs is August 14, 2023. ACRs received regarding "in-cycle" subjects will not be accepted as they are effectively proposals that missed the April 2023 deadline.

The board accept requests to change its schedule under certain guidelines set forth in 5 AAC 39.999. The board will accept ACRs only:

- 1) for a fishery conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1) CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

Alaska Administrative Code Number 5 AAC:

"5 AAC New" regulation or establish a formal POLICY that directs the Alaska Board of Fisheries (BOF) to implement language that reflects the intent of; AS 16.05.300.

2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

The BOF has not held a Cook Inlet regulatory meeting in the Kenai Peninsula for an Upper Cook Inlet regulatory issues since 1999.

On 03.09.2018 the Board adopted Policy 2018-289-FB that addressed the need to afford the regional public stakeholders access to the regulatory process with consideration to the "costs to the individuals to participate" as it is expressed before any adoption of a regulation in the BOF process. The vote to adopt this was (4-2 absent 1). A subsequent vote on 10.24.2019 rescinded the policy (7-0).



16.05.251 (d) and (e) (1-7) offers the public criteria in considering regulatory changes that will affect them directly. In the Final Report Ombudsman Investigation (J2019-0374), their recommendations discussed the need to apply the rules in the Open Meetings Act as it relates to notice. Specifically, AS 44.62.310 & AS 444.62.312 gives guidance and purpose for their recommendations.

A response from Chairman Morisky on 08.15.2019 indicated that the BOF held another vote at their 10.23-24.2019 work session and would “determine if it holds any future viability” (quote from page 9 of report).

We respectfully request that the BOF reconsider the location of the 2024 Upper Cook Inlet Finfish Regulatory meeting on February 23 – March 7 (2024). Preferably changing the venue to the Kenai-Soldotna area where many affected resource stakeholders reside.

Commercial East Side Set Net (ESSN) fishermen were restricted from participating in any of their historic fisheries in 2023 and the cost to participate in the regulatory process in Anchorage would be extremely burdensome if not impossible.

Fishing Guides on both the Kenai and Kasilof Rivers were also severally restricted from Chinook guiding activities. The Personal Use fishery was also prohibited from harvesting any Chinook (jacks) with dipnets or within the Kasilof River gillnet fishery which was closed before it opened. Sports anglers were restricted with methods and means and could not keep any Chinooks that were incidentally caught.

The Board needs to hear from the directly affected stakeholders who rely on access to the resources of all salmon species. The 2018-289-FB Policy attempted to fashion a compromise with a rotating schedule for the three main areas of Kenai/Soldotna, Wasilla/Palmer and Anchorage.

The Kenai/Soldotna Fish & Game Advisory Committee (KSF&GAC) voted on 04.04.2023, 12 support, no opposition (unanimous), to write a letter to the BOF requesting that the 2024 UCI meeting be convened in the local area.

The local community has supported this move in the past and are/were extremely helpful in assisting the Department of Fish & Game staff and BOF members in locating suitable meeting space and locations as well as accommodations and services. Discussions with current community organizers and local businesses are already ongoing.

3) WHAT SOLUTION DO YOU PREFER?

The BOF should adopt at the minimum a ‘new’ *formal* policy that is patterned after 2018-289-FB. The Board may decide that creating regulatory language that further defines; AS 16.05.300 (b) (3) Southcentral, may be a better method to address meeting locations as the note in (2) Western Alaska (including Kodiak) offers a specific location within a *general area*.

We request the BOF at their 10.12-13.2023 worksession to place on the agenda the discussion and adoption of a change of venue for the 2024 upcoming UCI Regulatory meeting.

**4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED BELOW.****a) for a fishery conservation purpose or reason:**

The importance of conservation within the Upper Cook Inlet Regulatory area is of utmost importance. Participation by affected stakeholders is very important to the area and to the State. Careful consideration and stakeholder participation is the hallmark of the BOF process, and this cannot be accomplished without the Board allowing open access when possible.

b) to correct an error in regulation:

The Board has the authority to determine where and when regulatory or special meetings may be held. Many of us feel that rescinding the policy, 2018-289-FB, was an error. Many hours of dialogue, testimony both written and oral, went into developing this solution. The reasons for adopting the change were to foster more direct involvement from the three areas. Adoption of this policy will afford a sense of balance then is not possible with the current cost of participation. Allowing some relief in costs will facilitate better interactions with the Regulatory process.

c) to correct an effect on a fishery that was unforeseen when a regulation was adopted:

The restrictions that were in place for 2023 could not have been entirely anticipated by all the stakeholders and supporting business community. In principle maybe, but the severity probably not.

5) WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

If this agenda change request is not adopted, then many of the directly affected stakeholders would be excluded from the process. Decisions will be made without the input or the communications with Board members or ADF&G staff that is vital for the 'open meeting process'.

6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

This is not an allocative request as it facilitates access to the policymakers for all stakeholders and others.

7) IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

This is not an allocative request.



Sec. 16.05.300. Board meetings.

(a) Each board shall hold at least one meeting a year and as many other meetings as it considers necessary. Each board shall select the time and place in the state for the transaction of business. Each board shall maintain its office at the principal office of the department.

(b) In addition, the Board of Fisheries shall hold at least one meeting or hearing a year in each of the following general areas:

- (1) Upper Yukon — Kuskokwim — Arctic
- (2) Western Alaska (including Kodiak)
- (3) Southcentral
- (4) Prince William Sound (including Yakutat)
- (5) Southeast.



September 27, 2023

Alaska Board of Fisheries
Boards Support Section
PO Box 115526
Juneau, AK 99811
Submitted via email: dfg.bof.comments@alaska.gov

RE: Comments on ACR 2

Dear Alaska Board of Fisheries Members:

Thank you for the opportunity to comment on the agenda change requests (ACR) under your consideration at the upcoming Alaska Board of Fisheries (BOF) Work Session October 12-13, 2023. **Silver Bay Seafoods opposes ACR 2.**

Silver Bay Seafoods is a fisherman-owned, Alaska seafood processing company. Our False Pass facility supports purse seine and drift gillnet fishermen who participate in the Alaska Peninsula fisheries. We are fully integrated in the region and are present in multiple AK Peninsula communities. In addition to the facility and fishermen services in False Pass, Silver Bay operates a public commercial fishing supply store in King Cove, we employ full-time support staff in Cold Bay for critical logistics, and we have additional fishermen services in Sand Point.

We recognize and share concern about the poor salmon returns seriously impacting subsistence users along the Yukon River. This is an important issue and we, like many other Alaskans, have sought answers to the cause and explored possible remedies. State and federal researchers have described the situation as complex and primarily related to issues with near-shore marine survival, citing warming waters, food availability, increased marine mammal predation, and other factors. Research has not pointed to harvest in other fisheries as the “smoking gun” cause or even the remedy to addressing these poor salmon returns.

The fishing industry has welcomed additional examination of these fisheries. In fact, we had ADF&G biologists in our facilities the last two seasons and provided them with full access to collect genetic samples of the daily salmon harvest. We look forward to learning more from this research project in the coming years, but we think the preliminary information provides important insight.

In addition to supporting additional research, we took action to show our fellow Alaskans we are committed to real solutions even if we are not the cause of this problem. Silver Bay Seafoods worked closely with our fishing partners to support a fleet-wide voluntary chum avoidance program in the June South Peninsula fishery in 2022 and 2023. This cooperative effort was unprecedented and extremely effective; chum harvest results from the 2022 and 2023 South Peninsula June fisheries show clear evidence that these chum avoidance measures are working.



We agree with the assessment published by the Alaska Department of Fish and Game confirming through staff comments that ACR 2 does not meet the criteria as outlined in the policy for changing a board agenda defined in 5 AAC 39.999(a)(1).

Thank you for the opportunity to comment.

Respectfully,

A handwritten signature in black ink that reads "Abby Fredrick".

Abby Fredrick

Director of Communications & Investor Relations



Southeast Alaska Fishermen's Alliance

1008 Fish Creek Rd

Juneau, AK 99801



PC35

Email: kathy@seafa.org

Cell Phone: 907-465-7666

Fax: 907-917-5470

Website: <http://www.seafa.org>

September 27, 2023

Alaska Dept of Fish & Game
Board Support – Board of Fisheries
PO Box 115526
Juneau, AK 99801

Submitted Electronically

RE: Agenda Change Requests (ACR) – Oct Work-session

Dear Board of Fish Members,

Southeast Alaska Fishermen's Alliance (SEAFa) is a multi-gear/multi-species non-profit commercial fishing association representing our 300+ members mainly involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska.

ACR 11 – SEAFa **supports** the adoption of ACR 11 submitted by ADF&G seeking to align the Southeast Alaska King Salmon Management Plan with new methods to set catch limits adopted by the Pacific Salmon Commission. This was not a foreseen event during the 2022 SE Board of Fish meeting.

ACR 13 – SEAFa **supports** the adoption of ACR 13 to correct an effect that was not foreseen during the Board of Fish meeting when language was changed after the meeting during the adoption of the regulations for the SE Board of Fish meeting. During the SE Board of Fish meeting in 2022, The Alaska Troller Association, Territorial Sportsmen and Southeast Alaska Guides Organization working with Board Member Mitchell submitted RC 178 that was an agreed upon agreement and adopted by the Board of Fish. This agreement ([RC178](#)) used typical method of making new text bold and underlined and [IN CAPITAL] language to be deleted. The language that was in RC 178 5 AAC 47.055 (b) and the previous regulation was "(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling:", section (b)(2) was not changed by being bold and underlined nor was it specifically addressed in staff comments as it was not one of the changes being made.



When the regulations were actually published the words "sport fishery" was removed so it now reads 5AAC 47.055 (b)(2) "allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the harvest ceiling;". This is a significant enough change to warrant being adopted as an Agenda Change Request and clarified for the parties involved in the agreement.

Thank you for your consideration of our comments. If you have any questions, please feel free to contact the office at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Hansen", followed by a long horizontal line extending to the right.

Kathy Hansen
Executive Director

Märit Carlson-Van Dort
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811

Re: ACRs 11-13 King Salmon Management Plan

Chair Carlson-Van Dort and members of the Board,

I write on behalf of Southeast Alaska Guides Organization (SEAGO), a nonprofit association based in Ketchikan representing Southeast's guided sport fishing fleet. Our region accounts for roughly half of Alaska's charter fishing activity which is a key driver of Alaska's coastal economy.

SEAGO **supports** the Department's ACR 11 that adapts existing King Salmon Management Plan (KSMP) abundance tiers to changes made in the Southeast chinook abundance index in February by the Pacific Salmon Commission. Changes proposed by the department *leave the essence of the existing KSMP intact* while addressing the needed changes in tier references.

We **oppose** ACR's 12 and 13. Both proposals would change the intent of the KSMP agreed on by all affected user groups at the 2022 Board of Fisheries meeting that was held in cycle for Southeast Alaska. We feel strongly that any modifications to the KSMP outside the adaptation of tier references to the new Commission model should take place during the normal Southeast rotation in 2025 to allow ample opportunity for stakeholder input.

Respectfully,



Forrest Braden
SEAGO Executive Director
forrest@seagoalaska.org



Submitted by: Frank Tomaszewski

Organization Name:

Community of Residence: Fairbanks, Alaska

Comment:

I would like to request the meeting be held in a more centrally located area such as Anchorage. This would allow more in person participation and keep the cost down.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:



TRIDENT SEAFOODS CORPORATION

5303 Shilshole Ave. NW, Seattle, WA 98107-4000
(206) 783-3818 • Fax: (206) 782-7195



PC38

September 27, 2023

Alaska Board of Fisheries
Marit Carlson-Van Dort, Chair
Via email dfg.bof.comments@alaska.gov

RE: Public comment on ACRs 2 & 3

Chair Carlson-Van Dort and Board Members:

Thank you for the opportunity to comment on two agenda change requests (ACRs) before the Alaska Board of Fisheries (Board) during the October 2023 work session. Trident is commenting on **ACR 6**, which seeks to reduce fishing time and repeal chum salmon harvest triggers adopted by the Board this past cycle; and **ACR 7**, which requests reductions to seine depth in districts of Area M. **We ask the Board to deny both ACRs, as they do not meet the criteria for taking proposals out of cycle.**

The ADF&G staff assessment of the ACRs highlights both the success of the Board's management action taken this past March, and the costs of those conservation measures with respect to harvest opportunity and harvest numbers. Specifically:

- The 2023 June chum harvest was 62% below the 10-year average, while 2023 June sockeye harvest was 45% below the 10-year average.
- The seine fleet implemented 26 voluntary stand downs and both the gillnet and seine fleets voluntarily stood down on June 10.
- ADF&G significantly reduced fishing time in the South Alaska Peninsula Area to conserve Chignik early run sockeye.

The Board crafted a management program that is truly innovative for salmon management and responsive to the devastating collapse of Western Alaskan chum returns. The work by the fleet, with cooperation from processors, to follow through on their commitment is also significant. We ask that you do not undermine these collective efforts by adopting these ACRs.

The use of ACRs to address management issues related to Area M is becoming a trend, going back to 2018. We certainly recognize that ACRs serve as a necessary tool for the Board to address conservation issues, errors in regulations, or unforeseen effects of management actions. However, we ask that the Board consider the destabilizing effect that the routine adoption of ACRs can have on all fishery stakeholders and ask that you use this tool judiciously and not for issues that were recently addressed during the most recent Board cycle.

Thank you for the opportunity to comment.

A handwritten signature in black ink, appearing to read "Shannon Carroll".

Shannon Carroll
Director, Alaska Public Affairs



Gale K. Vick
Fairbanks, Alaska 99709

COMMENTARY TO THE ALASKA BOARD OF FISHERIES
October 12-13, 2023 Work Session
Re: ACR #2 Reconsideration of Area M June Fishery Management Plan

My name is Gale Vick. I am a 55 year resident of Alaska, a former drift gillnetter in Prince William Sound, and for 32 years a contractor on fisheries policy all over the state. I have been working on Yukon River / AYK fisheries issues since 2014. I am a member of the Fairbanks Advisory Committee (FAC) and chair of the FAC Fisheries SubCommittee. My comments are in full support of ACR #2.

The FAC intent in ACR#2

The Alaska Department of Fish and Game has characterized ACR #2 as “Reduce fishing time and repeal chum salmon harvest triggers in the *South Unimak and Shumagin Islands June Salmon Management Plan* (5 AAC 09.365)” in its Staff Comments for the October Board of Fisheries Work Session.

With all due respect, this language mischaracterizes the intent of ACR #2. (Please refer to the original proposal as submitted by the FAC.)

The intent of the FAC in this ACR is to conduct a review, prior to the 2024 season, of the Board decision at the February 2023 Alaska Peninsula meeting to correct an unforeseen effect of changes to the South Unimak and Shumagin Islands June Salmon Management Plan, (“the Plan”) adopted by the Alaska Board of Fisheries at the February 2023 Alaska Peninsula / Chignik Board meeting.

In other words, because the Alaska Peninsula salmon management plans run on a 3-year Board cycle instead of an annual in-season management plan based on escapement - as every other fishery in Alaska operates- the FAC requests an out-of-cycle reconsideration of the June Fishery management plan before the 2024 season.

The Department’s response to ACR #2

Consistent with their action at the February 2023 Board meeting on Area M, the Department’s continued refusal to consider proposals to reduce chum bycatch harvest in the June fishery as based on conservation concerns (not allocation) drives their objection to ACR#2 as not meeting ACR criteria. On three points, the Department said “no.”

The correct answer should have been “yes” on all three points, as follows:



a) Is there a fishery conservation purpose or reason? Yes.

Conservation was always the issue – both in several of the proposals at the February 2023 meeting and in this ACR #2, but it was continuously side-stepped by the Department’s insistence on calling the proposals allocative.

The Department, in the current Staff comments, also mischaracterized the 2023 Yukon River salmon season. The chum run was *not* “considerably stronger” than in 2021 or 2022. They were “marginally” stronger, allowing for a limited gear type subsistence fishing for summer chum but no fishing for fall chum or coho, and definitely not Chinook, which remains at historic lows. Discrete stocks of summer chum remain in jeopardy. We do not share the Department’s confidence that the drainage wide escapement for summer chum will be 1.2 million. The last time we reached that level was in 2019. We don’t believe any summer chum escapement goals were met. Border crossing Treaty obligations for Chinook and fall chum not met. “The Yukon River fall chum salmon run is the fifth lowest on record (1974–2022), while the coho salmon run is the second lowest (1995–2022). The fall chum salmon run is projected to be just under 300,000 fish compared to a historical run size of 1 million fish. The coho salmon run is projected to be near 65,000 fish compared to a historical run size of 222,000 fish.” (ADF&G Yukon report #18.)

While there was considerable discussion at the February Board meeting about the conservation issue, it was never really satisfied in terms of protection for the resource itself within an intercept fishery. The Department felt that the likely numbers of intercept were too low for conservation consideration. However, the genetics report alone raised many additional questions on how accurate a picture we have of CWAK chum being intercepted.¹ No matter what the percentage, the actual numbers would still be significant to increasing escapement in depleted CWAK chum stocks.² What adds to the conservation and genetics concern is lack of confidence in the harvest numbers. Other proposals were opposed on the basis of conservation where the escapement goals were fixed. There are no escapement goals for intercepted CWAK chum.

The Department will no doubt argue that since the June fishery chum harvest numbers for 2023 (199,888) were the lowest since 2015, that the June fishery management plan worked and therefore there is no conservation concern. But we argue that other factors contributed to that low harvest – such as weather, late and greatly reduced sockeye run, decreased pricing and the unknown factor of “chum chucking”. The proportion of chum harvest to sockeye harvest (881,279) was actually was about average to previous years except 2022. In 2022, the year the Area M seine fleet first utilized the voluntary Adaptive Management Plan, the ratio of chum harvest to sockeye was significantly lower, which raised initial red flags.

So, basically our response is that we have very little confidence in the management plan going forward. The problem remains a CWAK conservation issue.



b) Does the agenda change request correct an error in regulation? Yes.

The 5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan as amended by the Alaska Board of Fisheries adoption of RC 190 as amendment to Proposal #136 on February 26, 2023 contained several problems right from the beginning:

- (1) Alaska's Subsistence priority was only partially interpreted for application at this meeting. ³
- (2) The Board approved an Adaptive Management Plan (RC104) between the seiners and the processors that would essentially be self-policing.
 - a. This plan was rigorously opposed by 3 Board members who felt it was an abdication of Board authority⁴
 - b. A self-policing policy is not used by any other fishery in Alaska
 - c. A condition of self-policing to refuse a market opportunity to violators was not enforceable
 - d. The drift and set net fleet were not included in this Plan
- (1) The Board approved 2 trigger points that had the potential for shutting down the seine fleet if they were exceeded
 - a. The triggers in the plan did not apply to the drift or set net fleet
 - a. This created a de facto incentive to underreport or to "chum chuck"
 - b. A prohibition on revealing proprietary information of there are less than 3 processors in a fishery prevents public disclosures of deliveries

c) Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted? Yes.

The 5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Management Plan as amended by the Alaska Board of Fisheries adoption of RC 190 on February 26, 2023 incorporated two trigger levels that had the ability of closing purse seine gear and likely encouraged "chum chucking."

(h) If chum salmon harvest equals or exceeds 300,000 fish by June 18, based on fish ticket information, the commissioner shall reduce commercial fishing time in the South Unimak and Shumagin Islands June fisheries by 44 hours during each of the remaining fishing periods in June for purse seine gear. If chum salmon harvest equals or exceeds 450,000 fish by June 23, based on fish ticket information, the commissioner shall close commercial salmon fishing in the South Unimak and Shumagin Islands June fisheries for the remainder of June for purse seine gear.

Chum chucking / non-retention of fish / Observation and Enforcement

The Board was assured by the Department that state regulations regarding retention of fish caught in gear would apply. Non-retention of salmon in a commercial salmon fishery is considered a violation unless defined by ADF&G for conservation purposes.



2023 was the first time maybe since early 2000 that Alaska Wildlife Troopers have been actively present on the June fishery grounds. There were 9 people cited by Alaska Wildlife Troopers in the 2023 Area M June fishery for non-retention of chum salmon in a practice known as “chum chucking.” 1 seiner, 7 drift boat, and one setnet.

Ironically, the only boat subject to the triggers in the June fishery was the seine boat. The others who participated in “chum chucking” may have been acting out of years of common practice.⁵

No numbers of chum were reported from these violations. Many people considered this “wanton waste” and there is some precedence where this has been applied. Any salmon not-retained in an intercept -area gill net (deliberately release or chuck overboard) should be considered a dead salmon. The mortality rate of gill-torn salmon having to migrate long distances to spawning areas is likely 100%.⁶

Apparently there was no extensive observation on the seine fleet, which is much harder to police from a patrol boat. The Alaska Wildlife Troopers are limited in their resources to cover the vast Southwest region.⁷ We need to correct this.

There are no cameras or observer systems in the Area M fishery. This likely needs a legislative fix but I hope the Board considers the merits of establishing cameras and/or observers on the seine fleet and within the processing plants.

As a former commercial fisherman, I know there are a lot of practices that shave the edges of regulations. But I also know that most fisheries in Alaska have far more limited flexibility in skirting the law because they are managed more tightly by in-season openers, usually only 2-days a week, that can be rescinded if escapement goals are not being met. And they are patrolled on a regular basis.

Conclusion

I, on behalf of the Fairbanks AC, therefore respectfully request the Alaska Board of Fisheries consider ACR #2 in the context of reconsidering the Area M June fishery management plan adopted at the February 2023 before the 2024 season, in the light of

- (1) Increasing confidence in accuracy of outcomes
 - i. Obtain greater transparency in non-retention incidences
 - ii. Report poundage by species on any citations
 - iii. Consider options for increased observation of fishing practices
 - iv. Consider plan for observer coverage for both the drift and seine fleets as well as an observer coverage point of delivery and within the processing plant
- (2) Reconsideration of Adaptive Management Plan
 - i. Eliminate the Adaptive Management Plan for a more traditional in-season management



- ii. Consider new Area M management plan with annual review that is more in line with in-season management plans in the rest of Alaska
- (3) Increase genetic sampling area and response time on analyses.
 - i. Provide for real-time analyses of tissue samples.
 - ii. Provide for sampling for Chinook salmon ***
- (4) Develop plan for securing run reconstruction numbers on the Kuskokwim River and increasing accuracy of numbers on the Yukon River

My final caution is that all species of salmon in Alaska are in obvious trouble, with the exception of Bristol Bay sockeye. You do not need to be a scientist to fully appreciate this. Most of us who have fished all over the state know, for instance, that Chinook salmon abundance and size is dramatically decreasing. Our science supports this and our trajectories suggest that we have not hit bottom yet. While this has been critical mass in the Yukon for many years, we have in the last two years seen record low numbers of chum and coho salmon as well. These numbers mirror other places in part but are much more dramatic in the Yukon.

While there are many pressures on wild anadromous species as they run a gauntlet from home streams to the ocean and return, and many of these factors are beyond human correction, there are factors we can control. These include intercept, bycatch, in-season management, habitat protections, monitoring escapement goals. Intercept, with its many unknowns, is an area that we should consider applying additional precautionary measures rather than trying to manage on thin margins.

It is therefore incumbent upon all of us – state and federal agencies, fishermen, communities, etc., to seriously review how we manage our wild salmon in the aggregate and not in the fractionalized system we currently have.

Thank you.

Cc: Members, Fairbanks Advisory Committee
Karen Gillis, Bering Sea Fishermen's Association
Serena Fitka, Yukon River Drainage Fisherman's Association
Marna Sanford, Tanana Chiefs Conference

¹ The most recent (2022 fishery) harvest stock composition estimates indicate that Coastal Western Alaska (CWAK) which includes chum salmon from Bristol Bay, Kuskokwim River, Lower and Middle Yukon, and Norton Sound represent only 17.7% of June chum salmon harvest. Most of the June chum salmon harvest in 2022 was comprised of Asian-origin fish (58%). Stock composition estimates from the 2023 fishery are not yet available. (ADF&G Staff Comments on ACR #2, September 2023)

² University of Washington fisheries ecologist Daniel Schindler said the proposal is reasonable because it provides windows of time for fish to swim through without being caught. He pointed out that the preliminary results of the



state's 2022 [genetic study](#) shows Area M's South Peninsula harvested about 5% of the chum swimming to Western Alaska rivers. While that sounds small, he said, it could make a big difference for weak runs.

"It sounds like hyperbole, but when the stocks are on the ropes, every fish does count a heck of a lot more than it does when the populations are at high abundance," he said during the Committee of the Whole on Friday. "In the case of the AYK (Artic-Yukon-Kuskokwim) chum stocks right now, it's very obvious to everyone in this room that those stocks are at very depressed abundances." *Western Alaska subsistence fishers ask state board to restrict Area M June commercial fishery* KDLG 670AM | By [Lzzy Ross](#) Published February 25, 2023 at 12:17 PM AKST

³ MR. PETERSON: Thank you Madam Chair, I just want to clarify for the record that the subsistence law does not require closing all non-subsistence fisheries -- mixed stock fisheries several hundred miles away from subsistence fisheries that may take some of those subsistence fish. (Area M BOF Transcript February 25, 2023)

⁴ Marit Carlson Von Dort, Chair: "My understanding compromise is that two competing interests come together to work out mutually agreeable solutions, and I don't think a compromise between the processors and the Area M fleet represents a true compromise of the interests that are represented in this room. With respect to the involvement of the processors -- and they just dumped a whole bunch of RC's saying they're in favor of this language -- a processor -- and the reason I asked the retention question -- is only responsible for what is delivered to them -- or, you know, in this process or in this compromise -- it's with respect to what is delivered not necessarily what is caught. But irrespective of that, that's not the enforcement under Alaska Statute. I mean it's control of the CFEC permit holder and that what they catch and what they deliver the control is done, in this instance, to me, it sounds like that is being controlled by a private corporation or corporations, i.e., the processors. And I will never advocate for handing over more control to the corporations that buy fish in the State of Alaska irrespective of intent. (Area M BOF Transcript February 25, 2023)

⁵ Sometime in the late 1970's, the Alaska Board of Fisheries established a commercial harvest allocation of 8.3% for South Peninsula fisheries of annual Bristol Bay sockeye forecast to Area M fisheries for the month of June. In 1982 there was a major chum crash in the Yukon. Subsequently, an Area M chum cap was instituted. This was based on the sockeye to chum ratio and varied by season. During this time Virgil Umphenor wrote a petition to the BOF on behalf of YRDFA. The Fairbanks Advisory Committee supported. Tanana Chiefs and Kawarek helped with gathering signatures up and down the river. Alaska's Congressional Delegation became involved. The chum cap was subsequently lowered again. But as AYK chum stocks fluctuated, there was general lack of enforcement within Area M harvesting. In 2000, Alaska State Troopers video taped Area M fishermen throwing chum salmon overboard. Virgil, as a member of the BOF, was instrumental in helping to secure staggered openers. Prior to 2001, ADF&G had to do a test fishery to find out the chum to sockeye ratio.

⁶ [Visible Gill-Net Injuries Predict Migration and Spawning Failure in Adult Sockeye Salmon](#) July 2018 [Transactions of the American Fisheries Society](#)

⁷The Southwest Region of the Southern Detachment covers the Island of Kodiak, Bristol Bay, the Alaska Peninsula and the Aleutian Islands. Southwest Region headquarters is located in Kodiak and under the command by a Lieutenant. Sergeants in Dutch Harbor, King Salmon, and Kodiak assist with the overall supervision of the region. Posts within the region include Dutch Harbor, Kodiak, Dillingham and King Salmon.

Currently the region has 12 commissioned Alaska Wildlife Troopers, one Boat Officer IV, one Boat Officer III's, two Boat Officer I's, two Vessel Technicians, two Administrative Assistants, two PST II's and four PST I's. This region has enforcement responsibility for commercial fisheries of salmon, herring, crab, and groundfish. These fisheries are conducted in some of the nation's richest marine waters which include the Bering Sea Crab fishery and Bristol Bay Sockeye Salmon. In addition to unmatched fishery resources these waters experience some of the world's most severe weather.

Patrol vessels stationed in the Southwest Region include:

- P/V Stimson 156 foot Kodiak



-
- P/V Cama'i 65 foot Kodiak
 - P/V Audrey Ann 32 foot King Salmon

A myriad of small watercraft, ATV's, five fixed wing aircraft, and an R-44 helicopter are also needed to meet its enforcement responsibilities.



Submitted by: Anitra Winkler

Organization Name:

Community of Residence: Kodiak

Comment:

As a Kodiak set netter this ACR would greatly hinder my fishing operation. We fish in deep water 20-60 fathoms on average and it requires a significant amount of anchors and heavy line. In 14 years of fishing I have never had any issue with wildlife or boats tangling in my gear, mostly because there is nothing to tangle in as all my lines are sunk to the bottom. As long as a set is sunk correctly in Kodiak I don't believe it causes any problem and would be a massive additional workload. Our set netting is significantly different than Bristol Bay and we should be left out of the ACR.

Note: Respondents were allowed to participate in an optional survey to indicate support or opposition for Agenda Change Requests using the online comment submission form. This information allows Board Support staff to develop an index for the meeting and is included below as a courtesy:

ACR 1: Oppose



YUKON RIVER DRAINAGE FISHERIES ASSOCIATION

PO Box 2898, Palmer, Alaska 99645 ♦ Tel: 907-272-3141 Fax: 907-272-3142 ♦ Toll-Free 877-999-8566
www.yukonsalmon.org ♦ serena@yukonsalmon.org

Alaska Board of Fish

September 27, 2023

The Yukon River Drainage Fisheries Association (YRDFA) is a recognized 501 (c)(3) non-profit association of subsistence and commercial fishers with the mission of protecting and promoting all healthy fisheries and cultures along the Yukon River drainage. This longest salmon migration in the world provides key dietary and cultural support for over forty-two rural Alaskan villages. For many families, salmon is critical to the cultural identity and food security needs in these off-road and remote communities. YRDFA was created in 1990 to conserve Yukon River salmon runs by giving a voice to the people who have used and managed the resource for thousands of years. Our work has become an essential part of the communications between fishers and fishery managers in the region. YRDFA represents village fishers at important state, federal and international decision making tables, works to document and utilize Traditional Ecological Knowledge in fisheries management and strengthens the long-term viability and sustainability of Yukon River communities through preserving subsistence and commercial fisheries.

The Yukon River Drainage Fisheries Association currently **supports** the Agenda Change Request 2 on changes to 5 AAC 09.365: Reduce fishing time and repeal chum salmon harvest triggers in the South Unimak and Shumagin Islands June Salmon Management Plan. Measures such as hard caps on chum bycatch that have taken effect as of February 2023 have measurable and substantial impacts to AYK chum salmon that have been revealed after a season of the regulations' implementation. This past year has seen an uptick in regulatory citations by Alaska State Troopers in this fishery referred to as "chum chucking", which likely has more of the same going unobserved and unmanaged. In order to quickly reverse these negative side effects that hard caps have brought forth, YRDFA is strongly in support of this agenda change request being heard and allowing space for solutions rather than waiting more years before this regulation can be seen again. This agenda change request is similar to measures put forth at the Alaska Board of Fish Alaska Peninsula/Aleutian Island/Chignik Finfish meeting in February 2023, of which YRDFA supported passage. Although these measures did not pass, there was significant public testimony and notable support from regulatory actors in favor of passing this measure included in the agenda change request. We believe the impacts that this past summer has revealed from



YUKON RIVER DRAINAGE FISHERIES ASSOCIATION

PO Box 2898, Palmer, Alaska 99645 ♦ Tel: 907-272-3141 Fax: 907-272-3142 ♦ Toll-Free 877-999-8566
www.yukonsalmon.org ♦ serena@yukonsalmon.org

this regulation as it stands requires additional attention and substantial action in order to protect chum salmon and reduce harmful impacts within this fishery.

Again, the Yukon River Drainage Fisheries Association **supports** the Agenda Change Request 2 at this Alaska Board of Fish working session. We hope that this will be taken into account at your next meeting. Thank you.

Sincerely Yours,

Gabe Canfield, Policy Coordinator

Yukon River Drainage Fisheries Association