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To: Concerned Area M Fishermen

From: Mike Stanley

Subj: Board of Fisheries Ethics Rulings re Bristol Bay Permit Holders
Voting on Alaska Peninsula Proposals

You have asked me to review past rulings by the Alaska Board of Fisheries regarding voting and deliberating on proposals pertaining to Alaska Peninsula fisheries by board members who held Bristol Bay limited entry permits. This issue was raised during the ethics disclosure portion of the current board meeting on Area M proposals, and there was some uncertainty expressed about the history of these rulings. I have reviewed my records of board meetings back into the early 1990s (all of which I attended), and confirmed that at no time has a member of the board from the Bristol Bay region been allowed to vote on proposals to restrict the harvest of migrating sockeye or chum salmon in the South Unimak and Shumagin Islands June fishery when that member and/or immediate family members held Bristol Bay permits.

At the meeting in February 2010, Vice-Chair Karl Johnstone initially ruled that Vince Webster was recused on one proposal, # 116, which sought to re-impose the 8.3% sockeye allocation in the June fishery. Webster suggested in his ethics disclosure at the current meeting that this ruling was predicated on the impact of the June fishery on sockeye stocks returning to the Naknek-Kvichak District of Bristol Bay, and that new information provided by WASSIP demonstrated lesser impact on these stocks than had been previously known. My reading of the ruling on his participation on this June fishery proposal in 2010 does not indicate any particular emphasis on the impact of the fishery on sockeye returning to the Naknek-Kvichak District. Later in the 2010 meeting, Johnstone ruled that Webster was also recused from voting on proposals 29 and 30, which sought to expand fishing by Area T vessels in Area M, in the overlap area. On all other proposals considered at this meeting, Webster was allowed to vote.

At the meeting in February 2007, Robert Heyano disclosed that his family members held permits for salmon set and drift gillnetting in Bristol Bay. He declared that this likely constituted a conflict in relation to proposals 186-195 pertaining to the June fishery. The chair agreed and ruled that Heyano could not vote on these proposals.

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At meetings in 2004 and 2001, the board member from the Bristol Bay region, Russell Nelson, did not disclose that he or family members held permits for fishing in Bristol Bay, and he was not recused from participating in deliberations or voting on any Alaska Peninsula proposals, including proposals pertaining to the June fishery.

At a meeting in January 1998, Trefon Angason disclosed that he and his immediate family members held numerous permits for fishing in Bristol Bay, and also that he served on the board of various organizations in the region, including Bristol Bay Native Association and the Bristol Bay Native Corporation. Angason stated that he believed he had a conflict on all of the proposals pertaining to the June fishery, #s 231-244, and was ruled by the chair, John White, not eligible to participate on these proposals.

At a series of meetings from approximately 1994-1998, Mr. Angason was also recused from voting on proposals pertaining to the June fishery, due to the interests described above. It should also be noted that during this time, Dick Jacobsen, an Area M seiner who was on the board, was also recused from voting on these and other proposals pertaining to Alaska Peninsula fisheries.

Please let me know if you have any questions about the information provided above.