

term flexible Spot Shrimp Fishery Management Plan in order that fishers may utilize a healthy resource for a sustainable yield.

The details offered by ADFG do not address any long term plan. They have proposed to open a small area part time, with no provisions for expansion (only provisions for closing that small area). A 2007 ADFG document titled "Shrimp in Prince William Sound" shows 22 "locations of above average shrimp catch" and 5 "areas of above average catch 2 or more years". Interestingly only 3 of the 22 and one of the 5 are included in the areas that ADFG proposes to open part-time. So it seems like they do not want to open the better fishing areas to commercial use. Actually, it appears the opposite. (And it appears they want to open the areas that are the furthest from the ports). And to have the whole fleet having gear conflicts crowded into a small area of poor catches appears a recipe for poor returns, and then most inevitably closing the fishery because of overfishing these spots and poor performance. It brings me back to what are their intentions. It seems like they are proposing a "Test" or "Experimental" fishery. At the last Board cycle, my proposal 312 for an experimental fishery was found to be against State Law because this is not a new fishery. Is this another example of ADFG not listening to the Board?

The unspecified pot limit is a teaser. They are keeping their intentions close to the belt. Other items such as pot design and 8 hour restrictions stifle a fisherman's creativity to exploit the resource, and to maximize his profitability.

If such proposed cumulative restrictions win the day, it will likely be marginally or not economically viable to participate in the fishery. One possible solution to that would be to have the fishery open during the summer months when school is out and the workforce swells. It would be hard to find an adult deckhand who would work for very little potential gain in a marginal fishery. This could assist family run operations too.

If pot number restrictions are necessary then a better way to do it would be to have an aggregate volume of pots. That way fishermen could use different pot designs and sizes and numbers, instead of being forced to use so many of some particular pot period. I suggest that a reasonable compromise would be 200 times the volume of the pot size the Department proposed. Design characteristics to allow small shrimp to get out should be retained.

All of PWS, or the "Traditional Harvest Area" should be opened to commercial fishing. This will help to not decimate the resource by concentrating everyone in one area at a time. I am intrigued by the idea of having some areas closed every other year. It could be a good tool to allow recruitment to nurture towards adulthood. But this should not be applied everywhere, and there should be enough area open so as not to concentrate the effort.

The fishery should be soundly managed by Guideline Harvest Levels. Perhaps with GHL's for each Stat Area. I believe that is similar to SE Alaska Spot Shrimp Management. The GHL's should be sensible and be designed for sustainability. They should be tied to Abundance survey data and CPUE data.

I entered several proposals regarding the interactions between commercial and non-commercial shrimp fisheries. These are intended to give some framework to stimulate discussion in order to minimize conflicts between the users. Some of these involve season dates, and some involve area restrictions. I believe that will be a valuable part of the final determinations about the two groups.

I embrace the opportunity to work with the Board and the Department to help design a Shrimp Pot Fishery Management Plan for Prince William Sound. I believe that the health of the resource is evident, and that a way to allow exploitation with resource conservation in mind can be found.

Thank you, Gordon Scott
Box 847, Girdwood AK 99587

--- I have interest in other fisheries and proposals also, but have concentrated on this issue. I would entertain any questions.

12/2/08

RC 39

I want to withdraw
my proposal # 77.

I Am the Author,
Thank you,

James Mykela ND

121 W Davis Ave

Cordova, AK 99574

Anchorage Fish Advisory Committee
 Review Comments

PROPOSALS FOR 2008-2009 BOF CYCLE		Support / Oppose	Amendments (if any)	AC Comments
2	Action requested C&T determination for freshwater fish in Upper Copper/Sustina	Oppose 0-9		Currently needs can be met through sport fishing regulations. Lake trout and brook trout are vulnerable to overfishing that would take place if nets were used.
16	Modify annual limits in the Glennallen Subdistrict subsistence fishery	Oppose 0-9		False and biased info was presented to the board. 1. 2-400,000 fish are unreported in the china glennallen fishery. This means for every fish legally taken and reported there are 2-4 fish not reported. 2. More fish were taken up river than in the commercial fishery in 2008.
27	Extend Chitina Subdistrict personal use fishery boundary.	Support 9-0		Chitina fish do not get utilized as much. This may take some pressure off of the fish bound for the upper Copper fisheries.
44	Establish a commercial shrimp pot fishery management plan	Oppose 3-6	We are opposed to any commercial shrimp fishery at this time. If a commercial fishery is created in the future, it must limit commercial fishing by are. Commercial pots must be kept away from the popular fisheries around the ports of Valdez, Whittier, and Seward. There needs to be a high allocation above the current harvest to the sport fishery before any commercial fishery is opened.	According to ADF&G this fishery was destroyed by the over-exploitation of commercial fishermen (not the oil spill). Now it looks like there might be a small surplus and they want to jump back in. We should wait until the next board cycle to make sure there are enough shrimp to provide for a sustainable and economically viable fishery. This seem like a small price to pay for ruining a fishery for over 20 years. Thousands of Alaska residents participate in the pot shrimp fishery, these are nearly ALL Alaska residents that use these shrimp for food. The Anchorage AC heard from many constituents regarding this fishery. Most agree that shrimp is not as good as it should be, yet, and have even suggested reduced pots for the sport fishery. Other fish (halibut, rock fish, crab) available to day fishermen from Prince Williams Sound ports are becoming harder to get forcing people to rely on shrimp to make a trip worth the effort.
108	Extend king salmon season on the Klutina River to August 10	Support 9-0		In 1999-2003, 30-4% of the King run entered the river after the close of the season according to the tagging study done by Eyak. ADF&G is using a year in which the counter was not functional after the season close to come up with their 25% of fish after the close. This number was as high as 67% in 2000. Since 2004 the runs have been trending later and later. In 2008 the bulk of the late run showed up July 30 making for only 2 marginally good fishing days. The decision to close the season was made after one single day of sampling by a biologist. She determined that there were some fish that may be close to spawning. The vast majority of kings that will be in spawning condition at this time will be located above mile 13. Fishermen have noticed the late run fish (mainstem spawners) arriving later and later while ADF&G refuses to admit there are two separate runs of fish. The early (June) run fish (tributary spawners) have dwindled to a point that they are hardly worth pursuing. The fish caught the last week of July are generally as good or better quality (color and size) than those caught earlier in the year. Klutina fishermen seldom (if ever) catch fish that are actually in spawning condition in the lower 13
109	Extend King salmon season on the Tonsina River to August 10	Support 9-0		38% of the King salmon enter the river after the season closes. The Tonsina is the least exploited major King Salmon river in the Copper System. This is a late run, much later (about three weeks) than the Gulkana but closes at the same time.
110	Allow retention of unintentionally hooked sockeye salmon	Oppose 0-9		Intentional snagging is neither sporting or safe fishing practices
111	Prohibit removal from water any salmon not retained	Support 9-0		snagged fish are often abused before release. Many of these fish will not survive. These fish are part of a greater allocation and must be accounted for.
113	Close Klutina and Gulkana rivers to power boat use 2 days/week	Oppose		This proposer has obviously never fished the Klutina or Gulkana. Backtrailing is seldom used and is NOT even close to the most effective fishing method in these rivers. The Klutina River is a rocky class 3-4 whitewater river that will never be affected by powerboat traffic. All boats operating on the Gulkana are small flat bottomed boats due to the shallow water. These boats create a small wake.
118	Restrict commercial activity by participants of subsistence fisheries	Support	Amended: one week instead of one month. This will allow for a reasonable subsistence opportunity	One month is too restrictive. One week will fix the problem.
119	Prohibit homepack of king salmon in Copper River District	Oppose		This will actually increase overall take because fishermen will just sell the fish they would have taken in the homepack and have to use the subsistence fishery to fill their freezer.
128	Delay commercial fishing until 5,000 fish pass Miles Lake soneer	Support		Fisheries may be depleted in the commercial fishery before ANY fish enter the river.

Mr. Chairman, sir, other members of the board, I thank you for taking the time to come and listen to us here in Cordova. My name is Mike Babic I am a 4th generation cordovan, copper river gillnetter, seiner, and a member of the native villiage of Eyak. I am here today not only to represent myself, but also as a Co-Chairman of CDFU's gillnett division. So I will start by discussing a few proposals we at CDFU feel are most important. These are 1, 25, 27, 128 and 132.

Starting with #1, we greatly oppose, as you all know this issue has been brought up many times in recent years, but the simple fact remains, there isn't any new information relevant to the 8 criteria. We feel the fishery is currently structured correctly, and to change it would be very detrimental to the whole river system. The next issue is #25 we also oppose this it is a highly allocative issue on a already fully allocated river. The current limits have been put in place for reasons and are achieving the goals they intended. And it is quite problematic and complicated to be reporting personal use on a completely different sport licence, basically in a sense this is combining 2 fisheries to create larger limits for personal use fishermen.

Next we oppose #27 this is also a highly allocative issue on a fully allocated river system. The Chitna river stocks are already currently sufficiently harvested in the chitna subdistrict. Extending the fishery would put additional undue pressure on the already fully utilized chitna runs. Also there has been no historical harvest with this gear type in this area.

Next we oppose # 128 this is also a highly allocative issue on a fully allocated fishery. This proposal has the potential to tear apart the framework that our fishery has been managed by, for years, quite successfully. It would certainly cause great over escapement of early stocks as by the time 5,00 fish pass by the miles lake sonar there will be 3,000 to 150,000 fish behind them already in the river, and past the commercial fleet. That would have the potential to devastate the sm all upriver streams to possibly have hundreds of thousands of extra over escape d salmon show up in just a few days.

Next we support #132 The inside closures area great tool in times of shortage, but on a regular strong run with plenty of fish it may not always be necessary for 2 mandatory inside closures. Especially when fish and game already has the capacity to enact closures if they feel they are necessary to protect a weak run. Some information on escapement from this past year at Tanada weir on Tanada Creek, since the early 90s they have averaged only 5 kings per year over the weir but in 2008 there were 137 counted. So if fish are retiring to upriver stocks much more stronger than previously, then maybe we don't need the MANDATORY

inside closures both first weeks of the season, since our department does such a good job managing our fish for sustainability already we think their discretion for inside closures is adequate.

That will conclude the CDFU part of my testimony, now I will be testifying for myself and family.

I support #8 this is a very low volume fishery with most likely the same users year after year only catching an average of 4,500 sockeye and 625 chinook per year. So spreading the minuscule harvest out over only 2 more weeks would be helpful to all local users.

I support # 13 as Bruce Cain said a fishwheel can be extremely effective catching in excess of 16,000 fish each annually, so these machines do have the power to devastate our runs if misused, so I thought maybe spreading them out a little more could help more salmon reach their spawning beds

I support # 17 as I have stated in the proposal it would require a family to eat 5 and a half pounds of salmon fillets each day 365 days a year to consume all this salmon, I can't realistically see who could eat all that, and if you like to share your fish with family and elders then it is as simple as bringing them to fish and game and signing up to proxy their permits for them

I support #18

I support #75 I feel if the set gillnets allocation is 4% they should be held to it as other user groups are, with their allocation already being increased 400% from 1% I think this is only fair.

I support #102 I have seen firsthand the detrimental effects of over fishing on some streams north of the highway I think we should protect them all now before any more have problems

I support 104,105and106 because they help with king salmon escapement

I oppose 107,108,and109 these are highly allocative issues on a fully allocated river.

I oppose #110 snagging is illegal in fresh water why make an exception?

I support #125 I feel this is an important traditional fishing area in the Bering river dist. If restricted to less than 1 mile from shore interception would be at a minimum as fish on the beach would be local fish destined for the copper or Bering rivers.

If 132 fails I support 130 as a compromise

To: Alaska Board of Fish Members
From: Kathy Halgren
December 2, 2008

RC 42

For the record, my name is Kathy Halgren, I have a home at 902 Ingress and I am representing myself.

Thank you, Mr. Chairman and Board Members for coming to Cordova and the endless hours you give from your lives to attend these meetings, listen to staff reports, and hear public testimony.

If you were hungry Monday morning and couldn't find a restaurant open in town, I apologize. Our community used to thrive year round with multiple fisheries, creating numerous jobs, causing an economic ripple effect through the community-- resulting in a choice of restaurants. As you heard from the staff reports, the crab, shrimp, and all five herring fisheries have been closed. In addition, the salmon fleet has suffered from record low pink prices. After the spill, the price of pink salmon plummeted and when we thought it couldn't go any lower, it continued to drop. I quit fishing during pink season, at the low price, it didn't pay for fuel and nets. Half the seine fleet also quit fishing, most often because they didn't have a market for their pink salmon at any price. The good news is there is hope the shrimp are coming back and there is demand for pink salmon. The pink salmon price has increased and it is once again a viable fishery. Pink salmon are now worth at least what they were worth back when I started gillnetting, in 1975.

For the Ahtna Natives, salmon are important historically, culturally, socially, and spiritually. The fish harvested in Chitna and Glenallen are recreational. I oppose consideration of proposal 1 until there is new information, this issue does not warrant review by this board.

I support all of the proposals submitted by the Department with the exception of proposal 122. I support the need for better marking but disagree with the specification of a "red" buoy, myself, I prefer pink. Can it be bright colored?

I support proposals 16, 17, 19, 20, 24, and 26.

I oppose proposals 22, 23, 25, and 27

I support proposals 62 & 63 requiring remove of buoys from inactive sites during a fishing opener. Yesterday you heard the reaction of a set net permit holder when asked if buoys are sometimes left to interfere with the drifters--his response made my case.

I oppose proposal 68.

When the Salmon Allocation Management Plan was adopted by this Board in 1991, the Chum salmon were "for the explicit benefit of the gillnet fleet." When the pink salmon price plunged, PWSAC made more opportunity available to help the seine fleet. This involved going against one of the basic premises of the Allocation Policy, but it was seen a necessary bailout because of the extremely depressed pink salmon price. Now that the market has turned around and pink salmon prices have improved, the chum salmon rescue plan for the seiners, "the piggy bank" goes to the gillnet fleet.

How can a new opportunity that was developed as a "piggy bank" be thought of as a lost opportunity? The piggy bank recipient only changes to improve the equitable division of the harvest value of enhanced salmon. Therefore I oppose proposals 69 and 70.

In Proposal 71, the issue is allowing historic access. How far in history, do we want to go? Should the board also consider allowing gillnets in Valdez Arm? Or that before the Coghill District was established, gillnet gear could be used throughout Prince William Sound? No. In 1991, the fleet agreed to a migration corridor, which provides good management for individual salmon stocks therefore I oppose proposal 71.

In Proposals 72, 73, and 74 the issue is underutilization of salmon in the Coghill district and over escapement to Coghill River.

In 1961, the Coghill District was open from Monday morning until Saturday morning. In 1970, this board limited the duration to Friday night. In 1979, this board again shortened the weekly fishing period before July 1 to four days and limited the depth of gillnets to 60 meshes. This board made these management changes to protect the early Coghill Sockeye against an ever increasingly efficient fleet, a trend that has continued. Fish & Game now has the ability to open and close the district by Emergency Order and can increase the duration of fishing periods if the Department has concerns about over escapement.

The real goal of proposals 72, 73, and 74 is to give the seine fleet increased opportunity to intercept Main Bay enhanced sockeye and Esther enhanced chum. This would defeat the efforts developed by this board to maintain the equitable distribution of enhanced salmon.

I support proposal 75 and oppose 76

Proposal 77 would establish an ending date for pink salmon management in the Esther Sub-District. There is a date when the Department switches from sockeye management to pink management in the Coghill District and therefore it seems reasonable to have a date for switching from pink to silver management. In 2003, there was a good argument to leave the area open for the harvest of pink salmon beyond August 31; however, the following year there were not any pink salmon to harvest after that date. The Department tallies fish tickets after

every closure with processors producing estimates that are very timely and accurate. After August 31, the catch at Esther should be closely monitored and open to the seine fleet only by Emergency Order for the harvest of surplus pink salmon. If there is a surplus, the managers will hear about it before the fish tickets arrive in town.

The twenty-year historic catch average used for the Allocation Policy had the set net fleet catching less than 2% of the harvest value in area E. The rule of thumb was that the seiner makes twice what a drifter makes and the setnetter earns half what the drift gillnetter does. If you figure the historic catch that is how it works out. (\$100/\$50/\$25)

Giving the set gillnet fleet 4 % was more than generous. It gave the average set gillnetter the opportunity to harvest more than the average drifter. Raising the trigger percentage to 7% allows the average set gillnetter the opportunity to harvest more than a seiner before any action is taken. I know there are only 32 set gillnet permit holders but why should they be given the opportunity to catch four times their historic catch before any restrictions? As in my example the set gillnet permit holder historically caught \$25, they were given more than \$50, and now they want more than \$100. I oppose proposals 78 & 79

I support proposal 80

I oppose proposal 81. This issue should be resolved with the Regional Planning Team.

I really strongly oppose proposal 82. Two boats working a net is very different from one boat working two nets. I go anchor, while you go pick fish and deliver? Then I'll go fish and deliver while you go to Hawaii.

I support proposals 104, 105, 106, 111, 112, and 113

I oppose proposals 107, 108, 109, 110, 114, 118, 119, 121, 126, 128, 129, and 131

I support proposals 130 and 132

When I started fishing with my own boat we could hang king web on the bottom of a red net. Regulations changed the web to a consistent mesh size so we were force to choose between fishing a king net or fishing for sockeye. In 1980, the Copper River had a very restricted fishery, which targeted only kings, we couldn't catch more than 10% sockeye or we would be shut down. Now we have lost our king nets, we have lost fishing time, we have lost fishing area. The intention of this board was for all users of the resource to feel the pain. Seems as though we continue to feel the most pain while other users want more time and area.

I would be happy to sit on Committee C; however, I will step aside for the young bucks who will live longer with the decisions you make today.

Record Copy (RC) LOG**Board of Fisheries, Prince William Sound Meeting, December 1-7, 2008, Cordova**

Log #	Date	Source	Description	Pgs.
RC1		ADF&G	Board Book	
RC2		ADF&G	Staff Comments	
RC3		ADF&G	Department Reports	
RC4		ADF&G	Subsistence Reports	
RC5		Native Village of Eyak	Estimating the Inriver Abundance of Copper River Chinook Salmon.	4
RC6		Native Village of Eyak	Spawning Distribution and Run Timing of Copper River Sockeye Salmon	11
RC7		Native Village of Eyak	Estimating the inriver abundance of Copper River Sockeye Salmon	
RC8		Native Village of Eyak	Length Frequency Distributions and Migration Speeds of Inriver Copper River Chinook and Sockeye Salmon, 2002-2008	
RC9		ADF&G	Sport Fish – Committee A & D Deliberation Materials	
RC10		ADF&G	Subsistence – Committee A Deliberation Materials	
RC11	11/18/08	Yukon River Drainage Fisheries Assoc.	Comments – Proposal 81	2
RC12	11/18/08	Whittier AC	Meeting Minutes and Comments	3
RC13	11/18/08	Gordon Scott	Comments – PWS Spot Shrimp	6
RC14	11/18/08	Kenai Soldotna AC	Meeting minutes and comments	2
RC15	11/19/08	Robert D. Mielke	Comments – Proposals 63, 75, 74, 77	1
RC 16	11/25/08	Seward F&G AC	AC minutes of October 23, 2008	1
RC 17	11/25/08	Fairbanks F&G AC	Memo re: Proposal 81	1
RC 18	11/25/08	Governor Sarah Palin	Letter re: Board Service	1
RC 19	11/25/08	National Park Service	Comment on Proposals	7
RC 20	11/25/08	Nushagak F&G AC	AC minutes of November 14, 2008	8

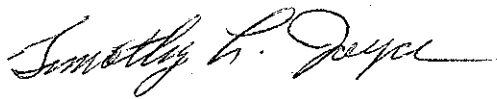
Record Copy (RC) LOG**Board of Fisheries, Prince William Sound Meeting, December 1-7, 2008, Cordova**

Log #	Date	Source	Description	Pgs.
RC 21	11/26/08	BBEDC	Proposal 369 comment	1
RC 22	11/26/08	Unalaska /Dutch Harbor F&G AC	AC minutes of November 22, 2008	4
RC 23	11/29/08	Jamie Ross	Proposal 83	3
RC 24	11/30/08	Central Peninsula F&G AC	Proposal 379 oppose out of cycle	1
RC 25	11/30/08	Central Peninsula F&G AC	Proposal 119 oppose	6
RC 26	12/1/08	Rod Campbell USFWS	PWS area map	1
RC 27	12/1/08	Seward F&G AC	AC comments on proposals	1
RC 28	12/1/08	Angela Vermillion	BOF testimony	2
RC 29	12/1/08	Tim Joyce - USFS	Proposals 100-102	6
RC 30	12/1/08	Anchorage F&G AC	AC comments on proposals	4
RC 31	12/1/08	ADF&G / CF	Deliberation materials	79
RC 32	12/1/08	Ecotrust	Color 11 x 17 maps	9
RC 33	12/2//08	ADF&G / SF	Region 2 Committee D Deliberation materials	13
RC 34	12/2//08	Copper River/PWS F&G AC	John Renner BOF testimony for AC	2
RC 35	12/2//08	Richard Burnham	Proposal 81 comments	11
RC 36	12/2//08	ADF&G / CF	Proposal 65 revised comments	2
RC 37	12/2//08	James Mykland	Prop 1, 65-66, 69, 71-74, 126, 128-129, 131	3
RC 38	12/2//08	Gordon Scott	BOF testimony	3
RC 39	12/2//08	James Mykland	Request to withdraw Proposal 77	1
RC 40	12/2//08	Aaron Bloomquist	Revised Anchorage AC comments	1
RC 41	12/2//08	Mike Babic	BOF testimony	2

Record Copy (RC) LOG**Board of Fisheries, Prince William Sound Meeting, December 1-7, 2008, Cordova**

Log #	Date	Source	Description	Pgs.
RC 42	12/2/08	Kathy Halgren	BOF testimony	3
RC 43				
RC 44				
RC 45				
RC 46				
RC 47				
RC 48				
RC 49				
RC 50				
RC 51				
RC 52				
RC 53				
RC 54				
RC 55				
RC 56				
RC 57				
RC 58				
RC 59				

Submitted by Timothy Joyce, Chairman of the Prince William Sound/Copper River
Regional Planning Team (RPT)



RC 44

Proposal 81 – Reduce Hatchery chum Salmon Production

Proposal 81 seeks to reduce hatchery chum salmon production at Prince William Sound Hatcheries. Hatchery salmon production is reviewed every year during the RPT public process when developing the hatchery Annual Management Plan. Permitted capacity is examined and any changes are submitted through a Permit Alteration Request which requires the approval of the Pathology section, the Genetics section, Commercial Fisheries Division, Sport Fish Division as well as the ADF&G Commissioner's Office.

In 1998, the following actions were taken by the RPT and later approved by the Commissioner of ADF&G:

- Removed 18 million chum salmon egg permitted capacity from Solomon Gulch Hatchery in Valdez.
- Removed 300,000 Chinook salmon egg permitted capacity from Solomon Gulch Hatchery in Valdez.
- Removed 10 million chum salmon egg permitted capacity from Perry Island Hatchery.
- Removed 10 million pink salmon egg permitted capacity from Perry Island Hatchery.

In 1999, the following actions were taken by the RPT and later approved by the Commissioner of ADF&G:

- Removed 13 million chum salmon egg permitted capacity from Armin F. Koernig Hatchery.
- Removed 30 million pink salmon egg permitted capacity from Armin F. Koernig Hatchery.
- Removed 5 million chum salmon egg permitted capacity from Cannery Creek Hatchery.
- Removed 31 million sockeye salmon egg permitted capacity from Wally Noerenberg Hatchery.

In 2003, the following actions were taken by the RPT and later approved by the Commissioner of ADF&G. These actions were taken to try to balance production with meeting the goals set with the adoption of the Prince William Sound Harvest Allocation Plan adopted by the Board of Fisheries.

- Increase the pink salmon egg permitted capacity by 30 million eggs at Armin F. Koernig Hatchery.

- Remove 30 million pink salmon egg permitted capacity from Wally Noerenberg Hatchery.
- Increase the chum salmon egg permitted capacity by 37 million eggs at the Wally Noerenberg Hatchery.

In 2006, the following actions were taken by the RPT and later approved by the Commissioner of ADF&G:

- Increase the chum salmon permitted capacity of Wally Noerenberg Hatchery by 17.6 million eggs.
- Remove 27 million pink salmon egg permitted capacity from Wally Noerenberg Hatchery.

In 2007, the following actions were taken by the RPT and later approved by the Commissioner of ADF&G:

- Remove 34 million chum salmon egg permitted capacity from Wally Noerenberg Hatchery.
- Increase the pink salmon egg permitted capacity by 55 million eggs at Wally Noerenberg Hatchery.
- Remove 28 million pink salmon egg permitted capacity from Armin F. Koernig Hatchery.
- Increase the chum salmon egg permitted capacity by 17 million eggs at Armin F. Koernig Hatchery.

Since 1998 the sum total of permitted capacity changes for all Prince William Sound hatcheries for each species are as follows:

- Reduction of 8.4 million chum salmon egg capacity
- Reduction of 40 million pink salmon egg capacity
- Reduction of 300,000 Chinook salmon egg capacity
- Reduction of 31 million sockeye salmon egg capacity.

RC 45

Supporting information - for Proposal 96

Same regulation approved for Southeast Alaska.

Prince William Sounds commercial harvest of pink salmon is equal to or greater than Southeast. I took 4 years at random - 2000, 2003, 2005, 2007.

The total combined harvest for those 4 years for SE is 176,746, 000 million pink salmon. PWS harvested 214, 26,000 million pink salmon. Statewide harvest was 504,236,000

Prince William Sound and SE pink harvest is roughly 40% each of the total State harvest.

Using the same years for chum salmon SE harvested 42,805,000 chums during in 4 years, PWS harvested, 14, 642,000. Statewide harvest was 71,380,00.

SE averaged roughly 59% of the Statewide harvest and PWS 20% of the Statewide harvest.

Several years ago I witnessed two large black bears feeding on pink salmon. They would catch the fish, carry it up the bank, squish it with a paw and lick the eggs off the ground. If no eggs came out they got another one until they got full. The pile of fish those two bears had accumulated we crudely estimated to be 4500 fish.

A few hundred or even a few thousand pink and chum salmon will not have a negative biological impact on the fishery and will provide additional sport fishing opportunities to sport fisherman. More Alaskans may also find out that ocean caught pink and chum salmon are actually pretty darn good fresh.

From David Pinguoch
Po Box 623
Whittier AK 99693

Alaska Board of Fisheries Committee Report

COMMITTEE A

PWS and Copper River Subsistence and Personal Use
December 3, 2008

Board Committee Members:

1. Vince Webster (Chair)
2. William Brown
3. John Jensen

Alaska Department of Fish and Game Staff Members:

1. April Behr
2. Al Cain
3. Matt Evensen
4. Craig Fleenor
5. Glen Hollowell
6. Davin Holen
7. Jim Fall
8. Marianne See
9. Bill Simeone
10. Mark Somerville
11. Charlie Swanton
12. Tom Taube
13. Tim Viavant

Advisory Committee Members:

- | | |
|---------------------|--------------------------------------|
| 1. Aaron Bloomquist | Anchorage AC |
| 2. Mike Kramer | Fairbanks AC |
| 3. John Renner | Copper River/Prince William Sound AC |

Public Panel Members:

- | | |
|------------------------|--|
| 1. Rod Arno | Alaska Outdoor Council |
| 2. Mike Babic | Cordova Fisherman United, Gillnet Division |
| 3. Tom Haluska | Native Village of Eyak |
| 4. John Hopkins | Native Village of Eyak |
| 5. Mark Hem | Chitina Dipnetters Association |
| 6. Marilyn Joe | Chitina Village |
| 7. Wilber Joe | Village of Kluti-kaah |
| 8. Keith van den Broek | Native Village of Eyak |
| 9. Gloria Stickwan | Tazlina Village |
| 10. Linda Tyone | Ahtna Native Corporation |
| 11. Glen Ujioka | Copper River/Prince William Sound Native Fisherman |

Public Panel Members (Cont.):

12. Jennifer Yuhas Alaska Wildlife Conservation Association

Federal Subsistence Representative:

1. Rod Campbell USFWS, Office of Subsistence Management
2. Molly McCormic National Park Service
3. Tim Joyce U.S. Forest Service

The Committee met December 4 at 2:30 p.m. and adjourned at 5:00 p.m. The Committee reconvened on December 4 at 8:40 a.m. and adjourned at 9:45 a.m..

PROPOSALS BEFORE THE COMMITTEE WERE PROPOSALS 1-27.

PROPOSAL 1 - 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. Reclassify the Chitina dipnet fishery as a subsistence fishery.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC # 1,2, 5, 8.

Timely Public Comment: PC #2, 20, 21, 27, 30, 39, 41, 46, 48, 49, 50, 55, 59, 64, 66, 68.

Record Comments: RC # 10, 30, 34, 41, 53, 64.

Narrative of Support and Opposition:

- This is the eighth time this issue has been brought before the Board.
- The Board should determine if there is new information or that an error of law or fact was made in 2003 and if so make their decision based on the 8 criteria consistent with the direction from Department of Law.
- Six of the previous Board findings were negative and one was positive (1999).
- The Department noted that the 2003 Subsistence Division study was representative of the composition of dipnet permit holders.

Support:

- Public testimony at this meeting supported a history of subsistence use in this area, that this was new information, and that the 2003 Subsistence Division study excluded non-local users.
- The Board was urged to evaluate the proposal based on the use of the resource rather than the users. The 2003 Subsistence Division study compared users between the Glennallen Subdistrict and the Chitina Subdistrict.
- This proposal would not increase participation. The existence of a federal subsistence fishery in the Chitina Subdistrict was also cited as new information.
- The Department was urged to conduct a new subsistence study involving multiple Divisions and report back to the Board in three years.

Opposition:

- There is no new information from the department and public testimony did not provide new information.
- The Board was not in error in its 2003 decision.
- If there is new information, it should be evaluated over the next three years.
- The 2003 Subsistence Division study was representative of all use patterns.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks.

Oppose: Kenai, Soldotna, Copper River/PWS.

POSITIONS AND RECOMMENDATIONS (Continued)

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation

Substitute Language: None.

PROPOSAL 2 - 5 AAC 01.616. Customary and traditional uses of fish stocks. C&T determination for freshwater fish in Upper Copper/Susitna.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 6.

Timely Public Comment: PC #2, 11, 41, 46, 49.

Record Comments: RC #10, 28, 30, 40, 52, 53.

Narrative of Support and Opposition:

- The Department recommends that the Board review information in RC 4, Tab 5, and highlighted previous subsistence studies relating to evidence meeting the eight criteria.
- There are already subsistence regulations in place for this fishery and if the Board finds a negative C&T determination, the currently permitted subsistence fishery will be eliminated
- The proposal addresses stocks within the Sport Fish Upper-Copper/Upper Susitna Area. If adopted as written, the Board should consider modification to the Prince William Sound Area definition in the subsistence regulations.
- This fishery is managed by permit from the Glennallen area office, and permits can specify limits for specific species, methods and means.
- If a positive C&T determination is made, the Board should also consider making an "amount necessary for subsistence" (ANS) determination.

Support:

- All state residents will be eligible to participate.
- A C&T use determination was supported and it was noted that non-locals are currently getting permits and utilizing the fishery.
- The Board was urged to use consistency in evaluating the eight criteria. It was noted that this fishery has changed to primarily a rod and reel fishery.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Paxson.

Oppose: Matanuska Valley, Delta Junction.

POSITIONS AND RECOMMENDATIONS (Continued)

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 3 - 5 AAC 01.625 (b). Waters closed to subsistence fishing. Open Crosswind Lake to subsistence fishing.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 6, 7.

Timely Public Comment: PC #2, 10, 12, 46, 49.

Record Comments: RC # 9, 10, 28, 30, 2, 53.

Narrative of Support and Opposition:

- The Department stated that there are no biological reasons for prohibiting a subsistence fishery and the fishery would be managed and monitored by the permit process.
- This lake was closed to subsistence fishing prior to the first state subsistence law.
- Concern was raised regarding the use of gillnets to harvest lake trout and the Department stated that permit conditions would probably not allow gillnets for harvesting lake trout.
- The Department will work with the Board to develop regulations for gear by species in the future.
- Crosswind Lake was closed to subsistence and commercial fishing in 1969, prior to the passage of the first state subsistence statute, to provide for the developing sport fishery. The lake was not opened to subsistence fishing when the current subsistence law was passed in 1978.

Support:

- The Anchorage AC stated its opposition, but would not object if permit limits were current sport limits.
- Ahtna panel member stated there is a long history of subsistence fishing at Crosswind Lake.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Paxson.

Oppose: Matanuska Valley, Delta Junction, Homer.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 4 - 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. Restrict subsistence king salmon fishery in Copper River District.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 3, 4, 5, 8.

Timely Public Comment: PC #2, 15, 41, 46, 49, 50, 55, 64, 68.

Record Comments: RC #10, 30.

Narrative of Support and Opposition:

- The Department referenced the Dept. of Law comments stating that there must be new information or an error in law or fact the previous decision to reverse an existing C&T determination and that the Board should review the eight criteria only if new information is available.
- The Department stated that it has no new significant information on C&T uses of king salmon in the Copper River District.
- The Board was encouraged to evaluate the proposal based on the stocks used rather than the users and would like to see the Board focus on the C&T of the stock.

Support:

- The proposal should be evaluated based on customary use of the stock and not the users.
- One panel member emphasized that the C&T criteria should be evaluated consistently.

Opposition:

- It was stated that this was a long standing subsistence fishery.
- There is no new information to support revisiting the C&T finding.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Delta Junction, Fairbanks.

Oppose: Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 5 - 5 AAC 01.620(x). Lawful gear and gear specifications. Marking requirements for subsistence drift gillnet gear.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 8.

Timely Public Comment: PC #41, 55, 59, 68.

Record Comments: RC #10.

Narrative of Support and Opposition:

- The Department stated that this proposal was to allow gear identification to be read more easily from a small skiff.
- One-inch letters are sufficiently large, and that one-inch letters are consistent with regulations in other subsistence fisheries.

Support:

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 6 - 5 AAC 01.640. Marking of subsistence-taken fish. Modify marking of subsistence-taken fish in Copper River District.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 5, 7, 8.

Timely Public Comment: PC #6, 41, 59, 68.

Record Comments: RC #10, 30.

Narrative of Support and Opposition:

- The Department submitted this proposal because it can be difficult to distinguish clips that are only the tips of the lobes and that removal of the lobes would make enforcement easier.
- Concern was expressed over subsistence fish being diverted to commercial markets.
- The Department noted that this regulation would only apply to the Copper River District and that the regulation in the Chitina and Glennallen Subdistricts would remain as tips of the lobes.
- The Department noted that this proposal, as well as proposals 5, 7, and 10, address subsistence regulations for portions of the area. The Board should consider making a C&T finding as well as an ANS finding.

Support:

- This regulation would align all subsistence fisheries to the same standard.

Opposition:

- Regulation would be discriminatory unless applied statewide.
- It is also difficult to hang fish to dry if lobes are removed.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley, Fairbanks, Homer.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 7 – 5 AAC 01.645(b). Subsistence bag, possession, and size limits; and 5 AAC 01.620(b)(3). Lawful gear and gear specifications. Clarify legal subsistence gear for Prince William Sound.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #59, 68.

Record Comments: RC #10, 30.

Narrative of Support and Opposition:

- The Department stated that this proposal would add the definition of gear to the regulations and is a housekeeping proposal.

Support:

- The proposal would clarify existing regulations.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 8 - 5 AAC 01.647(j). Copper River Subsistence Salmon Fisheries Management Plans.
Open subsistence season May 1 in Copper River District.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 5, 8.

Timely Public Comment: PC #21, 41, 46, 49, 55, 59, 68.

Record Comments: None.

Narrative of Support and Opposition:

- The Department noted that this proposal could result in an increase in harvest and effort, that this effort would target early-run fish and that there is currently ample opportunity for subsistence users.
- The fishery has opened around May 12th and that the opening date was moved to conserve upriver escapement of early-run fish.

Support:

- This fishery is tightly regulated, and the current system limits some users who do not own their own gear and boats.
- There would be a benefit even if the subsistence opening was even a few days earlier, if not on May 1st.
- Early openings could provide information to the Department for management.

Opposition:

- This fishery is fully allocated and the additional effort could lead to a conservation concern.
- There are conservation concerns regarding early-run stocks of salmon.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: None.

Oppose: Matanuska Valley, Fairbanks, Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 9 - 5 AAC 01.647(j). Copper River Subsistence Salmon Fisheries Management Plans. Open subsistence season May 10 in Copper River District.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #5, 8.

Timely Public Comment: PC #21, 41, 46, 49, 55, 68.

Record Comments: None.

Narrative of Support and Opposition:

- This proposal is similar to Proposal 8 and the Department has similar concerns. There was discussion of the use of harvest information as a management tool and the Department noted that subsistence harvest information would not be useful for inseason management, even with timely reporting.
- This effort would not be representative of the run since the effort is not random or systematic. The fishery currently opens within 48 hours of May 15 if there is no commercial opening.

Support:

- This would provide information for management, and because the fishery is under a 30 fish limit.
- An earlier opening would not lead to increased harvest. Users must use different gear, which can cost \$1800 to \$2000, and so people fish together. Participation in the current fishery by commercial fishermen leads to a loss of opportunity.

Opposition:

- The fishery is fully allocated and this proposal could lead to increased harvest of early-run fish, and more king salmon are caught in the early period.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: None.

Oppose: Fairbanks, Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 10 - 5 AAC 01.610(x). Fishing seasons; 5 AAC 01.647. Copper River Subsistence Salmon Fisheries Management Plans; and 5 AAC 01.648. Prince William Sound Subsistence Salmon Fisheries Management Plans. Amend subsistence fishing season in PWS and Copper River districts.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41, 59, 68.

Record Comments: RC #10.

Narrative of Support and Opposition:

- This proposal would consolidate regulations into one place. The effect of the proposal would be to change the ending date of the subsistence fishery in the Copper River District to October 31.
- Because the fishery is almost over, the addition of one month would not significantly increase harvest.
- There are no conservation concerns for these stocks.

Support:

- The proposal clarifies existing subsistence regulations.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 11 - 5 AAC 01.648. Prince William Sound subsistence salmon fisheries management plans. Eliminate restrictions on subsistence permit insurance in PWS.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41, 59, 68.

Record Comments: None.

Narrative of Support and Opposition:

- This is a housekeeping proposal that would fix a regulation left over from when subsistence use was only legal for rural residents.

Support:

- A C&T determination can not favor any one community. Passing the proposal, amended to only issue permits in Cordova, Tatitlek, and Chenega Bay, would implement a rural preference
- The proposal should be passed as written.

Opposition:

- Issuing permits in any location could encourage additional participation by non-local users.
- If permits were only issued in some locations, users from anywhere in the state could still get permits in that location.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 12 - 5 AAC 01.630(e)(6). Subsistence fishing permits and 5 AAC 01.620 Lawful gear and gear specifications. Reformat regulations on fish wheel specifications.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 8.

Timely Public Comment: PC #41, 59, 68.

Record Comments: # 53.

Narrative of Support and Opposition:

- This is a housekeeping proposal. The proposal would relocate regulations within the codified regulations.

Support:

- Public panel supported this as a housekeeping proposal.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to support as housekeeping.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 13 - 5 AAC 1.620. Lawful gear and gear specifications. Increase distance between fish wheels from 75 to 300 feet.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #24, 41, 46, 55, 64.

Record Comments: RC# 9, 28, 30, 53.

Narrative of Support and Opposition:

- The Department stated the proposal is too restrictive and there is no conservation concern.
- The Federal Subsistence representative stated that federal regulations are currently aligned with state regulations and that adoption of the proposal would allow a federally-permitted fishwheel to legally be placed between two state permitted fishwheels, which would then require the state permitted fishwheel to be moved.
- The Department stated that some wheels are used by both federal and state permit holders.
- The submitter of this proposal requested that the proposal be withdrawn, and stated he would submit an RC noting this.

Support: None.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Delta Junction, Matanuska Valley, Fairbanks, Copper River/PWS.

Oppose: None.

Public Panel Recommendation: None, based on request for the proposal to be withdrawn.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 14 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Prohibit dipnetting within 30 feet of a fish wheel.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5.

Timely Public Comment: PC # 24, 41, 46.

Record Comments: RC #9, 30, 53.

Narrative of Support and Opposition:

- Department is neutral based on the allocative nature of the proposal. This proposal only applies to the Glennallen Subdistrict.
- The Federal Subsistence representative noted that federal regulations are currently aligned with state regulations and adoption of this proposal would lead to regulatory problems.

Support: None.

Opposition:

- If adopted, the proposal would result in reduced subsistence opportunity.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Delta Junction, Matanuska Valley, Fairbanks.

Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 15 – 5 AAC 01.630(e)(9) Subsistence fishing permits and 5 AAC 01.645(a). Subsistence bag, possession, and size limits. Reformat regulations for subsistence annual possession limits.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 8.

Timely Public Comment: PC #59, 68.

Record Comments: # 53.

Narrative of Support and Opposition:

- This is a housekeeping proposal that would make the regulations easier to understand.

Support: None.

- Public panel supported this as a housekeeping proposal.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to support as housekeeping.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 16 - 5 AAC 01.645. Subsistence bag, possession, and size limits. Modify annual limits in the Glennallen Subdistrict subsistence fishery.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 5, 8.

Timely Public Comment: PC #41, 46, 55, 64.

Record Comments: RC # 9, 40, 42, 53.

Narrative of Support and Opposition:

- The Department is neutral due to the allocative aspects of the proposal.
- There are no biological concerns regarding this fishery.

Support:

- Concern over abuse of existing limits.

Opposition:

- There is no new information, and there is little abuse of current limits. Those with legitimate needs should not be punished because of the abuse by others.
- Current limits provide for subsistence needs.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Delta Junction, Copper River/PWS.

Oppose: Fairbanks.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 17 - 5 AAC 01.630. Subsistence fishing permits. Modify annual limits in the Glennallen Subdistrict subsistence fishery.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 5, 7, 8.

Timely Public Comment: PC #38, 41, 46, 50, 55, 59, 64, 68.

Record Comments: RC # 9, 42, 52.

Narrative of Support and Opposition:

- This proposal is similar to proposal 16. The public panel agrees to reference comments made during proposal 16.

Support: None.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Delta Junction, Copper River/PWS.

Oppose: Fairbanks.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 18 - 5 AAC 24.360. Copper River District Salmon Management Plan. Amend Copper River Management Plan to include harvest monitoring.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #5.

Timely Public Comment: PC #15, 2, 41, 49, 46.

Record Comments: RC # 9, 53.

Narrative of Support and Opposition:

- This proposal would result in redundant regulations and conflicts with current management plans.
- The previous Chitina Office was not a check station and was primarily in place to issue permits and provide information.
- The Chitina Office was closed when permit distribution was expanded to numerous locations in Southcentral and Interior Alaska.

Support:

- This is a requirement of the commercial fishery and would make reporting consistent between fisheries.
- There is a need for better and more timely reporting. There is need for better reporting because there is a delay in reporting.

Opposition:

- Management of the fishery is currently by sonar counts, and there is no inseason management based on harvest reporting.
- Daily reporting would represent an unreasonable burden on subsistence users.
- The fishery has limited access and enforcement personnel can adequately cover the fishery.
- The fishery is in a remote area with limited cell phone coverage making it difficult to report harvests.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

Oppose: Fairbanks.

Public Panel Recommendation: No consensus.

POSITIONS AND RECOMMENDATIONS (Continued)

Board Committee Recommendation:

Substitute Language: None.

PROPOSAL 19 - 5 AAC 01.630. Subsistence fishing permits. Require daily harvest reporting in Glennallen Subdistrict fishery.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 5, 8.

Timely Public Comment: PC # 15, 21, 38, 41, 46, 50, 55, 59, 64, 68.

Record Comments: RC # 9, 30, 42, 53.

Narrative of Support and Opposition:

- The Department stated that proposal 19 and 20 are very similar as 19 requests daily harvest reporting and 20 requests 48-hour harvest reporting.
- Current harvest reporting is not used for inseason management and this would place an undo burden on the Department and users.
- Currently harvests must be recorded immediately, but are not reported until the end of the season. Fines can be levied for failure to complete harvest reports in the field.
- The Board noted that they have no authority to compel the Department to expend funds.

Support:

- There is a need for better reporting.

Opposition:

- Daily reporting will not be used for inseason management. This proposal would be discriminatory unless applied to all districts and subdistricts.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Copper River/PWS.

Oppose: Fairbanks.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 20 - 5 AAC 01.630. Subsistence fishing permits. Require harvest reports within 48 hours in Glennallen Subdistrict.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 5, 8.

Timely Public Comment: PC # 15, 21, 38, 41, 46, 50, 55, 59, 64, 68.

Record Comments: RC # 9, 30, 42, 53.

Narrative of Support and Opposition:

- The panel agreed to reference the comments in proposal 19.

Support: None.

Opposition: None.

SSEFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Copper River/PWS.

Oppose: Fairbanks.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 21 - 5 AAC 01.620. Lawful gear and gear specifications. Allow retention of rockfish and lingcod taken in subsistence fisheries.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #23, 41, 46.

Record Comments: RC # 10, 30.

Narrative of Support and Opposition:

- This proposal is intended to address a conservation concern.
- Holders of federal subsistence halibut reporting certificate currently must release rockfish and lingcod caught as bycatch if they are fishing with more than five hooks, resulting in waste of the resource.
- The Department has data on bycatch, and existing harvests are small.
- There is currently both a C&T finding and ANS for these species.

Support:

- Public panel agreed that passage of the proposal would reduce waste of fish.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 22 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Increase annual limit of personal use sockeye salmon.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #2, 15, 21, 24, 27, 38, 39, 41, 46, 49, 50, 55, 59, 64, 68.

Record Comments: RC # 9, 19, 28, 30, 42, 53, 61.

Narrative of Support and Opposition:

- The Federal Subsistence Representative stated that they opposed the proposal as written because adoption of the proposal could lead to increase harvests and impact upriver subsistence users.
- If the proposal were adopted, additional fish would have to be allocated for upriver users.
- The current regulations allow the Department the flexibility to manage for any harvestable surplus and this proposal would reduce that flexibility.
- It was noted that there is an error in PC 24, page 5, second paragraph and the words "escapement goals" should be replaced with "sonar passage."

Support:

- This proposal was intended to align these regulations with other personal use salmon dipnet fisheries.

Opposition:

- Increased harvests in the Chitina Subdistrict could lead to less fish available for upriver subsistence users and could negatively effect spawning escapements.
- This is a highly allocative proposal on a fully allocated stock.
- Concern over increased conflicts between user groups.
- There is a need for more upriver escapement.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks.

Oppose: Delta Junction, Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 23 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Change time period for setting supplemental periods.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #2, 15, 21, 39, 41, 46, 49, 50, 59, 64, 68.

Record Comments: RC # 9, 30, 42, 53.

Narrative of Support and Opposition:

- The Department is opposed to this proposal because the increase in complexity in the proposed setting of supplemental periods would be confusing to the public.
- The proposal would likely result in an increase in the number of supplemental periods.
- The Department has no conservation concerns regarding the proposal, but the proposal would complicate management unnecessarily.
- The proposal is also allocative.
- Calculating the supplemental period differently is not an inconvenience, however there would be increased confusion by permit holders.
- The Committee chair stated that if the users wished to work together on an alternative solution, they should submit an RC.

Support:

- These fish represent a harvestable surplus.
- Inconvenience to the Department is not a valid reason to not adopt the proposal.
- The travel time between the sonar counter and the fishery often results in users not having access to the harvestable surplus.
- The proposal would reduce the time necessary for the Department to notify the public when supplemental periods occur.

Opposition:

- This proposal could lead to an increase in violations.
- Under the current system, supplemental periods do not always target the harvestable surplus.
- This could lead to increase harvests of less abundant stocks.
- The system of setting supplemental periods needs to be restructured to better target the harvestable surpluses and Gulkana Hatchery fish.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks.

POSITIONS AND RECOMMENDATIONS (Continued)

Oppose: Delta Junction, Copper River/PWS.

Public Panel Recommendation: No Consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 24 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management.
Restrict supplemental permits if commercial fishery closes.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #15, 27, 41, 46, 49, 50, 55, 59, 68.

Record Comments: RC # 9, 30, 42, 53.

Narrative of Support and Opposition:

- The Department is neutral on the allocative aspects of the proposal, but opposed to the biological implications.
- The proposer and the Copper River/PWS AC recommended that the proposal be amended to only ban supplemental periods for two weeks after an eight-day closure of the commercial fishery instead of for the remainder of the season.
- A question was asked regarding whether or not the proposal would increase participation. The Department stated that changes in the number of permits issued is more related to changes in access to the fishery.

Support:

- The commercial fishery is very rarely closed for three consecutive periods, even during an eight day period.

Opposition:

- Setting supplemental periods should be established based on sonar counts, and should not be tied to commercial openings

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral/Opposed.

AC Positions:

Support: Copper River/PWS.

Oppose: Delta Junction, Matanuska Valley, Fairbanks.

Public Panel Recommendation: No Consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 25 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan; and 5 AAC 52.024. Harvest record required; annual limit. Increase PU king salmon limit and modify recording requirement.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #2, 21, 24, 27, 38, 39, 41, 46, 49, 50, 55, 59, 64, 68.

Record Comments: RC # 9, 19, 28, 30, 41, 42, 53.

Narrative of Support and Opposition:

- The Department is neutral on the allocative aspects of this proposal.
- Based on previous harvest data from when the king salmon personal use limit was 4 fish, this proposal could lead to increased combined harvests in personal use and sport fisheries.
- Adoption of the proposal would lead to enforcement problems related to confusion over reporting requirements and would leave a loophole in the regulations.
- The Federal Subsistence representative and the National Park Service stated they are opposed to the proposal because it could lead to increased king salmon harvests, could reduce the number of fish available to subsistence users in a fully allocated fishery, and would negatively affect federal subsistence users.

Support:

- The proposal would not increase total harvest, but would only shift harvest from sport to personal use. The intent of the proposal was not to reduce subsistence harvests.

Opposition:

- Concern over increased harvests effecting upriver subsistence users. There has already been a decrease in king salmon. This is a fully allocated fishery. There is already opportunity to harvest 5 king salmon in the Glennallen Subdistrict.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks.

Oppose: Delta Junction, Copper River/PWS.

Public Panel Recommendation: No Consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 26 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Require reporting by transporters in personal use fishery.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #15, 21, 38, 41, 46, 49, 50, 55, 59, 64, 68.

Record Comments: # 28, 30, 42, 53.

Narrative of Support and Opposition:

- The Department is opposed because this would create duplicate reporting and is not needed for management of the fishery.
- The way the proposal is currently written, any person using a boat to access the fishery would be required to report, and if adopted, a definition of the "transporter" would need to be created.

Support:

- This is not an unreasonable burden. There needs to be better reporting. Salt water guides are required to do this, and this would improve safety.

Opposition:

- This would be an unreasonable burden and is redundant.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

Oppose: Delta Junction, Copper River/PWS, Matanuska Valley, Fairbanks.

Public Panel Recommendation: No Consensus.

Board Committee Recommendation: No recommendation.

Substitute Language:

PROPOSAL 27 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Extend Chitina Subdistrict personal use fishery boundary.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #2, 4, 5, 8.

Timely Public Comment: PC #21, 24, 39, 41, 46, 50, 55, 59, 64, 68.

Record Comments: RC # 9, 28, 30, 40, 41, 42, 53, 61.

Narrative of Support and Opposition:

- The Department is neutral on the allocative aspects of the proposal, but opposed to the biological aspects.
- The Federal Subsistence representative stated they were opposed because of increased harvest potential and the reduced number of fish available for subsistence users and spawning escapements.
- The National Park Service stated that this would lead to trespass on private lands, and that under current NPS regulations, only federally qualified users are allowed to dipnet within National Park lands.

Support:

- The intent of the proposal was to divert pressure in the Chitina Subdistrict away from stocks that migrate into the Glennallen Subdistrict and other upriver fisheries.
- These stocks are not subject to upriver sport and subsistence harvests.

Opposition:

- Concerns over trespass on private lands, especially culturally and historically sensitive sites.
- Concerns over increased harvests and the effects on subsistence fisheries and spawning escapements of small discreet stocks. These stocks are fully allocated.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral/Opposed.

AC Positions:

Support: Matanuska Valley, Fairbanks.

Oppose: Delta Junction, Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

Alaska Board of Fisheries Committee Report

COMMITTEE B

Prince William Sound Groundfish and Shellfish

December 4 and 5, 2008

Board Committee Members:

1. Mel Morris,* Chair
2. Bonnie Williams
3. Howard Delo

Alaska Department of Fish and Game Staff Members:

1. Tracy Lingnau, CF Reg. Mgmt. Biologist – note taker
2. Charlie Trowbridge, R-II Groundfish/Shellfish Area Manager
3. Dr. Ken Goldman, R-II Groundfish/Shellfish Area Research Biologist
4. Jeff Regnart, Region II CF Supervisor
5. Bob Berceli, PWS Groundfish/Shellfish Asst. Area Manager
6. Matt Miller, SF Reg. Mgmt. Biologist
7. Dan Bosh, SF Area Management Biologist
8. Jim Hasbrouck, Region II SF Supervisor
9. John Hilsinger, Director of Commercial Fisheries
10. Stephanie Moreland, Extended Jurisdiction, CF
11. Sue Aspelund, Deputy Director, CF
12. Rob Bentz, Deputy Director, SF

North Pacific Management Council

1. Chris Oliver, Executive Director NPFMC

Advisory Committee Members:

1. Jon Van Hyning, Whittier AC
2. Aaron Bloomquist, Anchorage AC

Public Panel Members:

1. Ricky Gease, KRSA
2. Bob Smith
3. Gordon Scott
4. Dan Hull, CDFU
5. Richard Casciano
6. Mike Glasen

Federal Subsistence Representative:

1. None

The Committee met on December 3 at 2:30 pm and recessed on December 3 at 5:00

The Committee reconvened on December 4 at 9:00 am and adjourned on December 4 at 12:00 pm

PROPOSALS BEFORE THE COMMITTEE WERE: (30 Total) 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57.

PROPOSAL 28 - 5 AAC 27.310(b). Fishing seasons and periods for Prince William Sound Area. Amend regulation 5 AAC 27.310 (b) to allow the herring food and bait fishery to be managed by emergency order.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 49.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: None.

Narrative of Support and Opposition:

Department: The department submitted and supports this proposal.

Support:

- Public panel supported as a housekeeping proposal.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 43 - 5 AAC 28.089. Guiding principles for groundfish fishery regulations. Delete Sections 1, 2, and 5 of groundfish guiding principles.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 71.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: RC 54, pg 10.

Narrative of Support and Opposition:

Department: No comments.

Support:

- Indicative of the frustration concerning fisheries management and the loopholes necessary to have a fishery.
- Doesn't have real merit concerning department management actions.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No consensus.

Substitute Language: See RC 111.

PROPOSAL 30 - 5 AAC 28.210. Fishing seasons for the Prince William Sound Area.

Provide for a sablefish season in the Prince William Sound Area from April 15 through August 31. The later starting date is meant to reduce Orca whale depredations on sablefish.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 51.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 2.

Narrative of Support and Opposition:

Department: A season starting date of April 15 would likely reduce some occurrences of Orca depredation, but a starting date in May would further reduce that potential. Although some fishermen may have difficulty adjusting to a later fishing season opening date, the longer season would likely result in increased effort with a greater proportion of the GHL being achieved.

Support:

- This would allow salmon permit holders more time to fish salmon.
- Orca are not as prevalent beginning mid-April and fishers could successfully harvest sablefish.
- Fishermen starting mid-April fishing for sablefish have been successful.
- Supports continuous fishery with no break.
- Some support for a longer season beyond August 31.
- Some support of fishermen sampling their catch, if it was required.
- Concerning length of season, some there are indications that Orca start taking longline fish again in November.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed/Neutral.

AC Positions: Support: Whittier AC.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 29 - 5 AAC 28.210. Fishing seasons for Prince William Sound Area. Provide for a sablefish season in the Prince William Sound Area from May 1 through August 31.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 50.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 2.

Narrative of Support and Opposition:

Department: The department has been able to achieve sampling goals during the recent “extended” seasons, but is uncertain what effect a longer season during a slightly different period might have on this success.

Support:

- No public support for proposed dates but does support a continuous fishery.

Opposition:

- Would like earlier starting date than the department’s proposal.
- May 1 start date would not allow salmon permit holders reasonable opportunity to harvest sablefish.
- Some support for a longer season beyond August 31.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support/Neutral.

AC Positions: Support: Whittier AC; however, they would support the earlier date in Proposal 30 more.

Oppose: No comments.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 31 - 5 AAC 28.220. Permits for Prince William Sound Area (a) and 5 AAC 28.272. Sablefish harvest, possession and landing requirements for Prince William Sound Area (e),(f). Remove the commissioner's permit requirement from regulation 5 AAC 28.220(a) and add provisions of the commissioner's permit to regulation 5 AAC 28.272.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 52.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 2.

Narrative of Support and Opposition:

Department: These provisions of the commissioner's permit have been tested and fishery participants will benefit by having a complete regulatory reference rather than relying on the text of the permit.

Support:

- Public panel supported as a housekeeping proposal.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 32 - 5 AAC 28.210(c) Fishing Seasons for Prince William Sound Area. Amend the lingcod directed fishery season dates to July 1 - December 1 and allow individuals engaged in any PWS groundfish fishery and in possession of any State of Alaska groundfish permit to retain up to 10% dressed weight of lingcod as bycatch in other directed fisheries. If adopted, the regulation would be effective for three years beginning 1/1/2009.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 53.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 3.

Narrative of Support and Opposition:

Department: Retention of lingcod during nest guarding has the potential to reduce or eliminate recruitment from that year's mating pairs. Because all bycatch allowance is currently calculated using round weights, the department recommends that lingcod bycatch calculation remain consistent with the statewide regulation.

Support:

- Having a longer fishery would provide a more realistic stock assessment.
- Harvest would be low and would not affect health of the stock.
- Would support the ability to keep bycatch lingcod before and after the directed season without counting it against the GHL.

Opposition:

- No comments.

Neutral:

- Although neutral on proposal overall, users do support an increase in allowable harvest.
- Gillnet lingcod should be additive to the GHL and not be included as part of the GHL.
- Have seen substantial increase in sportfish catch, indicating a healthy stock.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed/Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support with amendment to allow lingcod bycatch after the closure of the directed fishery at a 20% round weight.

Board Committee Recommendation:

Substitute Language: Consensus to support with amended language.

(c) **Unless closed by emergency order, lingcod may be taken in a directed fishery from July 1 through December 31, and up to 20 percent as bycatch of the directed species, including halibut, on board the vessel** [LINGCOD MAY BE TAKEN ONLY FROM JULY 1 THROUGH DECEMBER 31].

PROPOSAL 33 - 5AAC 55.xxx. New section but the department believes it should be cited as **5 AAC 28.210 (c). Fishing Seasons for Prince William Sound Area.** Clarify the regulation governing retention of lingcod taken during a commercial gillnet season.

Taken up with Proposal 32

Staff Reports: RC 4.

Staff Comments: RC 2, pg 54.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 3.

Narrative of Support and Opposition:

Department: Clarity in regulations benefits both users and regulatory agencies. The department recommends the board consider amending 5 AAC 28.230 to clarify the conditions for retention of groundfish bycatch by salmon drift gillnet fishermen.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No action based on action taken on Proposal 32.

Substitute Language: None.

PROPOSAL 36 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

Allow vessels engaged in longlining for halibut in the Prince William Sound Area to retain Pacific cod if they are in possession of a Commercial Fisheries Entry Commission (CFEC) miscellaneous finfish permit, regardless of whether the parallel season is open.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 61.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66, 109.

Deliberation Material: RC 54, pg 4.

Narrative of Support and Opposition:

Department: If the board adopts this proposal, the department recommends consideration of restricting vessels retaining Pacific cod to a single gear type.

Dept. of Law: Noted that the board does not have legal authority to limit a fishery to specific permit holders.

NPFMC: Questioned how the halibut bycatch would be accounted. The International Pacific Halibut Commission (IPHC) would also want to know the bycatch rates. Halibut will be an issue raised and the board will need to be prepared to be able to address it.

General discussion public panel comments:

- Considering an early spring fishery prior to other species.
- Processors cannot grind and pump offal until the end of March.
- Parallel season opens January 1. The state fishery opens 7 days after parallel closes, which is typically sometime between mid-February and mid-March.
- The PWS Pacific cod fishery is exclusive vessel registration and participants cannot fish in other exclusive or superexclusive fisheries.

Support:

- This proposal has merit to allow harvest of Pacific cod in state waters while hopefully keeping bycatch down.
- Concerns about halibut bycatch, but at that time of year, halibut are less prevalent.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No recommendation.

Board Committee Recommendation: No consensus.

Substitute Language: See RC 113.

PROPOSAL 37 - 5 AAC 28.xxx. New regulation. Increase the current total bycatch allowance for those eligible to participate in the IFQ halibut and PWS limited entry sablefish fisheries, from 20% overall to a 20% allowance for Pacific cod plus an additional 20% for other groundfish species.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 63.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66, 109.

Deliberation Material: RC 54, pg 4.

Narrative of Support and Opposition:

Department: No comment.

Support:

- If amended to be applied to all groundfish, would not be unconstitutional.
- There would be less discard and an increase in ability to sell bycatch.
- Increase in effort unlikely and therefore rockfish harvest may not increase.
- The only catch increase in harvest could be lingcod.
- New substitute language addresses author's main intent, plus allowing commissioner's authority to provide flexibility to maintain bycatch levels.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Support with substitute language.

Board Committee Recommendation: No consensus.

Substitute Language:

28.267 (j) Notwithstanding 5 AAC 28.070, the commissioner may, by emergency order, open a season that in addition to the bycatch of other species specified in 5 AAC 28.070, the bycatch allowance of Pacific cod is up to 20 percent of the directed finfish species on board the vessel that has been taken with longline, pot, or mechanical jig gear. The landed weight of Pacific cod may not exceed 20 percent of the directed species on board the vessel. The

commissioner may, by emergency order, close a season and immediately reopen a season in which the bycatch limit for any species would be decreased.

PROPOSAL 34 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.
Allow for openings and closures by emergency order in the Pacific cod parallel fishery to coincide with the initial federal season in the Eastern Gulf of Alaska.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 56.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 4.

Narrative of Support and Opposition:

Department: The gear restriction and limits on the state waters season were intended to reduce both bycatch and inequities across vessel size groups. Jig gear has been untested in the state waters season. However, a benefit to a longer parallel season would be increased participation by small longline vessels. An important issue, when considering a year round parallel season, is the increased longline bycatch and attendant discard mortality of other more valuable species by fishers that are not eligible to retain those species.

NPFMC: Current protocol is that the North Pacific Fishery Management Council (NPFMC) looks at BOF proposals, identifies issues that may be of interest due to the potential effects on federal fisheries. The current timeline of the Board of Fisheries meeting does not allow the council to formulate official comments. There are no red flags on current PWS groundfish proposals but does have comments for specific proposals.

Specific to proposal 34, linking the PWS parallel season dates to the EGOA would result in the state fishery remaining closed and strand the state waters allocation. If longline gear was allowed, the potential increase in effort would increase halibut bycatch, thus achieving the prohibited species cap (PSC - 350 metric tons) sooner. For the first time in 3 years, the halibut PSC was action in 2008. Reaching the halibut PSC cap closes the directed federal/parallel Pacific cod fisheries.

The NPFMC is examining actions that could be affected by increasing effort. These include sector allocations and LLP recency. There was further discussion on how the fishery is prosecuted, how the harvest is calculated, and how these harvests affect both federal and state fisheries.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to oppose due to potential negative effect of having the PWS state water Pacific cod fishery not opening.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 35 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan. Link the PWS parallel Pacific cod season in those waters of the PWS management area east of 147°00 W. long., to the Eastern Gulf of Alaska (EGOA) Pacific cod season.

Taken up under Proposal 34

Staff Reports: RC 4.

Staff Comments: RC 2, pg 58.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 4.

Narrative of Support and Opposition:

Department: Dividing PWS into two different Pacific cod management structures, with different accounting depending upon area, would create both regulatory confusion and catch accounting problems. The gear restriction and limits on the state waters season were intended to reduce both bycatch and inequities across vessel size groups.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed/Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No recommendation.

Board Committee Recommendation: No action based on action taken on Proposal 34.

Substitute Language: None.

PROPOSAL 38 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.
Open the Eastern Section of the PWS Outside District to the state waters Pacific cod season.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 65.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 2.

Narrative of Support and Opposition:

Department: Opening the Eastern Section of PWS will increase harvest opportunity for Pacific cod during the state waters season. However, the department is concerned about the potential bycatch of Dungeness crab in groundfish pot gear in the central and eastern regions of this section.

Support:

- Would increase opportunity for Pacific cod pot and jig gear fishers.
- Opportunity would be dependent on the allowable fishing area.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 39 - 5 AAC 28.250 (b). Allow fishing for Pacific cod in waters of Orca Bay with pot gear east of a line from Johnstone Point to Knowles Head except for those waters closed to subsistence crab fishing.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 66.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 66.

Deliberation Material: RC 54, pg 4.

Narrative of Support and Opposition:

Department: The described waters of Orca Bay could provide an opportunity to fish Pacific cod with pot gear while the closed waters in Ports Gravina and Fidalgo protect identified densities of Tanner crab.

Support:

- The proposal suggests a historically known line.
- An Alaska Wildlife Trooper noted that the proposed line would be enforceable.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 40 - 5 AAC 28.220(b). Permits for Prince William Sound Area and 5 AAC 28.263(e),(f),(g),(h). Prince William Sound Pollock Pelagic Trawl Management Plan. Remove the commissioner's permit requirement from regulation 5 AAC 28.220(b) and add provisions of the commissioner's permit to regulation 5 AAC 28.263 Prince William Sound Pollock Pelagic Trawl Management Plan.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 67.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: RC 54, pg 7.

Narrative of Support and Opposition:

Department: The commissioner's permit requirement has allowed the department the flexibility to develop management practices without the burden of untested regulation. The elements of the commissioner's permit have proven to be effective and should be incorporated into regulation.

Support:

- Public panel supported as a housekeeping proposal.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 41 - 5 AAC 28.210. Fishing seasons for Prince William Sound Area. Establish a commercial skate fishery in waters of the Inside District and Eastern Section of the Outside District of the Prince William Sound Area throughout the calendar year.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 68.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: RC 54, pg 10.

Narrative of Support and Opposition:

Department: Skates are relatively long lived species, are slow to reach sexual maturity, and do not produce many offspring at one time. The life history strategy of these species does not provide for a sustainable fishery of this length.

NPFMC: Since 2006, NPFMC has placed skates into a bycatch-only status for biological reasons.

Support:

- Feels that skates are predatory on crab species.

Opposition:

- It would be preferable to begin with the current pilot skate fishery to collect data.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to oppose as written but supports the pilot skate fishery program.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 42 - 5 AAC 28.084. Fishing seasons, landing requirements, and utilization for sharks; and 28.2XX. New section. Provide for a directed fishery for spiny dogfish with the provision of obtaining CFEC miscellaneous saltwater finfish permit card for longline gear.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 70.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: RC 54, pg 9.

Narrative of Support and Opposition:

Department: The biological concerns for which the board closed directed shark fishing are still valid and bycatch to directed fishing with longline gear is likely to be high.

NPFMC: Same comments as to Proposal 41.

Support:

- When longline fishing for other species, dogfish seem to be plentiful.
- Dogfish are predatory on crab species.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 44 - 5 AAC 31.260 Prince William Sound Pot Shrimp Fishery Management Plan. Describe the conditions under which a commercial shrimp pot fishery in Prince William Sound may occur.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 72.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 40, 55, 107, 108, 118.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: The department looks to the board process to develop a fishery management plan that addresses the identified issues and provides the structure necessary for redevelopment of the commercial fishery while maintaining the sustainability of all shrimp fisheries.

- **Preseason registration** – department would want a minimum of two weeks; public consensus on registration aspect. Public panel identified that department concerned for large number of entrants into a commercial fishery.
- **Season** – March 1 date falls within egg bearing period – opposed.
 - Whittier AC suggested a fall fishery (Sept. 1 to Oct. 31).
 - Spawning occurs during Sept. and Oct.
 - Mid April to mid May would be out of egg bearing period.
 - Commercial fishery should occur outside the spawning and egg bearing period
- **GHL** – For 2009, 96,500 lb harvestable surplus - ANS is 9,000-15,000 lb., estimated noncommercial harvest in 2007 was 55,000 lb which includes all sport, PU, and subsistence harvest. Department suggested rotating the commercial harvest among three areas to provide a two-year break for commercially fished areas. Some concern expressed regarding potential “source and sink” effects of rotating harvest.
- **User Conflicts** – Some would oppose rotation that may not provide information concerning shrimp abundance in specific areas. There is substantial support to keep commercial fishing away from areas near ports which are important noncommercial harvest areas. The committee does support the concept of using commercial fishing harvest rotation for biological reasons. The Dept. of Law noted that the board cannot open areas for commercial fishers and exclude all other users but could rotate areas to different user groups at different times.
- **Standard pot gear** – Committee agreeable to small pot descriptions. Question concerning whether suggested pot definition accommodated pots that “nest”.
- **Number of pots per vessel** – Public panel was opposed to a 50 pot limit and would like 150-200 because that would provide opportunity to make fishing feasible. Committee felt that 50 pots was a reasonable starting point for a redeveloping shrimp fishery and that the department may want to look at total pots for the fishery and then establish number of pots

per boat. However, the committee noted that they felt it would take 150-200 pots per boat to make commercial fishery feasible. It was also suggested that there could be a pot limit based on the boat size. However, DOL said that the board lacks authority to tie pot limits to vessel size.

- **Standard fishing time** – Opposed. Suggested fishing times may hamper fishing efforts due to weather conditions.
- **Gear storage** – No public comments; already provided in regulation.
- **Buoy marking** – Already identified in regulation. Could include requirement for pot tags.

Question on catch reporting – support to have catch reporting and log books.

Support:

- Department has identified a harvestable surplus.
- It would re-establish the commercial shrimp pot fishery and allow fishers to benefit.

Opposition:

- Maintain status quo.
- Concern for commercial new fishery causing resource crash as in past.
- Currently increasing noncommercial harvest.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Whittier AC.

Oppose: Anchorage AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: See RC 118.

PROPOSAL 45 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E; and 5 AAC 31.260. Prince William Sound Pot Shrimp Fishery Management Plan. Provide some structural elements to prosecute a commercial shrimp pot fishery including exclusive area registration that would also prohibit participation in the Prince William Sound.

Taken up under Proposal 44.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 75.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: The duration of the proposed fall season extends into the egg bearing period and the historical GHs are not reflective of current stock status.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Whittier AC.

Oppose: Anchorage AC.

Public Panel Recommendation: No action based on action taken on proposal 44.

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 46 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E. Open a commercial shrimp pot fishery in Prince William Sound.

Taken up under Proposal 44.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 76.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: While the department supports adopting a management plan that contains specific criteria for a sustainable fishery, this proposal does not include the elements that are necessary to ensure sustainability of the fishery.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Whittier AC.

Oppose: Anchorage AC.

Public Panel Recommendation: No action based on action taken on proposal 44.

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 48 - 5 AAC 31.215. Shrimp pot guideline harvest ranges for Registration Area E. Establish a guideline harvest level for the Prince William Sound shrimp pot fishery at levels set in the mid 1980's should the Board of Fisheries fail to adopt a management plan.

Taken up under Proposal 44

Staff Reports: RC 4.

Staff Comments: RC 2, pg 79.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: Guideline harvest levels should be based upon the best available information including stock structure and biological information. Past management practices failed to provide for a sustainable fishery.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No action based on action taken on proposal 44.

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 51 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E; 5 AAC 31.211. Shrimp trawl fishing seasons for Registration Area E; and 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Allow sport and commercial seasons for shrimp to run concurrently if a commercial shrimp pot fishery was established.

Taken up under Proposal 44

Staff Reports: RC 4.

Staff Comments: RC 2, pg 82.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 10.

Narrative of Support and Opposition:

Department: Although neutral, the department recommends including language and encouraging committee discussion regarding closed waters in any Pot Shrimp Management Plan that would act as the framework for a potential commercial fishery.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No action based on action taken on proposal 44.

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 52 - 5 AAC 31.235. Closed waters in Registration Area E; and 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Limit sport fishing for spot shrimp to designated areas during commercial openings.

Taken up under Proposal 44.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 83.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 10.

Narrative of Support and Opposition:

Department: There is no reason to believe user groups conflicts would occur with noncommercial use in commercial areas. There are no similar sport fish restrictions in other areas of the state.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No action based on action taken on proposal 44

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 54 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Allow sport harvest of shrimp from May 15 to September 1.

Taken up under Proposal 44

Staff Reports: RC 4.

Staff Comments: RC 2, pg 86.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: There is no biological justification to limit the noncommercial season.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Whittier AC.

Oppose: No comments.

Public Panel Recommendation: No action based on action taken on proposal 44.

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 55 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Shorten sport season for spot shrimp and allow for separate commercial periods.

Taken up under Proposal 44

Staff Reports: RC 4.

Staff Comments: RC 2, pg 88.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: No comments.

Support:

- No comments.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No action based on action taken on proposal 44.

Board Committee Recommendation: No action based on action taken on proposal 44.

Substitute Language: None.

PROPOSAL 49 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area; and 5 AAC 31.206. Area E registration. Prohibit persons or vessels from participating in the both commercial and sport fish pot shrimp fisheries.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 80.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: 13, 38, 55, 107, 108.

Deliberation Material: RC 54, pg 12.

Narrative of Support and Opposition:

Department: The department recognizes that temporal or spatial separation between fisheries may help to avoid gear conflicts and provide for an orderly fishery. The department is uncertain if the proposed restriction is needed for the conservation and development of the fishery.

Department of Law: Board could do this but would have to justify for conservation.

Support:

- Would be a way to stem a "flood" of fishermen into the commercial fishery.
- Would provide a way to develop an understanding of shrimp biology within discrete areas.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 53 - 5 AAC 02.210 Subsistence shrimp fishery, 55.XXX. New section, and 77.553. Personal use shrimp fishery. Keep subsistence, sport, and personal use pot shrimp fishery open through Dec 31.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 85.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: None.

Narrative of Support and Opposition:

Department: Opposed to this proposal based on the biological grounds that this proposal would extend this fishery into the egg bearing season for shrimp.

Support:

- Provides opportunity to harvest shrimp while conducting other activities such as deer hunting.
- Would provide opportunity for those folks who work in the summer to harvest shrimp.
- Effort would be minimal due to inclement weather.

Opposition:

- Don't want to fish during the egg bearing period.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: No comments.

Oppose: Whittier AC – don't harvest during egg bearing period.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 47 - 5 AAC 31.230 Permits for shrimp trawling in Area E and 5 AAC 31.23X Prince William Sound shrimp trawl harvest and reporting requirements. Eliminate regulation 5 AAC 31.230 and incorporate provisions of the commissioner's permit into a new regulation.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 78.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: RC 54, pg 14.

Narrative of Support and Opposition:

Department: Provisions of the commissioner's permit have been tested and proven successful.

Fishery participants will benefit from complete regulatory reference.

Support:

- Public panel supported as a housekeeping proposal.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 50 - 5 AAC 31.205. Description of Registration Area E districts and sections.
Amend 5 AAC 31.205. Description of Registration Area E districts and sections (1) and (3) to define the boundary between the Central Section and Northwest Section at 147° 30.00 W long.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 81.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: None.

Narrative of Support and Opposition:

Department: Moving the boundary between the Central and Northwest Sections ten degrees West longitude will not negatively affect shrimp trawl management or jeopardize the resource.

Support:

- Does not change the quota and allows trawlers to be more efficient.
- Spreads out the effort, keeping harvests from being concentrated.
- Public panel supported as a housekeeping proposal.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support

AC Positions: Support: Whittier AC.

Oppose: No comments.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 56 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Add registration and reporting requirement for sport harvest of shrimp.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 89.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: RC 54, pg 15.

Narrative of Support and Opposition:

Department: Sport fish harvest information is currently collected through the Statewide Harvest Survey, the same tool used to monitor nearly all of Alaska's recreational fisheries.

Department of Law: Advised that the board can require users to report but can't force the department to do anything with the data.

Support:

- Substantially different estimates between permit and Statewide Harvest Survey, so one committee member didn't feel the statewide survey is accurate, nor are comparisons.
- Lacks confidence in the comparison.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose

AC Positions: Support: Whittier AC.

Oppose: No comments.

Public Panel Recommendation:

Board Committee Recommendation: Take no action. DOL advised that board may require a harvest record but cannot require department to expend funds.

Substitute Language: None.

PROPOSAL 57 - 5 AAC 02.215. Subsistence Dungeness crab fishery. Open the subsistence season for all crab species in the Prince William Sound Area throughout the year.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 90.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Material: None.

Narrative of Support and Opposition:

Department: Proposal adoption would circumvent the board's efforts to establish a conservation-based management plan for Dungeness crab.

Support:

- Two public panel members supported a Dungeness fishery.

Opposition:

- No comments.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: No comments.

Oppose: No comments.

Public Panel Recommendation: No consensus

Board Committee Recommendation: No action because the public notice did not cover all crab species.

Substitute Language: None.

RC48

ALASKA BOARD OF FISHERIES COMMITTEE REPORT
COMMITTEE C: Prince William Sound Salmon
 December 3, 2008

Board Committee Members:

1. Bonnie Williams*, Chair
2. Bill Brown
3. Mel Morris

Alaska Department of Fish and Game Staff Members:

1. Dan Gray, CF Reg. Mgt. Biologist
2. Jeremy Botz, R-II Purse Seine Area Manager
3. Glenn Hollowell, R-II Gillnet Area Manager
4. Jenefer Bell, R-II Asst. Area Manager - Note taker
5. Steve Moffitt, R-II Area Research Biologist
6. Rich Brenner, R-II Asst. Area Research Biologist - Recorder
7. Jeff Regnart, Region II Supervisor
8. Lowell Fair, R-II, CF Reg. Research Biologist
9. Amanda Kelly, R-II, Otolith Biologist - Note taker

Advisory Committee Members:

1. Tom Carpenter, Copper River/PWS AC
2. John Renner, Copper River/PWS AC
3. Steve Smith, Copper River/PWS AC

Public Panel Members:

- | | | |
|-----|---------------|--------------------------------|
| 1. | James Mykland | CDFU/Drift gillnet |
| 2. | David Blake | Drift Gillnet |
| 3. | Ian Lindsay | Drift Gillnet |
| 4. | George Covell | PWSAC |
| 5. | Mike Durtschi | Seine/Gillnet |
| 6. | Rob Nelson | Seine |
| 7. | Tim Moore | Seine |
| 8. | John Hopkins | Native Village of Eyak |
| 9. | Derek Blake | CDFU - Gillnet Division |
| 10. | Jason Koontz | Inlet Fisheries processor |
| 11. | Tom Aberle | Set gillnet |
| 12. | Mark Hem | Chitina Dipnetters Association |
| 13. | Scott Thomas | Set gillnet |
| 14. | Josh Grumblis | Set gillnet |
| 15. | James Pahl | Set gillnet |
| 16. | Troy Matveev | Drift Gillnet |
| 17. | Kathy Halgren | Drift Gillnet |

Federal Subsistence Representative:

1. Rod Campbell USFWS/OSM

The Committee met on December 3 at 8:30 a.m. and adjourned at 2:15 p.m. after considering all 29 proposals

PROPOSALS BEFORE THE COMMITTEE WERE: (29 Total) 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86

PROPOSAL 58 - 5 AAC 24.200(f). Fishing districts, subdistricts, and sections. This proposal would amend the regulation as follows:

(f) Coghill District: waters north and **east** [WEST] of a line from Point Pigot (60° 48.21' N. lat., 148° 20.90' W. long.) to a point west of Point Culross at 60° 45.45' N. lat., 148° 11.07' W. long. and from Point Culross (60° 45.58' N. lat., 148° 08.74' W. long.) to a point west of Culross Light

Staff Reports: RC 4.

Staff Comments: RC 2, pg 93.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 37.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Supports, as the current regulations incorrectly describe regulatory waters. This proposal would correct this error and is a housekeeping proposal.

Support:

- Consensus to support.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Supports.

AC Positions: Copper River/PWS AC.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 59 - 5 AAC 24.200(f)(2). Fishing districts, subdistricts, and sections. This proposal would amend the regulation as follows:

(f)(2) Granite Bay Subdistrict: waters in [ON THE EAST SIDE OF] Port Wells, [WITHIN ONE MILE OF SHORE, BETWEEN] east of a line from Esther Rock (60° 48.08' N. lat, 148° 10.67' W. long.) to a point at 60° 51.68' N. lat, 148° 09.844' W. long., and to a point at 60° 55.81' N. lat, 148° 05.89' W. long. including all waters of Esther Passage north of a line at 60° 49.51' N. lat.;

Staff Reports: RC 4.

Staff Comments: RC 2, pg 93.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Supports. This is a housekeeping proposal.

Support:

- One panel member suggested that he supported the department's position and that it would be easier to stay in compliance with this line.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: See above.

PROPOSAL 60 - 5 AAC 24.350. Closed waters. Modify boundary of closed waters in Eastern and Southeastern districts as follows:

Change the closed waters line in the eastern and southeastern districts to a line at the latitude of Salmo Point.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 95.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Opposes this proposal as written but supports amended language if it included a different line.

Federal Subsistence Management Program:

Support:

- Three panel members voiced support if the language was amended as per ADF&G recommendation listed below.

Opposition:

- No opposition if the language were amended as per recommendation by ADF&G (see below).

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposes original language but supports with substitute language.

AC Positions: Support: Cordova AC

Oppose: N/A

Public Panel Recommendation: Consensus to support with substitute language.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language:

“(3) (A) Simpson Bay north of 60° 38.00’ N. lat., Orca Inlet and Nelson Bay south and east of a line from Salmo Point to Shepard Point, and all of Orca Inlet southeast of Hawkins Island.”

PROPOSAL 61 - 5 AAC 24.331. Gillnet specifications and operations. Open east side of Hinchinbrook and Montague Island to drift gillnetting as follows:

Open the east side of Hinchinbrook and Montague Islands to drift gillnetting. Area would include a line from three miles east of Hinchinbrook to a line three miles seaward of Cape Cleare. The west side of the area would be a line from Hinchinbrook Light to Schooner Rocks. The opening would be the same as the Copper River openings.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 96.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Opposes this proposal as it would result in an intercept fishery and the management of this fishery would be very difficult.

Support:

- One public member supports.

Opposition:

- Two public representatives opposed.
- Possibility of sea otter entanglement.
- Most panel members stated that this proposal would create an intercept fishery that would be difficult for the department to manage.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposes.

AC Positions: Support: N/A.

Oppose: Cordova AC.

Public Panel Recommendation: No consensus.
Board Committee Recommendation: Consensus to oppose.
Substitute Language: None.

PROPOSAL 62 - 5 AAC 24.331(b). Gillnet specifications and operations. Require removal of set gillnet anchor buoys at inactive sites as follows:

During open fishing periods, set gillnet anchor buoys shall be removed from the water at any set gillnet location that is inactive. Anchors that remain in the water at these inactive locations may use a sinking retrieval line running to the shore.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 98.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral

Department of Law: The Board of Fisheries does not have authority to limit the number of sites based on whether or not set gillnet sites are leased. There was also a question of whether the Board had authority to limit gear that was not actively being fished.

State Troopers: It would be difficult to enforce a cap on the number of set gillnet sites that an individual set gillnet fisher could operate, especially if buoys were not labeled.

Support:

- Agreement that there must be a limit to the number of set gillnet sites allowed by an individual permit holder.
- Unanimous support after amending language as described below.

Opposition:

- Removing or sinking gear between openers is time consuming and overly burdensome.
- No opposition after removing language requiring set gillnet fishermen to remove gear between openers. However, consensus appeared to be reached that a set gillnet permit holder would be limited to a maximum of six buoyed sites.

SSFP:

- Not discussed.

Summary: During initial testimony there was much discussion about the number of buoyed sites that a set gillnet permit holder should be allowed to maintain within the Eshamy District. Drift

gillnetters expressed concern that some set gillnet operators had too many sets (>9 sets) of gear even though they were only fishing 3 of these buoyed sets. It was argued that this gear was simply a mechanism to prevent drift gillnet fishers from utilizing the area around set gill net sites. Set gillnet fishers argued that removing gear between openers would be overly burdensome and unreasonable. A compromise was reached in which the set gillnet permit holders would NOT be required to remove gear between openers; however, they would be limited to maintaining a maximum of 6 sets of buoyed gear. The proposed language, submitted by James Mykland was: "Within the Eshamy district, set gillnet permit holders will be limited to no more than six sets with buoys above water. Further, these six sets are not required to be removed during the fishing season." Thus, proposals 62 and 63 now have unanimous opposition as originally written, but unanimous support for this compromise.

Update: On December 5, 2008 it was determined that the Board did not have the authority to limit gear that was not being fished. For example, if a set gillnet fishermen was actively fishing 3 sites with nets, the Board could not limit this permit holder to a limit of having 3 additional buoyed sites that were not being fished.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Cordova AC supports with substitute language.

Oppose: None.

Public Panel Recommendation: Consensus to support with substitute language (see below).

Board Committee Recommendation: No action due to lack of authority.

Substitute Language:

PROPOSAL 63 – 5 AAC 24.331(b). Gillnet specifications and operations. Require set gillnet permit holders to remove buoys and running lines from inactive sites as follows:

Set gillnet permit holders in the Eshamy District would be required to remove buoys from sites that are not operated during a fishing period. This would increase the area available to drift gillnet permit holders.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 99.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 15.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral.

Summary: Unanimous opposition was reached on this proposal. Instead, the compromise reached for proposal 62 will be utilized.

Support:

- None.

Opposition:

- Consensus to oppose.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to oppose as written, but consensus to support with amendment used for Proposal 62.

Board Committee Recommendation: No action based on action on #62.

Substitute Language: None; see Proposal 62.

PROPOSAL 64 – 5 AAC 24.335. Minimum distance between units of gear. Increase the minimum distance between set gillnet operations in the Eshamy District outside of the Main Bay Hatchery Subdistrict from 100 fathoms to 200 fathoms.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 100.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments:

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- This measure would decrease harvest opportunities for set gillnet fishermen.
- Current leased sites were set based on DNR leases and the implementation of this proposal would confound these leases.
- There were currently no known gear conflicts and therefore this change is unnecessary.

SSFP:

- Not discussed.

Summary: No support for this proposal.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 65 – 5 AAC 24.335. Minimum distance between units of gear and, 24.367(b) Main Bay Salmon Hatchery Harvest Management Plan. Increase the distance that drift gillnet permit holders are required to maintain from a set gillnet in the Main Bay hatchery Subdistrict excluding the Terminal Harvest Area from 25 fathoms to 60 fathoms.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 102.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 36, RC 37.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral. However, this would reduce the amount of gear in the area and reduce management's ability to "clean up" enough (harvest) hatchery fish heading towards Main Bay.

Support: One person showed support during a show of hands, no discussion.

Opposition:

- Many panel members strongly opposed to 65 and 66. They stated that there have been times when only this district was open. They further stated that this proposal has allocative impacts that might negatively impact the drift gillnet fleet.
- Many panel members showed opposition with a show of hands.

SSFP:

- Not discussed.

Summary: One person supported this proposal during a vote with hands; however, there was no vocal support.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: No consensus.
Board Committee Recommendation: Consensus to oppose.
Substitute Language: None.

PROPOSAL 66 – 5 AAC 24.367(b). Main Bay Salmon Hatchery Harvest Management Plan. Increase the distance that drift gillnet permit holders are required to maintain from a set gillnet in the Main Bay Hatchery Subdistrict excluding the Terminal Harvest Area from 25 fathoms to 60 fathoms. This proposal is nearly identical in scope and intent to Proposal 65.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 104.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 37.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral. However, it would reduce the management flexibility to harvest surplus fish.

Support:

- None.

Opposition:

- Consensus to oppose.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action due to action on 65.

Substitute Language: None.

PROPOSAL 67 – 5 AAC 24.367(d)(1). Main Bay Salmon Hatchery Harvest Management Plan. Changes regulatory language to match management practices in the Alternating Gear Zone (AGZ) of the Main Bay Hatchery Subdistrict in the Eshamy District. Fishery managers have alternated drift gillnet and set gillnet opportunity in the AGZ by period rather than by day.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 105.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Supports. This is a housekeeping proposal. This would change the regulation to match how this fishery has been managed.

Support:

- Unanimous.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: See Proposal 67.

PROPOSAL 68 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Alternate drift gillnet and set gillnet commercial fishing periods within the Eshamy District.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 106.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral. However, if passed, it would likely result in lower fish quality and lost opportunity.

Support:

- None.

Opposition:

- Unanimous.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 69 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Gregory R. Gabriel, Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the purse seine fishery opening dates for Coghill and Southwestern districts and Perry Island Subdistrict would be eliminated in favor of the presence of sufficient wild stocks or enhanced stocks. This proposal would also require the department to schedule salmon purse seine fishing periods on at least a weekly basis, subject to time and area restrictions, when there are sufficient wild stocks or enhanced stocks to provide harvest opportunity.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 108.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 37.

Deliberation Materials: RC 31, Tab 2 and 3.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- The gillnet fleet is already intercepting fish bound for other districts; this proposal would allow seiners to do the same. Only one panel member supported this issue.
- The department's research biologist did confirm that drift gillnet fishermen were intercepting wild fish bound for other areas.

Opposition:

- Opposed due to concerns about interception of fish bound for other areas.
- Complicates management.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 70 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Have Prince William Sound Aquaculture Corporation (PWSAC) make proportional adjustments in cost recovery to correct exvessel value allocation percentages instead of allowing the drift gillnet fleet exclusive access to the Port Chalmers remote chum salmon run. This proposal would shift more of the PWSAC cost recovery burden to the harvest of enhanced pink salmon and away from species harvested by the drift gillnet fleet.

Staff Reports: RC 4.

Staff Comments: RC 2, pg. 109.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2 and 4.

Narrative of Support and Opposition:

Department: Neutral.

Department of Law: The Board does not have the authority to enact this proposal.

Support:

- None.

Opposition:

- Unanimous opposition after the Department of Law stated that the Board does not have authority to enact this proposal.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action based on lack of Board authority.

Substitute Language: None.

PROPOSAL 71 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Allows purse seining to occur between June 1 and July 21 in the Coghill District north of the latitude of the Granite Bay Subdistrict at 60° 55.81 and within one nautical mile of the west shore of Port Wells north of Point Pigot.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 111.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 37.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral; however, the department's gillnet manager testified that he might have to adjust his management strategy to account for the seine gear, which has the potential to harvest sockeye bound for Coghill Lake.

Summary: Proposals 71-74 all allow access to Coghill prior to July 21. These proposals were discussed and voted on as a single proposal.

Support:

- Four hands were raised in support of proposals 71-74. Support for this proposal came from seiners who suggested that they had a right to compete for fish in this area while the fish were in good shape, not just when they were "dark" as had happened previously.
- Some stated that the gillnet fleet's ex-vessel value has been steady while the seiners' has fluctuated with the rise and fall of pink and chum prices. It was also stated that there were many latent seine permits not being fished because of low prices for pink and chum salmon and that fishing in this area would help remedy this situation.
- Others also said that over-escapement at Coghill and other streams was evidence for the need to have seiners harvest more fish since it appeared the gillnet fleet could not harvest a sufficient number of these fish.
- There was also some discussion of moving the line further north to avoid interception of enhanced stocks.

Opposition:

- Panel members in opposition to proposals 71-74 cited concerns about competing with seiners, especially in light of an increase in the size and efficiency of the seine fleet.

They also cited wild stock concerns and suggest that the seiners would quickly outcompete the drift gillnet fleet, thereby greatly hurting the drift gillnet fleet.

- Another argument was that the allocation plan clearly intended to give the drift gillnet fleet access to Coghill during the early periods of the season. Further, they argued that seiners would likely intercept fish heading for other areas such as the Esther subdistrict.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 72 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Allows purse seining to occur in the Coghill District, excluding the Esther Subdistrict, between June 1 and July 20.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 115.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Grouped with 71; no consensus.

Board Committee Recommendation: No action due to action on #71.

Substitute Language: None.

PROPOSAL 73 – 5 AAC 24.370 (e)(5). Prince William Sound Management and Salmon Enhancement Allocation Plan. Would allow drift gillnet and purse seine gear to be used during periods established by emergency order in the Coghill District.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 115.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Grouped with 71; no consensus.

Board Committee Recommendation: No action due to action on #71.

Substitute Language: None.

PROPOSAL 74 – 5 AAC 24.370(e)(5)(B). Prince William Sound Management and Salmon Enhancement Allocation Plan. Would allow drift gillnet and purse seine gear to be used during periods established by emergency order in the Coghill District.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 117.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 15, RC 37.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Grouped with 71; no consensus.

Board Committee Recommendation: No action due to action on #71.

Substitute Language: None.

PROPOSAL 75 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Reduces set gillnet fishing opportunity in order to reduce their overall harvest of enhanced PWS salmon stocks to 4% as specified in the allocation plan approved at the 2005 Alaska Board of Fisheries meeting.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 118.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 15.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral, but does not have the ability to manage gear group allocation in this manner.

Support:

- None.

Opposition:

- Unanimous opposition to this proposal.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 76 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Would establish alternating periods of equal time for drift gillnet and purse seine gear in the Coghill District after July 21 and in the Unakwik District.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 120.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- Some panel members were neutral on the allocation aspects; however, there is concern that the gillnet fleet cannot harvest the fish as effectively as the seine fleet and that alternating days would result in dark fish. Also, it was never the intention of the allocation plan to have alternating days.
- Processor: Wants a steady supply of fish from the emerging pink gillnet fleet and is concerned that this proposed change would prevent this.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 77 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Establishes an ending date for pink salmon management in the Coghill District, closing the district to the purse seine fleet on August 31.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 122.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 15, RC 39.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral on allocation, but opposed to the implementation of a regulatory ending date for purse seine access to the Coghill District.

Support:

- None; the author is withdrawing his support.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Proposal withdrawn by the author and consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 78 – 5 AAC 24.370(f). Prince William Sound Management and Salmon Enhancement Allocation Plan. Increases the set gillnet trigger in Prince William Sound Management and Salmon Enhancement Allocation Plan from five percent to seven percent.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 123.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- Unanimous. These panel members voiced strong opposition to this proposal and to #79 because the allocation plan is working as intended, demonstrated by the downward trend in set gillnet harvests in recent years.
- The opinion was also expressed that the set gillnet fleet was harvesting their fair share.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: Copper River/PWS AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 79 – 5 AAC 24.370(f). Prince William Sound Management and Salmon Enhancement Allocation Plan. Increases the set gillnet trigger in the Prince William Sound Management and Salmon Enhancement Allocation Plan from five percent to seven percent. This proposal is identical in scope and intent to Proposal 78.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 124.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None; the author is withdrawing support for this proposal.

Opposition:

- Unanimous.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action due to action taken on 78.

Substitute Language: None.

PROPOSAL 80 – 5 AAC 24.370(f). Prince William Sound Management and Salmon Enhancement Allocation Plan. Changes the date the set gillnet fleet is restricted to no more than 36 hours per week from July 10 to June 10.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 125.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31, Tab 2.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None; the author is withdrawing his support.

Opposition:

- Unanimous.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: Copper River/PWS AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 81 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Attempts to minimize competition with wild salmon stocks at sea by reducing hatchery chum salmon production in Prince William Sound by 24%.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 126.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 11, RC 17, RC 35 submitted by the author correcting a mistake in the original proposal and clarifying that the intent of the proposal is to reduce hatchery chum salmon production by 24% of 2000 levels, RC 44, RC 51, RC 57, RC 60.

Deliberation Materials: RC 31, Tab 2 and 5.

Narrative of Support and Opposition:

Department: Neutral.

Dept. of Law: clarified the actions that the board could and could not make regarding changes to permitted capacity at the private non-profit hatcheries.

Support:

- The authors of this proposal cite an ADF&G report listing non-compliance from PWSAC regarding reporting requirements, the previous agreement by the Board of Fisheries to reduce hatchery chum salmon production by 24%, and negative impacts to wild stocks of salmon via competition for resources and straying. The department's research biologist confirmed that the straying of PWSAC hatchery chum salmon was in excess of that agreed to in the Phase 3 management plan and was a concern. The department's research biologist also suggested that competition between pink salmon and other salmon species had been confirmed in the literature but that it was unclear if hatchery chum salmon were also competing with or harming wild salmon.

Opposition:

- Several fishermen said that there were not any confirmed impacts to wild stocks of salmon from hatchery chum salmon and that the implementation of this proposal would harm the economy of the state and its commercial fishers, particularly seiners.
- Stated that the current production level was approved in an open public process that included inputs from Alaska Department of Fish and Game biologists.
- Opposes the proposal due to lack of evidence suggesting harm to wild salmon.

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A

Oppose: N/A

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 82 - 5 AAC 24.331(b)(1). **Gillnet specifications and operations.** Allow two permit holders to team up and work each others gear in the set gillnet fishery in the Eshamy District.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 130.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- Families that have multiple permits and need this to be more efficient.

Opposition:

- This appears to be a restructure proposal.
- Difficult to enforce.
- Consensus to oppose.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose, but refer to the Restructure Committee.

Substitute Language: None.

PROPOSAL 83 - 5 AAC 24.332. Seine specifications and operations. Increases the allowable purse seine length from 150 to 225 fathoms in Prince William Sound. No combination of purse seine and lead would be allowed to exceed 225 fathoms.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 131.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 23.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral; however, the department also suggested that changes in seining efficiency wouldn't necessarily be a concern, but might reduce overall fishing time. The department also confirmed that a seine lead is mentioned in regulations.

Support:

- The author and others suggested that this change would simplify nets and provide higher quality fish being harvested and marketed. The author did not believe that it would only harvest more pink salmon. Others suggested that this change would help harvest darker salmon and therefore, help reduce straying.

Opposition:

- These panel members suggested that this change would drastically change the fishery in that seiners would be much more efficient and harm wild stocks. Another panel member suggested that this change will result in the killing of wild juvenile salmon.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 84 - 5 AAC 24.332. Seine specifications and operations. 5 AAC 39.260. Seine specifications and operations. Would allow leads to be built without a minimum or maximum mesh size standard or minimum depth standard in Prince William Sound. Additionally, leads could not exceed 75 fathoms in length, 325 meshes in depth, or be deeper than the purse seine.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 132.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- Two panel members raised their hands in support.

Opposition:

- Most on the public panel opposed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: N/A.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 85 - 5 AAC 24.332. Seine specifications and operations. Eliminate the 200 mesh minimum depth requirement for purse seine gear in Prince William Sound, allowing any portion of a purse seine, up to the total length allowance, to be less than 200 meshes in depth.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 134.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Deliberation Materials: RC 31.

Narrative of Support and Opposition:

Department: Neutral; suggested that it might improve seining efficiency and that it goes along with the evolution of the seine.

Support:

- The author of the proposal suggested that enacting this proposal would make for safer and more efficient harvest and improve fish quality. However; they stated that it would be better if it were only applied to the last 5 fathoms of the net.

Opposition:

- None.

SSFP:

- Not discussed.

A representative of Cordova CDFU gillnet said that he was neutral and would not oppose this proposal.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Copper River/PWS AC.

Oppose: N/A.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language: The Departments of Fish and Game and Law suggest that 5 AAC 24.332 could be re-worded in the following manner:

5 AAC 24.332 Seine specifications and operations. (a) No purse seine may be less than 200 meshes, with the exception of the first five fathoms in length from one end, or more than 325 meshes in depth, or less than 125 fathoms, or more than 150 fathoms.

PROPOSAL 86 - 5 AAC 39.117. Vessel Length. Removes the 58-foot length limit for salmon seine vessels in Southeast Alaska and Prince William Sound.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 135.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 12, RC 14, RC 16, RC 17, RC 27, RC 30, RC 34, RC 40.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: None.

Narrative of Support and Opposition:

Department: Neutral.

Support:

- None.

Opposition:

- Believes that a 58 foot vessel is adequate and efficient.
- May cause gear conflicts with larger vessels.
- Unanimously oppose this proposal.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: N/A.

Oppose: Copper River/PWS AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

Alaska Board of Fisheries Committee Report

COMMITTEE D

PWS and Copper River Sport
December 3, 2008

Board Committee Members:

1. Howard Delo, *Chair
2. Vince Webster

Alaska Department of Fish and Game Staff Members:

1. Don Roach
2. Tom Taube
3. Matt Evenson
4. Matt Miller
5. Dan Bosch
6. Rob Bentz
7. James Hasbrouck
8. Mark Somerville
9. April Behr
10. Jim Fall
11. Tim Viavant
12. Al Cain
13. Dan Bosch
14. Bill Simeone
15. Nancy Hendrickson
16. Nancy Sisinyak – Note taker
17. James Savereide – Note taker
18. Brittany Blain – Note taker

Advisory Committee Members:

1. John Renner –COPPER RIVER/PWS AC
2. Aaron Bloomquist – Anchorage AC
3. Mike Kramer – Fairbanks AC
4. John Van Hyning – Whittier AC

Public Panel Members:

1. Daryl Olson – Klutina River Sportfish Association – Sponsor #111
2. Alan LeMaster – self – Sponsor #110
3. Keith van den Broek – Native Village of Eyak
4. Jennifer Yuhas – AK Wildlife Conservation Association- Personal Use
5. Ruben Hanke – self
6. Ricky Gease – Kenai River Sportfish Association

7. Dan Hull – CDFU Groundfish Division
8. Tom Haluska – Native Village of Eyak
9. Roy J. Tansy – Ahtna Inc – replaced by Joneal Hicks at 11:04AM for Proposal 104 -117.
10. Shawn Gilman – self
11. Al Fleury – Tazlina Village
12. Ken Manning – self

Federal Subsistence Representative:

1. Rod Campbell USFWS-OSM Anchorage
2. Tim Joyce USFS Cordova
3. Molly McCormick WRST – NPS Copper Center

The Committee met December 3 at 9:00 a.m. and adjourned at 2:11 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE (31 total): 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117

PROPOSAL 87 - 5 AAC 55.005. Description of the Prince William Sound Area; 5 AAC 56.005. Description of the Kenai Peninsula Area; and 5 AAC 58.005. Description of the Cook Inlet Resurrection Bay Salt Water Area. Amend these regulations to provide the following:

Change the sport fish regulatory boundary between Cook Inlet-Resurrection Bay and Prince William Sound from Cape Puget to Cape Fairfield.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #23, 41, 54, 56, 57, 58.

Record Comments: RC #12, 16, 27, 30, 32, 33.

Narrative of Support and Opposition:

- The department explained that this is a housekeeping proposal that would align the sport fish regulatory boundary with the subsistence, commercial, and personal use boundaries between Cook Inlet-Resurrection Bay and Prince William Sound.
- A member of the public panel questioned why move the sport fish boundary instead of commercial fish boundary.
- The department explained it is easier to move the sport fish boundary as a regulatory solution, because the commercial fisheries report their catch and harvest by statistical area.
- There was some discussion as to whether the boundary change would affect historical data. The department assured the committee it would not be affected.

Support:

- Not expressed.

Opposition:

- Not expressed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley, Anchorage, Copper River/PWS, Seward.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 88 - 5 AAC 55.023 (1). Special provisions for seasons, bag, possession, and size limits, and methods, and means, for the Prince William Sound Area. Add regulation for Johnstone Bay freshwater sport fishery as follows:

Add regulation if the sport fish boundary between Cook Inlet-Resurrection Bay Prince William Sound is moved to Cape Fairfield. No action necessary if this boundary remains at Cape Puget.

(e) Johnstone Bay freshwater drainages: bag limit of 3 salmon and possession limit of 3 salmon, of which 2 per day, 2 in possession may be coho salmon.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #41.

Record Comments: RC #30, 32, 33.

Narrative of Support and Opposition:

- If proposal 87 approved by Board, would place Johnstone Lake drainages under the more liberal freshwater bag limits.
- This proposal keeps the more conservative bag and possession limits in place, which are needed in the absence of escapement and abundance information.
- A member of the public panel requested clarification on bag limit change and the department clarified that bag limits would remain as they are now in Johnstone Bay.

Support:

- Not expressed.

Opposition:

- Not expressed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley, Anchorage, Copper River/PWS, Seward.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 89 - 5 AAC 75.028. Use of underwater spear. Amend the regulation regarding spear gun use as follows:

In salt water, spears **or spear guns** may be used to take fish, subject to applicable seasons and bag limits, by persons who are completely submerged.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #41, 54, 55, 56, 57.

Record Comments: RC #30, 32, 33.

Narrative of Support and Opposition:

- Committee chair asked enforcement representative for clarification and recommendation.
- Enforcement representative stated he is actively working on the definition of 'spear gun' and has language to correct this regulation.
- Enforcement representative recommended that this be deferred to the statewide meeting.
- Enforcement representative said spear guns have always been allowed, but were never expressed in the regulation.
- A member of the public panel expressed concern if citations could be issued prior to the statewide meeting next winter.
- Enforcement representative assured that they would not, as long as spear fishers were completely submerged in saltwater.

Support:

- Anchorage AC expressed support to defer to statewide meeting.

Opposition:

- None expressed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley, Anchorage, Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to defer to the statewide finfish meeting next year.

Board Committee Recommendation: Support defer to statewide meeting March 2010. Substitute language will be provided at that time.

Substitute Language: None.

PROPOSAL 90 - 5 AAC XX.XXX. New section. Allow gaffing of lingcod in the mouth which are intended for release as follows:

Lingcod may be gaffed in the mouth when it is intended to be released. Lingcod gaffed in any other region of the body or head must be retained.

This wording would amend the current regulation which reads:

[5 AAC 75.020 (c) A PERSON WHO GAFFS A FISH MUST RETAIN THAT FISH AS PART OF THAT PERSONS BAG AND POSSESSION LIMIT. A PERSON MAY NOT GAFF A FISH FOR WHICH THE FISHING SEASON IS CLOSED, THAT IS NOT OF LEGAL SIZE OR THAT IS TO BE RELEASED...].

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41, 54, 56, 57, 58.

Record Comments: RC #30, 32, 33.

Narrative of Support and Opposition:

- The department was asked what are the best ways to release lingcod. They recommend cutting the line, using the gaff to release the hook or using a landing net.
- The department was asked what the current mortality of released lingcod is and they stated the mortality is unknown, but likely low.

Support:

- None expressed.

Opposition:

- Public panel and Copper River/PWS AC opposed because of perceived increased mortality and enforcement issues.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

Oppose: Copper River/PWS.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 91 - 5 AAC 55.xxx. New section. Reduce bag and possession limit for salmon shark as follows:

5 AAC 55.xxx the following special provisions apply to salmon sharks:

(a) The bag and possession limit for salmon sharks is one fish, 2 fish annually.

(b) The vessel possession limit for salmon sharks is two per day on any vessel or any combination of vessels, carried on vessels, vessels towed by vessels, or floating objects (including kayaks and float tubes), with no transfer of possession allowed between vessels unless transferring vessel was carried by receiving vessel.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41, 70.

Record Comments: RC #30, 32, 33.

Narrative of Support and Opposition:

- A member of the public panel asked the department what studies and information are being gathered on salmon sharks.
- The department stated that organizations other than the department are currently conducting tagging projects to study natural mortality and migration.
- The department stated that they do not have enough information on salmon shark abundance to determine if a reduction in harvest would improve the sustainability of this resource.
- Fairbanks AC took no position but stated that they would typically oppose restrictions unless there was a conservation concern. They also stated that charter boats need to be able to harvest one shark per each client to continue operating and to provide anglers opportunity to fish for salmon sharks.

Support:

- Not expressed.

Opposition:

- Copper River/PWS AC opposed the proposal because the department already has EO authority to close the fishery if there is a conservation concern.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

AC Positions (continued):

Oppose: Copper River/PWS.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 92 - 5 AAC 55.022 (8) (A) (B) General provisions for seasons, bag, possession, and size limits, and methods, and means, for the Prince William Sound Area. Amend regulation to lower rockfish bag limits as follows:

(8) Rockfish

(A) may be taken from May 1 – September 15; bag limit of [5] 4 fish; possession limit of [10] 8 fish, of which only two per day and in possession may be non-pelagic rockfish; the first two non-pelagic rockfish caught must be retained and become part of the bag limit of the person originally hooking the fish; no size limit;

(B) may be taken from September 16 - April 30; bag and possession limit of [10] 8 fish, of which only two per day and in possession may be non-pelagic rockfish; the first two non-pelagic rockfish caught must be retained and become part of the bag limit of the person originally hooking the fish; no size limit.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #41, 54, 56, 57, 58, 70.

Record Comments: RC #12, 27, 30, 32, 33.

Narrative of Support and Opposition:

- This proposal would align rockfish regulations with current North Gulf Coast regulations.
- Consensus to support this proposal though much concern and discussion took place on whether or not this proposal will decrease total mortality of released rockfish.
- The department is concerned about the mortality of incidentally-caught rockfish while fishing for halibut. They recommend leaving a fishing site when there is a high incidental catch of rockfish.
- Research is being conducted to determine methods to reduce catch and release mortality.
- The committee chair asked if the department would have EO authority if conservation concerns arose.
- The department replied that they do have EO authority.

Support:

- Public panel supported the proposal and believed it would reduce harvest mortality but their main concern is catch mortality.
- Anchorage AC also supported the proposal because they like to err on the side of caution. They support the department's position.

Opposition:

- Not expressed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley, Copper River/PWS, Anchorage, Seward.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 93 - 5 AAC 01.645 (e) (1) (2) Subsistence bag, possession, and size limits. Allow retention of rockfish up to the daily bag limit in the subsistence halibut fishery as follows:

(e) The daily bag limit for rockfish is as follows

(1) from May 1 – September 15, the daily bag limit is [5] 4 fish and the possession limit is [10] 8 fish, of which only two per day and in possession may be non-pelagic rockfish; a person may not take or possess rockfish under sport fishing regulations and under this section on the same day;

(2) from September 16 - April 30, the daily bag and possession limit is [10] 8 fish, of which only two per day and in possession may be non-pelagic rockfish; a person may not take or possess rockfish under sport fishing regulations and under this section on the same day.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #41, 54, 56, 57, 58, 70.

Record Comments: RC #12, 30, 32, 33.

Narrative of Support and Opposition:

- Discussion began with the department clarifying language in the staff comments. The proposal addresses state regulation pertaining to subsistence rockfish fishery, and is not concerned with regulations concerning the federal subsistence halibut fishery.
- The department stated that the objective of the proposal is to adopt bag limits for the subsistence rockfish fishery that are the same as the sport fishery.
- There was discussion on whether or not the board could address the proposal.
- The department stated there was an established C & T and the BOF needs to decide if a bag limit reduction would still allow for reasonable opportunity in the subsistence fishery.

Support:

- Some members of the public panel would support substitute language, but none was submitted.
- Concern that there could be a shift from the sport fishery to the subsistence fishery, if the subsistence limit is higher than the sport limit.

Opposition:

- Anchorage AC is opposed because fishery is relatively small and they have concerns about catch mortality.
- Some members of the public panel opposed because of subsistence priority.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Matanuska Valley, Anchorage, Copper River/PWS.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 94 - 5 AAC 55.xxx. New section. Limit number of lines fished on state licensed charter vessels as follows:

On state licensed charter vessels, limit the number of lines fished to the number of paying customers, up to a maximum of 6 lines, unless the charter vessel is operating with a Federal limited entry halibut permit.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #9, 19, 23, 29, 30, 38, 41, 54, 56, 57, 58, 70, 71, 73.

Record Comments: RC #12, 30, 32, 33.

Narrative of Support and Opposition:

- Federal permit in the works, may be ready by 2010.

Support:

- Some members of the public panel stated spreading out effort would be good for the economy and smaller operators.
- Copper River/PWS AC supports anything in favor of slowing harvest and spreading out effort.

Opposition:

- Anchorage AC opposes proposal and probably all alternatives. Suggests to defer to next cycle. They feel they need to see what happens with the federal limited entry program.
- Fairbanks AC is opposed because lowering line limits will increase charter prices which will make it too expensive for anglers.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Copper River/PWS.

Oppose: Matanuska Valley, Anchorage.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 95 - 5 AAC 55.xxx. New section. Define sport fishing gear for finfish in Prince William Sound to prohibit electric downriggers as follows:

Sport fishing gear for finfish in the PWS Management Area will consist of a fishing rod that is a tapering, often jointed, rod equipped with a hand grip and line guides, upon which is mounted a hand powered reel used to deploy and retrieve the fishing line. A downrigger may be used in conjunction with a fishing rod but a downrigger may not be used in conjunction with a troll gurdy. A downrigger is defined as a device designed to be used with a fishing rod to deploy a line to a selected depth and retrieve the downrigger line and weight. A hand powered, electric, hydraulic or power assisted downrigger is not legal sport fishing gear unless it is used in conjunction with a fishing rod and the fishing rod is used to retrieve the fish. Sport fishing gear shall be operated in a manner conforming to its basic design.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #9, 23, 29, 30, 38, 41, 54, 56, 57, 58, 70, 71, 73.

Record Comments: RC #12, 30, 32, 33.

Narrative of Support and Opposition:

- A member of the public panel started with proposing substitute language.
- Enforcement representative described the process to obtain permission to get a waiver if this is passed. It required a request of 30 days prior to fishing and must include a note from a doctor and a letter from the regional supervisor.
- There was concern about people with disabilities and questions were raised if there was a procedure in place for disabled anglers and the department stated that there is.

Support:

- Copper River/PWS AC support the proposal because there would be a decrease in harvest.
- There was some public panel support for the proposal because deeper water fishing would become accessible, and result in user conflicts for rockfish, halibut, and lingcod.
- Deep holding fish should be protected as a reserve to replenish shallow waters.

Opposition:

- Anchorage AC opposed this proposal because of fuel prices and electronic reels allow them to fish in deeper waters closer to port.
- Some public panel opposed because electric reels are beneficial to elderly and disabled anglers.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Copper River/PWS.

Oppose: Matanuska Valley, Anchorage.

Public Panel Recommendation: No consensus with substitute language.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: The use of an electric, hydraulic, or power-assisted reel to retrieve the fishing line is prohibited.

PROPOSAL 96 - 5 AAC 55.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Prince William Sound Area. Allow the use of sport-caught pink and chum salmon for bait in sport, personal use, and subsistence fisheries as follows:

Notwithstanding 5 AAC 75.026, in the Prince William Sound area, pink and chum salmon taken in a sport fishery may be used as bait in a sport, personal use, or subsistence fishery.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 8.

Timely Public Comment: PC #38, 41, 54, 55, 56, 57, 58, 70, 71.

Record Comments: RC #12, 32, 33, 45.

Narrative of Support and Opposition:

- Enforcement representative said there are no enforcement issues with this regulation in Southeast Alaska.
- 30 million hatchery produced pink and chum salmon returned to PWS in 2008.

Support:

- Whittier AC supports because there is no department concern and could use free bait.
- Anchorage AC supports because the number used for bait would be minimal.

Opposition:

- Copper River/PWS AC opposed because of increased congestion around hatcheries and gear conflicts between commercial and sportfish boats.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: **Neutral** to any allocation aspects but **Supports** the concept of the proposal because there are no stock conservation concerns for pink and chum salmon in PWS.

AC Positions:

Support: Matanuska Valley, Anchorage.

Oppose: Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 97 - 5 AAC 55.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Prince William Sound Area. Allow the use of sport caught pink and chum salmon as bait in Prince William Sound as follows:

The use of sport caught pink and chum salmon for bait in Prince William Sound is permitted.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41, 55.

Record Comments: RC #12, 30, 32, 33.

Narrative of Support and Opposition:

- Reference comments in Proposal 96.

Support:

Opposition:

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: **Neutral** to any allocation aspects but **Supports** the concept of the proposal because there are no stock conservation concerns for pink and chum salmon in PWS.

AC Positions:

Support: None.

Oppose: Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action pending results of proposal 96.

Substitute Language: None.

PROPOSAL 98 - 5 AAC 55.023. Special provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Prince William Sound Area. Move terminal harvest area closer to Whittier to reduce wild salmon interception as follows:

All marine waters west of a line from Trinity Point to Gradual Point [BLACKSTONE BAY TO PIGOT POINT PASSAGE CANAL]

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41, 70, 71.

Record Comments: RC #12, 30, 32, 33.

Narrative of Support and Opposition:

Support:

- Whittier AC supports the proposal because of conservation concerns on small runs of local coho salmon stocks.
- Whittier AC believes there is too much confusion with the line and its current location.
- Whittier AC believes the entire terminal harvest area could now be seen from town, thus making enforcement easier.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 99 - 5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Reduce area for coho harvest in Passage Canal near Whittier as follows:

Narrow the area to just east of Billings Creek / eastern boarder of Shotgun Cove to the head of Passage Canal.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #41.

Record Comments: RC #12, 30, 32, 33.

Narrative of Support and Opposition:

- Proposal author agreed to the language in proposal 98.
- Defer to comments in proposal 98.

Support:

Opposition:

SSFP:

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: Defer to proposal 98.

Board Committee Recommendation: No action pending results of proposal 98.

Substitute Language: None.

PROPOSAL 100 - 5 AAC 55.050. Waters closed to sport fishing. Amend the regulation as follows:

Close Ibec Creek to sport fishing 2 miles above the Copper River Highway

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #21, 41, 46, 59.

Record Comments: RC #26, 29, 30, 32, 33.

Narrative of Support and Opposition:

- Escapement goal has been met or exceeded each of the last 10 years. Not a biological issue.
- Discussed if this was on USFS managed land. It was stated that it was and that USFS has authority to restrict ATV use.
- Some public panel stated that aquatic habitat should be protected because it is easier to protect than to restore.

Support:

- Copper River/PWS AC was in support because the angler effort is increasing, spawning grounds are easily accessible and to protect habitat from off road vehicle and foot traffic.
- Some public panel was in support of protecting spawning habitat.

Opposition:

- Fairbanks AC opposes because there is no biological justification to restrict sport fishing, and you can fish on spawning grounds all over the state.
- Anchorage AC opposes because there has been no increase in harvest.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Copper River/PWS.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 101 - 5 AAC 55.050. Waters closed to sport fishing. Amend the regulation as follows:
Close 18 Mile Creek 500 yards above the confluence with Alaganik Slough for coho salmon

18 Mile Creek system closed to the taking of coho salmon 500 yards above the confluence with Alaganik Slough.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #21, 41, 46.

Record Comments: RC #26, 29, 30, 32, 33.

Narrative of Support and Opposition:

- Enforcement representative stated that being species specific makes it difficult to enforce.
- Escapement goal has been met each of the last 10 years. Not a biological issue.
- There was some discussion on what the percentage of local versus non local anglers.
- USFS is considering ways to improve parking and provide sanitation services.
- USFS has done a study that observed an increase in use but could not be explained.

Support:

- Copper River/PWS AC was in support because the angler effort is increasing, spawning grounds are easily accessible and to protect habitat.
- Some public panel support for proposal due to its proactive nature and the increase in angler effort.

Opposition:

- Anchorage AC was in opposition to this proposal.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Copper River/PWS.

Oppose: Anchorage.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 102 - 5 AAC 55.023. Special provisions for season, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend the regulation to close sport fishing for coho salmon along portion of Copper River Highway as follows:

Close sport fishing for coho salmon Mile 7 Copper River Highway to Mile 27 Copper River Highway north of the highway.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #8.

Timely Public Comment: PC #21, 41, 46, 50, 59, 68.

Record Comments: RC #26, 29, 30, 32, 33, 41.

Narrative of Support and Opposition:

- Escapement goal has been met each of the last 10 years. Not a biological issue.
- No new information to oppose or support.
- Enforcement representative stated that this proposal does not close all fishing, so this will be difficult to enforce.

Support:

- Some public panel support. See proposal 100 and 101.

Opposition:

- Some public panel opposition. See proposal 100 and 101.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

Oppose: Copper River/PWS.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 103 - 5 AAC 55.023. Special provisions for season, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Close spawning beds to sport fishing in Copper River as follows:

Part C sect. **(3) All Known spawning beds are closed to sport fishing.**

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #5, 8.

Timely Public Comment: PC #21, 41, 46, 50, 68.

Record Comments: RC #5, 6, 7, 8, 30, 32, 33.

Narrative of Support and Opposition:

- Escapement goals have been met for sockeye salmon and most years for king salmon.
- A member of the public panel would support but proposal intent is vague and they do not want complete closure to all species.

Support:

- Public panel supported the concept, but proposal language is too vague.

Opposition:

- None discussed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

Oppose: Fairbanks, Copper River/PWS.

Public Panel Recommendation: Consensus to oppose as written.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 104 - 5 AAC 52.023 – Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend these regulations as follows:

This proposal would provide protection to select small stocks of king salmon in the Upper Copper River and Chitina River drainages.

Amend the regulation as follows:

(x) in the Lakina River, including all flowing waters within a one quarter-mile radius of it's confluence with the Chitina River, sport fishing for king salmon is closed; king salmon may not be taken or possessed;

(x) in Sinona Creek, including all flowing waters within a one quarter-mile radius of its confluence with the Copper River, sport fishing for king salmon is closed; king salmon may not be taken or possessed;

(19) in the Slana River drainage, including the flowing waters within a one quarter-mile radius of the confluence of the Slana and Copper rivers,

(A) whitefish may be taken using a spear or bow and arrow from January 1 — December 31;

(B) sport fishing for king salmon is closed; king salmon may not be taken or possessed;

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 8.

Timely Public Comment: PC #21, 41, 46, 50, 59, 68.

Record Comments: RC #5, 8, 9, 30, 32, 41, 42, 53.

Narrative of Support and Opposition:

- Discussion on why East Fork Chistochina was not included on the proposal.
- Department stated that the East Fork Chistochina is less accessible and is not a conservation concern.
- Committee chair asked if there was conservation concern. Department stated not at this time, but they are trying to protect small salmon stocks.

Support:

- Copper River/PWS AC stated they support all conservation closures and will continue to do so.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Copper River/PWS, Copper Basin.

Oppose: Matanuska Valley.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 105 - 5 AAC 52.023. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Amend these regulations as follows:

(1) in Ahtell Creek, **including all flowing waters within a one quarter-mile radius of its confluence with the Copper River**, sport fishing for king salmon is closed;...

(7) in all clearwater tributaries of the Gakona River, **including all flowing waters within a one quarter-mile radius of their confluence with the Gakona River**, sport fishing for king salmon is closed;...

(8) in the Gilahina River, **including all flowing waters within a one quarter-mile radius of its confluence with the Chitina River**, sport fishing for king salmon is closed;...

(11) in Indian Creek, **including all flowing waters within a one quarter-mile radius of its confluence with the Copper River**, sport fishing for king salmon is closed;...

(12)(D) in Manker Creek, **including all flowing waters within a one quarter-mile radius of its confluence with the Klutina River**,

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 8.

Timely Public Comment: PC #21, 41, 46, 50, 68.

Record Comments: RC #5, 8, 9, 30, 32, 41, 42, 53.

Narrative of Support and Opposition:**Support:**

- Some public panel support because of its proactive nature.
- PWS/Copper River AC in support.

Opposition:

- Anchorage AC opposed because there is no conservation concern, very little fishing in these areas and access is difficult.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Copper River/PWS, Copper Basin.

Oppose: Matanuska Valley, Anchorage.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 106 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Close Ahtell Creek to king salmon fishing as follows:

Ahtell Creek – closed to king salmon fishing including 200 yards downstream of its confluence with the Chistochina River.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: None.

Timely Public Comment: PC #41, 46, 50, 55, 59, 68.

Record Comments: RC #5, 8, 9, 30, 32, 41, 42, 53.

Narrative of Support and Opposition:

- There was discussion on whether Ahtell Creek was closed. Department clarified that the stream is closed, but the confluence of where majority of harvest occurs, is not.

Support:

- None discussed.

Opposition:

- None discussed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Supports concept but prefers language in proposal 105.

AC Positions:

Support: None.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action pending results of proposal 105.

Substitute Language: None.

PROPOSAL 107 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Extend the king salmon fishing season on the Copper River as follows:

King salmon fishing on the Copper River mainstem below the Klutina River confluence will close August 10.

(E) in all flowing waters of the Copper River mainstem downstream of the ADF&G regulatory markers located at the confluence of the Klutina River, king salmon may be taken from January 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #2, 21, 41, 46, 50, 51, 64, 68.

Record Comments: RC #5, 8, 9, 28, 30, 32, 41, 42, 53.

Narrative of Support and Opposition:

- There was discussion regarding modifying proposals to restrict the early season return for an extension at the end of the season.
- Some public panel expressed it is an allocative proposal because harvest potential could increase with an extended season.
- Fairbanks AC, Anchorage AC, and the public were open to restricting the fishery early in the season in order to fish later in the run. Substitute language was suggested.

Support:

- Anchorage AC and Fairbanks AC are in support of this proposal because a large proportion of king salmon enter the river after the fishery is closed.
- Fairbanks AC believes the allocation would not increase because anglers would shift the fishing effort from early season to late in the season.

Opposition:

- Some public panel opposition to the proposal regardless of substitute language due to trespass concerns and the fishery is already fully allocated.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks, Anchorage.

Oppose: Delta Junction, Copper River/PWS, Copper Basin.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose as written.

Substitute Language: None.

PROPOSAL 108 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Modify the Klutina River king salmon season as follows:

Return the Klutina River king salmon season closure to August 10.

(12) in the Klutina River drainage, bait and artificial lures may be used;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina Lake Road, king salmon may be taken [ONLY] from January 1 - July 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

(i) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 13 on the Klutina Lake Road, king salmon may be taken from January 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #2, 21, 41, 46, 50, 59, 68, 108.

Record Comments: RC #5, 8, 9, 30, 32, 40, 41, 42, 53.

Narrative of Support and Opposition:

- Refer to comments in 107.
- Some public panel asked the department if there is information that contradicts the idea that the majority of spawning takes place above the 13-mile boundary. The department responded that there is no scientific data to contradict this assertion.

Support:

- Some public panel support for this proposal because the extended season would restore economic benefits that were lost when the fishery was restricted.
- Refer to comments in 107.

Opposition:

- Refer to comments in 107.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks, Anchorage.

Oppose: Delta Junction, Copper River/PWS, Copper Basin.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action pending results of proposal 107.

Substitute Language: None.

PROPOSAL 109 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Extend the king salmon fishing season on the Tonsina River as follows:

King salmon fishing on the Lower Tonsina River will close August 10.

(25) in the Tonsina River drainage,

(A) in all flowing waters downstream from the outlet of Tonsina Lake, bait and artificial lures may be used;

(B) in Tonsina Lake, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(C) in all flowing waters entering into Tonsina Lake, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(D) in all tributaries to Tonsina River, including Little Tonsina River and Bernard Creek, and all flowing waters within a one quarter-mile radius of their confluence with the Tonsina River, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at the Alyeska Pipeline crossing, king salmon may be taken from January 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #2, 21, 41, 46, 50, 59, 64, 68.

Record Comments: RC #5, 8, 9, 28, 30, 32, 40, 41, 42, 53.

Narrative of Support and Opposition:

- Anchorage AC suggests that it may be more appropriate to use July 31 as a closure date. They suggested substitute language.
- Clarification was requested on what would be the actual boundary. Proposal states it is the Alyeska Pipeline crossing.
- Department has EO authority and necessary management tools for 107, 108, and 109.
- A member of the public panel expressed concern if 107, 108, 109 were adopted, they may affect overall escapement goals by increasing harvest potential.

Support:

- Refer to proposal 107.

Opposition:

- Refer to proposal 107.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Matanuska Valley, Fairbanks, Anchorage.

Oppose: Delta Junction, Copper River/PWS, Copper Basin.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action pending results of proposal 107.

Substitute Language: None.

PROPOSAL 110 - 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Allow retention of sockeye salmon unintentionally hooked in the rivers of the Copper River drainage as follows:

Except for sockeye salmon in the flowing waters of the Copper River drainage, a fish unintentionally hooked other than **in the** mouth must be released immediately.

Change 5 AAC 52.022 (a)(1) to read, **in all flowing waters, only unbaited, single hook, artificial lures may be used; except only single hook, artificial flies with a gap no larger than 3/8", when fishing for sockeye salmon. Additional weight may only be used 18" or more ahead of the fly are allowed.**

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 5, 8.

Timely Public Comment: PC #41, 46, 50, 59, 68.

Record Comments: RC #6, 7, 8, 9, 30, 32, 40, 41, 42, 53.

Narrative of Support and Opposition:

- There was public support for this proposal because some believe it would be easier for enforcement officers to regulate the fishery.
- Enforcement representative stated that it is impossible to prove intent and mental state and it would be hard to enforce.
- Enforcement representative suggested substitute language if proposal was adopted which replaced the words "fishing for" with the word "taking".

Support:

- Some public panel supported this proposal because it would reduce hooking mortality.

Opposition:

- Anchorage AC opposed because snagging is not sport fishing.
- Some public panel opposed on a regional level due to law enforcement problems.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Delta Junction.

Oppose: Fairbanks, Copper River/ PWS, Copper Basin, Anchorage.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 111 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Prohibit removal from water any salmon which are intended for release as follows:

Require all salmon removed from the water to be kept.

(4) salmon, other than king salmon: may be taken from January 1-December 31, as follows;

(a) greater than 16 inches in length; bag and possession limit of three fish;

(b) 16 inches or less in length; bag and possession limit of 10 fish;

(c) A person may not remove from the water any salmon that the person intends to release;

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 8.

Timely Public Comment: PC #2, 41, 46, 50, 59, 68.

Record Comments: RC #5, 6, 7, 8, 9, 28, 30, 32, 40, 42, 53.

Narrative of Support and Opposition:

- Author submitted due to uneducated anglers not handling fish properly.
- Committee chair asked enforcement representative if the proposed language could be enforced.
- Enforcement representative stated that it is enforced now. Practice of molesting fish is presently illegal.
- A member of the public panel suggested using educational signs to address this issue.
- Fairbanks AC took no action which they stated could be construed as opposition to the proposal. They felt there were too many unanswered questions (i.e. – tail out of water, etc)
- A member of the public panel stated that good photos of fish can be obtained while they are in the water. They agreed the proposal would be a major enforcement issue.
- Enforcement representative submitted substitute language.

Support:

- Anchorage AC supports unanimously. States there is no direct evidence that fish are injured.
- Copper River/PWS AC supports anything to enhance survival.

Opposition:

- Not a conservation concern, more of a social/ethical issue.
- Concern over what constitutes being out of water for photo opportunities or hook release.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Copper River/PWS, Copper Basin, Anchorage.

Oppose: Delta Junction.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language:

Substitute Language: 5 AAC 52.022(a)(XXX) in all waters, a salmon that is removed from the water must be retained and becomes a part of the bag limit of the person that originally hooked the fish; a person may not remove a salmon from the water before releasing the fish;

Delete 52.022(a)(3)(C) as no longer needed

PROPOSAL 112 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Count any landed or deliberately released salmon against the daily bag limit as follows:

On all tributaries of the Copper River, any salmon landed or deliberately released is counted in the daily bag limit for species of salmon. Once the daily bag limit for salmon is reached no sport fishing for salmon is allowed until after 12:01 a.m. the following day.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #2, 41, 46, 50, 59, 68.

Record Comments: RC #5, 6, 7, 8, 9, 28, 30, 32, 42, 53.

Narrative of Support and Opposition:

- Enforcement representative understands the authors concern but stated that it is impossible to prove intent and mental state of angler and the proposed language would be hard to enforce.

Support:

- Some public panel supported.

Opposition:

- Some public panel opposed because when hook and release fishing is done properly there is no damage to the resource.
- Copper River/PWS AC opposed the proposal, but some members felt it had merit.
- Anchorage AC was opposed because catch and release mortality is considered in sportfish allocation.
- Fairbanks AC was opposed because there is no conservation concern.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: Matanuska Valley with amended language.

Oppose: Delta Junction, Fairbanks, Copper River/PWS, Copper Basin, Anchorage.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 113 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Close Klutina and Gulkana rivers to power boat use two days per week as follows:

Restrict methods and means for sport fishing in the Klutina and Gulkana Rivers to not allow fishing from or transporting fishermen in a power boat two days a week.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #2, 41, 46, 50, 59, 68.

Record Comments: RC #9, 28, 30, 32, 40, 42, 53.

Narrative of Support and Opposition:

- Committee chair asked enforcement representative if the BOF has authority over power boat use.
- Enforcement representative stated that BOF has the authority to restrict fishing from a power boat but not the use of a power boat.
- Some public panel expressed concern that elderly clients would be restricted from Klutina River fishery.
- Some public panel stated studies showed boat wake damage is minor compared to flood stage and spring break up.

Support:

- Some public panel supported but had no new information.

Opposition:

- Fairbanks AC is opposed because there is not a conservation concern and spring break up causes more erosion than powerboats.
- Some public panel opposed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: None.

Oppose: Matanuska Valley, Delta Junction, Fairbanks, Copper River/PWS, Copper Basin, Anchorage.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 114 - 5 AAC XX. XXX. New section. Apply restrictions to hatchery and stocking programs as follows:

- 1) The use of hormones, including testosterone, or their precursors in any state sport fish hatchery is prohibited.
- 2) The production and stocking of genetically altered fish by any state sport fish hatchery is prohibited. An exception may be granted when item 3 is fulfilled.
- 3) ADF&G may be allowed to produce and stock sterile fish in a water body only after the local populace that uses the water body has been notified and the local Fish and Game Advisory Committee, after a public review, has given approval.
- 4) When wild species are present in a major drainage the sport fish hatcheries will use local populations of wild fish for brood donors.
- 5) A species may be stocked in a major drainage when there are no wild populations of that species present or when the likelihood of developing a feral population is low.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #16, 41, 46, 60, 63, 74.

Record Comments: RC #9, 30, 32, 42, 53.

Narrative of Support and Opposition:

- Fairbanks AC took no position after much debate, but supported the concept of the board reviewing all policies related to hatchery raised fish.

Support:

- None.

Opposition:

- Copper River/PWS opposed.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions:

Support: None.

Oppose: Matanuska Valley, Delta Junction, Copper River/PWS, Copper Basin.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 115 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation as follows:

(28) in stocked **waters** [LAKES], the bag and possession limit for rainbow/steelhead trout, Arctic char/Dolly Varden, landlocked salmon, and Arctic grayling is 10 fish in combination, of which only one may be greater than 18 inches in length; for the purposes of this paragraph “stocked **waters** [LAKES]” include Arizona Lake, Buffalo Lake, Connor Lake, Crater Lake, Dick Lake, DJ Lake, Gergie Lake, John Lake, Junction Lake, **Kathleen Lake**, Little Crater Lake, Little Junction Lake, North Jans Lake, Old Road Lake, Peanut Lake, Pippin Lake, Round Lake, Ryan Lake, Sculpin Lake, Silver Lake, Strelna Lake, South Jans Lake, Squirrel Creek Pit Lake, Tex Smith Lake, Three Mile Lake, Tolsona Mountain Lake, [TOWN LAKE], Two Mile Lake, and Van Lake.

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #3, 4, 5, 8.

Timely Public Comment: PC #46.

Record Comments: RC #9, 30, 32, 53.

Narrative of Support and Opposition:

- Department discussed that this is a housekeeping proposal to update the Upper Copper River and Upper Susitna River stocked waters list.
- Department also submitted substitute language to include Tolsona Lake.

Support:

- Public panel agreed it was a housekeeping proposal.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Fairbanks, Copper River/PWS, Copper Basin, Anchorage.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support with substitute language.

Substitute Language:

5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation as follows:

(28) in stocked waters [LAKES], the bag and possession limit for rainbow/steelhead trout, Arctic char/Dolly Varden, landlocked salmon, and Arctic grayling is 10 fish in combination, of which only one may be greater than 18 inches in length; for the purposes of this paragraph "stocked waters [LAKES]" include Arizona Lake, Buffalo Lake, Connor Lake, Crater lake, Dick Lake, DJ Lake, Gergie Lake, John Lake, Junction Lake, Kathleen Lake, Little Crater lake, Little Junction Lake, North Jans Lake, Old Road Lake, Peanut Lake, Pippin Lake, Round lake, Ryan Lake, Sculpin Lake, Silver Lake, Strelna Lake, South Jans Lake, Squirrel Creek Pit Lake, Tex Smith lake, Three Mile Lake, Tolsona Lake, Tolsona Mountain Lake, [TOWN LAKE], Two Mile Lake, and Van Lake.

PROPOSAL 116 - 5 AAC 52.023 (24)(B) - Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.
Amend this regulation as follows:

(24) in Tolsona Lake,

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 5, 8.

Timely Public Comment: PC #46.

Record Comments: RC #9, 28, 30, 32, 53.

Narrative of Support and Opposition:

- Department discussed that this is a housekeeping proposal to remove unnecessary, special regulation.

Support:

- Public panel agreed it was a housekeeping proposal.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Fairbanks, Copper River/PWS, Copper Basin, Anchorage.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 117 - 5 AAC 52.045. Lake Burbot Management Plan. Amend this regulation as follows:

This proposal would repeal the Lake Burbot Management Plan.

[5 AAC 52.045. LAKE BURBOT MANAGEMENT PLAN.

THE DEPARTMENT SHALL MANAGE LAKE FISHERIES ON BURBOT POPULATIONS IN THE UPPER COPPER RIVER AND UPPER SUSITNA RIVER AREA TO ENSURE MAXIMUM SUSTAINABLE HARVEST. IN ORDER TO ACHIEVE MAXIMUM SUSTAINABLE HARVEST OF LAKE BURBOT POPULATIONS, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, ESTABLISH PERIODS DURING WHICH

- (1) TIME AND AREA ARE REDUCED;
- (2) THE USE OF SET LINES IS PROHIBITED;
- (3) OR BOTH. (EFF. 4/9/89, REGISTER110)]

Staff Reports: RC #4.

Staff Comments: RC #2.

AC Reports: AC #4, 5, 8.

Timely Public Comment: PC #46.

Record Comments: RC #9, 30, 32, 53.

Narrative of Support and Opposition:

- Department discussed that this is a housekeeping proposal to remove management plan because EO authority, methods, and means regulations are already in place.

Support:

- Public panel agreed it was a housekeeping proposal.

Opposition:

- None.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions:

Support: Delta Junction, Fairbanks, Copper River/PWS, Copper Basin, Anchorage.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

ALASKA BOARD OF FISHERIES COMMITTEE REPORT
COMMITTEE E: Copper River Commercial Salmon
December 4, 2008

Board Committee Members:

1. Bill Brown, * Chair
2. Vince Webster
3. Howard Delo

Alaska Department of Fish and Game Staff Members:

1. Sue Aspelund, CF Deputy Director
2. Dan Gray, CF Regional Management Biologist
3. Glenn Hollowell, CF RII Gillnet Area Manager
4. Jenefer Bell, CF RII Asst. Area Manager
5. Jeremy Botz, CF RII Seine Area Manager
6. John Hilsinger, CF Director
7. Steve Moffitt, CF RII Area Research Biologist
8. Amanda Kelly, CF RII Otolith Biologist - Recorder
9. Heath Kimball, CF RII Analyst/Programmer - Recorder
10. Jeff Regnart, CF RII Regional Supervisor
11. Tom Taube, SF Regional Management Biologist
12. Katie Sechrist, CF RII Information Officer - recorder
13. Mark Somerville, SF AYK Area Management Biologist
14. Tim Viavant, SF AYK Area Regional Management Biologist

Advisory Committee Members:

1. Copper River/PWS AC – John Renner

Public Panel Members:

1. Reuben Hanke – Sport
2. Bill Lindow – Gillnet
3. James Mykland – Gillnet
4. Dave Blake – Gillnet
5. Ian Lindsay – Gillnet
6. Mike Babic – CDFU
7. Jerry McCune – CDFU
8. Bill Reid – Independent
9. Stephen Barnes – Independent
10. Jennifer Yuhas – AWCA
11. Ricky Gease – KRSA
12. Keith van den Broek – Native Village of Eyak

Federal Subsistence Representative:

1. Rod Campbell – USFWS/OSM
2. Tim Joyce – USFWS
3. Molly McCormick – WRST/NPS

The Committee met on December 4 at 1:30 p.m. and adjourned at 3:30 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (15 Total) 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132.

PROPOSAL 118 - 5 AAC 01.610. Fishing seasons. Amend the regulation to restrict commercial activity by participants of subsistence fisheries as follows:

Permit holders or vessels that participate in subsistence fisheries will not be allowed to fish in commercial openers for 1 month.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 173.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 27.

Narrative of Support and Opposition:

Department comments: Neutral. Currently there are several areas that restrict permit holders in Kodiak, Cook Inlet, Aleutians, and Chignik.

Dept. of Law: BOF has authority to establish restrictions for participants in the subsistence fishery for enforcement purposes.

Federal Subsistence Management Program: Oppose. If adopted would restrict federally qualified subsistence users from earning an income from commercial fishing if they harvest fish in fresh water with federal subsistence permit.

Support:

- None.

Opposition:

- Residents take others out with them to subsistence fish and this proposal would deprive Cordovans of subsistence fishing opportunity. If the only way to subsistence fish was on a commercial boat out on the Flats then many Cordova residents would not be able to participate as most do not have boats big enough.
- Others oppose this proposal because it would hurt a lot of people who are not able to get out to Flats due to a lack of proper gear or boat.
- Some concerns were expressed that people would try to sell subsistence caught fish but it was discussed that people would find out if someone was trying to sell subsistence caught fish and as a result be self regulating.
- Anchorage AC in support with amendment as they do not support the original month that was specified.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.

Oppose: CR/PWS AC and Anchorage AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 119- 5 AAC 39.010(a) Retention of fish taken in a commercial fishery. Amend the regulation to prohibit home pack of king salmon in Copper River commercial fishery as follows:

Commercial permit holder may not homepack Chinook salmon in the Copper River Fishery.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 175.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Dept. of Law discussed that the board can allow participants to give away fish or not and can require a fish ticket be issued as record of harvest.

ADF&G Subsistence stated RC 4, Tab 6 contains information from subsistence surveys regarding uses of salmon in the Copper River area. Found that 78% of kings harvested for home use were obtained as removals from the commercial fishery. This is figured into the ANS for Cordova.

Department: Neutral. Allocative.

Federal Subsistence Management Program: None.

Support:

- No comments.

Opposition:

- Fish damaged by seals are taken home and utilized instead of discarded because they can't be sold. These are the only fish some people get if they otherwise don't get to subsistence fish.
- Prohibiting homepack would not reduce Chinook harvest in commercial fishery.
- Chinook salmon taken as homepack are already required to be recorded on a fish ticket as personal use.
- Concern was expressed about the potential loss of the current option to give away commercially caught fish for events like Senior Day, for people who don't have boats, nets, or ability to go subsistence fishing.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.

Oppose: Anchorage AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 120 - 5 AAC 24.356. Reporting requirements. This proposal would repeal the regulation that requires the reporting of king salmon harvested but not sold in the Copper River and Bering River districts.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 176.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Department: Housekeeping proposal

Federal Subsistence Management Program: None.

Support:

- Others expressed support and agreed that is a housekeeping proposal.

Opposition:

- No comments.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 121 - 5 AAC 24.331. Gillnet specifications and operations. Prohibit use of dipnets and gaffs in commercial fishery as follows:

The use of dipnet, landing nets, and gaffs are prohibited for the taking of king salmon not already incidentally caught in gill nets.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 177.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27, 30, 63.

Narrative of Support and Opposition:

RC 63 was handed out including a fisherman's sale receipt from 1945 to show that Chinook salmon have never been an incidental part of the commercial fishery. Chinook have always been caught in the Copper River fishery as an integral part of the commercial fishery, not as bycatch. King gear was allowed in 1980 as part of the commercial fishery but was later restricted.

Department: Neutral on allocative issues. Opposed to increased potential to deadloss.

Federal Subsistence Management Program: None.

Support:

- Kings aren't a target species in the Copper River commercial fishery and dipnets are a means used to harvest more kings.

Opposition:

- This proposal is likely to result in mortality of Copper River Chinook salmon and waste of the resource. Chinook salmon could be lost if dipnets and gaffs can't be used because fish are dead when the net is pulled and may be lost as "drop outs," and would be a waste of the resource.
- At one time Chinook gear was used in the fishery and mesh size was restricted to reduce harvest. Used to be able to fish more than one mesh size at once until regulations changed.

SSFP:

- Not discussed

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects of proposal and opposed to the increased potential for deadloss and waste of salmon.

AC Positions: Support: None.

Oppose: Anchorage AC (support was misprint).

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 122 - 5 AAC 24.334. Identification of gear. This proposal would amend the regulation as follows:

5 AAC 24.334. Identification of gear. (a) Each drift gillnet in operation must have a **red** keg or buoy at each end **except an end attached to the vessel operating the gear,** plainly and legibly marked with the permanent vessel license plate (ADF&G) number of the vessel operating the gear **in permanent symbols at least four inches high with lines at least one-half inch wide in a color that contrasts with the background.**

Staff Reports: RC 4.

Staff Comments: RC 2, pg 178.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Discussed the definition of color between orange and red and standardizing buoy size. ADF&G enforcement discussed these concerns and said that highly visible buoys was the goal of the regulation and that buoys would have to be of a certain size to accommodate the size of the letters. No standards for buoy size anywhere else in the state.

Department: Support. Similar rules in other parts of the state.

Federal Subsistence Management Program: None.

Support:

- Supported being able to see their own and other nets.
- Preference for buoy size restriction.

Opposition:

- CR/PWS AC opposed and would like to see color not specified as red, but as highly visible.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.

Oppose: CR/PWS AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 123 - 5 AAC 24.350(1)(B). Closed waters. This proposal would amend the regulation as follows:

(1)(B) except as provided in 5 AAC 24.361(b) , the inside closure area defined as all waters north of a line from the Steamboat anchorage marker at (1)(B) except as provided in 5 AAC 24.361(b) , the inside closure area defined as all waters north of a line from the Steamboat anchorage marker at **60° 22.30' N. lat., 145° 33.50' W. long.** [60° 22.39' N. LAT., 145° 33.09' W. LONG.] to the eastern boundary of Copper Sands at 60° 18.80' N. lat., 145° 30.30' W. long. to the western end of the Grass Island bar at **60° 18.35' N. lat., 145° 28.66' W. long.** [60° 17.65' N. LAT., 145° 27.15' W. LONG.] to the eastern end of the Grass Island bar at **60° 15.07' N. lat., 145° 17.95' W. long.** [60° 15.00' N. LAT., 145° 16.30' W. LONG.] to the western end of the Kokenhenik bar at **60° 14.96' N. lat., 145° 16.08' W. long.** [60° 14.43' N. LAT., 145° 13.94' W. LONG.] to the eastern tip of the Kokenhenik bar at 60° 13.58' N. lat., 145° 08.29' W. long. to the western tip of the Softuk bar at **60° 13.65' N. lat., 145° 05.72' W. long.** [60° 13.60' N. LAT., 145° 05.18' W. LONG.] to the ADF&G regulatory marker at Coffee Creek at **60° 14.13' N. lat., 144° 58.31' W. long.** [60° 14.09' N. LAT., 144° 57.69' W. LONG.];

Staff Reports: RC 4.

Staff Comments: RC 2, pg 178.

Deliberation Materials: RC 31, Tab 6.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Department: Support. Clarification of inside closure markers.

Federal Subsistence Management Program: None.

Support:

- Good to have lat./long. to put markers in; without visible markers would tend to fish above the marker illegally. Gear operator often not in cabin to see what coordinates are. Visual markers are also easy for FWP to see violation.
- Support if amended to change coordinates by EO annually.

Opposition:

- General consensus was that bars such as Kokenhenik are going to move and change every year, possibly by hundreds of yards. GPS coordinates would have to be changed

every year to account for this movement. It was also mentioned that it is easier to see geographical points such as the end of a sandbar than to check GPS coordinates.

- Shifting sand bars should be described by area because locations are dynamic due to storm action.
- Outside and inside marker lat./long. would not work well in one particular instance (Kokenhenik and Grass Island markers move and change every year).

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.

Oppose: CR/PWS AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language:

5 AAC 24.350. Closed waters

The following waters are closed to commercial salmon fishing:

(1) Copper River District:

(B) except as provided in 5 AAC 24.361(b), the inside closure area defined as all waters north of a line from the Steamboat anchorage marker to a marker at the eastern boundary of Copper Sands to a marker at the western end of the Grass Island bar to a marker at the eastern end of the Grass Island bar to a marker at the western end of the Kokenhenik bar to a marker on the eastern tip of the Kokenhenik bar to a marker on the western tip of the Softuk bar to the ADF&G regulatory marker at Coffee Creek;

(C) the Commissioner may, prior to the first opening of each season, relocate or reinstall markers listed in (B) of this subparagraph, and announce the exact locations of the markers, based on GPS location, in the first emergency order of the season; the announced locations shall then be effective for the remainder of the season unless corrected in by further emergency order.

PROPOSAL 124 - 5 AAC 24.350(2)(B). Closed waters. Open the east side of Kayak Island to drift gillnetting as follows:

Open the area on the east side of Kayak Island to drift gillnetting. On a line from three miles seaward from Cape St. Elias to a line three miles seaward from Cape Suckling. This area would be open from the 1st of June for the same fishing periods that are open in the Copper River District.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 180.

Deliberation Materials: RC 31, Tab 7.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Department: Opposed. ADF&G tagging study was referenced to show results that this is an interception fishery.

Federal Subsistence Management Program: None.

Support:

- Increased opportunity for commercial fishery.

Opposition:

- ADF&G study showed this is likely an interception fishery.
- Fish were of poor quality (feeders).
- There is ample opportunity elsewhere and it complicates management.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 125 - 5 AAC 24.350. Closed Waters. Amend the regulation to expand fishing area in Bering River District as follows:

5 AAC 24.350. Closed Waters

Sect 2 part (b) waters east of the longitude of Cape Suckling (143° 53.60), and to the west of Pinnacle Rock (144° 36.30) within this area fishing is only allowed within 1 mile from shore at mean low water.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 182.

Deliberation Materials: RC 31, Tab 7.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Department: Opposed. Eastern side of Kayak Island is an interception area for salmon bound for other districts.

Federal Subsistence Management Program: None.

Support:

- Increased opportunity for commercial fishery.

Opposition:

- Fish were of poor quality (feeders). ADF&G study showed this is likely an interception fishery.
- There is ample opportunity elsewhere and it complicates management.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: CR/PWS AC.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 126 - 5 AAC 24.360. Copper River District Salmon Management Plan. Modify inriver escapement goal for Copper River regulation as follows:

Revise in-river goal based on new species-specific escapement goals, new research data on basin stock structure of sockeye and Chinook, and current in-river fishery data.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 183.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 5, 6, 7, 12, 14, 26, 19, 25, 27, 37.

Narrative of Support and Opposition:

Department: Neutral. Allocative. ADF&G manages for inriver goal and currently does not have the ability to apportion sonar counts to species; therefore, ADF&G could not meet objective of this proposal.

Federal Subsistence Management Program: None.

Support:

- Interior residents asked for the proposal to be reworded as a conservation effort to say that no users should harvest Chinook until a particular date as an early effort to let fish go up the river to spawn. Willing to develop substitute language and submit an RC to change this proposal.
- Rewrite proposal to allow other groups to share conservation burden of Chinook salmon. Some committee members would be willing to help rewrite the proposal.

Opposition:

- Chinook salmon sustainable escapement goal (SEG) was attained in 2006, 2007, and 2008. No further restrictions needed.
- No specific language proposed such as numbers; some feel this proposal is waste of time.
- Fishermen would not only be missing an opportunity to catch Chinook but also sockeye salmon.
- SEG for Chinook was attained in recent years due to inside closures of the commercial fishery during stat week 20 and 21.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.

Oppose: CR/PWS AC, Anchorage AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 127 - 5 AAC 24.360(c). Copper River District Salmon Management Plan. This proposal would repeal subsection (c).

(c) **Repealed.** [THE DEPARTMENT SHALL ESTABLISH THE SUBSISTENCE COMPONENT OF THE INRIVER GOAL WITHIN THE RANGE OF 160,000 – 225,000 SALMON TO ENSURE SUBSISTENCE HARVEST NEEDS WILL BE MET.]

Staff Reports: RC 4.

Staff Comments: RC 2, pg 185.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Department: Support. Housekeeping proposal.

Federal Subsistence Management Program: None.

Support:

- Overall discussion was to support this proposal.

Opposition:

- No comments.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support. Housekeeping.

AC Positions: Support: None.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation:

Substitute Language: None.

RC 50

PROPOSAL 128 - 5 AAC 24.360. Copper River District Salmon Management Plan. Delay commercial fishing until after 5,000 fish are counted at Miles Lake sonar as follows:

First Copper River commercial opener may not commence prior to 5,000 fish being counted at the Miles Lake Sonar.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 186.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27, 37.

Narrative of Support and Opposition:

Concern that if approved families and local economy would suffer greatly.

Department: Neutral on allocative aspects. Opposed to limitation on management flexibility.

Federal Subsistence Management Program: None.

Support:

- Interior residents want to have ANS met; they consider that opportunity has been reduced in past for upriver users. They feel the priority is to meet subsistence needs first.

Opposition:

- Would result in a negative impact to the gillnet fleet. ADF&G manages well as is. Current management is working and no need for this proposal. Management on real time basis is the best way to operate.
- By the time 5,000 fish make it past the sonar, it is likely there are many more fish that have already entered the river and bypassed the commercial fishery.
- Most of discussion opposed due to reasons such as ice in river when ADF&G can get the sonar in before the first opening. Would result in loss of opportunity for commercial fishery. ADF&G is doing a good job meeting goals and doesn't need any more restrictions.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects and opposed to the limitation of management flexibility that may result in lost harvest opportunity.

AC Positions: Support: None.

Oppose: CR/PWS AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 129 - 5 AAC 24.361. Copper River King Salmon Management Plan. Amend the regulation to increase sustainable escapement goal (SEG) for Copper River king salmon as follows:

The SEG in the management plan is reset to a minimum of 28,000. This can be reset by the Board as an Optimum Escapement Goal (OEG) without new evidence.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 187.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27, 37.

Narrative of Support and Opposition:

Dept. of Law: Discussed that the board cannot set an SEG; board can only set an optimal escapement goal. Some discussion that this proposal relates to proposal 8.

Department: Opposed. Current SEG has been calculated to meet spawning needs.

Federal Subsistence Management Program: None.

Support:

- No comments.

Opposition:

- No biological justification.
- No justification to raise the SEG for Copper River Chinook salmon. Things are working well as they are.

SSFP:

- ADF&G discussed definition of SEG and difference between OEG.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.

Oppose: CR/PWS AC.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.
Substitute Language: None.

RC 50

PROPOSAL 130 - 5 AAC 24.361. Copper River King Salmon Management Plan. Amend the regulation to allow only one fishing period per statistical week during weeks 20 and 21 for the Copper River District as follows:

(b) in the commercial fishery, during statistical weeks 20 and 21, the commissioner may open no more than 3 fishing periods within the inside closure area of the Copper River District described in 5 AAC 24.350 (1)(b).

Staff Reports: RC 4.

Staff Comments: RC 2, pg 188.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

There was discussion to support the intent of this proposal to have three open periods in inside waters during stat weeks 20 and 21, but it was preferred to other language in 132.

Discussion regarding Tanada Creek weir and the relatively large number of Chinook that went past the weir this year.

Dept. of Law: Clarified that there are no requirements to meet ANS each year. Not meeting ANS does not necessarily mean there is a problem; board needs to look at long term patterns.

Department: Neutral on the allocative aspects. Opposed to alteration of the current management practice.

Federal Subsistence Management Program: None.

Support:

- Brief discussion to support the intent of this proposal based on the fact that some considered that ANS was not being met.

Opposition:

- Current regulations are adequate and sustainable for Chinook salmon.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative and opposed to alteration of current management practice.

AC Positions: Support: None.

Oppose: Anchorage AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 131 - 5 AAC 24.361. Copper River King Salmon Management Plan. Add statistical weeks 22 and 23 to limits on commercial fishing within inside closure area of Copper River as follows:

The Department will extend the existing management strategy for protecting the waters inside the barrier islands by adding statistical weeks 22 and 23. The extra time will allow king salmon to enter the river in the early part of the season.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 189.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27, 37.

Narrative of Support and Opposition:

Department: Neutral on allocative aspects. Opposed to alteration of current management plan.

Federal Subsistence Management Program: None.

Support:

- Upriver harvest has been reduced; lower river users should also cut back on harvest.
- Upriver users want to minimize early harvest and lower river users should do the same, but ADF&G already has the ability to do what is proposed.
-

Opposition:

- Would be another burden on commercial fishery.
- This proposal would restrict the average number of openings during this time. ADF&G could restrict the fishery if necessary.
- ADF&G has ability to use EO authority to close fishery when not enough escapement going past sonar.
- Discussion included safety concerns for smaller boats; they may be forced outside during inside closures and may cause economic loss when it's not safe for them to participate. Larger boats can better handle bigger water.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative issue and opposed on alteration of current management practice.

AC Positions: Support: Anchorage AC.

Oppose: CR/PWS AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 50

PROPOSAL 132 - 5 AAC 24.361. Copper River King Salmon Management Plan. Repeal mandatory commercial closure during statistical weeks 20 and 21 for inside closure area of Copper River as follows:

5 AAC 24.361

(B) Repealed December, 2008.

Staff Reports: RC 4.

Staff Comments: RC 2, pg 191.

Dept. of Law Comments: RC 1, Dept. of Law Tab.

AC Reports: RC 1, Advisory Committee Comment Tab.

Timely Public Comment: RC 1, Public Comment Tab.

Record Comments: RC 12, 14, 26, 19, 25, 27.

Narrative of Support and Opposition:

Department: Neutral on allocative aspects. Opposed to alteration of the current management practice.

Federal Subsistence Management Program: None.

Support:

- Would like department to have flexibility to open inside waters when salmon numbers allow.

Opposition:

- All user groups will benefit from higher escapement. Discussion to retain status quo.

SSFP:

- Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative issue and opposed on alteration of current management practice.

AC Positions: Support: CR/PWS AC.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

RC 51

Prince William Sound
Hatchery Permitted Capacity Summary - Chum Salmon (in millions of eggs)

Organization	Hatchery	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
PWSAC	AFK	13	-	-	-	-	-	-	-	-	17	17
	CCH	5	-	-	-	-	-	-	-	-	-	-
	WNH	122	111	111	111	111	148	165	165	165	131	131
	PWSAC Total	140	111	111	111	111	148	165	165	165	148	148
Nerka, Inc.	Perry Island	10	-	-	-	-	-	-	-	-	-	-
VFDA	SGH	18	-	-	-	-	-	-	-	-	-	-
	Grand Total	168	111	111	111	111	148	165	165	165	148	148
	Percent increase/(decrease) since 1998		-34%	-34%	-34%	-34%	-12%	-2%	-2%	-2%	-12%	-12%

RC 51

Submitted by PWSAC
Dave Leggett

Table 11. Total Pounds Harvested by Non-salmon Fish Species, Copper Basin Communities, 2001

Community	Burbot	Arctic Char	Dolly Varden	Lake Trout	Grayling	Pike	Sucker	Rainbow Trout	Steelhead	Unknown Trout	Whitefish	Total
Chistochina	168.7	0.0	2.2	167.7	129.5	6.9	0.0	0.0	0.0	0.0	58.8	533.8
Chitina	0.0	0.0	41.6	60.1	48.6	0.0	0.0	80.9	9.7	0.0	0.0	240.9
Copper Center/SilverSprings	374.9	27.9	235.2	256.1	563.7	5.9	29.4	1177.6	97.7	0.0	488.6	3257.0
Gakona	319.8	0.0	126.0	129.8	349.1	0.0	0.0	133.9	0.0	0.0	980.3	2038.9
Glennallen	189.5	0.0	299.1	177.7	340.9	0.0	0.0	488.3	0.0	0.0	142.1	1637.6
Gulkana	108.0	0.0	0.0	0.0	252.0	0.0	0.0	58.8	12.6	0.0	0.0	431.4
Kenny Lake	46.8	0.0	392.0	26.0	286.7	0.0	0.0	664.3	0.0	0.0	0.0	1415.8
Lake Louise	500.9	0.0	0.0	126.7	161.7	20.8	0.0	36.5	0.0	0.0	1891.9	2738.5
McCarthy/McCarthy Road	0.0	0.0	60.5	113.2	17.3	5.0	5.0	161.0	0.0	17.0	0.0	379.0
Mendeltna	55.2	0.0	0.0	51.1	21.5	0.0	0.0	32.2	0.0	0.0	0.0	160.0
Mentasta	4.1	0.0	10.6	13.3	327.2	0.0	0.0	0.0	0.0	0.0	-612.1	967.3
Nelchina	0.0	0.0	25.6	120.0	115.5	0.0	0.0	264.6	0.0	0.0	0.0	525.7
Paxson	40.3	0.0	47.3	33.6	92.6	0.0	0.0	5.9	0.0	0.0	20.8	240.5
Slana	482.1	0.0	229.9	386.9	661.4	194.4	17.4	3.5	0.0	19.8	203.1	2198.5
Tazalina/Copperville	508.3	0.0	220.9	196.6	237.8	0.0	0.0	396.8	25.7	0.0	170.4	1756.5
Tolsona	9.6	0.0	0.0	6.0	11.2	0.0	0.0	57.4	0.0	0.0	0.0	84.2
Tonsina	12.6	0.0	105.9	20.9	45.8	0.0	0.0	164.8	0.0	0.0	2.4	352.4
Willow Creek	32.0	0.0	111.0	0.0	95.7	0.0	0.0	233.3	0.0	0.0	0.0	472.0
Total Pounds	2852.8	27.9	1907.8	1885.7	3758.2	233.0	51.8	3959.8	145.7	36.8	4570.5	

SOURCE: Alaska Department of Fish and Game, Division of Subsistence, Household Survey, 2002

RC 52

Submitted by ADFG Subsistence

October 27, 2008 meeting

6:00 PM to 10:40 PM

ROLL CALL: Chuck McMahan, Karen Linnell, Loren Bell, David Bruss, Roy Ewan, Bruce Dickerson, Mel Matthews, Mike Roscovius, Dave Sarafin, Jim Odden, James Segerquist

ABSENT: Don Horrell, Fred Williams
 Others Present: Mark Somerville, Tom Torke, Gloria Stickwan, Cory

Proposal #	Title	Pass/Fail	Vote	Comments	Motion By
1	Reclassify Chitina dipnet fishery as a subsistence Fishery	Fails	1/11	This was changed in 2003 and reviewed again in 2005. This would not change the fishwheel regs. Allocation for dipnet fishery was 100k, and up to 150k, right now allowed 15 per individual or 30 per family. Was there ever a time when restricting commercial fishing wasn't enough. 1978-80 This is not the Customary & Traditional Use of those seeking to pass this proposal. FOR: Questions whether there is a substantial difference or not between personal use and subsistence.	RE/NJ
2	C&T use of non-salmon species	Pass	12/0	Just sets a C&T determination. Freshwater fish study done, a few years ago. Provides clarity for specific species, Oversight in reopening. Goes against Subsistence Law	KL/MR
3	Re-Open Crosswind Lake				MR/MM
12	Fishwheel gear	pass	12/0	Concern of over harvest of Lake Trout. This will be limited through the permit process. clarification, move to gear	MR/RE
13	Fishwheels from 75 to 300ft apart 30 ft dipnet restriction from	Fails	0/12	too drastic of a change, cutting subsistence use	MR/RE
14	Fishwheel	Fails	0/12	Isolated incidents	MR/NJ
15	Permit language to Bag limits section	Pass	11/0	clarification, move to permit section	NJ/MR
16- 17	Change Subsistence Bag Limits	Fails	1/10	For: Limits are high as they are now than what they should be. More permits will be issued in lieu of higher bag limits	MR/NJ
18	Modify CR Management Plan	Fails	0/11	Already being done in different management plans. Calls for budgetary expenditure Increased workload with no gain, extra burden on user, does not change management plan	MR/MM
19 - 20		Fails	0/ 11		KL/MR
22	increase bag limit for personal use	fails	0 / 11	There is a system already in place for surplus. Allocation will be revisited in next cycle. Can be addressed then. Opposed to this, strong suspicion that personal use fishery not reporting all their catch	MR/KL
23	Changes to Supplemental Fishing	fails	0 / 11	does not improve system, would be difficult to get word out to those already in area. Complicate system currently in use.	MR/NJ

Proposal #	Title	Pass/Fail	Vote	Comments	Motion By
24	Changes to Personal Use when Commercial Fishery Closure exceeds 8 days	Fails	0 / 11	Does not allow for a supplemental even there is a surplus of fish, later in season. Potential for abuse, because Personal Use permit could be for a household and Kings recorded on .	MR/NJ
25	King sport fish on personal use permit	Fails	0 / 11		NJ/MR
26	Require boat operators to record fish caught by personal use f	Fails	0/11	Duplication of reporting. Poor access / only 6% of fish go up Chitina Drainage, double whammy to fish.	MR/NJ
27	Open Chitina River to dipnetting	Fails	0 / 11		MR/JO
104	Amend Regs to protect Small drainages from Chinook fishing	Pass	11/0	small stocks, protects	KL/NJ
105	Amend Regs to protect Small drainages sport king fishery	Pass	11/0	protects fish at confluence of already protected streams	MR/JS
106	Ahtel Creek	no action		see 105	
107	change season for Chinook	Fails	1/10	could be detrimental to returns in the Klutina, Fish are already turning red for: good fishery something I would like to try to do	MR/NJ
108	Change season for Klutina River	Fails	0/11	could be detrimental to returns in the Klutina, Fish are already turning red	DB/JO
109	extend King Fishery, Tonsina River	Fails	0/11	could be detrimental to returns in the Tonsina, Fish are already turning red	MR/KL
110	retension of unintentionally caught fish			Discussion.Allows for potential abuse, snagging, difficult to prove. There will be enforcement issues.	JO/NJ
	As ammended	Pass	7/4	Amend: to remove the word unintentionally	
		Fails	5/6	As ammended	
111	Prohibit removal from water fish intended for release	Pass	6/5	Reg is in place for kings, there is a conservation concern for kings, this is an educational thing for catch and release. Not all people kick and release. Some are totally against Catch and release.	MR/DB
112	Count any landed or deliberately released salmon against daily bag limit	Fails	2/9	too restrictive, hard to enforce, against catch and release	MM/LB
113	closing Gulkana and Klutina Rivers 2 days a week	Fails	2/9	overharvesting is not an issue, proactive on bank degradation, trying to cut down harvest of salmon. Could improve returns. Benefits specific group (rafters).	MR/LB
114	Hatchery and stocking restrictions	Fails	0/11	not currently DOF practice, not letting hormones into water.	MR/NJ
115	list of stocked waters	Pass	11/0	adds Kathleen Lake, DF&G will ammend to add Tolsona Lake, removes Town Lake	MR/NJ
116	Tolsona Lake bag and possession limit	Pass	11/0	current regs does not match up with mgmt plans	NJ/JO
117	repeal lake burbot mgmt plan	Pass	11/0	housekeeping, no longer need in other regs	JO/MM
126	modify inriver escapement goals for CR	no action		not enough information to do this at this time.	
127	repeal portion of subsistence component of inriver goals	Pass	11/0	Not specific enough this was established when dipnetting was part of subsistence	MR/MM
128	delay commercial fishing	Pass	6/5	in river management is not done by early test runs by commercial fishery. Would allow for more fish escapement for northern runs.	MR/LB
129	amend sustainable escapement goal for kings	Fails	0/11	every year the dept brings an escapement goal for review. Can be restrictive.	JO/MR

Proposal #	Title	Pass/Fail	Vote	Comments	Motion By
	amend reg to allow for only one				
130	closure	Fails	0/11		MR/NJ
131	amend reg re: openers	Fails	0/11		MR/NJ
132	repeal mandatory closures	Fails	0/11		MR/NJ

RC # 54

**PRINCE WILLIAM SOUND
GROUNDFISH AND POT SHRIMP
DELIBERATIONS PACKET FOR
COMMITTEE "B"
ALASKA BOARD OF FISHERIES**



ALASKA DEPARTMENT OF FISH AND GAME

**DECEMBER 2008
CORDOVA, ALASKA**

Sablefish Proposals:

- Proposal 29 – Amend the fishing season to May 1 – August 31.
- Proposal 30 – Amend the fishing season to April 15 – August 31.
- Proposal 31 – Conditions of commissioner’s permit into formal regulation.

CURRENT SABLEFISH REGULATION and MANAGEMENT

- Registration deadline March 1 (5 AAC 28.206 PWS Area registration).
- Season March 15 – May 15 and August 1 – 21.
- Registration by commissioner’s permit.
 - 6 hours prior notice of landing to 24 hr telephone voice mail box.
 - Completed logbooks returned within 10 days of each landing.

DISCUSSION:

- Current season:
 - Gear conflicts/lost hooks no longer a concern.
 - Orca depredation became an issue starting in 2005.
 - Some fishermen forfeit early season fishing opportunity; Summer season extended 17 days 2006 – 2008.
 - Fewer occurrences of Orca depredation in May, possibly due to availability of other food sources.
- Orca depredation reported from logbooks 2005 – 2008.

<u>Year</u>	<u>Number of vessels</u>	<u>Number of sets</u>	<u>Number of interactions</u>	<u>Number of interactions/set</u>	<u>% interactions March-April</u>
2005	19	102	36	0.35	94.4
2006	14	68	25	0.37	96.0
2007	4	23	10	0.43	100.0
2008	7	32	15	0.47	73.3

- Proposal 29 – Amend season to May 1 – August 31.
 - Later opening date to reduce occurrences of Orca depredation.
 - Avoid reduction in GHJ due to estimated loss to Orcas.
 - Avoid negative publicity from Orca interactions.
 - Provides fishing opportunity in latter half of May through July and August 21 - 31.

Department supports proposal 29. A May 1 opening date could reduce the occurrence of Orca depredation. The department is neutral to any allocative effects of a later season date.

 - If adopted, department recommends changing the registration deadline to 2 weeks prior to season opening date.
- Proposal 30 – Amend season to April 15 through August 31.
 - Later season date to reduce occurrences of Orca depredation.
 - Would extend season from latter half of April through July and August 21 - 31.

Department opposes proposal 30. A May 1 season starting date would likely further reduce the occurrence of Orca depredation. The department is neutral to any allocative effects of a later season date.
- Proposal 31 – Permits for PWS Area- conditions of commissioner’s permit into formal regulation. Department housekeeping proposal.

Lingcod Proposals:

- Proposal 32 – Amend the fishing season July 1 - December 1, provide for 10% dressed weight bycatch allowance, effective 1/1/ 09 and sunset in 3 years.
- Proposal 33 – Clarify regulations regarding lingcod taken during commercial gillnet season.

CURRENT LINGCOD REGULATION and MANAGEMENT

- Season based on life history, July 1 – December 31 or until closed by emergency order.
- No stock assessment survey.
 - GHL's, established in 1998 at 50% 1988 - 98 average harvest.
 - GHL's expanded to 75 & 100% of average harvest
- Harvest
 - Majority (approximately 75%) of the harvest occurs in federal waters.
 - Majority of harvest occurs as bycatch to IFQ halibut fishery
 - 85% of the lingcod harvest is female (2004 – 2008 avg)
 - 2006 sample: n= 311, age range 5 – 33 years, average age is 14 years.
- 5 AAC 28.070. Groundfish possession and landing requirements, provides for 20% bycatch by weight of directed groundfish species or halibut aboard the vessel
- 5 AAC 28.230. Lawful gear for PWS – Groundfish taken by drift gillnet gear operated for salmon consistent with applicable state laws and regulations are legally taken and possessed.

DISCUSSION:

- Proposal 32 – Retention of lingcod.
 - Amend the fishing season July 1 - December 1.
 - Specifies 10% dressed weight bycatch allowance throughout the remainder of the year.
 - Specifies sunset provision after 3 years.

Season closure date not significant, fishery closes by E.O. in late July – August.

10% bycatch allowance is a reduction to 20 % bycatch allowance provided by 5 AAC 28.070.

A 10% bycatch allowance outside the directed season may substantially increase lingcod harvest.

Department opposes this proposal. Retention of lingcod during nest guarding has potential to reduce or eliminate recruitment form that year's mated pairs. Department neutral to any allocative aspects of proposal.

- Proposal 33 – Clarify intent regulation of 5 AAC 28.230 Lawful gear for PWS. Groundfish taken by drift gillnet gear operated for salmon consistent with applicable state laws and regulations are legally taken and possessed.
 - Reports of incidental lingcod catch in 2007Copper River drift net fishery.
 - Lingcod may only be retained during open season and in accordance with 5 AAC 28.070, which provides for a 20% bycatch allowance.

Department supports this proposal to clarify conditions of retention of groundfish by salmon drift gillnet fishermen.

PACIFIC COD PROPOSALS:

- Proposal 34 – Amend parallel fishing season to open and close with initial federal season in the Eastern Gulf of Alaska (EGOA).
- Proposal 35 – Amend parallel fishing season with in PWS waters east of 147° 00' W. long., with initial federal season in EGOA.
- Proposal 36 - Allow halibut IFQ fishermen possessing a misc finfish permit card to retain Pacific cod regardless of parallel season status.
- Proposal 37 – Allow halibut IFQ and PWS sablefish permit holders a 20% bycatch allowance of Pacific cod.
- Proposal 38 – Open the Eastern Section of the Outside District to state waters Pacific cod season.
- Proposal 39 – Open waters of Orca Bay to pot gear for Pacific cod.

CURRENT PACIFIC COD REGULATION and MANAGEMENT

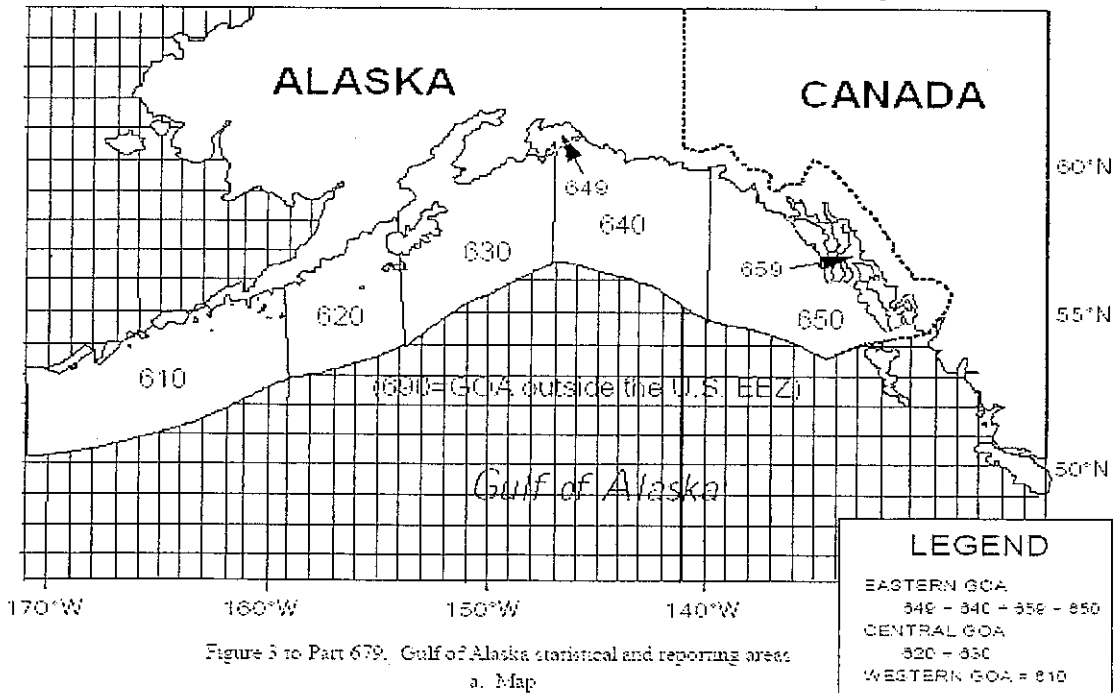
- 5 AAC 28.267 PWS PACIFIC COD MANAGEMENT PLAN

Parallel season:

- Opens and closes with federal season in the Central Gulf of Alaska (CGOA).
- “A” season January 1, “B” season September 1, 60/40 harvest split.
- PWS open to 3 gear types: longline, pot and jig gear with no gear limits.
- 2008 harvest 63,645 lb.

State waters season:

- Opens 7 days after closure of initial parallel season in the CGOA.
- GHL calculated at 10% of federal waters Eastern Gulf of Alaska (EGOA) ABC
- 2008 GHL = 944,460 lb, harvest 7,297 lb.
- Gear limit of 60 pots or 5 mechanical jig machines.
- After October 30, gear limits and exclusive area registration can be lifted.
- Boundary of EGOA 630 and CGOA 640 occurs at 147°00' W. long.



PACIFIC COD REGULATION AND MANAGEMENT - continued

- 5 AAC 28.070 GROUND FISH LANDING AND POSSESSION REQUIREMENTS. (sect. g)
 - After closure of the parallel fishery, bycatch allowance established by E.O. at 20% by weight of the directed groundfish species and halibut aboard the vessel.
- 5 AAC 28.265 PWS ROCKFISH MANAGEMENT PLAN
 - 150,000 lb GHl all rockfish species combined.
 - Mandatory retention of all rockfish, bycatch overages accrue to the state.
 - 20% level in PWS sablefish fishery.
 - 10% level in other directed fisheries.
 - 5% level in state waters Pacific cod fishery.

DISCUSSION:

- Proposal 34 – Align parallel season with initial opening in EGOA.
 - By aligning the season with the EGOA, rather than the CGOA, this proposal would establish a year round parallel season in PWS Area as TAC in EGOA is typically not achieved.

Department neutral on this allocative proposal

- BOF structured state waters season with pot and jig gear to minimize incidental bycatch of other fish species.
- Department concerned about increased use of longline gear will result in:
 - Increased bycatch and discard mortality of rockfish. The PWS Rockfish Management Plan specifies a GHl of 150,000 lb. What action is the department to take if this is achieved?
 - Increased bycatch and discard mortality of sablefish and halibut by fishers not eligible to retain those species.
- This proposal strands the state waters Pacific cod allocation.

- Proposal 35 – Align the parallel fishing season within PWS waters east of 147°00' W. long., with initial federal season in EGOA.
 - This proposal also seeks to provide increased Pacific cod fishing opportunity in the PWS Area east of 147°00' W. long.
 - If adopted this proposal would establish a year round parallel season in PWS Area east of 147°00' W. long.
 - The parallel season in PWS Area west of 147°00' W. long. would continue to open and close with the CGOA.

Department opposes this proposal

- Dividing the Inside District into two different Pacific cod fisheries could create regulatory confusion, cause harvest and bycatch accounting problems and likely result in misreporting of the harvest.
- Department concerns for discard mortality of other fish species remain the same as proposal 34.

Department is neutral to allocative aspects of this proposal

PACIFIC COD PROPOSALS – continued

- Proposal 36 – Would allow 100% retention of Pacific cod to halibut IFQ permit holders fishing longline gear.

Department neutral to allocative aspects of this proposal.

- Proposal 37 – would allow 20% bycatch allowance of Pacific cod to halibut IFQ and PWS sablefish permit holders.

Department neutral to allocative aspects of this proposal

- Proposal 38 – Open the Eastern Section of the Outside District to the state waters season
 - Provides increased harvest opportunity for Pacific cod.

Department supports this proposal

- Department is opposed to bycatch of Dungeness crab in groundfish pot gear.
 - Consider potential conflicts between Pacific cod pot and salmon gillnet gear. Hook Point is the western boundary of the Copper River District for the salmon drift gillnet fishery.
- Proposal 39 – open waters of Orca Bay to pot gear.
 - Provides increased harvest opportunity for Pacific cod.

Department supports this proposal

- Port Gravina and Port Fidalgo would remain closed to protect Tanner crab stocks.

WALLEYE POLLOCK PROPOSAL:

- Proposal 40 – Incorporate provisions of commissioner’s permit into regulation.

CURRENT POLLOCK REGULATION and MANAGEMENT

- PWS divided into three management sections.
 - Season January 20 to March 31 unless closed by E.O.
 - Up to 60% of the harvest from any one section.
 - Five percent bycatch cap apportioned among five species groups.
 - Bycatch section caps as well as annual cap.
 - 2008 GHL 3.6 million lb, harvest 1.4 million lb.
- Terms of commissioner’s permit:
 - Inside District of PWS only.
 - Check-in requirement prior to fishing and prior to fishing new management section.
Check-out requirement prior to departing the management area.
 - Catch reports submitted at times specified by the department.
 - Complete logbook pages following each tow and submit them after each landing.
 - Accommodate a department observer upon request.

DISCUSSION

- Proposal 40 – Incorporate provisions of commissioner’s permit into regulation.
Department supports this housekeeping proposal
 - Commissioner’s permit has provided means to develop management tools that can now be incorporated into formal regulation.

SKATE FISHERY PROPOSAL:

- Proposal 41 – Skate fishery in Inside District and Eastern Section of the Outside District throughout the calendar year.

CURRENT REGULATION and MANAGEMENT:

- 5 AAC 28.083 Commissioner's permit requirement.
- 5 AAC 28.070 specifies bycatch level of 20% by weight of groundfish and halibut on board the vessel.
- 2008 harvest approximately 10,000 lb largely as bycatch to IFQ halibut fishery.
- Federal waters season closed to directed fishing, but can be retained as bycatch.

DISCUSSION:

- Proposal 41 – Skate fishery in Inside District and Eastern Section of the Outside District throughout the calendar year.

Department opposes this proposal

- Opposed to year round skate fishery due to lack of abundance to prosecute a fishery of this duration.
- Biological concerns: skates are long lived, slow to mature and have a low reproductive output.
- Department concerns for discard mortality of other species.
- Pilot skate test fishery program:
 - Department is currently working with fishermen and processors to develop a pilot fishery program.
 - Season: Approximately mid-March through April concurrent with halibut IFQ and before salmon season.
 - Areas: Orca Bay, Eastern Section of Outside District, Western Section of Outside District to Cape Cleare.
 - Funding through one time capital budget allocation.
 - Observer coverage to document harvest and bycatch and dockside sampling.
 - Reporting: Logbooks and prior notice to landing.

SPINY DOGFISH PROPOSAL:

- Proposal 42 – Establish spiny dogfish fishery in the PWS Area.

CURRENT REGULATION AND MANAGEMENT

- Directed shark fisheries closed statewide in 1998 (5AAC 28.084).

DISCUSSION:

- Proposal 42 – Establish spiny dogfish fishery.

Department opposes this proposal

- Biological concerns for directed fishing remain. Spiny dogfish are vulnerable to overharvesting due to their extreme longevity and low reproductive rates. They are migratory and no biomass estimates exist. There is little information on stock composition, however, segregation occurs by size and sex. Market interest is in large animals of which the majority will be female.
- High level of bycatch in other directed fisheries is poorly documented.
- Value of bycatch discard mortality of halibut and sablefish very likely to exceed economic viability of dogfish fishery.
- The department supports an increase in bycatch allowance for other directed groundfish fisheries to the 35% level.
- Encourage the Board to explore options to account for discard mortality in directed longline and salmon net fisheries.

GENERAL GROUND FISH

- Proposal 43 – Amend regulation 5 AAC 28.089. Guiding principles for groundfish fishery regulations.

CURRENT REGULATION AND MANAGEMENT

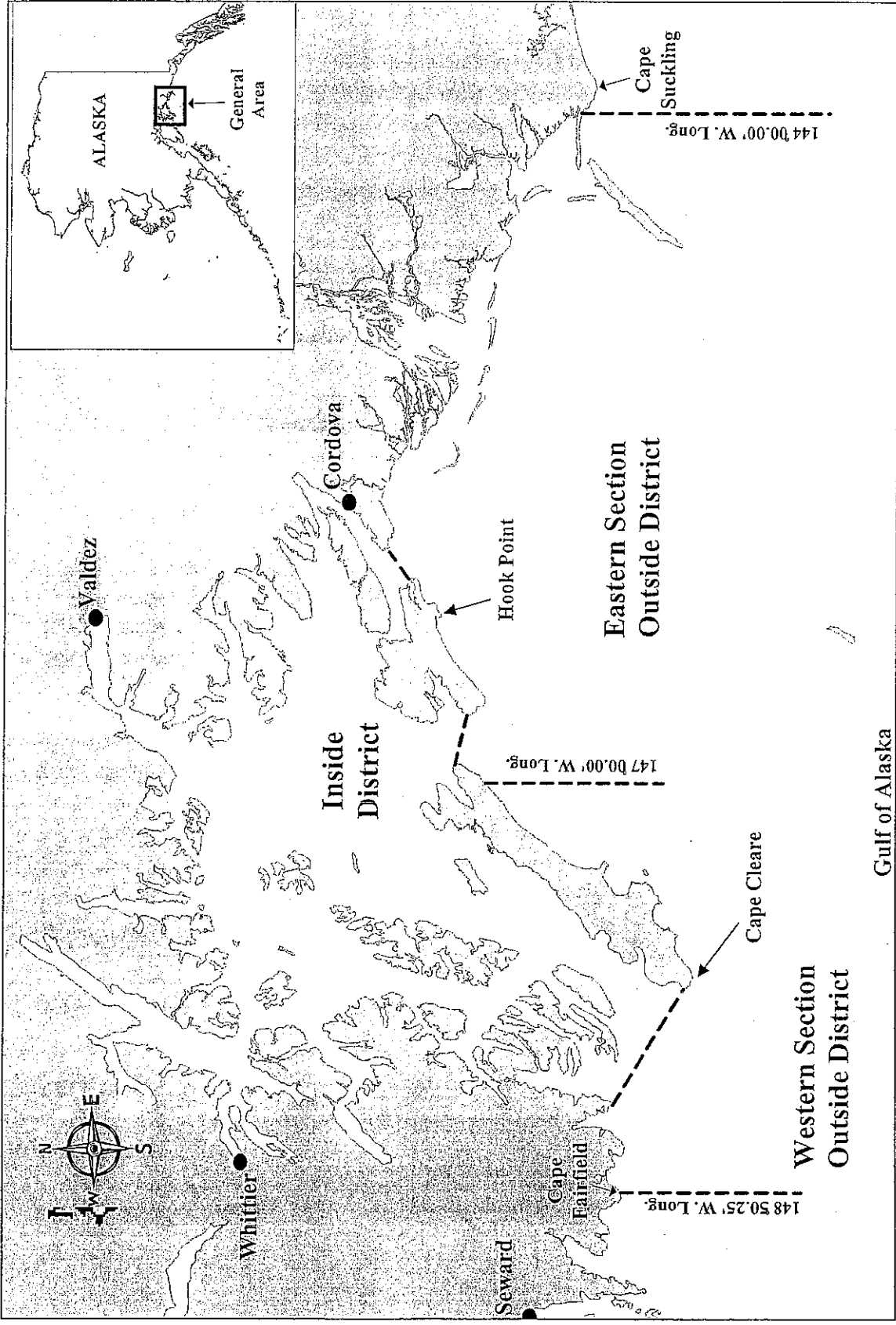
- 5 AAC 28.089. Guiding principles for groundfish fishery regulations.
 - (a) the BOF, to the extent practical, will consider the guiding principals when taking action associated with adoption, amendment, or repeal of regulations regarding groundfish fisheries.

DISCUSSION

- Proposal 43 – Amend regulation 5 AAC 28.089.

Department neutral on this proposal

- The department supports the conservation elements of this regulation.
- This proposal refers to a statewide regulation and might best be addressed at a statewide Board meeting.



Gulf of Alaska

Committee/deliberation materials for 2008 PWS BOF shellfish proposals

POT SHRIMP FISHERY:

- Proposal 44 – PWS pot shrimp management plan.
- Proposal 45 – Shrimp pot fishing seasons for PWS.
- Proposal 46 – Establish a commercial fishery in PWS.
- Proposal 48 – Establish GHL comparable to that in mid 1980's.
- Proposal 49 – Establish exclusive vessel registration for commercial and sport spot shrimp fishery.

CURRENT POT SHRIMP FISHERY REGULATION and MANAGEMENT

- 5 AAC 31.210 No open commercial season in the PWS Area.
- 5 AAC 02.10, 5 AAC 55.022 and 5 AAC 77.555: Subsistence shrimp season. Sport fish season, Personal use shrimp fishery.
 - April 15 through September 15.
 - No more than five pots per person, with no more than five pots per vessel.
 - Pot specifications, mesh size to allow passage of 7/8" wooden peg.
- 5 AAC 31.053 Operation of other pot gear. A person may not participate in a commercial shrimp fishery if he or she:
 - Operated commercial, sport, personal use or subsistence shrimp gear during 14 days prior to the opening of a commercial fishery with the registration area.
 - Operated a vessel or vessel operated by another person in commercial, sport, personal use or subsistence shrimp gear during 14 days prior to the opening of a commercial fishery with the registration area.
 - Operated gear or vessel 14 days following the closure of a fishery unless gear is placed in storage and vessel registration cancelled.
- Commercial Harvest history:
 - Fishery occurred at low levels 1970 – 1978, average harvest 11,188 lb.
 - Between 1978 – 1986 rapid expansion in the fishery.
 - Number of vessels increased from 17 to 80 = 370% change.
 - Number of landings increased from 98 to 540 = 541% change.
 - Harvest peaked 1986 at 290,632 lb.
 - 1987 number of vessels peaked at 86.
 - 1991 harvest of 17,540 lb by 15 vessels in 45 landings, season closed by E.O.
 - Commercial fishery closed since 1992.
- Non commercial fishery:
 - Open year round through 1999: Pot/Vessel Limits; Sport & PU - 5/10; Subsistence – 10/20.
 - 2000 BOF established a season of April 15 – September 15 to avoid the egg bearing period. Pot/Vessel Limits; all fisheries – 5/5. Permit required 2001 – 2005 only.
 - No bag or possession limit.
 - Customary and traditional use determination 9,000 - 15,000 lb for subsistence.

- Department assessment survey:
 - Declined from 0.85 lb/pot in 1989 to 0.29 lb/pot in 1998.
 - Increased from 0.48 lb/pot in 1999 to 2.58 lb/pot in 2008.
 - Department survey gear designed to capture all size and age classes.
 - Market size shrimp \geq 32 mm carapace length (= large male, transitionals and female).
 - Catch of marketable shrimp increased from 0.187 lb/pot in 1999 to 1.023 lb/pot in 2007.

DISCUSSION:

- Proposal 44 – PWS pot shrimp management plan.

The department submitted and supports this proposal

- Pre-fishery registration deadline.
 - Season March 1 – April 15.
 - GHR – total available harvest for all fisheries is 96,500 lb.
 - Minimize user conflicts.
 - Rotate harvest.
 - Define standard pot gear to allow comparison of catch rates over time.
 - Maximum 50 pots/vessel. Annual pot limits based upon number of registrants and GHL (DOL: Can this be adjusted by E.O.?).
 - Standardize fishing time 08:00 – 16:00.
 - Provisions for gear storage and to enforce gear limits.
 - Buoy requirement on each end of set.
- Proposal 45 – Shrimp pot fishing seasons for PWS.
 - Provides some structural elements, seasons (4/1 – 5/12 and 9/4 – 12/5), GHL, exclusive area registration, exclusive sport fish zones.
 - Proposed season dates not exclusive of egg bearing period or noncommercial season.
 - Proposed is GHL not specific and not reflective of stock status.

The department opposes this proposal

- Department opposed to extending season into egg bearing period.
 - Department supports concepts of controlling effort and reducing user conflicts.
- Proposal 46 – Establish a commercial shrimp fishery in PWS.
 - Proposal provides no structural elements to prosecute a fishery.

The department opposes this proposal

- Proposal 48 – Establish GHL comparable to that in mid 1980's.
 - Department favors a GHL based upon current stock assessment data.

The department opposes this proposal.

- Proposal 49 – Establish exclusive vessel registration for commercial and sport spot shrimp fishery.

- Regulation 5 AAC 31.053 has some temporal restrictions regarding the use of vessels in both commercial and noncommercial fisheries.

Department is neutral to any allocative aspects of this proposal.

- Department recognizes benefits of temporal separation to avoid gear conflicts and provide for a more orderly fishery.
- Department encourages the BOF to explore other options to achieve objectives.

SHRIMP TRAWL FISHERY:

- Proposal 47 – Incorporate provisions of commissioner’s permit into new regulation.
- Proposal 50 – Redefine boundary between Central and Northwest Sections at 147°30.00' W. long.

CURRENT TRAWL SHRIMP FISHERY REGULATION and MANAGEMENT

- 5 AAC 31.230 Commissioner’s permit requirement.
 - No more than 20% by weight of the shrimp in possession may be pink shrimp or other pandalid species.
 - Report the current trip. Shrimp harvest and discard by species and area to be reported to ADF&G in Cordova each Thursday morning during regular business hours and before initiating a new trip.
 - Completed logbooks must be returned to the Cordova ADF&G office with each fish ticket.
 - Accommodate a department observer upon request.
- 5 AAC 31.205 Description of Registration Area E districts and sections.
 - Inside District of PWS divided into Central Section, Wells Section, Northwest Section and Southwest Section.
 - Boundary of Central and Northwest Section at 147°20.00' W. long.

DISCUSSION:

- Proposal 47 – Incorporate provisions of commissioner’s permit into regulation.

Department supports this house keeping proposal.

 - Commissioner’s permit has provided means to develop management tools that can now be incorporated into formal regulation.

- Proposal 50 – Amend boundary between the Central and Northwest Sections.
 - Redefine boundary between the Central and Northwest Sections from 147° 20.00' W. long to 147° 30.00' W. long.

Department supports this proposal

Moving the boundary between the Central and Northwest Sections will not negatively affect shrimp trawl management or jeopardize the resource.

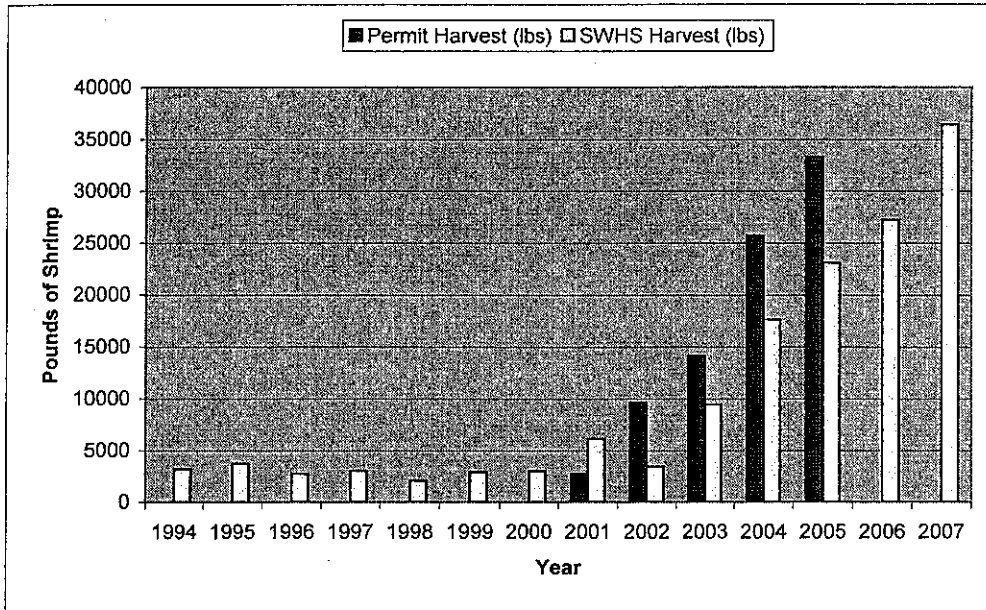
Proposal 56

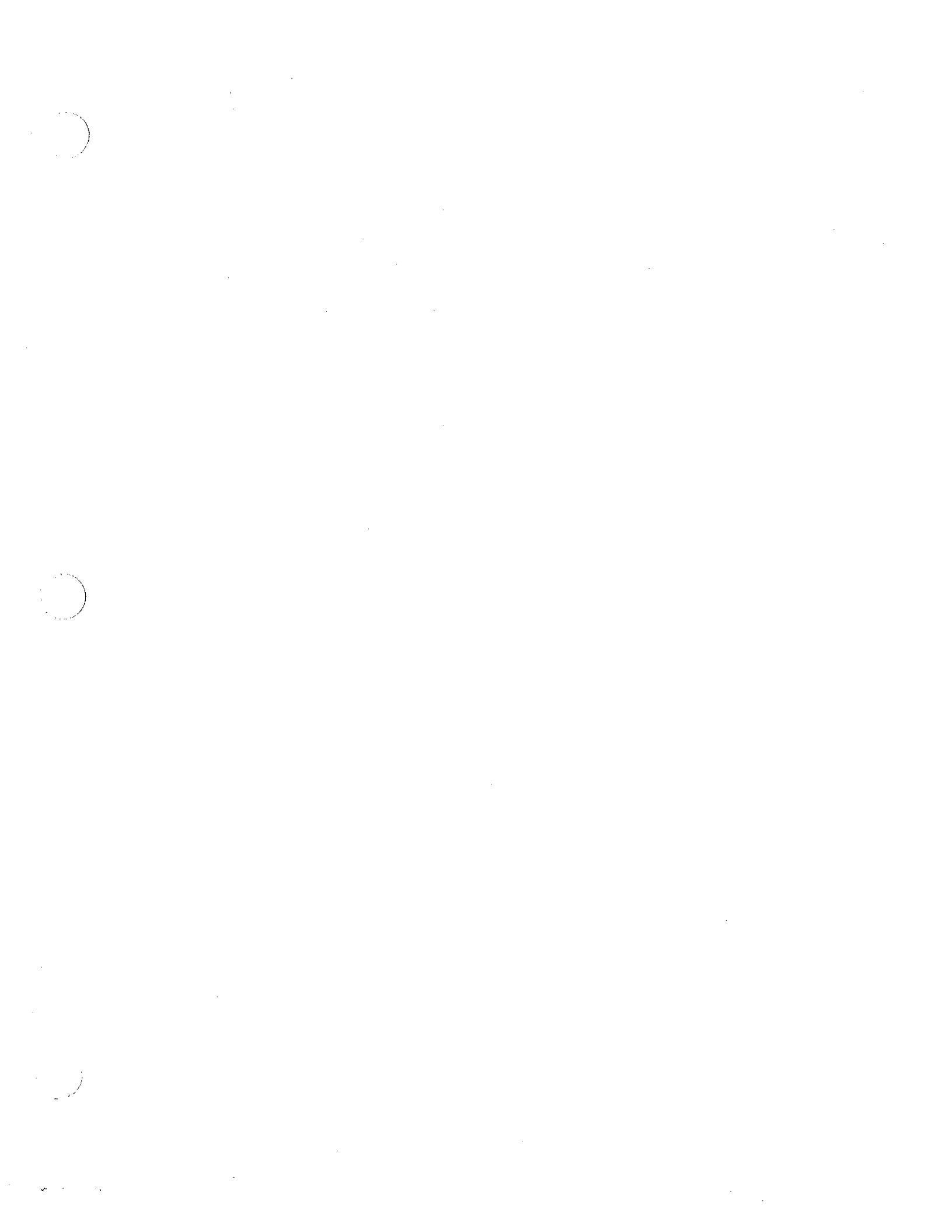
Proposal 56: Prince William Sound Statewide Harvest Survey and Permit (details) Shrimp Data

PWS Shrimp Permit Summary	2001	2002	2003	2004	2005	2006	2007
Permits Issued	562	717	1061	1,649	2,112	no permits	
Permits Returned	265	599	968	1363	1,762		
Reported As Did Not Fish	90	214	354	461	560		
Total Estimated Effort (pot-days)	7,112	9,324	23,626	30,847	38,449		
Permit Estimated Harvest (lbs)*	2,731	9,620	14,136	25,702	33,285		
SWHS Estimated Harvest (lbs)*		3,432	9,439	17,609	23,076	27,218	36,418

Year	Permit Harvest (lbs)	SWHS Harvest (lbs)
1994		3,190
1995		3,722
1996		2,758
1997		3,024
1998		2,059
1999		2,882
2000		3,002
2001	2,731	6,115
2002	9,620	3,432
2003	14,136	9,439
2004	25,702	17,609
2005	33,285	23,076
2006		27,218
2007		36,418
10 Yr Ave	20,686	13,125

Reminder letter not sent to shrimp permit holders in 2001, data uncertain.





Spot Shrimp Fishing Regulations

		General	Southeast (Registration Area A)	Yakutat (Registration Area D)
Seasons/ Limits	Sport/PU/Sub	5 AAC 75.035.(sport), 77.010.(pu), 02.010.(sub) Jan 1- Dec 31 5 pots/person, max 10 pots/vessel	5 AAC 47.035. (sport), 77.660. (pu), 02.110. (sub) Jan 1- Dec 31 no bag, possession, size limits 10 pots/person, max 20/vessel	5 AAC 47.035. (sport), 77.610. (pu), 02.110. (sub) Jan 1- Dec 31 no bag, possession, size limits 10 pots/person, max 20/vessel
	Commercial	5 AAC 31.001., 5 AAC 31.050. through 31.053. may not participate if operated commercial or noncommercial shrimp gear in that area 14 days prior to commercial opener may not operate shrimp gear in that area 14 days afterclosure of commercial pot fishery if participated in the commercial fishery	5 AAC 31.110., 5 AAC 31.115., 5 AAC 31.145. nonexclusive registration area Oct 1- Feb 28 Guideline harvest established by registration area 140 small pots or 100 large pots	5 AAC 31.160., 5 AAC 31.165., nonexclusive registration area Oct 1- Feb 28 May 1- Feb 28 Yakutat Bay east of Ocean Cape Guideline harvest 1,000 lbs/month 30 pots Oct 1-Feb 28 Yakutat Bay east of Khantaak Is Guideline harvest 2,000 lbs/month may not participate other pot fisheries at same time
Gear	Sport/PU/Sub	5 AAC 75.035.(sport), 77.010.(pu), 02.010.(sub) marked keg or buoy pots: escape mechanism (5 AAC 39.145.)	5 AAC 47.035. (sport), 77.660. (pu), 02.110. (sub) pots: can have no more than four tunnel eye openings, no tunnel opening may exceed 15 inches in perimeter, bottom perimeter of no more than 153 inches, a volume of more than 25 cubic ft	5 AAC 47.035. (sport), 77.610. (pu), 02.110. (sub) pots: can have no more than four tunnel eye openings, no tunnel opening may exceed 15 inches in perimeter, bottom perimeter of no more than 153 inches, a volume of more than 25 cubic ft
	Commercial	5 AAC 31.001., 5 AAC 31.050. through 31.053. marked keg or buoy (5 AAC 31.051.) pots: escape mechanism (5 AAC 39.145.) no tunnel opening may exceed 15 inches in perimeter pot storage allowed in closed area for 7 days with doors secured and bait containers removed	5 AAC 31.124., 5 AAC 31.126. pots: can have no more than four tunnel eye openings, small pot bottom perimeter no more than 124 inches large pot bottom perimeter >124, but no more than 153 in. only one bottom vertical height of 24 inches or less sides of a pot must be at a right angle, or slanted toward center in a straight line two adjacent vertical sides (at least 50% of vertical surface) composed of uncovered net webbing or rigid mesh, must allow passage of 7/8 inch diameter dowel Dept may require ID tag attached to pot pot storage allowed in closed area for 14 days with doors secured and bait containers removed gear may only be operated from 8:00 am until 4:00 pm	5 AAC 31.170. pots: Yakutat Bay east of Ocean Cape covered entirely of net webbing or rigid mesh, at least two opposing sides must have webbed panel of minimum mesh of 1 1/2 inches and allow passage of 3/4 inch dowel. Mesh on top and bottom of pot and in tunnel can be any size, pots with no definable sides must have web netting or rigid mesh covering at least 50% of the vertical surface pot storage allowed in closed area for 14 days with doors secured and bait containers removed

RC 55

Ice William Sound (Registration Area E)	North Gulf (Registration Area G)	Kodiak (Registration Area J)
<p>55.022.(b)(5) sport, 77.553. (pu), 02.210.(sub) 15- Sept 15 bag, possession, size limits 5 pots/person, max 5/vessel</p>	<p>5 AAC 58.022.(15) sport, 77.511.(pu), 02.310.(sub) April 15- Sept 15, PU Only Gore Point- Ailak Cape no bag, possession, size limits 5 pots/person, max 5/vessel PU permit required</p>	<p>5 AAC 64.022.(13), 64.035.(sport), 77.460.(pu), Jan 1- Dec 31 no bag, possession, size limits commercial licensed shrimp vessel used for sport shrimp harvest may not have more than 500 pounds of shrimp on board PU permit required</p>
<p>31.210. closed: 15- May 31 7 years- Stat areas 476101, 476036, 476034, 476035 7 years- Stat areas 476003, 476004, 476005, 476007 guideline harvest- to be established number of pots- to be established</p>	<p>5 AAC 31.410., 5 AAC 31.490. nonexclusive registration area No open pot shrimp fishing season</p>	<p>5 AAC 31.510., 5 AAC 31.590., 5 AAC 31.592. nonexclusive registration area Jan 1- Dec 31 May 1- Feb 28 North Afognak, West Afognak, Mainland Districts Guideline harvest of 0- 40,000 lbs logbooks required May 1- Feb 28 Chignik District- Chiginagak, Nakalilok, Aniakchak Bays Guidline harvest of 0- 40,000 lbs logbooks required</p>
<p>55.022.(b)(5) sport, 77.553. (pu), 02.210. (sub) two adjacent vertical sides (at least 50% of vertical surface) composed of uncovered net webbing or rigid mesh, must allow passage of 7/8 inch diameter dowel</p>	<p>5 AAC 58.022.(15) sport, 77.511.(pu), 02.310. (sub) pots: two adjacent vertical sides (at least 50% of vertical surface) composed of uncovered net webbing or rigid mesh, must allow passage of 7/8 inch diameter dowel</p>	<p>None</p>
<p>31.210. closed: can have no more than four tunnel eye openings, no tunnel opening may exceed 15 inches in perimeter, bottom perimeter of no more than 124 inches, only one bottom vertical height of 24 inches or less sides of a pot must be at a right angle, or slanted toward center in a straight line two adjacent vertical sides (at least 50% of vertical surface) composed of uncovered net webbing or rigid mesh, must allow passage of 7/8 inch diameter dowel pot may be left longer than 2 weeks if bait containers are removed and doors are locked open pot may only be operated from 8:00 am until 4:00 pm</p>	<p>5 AAC 31.410., 5 AAC 31.490. No open pot shrimp fishing season</p>	<p>5 AAC 31.510., 5 AAC 31.590., 5 AAC 31.592. pot storage allowed in closed area for 14 days with doors secured and bait containers removed</p>

Substitute language for Proposals 107, 108, 109 Option 1

This is alternate language for proposals 107-109 requested by the Board Sub-Committee, developed with input from the Dept. to allow for near **NEUTRAL ALLOCATION**, increased opportunity **without** increased take, the protection of early-run stocks, and the protection of late-run spawning fish.

Modify the Tonsina, Copper, and Klutina River king salmon seasons as follows:

Extend the king salmon to August 10 on all drainages of the Copper River from the Klutina River to Obrien Creek, and institute a later start date (June 25 Suggested).

(12) in the Klutina River drainage, bait and artificial lures may be used;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina Lake Road, king salmon may be taken [ONLY] from [January 1] **June 25** - July 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

(i) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 13 on the Klutina Lake Road, king salmon may be taken from June 25 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

This above 13 mile closure will protect up-river spawning fish.

(25) in the Tonsina River drainage,

(A) in all flowing waters downstream from the outlet of Tonsina Lake, bait and artificial lures may be used;

(B) in Tonsina Lake, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(C) in all flowing waters entering into Tonsina Lake, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(D) in all tributaries to Tonsina River, including Little Tonsina River and Bernard Creek, and all flowing waters within a one quarter-mile radius of their confluence with the Tonsina River, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at the Alyeska Pipeline crossing, king salmon may be taken from June 25 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

This above the pipeline closure will protect most spawning fish.

(E) in all flowing waters of the Copper River mainstem and drainages downstream of the ADF&G regulatory markers located at the confluence of the Klutina River, king salmon may be taken from June 25 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

Substitute language for Proposals 107, 108, 109 Option 2

This is alternate language for proposals 107-109 requested by the Board Sub-Committee, developed with input from the Dept. to allow for near NEUTRAL ALLOCATION, increased opportunity without increased take, the protection of early-run stocks, and the protection of late-run spawning fish.

Modify the Tonsina, Copper, and Klutina River king salmon seasons as follows:

Extend the king salmon to August 10 on all drainages of the Copper River from the Klutina River to Obrien Creek, and eliminate the use of bait January 1 to June 30 and August 1 to August 10.

(12) in the Klutina River drainage, bait and artificial lures may be used **from July 1 to July 31 only**;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina Lake Road, king salmon may be taken [ONLY] from January 1 - July 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

(i) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 13 on the Klutina Lake Road, king salmon may be taken from August 1- August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

This above 13 mile closure will protect up-river spawning fish.

(25) in the Tonsina River drainage,

(A) in all flowing waters downstream from the outlet of Tonsina Lake, bait and artificial lures may be used **from June 1 to July 31 only**;

(B) in Tonsina Lake, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(C) in all flowing waters entering into Tonsina Lake, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(D) in all tributaries to Tonsina River, including Little Tonsina River and Bernard Creek, and all flowing waters within a one quarter-mile radius of their confluence with the Tonsina River, sport fishing for king salmon is closed; king salmon may not be retained or possessed;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at the Alyeska Pipeline crossing, king salmon may be taken from January 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

This above the pipeline closure will protect most spawning fish.

in all flowing waters of the Copper River mainstem and drainages downstream of the ADF&G regulatory markers located at the confluence of the Klutina River, bait and artificial lures may be used from June 1 to July 31 only

(E) in all flowing waters of the Copper River mainstem and drainages downstream of the ADF&G regulatory markers located at the confluence of the Klutina River, king salmon may be taken from January 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

RC 58

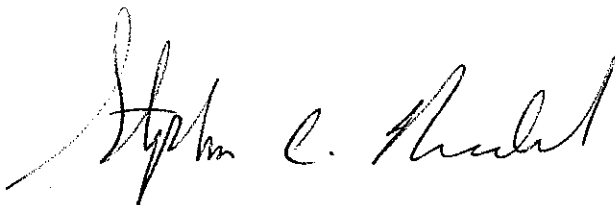
Alaska Board of Fisheries
Chairman Jensen and members of the Board

Submitted by: Stephen C. Riedel
Address: 12300 Rockridge Dr, Anchorage AK 99516
Affiliation: No organization, self.

SUBJECT: Opposition to Proposal 81

After listening to public testimony, committee meetings and staff reports, I would like to offer the following comments.

1. There is no definitive science linking PWS hatchery chum production to "overgrazing" the ocean environment in the North Pacific.
2. Alaska hatchery chum production accounts for approximately 25% of the total hatchery chum production in the North Pacific. If a problem of "overgrazing" developed in the future, hatchery chum production in PWS would only be a small part. Any realistic solution will need to encompass all international hatchery chum production.
3. I have been involved with the Prince William Sound Aquaculture Corporation as a Board member on and off since 1992. There have been discussions of eliminating permitted, but unutilized capacity. However, there have not been any commitments made to eliminate existing production in Prince William Sound. This is entirely different than proposal 81 states.



Information from Alaska Department of Fish and Game
Commercial Fisheries Division

- 1) Copper River Sockeye salmon return per spawner, brood years 1978-2002
- 2) Beginning dates for the Miles Lake sonar and the Copper River District commercial fishery, 1978-2008 (Table)
- 3) Day difference between when the Miles Lake sonar began operation and when the Copper River District commercial fishery opened, 1978-2008.
- 4) Actual Miles Lake sonar counts compared to the cumulative escapement objective on 31 May and 15 June, 1992-2008.

Prepared by:
Commercial Fisheries staff
3 December 2008

O:\IDCF\Salmon\FORCAST\2009\Copper River Wild Sockeye forecast.xls]Brd Tbl

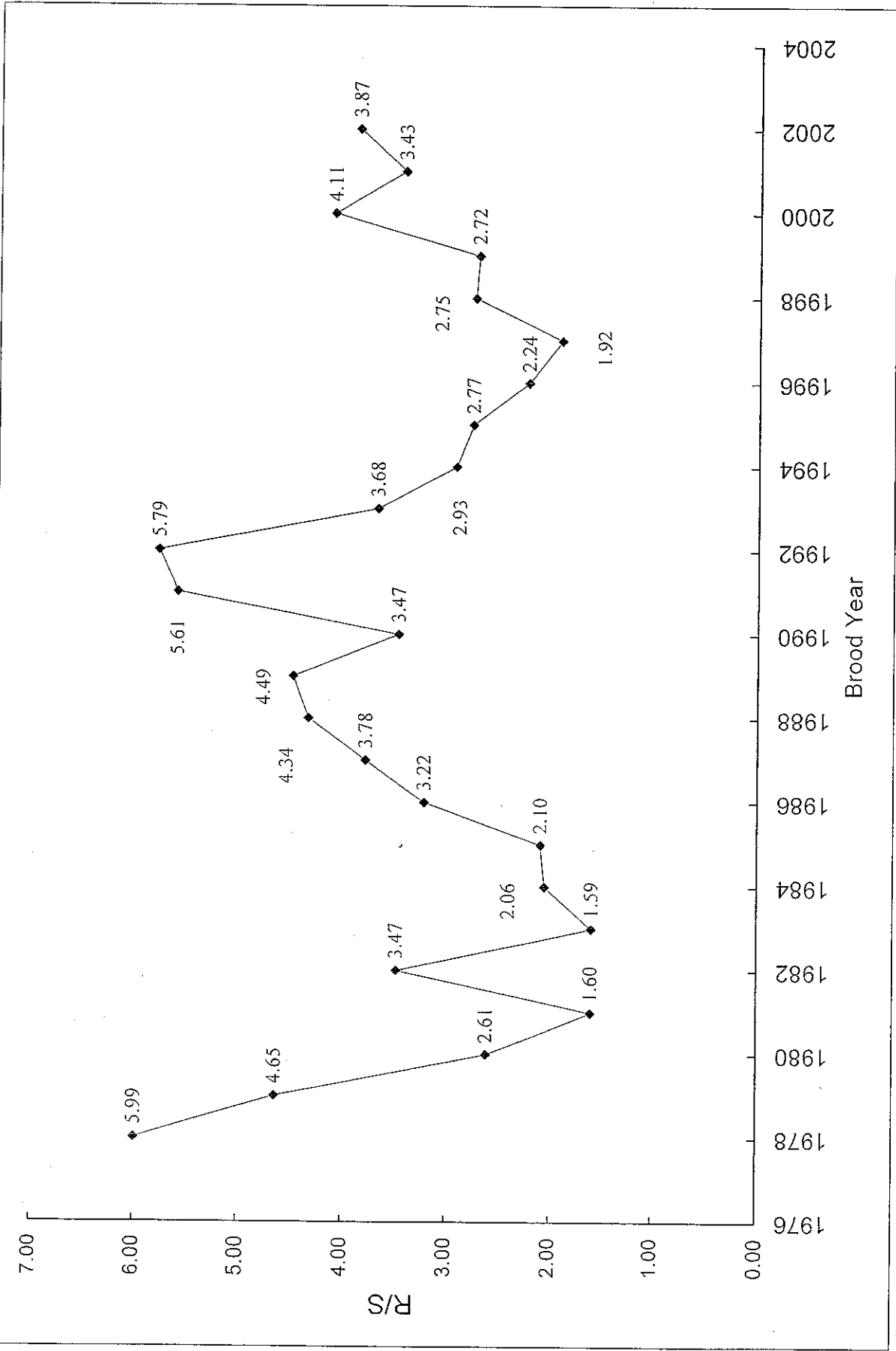


Figure x. Return per spawner for Copper River sockeye salmon brood years 1978-2002. This is for the upper Copper River and Copper River delta combined. We currently do not have a method to allocation the commercial harvest to upriver or delta, so our brood table is for both stock groups combined. This graph begins with 1978 because our first reliable escapement estimates began with the installation the sonar at Miles Lake in 1978.

Table x. Beginning dates for the Miles Lake sonar and the Copper River District commercial fishery, 1978-2008

Year	Date sonar in operation	Date fishery opened	Commercial fishing began x days...	
1978	05/26	05/15	11	Days BEFORE sonar
1979	05/18	05/18	0	Days AFTER sonar in operation
1980	05/18	05/19	1	Days AFTER sonar in operation
1981	05/17	05/16	1	Days BEFORE sonar
1982	05/24	05/16	8	Days BEFORE sonar
1983	05/23	05/15	8	Days BEFORE sonar
1984	05/19	05/14	5	Days BEFORE sonar
1985	05/28	05/13	15	Days BEFORE sonar
1986	05/25	05/12	13	Days BEFORE sonar
1987	05/19	05/14	5	Days BEFORE sonar
1988	05/20	05/16	4	Days BEFORE sonar
1989	05/17	05/15	2	Days BEFORE sonar
1990	05/21	05/14	7	Days BEFORE sonar
1991	05/21	05/16	5	Days BEFORE sonar
1992	05/27	05/15	12	Days BEFORE sonar
1993	05/20	05/17	3	Days BEFORE sonar
1994	05/17	05/16	1	Days BEFORE sonar
1995	05/15	05/15	0	Days AFTER sonar in operation
1996	05/18	05/16	2	Days BEFORE sonar
1997	05/16	05/15	1	Days BEFORE sonar
1998	05/18	05/14	4	Days BEFORE sonar
1999	05/23	05/14	9	Days BEFORE sonar
2000	05/18	05/15	3	Days BEFORE sonar
2001	05/16	05/17	1	Days AFTER sonar in operation
2002	05/15	05/16	1	Days AFTER sonar in operation
2003	05/15	05/14	1	Days BEFORE sonar
2004	05/15	05/17	2	Days AFTER sonar in operation
2005	05/09	05/16	7	Days AFTER sonar in operation
2006	05/12	05/15	3	Days AFTER sonar in operation
2007	05/21	05/14	7	Days BEFORE sonar
2008	05/15	05/15	0	Days AFTER sonar in operation
All years, 1978-2008			Average (days)	-4
All years, 1978-2009			Minimum (days)	-15
All years, 1978-2010			Maximum (days)	7
Count (Years sonar in AFTER fishing)			22	71.0%
Count (Years sonar in Before fishing)			6	19.4%
Count (Years sonar same day as fishing)			3	9.7%
Average (Last 5 years, 2004-2008)			1	Days AFTER sonar in operation
Count (Years sonar in AFTER fishing)			1	20.0%
Count (Years sonar in Before fishing)			3	60.0%
Count (Years sonar same day as fishing)			1	20.0%
Average (Last 10 years, 1999-2008)			-1	Days BEFORE sonar
Count (Years sonar in AFTER fishing)			4	40.0%
Count (Years sonar in Before fishing)			6	60.0%
Count (Years sonar same day as fishing)			1	10.0%

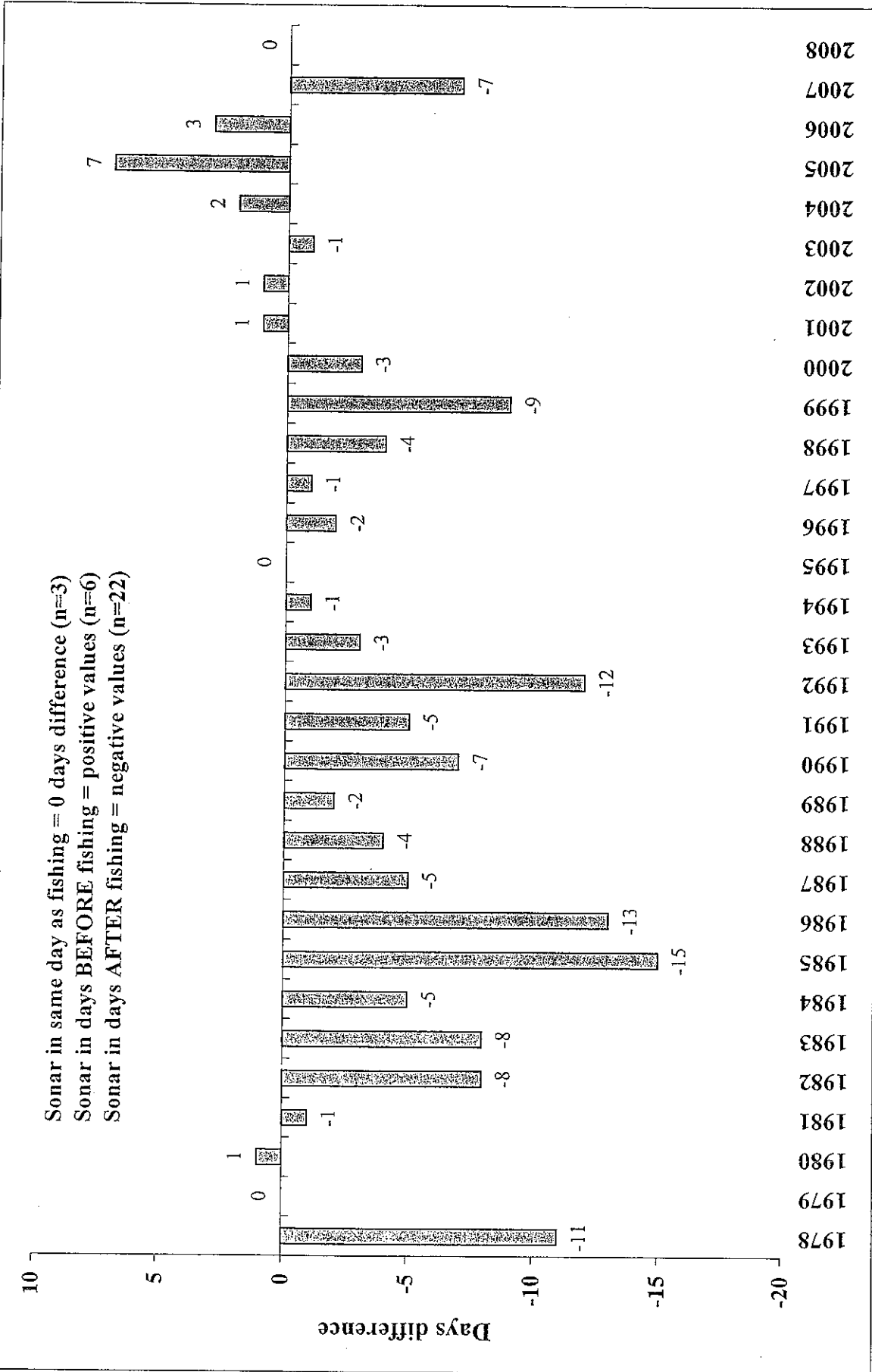


Figure x. Day difference between when the Miles Lake sonar began operation and when the Copper River District commercial fishery opened, 1978-2008.

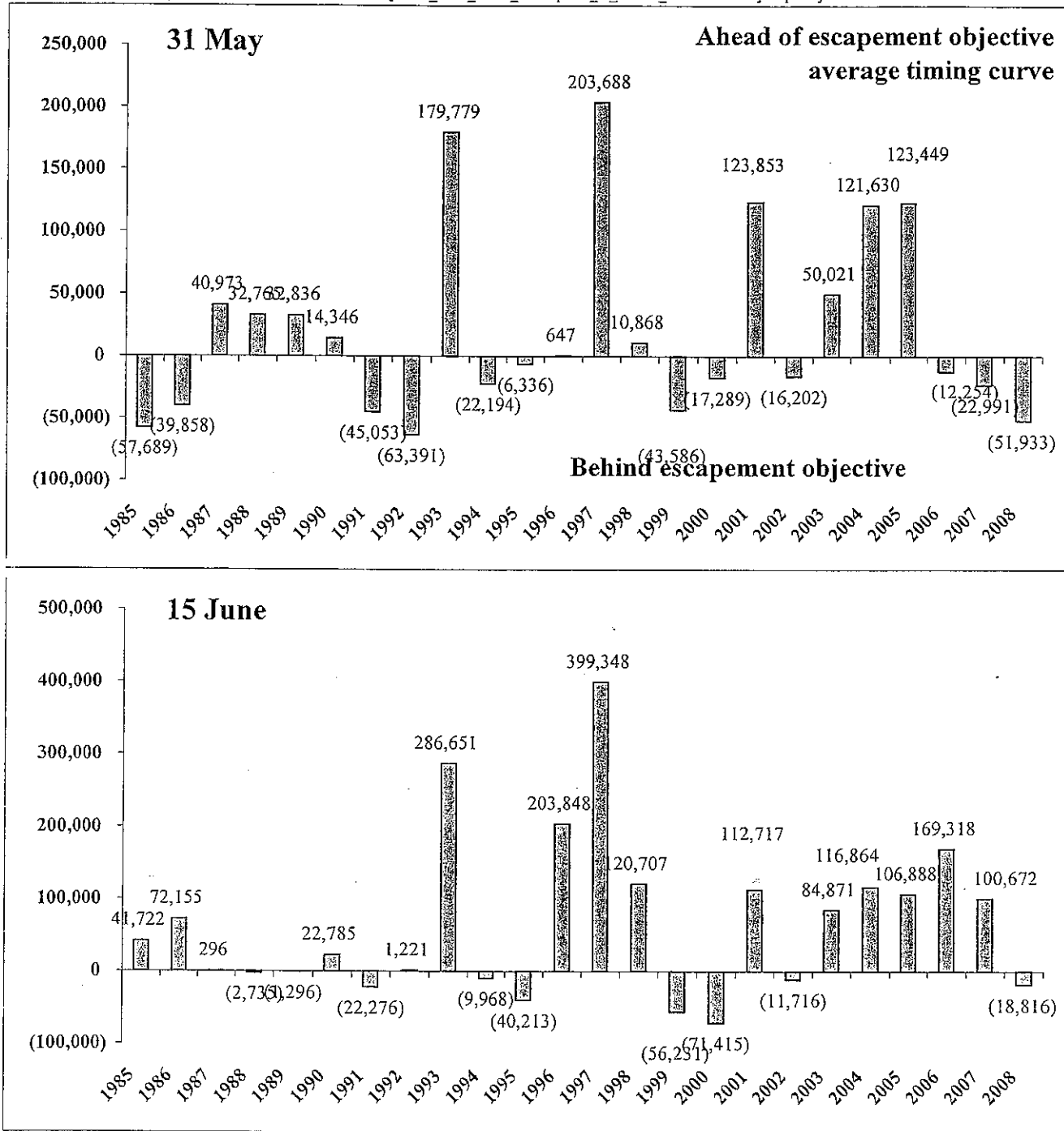


Figure Actual Miles Lake sonar cumulative counts compared to the cumulative escapement objective on 31 May and 15 June, 1992-2008. Beginning in 2003 the escapement goal became an sustainable escapement range and the actual sonar count is compared to the minimum escapement objective.



RC60

Bonnie Williams, Chair of Committee C, asked the following question of PWSAC during the public panel portion of Committee C's work:

- **What would be the cost of reducing chum salmon production in PWS by 24 percent?**

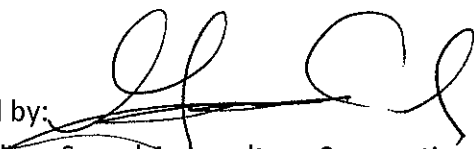
According to the ADF&G report to the Alaska Board of Fisheries (Special Publication No. 08-13), the ex-vessel value of the 2008 PWS chum salmon return was approximately \$19,000,000.

- **Assuming current survivals and 2008 prices, a 24 percent reduction in hatchery origin chum salmon production in PWS would represent approximately \$4,380,000 of lost ex-vessel value.**

Determination of economic impact of Alaskan fisheries begins with ex-vessel value and expands rapidly as costs of employment, materials and transportation associated with processing and marketing of the products accrue. Taxes assessed at each of these transactional nodes as the product moves to market also represent significant economic activity and important in understanding economic impact.

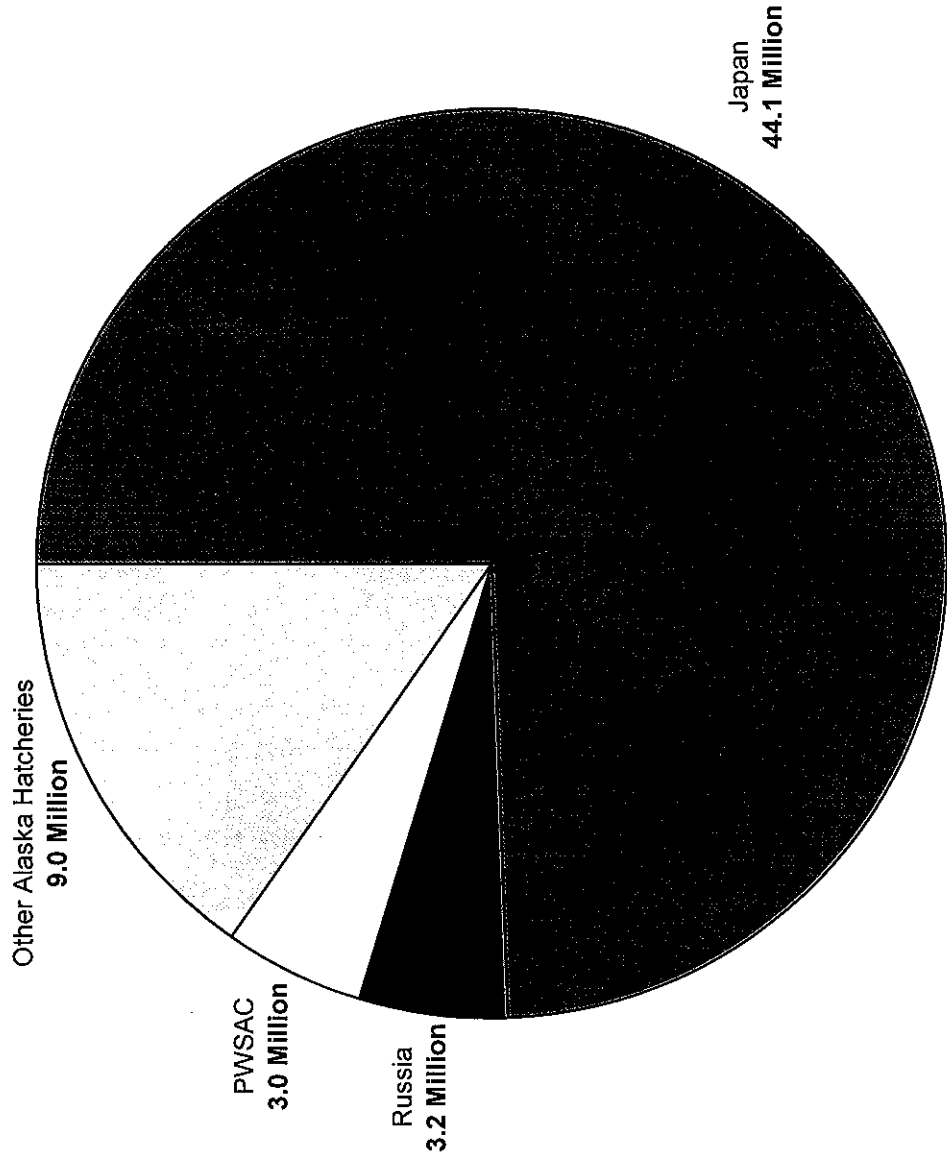
A mid-point economic multiplier, often used by both the McDowell Group and University of Alaska ISER in describing the benefits of Alaskan fisheries, is approximately seven times the ex-vessel value.

- **This then would approximate the total impact of a 24 percent reduction in PWS chum salmon production at \$30,640,000.**

Submitted by: 
Prince William Sound Aquaculture Corporation
George Covell, Chairman

PRINCE WILLIAM SOUND AQUACULTURE CORPORATION
Corporate Office • P.O. Box 1110, Cordova, AK 99574
Office: 907/424-7511 • Fax: 907/424-7514
Website: www.pwsac.com • Email: pwsac@ak.net

**Approximate Annual Hatchery Chum Salmon North Pacific Harvest
(in numbers of fish)**



RC 61

Submitted by Rod Campbell, USFWS-OSM

- 1) Correct an error in the USFWS-OSM Federal comments on pages 5 and 6 of PC 24
Proposal 22

Page 5: under Impact to Federal subsistence users/fishers

Original version: However, if the escapement goal at Miles Lake is increased...

Corrected version: Replace "escapement goal" with "sonar passage numbers".

Page 6: make the same correction in paragraph 2.

- 2) Make the same correction to National Park Service (WRST) comments for **Proposal 22** on pages 3 & 4 of RC 19

- 3) Correct a typographical error in NPS (WRST) comments on page 6 of RC 19
Proposal 27

Page 6: The last sentence was cut off. The last part of the final sentence should read ...and trespass would then **become an issue.**

RC 62

December 2, 2008

Alaska Board of Fisheries
C/o Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811

HAND DELIVERED

Re: Proposal 373 – Management Plan for Parallel Groundfish Fisheries

Chairman Jensen and members of the Board:

My name is Patrick Burns and I am co-owner of Blue North Fisheries, Inc., which owns and operates 8 (eight) catcher/processor vessels in the Alaska groundfish and crab fisheries. 6 (six) of our vessels fish in the Federal catcher/processor hook & line fleet for Pacific Cod. Our vessels spend over 6 months a year in Alaska and fish out of Dutch Harbor. Blue North Fisheries is a member of the Freezer Longline Coalition which has submitted Proposal 373. I am here today to speak against Proposal 373.

As an initial matter, I would like to express my concern that Proposal 373 is premature – the Board of Fisheries should wait until the North Pacific Fishery Management Council takes action on this issue before implementing regulations restricting participation in the BSAI Pacific Cod parallel fishery. At its October 2008 meeting, the Council considered a discussion paper addressing potential concerns with the BSAI Fixed Gear Parallel Waters Fishery (agenda item D-2(b)). In response to that discussion paper, the Council adopted a preliminary motion that proposes a wide range of options to address the issues of catcher/processor vessels fishing in the BSAI Pacific Cod Parallel Water Fishery. It is likely that one or more of the proposed options will resolve the question without regulation by the State of Alaska (for example, the additional restrictions on transfer of FFP and LLP permits discussed in Sub-option 2 would likely prevent migration of harvesting and processing capacity from other fisheries). Notably, the motion specifically calls for “a discussion of potential actions for vessels with no Federal Permits or licenses and possible complimentary action by BOF.” This issue is not ripe for action by the Board of Fisheries at this time – a better and more comprehensive solution will be reached by waiting for discussion and resolution of the issue by the Council, at which time appropriate State action can be taken.

If, however, the Board decides to address Proposal 373 on its merits, I believe that the current situation in the Parallel Waters Fishery does not justify its adoption. Despite the fact that its analysis focuses on the potential harm of large catcher/processor vessels entering the Parallel fishery, Proposal 373 would impose a ban on all vessels over fifty-five feet participating in the Parallel Pacific Cod Fishery. Even presuming that the fifty-five foot limit would eliminate catcher/processor vessels from the fishery (a presumption for which no support is given, either in Proposal or the written testimony of its sponsor), statistics do not justify this blanket prohibition. For starters, the impact of catcher/processor vessels operating in the Parallel fishery is negligible – the amounts harvested by hook and line catcher/processor vessels in the AI Parallel fishery (which is where most Pacific Cod in the Parallel fishery is harvested) constituted roughly 0.28% (in 2006) and 0.47% (in 2007) of the total BSAI Pacific Cod allocation harvested by catcher/processor vessels utilizing hook and line gear.¹ In both 2006 and 2007, only five catcher/processor vessels (four utilizing hook and line, and one utilizing pot gear) operated in the Aleutian Islands Parallel Waters Pacific Cod Fishery. In fact, catcher/processors utilizing hook and line gear only harvested 18.44% (in 2006) and 14.87% (in 2007) of the total amounts harvested

in the Aleutian Islands Parallel Waters Pacific Cod Fishery.² These statistics reveal an inconvenient fact not addressed by Proposal 373 – to date, the threat of a massive influx of catcher/processor capacity into the Parallel Waters Fishery has not materialized, and there is nothing more than anecdotal evidence to suggest that it will be a threat in the future.

Another significant oversight of Proposal 373 is that it does not explain how limiting vessel length to fifty-five feet will accomplish its purpose. Even if the threat of increased capacity is real, there is no evidence or analysis that show why fifty-five is the magic number. This is more or less acknowledged by its sponsor who, in comments to the Board admits that “we would not oppose another reasonable limit, say 58’ that would still identify [sic] the intention of the proposal.”³ Conveniently, increasing the length restriction to fifty-eight feet would preserve the right of limit seiners to participate in the Parallel fishery, deflecting a potentially significant source of opposition to the proposal. But since statistics from NMFS show that the catcher vessel sector of the Parallel fishery harvests the lion’s share of Pacific Cod, it would appear that increasing the limit to fifty-eight feet is more about politics and less about any meaningful attempt to limit capacity from entering the Parallel fishery. The fact of the matter is that the sponsors of Proposal 373 have little evidence of what potential there is for additional capacity to enter the Parallel fishery, and no solid analysis of how to effectively limit entry into the Fishery, if limitations are actually necessary. The Board should not take action on Proposal 373 for that reason alone.

Proposal 373 is a thinly veiled attempt to undercut the Alaska Parallel fishery and exclusively allocate TAC to the Federal LLP fleet. Proposal 373 asserts that it is “an entirely allocative neutral request,” but this is just not the case – it would, in fact, permanently limit the development of the BSAI Parallel fishery for the benefit of the Federal fleet. The proposal relies on the assumption that smaller vessels operating in the parallel fishery can’t harvest as quickly as their larger counterparts in the Federal LLP fleet, resulting in a larger portion of the overall TAC being harvested in the Federal fishery. This, in turn, limits the ability of non-Federally licensed vessels to enter and participate in the parallel fishery, effectively restricting that portion of TAC accessible in those fisheries and reserving it for the Federal LLP fishery. If the sponsors of Proposal 373 are looking for guaranteed quota, then I suggest that they approach the Council or Congress for an explicit allocation. Absent such a mandate, however, this Board should not attempt to facilitate a private rationalization of the fishery by limiting the ability of vessels to participate in the BSAI parallel waters fishery.

Another important omission from the analysis of Proposal 373 is the potential safety and product quality impacts that it will have (these concerns are an issue with Proposal 371 as well). Many areas of the Bering Sea and Aleutian Islands are unsafe for smaller vessels to operate in during the parallel season. Larger vessels can venture farther and weather more severe conditions, giving them access to a wider range of fishing grounds and generally providing a safer platform from which to operate. Safety is a paramount concern and should not be undercut by limiting participation in the parallel fishery to small vessels. Catcher/processors operating in the parallel fishery pay landing tax on our fish, buy fuel and supplies in Alaskan ports, employ Alaskans on board, and are otherwise significant contributors to the Alaskan economy. By attempting to lock catcher/processors out of the parallel fishery fleet, Proposal 373 further disadvantages the non-Federal fleet by limiting its ability to produce comparable products

¹ Derived from data contained in North Pacific Fishery Management Council Staff, Discussion Paper on BSAI Fixed Gear Parallel Waters Fishery, 3-5 (October 2008).

² North Pacific Fishery Management Council Staff, Discussion Paper on BSAI Fixed Gear Parallel Waters Fishery, 3 (October 2008).

³ Letter of Kenny Down, Executive Director of the Freezer Longline Coalition, to the Board of Fisheries dated November 17, 2008.

with the same fishery resource, taking revenue away from the fishermen and Alaskan communities that benefit from the parallel fishery.

Finally, if the Board is inclined to adopt the restrictions of Proposal 373 or some variation thereof, it should also implement provisions to permit vessels with recent participation in the parallel fishery to continue that participation. While the parallel fishery is a fairly recent phenomenon, there are also clearly a limited number of vessels that have consistent participation in these fisheries. Proposal 373 is entirely prospective in its scope – it seeks not to address an existing problem, but instead to address a potential migration of harvesting and processing capacity in the future. It should therefore not be used as a tool to eliminate those vessels that currently participate in the parallel fishery, especially since those vessels (as discussed earlier in this testimony) have little impact on the allocation issues that Proposal 373 seeks to address. In recent years, Blue North Fisheries has invested a significant amount of time and money in the fishery that Proposal 373 would eliminate. We accordingly request that, if the Board does adopt Proposal 373, it do so with an amendment that establishes a grandfather provision that would permit those vessels over fifty-five feet with recent historical participation in the BSAI Pacific cod parallel fishery to continue to operate in those fisheries.

Thank you for this opportunity to discuss this issue with the Board, and I would be happy to answer any question you may have.

Regards,

BLUE NORTH FISHERIES, INC.

Patrick Burns

G. P. HALFERTY & CO.
Gordova, Alaska

RC 63

1

STATEMENT OF ACCOUNT

Wilbur Platt

6/29

1945

Employee's Name

Position

C. Fisherman

Social Security Acct. No.

Wages for Period

7/1-7/4

150 Kings @ .99

\$ 26.00

6274 Reds @ .2674

148.50

14 Pinks @ .0856

1678.30

1.20

Grub Allowance

TOTAL CREDITS

\$ 1854.00

LESS CHARGES

Debit Credits

\$ 751.00

Seattle Advances

Checks Issued

School Tax

Store Account

Union Dues

Social Security Tax

Income Tax Withheld

Other Charges

Fishing License

875.00

5.00

99.93

25.00

18.99

330.75

1.00

TOTAL CHARGES \$ 1355.67

BALANCE DUE

\$ 573.33

CERTIFIED CORRECT

Bookkeeper

C. P. W. [Signature]

Signature

Submitted by James Mylonack

RC 64

Dec. 4th, 2008

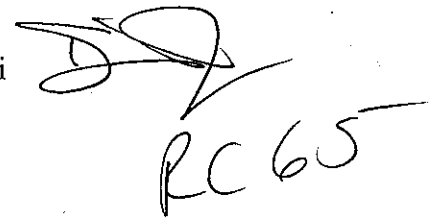
We, the undersigned, summarize our points on proposal 1 and urge the Board of Fish to vote **NO** on Proposal 1 for the following reasons:

1. No **new, significant information or errors** presented since the 2003 negative determination.
2. The Board is required by law to use **factual findings** to reverse previous C&T determinations. We do not believe that any significant factual findings support reversal of the 2003 decision.
3. We believe the board committed no legal errors in the 2003 negative finding and it should be left to stand as is.
4. The Board of Fish in both Cordova and Fairbanks was presented with no new significant information to overturn the 2003 determination.

Please **Vote No** on Proposal 1.

Marilyn Joe Chitina Traditional Council
Linda Jone - Ahstna Inc.
Wilbur Joe Natvik Village of Kluti-Kash
Allent L. Henry TAZLINA
Dorothy Shear
Blossie Shear
John Hapti Natvik Village of Eupak
Harding Ewan Goukan Village

Submitted by: Prince William Sound Aquaculture Corporation, Dave Reggiani



ASHBURN & MASON P.C.

LAWYERS

DANI CROSBY • MATTHEW T. FINDLEY • DONALD W. McCLINTOCK III
ROBERT A. ROYCE • A. WILLIAM SAUPE • JACOB A. SONNEBORN
OF COUNSEL MARK E. ASHBURN • JULIAN L. MASON III

December 4, 2008

David Reggiani
Prince William Sound Aquaculture Corporation
500 First Street
P.O. Box 1110
Cordova, Alaska 99574-1110

Re: Board of Fish Proposal 81
Our File No.: 10031.160

Dear Dave:

You have asked us to provide PWSAC with our opinion regarding the legal authority of the Board of Fisheries to substantially reduce hatchery production in Prince William Sound, as contemplated by Proposal 81, currently under consideration by the Board. You have given us a copy of the Department of Law's November 28, 2008 memorandum to the Board, entitled Comments on Specific Proposals for December 2008 Board of Fisheries Meeting; Prince William Sound, which also addresses Proposal 81.

We analyzed a very similar proposal in 1997 in our Memorandum to Bud Perrine, dated December 30, 1997, attached for your reference. None of the basic legal and constitutional considerations nor our conclusions and recommendations expressed in that memorandum have changed materially during the intervening years. We stand by our basic opinion that primary responsibility for regulation of hatchery production rests with the Department of Fish & Game, which is supported by 30 years of consistent practice by both the Department and the Board.

We also reaffirm our belief that

... in the absence of a strong factual showing that hatchery production posed a serious genetic or disease threat to wild salmon stocks or was proven to cause severe economic distress, neither the Department nor the Board could legally restrict PWSAC's output below a level necessary to sustain its current contribution to the common property fishery, to 'efficiently develop aquaculture,' to repay state loans, and to recover its costs.

David Reggiani
Page 2
December 4, 2008

Similar reasoning would apply to any attempt to use the regulatory process to restrict significantly hatchery harvest activities. The legislature has expressly and repeatedly stated its intention that Alaska's salmon resources should be enhanced and extended, and that hatcheries should promote those goals through cost recovery and broodstock harvests. Regulations that seriously curtailed those activities would be inconsistent with numerous statutes and would be invalid.

This conclusion is not overridden by the general grant of authority to the Board in AS 16.05.251(a)(9), referenced in the Department of Law's November 28, 2008 memorandum. In our view, that single statutory reference to the Board's authority over "release of native or exotic fish or their eggs" would be a very slender reed on which to support any Board of Fish regulation that would materially restrict hatchery production in the Sound. The extensive regulatory, statutory and constitutional framework discussed in the attached memorandum all evinces a strong and consistent state policy to promote the responsible enhancement of Alaska's salmon resources by state-chartered aquaculture associations like PWSAC.

To our knowledge, there is no evidence whatsoever that hatchery production in Prince William Sound poses a serious genetic or disease threat to wild salmon stocks. And it certainly is not causing economic distress; on the contrary, it is providing a substantial economic benefit. Consequently, the Board of Fisheries does not appear to have the legal authority to adopt any regulation that would directly or indirectly curtail hatchery production.

Please let us know if you have further questions.

Very truly yours,

ASHBURN & MASON, P.C.

A. William Saupe

Attachment

MEMORANDUM

TO: Bud Perrine, President
Prince William Sound Aquaculture Corporation

FROM: A. William Saupe
Ashburn & Mason

DATE: December 30, 1997

SUBJECT: *Regulation of Private Hatcheries by the Board of Fisheries*
Our File No. 7618.160

I. ISSUES PRESENTED

You have asked for an analysis of the degree to which the Department of Fish and Game (the "Department") and the Board of Fisheries (the "Board") can regulate salmon production by private nonprofit hatcheries. In that connection, you requested our views on the Attorney General's Opinion prepared for the Board by Robert Nauheim and Lance Nelson (Op. No. 661-98-0127, November 6, 1997), an interpretation of AS 16.10.440(b), and a legal analysis of Proposal 421, originally submitted to the Board by the Elfin Cove Advisory Committee. Because the public notice issued by the Board also mentions harvest restrictions, that issue is also addressed briefly.

II. BRIEF CONCLUSION

We generally agree with the Attorney General's Opinion that the Board's authority in this area is quite limited and that hatchery production has traditionally been the responsibility of the Department. It is true that the Board is statutorily authorized to regulate such things as the "propagation and stocking of fish," AS 16.05.251(a)(7), and to "amend" hatchery permits relating to the "source and number of salmon eggs" taken, AS 16.10.440(b), which seems to suggest that it might have some measure of control over individual hatchery output. However, the available legislative history clearly indicates that the legislature never intended to give the Board the power to limit hatchery production on either a local,

regional, or statewide basis. Nothing in the current law would permit regional production ceilings designed to restore "historical" market share percentages, which has been proposed at various times in the past. In contrast, the Department has been directly charged by the legislature to "approve the source and number of salmon eggs taken," AS 16.10.445, and to tightly regulate all other details of hatchery operation. AS 16.10.400-.470.

Whatever power the Board does have to regulate production, at some point it would come into conflict with Article VIII, Section 15, of the Alaska Constitution (prohibiting any exclusive right or special privilege of fishery, except insofar as limited entry may be imposed by the State "to promote the efficient development of aquaculture in the State") and numerous statutes, including those creating the FRED Division and the State Hatchery Loan Program, as well as the Limited Entry Act. Taken together, these enactments evidence a strong policy in favor of hatchery development for the purpose of enhancing and extending Alaska's fisheries. Because there are no court decisions interpreting the Board's power to regulate propagation or egg take, and because the Alaska Supreme Court has not elucidated the meaning of the constitutional reference to "efficient development of aquaculture," there is no sure way to know precisely where the collision might occur until a specific restriction is imposed and challenged in court.

It is reasonable to conclude, however, that in the absence of a strong factual showing that hatchery production posed a serious genetic or disease threat to wild salmon stocks or was proven to cause severe economic distress, neither the Department nor the Board could legally restrict PWSAC's output below a level necessary to sustain its current contribution to the common property fishery, to "efficiently develop aquaculture," to repay state loans, and to recover its costs.

Similar reasoning would apply to any attempt to use the regulatory process to restrict significantly hatchery harvest activities. The legislature has expressly and repeatedly stated its intention that Alaska's salmon resources should be enhanced and extended, and that hatcheries should promote those goals through cost recovery and broodstock harvests. Regulations that seriously curtailed those activities would be inconsistent with numerous statutes and would be invalid.

III. DISCUSSION

A. The Legislature Did Not Intend for the Board to Limit Production

Your principal question concerns the extent of the Board's authority to regulate hatchery production levels. A 1991 memorandum from Legislative Analyst Lisa Snow to Senator Dick Eliason confronts this issue head on. *See* Attachment A. It directly responds to a question posed by Senator Eliason as to whether the legislature ever considered limiting hatchery production because of (1) adverse impacts on wild stocks, or (2) adverse impacts on salmon market prices. Snow's answer is revealing. The Snow Memorandum states as follows:

Memorandum to Bud Perrine, President
December 30, 1997
Page -3-

We found no discussion in the legislative record that hatchery production should be restrained to a predetermined level for either biological or economic reasons. While the legislature was presumably prepared to take whatever corrective measures were necessary in the face of persuasive evidence that the hatchery program was causing serious biological problems, there appears to have been no discussion of establishing a ceiling on the production of fish from hatcheries.

There also appears to have been no contemplation of imposing a ceiling on the production of hatchery fish to support market prices. According to Terry Gardiner, salmon stocks were so depressed in the 1970s that there was no thought given to the possibility of over supply.

* * *

Clem Tillion told us that the legislature did not anticipate dependence on hatchery salmon by Alaska's commercial fishermen, and if adverse impacts on salmon market price were suspected by any legislators, it was not a widespread feeling, *for they did not take steps to be able to limit production if that occurred.*

Snow Memo., pp. 13-14 (emphasis added). Consistent with Snow's conclusions, a review of the Board's authorizing statute, as well as the other statutes relating to hatcheries, finds little or no basis for regulation of hatchery output by the Board.

You specifically asked whether AS 16.10.440(b), which provides, among other things, that the Board has the authority to regulate "the terms of [a hatchery] permit relating to the source and number of salmon eggs . . . ,"¹ authorizes the Board to limit hatchery production levels. The legislative history of this provision indicates that it does not. The Resources Committee's letter of intent on HB 359, which included the language in question, states as follows:

There are three other major changes made by the bill:

(1) Section 2 of the bill amends AS 16.10.440(a)(b). The amendment clarifies the role of the Board of Fisheries. The role of the Board of Fisheries as envisioned by the original legislation was to regulate the *harvest* of salmon returning to the waters of the state. That role extends to

¹Section 440(b) goes on to say that the Board may not "adopt regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400-16.10.470." This suggests that the Board does not have the power to completely deny a cost recovery harvest permit issued under Section 450.

Memorandum to Bud Perrine, President
December 30, 1997
Page -4-

regulating those fish which are returning as a result of releases from natural systems and also from hatchery releases. There are provisions in other portions of the nonprofit hatchery Act which allow the designation of specific locations for the harvest of salmon by the hatchery operator for sale, and use of the money from that sale, for the specific purposes as stated in AS 16.10.450. The added language clarifies that the Board of Fisheries may adopt regulations relating to the *harvest* of the fish by hatchery operators at the specifically designated locations. The Board of Fisheries in the past year or two has enacted regulations relating to those harvests for several of the private nonprofit hatcheries in the state.

House Journal, March 15, 1979, pp. 601-602 (emphasis added). The exclusive reference to regulation of harvest, and the absence of any mention of production controls, corroborates the conclusion reached by the Snow Memorandum that the legislature never intended to authorize the Board to limit hatchery production.

The Board's traditional function has always been to allocate harvests among competing user groups, not to regulate production of fish. This legislative history, with its emphasis on "harvest," is also consistent with PWSAC's long-held belief (apparently shared by the Department) that Section 440(b) was intended to cover egg take from wild salmon streams, not to apply to egg take from returning hatchery fish. Further corroboration of this conclusion is found in Section 445(a), which unambiguously requires the Department, not the Board, to "approve the source and number of salmon eggs taken under AS 16.10.400-16.10.470."

Given the legislative history, the 20-year pattern of administrative interpretation, the odd language in Section 440(b) regarding regulations to "amend . . . the terms of a permit," and the clear mandate of Section 445(b), it is quite clear that the Board has little or no role in regulating hatchery production.

The only other statutory provision that suggests otherwise is found at AS 16.05.251(a)(7), which authorizes the Board to regulate the "propagation and stocking of fish," which tends to suggest the power to regulate production, not just harvest levels and allocations. The most plausible explanation of this language is that it was included to permit regulation of such activities as stocking lakes with trout or perhaps even raising fish in ponds. There is regrettably no legislative history available to aid in the interpretation of this language. Because it runs counter to the Board's traditional role and is inconsistent with the conclusions in the Snow Memorandum, it would be wrong to assign much importance to this provision. The authority to regulate propagation and stocking would be a very slender thread from which to hang an unprecedented, statewide or regional regulatory program of production allocation, which has not been specifically authorized or even contemplated by the legislature. Certainly any such regulatory regime would raise serious questions as to its consistency with the Board's statutory duty to "conserve and

develop" the state's fisheries. The statutory mandate to "develop" could hardly be construed to include actual reductions of salmon production.

B. Production Limits Imposed by the Board Would Be Vulnerable to Legal Challenge on Several Grounds

In order to be valid, a regulation must be "reasonable and not arbitrary." *Warner v. State*, 819 P.2d 28, 31 (Alaska 1991). It must also be within the scope of the authorizing statute, "reasonably necessary to carry out the purposes of the statute," and "consistent with standards prescribed by other provisions of law." *Beran v. State*, 705 P.2d 1280 (Alaska App. 1985), citing AS 44.62.020. In *Beran*, the court struck down a Board regulation on the basis that it was inconsistent with other provisions of law and therefore invalid. *Id.* at 1289. If the Board or the Department were to issue regulations that significantly curtailed PWSAC's production levels, the regulations would be inconsistent with numerous provisions of law and could be successfully challenged in court.

In analyzing whether and to what extent the Board or the Department could substantially curtail hatchery production or harvest, the best place to begin is the Alaska Constitution. Article VIII, Section 15, of the Alaska Constitution provides:

No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood *and to promote the efficient development of aquaculture in the State.* (Emphasis added.)

This constitutional provision makes it clear that the efficient development of aquaculture is an important value to be protected. It also can be read to mean that the efficient development of aquaculture is one of the purposes of limited entry, a principle that is central to fisheries management in Alaska.

Hatchery production depends on harvests for broodstock and cost recovery, which are absolutely essential to conservation of the resource and to the efficient development of aquaculture. If deprived of broodstock or the funds generated by cost recovery, PWSAC could not continue its current production levels, much less "develop efficiently." Furthermore, other beneficial uses, such as the harvest of PWSAC-produced fish by commercial, sport, and subsistence users, would be seriously *harmed*, not helped by restrictions on production or broodstock harvest. Over the past 12 years, PWSAC has harvested an average of less than 40 percent of the salmon returning to its hatcheries. During the period from 1986 through 1997, PWSAC fish consistently constituted approximately 50 percent of the total commercial harvest, ranging in some years to as high as 80 percent. During that period PWSAC contributed an average of approximately \$13 million annually in value to the common property fishery. PWSAC harvests

Memorandum to Bud Perrine, President
December 30, 1997
Page -6-

have consistently sustained other user groups throughout the region, while causing no demonstrable harm to wild stocks. Short of the extreme situation envisioned by AS 16.10.430(b) (empowering the Department to mitigate irreversible adverse impacts of hatchery operation), it is hard to conceive how significant restrictions on production or denial of a reasonable hatchery harvest could achieve a greater public purpose.

Supporting this conclusion is an extensive web of statutory provisions that evidence an unwavering legislative intent to sustain and expand hatchery operations. Under AS 16.05.020, the Commissioner of Fish and Game is required to "manage, protect, maintain, *improve, and extend* the fish, game . . . of the state in the interest of the economy and general well-being of the State." The FRED Division has been charged with the duty, "through rehabilitation, *enhancement* and development programs," to do everything "necessary to insure *perpetual and increasing* production and use of the food resources of Alaska's waters and continental shelf areas." AS 16.05.092. Also significant is AS 16.10.443, which requires the Department to do everything possible to assist with hatchery operations.

Alaska Statute 16.10.430(b) allows the Commissioner of Fish and Game to terminate the operation of a hatchery if its adverse effects are irreversible and cannot be mitigated. Alaska Statute 16.10.430(b) provides as follows:

If the commissioner finds that the operation of the hatchery is not in the best interests of the public, the commissioner may alter the conditions of the permit to mitigate the adverse effects of the operation, or, if the adverse effects are irreversible and cannot be mitigated sufficiently, initiate a termination of the operation under the permit over a reasonable period of time under the circumstances, not to exceed four years. During the period of time that the operation is being terminated, the permit holder may harvest salmon under the terms of the permit but may not release additional fish.

The most plausible interpretation of AS 16.10.430(b) is that the listed conditions under which a hatchery operation may be terminated are the *only* bases upon which termination is permitted. In other words, unless there are irreversible adverse effects that cannot be mitigated, a licensed hatchery operation cannot be terminated, directly through a termination order or indirectly through denial of broodstock or restrictions on production that would jeopardize cost recovery and sustained production.

In addition, Board regulation of hatchery production would overlap and almost certainly conflict with the comprehensive and detailed hatchery regulations that are currently in place and operating effectively. For example, the Department has rigorous permitting process for new hatcheries, 5 AAC 40.100-.240. There is an extensive Regional Comprehensive Planning program established under AS 16.10.375 and 5 AAC 40.300-.370, with full public participation. By regulation, the responsibility of the Regional Planning Teams is to "prepare a regional comprehensive salmon plan . . . to rehabilitate

natural stocks and *supplement* natural production . . ." 5 AAC 40.340 (emphasis added). There is also an intricate system of basic and annual hatchery plans that are reviewed annually by the Department, performance reviews, and, in appropriate cases, permit alterations. 5 AAC 40.800-.900. Production levels are carefully monitored by the Department under these regulations and adjusted if necessary for economic or biological reasons. The Department's statutory authority for this intense level of hatchery regulation is quite clear, and there seems to be little room for the Board to insert itself into a very public process that has been working well for many years.

In sum, any regulation or order that prevented a sustained level of hatchery cost recovery, egg take, and production would directly conflict with the myriad statutes and regulations that authorize and tightly control hatchery activities. Under *Beran v. State, supra*, and numerous other cases, regulations are invalid if they are inconsistent with other provisions of law.

Perhaps more significant than the legal impediments, which are considerable, there would be serious practical and policy problems with any attempt by the Board to allocate production between regions of the state, or to take the actions suggested in Proposal 421. For example, which historical moment would serve as the reference point for assignment of regional quotas or establishment of hatchery production levels? Would it be before or after establishment of the hatchery program? Would different historical periods be used for different regions? Would relatively new hatchery programs (such as the Main Bay sockeye facility) be automatically precluded if they would alter the historical balance of harvest levels between regions? If the benchmark were to be historical wild runs, how could hatcheries plan their budgets and production levels from year to year, given the inherent unpredictability of natural returns? Would a direct consequence of a regional allocation policy be to reward stagnant regions and to stifle initiative on the part of any region that is efficient, well-organized, and capable of growth? Would the anticompetitive aspects of regional limits outweigh the asserted benefits? What are the asserted benefits? Do they go beyond mere regional jealousy and have some supportable statewide economic rationale? While the answers to these questions are unknown, it may be very difficult for the Board to identify a defensible, rational basis for any such plan that would meet the "reasonable and not arbitrary" test. *See Warner v. State*, 819 P.2d 28, 31 (Alaska 1991).

C. Regulations Imposing Debilitating Limits on Broodstock or Cost Recovery Harvests Would Also Be Illegal

In the interests of brevity, this memorandum will only summarize the limitations on the authority of the Board or the Department to substantially curtail PWSAC's cost recovery and broodstock harvest levels. Many of the arguments that apply to production limits apply equally to harvest limits. The legislature has clearly stated its intention that the state's fishery resources be *extended* through the hatchery program. Any move in the opposite direction would conflict with numerous legislative enactments.

Memorandum to Bud Perrine, President
December 30, 1997
Page -8-

Express authorization of hatchery harvest activities can be found throughout the Alaska statutes. For example, AS 16.10.440(a) provides that hatchery fish are available for common use "until they return to the specific location designated by the department *for harvest by the hatchery operator.*" This indicates a legislative expectation and intent that hatchery harvests are necessary.

Alaska Statute 16.10.450(a) could hardly be clearer on this point. It states:

Sale of salmon and salmon eggs by hatchery. (a) Except as otherwise provided in a contract for the operation of a hatchery under AS 16.10.480, a hatchery operator who sells salmon returning from the natural waters of the state, or sells salmon eggs to another hatchery operating under AS 16.10.400– 16.10.470, after utilizing the funds for reasonable operating costs, including debt retirement, expanding its facilities, salmon rehabilitation projects, fisheries research, or costs of operating the qualified regional association for the area in which the hatchery is located, shall expend the remaining funds on other fisheries activities of the qualified regional association.

AS 16.10.450(a).

The Limited Entry Act, AS 16.43.400, *et seq.*, permits the Commercial Fisheries Entry Commission to issue "special harvest area entry permits" to holders of private nonprofit hatchery permits issued by the Department. Section 420 of the Act specifically authorizes cost recovery harvest by permit holders, such as PWSAC:

Disposition of fish. Fish caught under the authority of a special harvest area entry permit are the property of the permit holder. The permit holder may sell the fish if the proceeds are used in the manner described in AS 16.10.450.

AS 16.43.420. PWSAC, of course, holds a special harvest area entry permit under AS 16.43.400, and its cost recovery funds are used for the purposes listed in AS 16.10.450. It thus has a statutory right to cost recovery that cannot be eviscerated through regulation.²

²It could also be argued that cost recovery is guaranteed to permit holders such as PWSAC by the Limited Entry Act itself. In *Johns v. CFEC*, 758 P.2d 1256, 1263 (Alaska 1988), the court stated: "The Limited Entry Act has two purposes – enabling fishermen to receive adequate remuneration and conserving the fishery," *citing*, Art. VIII, Sec. 15, Alaska Const., AS 16.43.010; *CFEC v. Apokedak*, 606 P.2d 1255, 1265 (Alaska 1980). Without cost recovery, PWSAC would not receive adequate remuneration or be able to help conserve the fishery.

Memorandum to Bud Perrine, President
December 30, 1997
Page -9-

PWSAC also conducts cost recovery harvests at Main Bay and Cannery Creek under authority of contracts entered pursuant to AS 16.10.480, enacted by the legislature in 1988. That section authorizes the Department to enter into hatchery management contracts for certain state-owned hatcheries, which allow harvest of adult salmon "in a quantity sufficient to allow the contractor to recover all or part of the contractor's costs of operating the hatchery." While this provision is permissive, rather than mandatory, it is further evidence of the legislature's expectation and intent to permit cost recovery harvests at state-owned but privately operated hatcheries.³

Another statutory provision that is germane to this point is AS 16.10.430(b), discussed above. This provision permits the Commissioner of Fish and Game to terminate a hatchery permit if he finds that continued operation is no longer in the public interest. Presumably, termination could be ordered if a hatchery failed to sustain itself economically or, more likely, if it produced diseased or genetically damaged fish that might threaten other stocks. *See* Snow Memo., pp. 12-13, 16. In any case, the relevant point is that termination is to be phased over time.

During the period of time that the operation is being terminated, the permit holder may harvest salmon under the terms of the permit but may not release additional fish.

AS 16.10.430(b). Logically, this provision can only contemplate cost recovery harvest. In the context of hatchery termination, broodstock harvest would not be necessary since no new fish could be released.

The statutory provisions discussed above lead to the conclusion that the legislature intended cost recovery harvest to be the primary method of funding private nonprofit hatcheries. The Snow Memorandum on the legislative history of the hatchery program supports this conclusion:

At this time [1973-74], legislators were coming to the view that the private sector would be more efficient than the government in the operation of hatcheries. Also nongovernmental hatcheries had much to recommend them from the perspective of public finance issues: *the operation of private hatcheries could be funded from the harvest of returning fish* and from tax assessments on the fishermen who had access to hatchery production, thus shifting the cost of the facilities from the shoulders of the general public to the people who derived benefits directly from them.

Snow Memo., p. 5 (emphasis added). Snow goes on to point out that in 1974 "there was great enthusiasm about the prospect of PNP hatcheries from fishermen's groups, education centers, Native corporations, and the legislature itself." *Id.*

³Both the Main Bay and the Cannery Creek contracts provide that PWSAC shall have the right to conduct cost recovery harvests during the terms of the contracts.

Memorandum to Bud Perrine, President
December 30, 1997
Page -10-

Attachment
N:\sjw\76182

Copy of public testimony given 12/02/08

RC66

Mr. Chairman and members of the Board, for the record my name is Dan Hull, and I'm testifying as the chairman of the CDFU Groundfish Division on the groundfish and sportfish proposals that are before you. I have been fishing in Cordova for over 20 years, as a drift gillnet salmon permit holder and a halibut IFQ holder.

I submitted detailed written comments for your review, and I don't have any changes to those. Instead, I want to describe the backdrop for these proposals and the issues the Board should consider in taking action on them.

Summary comments on proposals we submitted.

The first point to consider is this: The main impetus behind the many groundfish proposals before the Board is that the current management plans and bycatch regulations, for groundfish in general, but more specifically for Pacific cod, do not give fishermen an adequate opportunity to harvest groundfish resources in the PWS management area. The proposals before you indicate a desire to restructure the management of Pacific cod and other groundfish fisheries to correct the situation.

Further complicating the issue is the fact that the NPFMC is taking up initial review of a fisheries management plan amendment to eliminate many LLPs in the Federal Central Gulf groundfish fisheries. Many Cordova fishermen do not have recent history in the Pacific cod fishery and are likely to lose their LLPs. The bottom line for the fishermen, processors and the community of Cordova is that we are concerned about losing further access to fisheries resources in our local area, and that's why we are looking to the Board for redress.

There are a number of reasons for the decline in the Pacific cod harvests. One of the most significant factors is that the Federal "A" season TAC is reached by vessels fishing farther west, before Pcod move into the PWS area. By the time the State waters fishery is opened, many of the vessels that would participate in that fishery are instead fishing IFQ halibut or blackcod.

Another factor is that the area open to pot fishing under the State waters fishery is confined to the SW part of the PWS management area, and excludes areas closer to Cordova. Longer travel times result in higher fuel costs.

Finally, EPA regulations that prohibit the discharge of fish waste into Orca Inlet in the winter and early spring delay the start of processing in Cordova. This is a significant economic disincentive for Cordova fishermen to participate, since it requires operating primarily out of Seward, away from homeport.

The other issue we want to raise with the Board is that, with all due respect to ADF&G staff, it appears that within the Department there are two different and arguably inconsistent approaches to the conservation and management of groundfish resources in PWS.

The commercial GHL for rockfish has been capped at 150,000 lbs since 1992 and the GHL for lingcod has been capped at about 33,000 lbs total since 1996. Neither one of these GHLs is based directly on abundance, but presumably they were believed to be sustainable levels of harvest. Commercial fisheries managers have consistently stated concerns about bycatch in directed fisheries, and the need to hold GHLs at conservative levels. For example, in the groundfish report, ADF&G staff write "Establishing the (lingcod) GHL at 75% of the historical harvest is consistent with the most conservative alternative used by the NPFMC when considering fisheries with little data on abundance or stock structure." And in considering the parameters of the experimental directed skate fishery Commercial Fish Division staff has stated explicitly that they are concerned about the potential bycatch of rockfish, lingcod and halibut.

But at the same time, the Department has remained silent about the total recreational harvest of lingcod that has increased from around 60,000 lbs in the mid 1990s to about 270,000 lbs in 2007. This is a fourfold increase, that is eight times greater than the commercial harvest. And that's just the harvest; the catch in 2007 was almost 600,000 lbs, and there is some level of discard mortality associated with released lingcod.

The Department has also remained silent in staff proposal comments about any conservation concerns associated with rockfish catch levels in the recreational sector that are now over 350,000 lbs, and rockfish discard mortalities in the recreational sector of 40% of the catch, or over 100,000 lbs.

Clearly there are allocative implications to this issue, but I'm mainly concerned that there should be a more consistent approach to management and conservation, so that the Department and the Board of Fisheries can achieve goals for sustained yield of these resources. Both the commercial and recreational sectors are fishing the same stocks of lingcod and rockfish, yet it appears that the two sectors are being treated differently when it comes to conservation and management. If ADF&G and the Board don't have any concerns about increasing harvests in one sector then it stands to reason that other sectors should also be allowed to harvest an increasing amount. We support ADF&G's proposal to reduce the rockfish bag limit, but if there are conservation and management concerns then appropriate actions should be taken to control effort as well as catch. This is why we submitted proposal 94, which is a reasonable measure to control effort in the charter fleet by limiting the number of lines fished to 6 lines, and we ask for your support of this proposal.

Dan Hume

12/4/08

Record Copy (RC) LOG**Board of Fisheries, Prince William Sound Meeting, December 1-7, 2008, Cordova**

Log #	Date	Source	Description	Pgs.
RC1		ADF&G	Board Book	
RC2		ADF&G	Staff Comments	
RC3		ADF&G	Department Reports	
RC4		ADF&G	Subsistence Reports	
RC5		Native Village of Eyak	Estimating the Inriver Abundance of Copper River Chinook Salmon.	4
RC6		Native Village of Eyak	Spawning Distribution and Run Timing of Copper River Sockeye Salmon	11
RC7		Native Village of Eyak	Estimating the inriver abundance of Copper River Sockeye Salmon	5
RC8		Native Village of Eyak	Length Frequency Distributions and Migration Speeds of Inriver Copper River Chinook and Sockeye Salmon, 2002-2008	6
RC9		ADF&G	Sport Fish – Committee A & D Deliberation Materials	113
RC10		ADF&G	Subsistence – Committee A Deliberation Materials	117
RC11	11/18/08	Yukon River Drainage Fisheries Assoc.	Comments – Proposal 81	2
RC12	11/18/08	Whittier AC	Meeting Minutes and Comments	3
RC13	11/18/08	Gordon Scott	Comments – PWS Spot Shrimp	6
RC14	11/18/08	Kenai Soldotna AC	Meeting minutes and comments	2
RC15	11/19/08	Robert D. Mielke	Comments – Proposals 63, 75, 74, 77	1
RC 16	11/25/08	Seward F&G AC	AC minutes of October 23, 2008	1
RC 17	11/25/08	Fairbanks F&G AC	Memo re: Proposal 81	1
RC 18	11/25/08	Governor Sarah Palin	Letter re: Board Service	1
RC 19	11/25/08	National Park Service	Comment on Proposals	7
RC 20	11/25/08	Nushagak F&G AC	AC minutes of November 14, 2008	8

Record Copy (RC) LOG**Board of Fisheries, Prince William Sound Meeting, December 1-7, 2008, Cordova**

Log #	Date	Source	Description	Pgs.
RC 21	11/26/08	BBEDC	Proposal 369 comment	1
RC 22	11/26/08	Unalaska /Dutch Harbor F&G AC	AC minutes of November 22, 2008	4
RC 23	11/29/08	Jamie Ross	Proposal 83	3
RC 24	11/30/08	Central Peninsula F&G AC	Proposal 379 oppose out of cycle	1
RC 25	11/30/08	Central Peninsula F&G AC	Proposal 119 oppose	6
RC 26	12/1/08	Rod Campbell USFWS	PWS area map	1
RC 27	12/1/08	Seward F&G AC	AC comments on proposals	1
RC 28	12/1/08	Angela Vermillion	BOF testimony	2
RC 29	12/1/08	Tim Joyce - USFS	Proposals 100-102	6
RC 30	12/1/08	Anchorage F&G AC	AC comments on proposals	4
RC 31	12/1/08	ADF&G / CF	Deliberation materials	79
RC 32	12/1/08	Ecotrust	Color 11 x 17 maps	9
RC 33	12/2//08	ADF&G / SF	Region 2 Committee D Deliberation materials	13
RC 34	12/2//08	Copper River/PWS F&G AC	John Renner BOF testimony for AC	2
RC 35	12/2//08	Richard Burnham	Proposal 81 comments	11
RC 36	12/2//08	ADF&G / CF	Proposal 65 revised comments	2
RC 37	12/2//08	James Mykland	Prop 1, 65-66, 69, 71-74, 126, 128-129, 131	3
RC 38	12/2//08	Gordon Scott	BOF testimony	3
RC 39	12/2//08	James Mykland	Request to withdraw Proposal 77	1
RC 40	12/2//08	Aaron Bloomquist	Revised Anchorage AC comments	1
RC 41	12/2//08	Mike Babic	BOF testimony	2

Record Copy (RC) LOG**Board of Fisheries, Prince William Sound Meeting, December 1-7, 2008, Cordova**

Log #	Date	Source	Description	Pgs.
RC 42	12/2/08	Kathy Halgren	BOF testimony	3
RC 43	12/2/08	ADF&G / Boards	RC Index #1	2
RC 44	12/2/08	Tim Joyce	CR / PWS RPT comments on Prop 81	1
RC 45	12/2/08	David Pinguoch	Prop 96 comment	1
RC 46		ADF&G / SF	Committee A Report	
RC 47		ADF&G / CF	Committee B Report	
RC 48		ADF&G / CF	Committee C Report	
RC 49		ADF&G / SF	Committee D Report	
RC 50		ADF&G / CF	Committee E Report	
RC 51	12/3/08	Dave Reggiani	1998-2008 PWS Hatchery Capacity Summary	1
RC 52	12/3/08	ADF&G Subsistence	Copper Basin pounds harvested by species / community	1
RC 53	12/3/08	Copper Basin F&G AC	AC minutes of October 27, 2008	3
RC 54	12/3/08	ADF&G CF	Comm B Deliberation Material	8
RC 55	12/4/08	ADF&G SF	Spot Shrimp Regulations Matrix	2
RC 56	12/4/08	Aaron Bloomquist	Option 1 – Proposals 107-109	1
RC 57	12/4/08	Aaron Bloomquist	Option 2 – Proposals 107-109	1
RC 58	12/4/08	Stephen Reidel	Proposal 81 oppose	1
RC 59	12/4/08	ADF&G CF	Miles Lake Sonar information	5
RC 60	12/4/08	George Covell	PWSAC Committee C Comments	2
RC 61	12/4/08	Rod Campbell	Corrections to RC 19 & PC 24	1
RC 62	12/4/08	Patrick Burns	Proposal 373 oppose	3

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER


P.O. BOX 25526
JUNEAU, AK 99802-5526
PHONE: (907) 465-4100
FAX: (907) 465-2332

RC 68

MEMORANDUM

TO: Tony Knowles, Governor
State of Alaska

THRU: Jim Ayers, Chief of Staff
Office of the Governor

FROM: 
Frank Rue, Commissioner
Department of Fish and Game

DATE: January 11, 2001

SUBJECT: Review of Alaska's Hatchery Chum Salmon Program

During our trip through the AYK region last summer we heard concerns that hatchery-produced chum salmon from Southeast Alaska and Prince William Sound are contributing to the poor returns of wild chum to western Alaska. We have stressed that early marine survival and fishery mortality throughout the chum salmon's range, from inriver harvest to high-seas interception, are the most significant factors affecting western Alaska chum salmon survival and productivity. We both recognize, however, the depth of the problem that poor chum salmon returns have caused for people from western Alaska and the need for a precautionary approach in the face of such a desperate situation. As a result, you asked that I look into reducing hatchery production of chum salmon if that production is contributing to the decline of western Alaska wild chum salmon.

I have heard the concerns of people from western Alaska. I have met with hatchery operators who produce the majority of chum salmon. I have discussed the science behind the theory of competition between wild chum and hatchery chums from Southeast Alaska and Prince William Sound with department biologists. The following actions are the result of these discussions.

PRODUCTION

ADF&G scientists believe the primary cause of weak production of western Alaska chum salmon is poor early marine survival. Harvest is the next most significant contributing factor to survival. We know the migratory range of Southeast and PWS hatchery and wild pink and chum stocks overlaps to some extent with western Alaska chum salmon stocks. We also know hatchery chums from Russia and Japan rear in the Bering Sea. While the data indicate there may be competitive interactions between the multitude of hatchery and wild stocks, there is no scientific evidence demonstrating that competition with hatchery fish is a significant factor in the collapse of western Alaska wild chum stocks. Generally, when few fish return from a good spawning escapement, the cause is unfavorable freshwater conditions (e.g., floods, freezing, habitat degradation) or poor early marine conditions (low

plankton abundance, unfavorable temperatures, predation). Studies have shown that competition for food in the open ocean between different salmon species and different stocks does occur. This competition is believed to manifest itself primarily in reduced growth and smaller-sized fish at a given age rather than reduced survival.

Production goals for the chum salmon hatchery programs in Southeast Alaska and Prince William Sound were established through the Regional Comprehensive Salmon Planning process. The production goals established in these plans have generally been achieved or exceeded in recent years. Higher than normal marine survivals for wild and hatchery chum salmon from Southeast Alaska appear to be the primary reason for the above average, and in some cases, record recent-year returns. However, there are strong indications that marine survival has turned downward and that hatchery chum returns, at least to some Southeast Alaska facilities, could decline significantly in the next few years. In fact, the 2001 hatchery chum forecast for Southeast is about 50 percent of the 2000 overall return. This may result in overall chum production in Southeast Alaska falling below the 10 million fish goal established in the current Southeast Regional Comprehensive Plan. It is possible that this decline in survival to normal or below normal levels could persist for some time. If market demand remains strong, there will surely be pressure to increase production.

The chum salmon hatchery program has reached its intended goals, and we need to have stable chum salmon production to be sure we are addressing all management and utilization issues. I recently asked the Southeast Regional Planning Team (RPT) to review existing production goals. On December 14, 2000, I received the RPT's unanimous recommendation that permitted hatchery capacity for chum salmon in Southeast Alaska be reduced by 90 million eggs, for a 13 percent reduction in statewide capacity. In making this recommendation, the RPT stressed the fact that permitted chum salmon capacity in Southeast was reduced an additional 119 million eggs over the two year span from 1997 to 1998, for a total reduction of 209 million eggs over the past four years. I have agreed with the RPT's recommendation. I do not believe that further reductions of hatchery chum production in Southeast Alaska and Prince William Sound are justified based on the available scientific evidence. Nor do I feel increases in production of hatchery chums should be allowed, just because markets are strong and marine survivals are trending downward.

RESEARCH

I will direct the Regional Planning Team to critically evaluate marking and recovery programs being conducted by hatcheries around the state to ensure that the hatcheries are doing all they can to assist in evaluating the impacts and benefits of hatchery production. Some hatcheries, like DIPAC, already thermally mark 100 percent of their hatchery chum salmon production. As the department and National Marine Fisheries Service develop research plans for studies on ocean productivity and salmon survivals, I will determine if a need exists for other hatcheries to increase their marking and evaluation projects. Hatcheries may be able to contribute even more to our knowledge about salmon distribution and survival and competition by marking more fish.

STATEWIDE CHUM SALMON MEETING

One of the recommendations of the hatchery forums we convened a few years ago was to establish a Statewide Regional Planning Team. This recommendation was not implemented primarily because of a lack of funding. In addition, there were many concerns raised over what the mission and objectives

of a statewide RPT would be. There was, and still is, support for an effort aimed at sharing information and expertise among people from different regions of the state on hatchery and wild chum salmon production, research, and marketing. As a result, I will direct my staff to develop a proposal for a statewide chum salmon meeting.

LOAN FUND

I believe it would be productive to work with Department of Community and Economic Development, hatchery operators, and other stakeholders to determine if the hatchery revolving loan fund should be changed so that it could be used to help finance infrastructure that can help AYK salmon or other salmon fisheries around the state be more competitive on the world market. I will propose that this be an item on the agenda of a statewide chum salmon meeting.

AYK SALMON RESTORATION

The Division of Commercial Fisheries will determine if there are wild chum salmon rehabilitation and enhancement techniques that can be applied efficiently and effectively in AYK. Hatchery operators have offered their expertise in assisting in any rehabilitation and restoration efforts in western Alaska.

I have attached a copy of my memorandum giving direction on the above issues to the Division of Commercial Fisheries.

cc: w/ attachment:

John Sisk
Debra Sedwick
Dan Coffey
Doug Mecum
Kelly Hepler

STATE OF ALASKA

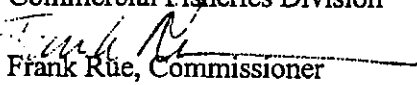
TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME
OFFICE OF THE COMMISSIONER

P.O. BOX 25526
JUNEAU, AK 99802-5526
PHONE: (907) 465-4100
FAX: (907) 465-2332

MEMORANDUM

TO: Doug Mecum, Director
Commercial Fisheries Division

FROM: 
Frank Rue, Commissioner

DATE: December 29, 2000

SUBJECT: Regional Planning Team Recommendation on Chum Salmon Production

I received the memorandum from the Southeast Regional Planning Team (RPT) dated December 14, 2000. I concur with the planning team's unanimous recommendation that permitted hatchery capacity for chum salmon in southeast Alaska be reduced by 90 million eggs for a 13 percent reduction in region wide capacity. I also appreciate the fact that permitted chum salmon capacity in Southeast was reduced an additional 119 million eggs over the two year span from 1997 to 1998, for a total reduction of 209 million eggs over the past four years. The chum salmon hatchery program has reached its intended goals and we need to have stable chum salmon production to be sure we are addressing all management and utilization issues.

I also want your staff to continue your efforts to evaluate the various hatcheries chum salmon otolith marking programs for their adequacy in addressing fishery management, production monitoring, wild stock interaction, and high seas salmon research questions.

I would also like you to see if there is interest in having a statewide chum salmon meeting to discuss issues such as: the state of our knowledge and research plans relating to high seas chum salmon migration, survival, interaction and mortality; interest in changing the hatchery revolving loan fund so that it could address issues affecting the economics of harvesting, processing, transporting and marketing western Alaska chum salmon; and, enhancement possibilities for chum salmon in western Alaska. If there is adequate interest in this statewide meeting I would like your staff to develop a proposed agenda for my review.

cc: John Sisk
Kelly Hepler
Rob Bosworth
Mary Pete
Steve McGee
Debbie Sedwick

Amend proposal 71 to allow Purse Seine gear in the Coghill District North of a line between Pt. Packeham and Golden Lagoon Entrance prior to July 21 when Coghill Sockeye Escapement is sufficient to warrant fishing time.

Submitted by

Thomas Nelson

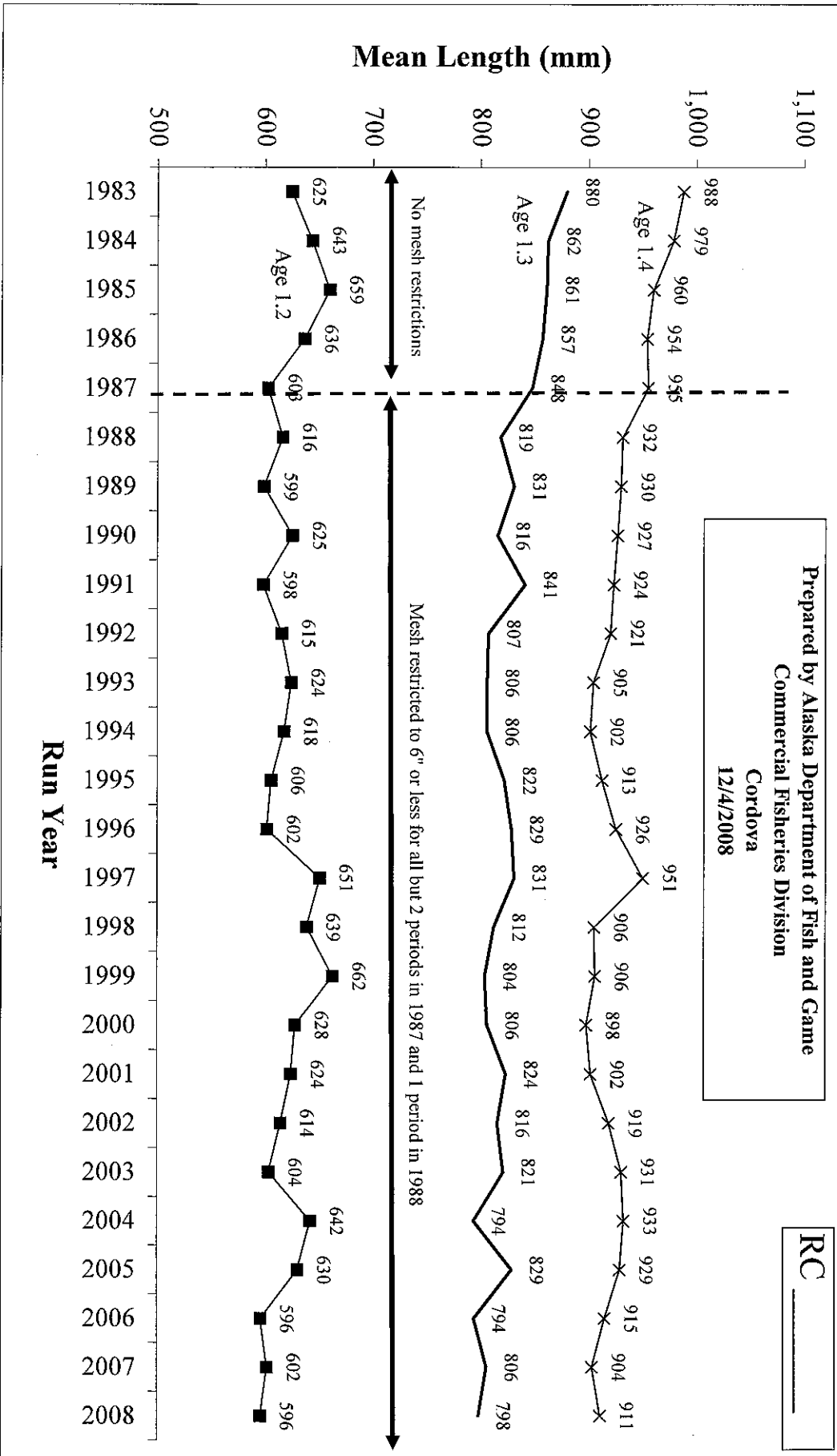


Figure. Mean length-at-age of Copper River Chinook salmon age classes 1.2, 1.3, and 1.4 from the Copper River District commercial drift gillnet fishery, 1983-2008. Lengths are measured from mid-eye to the fork of the tail. Gillnet mesh has been restricted to 6" or less for almost every period since 21 May 1987 (period 3). Large mesh was allowed for the first period in 1988 and then restricted to 6" or less for the remainder of the Chinook salmon run. The mesh size was restricted to 6" or less by emergency order in 1989 and 1990 and the BOF put the mesh restrictions into regulation in 1991 (mesh will be 6" or less until 15 July).

Regarding Proposal 132, to repeal 5 AAC 24.361(b).

The Native Village of Eyak supports this proposal, and would like the Board to request clarification from ADF&G staff on the apparent contradiction between their comments on Proposal 132 and those on Proposal 51 at the 2005 Board of Fisheries meeting in Valdez.

The comments referenced are attached in their entirety for your convenience. The relevant section reads as follows:

“The department notes that this proposal reduces the flexibility of the department to manage the fishery and may result in lost harvest opportunity and an inability to stay within the escapement goal range for sockeye salmon. The department OPPOSES the loss of management flexibility inherent in this proposal.”

The author of Proposal 132 in the current cycle has stated their intention to return this loss of management flexibility to the department, saying that if nothing is done “management flexibility will be compromised.”

It is therefore confusing and contradictory that department staff, when commenting on Proposal 132, have officially stated that they are “OPPOSED to the alteration of the current management practice”, when in fact they adamantly opposed Proposal 51 in 2005, which led to the current inflexibility in their management practice.

We wish to see adaptive management authority returned to the department through adoption of Proposal 132, and fail to understand why department staff are not stating a similar desire.

Native Village of Eyak.
December 12, 2008.

COMMITTEE C- COPPER RIVER COMMERCIAL AND SPORT FISHERIES (12 PROPOSALS)

PROPOSAL 51 - 5AAC 24.310. Fishing seasons. Amend the regulation as follows:

No gillnetting from Thursday at midnight until Saturday at midnight.

WHAT WOULD THE PROPOSAL DO? This proposal would close the Copper River District from Thursday at midnight until Saturday at midnight.

WHAT ARE THE CURRENT REGULATIONS? Gillnetting in the Copper River District is managed by emergency order openings based on sockeye salmon escapement at the Miles Lake sonar site.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED
This proposal would close the Copper River District from Thursday at midnight until Saturday at midnight for the duration of the sockeye salmon season. This would result in missed fishing opportunity and would significantly impact the department's ability to manage this fishery.

BACKGROUND: The author of this proposal indicates that closing the Copper River commercial fishery at midnight on Thursdays would increase the sockeye salmon available to weekend subsistence dipnetters at Chitina. The distance from the Copper River commercial fishing district to Chitina is over 100 river miles. Typically it takes sockeye salmon anywhere from 10 days to over 3 weeks to travel this distance.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department notes that this proposal reduces the flexibility of the department to manage the fishery and may result in lost harvest opportunity and an inability to stay within the escapement goal range for sockeye salmon. The department opposes the loss of management flexibility inherent in this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

PROPOSAL 52 - 5AAC 24.361. Copper River king salmon management plan. Amend the regulation as follows:

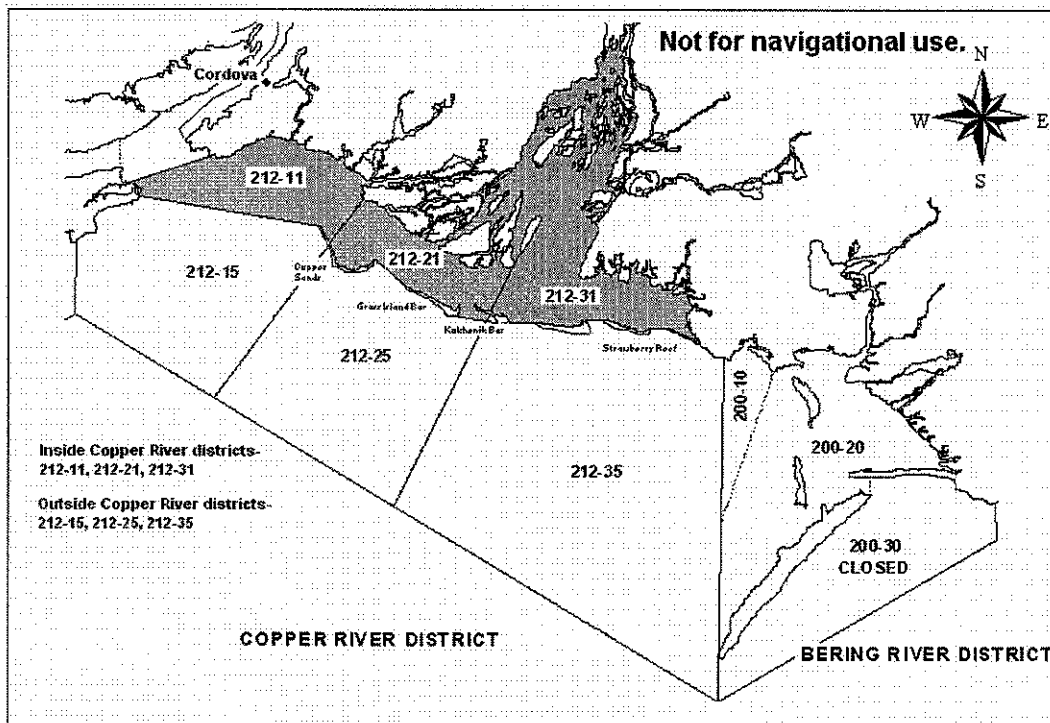
During each of the first three statistical weeks, there can only be one 12-hour opening inside the Barrier Islands.

WHAT WOULD THE PROPOSAL DO? Allow only one 12-hour inside opening per week during the first three weeks of the Copper River District commercial drift gillnet season.

WHAT ARE THE CURRENT REGULATIONS? Current regulations in the management plan (5 AAC 24.361(a)) stipulate that the department will manage the commercial fishery in a manner to achieve an escapement goal of 24,000 or more king salmon. To achieve the escapement goal, the department may apply restrictions within the Copper River statistical areas during statistical weeks 20, 21 and 22.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the department's ability to control and manage wild sockeye and Chinook salmon escapement and harvest in the Copper River District during the first three weeks of the commercial season.

BACKGROUND: Currently regulations are in place that allow managers the option of closing areas inside the bars in the Copper River District to manage escapement of Chinook and sockeye salmon to meet escapement levels specified for those species in 5AAC24.360(a) and 5AAC24.361(a).



Proposal 52, Figure 1- Showing inside subdistricts, (shaded grey) of the Copper River District.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department notes that this proposal reduces the

flexibility of the department to manage the fishery and may result in lost harvest opportunity and an inability to stay within the escapement goal range for sockeye salmon. The department opposes the loss of management flexibility inherent in this proposal.

COST ANALYSIS: The department does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

PROPOSAL 53 - 5AAC 24.360. Copper River District salmon management plan. Amend the regulation to provide the following:

Increased early run salmon upstream of the Gulkana River to increase harvest opportunity for subsistence users.

WHAT WOULD THE PROPOSAL DO? The proposal does not provide specific regulatory language, but recommends that the board take action to increase the numbers of early-run salmon for upriver subsistence users.

WHAT ARE THE CURRENT REGULATIONS? The Copper River District salmon management plan (5 AAC 24.360) states that the department shall manage the Copper River District to achieve a sustainable escapement goal of 300,000 - 500,000 sockeye salmon in the Copper River. An additional 60,000 - 70,000 sockeye salmon are allocated for the Glennallen Subdistrict personal use harvest and 100,000 - 150,000 for the Chitina Subdistrict personal use harvest. The BOF has directed that the department establish the subsistence component of the inriver goal within the range of 160,000 - 225,000 salmon. The Copper River king salmon management plan (5 AAC 24.361) directs the department to manage the commercial and sport fisheries to achieve a sustainable escapement goal of 24,000 or more for king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The allocation for the Glennallen personal use harvest would either be increased, or a portion of the current allocation would be shifted back in time. This would result in diminished allocation for one of the other user groups; the Copper River commercial drift gillnet fleet, the Chitina Subdistrict personal use dipnet harvesters, or the sport users.

BACKGROUND: The allocation range for the Glennallen Subdistrict in regulation is 60,000 - 70,000. The 5-year average subsistence harvest in the Glennallen Subdistrict is 68,000 sockeye salmon with a range of 59,000 - 84,000. The department sets the Glennallen Subdistrict allocation at 70,000 sockeye salmon which is the top of the range. The escapement goal as measured by the Miles Lake sonar has been above the minimum for each of the most recent 5 years indicating that the subsistence allocations have been met.

RC 72

Updated tables for ADF&G staff comments on proposal no. 373. All data is based on the ADF&G fish ticket database as of November 26, 2008. Submitted by ADF&G.

Hook and line harvest in recent BSAI parallel Pacific cod fisheries.

Year	No. Vessels		CV	CP
	CV	CP	Harvest	Harvest
2006	12	4	279 mt.	275 mt.
2007	15	4	267 mt.	359 mt.
2008	16	7	483 mt.	630 mt.

Table 1. Hook and line vessels participating in the 2008 BSAI parallel Pacific cod fishery by vessel size.

Overall Length in Feet	Catcher Vessels	Catcher Processors
<=55	10	0
56-59	5	1
60-125	1	2
>125	0	4
Totals:	16	7

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 73

Submitted by: CR/PWS Advisory Committee
Address: Cordova, Alaska

SUBJECT: New information on Proposal 100

There is an error in the ADFG Staff comments.

The proposed closure is 2 miles ABOVE the road system, not from the road 2 miles up as stated in the ADFG Staff comments, page 152, RC2.

Spawning activity commences above 2 miles from the road system. This proposal would not impact current sport fishing activity and would protect salmon in their spawning grounds.

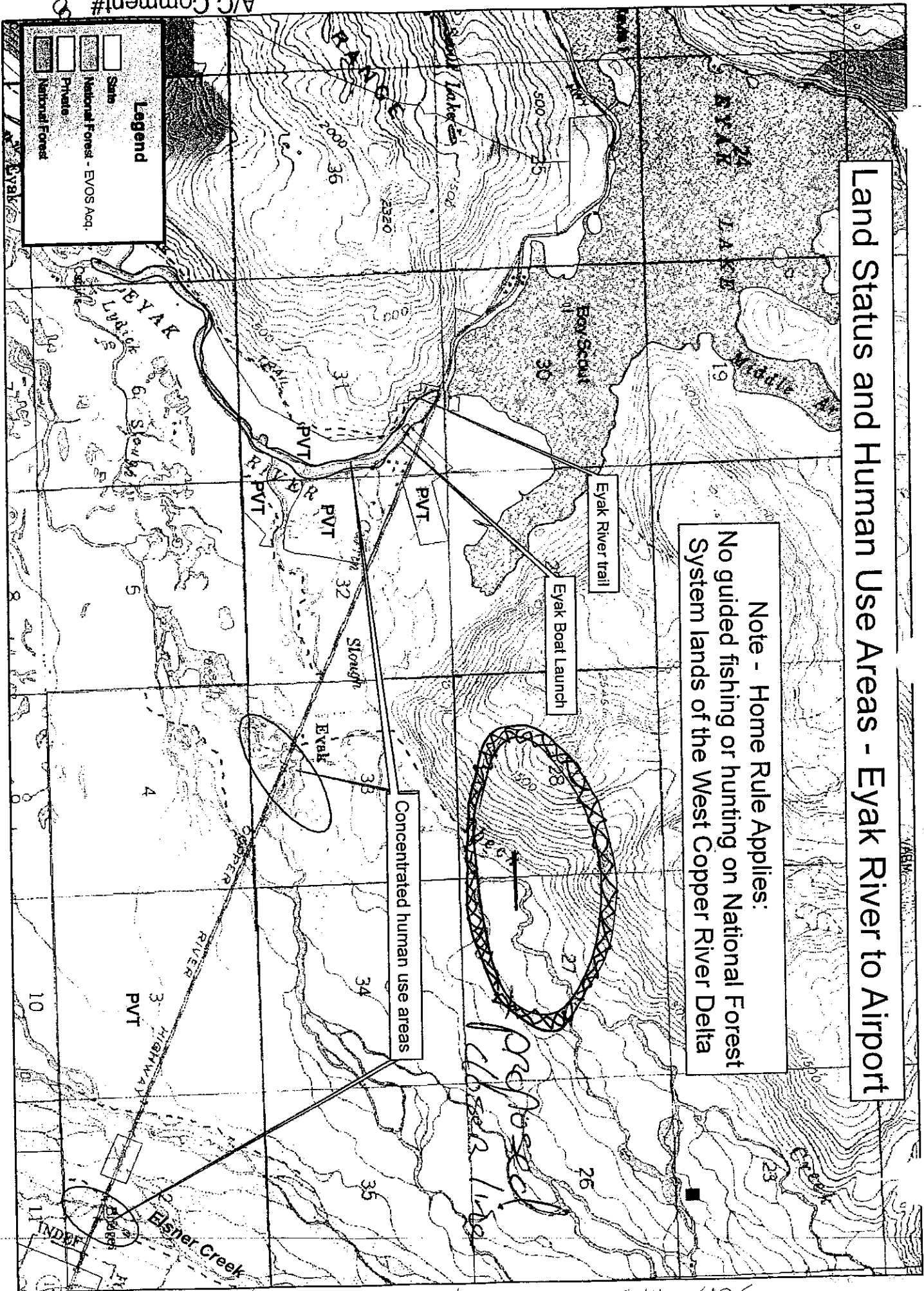
If a closure date of Sep 7-15 would help the Board in the deliberations, the CR/PWS AC would be happy to go along with this. (see map attached).

Additionally, this proposal will allow the US Forest Service to utilize their limited habitat restoration funding to focus on areas already severely impacted.

Refer to RC 29 (color pictures of current damage).

Land Status and Human Use Areas - Eyak River to Airport

Note - Home Rule Applies:
 No guided fishing or hunting on National Forest
 System lands of the West Copper River Delta



Legend

- National Forest
- Private
- State
- National Forest - EVOS Acq.

Submitted By CR/PWS A.C. w/perm # 100

A/C Comment # 8

RC74

Alaska Board of Fisheries
Chairman Jensen and members of the Board

Submitted by: CRPWS Advisory Committee
Address: Cordova, Alaska

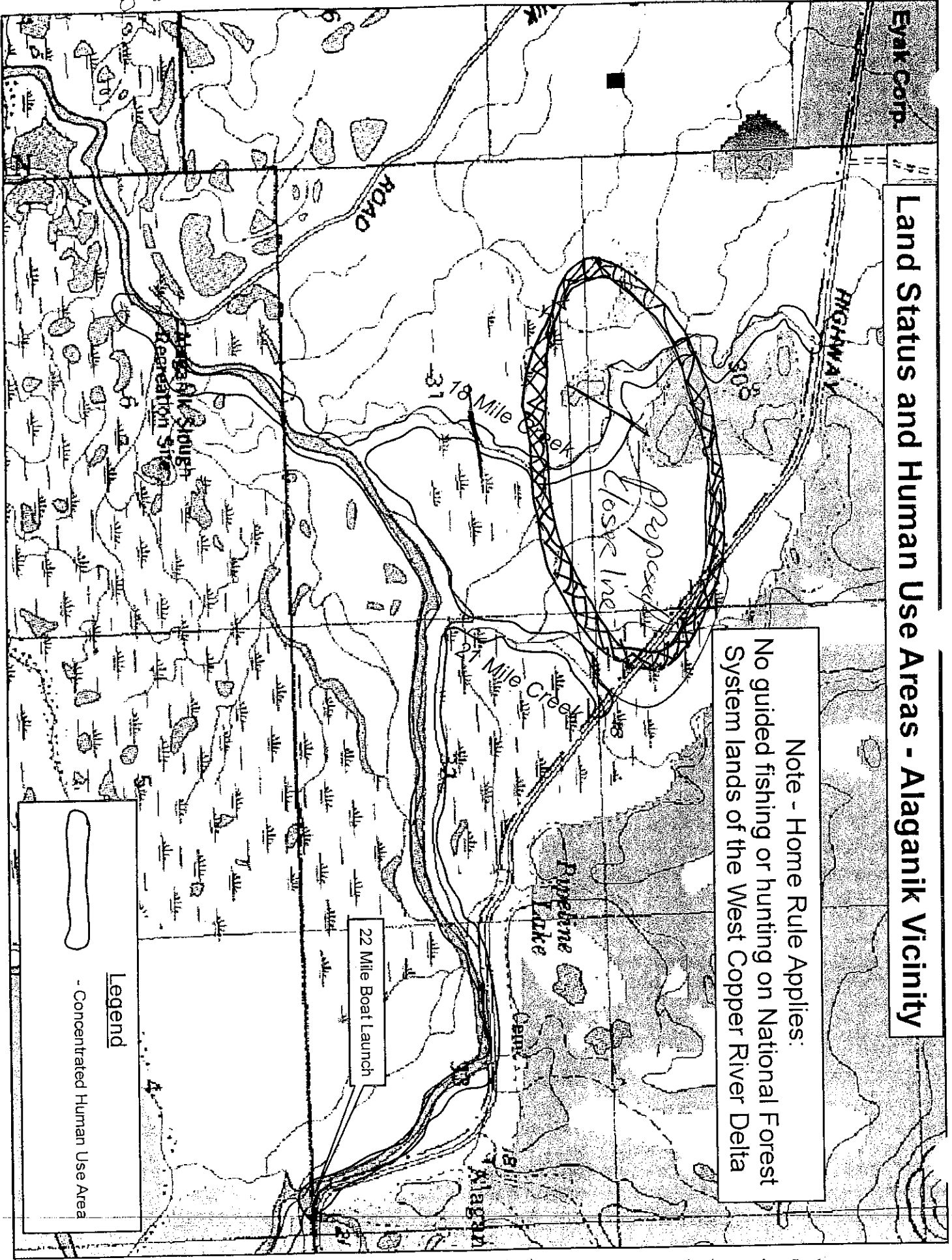
SUBJECT: Comments on Proposal 101

1. The Copper River/Prince William Sound Advisory Committee is willing to consider a closure date after labor day (September 7) if it will help the board in their deliberations.
2. The wording in the original proposal needs to be more specific. Instead of "the taking of Coho salmon" please consider changing it to "the taking of spawning salmon".
3. Additionally, there is an error in the proposal. It should read "1,000" yards above the confluence, and not "500" as stated.

Evak Corp

Land Status and Human Use Areas - Alaganik Vicinity

Note - Home Rule Applies:
No guided fishing or hunting on National Forest System lands of the West Copper River Delta



A/C Comment# 000

SC-PTED 3/97 C/P/WS A.C. W/ P/PTM #101

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 75

Submitted by: Cordova District Fishermen United
Address: PO Box 939, Cordova, Alaska 99574

SUBJECT: New information on Proposal 128

1. In 2008, the Copper River fishery experienced the lowest returns since 1980. ADFG utilized the tools available successfully passing enough fish to exceed the SEG on both Sockeye and Chinook salmon. This proves that they have the tools necessary to manage the Copper River fishery, even in the worst run we've had in almost 30 years, without additional restrictions.
2. The Amount Necessary for Subsistence (ANS) is a reflection of reasonable opportunity and ADFG is not mandated to manage for this annually. The State Department of Law explained this in committee E. They also explained why the ANS might not be met, even with an abundance of salmon available for use.
3. In the last 10 years, there has been increased information available to ADFG about Chinook salmon. This information has confirmed that an adequate and quality escapement is being achieved.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 76

Submitted by: Cordova District Fishermen United
Address: PO Box 939, Cordova, Alaska 99574

SUBJECT: New information on Proposal 107

1. ADFG testified that the Klutina Chinook run is one run, not two runs.
2. If changes are made, reduced opportunity in the early season needs to be made if opportunity is added for the later season.
3. 10 days may be too liberal. We recommend the board remains conservative due to the fully allocated nature of the fishery, and the continued restrictions on the commercial fleet. We recommend the Board review the harvest rates at the next cycle.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC77

Submitted by: Cordova District Fishermen United
Address: PO Box 939, Cordova, Alaska 99574

SUBJECT: New information on Proposal 109

CDFU opposes this proposal as it will create additional harvest of Chinook salmon on the Tonsina River, which has already seen increased harvest in the period between 2002-2006, per table 109-2, page 86, RC9 (attached).

With the continued conservative restrictions in place on the commercial fleet, we feel that no additional harvest opportunity be made available at this time.

Table 109-2.-Sport harvest and catch of king salmon from the Tonsina River, 1990-2007.

Year	Harvest	Catch
1990	23	35
1991	89	146
1992	152	222
1993	172	614
1994	349	698
1995	539	1,102
1996	331	832
1997 ^a	131	395
1998	39	193
1999	0	0
2000	0	292
2001	11	21
2002	230	861
2003 ^b	25	290
2004	115	521
2005	214	483
2006	100	367
2007	0	31
Average 2002-2006	137	504
Average 1997-2006	87	342

^a Use of bait prohibited on the Tonsina River.

^b Bait allowed on the Tonsina River downstream of Tonsina Lake.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 78

Submitted by: Mike Babic
Address: PO Box 1853, Cordova, Alaska 99574

SUBJECT: Withdrawl of Proposal 13

I would like to withdraw this proposal due to reasons stated by State and Federal subsistence managers and users.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC79

Submitted by: Mike Babic, proponent
Address: PO Box 1853, Cordova, Alaska 99574

SUBJECT: Amendment to Proposal 24

I would be happy to support a time frame limitation of 2 weeks on the issuance of supplemental harvests rather than 'for the remainder of the year' as stated in the proposal.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC80

Submitted by: CDFU Gillnet Division
Address: PO Box 939, Cordova, Alaska 99574

SUBJECT: Amendment to Proposal 24

The CDFU Gillnet Division would be happy to support a time frame limitation of 2 weeks on the issuance of supplemental harvests rather than 'for the remainder of the year' as stated in the proposal.

Substitute language for proposal 374:

The header to 5 AAC 28.087(a) is amended to read:

STELLER SEA LION MITIGATION MANAGEMENT MEASURES.

5 AAC 39.130(h) is amended to read:

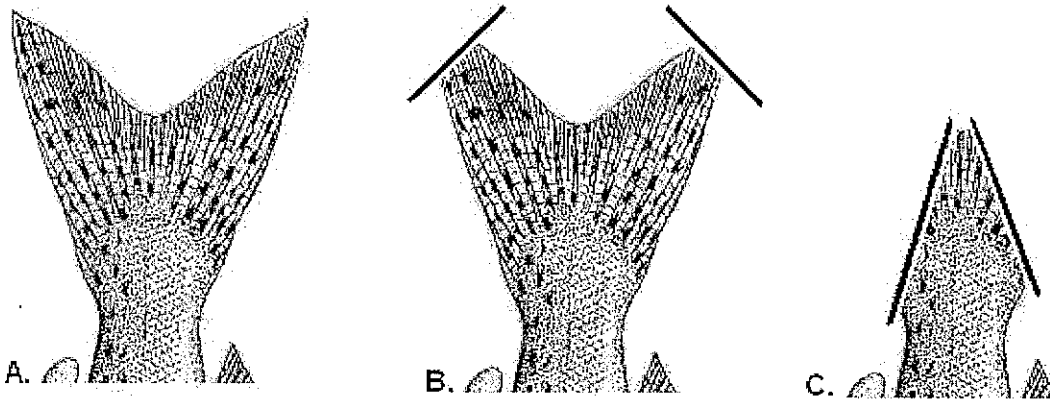
(h) In addition to other requirements of this section, **unless otherwise specified in this chapter or by emergency order**, each person that is the first purchaser of or that first processes raw groundfish or halibut shall comply with the record keeping and electronic reporting requirements through elandings System or any other reporting requirements in **50 CFR 679.5, revised as of October 16, 2008** [50 C.F.R. 679, REVISED AS OF OCTOBER 1, 2005].

Substitute language for proposal 370

5 AAC 39.164(b). Non-pelagic trawl gear restrictions. is amended by adding two new paragraphs to read:

(8) the St. Lawrence Island Habitat Conservation;

(9) the Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area.

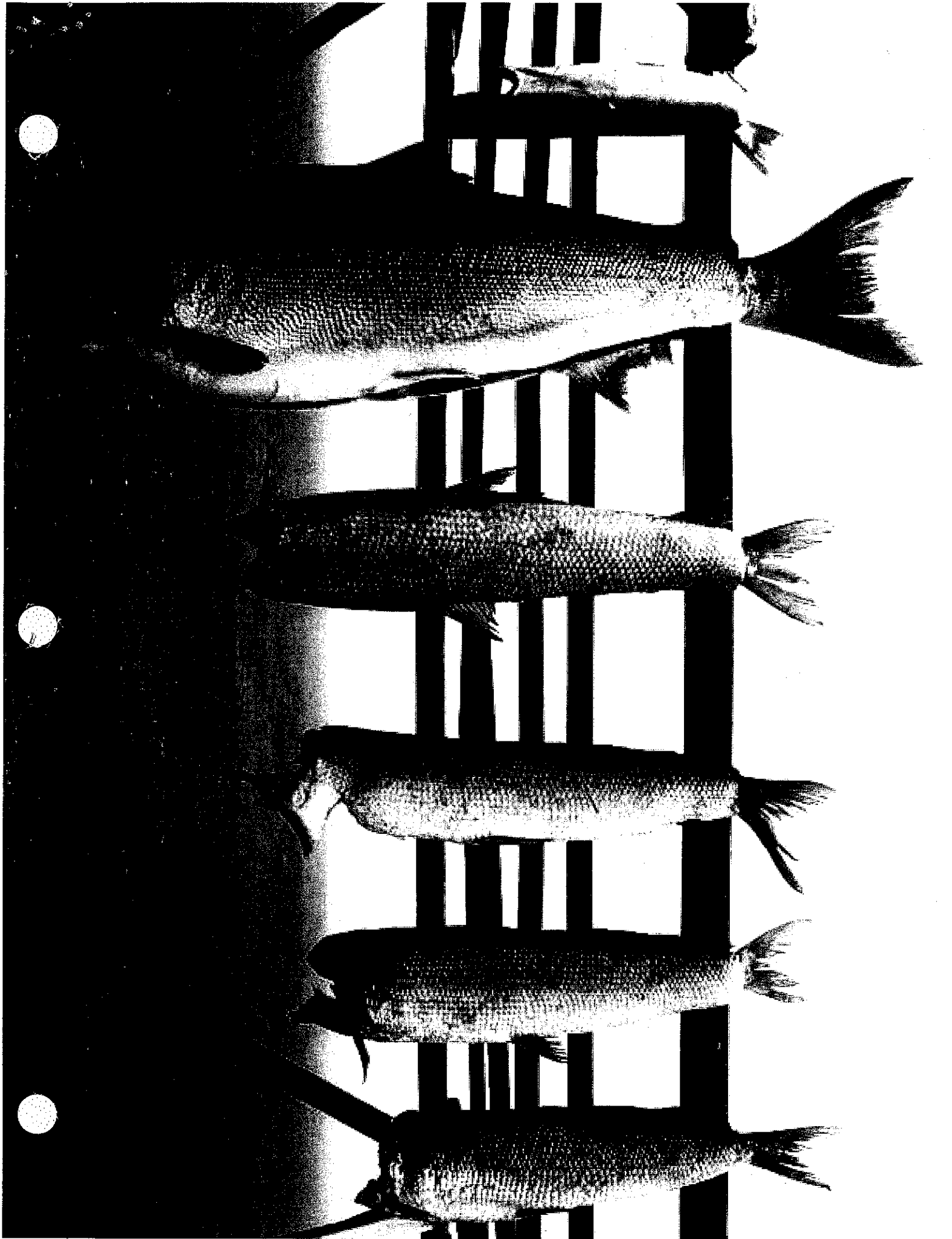


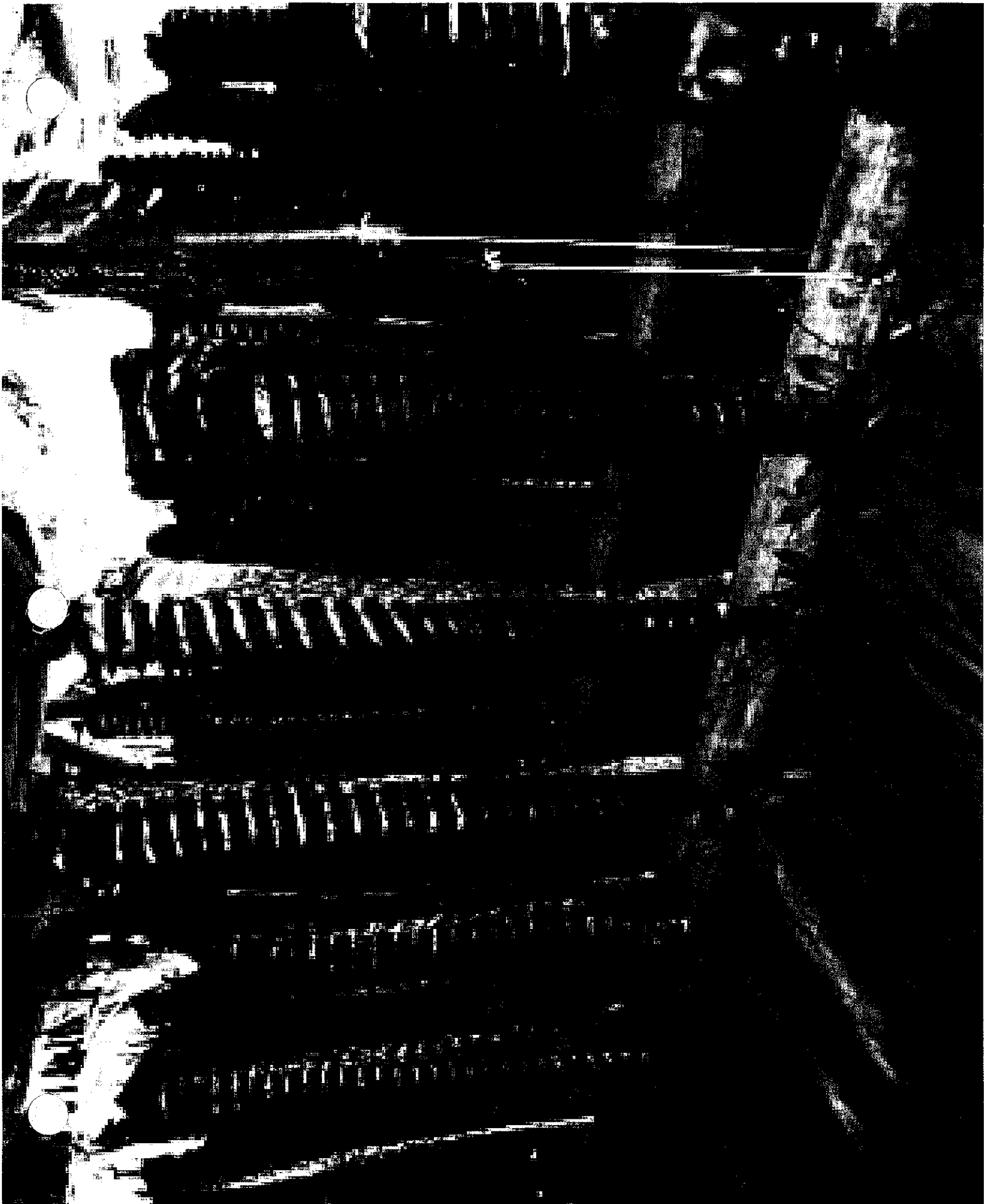
Proposal 6, Figure 1- Chinook salmon tail with A.) Unclipped lobes B.) with "tips" removed, C.) with upper and lower lobes removed.

Proposal 6 would add language to regulation requiring that the upper and lower lobes of the tail fin be completely removed before the fish is taken from the harvest location or is concealed from view.

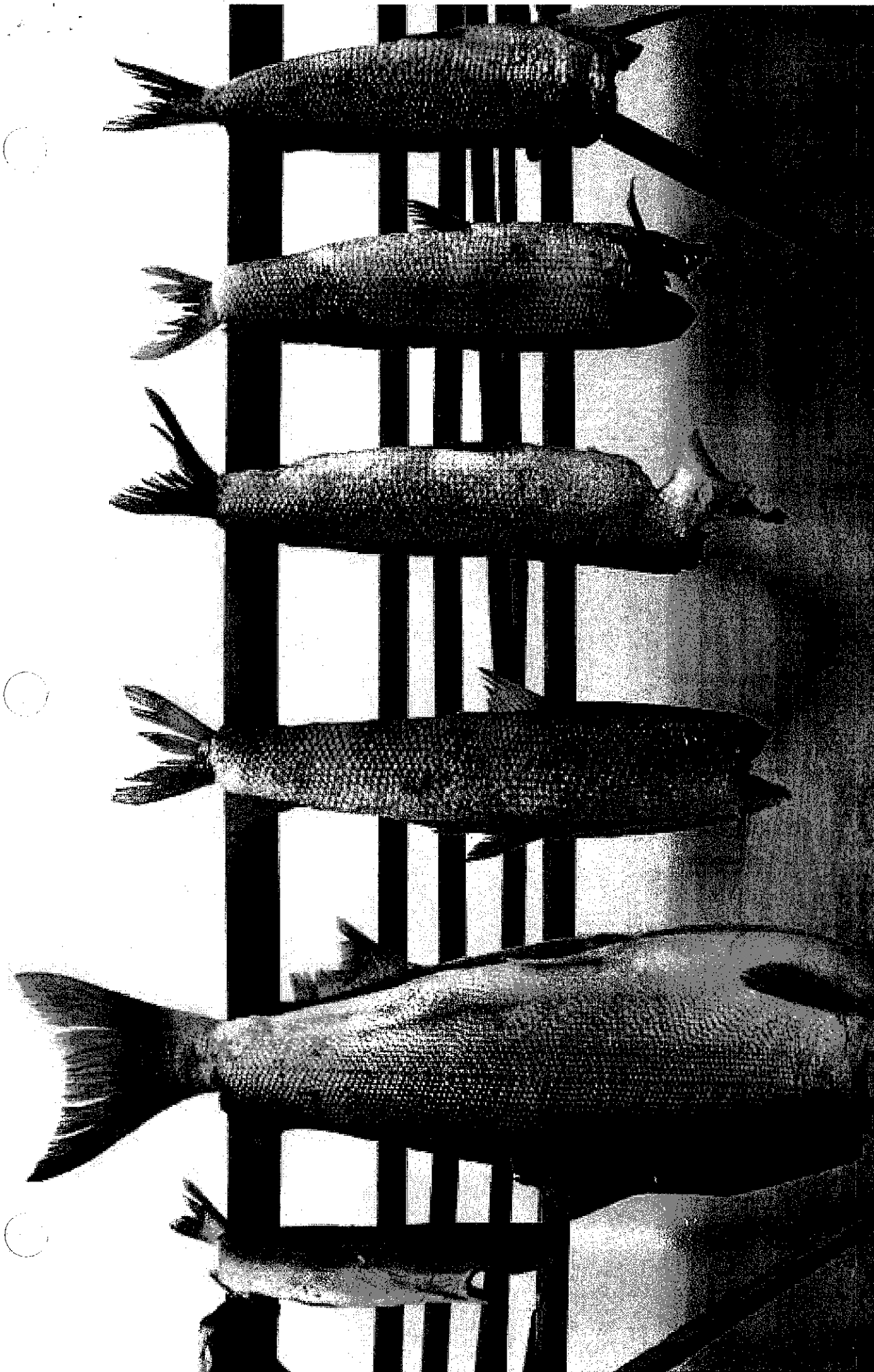
Removing the lobes of the tail fin will **not** prevent the subsistence user from hanging the salmon for drying or smoking as illustrated in the attached pictures.

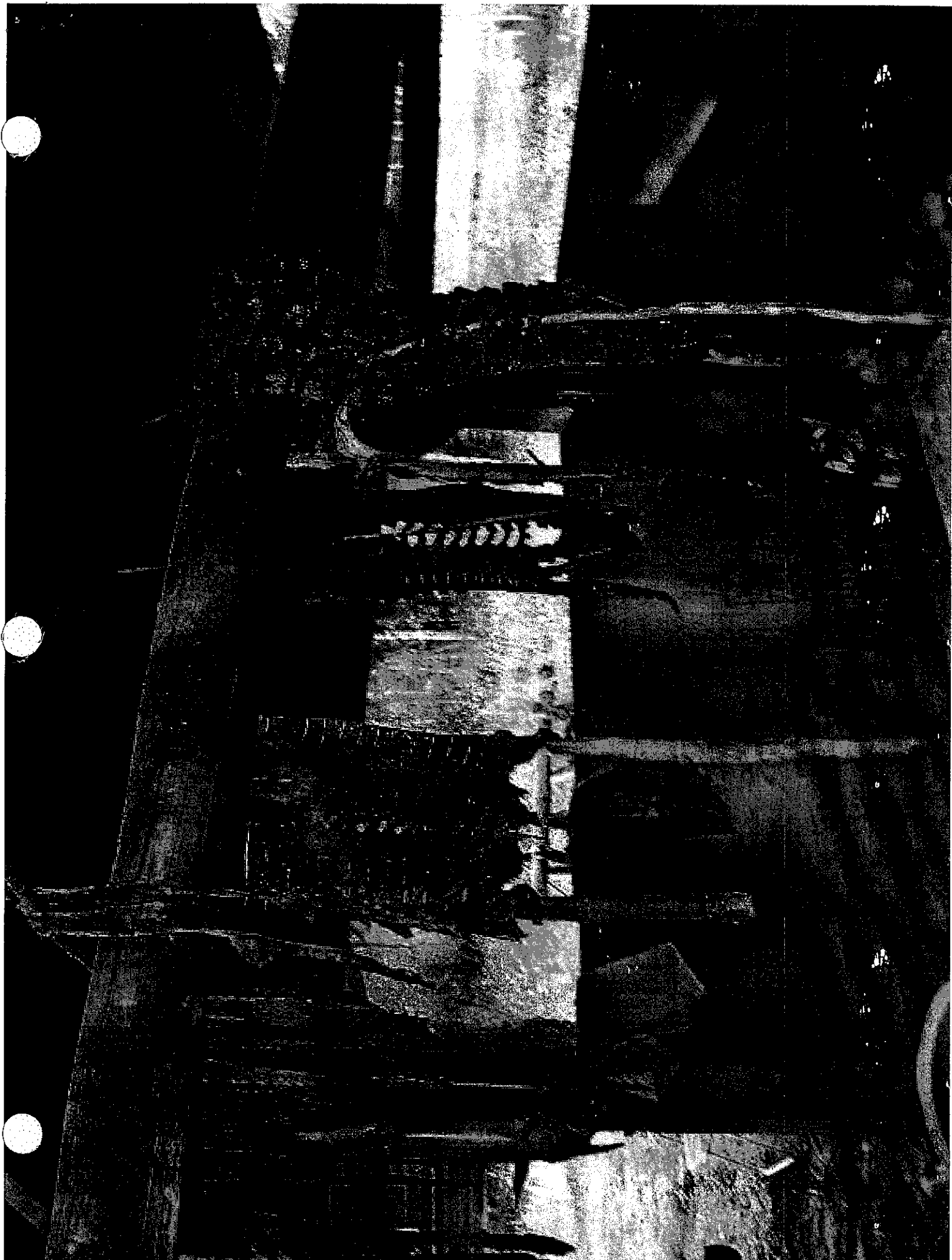
**Submitted by ADF&G,
Commercial Fisheries Division**







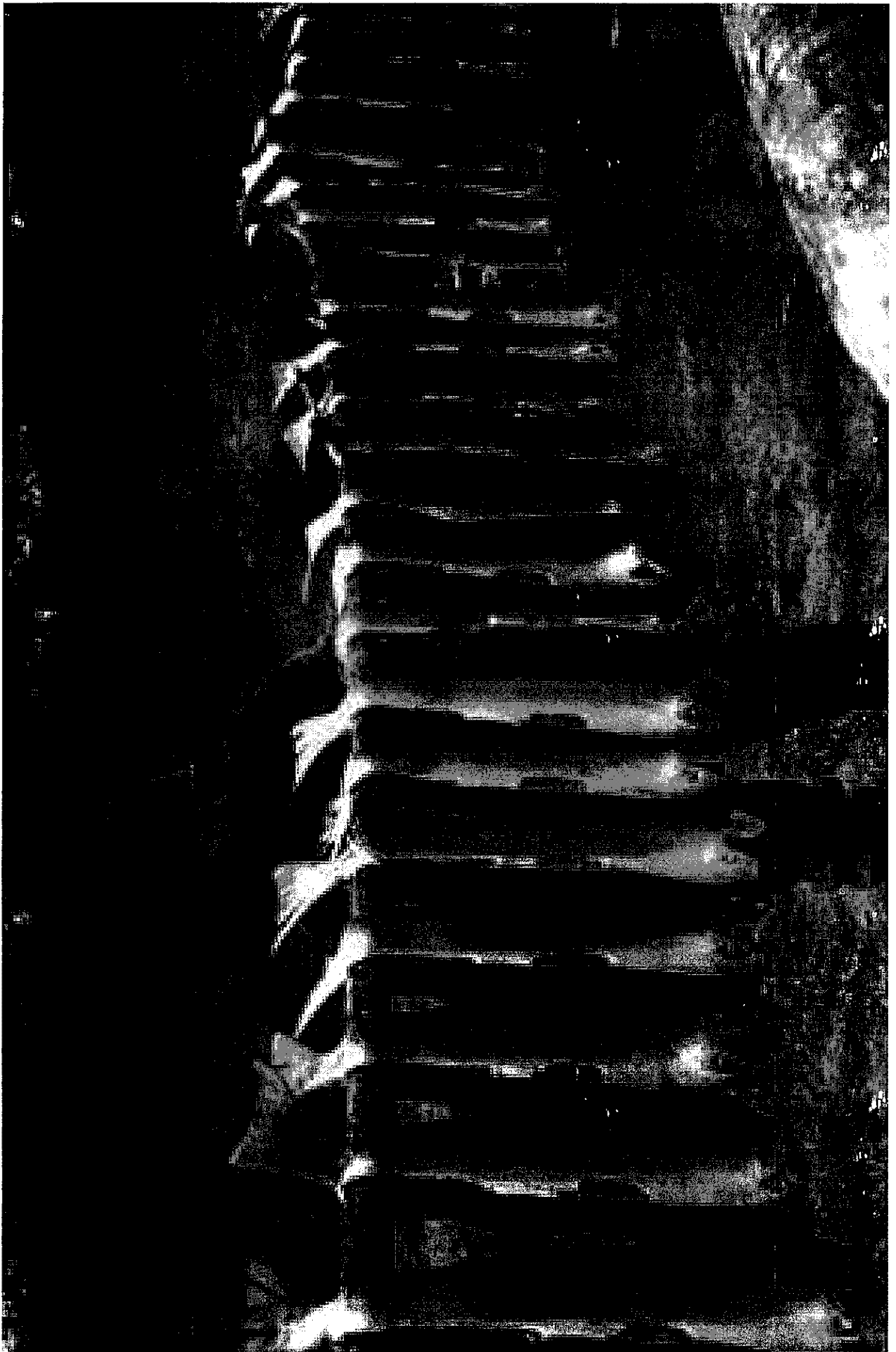








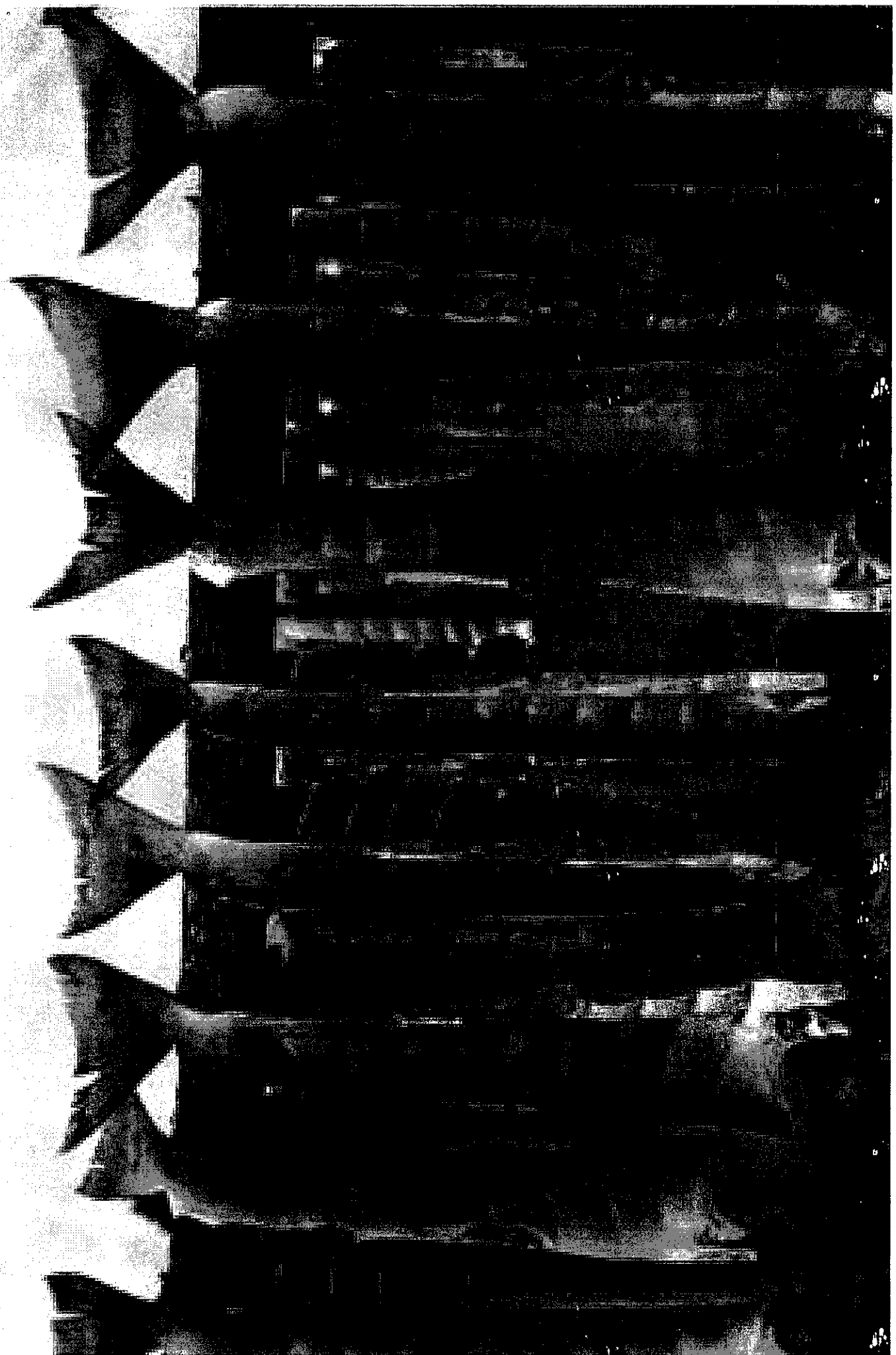




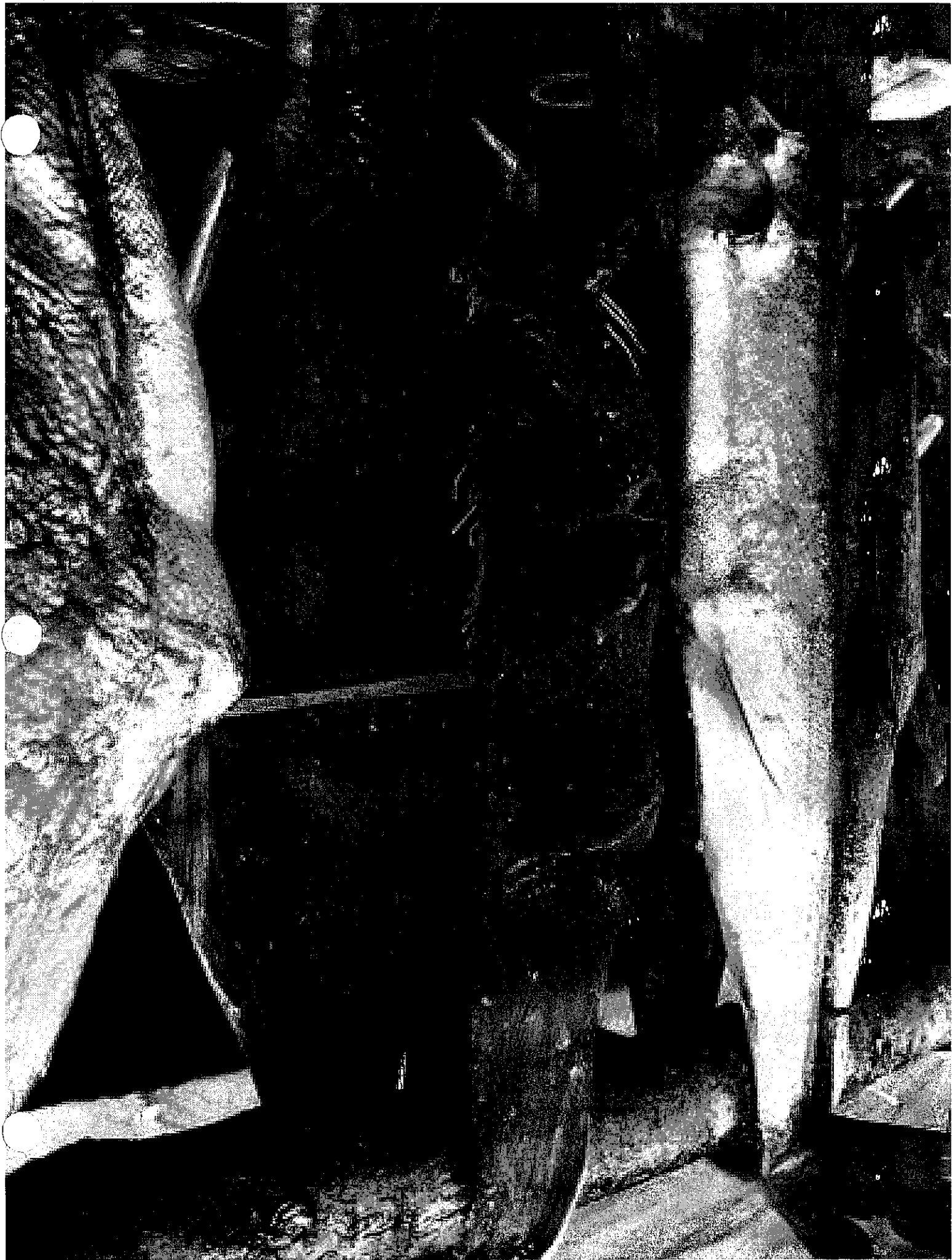
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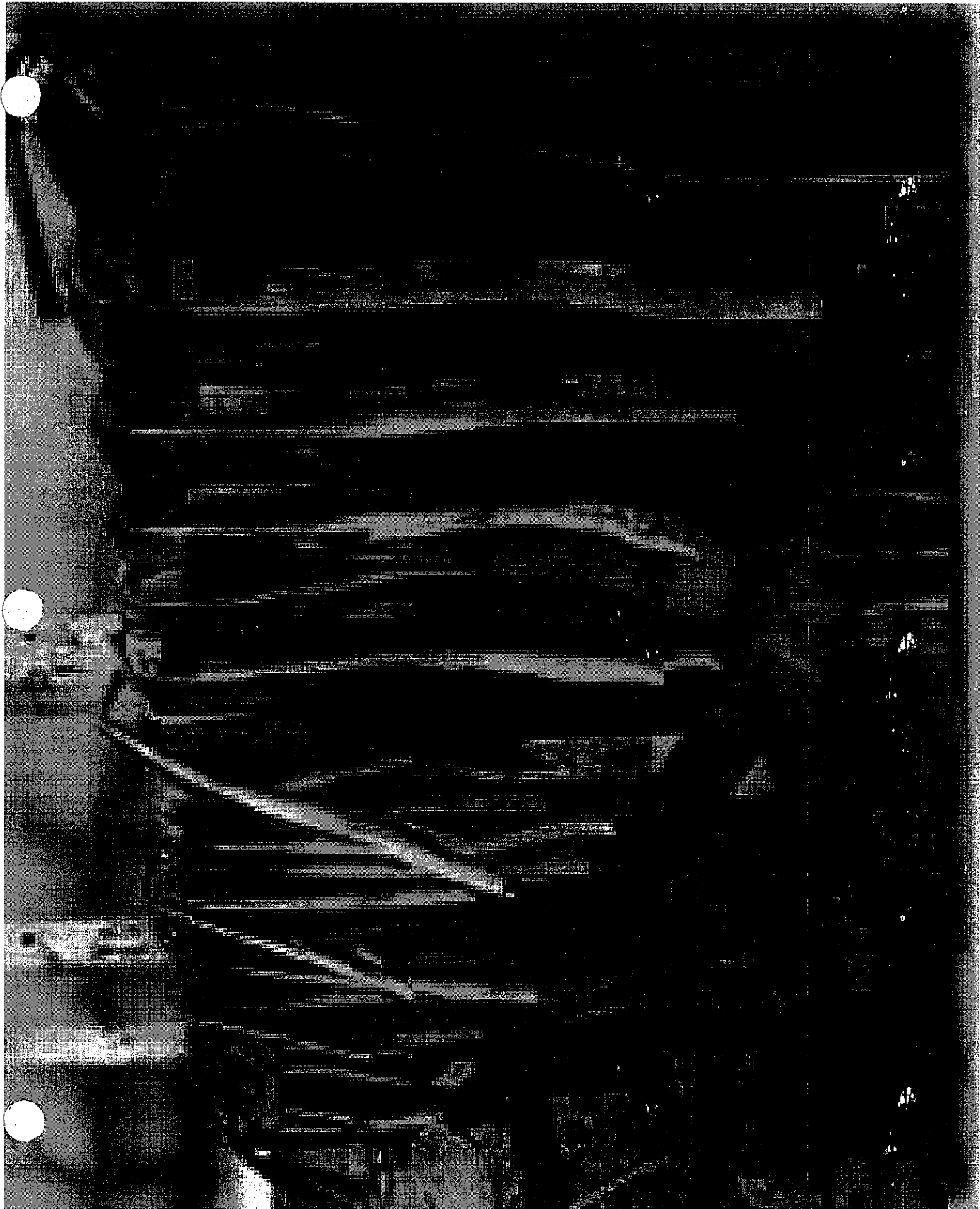


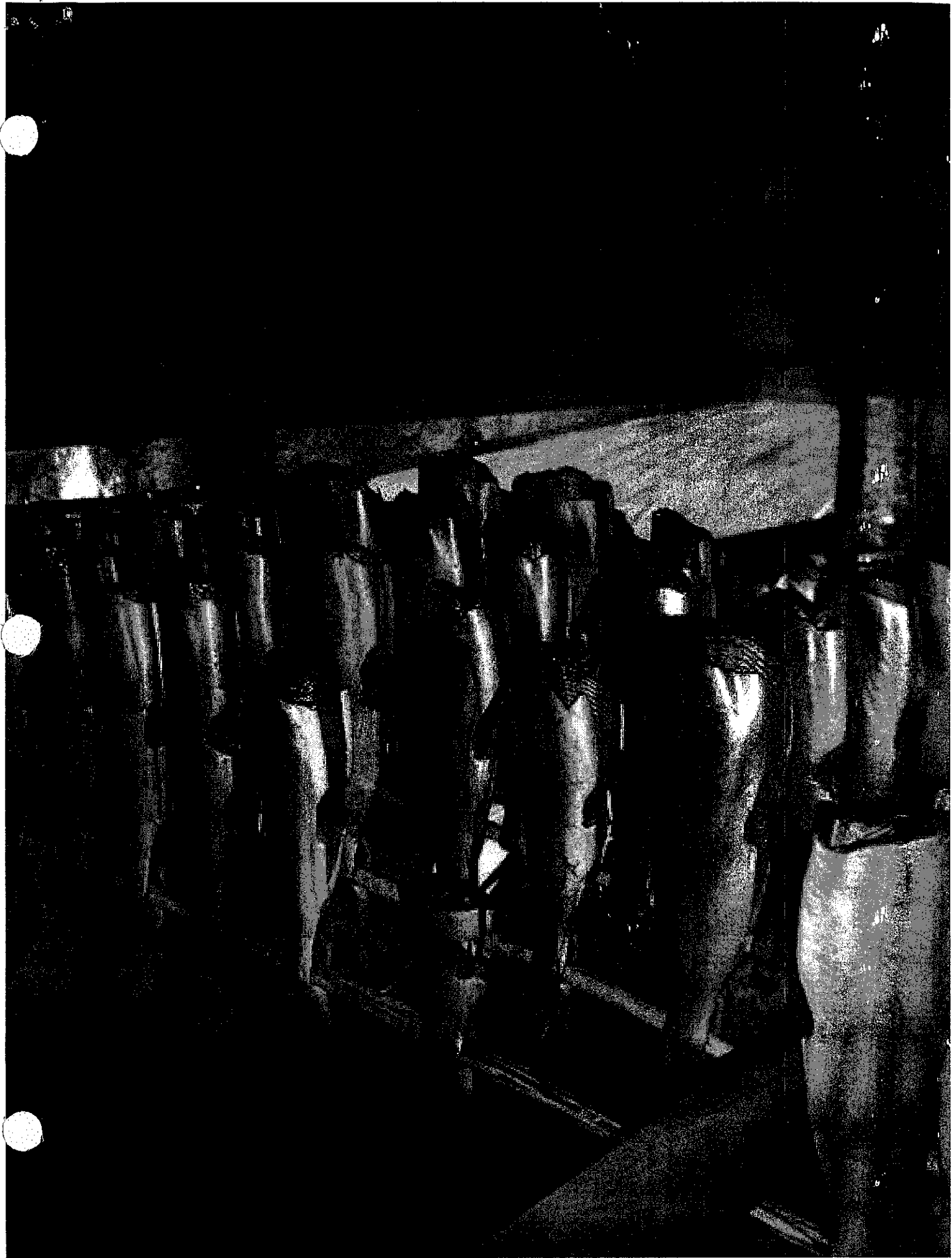










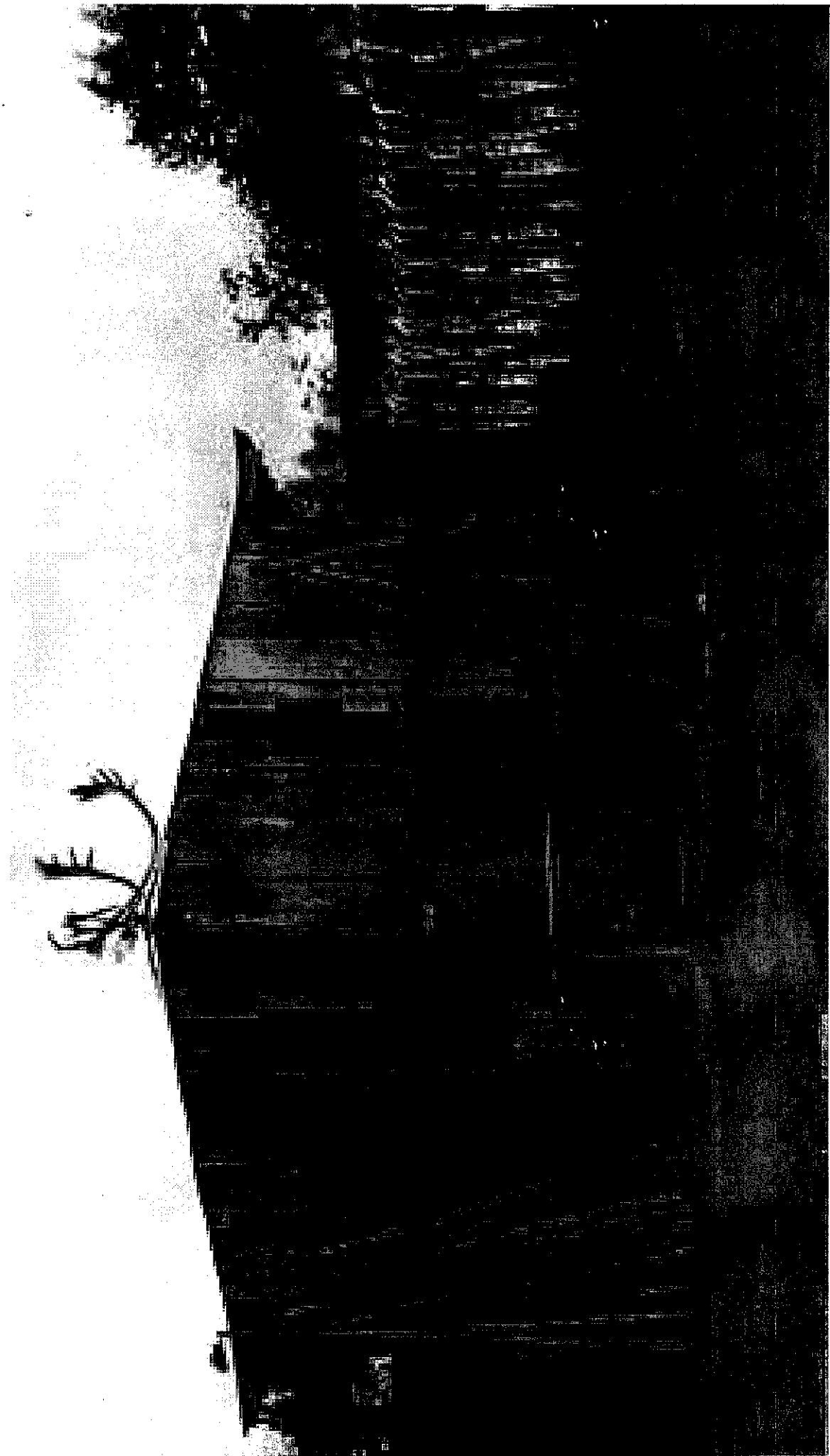


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Substitute Language, Proposal 375

Deleted: pollock and Pacific cod

5 AAC 28.075. Utilization of and reporting of groundfish taken in a commercial fishery

(a) A processor or processor's agent that accepts delivery of or purchases groundfish from a vessel shall take delivery of all pollock and Pacific cod retained by the vessel under 5 AAC 28.070(e) .

Deleted: accept

(b) A processor that accepts delivery of or purchases pollock and Pacific cod retained under 5 AAC 28.070(e) shall utilize a portion of each fish in order to achieve at least 15 percent utilization of the flesh by weight based on the total weight of the pollock or Pacific cod accepted or purchased.

(c) A person delivering groundfish to a processor shall notify the processor if any groundfish will remain on board the vessel after the delivery. A processor shall report a landing as a partial delivery if any groundfish will remain on board a vessel.

(d) Except where a delivery is reported as a partial delivery, a person delivering groundfish to a processor shall land all groundfish aboard the vessel.

(e) A processor or processor's agent that accepts delivery of or purchases groundfish from a vessel shall sort and weigh by species all groundfish landed by a vessel. Groundfish may be returned to vessel only after the total landing is reported as specified in 5 AAC 39.130 and any groundfish to be returned to the vessel are recorded by weight and species using the eLandings reporting system or by filing an ADF&G fish ticket.

(f) Groundfish present on board a vessel at any landing may not be considered discarded at sea for fish ticket or eLanding reporting purposes.

(g) After making a partial delivery from a vessel a person may not offload any groundfish remaining onboard the vessel until after making a final delivery and landing all groundfish aboard the vessel.

Deleted: c

(g) In this section,

(1) "flesh" has the meaning given in AS 16.10.165 (e), and does not include roe;

(2) "utilization" means use of the flesh of pollock or Pacific cod by processing it for human consumption, for reduction to meal, for production of food for domestic animals or fish, for bait, or for scientific, display, or educational purposes.

These proposals would change the language of 5 AAC 24.370(e)(5)(B) to allow seine gear in the Coghill district prior to July 21. The department is **NUETRAL** the allocative aspects of these proposals.

Prior to implementation of the Prince William Sound Allocation Plan, the Coghill district was open to seine gear before July 21. The seine fleet had historically harvested Coghill Lake sockeye during that early time period. The Coghill Lake system has consistently exceeded the escapement goal range established by ADF&G, increasing the probability that the Coghill Lake system will suffer another crash due to chronic overescapement.

The Board should allow purse seine gear in the Coghill district north of a line from Point Pakenham to Golden when deep gillnet gear is allowed in the Coghill district. Currently, deep gillnet gear is allowed when the SEG range for Coghill Lake sockeye is expected to be achieved. With increased area for the gillnet fleet to fish in 2009, it is likely that the system will again have an unharvested surplus of sockeye salmon due to low gillnet effort.

Although there will likely be some minor interception of enhanced chum or sockeye salmon while prosecuting the wild stock Coghill Lake sockeye, the department has the ability through otolith marking, statistical area reporting and fish ticket identification of seine caught fish to determine the number of enhanced fish caught. Currently, ADF&G determines the number of enhanced fish caught by each gear type during dual gear type fisheries in the Esther subdistrict after July 21 when the gillnet fleet targets pink salmon. Gillnet and seine caught fish are delivered to different tenders, permitting the department access to fish caught by each respective gear type for sampling the enhanced percentages and wild components caught by each fleet.

Since 1991, the Northwest district in Prince William Sound, an historic seine district has failed to provide a consistent yield to the seine fleet due to interception of wild pink and chum stocks by the gillnet fleet prosecuting enhanced fisheries in the Eshamy and Coghill districts. The chronic closure of the Northwest district directly contrasts with the Board's own policies regarding mixed stock and sustainable fisheries. The Board should declare pink and chum stocks in the Northwest district stocks of yield concern.

The board must manage "mixed stock fisheries in a manner that is consistent with sustained yield of wild fish stock." AS 16.05.251(h). Wild salmon stocks must be managed "consistent with sustained yield and shall be accorded the highest priority. 5 AAC 39.220(a). When conservation measures are necessary, "the burden of conservation shall be shared among all fisheries..." 5 AAC 39.220(b). The department must "provide conservation and management measures that are necessary and appropriate to promote maximum or optimum sustained yield of the fishery resource." 5 AAC 39.222(d)(2)(E).

Yield refers to the "number or weight of salmon harvested in a particular year or season from a stock." 5 AAC 39.222(f)(41). A yield concern is "a concern arising from a chronic inability, despite the use of specific management measures, to maintain expected yields, or harvestable surpluses, above a stock's escapement needs[.]" 5 AAC 39.222(f)(42).

As was pointed out in Committee C, and affirmed by ADF&G staff, the shortfall of harvestable surplus in the Northwest district is attributed to interception by the gillnet fleet prosecuting enhanced salmon returns to the Eshamy and Coghill districts. Prior to 1991, the average harvest in the Northwest district exceeded 400,000 pink salmon, in 1985, the seine harvest exceeded 1.4 million pink salmon in the Northwest district. From 1991 to 2006, the only harvest of pink salmon in the Northwest district was 17,000 pink salmon in 2000.

Although the Eshamy district has an SEG range of 5,000-15,000 pink salmon for even years, the 2006 harvest was 110,618 pink salmon – a number likely to be underreported due to "pink chucking" by the gillnet fleet. The 10 year average pink harvest in the Eshamy district is 219,473 pink salmon.

The Board should declare pink and chum salmon stocks of yield concern in the Northwest district, and mandate mixed stock conservation measures that provide for optimum sustained yield and equal sharing of the conservation burden to achieve the goal of sustained yield in the Northwest district.

Appendix D3.—PWS commercial common property pink salmon harvest for all gear types, by district, 1975–2006.

Year	Eastern	Northern	Coghill	Northwestern	Eshamy	Southwestern	Montague	Southeastern	Total
1975	712,328	171,657	303,597	420,891		1,673,887	118,467	875,456	4,276,283
1976	1,380,943	384,267	217,696	207,190		589,458		82,366	2,861,920
1977	1,673,044	147,964	230,215	208,727		930,469	77,104	824,374	4,091,897
1978	1,516,076	933,013	13,059					216,696	2,678,844
1979	4,500,032	115,886	38,560	59,423		5,111,073	1,347,413	4,160,925	15,333,312
1980	3,140,134	1,271,177	134,876	306,109		7,507,776	950	1,271,389	13,632,411
1981	4,797,583	1,194,621	34,155	46,874		10,371,220	278,879	3,221,268	19,944,600
1982	2,959,601	2,331,903	1,000,524	520,972	3,997	10,801,771	6,444	747,116	18,372,328
1983	2,430,063	1,021,345	273,131	714,522		5,957,068	158,241	1,482,013	12,036,383
1984	4,525,029	2,194,904	996,483	1,412,822	544,082	10,197,349	11,587	1,245,042	21,127,298
1985	6,715,143	1,002,872	523,773	527,132	58,183	10,843,752	1,448,809	2,733,562	23,853,226
1986	2,488,540	944,871	214,593	285,184	43,061	6,374,535		147,268	10,498,052
1987	6,964,549	2,419,611	1,578,568	750,877	89,902	13,341,940	111,011	955,988	26,212,446
1988	481,324	286,743	2,932,072	7,738	529,329	5,411,424		1,776	9,650,406
1989	3,151,096	6,464,090	3,925,487	181,565				73,177	13,795,415
1990	7,970,364	5,482,585	2,692,788	891,444	534,951	17,811,479	10,658	12,325	35,406,594
1991	2,617,222	4,150,612	2,211,575		64,591	17,849,425			26,893,425
1992	489,228	1,142,061	363,887		543,115	3,039,775			5,578,066
1993		413,308	493,747		130,542	2,475,798			3,513,395
1994	11,554,320	7,171,038	3,597,094		565,669	3,408,093			26,296,214
1995	4,235,638	3,656,119	1,078,693		88,830	1,707,745			10,796,682
1996	6,059,063	5,039,988	1,543,869		35,691	5,046,919	18,239	11,418	17,725,530
1997 ^b	4,534,365	3,162,822	2,030,586		222,934	5,929,544	65,107	28,040	15,973,398
1998 ^b	2,231,061	5,035,736	3,228,761		134,984	8,425,853	430,525	350,081	19,837,001
1999	12,305,629	4,981,085	3,542,130		170,525	9,511,998	189,641	914,907	31,615,915
2000	9,819,466	4,093,620	3,359,542	17,223	514,258	9,308,399	87,634	549,763	27,749,905
2001	16,050,235	404,899	957,042		495,325	3,072,848	807,010	534,538	22,321,897
2002	355,964	594,245	1,277,637		186,786	5,710,938	32,857	1,075	8,159,502
2003	14,945,744	5,909,643	11,439,915		90,102	5,789,419	60,287	514,452	38,749,562
2004	9,512,987	45,355	43,690		107,487	1,628,219	102,352	260,992	11,701,082
2005	20,516,356	10,175,784	3,318,875		236,634	11,376,513	844,658	770,570	47,239,390
2006	5,712,890	1,331,740	1,373,036		110,618	3,269,037	144,417	21,805	11,963,543
1996–2005 Average	9,633,087	3,944,318	3,074,205	17,223	219,473	6,580,065	291,119	436,046	24,107,318

Note: Includes purse seine, drift gillnet, and set gillnet harvests from all Prince William Sound districts; Unakwik harvests are included in the Northern District. Does not include hatchery cost recovery, confiscated, or test fish harvests.

^a These districts were closed due to the Exxon Valdez oil spill.

^b Eastern and Northern District totals exclude discarded salmon.

Appendix D4.—Aerial escapement indices for pink and chum salmon by district, 2006.

Pink Salmon						
District	Escapement Midpoint	Even Cycle Escapement Goal Range	1976-2004		Observed Escapement Index ^a	Deviation From Midpoint
			Mean Index	Even years		
Eastern	677,500	425,000 - 930,000	475,825	248,592	-63.3%	
Northern/Unakwik	282,500	175,000 - 390,000	165,000	208,397	-26.2%	
Coghill	182,500	115,000 - 250,000	118,592	145,511	-20.3%	
Northwestern	175,000	110,000 - 240,000	100,340	127,836	-27.0%	
Eshamy	10,000	5,000 - 15,000	3,395	11,247	12.5%	
Southwestern	207,500	130,000 - 285,000	121,030	118,205	-43.0%	
Montague	122,500	75,000 - 170,000	99,132	149,798	22.3%	
Southeastern	342,500	215,000 - 470,000	292,236	178,009	-48.0%	
Total	2,000,000		1,375,550	1,187,595	-40.6%	

111

Chum Salmon						
District	Escapement Range ^b	1976-2005		Observed Escapement Index ^a	Deviation From Midpoint	
		Mean Index	Even years			
Eastern	50,000 and up	107,632	109,403	118.8%		
Northern/Unakwik	20,000 and up	39,137	52,039	160.2%		
Coghill	8,000 and up	18,951	15,900	98.8%		
Northwestern	5,000 and up	13,810	25,860	417.2%		
Eshamy	None	71	660	NA		
Southwestern ^c	None	2,746	7,293	NA		
Montague ^c	None	4,126	10,642	NA		
Southeastern	8,000 and up	27,585	26,739	234.2%		
Total ^d	91,000 and up	207,115	229,940	152.7%		

^a Based on weekly aerial survey counts of 209 index spawning streams in Prince William Sound. This does not represent the total spawning escapement but rather a comparable annual index.

^b Escapement goal changed to a lower range value with no upper end after the 2005 escapement goal review.

^c Escapement goal removed in 2003 after review.

^d Totals exclude districts without escapement goals (Eshamy, Southwestern, and Montague Districts).

Appendix C6.—Total commercial common property salmon harvest by species in the Eshamy District, 1988–2006.

Year	Chinook	Sockeye	Coho	Pink	Chum	Total
Drift Gillnet						
1988	94	50,868	794	348,873	206,060	606,689
1989 ^a						
1990	110	12,967	574	165,362	264,772	443,785
1991	107	296,234	468	44,516	202,183	543,508
1992	158	373,596	1,017	153,018	50,974	578,763
1993	8	80,807	673	45,974	27,045	154,507
1994	2	61,848	623	254,535	9,497	326,505
1995	21	29,851	1,468	60,712	13,284	105,336
1996	19	179,064	1,056	19,043	23,552	222,734
1997	17	475,498	426	146,324	34,768	657,033
1998	2	98,002	252	101,068	343	199,667
1999	30	86,032	2,036	127,082	13,120	228,300
2000	634	235,085	5,396	375,250	27,511	643,876
2001	47	499,972	10,423	367,588	21,316	899,346
2002	428	589,199	3,532	122,365	104,284	819,808
2003	19	575,608	1,764	61,565	16,057	655,013
2004	21	215,460	1,467	55,832	43,228	316,008
2005	15	79,227	1,636	110,499	3,493	194,870
10-Year Average	123	303,315	2,799	148,662	28,767	483,666
2006	15	381,911	5,429	89,755	30,841	507,951
Set Gillnet						
1988	100	18,321	283	180,456	93,577	292,737
1989 ^a						
1990	56	10,204	532	369,589	94,494	474,875
1991	76	184,028	504	20,075	49,394	254,077
1992	101	144,568	1,242	390,097	4,695	540,703
1993	55	101,717	832	84,568	20,369	207,541
1994	9	97,664	628	311,134	6,908	416,343
1995	19	30,814	695	28,118	6,621	66,267
1996	13	132,268	309	16,648	9,276	158,514
1997	12	196,005	163	76,610	8,475	281,265
1998	1	25,533	91	33,916	214	59,755
1999	131	74,378	1,092	43,443	11,101	130,145
2000	41	101,105	662	139,008	12,319	253,135
2001	25	176,060	1,006	127,737	7,057	311,885
2002	30	241,660	525	64,421	22,987	329,623
2003	0	215,733	663	28,537	6,265	251,198
2004	11	91,412	825	51,655	10,381	154,284
2005	0	109,532	882	126,135	3,452	240,001
10-Year Average	26	136,369	622	70,811	9,153	216,981
2006	9	124,087	352	20,863	9,883	155,194

-continued-

Appendix C6.—Page 2 of 2.

Year	Chinook	Sockeye	Coho	Pink	Chum	Total
	Combined Gear					
1988	194	69,189	1,077	529,329	299,637	899,426
1989 ^a						
1990	166	23,171	1,106	534,951	359,266	918,660
1991	183	480,262	972	64,591	251,577	797,585
1992	259	518,164	2,259	543,115	55,669	1,119,466
1993	63	182,524	1,505	130,542	47,414	362,048
1994	11	159,512	1,251	565,669	16,405	742,848
1995	40	60,665	2,163	88,830	19,905	171,603
1996	32	311,332	1,365	35,691	32,828	381,248
1997	29	671,503	589	222,934	43,243	938,298
1998	3	123,535	343	134,984	557	259,422
1999	161	160,410	3,128	170,525	24,221	358,445
2000	675	336,190	6,058	514,258	39,830	897,011
2001	72	676,032	11,429	495,325	28,373	1,211,231
2002	458	830,859	4,057	186,786	127,271	1,149,431
2003	19	791,341	2,427	90,102	22,322	906,211
2004	32	306,872	2,292	107,487	53,609	470,292
2005	15	188,759	2,518	236,634	6,945	434,871
10-Year Average	150	439,683	3,421	219,473	37,920	700,646
2006	24	505,998	5,781	110,618	40,724	663,145

^a Fishing was closed because of oil contamination on the beaches.

Substitute language for proposal 370

5 AAC 39.164(b). Non-pelagic trawl gear restrictions. is amended by adding two new paragraphs to read:

(8) the St. Lawrence Island Habitat Conservation Area and the Northern Bering Sea Research Area;

(9) the Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area.

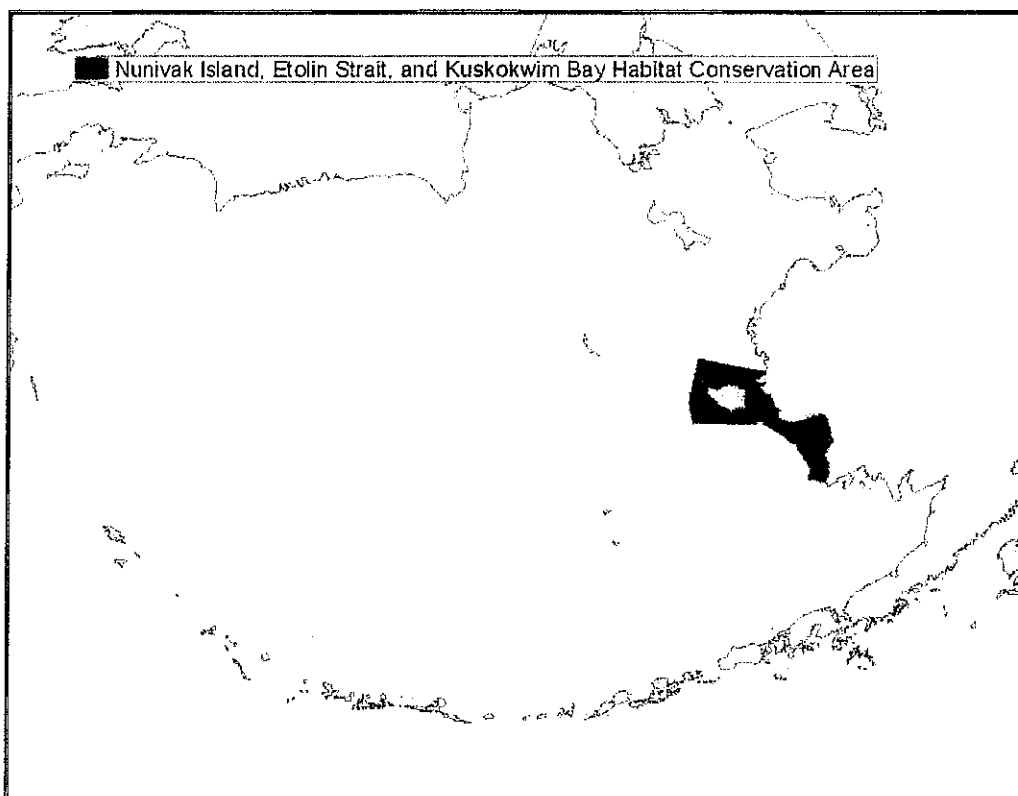


Figure 21 to Part 679--Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area

(Table 44 To Part 679—Nunivak Island, Etolin Strait, And Kuskokwim Bay Habitat Conservation Area)	
Longitude/Latitude	
165 1.54W	60 45.54N*
162 7.01W	58 38.27N
162 10.51W	58 38.35N
162 34.31W	58 38.36N
162 34.32W	58 39.16N
162 34.23W	58 40.48N
162 34.09W	58 41.79N
162 33.91W	58 43.08N
162 33.63W	58 44.41N
162 33.32W	58 45.62N

162 32.93W	58 46.80N
162 32.44W	58 48.11N
162 31.95W	58 49.22N
162 31.33W	58 50.43N
162 30.83W	58 51.42N
162 30.57W	58 51.97N
163 17.72W	59 20.16N
164 11.01W	59 34.15N
164 42.00W	59 41.80N
165 0.00W	59 42.60N
165 1.45W	59 37.39N
167 40.20W	59 24.47N
168 0.00W	59 49.13N
167 59.98W	60 45.55N

Note: The area is delineated by connecting the coordinates in the order listed by straight lines, except as noted by * below. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

* This boundary extends in a clockwise direction from this set of geographic coordinates along the shoreline at mean lower-low tide line to the next set of coordinates.

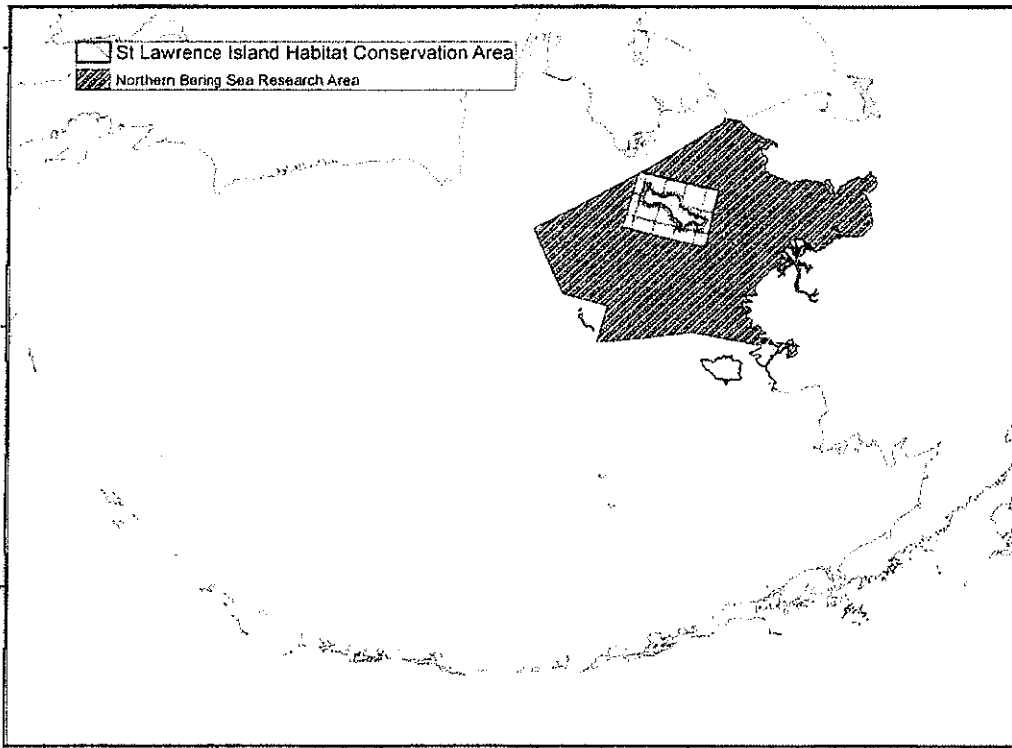


Figure 17 to Part 679--Northern Bering Sea Research Area and St. Lawrence Island Habitat Conservation Area

(Table 43 To Part 679.
Northern Bering Sea Research Area)

Longitude/Latitude	
168° 07.48'W	65° 37.48N*
165° 01.54'W	60° 45.54N
167° 59.98'W	60° 45.55N
171° 59.92'W	60° 03.52N
172° 00.00'W	60° 54.00N
174° 01.24'W	60° 54.00N
176° 13.51'W	62° 06.56N
172° 24.00'W	63° 57.03N
172° 24.00'W	62° 42.00N
168° 24.00'W	62° 42.00N
168° 24.00'W	64° 00.00N
172° 17.42'W	64° 00.01N
168° 58.62'W	65° 30.00N
168° 58.62'W	65° 37.48N

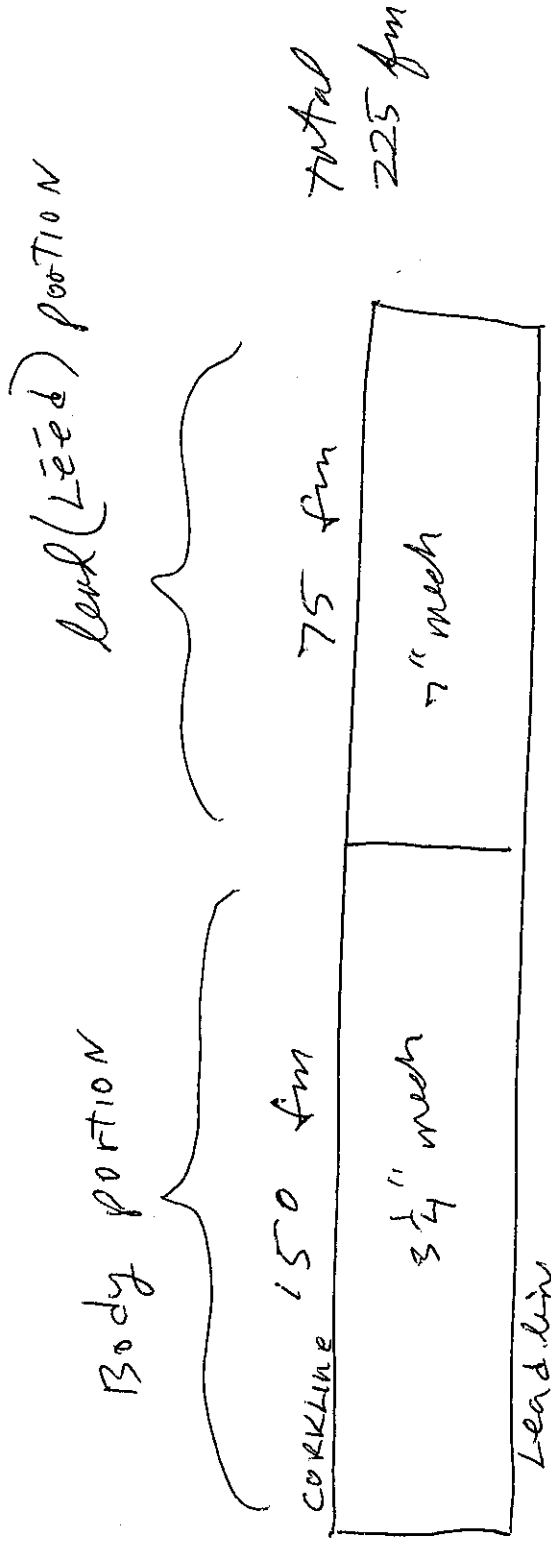
(Table 45 To Part 679.
St. Lawrence Island Habitat Conservation Area)

Longitude/Latitude	
168° 24.00W	64° 00.00N
168 ° 24.00W	62° 42.00N
172 ° 24.00W	62° 42.00N
172 ° 24.00W	63° 57.03N
172 ° 17.42W	64° 00.01N

Note: The area is delineated by connecting the coordinates in the order listed by straight lines, except as noted by * below. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

* This boundary extends in a clockwise direction from this set of geographic coordinates along the shoreline at mean lower-low tide line to the next set of coordinates.

Submitted by Beaven Nelson



Why 7" mesh was originally used in leads

In early days of fishing the lead portions were separate from the body portion, and was usually left in the water at fishing points for the full duration of an opening, often 5 days at a time. 7" mesh was used minimizing the buildup of Nep, seaweed, and various detritus from collecting on web and making a mess to deal with.

Proposal 83-84 would

allow lead portion to

use 3 1/4 mesh (same as

body mesh)

RC 88

**BSAI Pacific Cod Management, Proposals 371,
372 and 373.**

Forrest R. Bowers

Division of Commercial Fisheries, Dutch Harbor



Committee F Proposals

- ▶ 371 – Establish a uniform vessel size limit of 60' OAL for the state-waters Pacific cod fishery.
- ▶ 372 – Lower the daily and trip limit in the state-waters Pacific cod fishery to 75,000 pounds.
- ▶ 373 – Establish a size limit of 55' OAL for hook and line vessels in the BSAI parallel Pacific cod fishery.

**Bering Sea - Aleutian Islands Area
Registration Area O**

U.S.-Russia Maritime Boundary Line

Bering Sea District

Cape Sarichef

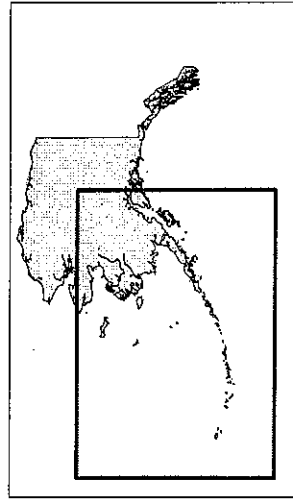
54°36' N. latitude

Aleutian Islands District

170° W. longitude

200 Mile
Exclusive Economic Zone
Line

Area of Detail

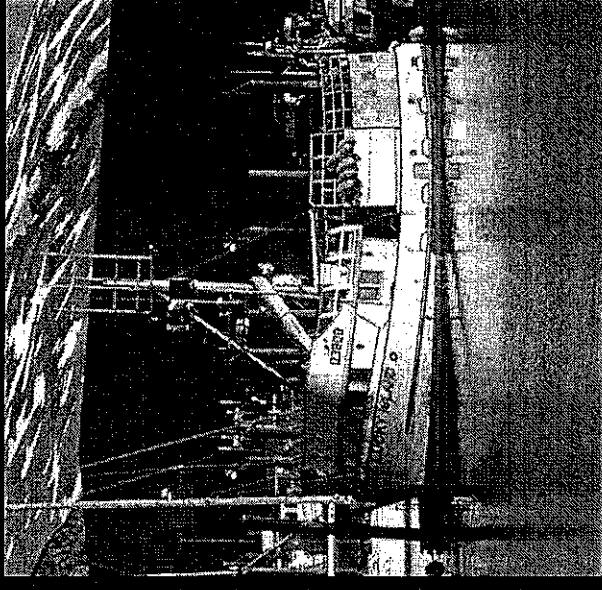


Pacific Cod Fisheries in State Waters

- ▶ *Parallel Fishery*
 - Open concurrent to federal fishery
 - ▶ Same total allowable catch and gear types as federal fishery
 - ▶ Open prior to state-waters fishery
 - Adak Vessel Length and Gear Restriction Zones apply
- ▶ *State-waters fishery*
 - Non exclusive fishery for Pacific cod
 - Aleutian Islands District (west of 170°W long)
 - Participation requirements:
 - ▶ Gear-specific vessel size limits established in October 2006
 - ▶ Area-specific registration
 - ▶ Daily catch reporting by catcher vessels and processors
 - ▶ Daily harvest and trip limit

State-waters Pacific cod season

- ▶ 2008 Guideline Harvest Level 11,640,288 pounds
 - Based on 3% of federal BSAI Pacific cod ABC
 - Seasonal apportionment 70/30 split before and after June 10
- ▶ Allowable gear types:
 - Mech. jig, longline – 58' OAL limit
 - NP trawl – 100' OAL limit
 - Pot – 125' OAL limit



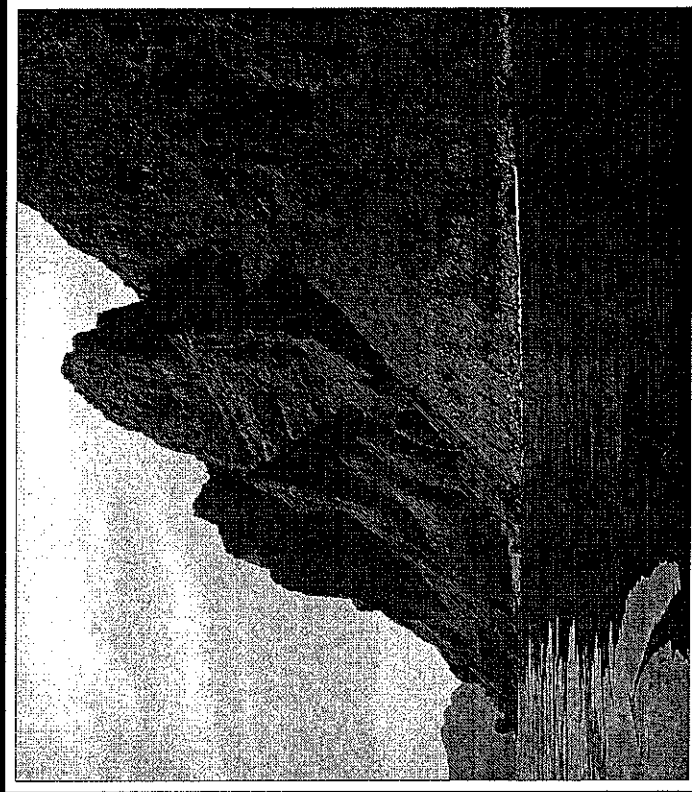
2008 State-waters A Season

- ▶ Fishery opened March 10, 2008.
- ▶ 30 harvesting vessels made landings, 9 processors participated.
- ▶ Effort in 2008 increased by one vessel and 4 processors from 2007.
- ▶ Guideline Harvest Level was 8,148,202 pounds round weight (70% of initial GHL).
- ▶ Fishery closed March 18, 2008 with 7,478,914 pounds harvested.



2008 State-waters A season estimated daily catch

<u>Report Period Ending</u>	<u>Pounds Harvested</u>
March 10	1,140,000
March 11	1,430,000
March 12	337,000
March 13	600,000
March 14	570,000
March 15	730,000
March 16	820,000
March 17	950,000
March 18	1,003,000
<u>Total</u>	<u>7,580,000</u>



Aleutian Islands state-waters Pacific cod fishery A season fleet composition, 2006-2008.

Year	Vessel type	Number participating	Average overall length
2006	Trawl catcher under 60'	3	58'
	Trawl catcher over 60'	16	104'
	Pot catcher over 60'	1	92'
	Trawl catcher-processor	1	296'
	Longline catcher-processor	5	152'
	Total	26	115'
2007	Trawl catcher under 60'	7	58'
	Trawl catcher over 60'	15	91'
	Pot catcher over 60'	7	113'
	Total	29	89'
2008	Trawl catcher under 60'	5	58'
	Trawl catcher over 60'	17	98'
	Trawl catcher-processor	1	98'
	Pot catcher under 60'	1	58'
	Pot catcher over 60'	3	108'
	Pot catcher-processor	2	105'
	Longline catcher under 60'	2	58'
	Total	30 ^a	86'

^a One vessel participated as both a trawl catcher-processor and a trawl catcher-vessel.

2008 State-waters B Season

- ▶ B Season opened on June 10, 2008.
- ▶ B Season GHL = 4,161,374 pounds (669,288 pounds added from A season GHL).
- ▶ 18 vessels participated compared to 10 in 2007.
- ▶ Fishery closed on July 9, 2008.
- ▶ Prior to 2008 fishery characterized by low effort levels and smaller landings relative to A season with weekly landings ranging from 44,000 pounds to 380,000 pounds.
- ▶ 2008 B season was conducted at a faster pace with landings of approximately 1,000,000 pounds per week.

Aleutian Islands state-waters Pacific cod fishery B season fleet composition, 2006-2008.

Year	Vessel type	Number participating	Average overall length
2006	Pot catcher over 60' OAL	2	98'
	Longline catcher under 60' OAL	3	54'
	TOTAL	5	71'
2007	Pot catcher under 60' OAL	1	58'
	Pot catcher over 60' OAL	1	108'
	Pot catcher-processor	3	112'
	Longline catcher	7	52'
	Jig	1	47'
	TOTAL	12 ^a	72'
2008	Pot catcher under 60' OAL	2	59'
	Pot catcher over 60' OAL	2	95'
	Pot catcher-processor	4	107'
	Longline catcher	6	48'
	Longline catcher-processor	1	58'
	Jig	5	38'
	TOTAL	18 ^b	66'

^aOne vessel used both jig and longline gear.

^bTwo vessels used both jig and longline gear.

2008 Aleutian Islands state-waters Pacific cod deliveries by size range and vessel type.

Whole Pounds	Season	Number of Deliveries					
		Trawl under 60' OAL	Trawl 60' and over OAL	Pot under 60' OAL	Pot 60' and over OAL	Longline under 60' OAL	Jig under 60' OAL
0 - 50,000	A	8	32	2	19 ^a	6	0
	B	0	0	13	74 ^b	17 ^d	18
50,001 - 75,000	A	3	17	1	7 ^c	0	0
	B	0	0	0	15 ^e	0	0
75,001 - 100,000	A	3	9	0	0	0	0
	B	0	0	0	0	0	0
100,001 - 150,000	A	3	12	0	0	0	0
	B	0	0	0	0	0	0
150,001 and up	A	0	5	0	0	0	0
	B	0	0	0	0	0	0
Total:		17	75	16	115	23	18

^aIncludes 13 daily radio reports from catcher processors.

^bIncludes 57 daily radio reports from catcher processors.

^cIncludes 3 daily radio reports from catcher processors.

^dIncludes 14 daily radio reports from catcher processors.

^eDaily radio reports from catcher processors only.

Proposal 373

BSAI federal Pacific cod fishery allocations by gear sector, 2008.

Gear Sector	Allocation (MT)
CDQ	18,267
Hook and Line CP	73,844
Hook and line or pot CP < 60'	3,033
Hook and line CV < 60'	303
Pot CV > 60'	12,737
Pot CP	2,274
Trawl CV	33,692
AFA Trawl CP	3,506
Amendment 80	20,429
Jlg	2,134

BSAI Pacific cod parallel fishery hook and line fleet vessel size, 2008.

Overall length (feet)	Catcher vessels	Catcher processors
<55	10	0
56-59	5	1
60-125	1	2
>125	0	4
Total	16	7

BSAI parallel fishery Pacific cod harvest by vessels using hook and line gear, 2006-2008.

Year	No. Vessels		CV Harvest (MT)		CP Harvest (MT)	
	CV	CP	CV Harvest (MT)	CP Harvest (MT)	CV Harvest (MT)	CP Harvest (MT)
2006	12	4	279	275		
2007	15	4	267	359		
2008	16	7	483	630*		

*221 MT taken by non-federally permitted vessels.

Questions?



STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF SPORT FISH

SARAH PALIN, GOVERNOR

RC # 90

Substitute Language for proposals 107-109:

5 AAC 52.023 (x) in the Copper River drainage, downstream of the upstream bank of the Klutina River, king salmon may be taken only from July 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

5 AAC 52.023 (12) in the Klutina River drainage, bait and artificial lures may be used;

(C) in all flowing waters upstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina River Road, king salmon may be taken only from **July 1** [JANUARY 1] – July 19, excluding Manker Creek, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina River Road, king salmon may be taken only from **July 1** [JANUARY 1] – July 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

(G) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 13 on the Klutina Lake Road, king salmon may be taken only from July 1 – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

5 AAC 52.023 (25) in the Tonsina River drainage,

(A) in all flowing waters downstream from the outlet of Tonsina Lake, bait and artificial lures may be used; **king salmon may be taken only from July 1 [JANUARY 1] – July 19, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;**

(E) in all flowing waters downstream of the downstream edge of the Alyeska Pipeline crossing bridge, king salmon may be taken only from July 1 [JANUARY 1] – August 10, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

proposal
369

2691

**BRISTOL BAY NATIVE ASSOCIATION
P.O. BOX 310
DILLINGHAM, ALASKA 99576
(907) 842-5257
by Full Board of Directors**

Resolution 2008- 25

Copies
for BOF

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

- WHEREAS: The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS: An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS: The Bristol Bay Native Association is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS: Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS: BBNA tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS: The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Bristol Bay Native Association Full Board of Directors urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:

Fred J. Angason
President

CERTIFICATION:

I, the undersigned Recording Secretary of the Bristol Bay Native Association, hereby certify that the Board of Directors of the Bristol Bay Native Association passed the foregoing resolution on this 19th day of September, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:

[Signature]
Secretary

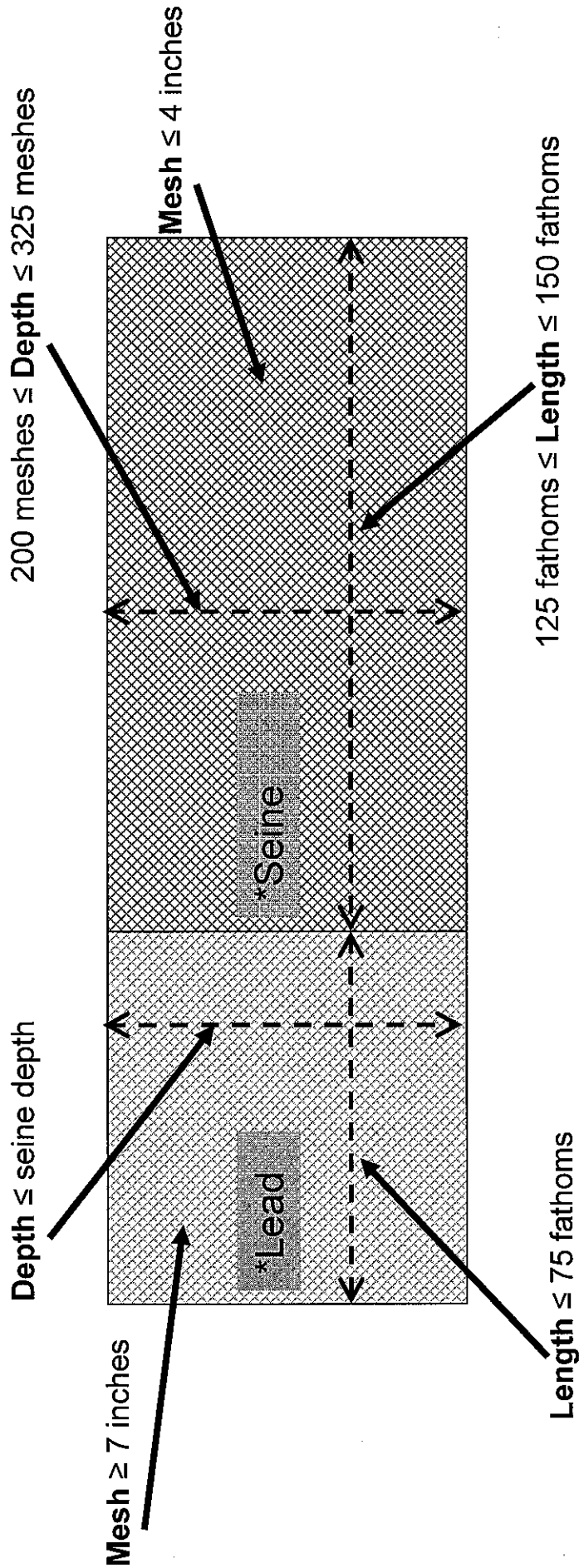
RC 92

Information from Alaska Department of Fish and Game
Commercial Fisheries Division

- 1) Current PWS Purse Seine Standards Per 5 AAC 24.332
- 2) Proposals 83, 84, and 85 Modifications

Prepared by:
Commercial Fisheries staff
5 December 2008

Current PWS Purse Seine Standards Per 5 AAC 24.332

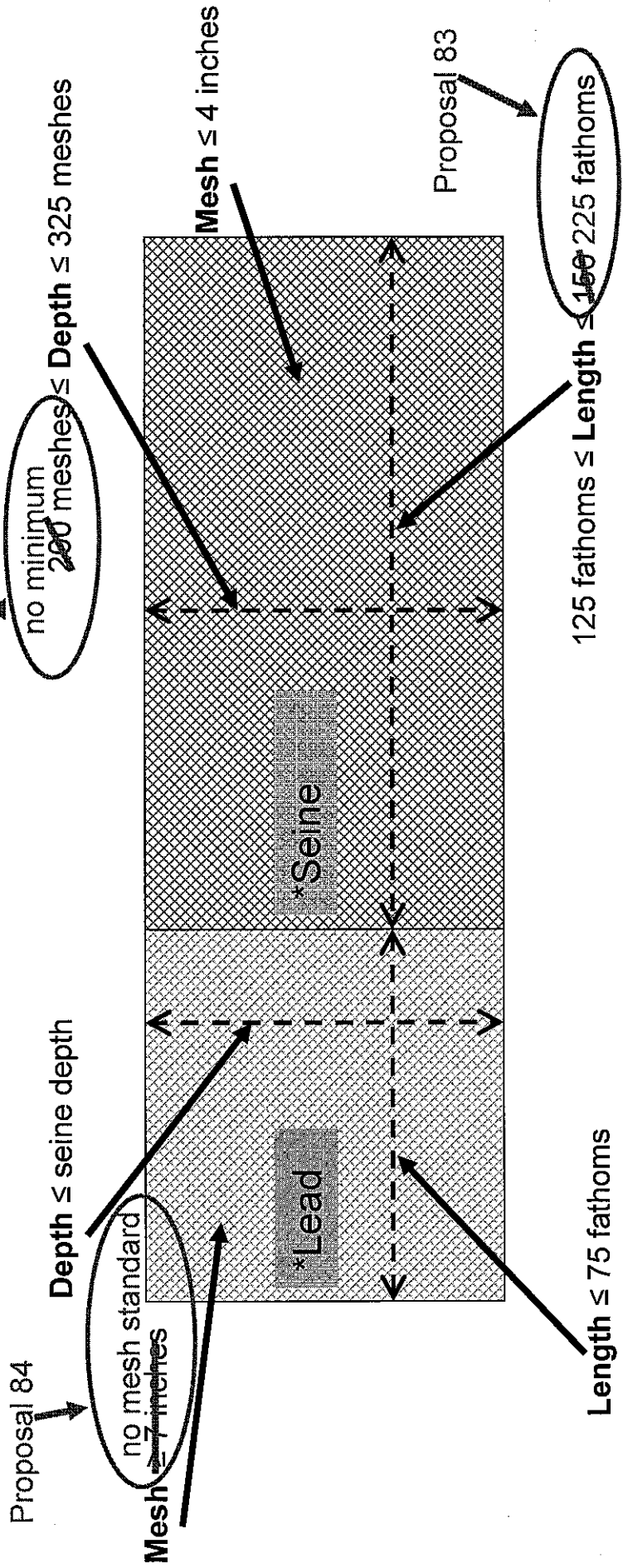


* Seine: first 25 meshes immediately above the lead line, "chafing strip" ≤ 7.5 inches

Lead: cork line border strip ≤ 5 meshes depth with mesh ≤ 7 inches; lead line chafing strip with mesh ≤ 7 inches

Proposals 83, 84, and 85 Modifications

Proposal 85 (modified to only apply to first 5 fathoms in length from the end of the seine)



* **Seine:** first 25 meshes immediately above the lead line, "chafing strip" \leq 7.5 inches

Lead: cork line border strip \leq 5 meshes depth with mesh \leq 7 inches; lead line chafing strip \leq 25 meshes depth with mesh \leq 7 inches

RC93

Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

December 6, 2008

Committee D Report: PWS and Copper River Sport Fisheries

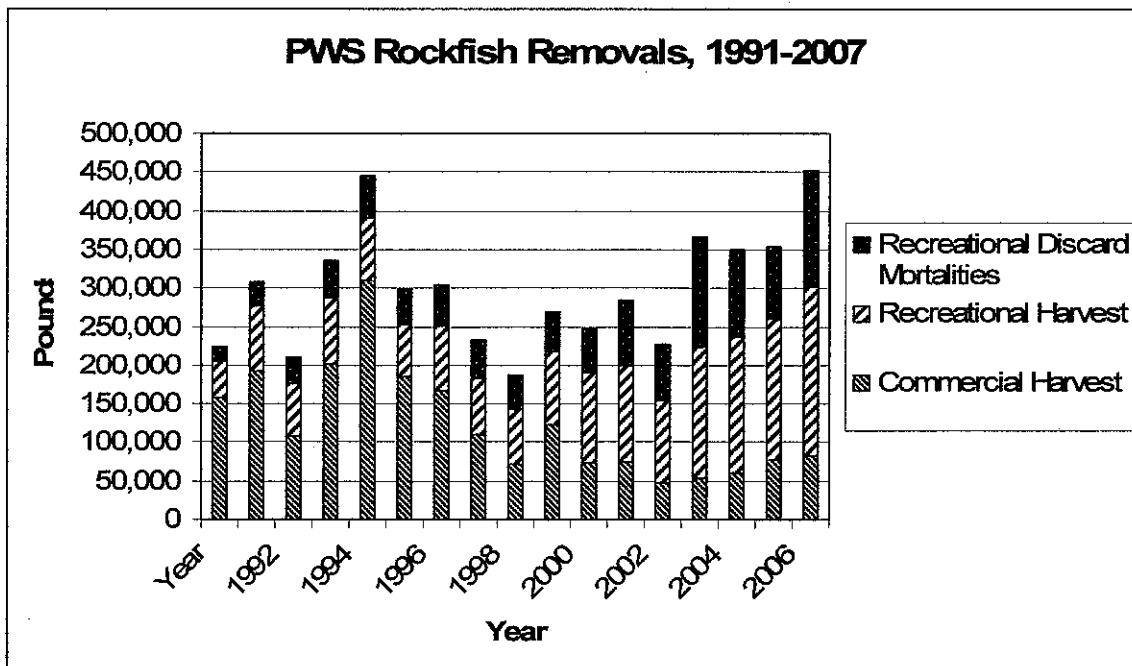
Chairman Jensen and members of the Board,

On behalf of the CDFU Groundfish Division I am submitting comments on proposals **94, and 95** discussed in Committee D. Please refer also to our written comments PC54 and record comments RC66 on these proposals. Comments in support of proposals 92, 94 and 95 have also been submitted by the Southeast Alaska Fishermen's Alliance (PC19), United Fishermen of Alaska (PC30, PC31), and the Halibut Coalition (PC 29).

Although for proposals 94 and 95 there was "no consensus" from the public panel, and "consensus to oppose" from the members of the Board, we remain very concerned about the dramatic and rapid increases in rockfish harvests and associated discard mortalities in the recreational sector that are now at record levels. We believe the issue deserves far greater attention by the Board and the Department to ensure that sustained yield of these important fish resources is maintained.

Rockfish are acknowledged to be susceptible to overfishing, yet ADF&G cannot define a sustainable level of rockfish catch and harvest by the recreational sector, and angler effort continues to rise. In the absence of any plans to control effort in the guided and unguided recreational sector, defined in terms of lines fished, or type of gear used or other means to slow down the rate of catch, we believe that removals of rockfish by the recreational sector will continue to rise above the current record levels. This will create conservation and management concerns that will require more difficult choices by the Board in the future, particularly if overfishing by the recreational sector affects the ability of the commercial sector to prosecute directed fisheries that require some amount of rockfish for bycatch.

Below is a graph with total rockfish removals by both the commercial and recreational sectors that clearly shows the dramatic increase in rockfish removals by the recreational sector in recent years. Recreational removals are defined as recreational catch; in the absence of better data, we believe it is prudent to assume that all rockfish caught but not retained as harvest should be counted as discard mortalities. This graph is based on data from the 2007 ADF&G management report and average weights from ADF&G staff. Average rockfish weights for the years 1991-1999 are assumed to be 5.5 lbs.



There are a number of important points to consider in reviewing the chart as well as the history and characteristics of the recreational and commercial fisheries for rockfish:

- In 1992 the commercial GHL was set at 150,000 lbs presumably because this was believed to be a sustainable level of harvest. The fishery was managed as a "bycatch only" fishery beginning in 1997 because of the inability of ADF&G to manage the fishery to the 150,000 GHL prior to 1997 under a management plan that included a directed fishery and a bycatch fishery. In short, the commercial harvests in excess of 150,000 lbs from 1994-1997 were NOT believed to be sustainable.
- In 2007 the discard mortalities in the recreational sector were almost 150,000 lbs, and accounted for 40% of the total recreational catch. The recreational sector discarded almost twice as many pounds as the total commercial catch of 82,000 lbs.
- Rockfish are primarily taken incidentally in the recreational halibut fisheries, and the ability of anglers to avoid rockfish is probably low. Although we support proposal 92 to reduce rockfish bag limits, we don't believe that it will have a significant effect on total catch given the intrinsic catch rate of rockfish in the recreational halibut fishery, and the annual rate of increase in the rockfish catch. We also believe that it will result in a higher rate of discard mortalities.
- The guided or charter sector accounts for the majority of effort, catch and harvest in the recreational halibut fishery and thus, probably the majority of the rockfish catch.
- Total angler days fished in PWS (FMR No. 08-55, pg. 42) continues to rise annually. In 2007, the number of angler days expended in PWS was at its highest level since 1991, and also accounted for the greatest percentage of angler days on both a Southcentral and Statewide basis, since 1991. Put simply, angler effort continues to rise in PWS, at a faster rate than the rest of Southcentral and the rest of the State of Alaska.

- Although ADF&G has EO authority to manage the fisheries, SWHS data used in management is not available until a year after the fisheries have occurred. Without in-season or current end of season catch, harvest or effort data, it is not clear what actions ADF&G will take with EO authority to manage the fishery in a timely manner.

We do not believe that the Board or the public has been well informed by ADF&G regarding this issue. The Area Management Report for the Recreational Fisheries of Prince William Sound, 2007 (FMR 08-55) was not available to the public before the November 17 public comment deadline. More importantly, the report does not differentiate catch, harvest, effort or any other data between the guided and unguided recreational; it is provided only in the aggregate. This prevents the Board and the public from understanding the complexity of the recreational fisheries and uses of PWS, determining whether or not problems exist, and whether Board actions are necessary to maintain fisheries resources for all users. As we wrote in our public comments (PC54), we believe that the Board and the public would be better served by a more complete and detailed presentation of the characteristics of each of these sectors.

Therefore, we ask that the Board of Fisheries direct ADF&G to differentiate catch, harvest, effort and other pertinent data for the guided and unguided recreational sectors in future Area Management Reports to the Board, and to provide the report to the public before the public comment deadline.

We also urge the Board to look more closely at the fisheries data and the characteristics of the fisheries, before following the Committee's recommendations to oppose these proposals. **More specifically, we ask that the Board consider the following substitute language for proposals 94 and 95.**

Substitute language for proposal 94: "On state licensed charter vessels, the number of lines fished shall be limited to the number of paying customers, up to a maximum of 6 lines, in the Inside District of the PWS management area."

This substitute language for proposal 94 addresses the fact that state regulations cannot discriminate against charter vessels that do not have a Federal halibut limited entry permit, and restricts the line limits to the Inside District only. This will allow vessels carrying more than 6 passengers to continue to operate in the Outer Districts.

Substitute language for proposal 95: "The use of an electric, hydraulic, or power-assisted reel to retrieve the fishing line is prohibited."

This substitute language for proposal 95 simplifies the regulation, and removes the reference to downriggers that is unnecessary.

Thank you for the opportunity to comment.

Dan Hull, Chairman
CDFU Groundfish Division

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 94

Submitted by: CR/PWS Advisory Committee
Address: Cordova, Alaska

SUBJECT: Comments on Proposal 100 & 101, RC#49

Based on certain comments suggested by members of the Board of Fish that the CR/PWS Advisory Committee is representative of commercial fishing interests, I would like to clarify the make up of the committee.

The CR/PWS Advisory Committee is a diverse group that represents subsistence, commercial fishing, sportfishing, outfitting, and lodging.

Proposal 100 and 101 are conservation measures deemed extremely important by the Advisory Committee.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 95

Submitted by: CR/PWS Advisory Committee
Address: Cordova, Alaska

SUBJECT: Comments on Proposal 100, RC#49

Substitute language:

“Closed to all fishing 3 miles from the Copper River
Highway from September 15 – November 15.”

Alaska Board of Fisheries
Chairman Jensen and members of the Board

RC 96

Submitted by: CR/PWS Advisory Committee
Address: Cordova, Alaska

SUBJECT: Comments on Proposal 101, RC#49

Substitute language:

“Closed to all fishing 1000 yards from the confluence with Alganik slough September 7 [after labor day] – November 15.”

New information

Escapements are delta-wide assessments with large variability on small systems (50-500 observed escapement by USFS) in the 18 mile system.

RC97

Alaska Board of Fisheries
Chairman Jensen and members of the Board

Submitted by: Steve Smith, Seine fisherman
Address: PO Box 1724, Cordova, Alaska 99574

SUBJECT: Comments on RC#49 & Proposal 83

I would encourage the Board to oppose this, as it will cause unnecessary capital expenditure for the fleet. Additionally, there are issues with escapement that the large mesh on leads was instituted to allow for, especially for the wild fishery.

RC98

Alaska Board of Fisheries
Chairman Jensen and members of the Board

Submitted by: Cordova District Fishermen United
Address: PO Box 939, Cordova, Alaska 99574

SUBJECT: Comments on RC#49 & Proposal 85

The list of public panel members incorrectly lists that James Mykland is affiliated with CDFU. Whilst Mr Mykland is a member of the CDFU Gillnet Division, and our Gillnet Division largely agrees with his opinions and positions, he does not represent our organization, or speak on behalf of our organization.

Proposal 85 mentions that “a representative of Cordova CDFU gillnet said...”. This comment was made by Mr Mykland, and needs to be clarified that he is in no way affiliated with CDFU.

Additionally, the CDFU Gillnet Division is neutral on this proposal using the language that is existing.

Corrections needed on RC-49; Committee D Report

Page 11, Proposal 91, Narrative of Support and Opposition. Add bullet point as follows:

- Several members of the public panel expressed a desire for more research on salmon shark ecology, so that decisions on similar proposals in future board cycles can be more scientifically justified.

Pages 15-16, Proposal 93. Conflicting information requires clarification. In the narrative of opposition, it is clearly stated that Anchorage AC is opposed to this proposal. However, under AC positions Anchorage AC is listed as supporting this proposal.

Page 17, Proposal 94, Narrative of Support and Opposition. Add bullet point as follows:

- Only about 1/3 of halibut charter clients are Alaskan residents.
- Concern that 6-pack boats would not be able to get into outside waters and therefore concentrating fishing pressure within the sound.

Page 18, Proposal 95, Narrative of Support and Opposition. Add bullet point as follows:

- A member of the public panel proposed substitute language to limit the line length on an electric reel to 200' as a compromise to meet the intent of the proponent, while addressing some of the concerns of the opposition.
- Another member of the public proposed substitute language to "ban electric reels."

Page 24, Proposal 100. ADF&G Position should not be considered, or should be re-evaluated, as original findings were based on a mis-interpretation of the proposal by department staff. Refer to RC-73 for additional information.

Submitted by Native Village of Eyak

RC- 100

PROPOSAL 112

The Native Village of Eyak submitted proposal 112, and wishes to propose **substitute language** as follows:

“On all tributaries of the Copper River, once the daily bag limit for salmon is retained, no sport fishing for salmon is allowed until after 12:01am the following day”

This would align our proposal with regulations already in effect on the Kenai River, and alleviate enforcement concerns expressed in Committee D meetings.

This is similar to an amendment proposed by the Matanuska Valley AC.

Submitted by Native Village of Eyak

Substitute Language, Proposal 2

ARTICLE 12. PRINCE WILLIAM SOUND AREA.

5 AAC 01.600. DESCRIPTION OF PRINCE WILLIAM SOUND AREA. The Prince William Sound Management Area includes all waters of Alaska between the longitude of Cape Fairfield and the longitude of Cape Suckling, and all waters and drainages of the Upper Susitna River upstream of the Oshetna River.

5 AAC 01.616. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES.

(d) The board finds that non-salmon, freshwater finfish in the Prince William Sound Area are customarily and traditionally taken or used for subsistence.

(e) The board finds that the following amounts of fish, other than salmon, are reasonably necessary for subsistence uses in the Prince William Sound Area:

(1)

(6) XX to XX of non-salmon, freshwater finfish.

ARTICLE 11. COOK INLET AREA.

5 AAC 01.550. DESCRIPTION OF THE COOK INLET AREA. The Cook Inlet Area includes all waters of Alaska enclosed by a line extending east from Cape Douglas (58° 51.10' N. Lat) and a line extending south from Cape Fairfield (148° 50.25' W. Long.), excluding all waters and drainages of the Upper Susitna River upstream of the Oshetna River.

5 AAC 01.570. LAWFUL GEAR AND GEAR SPECIFICATIONS.

(i) Gillnets may not be used in freshwater, ~~except for the taking of whitefish in the Tyone River drainage.~~

5 ACC 01.575. WATERS CLOSED TO SUBSISTENCE FISHING.

(c) Trout, grayling, char, whitefish, and burbot may not be taken in fresh water, except that Dolly Varden may be taken in fresh water in the Port Graham Subdistrict.

5 AAC 01.01.580. SUBSISTENCE FISHING PERMITS: RECORD KEEPING.

~~(e) Whitefish may be taken only in the Tyone River drainage and only under the authority of a permit issued by the department.~~

Potential amendment to Proposals 5, 6, 7, or 10, to address:

Customary and Traditional Uses of Salmon, Remainder of Prince William Sound
Management Area

5 AAC 01.616. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH
STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES.

(a) The Board of Fisheries finds that salmon stocks are customarily and traditionally
taken or used for subsistence in the following locations:

(1)

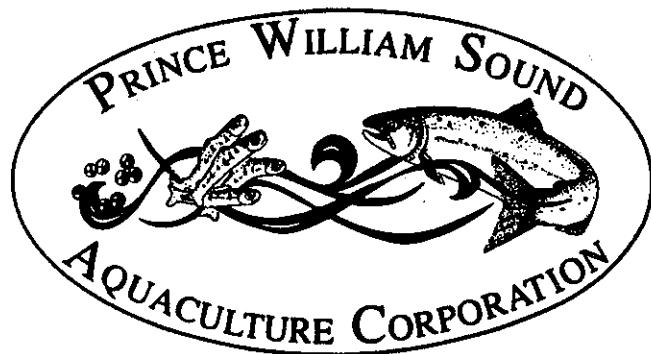
(6) the Coghill, Northwestern, Eshamy, Unakwik, Southeastern, and Bering River
districts; that portion of the Northern District not included in 5 AAC 01.616(a)(3); that
portion of the Montague District not included in 5 AAC 01.616(a)(2); and that portion of
the Eastern District not included in 5 AAC 01.616(a)(2), excluding that portion within the
Valdez Nonsubsistence Area as described in 5 AAC 99.015 (a)(5).

(b) The board finds that the following amounts of salmon are reasonably necessary for
subsistence uses in the following locations:

(1)

(5) the waters described in 5 AAC 01.616(a)(6), XX to XX salmon.

Prepared by: Alaska Department of Fish and Game; Alaska Board of Fisheries, 12/2008



RC103

December 6, 2008

Comments on Draft Committee Report C:

Proposal 81

- Record Comment 65 is missing from the listed Record Comments. RC65 should be available to the Board of Fisheries as they deliberate on this proposal.

Comment Submitted by:

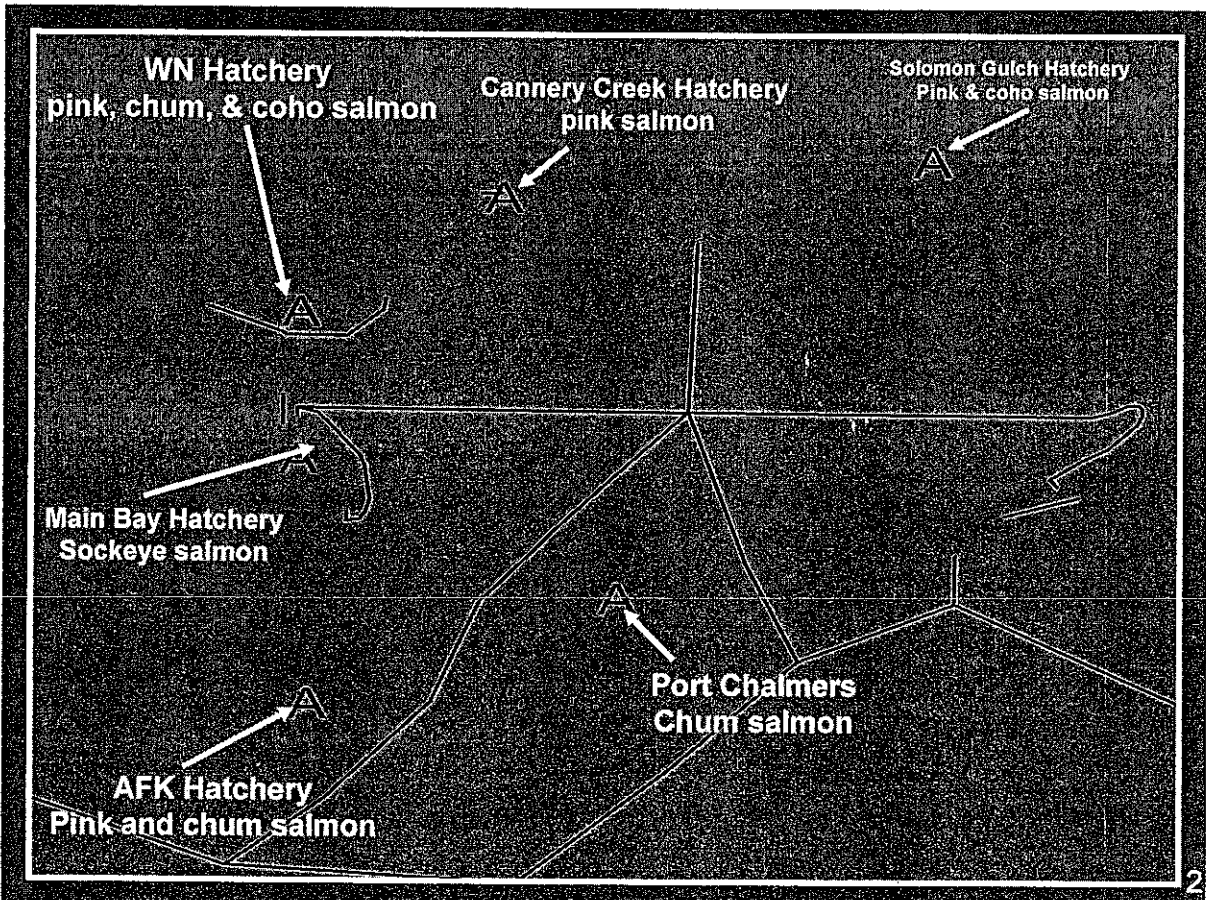
Dave Reggiani
General Manager



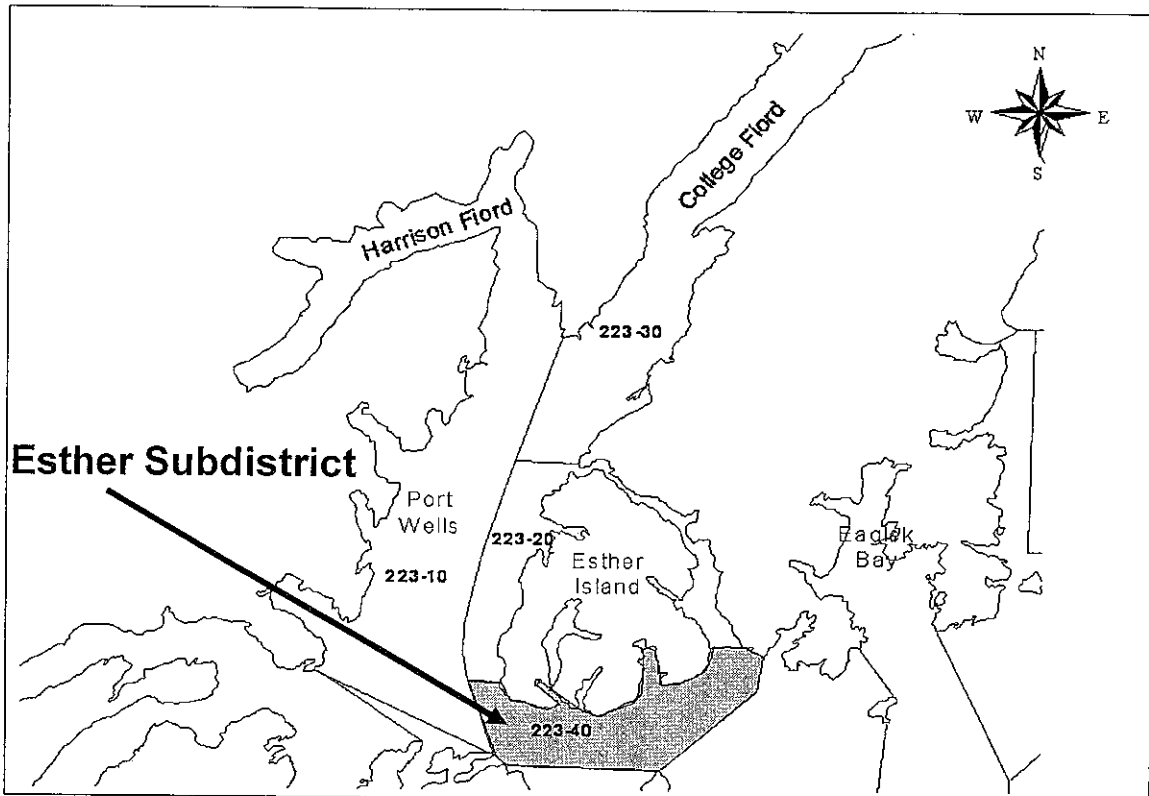
LC104

Prince William Sound Allocation Plan 5 Minute Primer

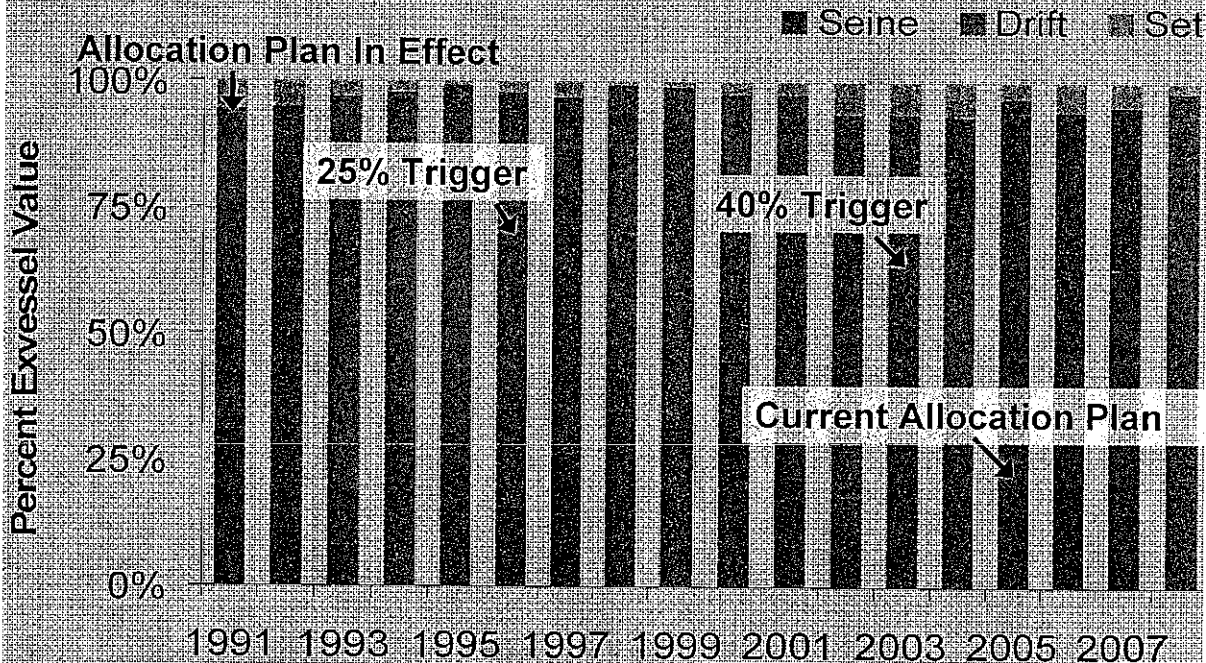
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2



Exvessel Values and Allocation



Current Allocation Plan Details

- Allocation Plan Values
 - 4% Set gillnet
 - 50/50 Split Drift gillnet and Purse Seine
- Allocation calculation
 - PWSAC fish only
 - COAR prices by species by area
 - 5-year rolling average

5

Current PWS Allocation Plan Triggers

**47% Cost recovery adjustments
recommended**

45% Access to Esther or Port Chalmers

5% Reduced time for set gillnet

6

2005 Plan Changes

	Pre-2005	2005 Plan
Fish	All PWS fish	PWSAC only fish
Price	Single Price	Price by area
Triggers	25-40%	45%
Calculation	Annual	5-year average
Fluctuation	Large	Smaller

7

Compromises

Purse seine agree to remove Copper River wild from allocation if remove VFDA

Others, prices, annual calculation etc...

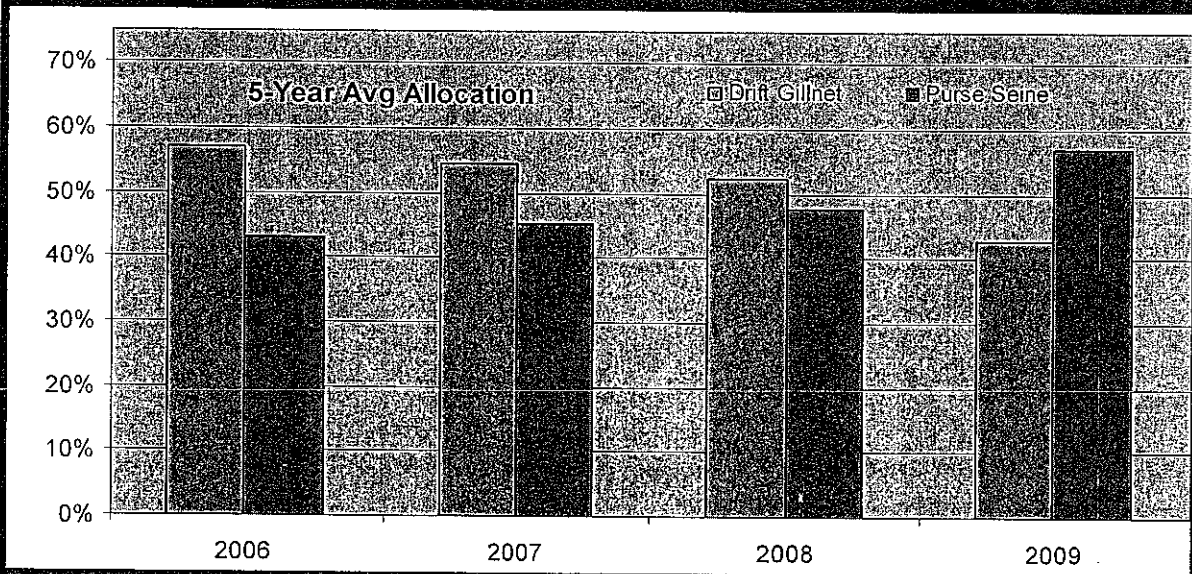
8

Recent PWS Allocation Plan 5-Year Averages

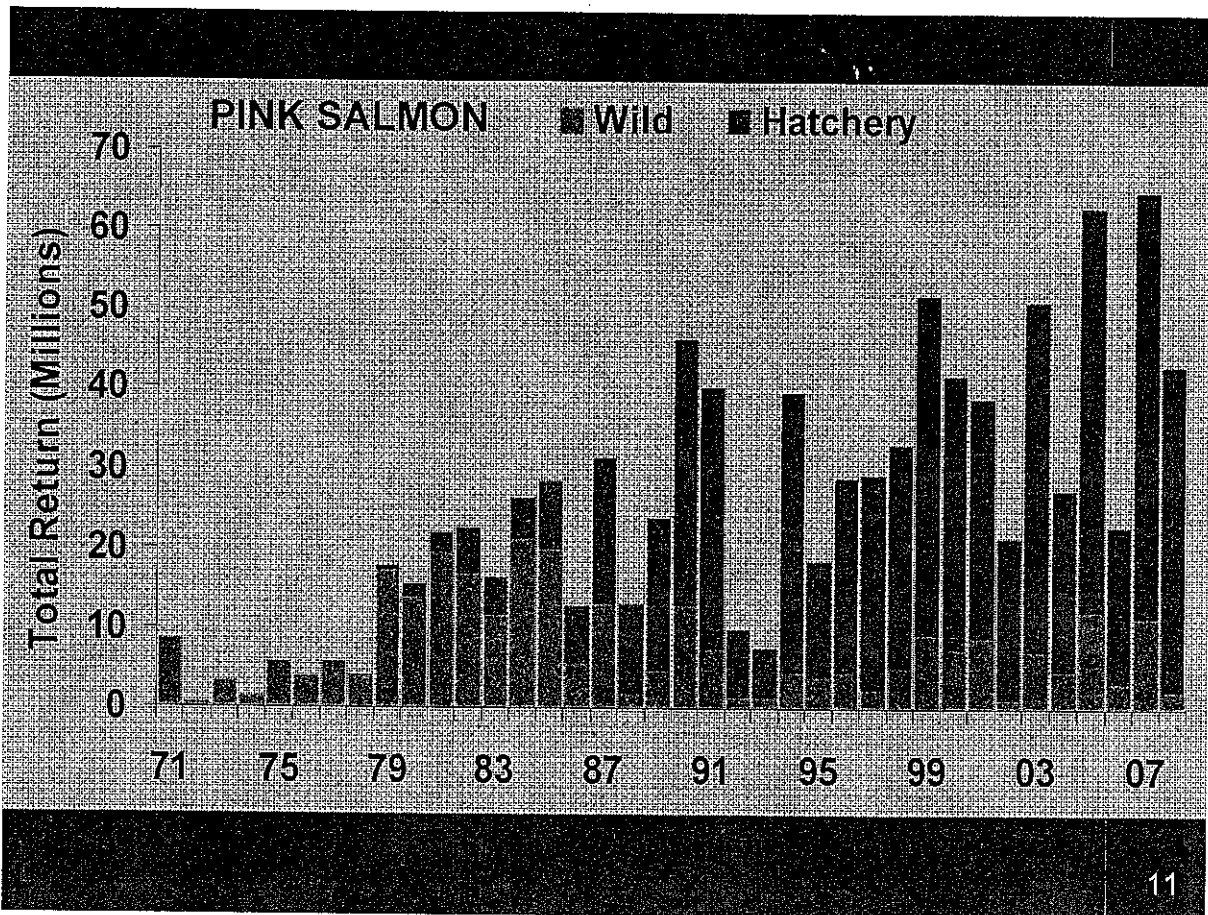
Management Year	DGN	PS	SGN
2006	56.9%	43.1%	5.8%
2007	54.6%	45.4%	6.3%
2008	52.4%	47.6%	6.0%
2009	42.9%	57.1%	5.3%

9

Recent PWS Allocation Plan 5-Year Averages



10

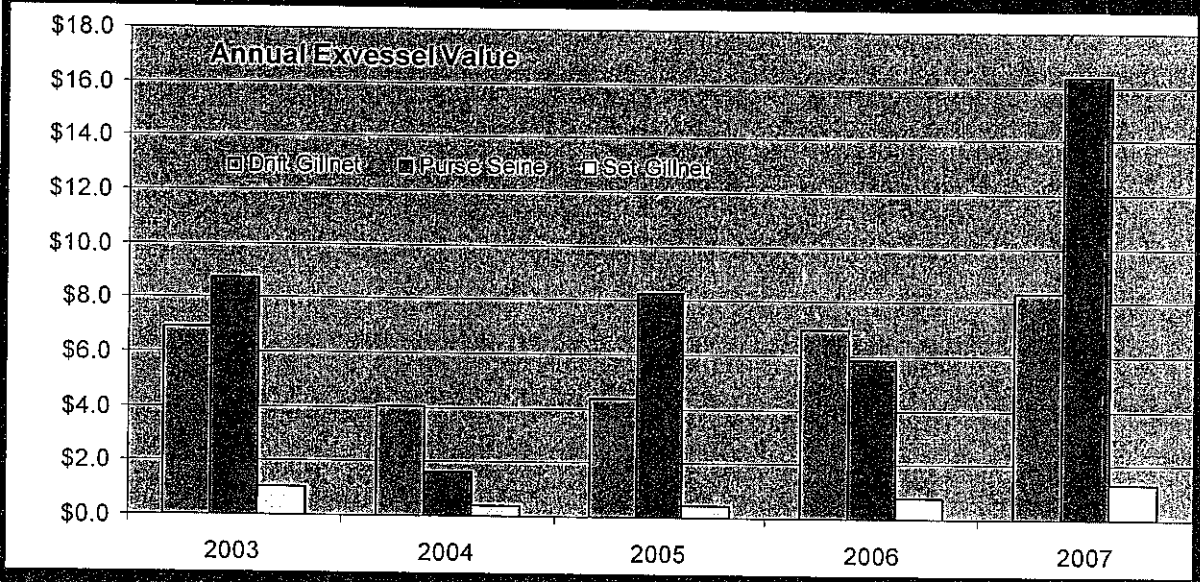


Annual Exvessel Values

Year	DGN	PS	SGN	Total	Minus SGN
2003	\$6,939,203	\$8,719,618	\$1,071,690	\$16,730,511	\$15,658,820
2004	\$4,033,495	\$1,646,086	\$417,569	\$6,097,150	\$5,679,581
2005	\$4,369,411	\$8,312,855	\$426,091	\$13,108,357	\$12,682,266
2006	\$7,010,574	\$5,851,983	\$781,184	\$13,643,741	\$12,862,557
2007	\$8,365,677	\$16,394,816	\$1,287,859	\$26,048,352	\$24,760,492
Grand Total	\$30,718,359	\$40,925,358	\$3,984,393	\$75,628,111	\$71,643,717

12

Annual Exvessel Values



Exvessel Values

Year	DGN	PS	SGN	Total	Minus SGN
2003	\$6,939,203	\$8,719,618	\$1,071,690	\$16,730,511	\$15,658,820
2004	\$4,033,495	\$1,646,086	\$417,569	\$6,097,150	\$5,679,581
2005	\$4,369,411	\$8,312,855	\$426,091	\$13,108,357	\$12,682,266
2006	\$7,010,574	\$5,851,983	\$781,184	\$13,643,741	\$12,862,557
2007	\$8,365,677	\$16,394,816	\$1,287,859	\$26,048,352	\$24,760,492
Grand Total	\$30,718,359	\$40,925,158	\$3,984,393	\$75,628,111	\$71,643,717

1% = ~\$700,000

5-Year Average For 2009 Management

Year	DGN	PS	SGN
2003	44%	56%	6%
2004	71%	29%	7%
2005	34%	66%	3%
2006	55%	45%	6%
2007	34%	66%	5%
5-Year Avg	42.9%	57.1%	5.3%

<45% Access Trigger For Port Chalmers

15

The Future

Can Port Chalmers Access Rebalance
Allocation?

~\$700,000 = 1%

2008 Port Chalmers Chum Salmon
~\$5 Million = 7% of Total

16

Prepared by Alaska Department of Fish and Game
5 December 2008

O:\DC\F\Salmon\CBR\Salmon\BOF_stuff\BOF 2008\Pink salmon CPUE.xls\Sheet1

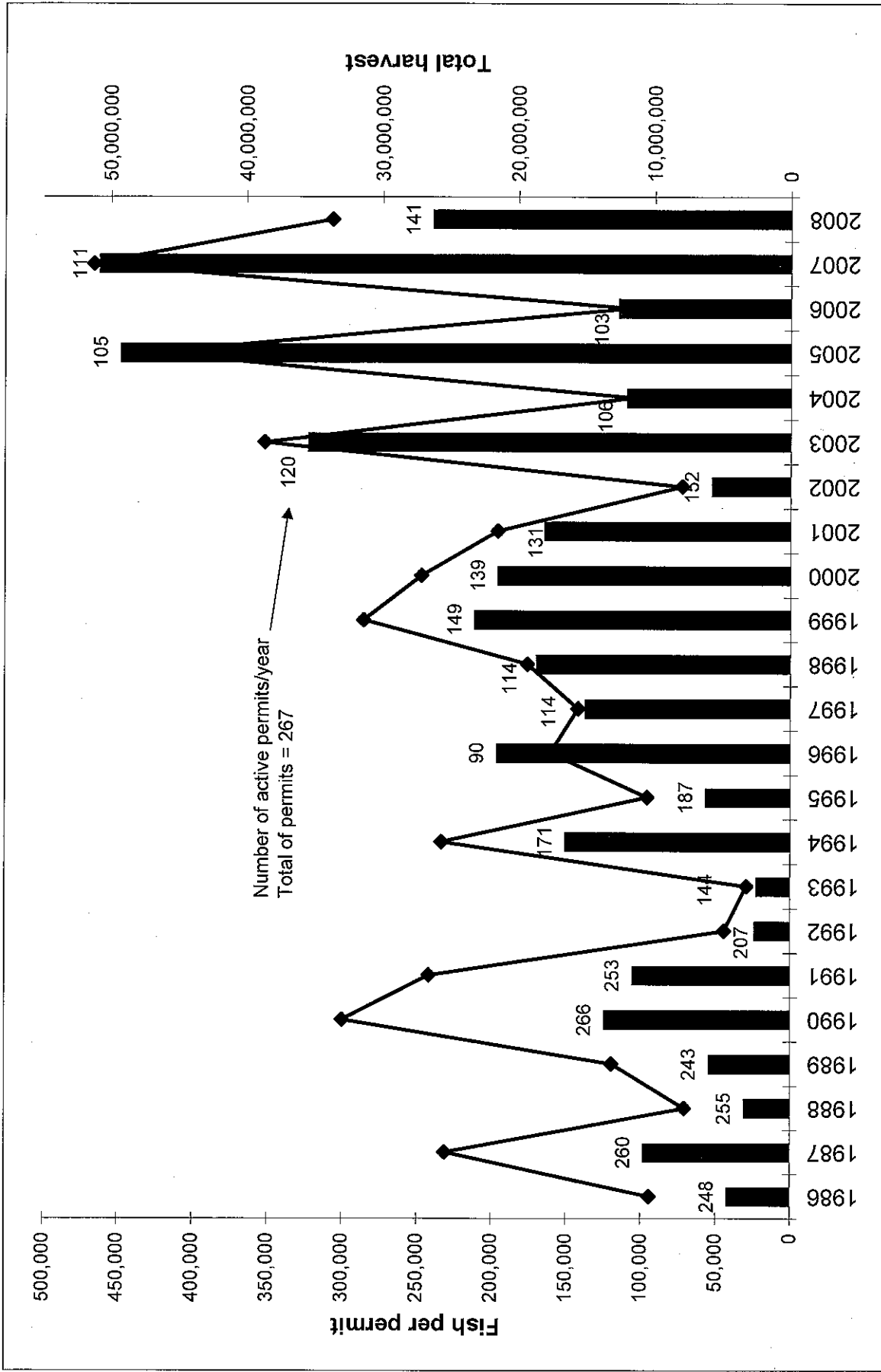


Figure. Prince William Sound purse seine fish per permit, number of active permits, and total commercial common property harvest of pink salmon, 1986-2008.

RC105

lc 106

Alaska Board of Fisheries
Chairman Jensen and members of the Board

Submitted by: Cordova District Fishermen United
Address: PO Box 939, Cordova, Alaska 99574

SUBJECT: New information for Proposal 128

In addition to the impacts already mentioned in committees, public testimony and RC's, the adoption of Proposal 128 will have dire consequences for the City of Cordova's ability to function.

The City of Cordova currently collects a Raw Fish Tax, which is calculated as a percentage of the total Copper River/Prince William Sound salmon harvest value. In 2008, the City of Cordova raised \$905,046.98 (see attached) from this tax, which contributes towards the costs of running the Cordova Medical Center, Cordova High School, Mt Eccles Elementary school, Parks and Recreation services and running the City of Cordova.

The Copper River fishery typically represents between 7-27% of total revenue collected by the Raw Fish tax (see attached) and injects hundreds of thousands of dollars into Cordova's economy.

Per Dr. Jim Fall's presentation demonstrating the 13% decline in Cordova's population from 1990 – 2007 to just over 2,100 residents, the amount of revenue generated by the Raw Fish Tax on the Copper River fishery is considerable, and necessary to help fund these vital community services, such as health care and education.

Rob Bruell

2008 SUMMARY OF SALMON HARVEST ON COPPER RIVER*

	Total number	Avg weight	Avg Cost/lb		Total
Chinook	11,259	21.87	\$	5.87	\$ 1,445,395.52
Sockeye	303,188	6.15	\$	1.67	\$ 3,113,892.35
Coho	204,881	9.49	\$	1.16	\$ 2,255,412.00
Pink	780	3.39	\$	0.33	\$ 872.59
Chum	1,028	7.75	\$	0.55	\$ 4,381.85
TOTAL					\$ 6,819,954.31

Total estimated value of PWS fishery in 2008	\$	90,330,000.00
Percentage of Copper River harvest portion		7.55
Total City revenue gained from Raw Fish Tax	\$	905,046.98
Percentage of Copper River portion of Raw Fish Tax	\$	68,331.05

2007 SUMMARY OF SALMON HARVEST ON COPPER RIVER*

	Total number	Avg weight	Avg Cost/lb		Total
Chinook	39,456	21.87	\$	4.57	\$ 3,943,465.43
Sockeye	1,899,635	6.15	\$	1.55	\$ 18,108,270.64
Coho	1,172,273	9.49	\$	0.82	\$ 912,595.03
Pink	77,216	3.39	\$	0.19	\$ 49,734.83
Chum	14,389	7.75	\$	0.34	\$ 37,915.02
TOTAL					\$ 23,051,980.94

Total estimated value of PWS fishery in 2007	\$	87,037,000.00
Percentage of Copper River harvest portion		26.49
Total City revenue gained from Raw Fish Tax	\$	631,642.28
Percentage of Copper River portion of Raw Fish Tax	\$	167,292.14

* Figures taken from ADFG end of season reports.

Account Number	Account Title	2006 Prior year 2 Actual	2007 Prior year Actual	2008 Current year Actual	2008 Adopted Budget	2008 Projected	2009 Proposed Budget
General Fund Revenue Detail							
101-300-40001	Property Tax	1,604,468.37	1,622,991.37	818,987.86	1,622,000.00	1,622,000.00	1,697,000.00
101-300-40010	Sales & Use Taxes	2,605,157.70	2,730,798.97	1,846,767.23	2,725,000.00	2,725,000.00	2,525,000.00
101-300-40011	Public Accommodations Surtax	134,213.47	90,587.10	85,986.83	136,000.00	136,000.00	120,000.00
101-300-40012	Vehicle Rental Surtax	19,188.01	12,746.38	4,188.00	19,500.00	19,500.00	19,500.00
101-300-40020	Penalties & Int, Property Tax	18,398.75	19,892.09	8,685.14	17,500.00	17,500.00	17,500.00
101-300-40030	Penalties & Int. - Sales Tax	24,672.90	15,123.91	8,754.32	17,500.00	17,500.00	15,000.00
101-300-40040	In Lieu Tax Payments	224,664.76	221,829.80	218,255.18	221,000.00	221,000.00	300,000.00
Total Taxes:		4,630,763.96	4,713,972.62	2,991,624.56	4,758,500.00	4,758,500.00	4,694,000.00
Licenses & Permits							
101-301-40100	General Business Licenses	17,291.00	15,687.00	7,382.00	15,000.00	15,000.00	15,000.00
101-301-40120	Taxi - For Hire Operators	215.00	210.00	140.00	.00	.00	.00
101-301-40150	Construction Permits	50.00	500.00	200.00	500.00	500.00	500.00
101-301-40160	Platt Recording	675.00	1,077.50	150.00	.00	.00	.00
101-301-40170	Other Licenses & Permits	1,999.00	4,840.00	3,550.00	3,000.00	3,000.00	4,000.00
Total Licenses & Permits:		20,230.00	22,314.50	11,422.00	18,500.00	18,500.00	19,500.00
Other Governmental							
101-302-40200	Municipal Assistance FY 2008	.00	178,869.00	.00	178,669.00	.00	.00
101-302-40205	Raw Fish Tax	610,915.99	631,642.28	905,046.98	750,000.00	905,046.98	900,000.00
101-302-40207	Small Muni Energy Asst	82,682.00	.00	.00	.00	.00	.00
101-302-40210	Liquor Licenses	16,650.00	16,300.00	13,150.00	16,000.00	16,000.00	16,000.00
101-302-40215	Share Revenue - General	.00	.00	209,068.00	.00	209,068.00	209,000.00
101-302-40220	National Forest Receipts	36,810.43	37,528.92	37,910.42	37,530.00	37,530.00	38,000.00
101-302-40225	Utility Cooperative Refunds	70,304.68	77,465.71	90,469.92	75,000.00	75,000.00	77,000.00
101-302-40230	Shared Fisheries Tax	25,460.48	47,299.67	22,458.09	35,000.00	35,000.00	35,000.00
101-302-40235	Coastal Zone Grant	12,292.41	8,909.29	6,750.00	10,500.00	10,500.00	6,350.00
101-302-40239	Pension State Relief	79,566.80	98,837.00	211,035.00	.00	211,035.00	.00
101-302-40240	Library Grant	10,550.00	6,350.00	6,350.00	6,250.00	6,250.00	6,500.00
Total Other Governmental:		945,232.79	1,103,201.87	1,502,238.41	1,108,949.00	1,505,429.98	1,287,850.00
Leases & Rents							
101-303-40300	Interest Income	112,252.52	183,428.99	69,112.84	220,000.00	220,000.00	130,000.00
101-303-40310	Cordova Industrial Park Leases	13,859.85	18,846.54	15,992.20	75,000.00	75,000.00	70,000.00
101-303-40320	N. Containment Dike Lease	39,162.13	17,015.81	20,113.52	.00	.00	.00
101-303-40330	S. Containment Dike Lease	28,098.72	29,493.04	30,479.09	.00	.00	.00
101-303-40340	Boat Trailer Space Rental	8,625.00	11,035.00	12,000.00	9,500.00	9,500.00	9,500.00
101-303-40345	Harbor Parking Permits	620.00	420.00	300.00	600.00	600.00	600.00
101-303-40350	Other Land Leases	20,102.32	18,062.77	17,855.60	.00	.00	.00
101-303-40360	Other Building Leases	3,850.00	3,670.13	2,747.00	3,850.00	3,850.00	3,850.00
Total Leases & Rents:		226,570.54	281,972.28	168,600.25	308,950.00	308,950.00	213,950.00
Law Enforcement							
101-304-40245	Public Safety - Jail	133,527.67	139,661.00	139,661.00	135,000.00	135,000.00	140,000.00
101-304-40250	Surcharge - SOA	132.50	.00	.00	.00	.00	.00
101-304-40265	State Dispatch Services	.00	.00	.00	.00	.00	4,725.00
101-304-40267	USFS Dispatch Services	2,362.50	4,725.00	6,150.00	6,150.00	6,150.00	6,150.00
101-304-40268	FEMA Revenue	.00	16,376.00	.00	.00	.00	.00
101-304-40371	Citations	8,486.50	7,227.00	8,642.00	6,500.00	6,500.00	6,500.00

09 Budget *Steve A. Hahn*

Gordon Scott, Box 847, Girdwood AK 99587
To the Board of Fisheries

December 6, 2008

Re: Commercial Spot Shrimp Management Plan

Determination of Pot Limit and other items in 5 AAC 31.224 (e) for the PWS Spot Shrimp Commercial Fishery

Proposed Language:

The maximum number of shrimp pots that may be operated in 2009 from a vessel is 100. In future years this pot limit will be raised and lowered each year in a direct proportion to the ratio of the future GHL divided by the 2009 GHL

(There should be no other language about the department being able to alter the pot limit.)

Background:

There are concerns about the economic viability of the fishery. The ability for a fisherman to make ends meet financially is directly related to the amount of gear he is allowed to use. In public comments, I and others expressed concern that a fisherman may need 150 or 200 pots to make this fishery profitable. There are other elements which interplay in this equation, many of which can not be controlled, so one may not be able to draw an exact line as to how many pots it would take to be profitable. One of the controllable other factors which affects economic viability is the restriction to fishing for 8 hours per day.

Justification:

The Catch per Unit Effort is an unknown in this fishery, and will change through time. Regulations need to be put into effect which can ensure an economically viable fishery now and in the future.

The Department should not be able to change the pot limit. They have many other regulatory tools to manage the fishery.

Conclusion:

I support a pot limit of 100 pots, as potentially being marginally economically viable. To ensure such viability, please consider making it closer to 150 pots.

If the resource gets stronger, then there is a mechanism to allow the fishery to become more economically viable.

I accept the biological concerns expressed about catching more of the "too small" shrimp by increasing hours, and will accept 8 hours per day with increased pot limits.

Gordon Scott, Box 847, Girdwood AK 99587
To the Board of Fisheries

December 6, 2008

Re: Commercial Spot Shrimp Management Plan

Determination of Guideline Harvest Level (GHL) for the PWS Spot Shrimp
Commercial Fishery

Proposed Language:

The guideline harvest for shrimp harvested by pot gear will be calculated as 93% of the remainder of the Harvestable Surplus after reduction by the high end of the C&T determination for subsistence.

Or

GHL = 93% of (Harvestable Surplus minus the High end of the Customary and Traditional (C&T) Use Range)

(Harvestable Surplus is equivalent to Surplus Production (SP))

Background:

ADFG determined current Surplus Production (SP) for Spot Shrimp = 96,500 pounds
(from RC 4 – Tab 6: p.7)

C&T range is 9,000 to 15,000 pounds for subsistence. Determined in 2000 by BOF.
(from RC 54: p. 12)

Justification:

The commercial fishery in the 1980's was a very large percent of the total catch at the time, averaging 206,263 pounds per year from 1980 – 1988 (RC 4 – Tab 6: p.1). Non commercial fisheries existed at the time (RC54, p. 12), with no available catch data, and no user proportion data, so an exact percent can not be calculated. Non commercial fisheries comprised mainly local Whittier residents who occasionally caught some shrimp, and recreational boaters catching a few shrimp for dinner or to take home. If the high end of the C&T range was the actual catch during that period, the non-commercial share would have been 6.8% of the entire catch for that period. It is probably more likely that the non-commercial catches were closer to the mid-range of the C&T, which would have represented 4.2% of the entire catch. The stock of spot shrimp was considered to be quite healthy at the time, with the GHR being increased twice: Mid-lines of the range set to 115,000 pounds in 1982, and to 175,000 pounds in 1985.

The oilspill early in 1989 interrupted the season, and for various reasons (some unknown) the fishery collapsed at that time. Limited commercial openings in 1990 and 1991 showed how depressed the stock was, and the commercial fishery has been closed since that time.

From RC 54, page 5, slide 10, the actual non-commercial catch from 1994 through 2000 was in the 4,000 – 6,000 pound range. These poundage totals included subsistence, personal use, and sport fisheries. During that time, per person and per vessel limits were more liberal for subsistence than those for sport and personal use. Therefore, it is highly likely that the majority of that 4,000 – 6,000 pound range was caught under the subsistence umbrella.

From 2001 through 2005, a permit was required for all of the three non-commercial categories, and the pot and vessel limits were equal for either of the uses. The Department has theorized in Committee that users who returned the permits more or less randomly checked which of the 3 categories they were fishing under, and that to break the poundage up by category would most likely not be reflective of the fishermen's intentions. Therefore it would be improper to say that the subsistence use was a dominant or otherwise component of those catch years.

From 2001 through the present the subsistence use may have remained the same as before or increased slightly, as evidenced by the fairly level catches (of which subsistence probably made up the majority) from 1994 through 2000. The increased catches after that time are largely sport and personal use.

Conclusion:

A healthy commercial fishery used to co-exist with a healthy and adequate non-commercial fishery. At that time, the best information available says that they co-existed with a ratio of utilization of approximately 93% to 96% commercial and 4% to 7% non-commercial. The commercial fishery was closed "until the stock recovers and the board has approved a management plan..." (5 AAC 31.260)

While the stock was depressed and rebuilding, the non-commercial fisheries have enjoyed 100% of the utilization of the resource. The non-commercial fisheries have been booming, and there has not been anywhere near full exploitation of the resource.

The currently proposed management plan offers commercially closed productive waters near ports and villages. And there are no locations that are closed to non-commercial fishers. the utilization of the resource should be returned to it's historical proportions. A C&T determination has been made for subsistence use that is considerably higher than documented subsistence landings for the history of this fishery to the present time.

By allocating the C&T number off the top of the Harvestable Surplus to subsistence, the remainder of the harvestable surplus should be allocated 100% to the commercial fleet. To account for possible claims of uncertainties as to whom exactly are subsistence users and who are sport and personal users, 7% of that remainder (after C&T deduction) should go towards non-commercial fishers. There is ample opportunity and space for the non-commercial users to catch their shrimp. This leaves 93% of the remainder for commercial utilization, and nearly a quarter of the total allowable catch for non-commercial fishers.

RC109

Committee B, Proposals 34-37

NOTES FOR ALASKA BOARD OF FISHERIES REGARDING POTENTIAL
ALLOWANCE FOR LONGLINE GEAR IN PRINCE WILLIAM SOUND STATE
WATER COD FISHERY:

From Chris Oliver, NPFMC, 12/6/08

Presuming allowance of longline gear and an assumed catch of 1 million lbs, during a March/April timeframe, we reviewed data from several observed longline hauls in GOA fisheries during similar timeframes (3-month average) from 2007 and 2008.

Halibut bycatch ranged from 150kg/mt to 280 kg/mt. Given those rates, and presumed discard mortality rates for this gear type (used by IPHC, NMFS, and NPFMC) resulting overall bycatch mortality could range from 10 mt to 20 mt (**or around 20,000 to 40,000 lbs**). This does not take into account that amount which might be covered by IFQs.

This would not accrue against the federal halibut PSC limits for GOA fixed gear fisheries (which is 290 mt for hook and line fisheries), so there would be no direct impact in that regard. There are no conservation concerns, as the IPHC would likely take estimated halibut bycatch mortality from this fishery into account when they establish annual CEY (catch limits). Therefore, some impacts could be experienced by halibut IFQ holders in the central GOA (IPHC Area 3A).

The intent of the following proposals; 18, 19, 20 and 26 were submitted to garner accountability of inriver reporting requirements to assist in the management of the inriver fisheries. Throughout this meeting, there has been extensive testimony from various user groups concerning the lack of information in assessing inriver salmon harvest.

Representatives of several user groups, and Department staff, recently met to discuss issues related to inriver fisheries, specifically hoping to develop language to address the concerns surrounding the management of supplemental harvests. This meeting arose out of discussion on Proposal 23 during Committee A. At this meeting, we were able to gain consensus on problems with the current system allowing surplus stocks to escape the dipnet fishery unmolested while discrete wild stocks of concern are over-pressured. However, every proposed solution hit the same wall in that no inseason data are available to managers to allow them to manage the fishery. Quite simply, how can the managers hope to manage supplemental harvests for surplus fish, let alone allocated harvests, when they don't even know how many fish are being harvested inseason?

During the 2005 Board of Fish hearings, the Ahtna Tene Nene' Subsistence Committee submitted Proposal 9 - 5 AAC 01.647 concerning the illegal overharvest of salmon in the Copper River, however nothing was done to address this issue.

During the 2002 Board of Fish hearings, Copper River/Prince William Sound Advisory Committees submitted Proposal 37 - 5 AAC 01.630 concerning the lack of timely, accurate and effective harvest reporting in the Chitina Subdistrict fishery, again nothing was done to address this issue.

The Office of Subsistence Management (OSM) has also recently recognized the aforementioned issues as priority needs. The following are the two priority information needs for the Southcentral Region Copper River salmon as currently stated on the OSM website <http://alaska.fws.gov/asm/index.cfm>:

- Determine the validity and reliability of Federal and State permit estimates of subsistence harvests from the Upper Copper River. Of particular interest is a one to two year study that focuses on harvest reporting.
- Estimate total run abundance and obtain reliable estimates of spawning escapement Chinook salmon.

More accurate inriver harvest reporting needs to extend to all user groups and not target any one specific group. There is consensus by the general public and user groups that more accurate and timely reporting is needed for the sustainability and management of salmon. Review of the current reporting system is needed and the Board should develop recommendations to improve this reporting system. Furthermore, this is not intended to be an allocation issue but a reporting issue based on conservation concerns by all user groups.

Copper River Native ^{FISHERMEN/CCUR} SSC
 Dan C. Bjorklund
 Jen K. Remmer CR/PWS
 Brad Bruehl CDFW
 Mark Hem CDA
 [Signature] NWE
 [Signature] Aaron Bloomquist
 [Signature] John Yu HAB - self

Darryl Olson President of K.R.A.

Substitute language for proposal 43

5 AAC 28.089. Guiding principles for groundfish fishery regulations.

(b) is amended to read:

(b) The provisions of this section do not apply to the groundfish fisheries in the Eastern Gulf of Alaska Area, **and Prince William Sound Area.**

RC 112

Anchorage AC Request for Reconsideration of Props. 107-109

RE: RC – 90

RC – 57

Pros

August 1-10 fishing	August 1-10 fishing
Protect June Fish	Protect June Fish
+5% Fishing Opportunity (Tonsina, Mainstem)	+20% Economic Impact
	+20% Fishing Opportunity (Klutina)
	+40% Fishing Opportunity (Tonsina, Mainstem)

Cons

-10 Economic Impact	Slightly Complicate Regulations
-10% Fishing Opportunity (Klutina)	No Bait June and August
-5% Fishing Opportunity (Upper Klutina, Local Cabins)	

NEUTRAL ALLOCATION-Both

According to ADF&G Testimony, removing bait from a fishery will reduce take by 50%. This data comes from the Deshka River, a clear-water stream. The Klutina and Tonsina are Glacial streams as cloudy, or more so than the Kenai. Elimination of bait on the Kenai has shown to reduce take by at least 80%. Thus, eliminating bait on these drainages for more than half of the season will NOT increase take, it will likely decrease take. The extra fishing opportunity on the Tonsina will be insignificant due to very low angler effort.

Percentages are based on a the current seasons (fishing start June 15-July 31 – Klutina, Fishing Start June 15- July 19 Tonsina and Mainstem)

Prop 36

RC 113

5 AAC 28.267(c) is amended by adding a new paragraph to read:

(c) The commissioner shall open, by emergency order, a state waters season in the Prince William Sound Area seven days following the closure of the directed federal season in the Central Gulf of Alaska and shall close by emergency order, the state waters season as follows:

.....

(3) for longline gear, when the guideline harvest level is reached or on or before May 1;

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 115526
JUNEAU, AK 99811-5526
PHONE: (907) 465-4100
FAX: (907) 465-2332

RC 114

During the 2003 season, escapement at the Coghill River weir remained consistently above the daily sustainable escapement goal with a final sockeye salmon escapement to Coghill Lake estimated at 75,427 fish.

In response to elevated levels of escapement, the department opened the portion of the Coghill District north of Point Pakenham to commercial **purse seine** harvest for two 60-hour and one 84-hour period. Purse seine harvests were as follows from that portion of the Coghill District (223-30),

District	Period	Dates	Hours	Permits	Chinook Number	Sockeye Number	Coho Number	Pink Number	Chum Number
223-30	13	July 15-17	60	5	1	1,665	0	18,492	734
223-30	14	July 18-20	60	0	0	0	0	0	0
223-30	15	July 21-24	84	1	0	0	0	8,267	19

During these periods the Esther Subdistrict of the Coghill District was open to purse seine harvest as were other districts in Prince William Sound.

Seine harvest for the remainder of the Coghill District was as follows for these periods,

District	Period	Dates	Hours	Permits	Chinook Number	Sockeye Number	Coho Number	Pink Number	Chum Number
223 (excl -30)	13	July 15-17	60	16	0	12,494	66	113,440	11,061
223 (excl -30)	14	July 18-20	60	9	1	4,780	5	103,132	3,116
223 (excl -30)	15	July 21-24	84	0	0	0	0	0	0

While the department offered fishing opportunity to the seine fleet in the upper Coghill District, seine permit holders elected to remain in the southern portion of the Coghill District and not harvest a significant number of the returning Coghill Lake sockeye salmon.

Committee "C"
Dated: 7/1/03 7:30 PM

COMMERCIAL FISHING

Alaska Department of Fish and Game

emergency order

under authority
of AS 16.05.060

No: 2-F-E-074-03

Issued 2:00 p.m. Saturday July 19, 2003
at Cordova

Effective: 8:00 a.m.
Sunday July 20, 2003

Expiration: December 31, 2003 unless superseded
by subsequent emergency order

EXPLANATION: The Coghill District north of Point Pakenham at 61° 00.384' N. latitude will open to purse seine and drift gill net gear for an 84-hour fishing period from 8:00 a.m., Monday, July 21 until 8:00 p.m., Thursday, July 24. The anadromous stream closure for Coghill River will not be in effect.

REGULATION: Under authority of 16.05.060 the Department of Fish and Game hereby orders the following:

5 AAC 24.320. WEEKLY FISHING PERIODS. (c) In the Coghill District north of Point Pakenham at 61° 00.384' N. latitude, salmon may be taken for an 84-hour period from 8:00 a.m., Monday, July 21 until 8:00 p.m., Thursday, July 24.

5AAC 24.350 CLOSED WATERS. (6)(B) College Fiord. Regulatory closed waters of Coghill Lagoon will not be in effect for the fishing periods as described in this emergency order.

Kevin C. Duffy
Commissioner

by delegation to: _____

Dan Gray
Area Management Biologist

JUSTIFICATION: As of July 18 the Coghill River weir has passed 64,289 sockeye salmon versus an anticipated count of 19,387 sockeye salmon. The Coghill River Biological Escapement Goal of 20,000 to 40,000 sockeye salmon has been exceeded. It is projected that the Coghill District pink salmon escapement goal of 125-275,000 has been achieved.

DISTRIBUTION: Commercial processors, Director of Commercial Fisheries, Commercial Fisheries Management Regional Supervisor, Division of Subsistence Anchorage, Fish and Wildlife Protection Officers, Lt. Governor, Asst. Attorney General, Magistrate DeNapoli, Director of Boards Fisheries, U.S. Coast Guard.

COMMERCIAL FISHING

Alaska Department of Fish and Game

emergency order

under authority
of AS 16.05.060

No: 2-F-E-064-03

Issued 2:00 p.m. Wednesday July 16, 2003
at Cordova

Effective: 8:00 a.m.
Thursday July 17, 2003

Expiration: December 31, 2003 unless superseded
by subsequent emergency order

EXPLANATION:

The Coghill District north of Point Pakenham at 61° 00.384' N. latitude will be open to purse seine gear for a 60-hour fishing period from 8:00 a.m., Friday, July 18 until 8:00 p.m., Sunday, July 20. The anadromous stream closure for Coghill River will not be in effect.

REGULATION: Under authority of 16.05.060 the Department of Fish and Game hereby orders the following:

5 AAC 24.320. WEEKLY FISHING PERIODS. (c) In the Coghill District salmon may be taken with purse seine gear north of Point Pakenham at 61° 00.384' N. latitude for a 60-hour fishing period from 8:00 a.m., Friday, July 18 until 8:00 p.m., Sunday, July 20.

5AAC 24.350 CLOSED WATERS. (6)(B) College Fiord. Regulatory closed waters of Coghill Lagoon will not be in effect for the fishing periods as described in this emergency order.

Kevin C. Duffy
Commissioner

by delegation to: _____

Dan Gray
Area Management Biologist

JUSTIFICATION: As of July 15 the Coghill River weir has passed 59,305 sockeye salmon versus an anticipated count of 18,050 sockeye salmon. The Coghill River Biological Escapement Goal of 20,000 to 40,000 sockeye salmon has been exceeded. The Coghill District pink salmon escapement goal of 125-275,000 is anticipated to be achieved in the near future. The Coghill District north of Esther Pass has been open to drift gillnet gear almost continuously since June 30. Despite near unlimited fishing time for the last two weeks, escapement into Coghill River has approached a level that could potentially have detrimental results on future runs. In an effort to limit the large escapement, seine gear will be allowed in the area prior to the July 21 starting date listed under 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN (5)(B).

DISTRIBUTION: Commercial processors, Director of Commercial Fisheries, Commercial Fisheries Management Regional Supervisor, Division of Subsistence Anchorage, Fish and Wildlife Protection Officers, Lt. Governor, Asst. Attorney General, Magistrate DeNapoli, Director of Boards Fisheries, U.S. Coast Guard.

COMMERCIAL FISHING
Alaska Department of Fish and Game
emergency order

under authority
of AS 16.05.060

No: 2-F-E-063-03

Issued 2:00 p.m. Monday July 14, 2003
at Cordova

Effective: 8:00 a.m.
Tuesday July 15, 2003

Expiration: December 31, 2003 unless superseded
by subsequent emergency order

EXPLANATION: The Coghill District north of Point Pakenham at 61° 00.384' N. latitude will be open to purse seine gear for a 60-hour fishing period from 8:00 a.m., Tuesday, July 15 until 8:00 p.m., Thursday, July 17.

REGULATION: Under authority of 16.05.060 the Department of Fish and Game hereby orders the following:

5 AAC 24.320. WEEKLY FISHING PERIODS. (c) In the Coghill District salmon may be taken with purse seine gear north of Point Pakenham at 61° 00.384' N. latitude for a 60-hour fishing period from 8:00 a.m., Tuesday, July 15 until 8:00 p.m., Thursday, July 17.

5AAC 24.350 CLOSED WATERS. (6)(B) College Fiord. Regulatory closed waters of Coghill Lagoon will not be in effect for the fishing periods as described in this emergency order.

Kevin C. Duffy
Commissioner

by delegation to: _____

Dan Gray
Area Management Biologist

JUSTIFICATION: As of July 13 the Coghill River weir has passed 57,400 sockeye salmon versus an anticipated count of 16,800 sockeye salmon. The Coghill River Biological Escapement Goal of 20,000 to 40,000 sockeye salmon has been exceeded and a significant run entry continues. It is projected that the Coghill Lake pink salmon escapement goal of 125-275,000 will be achieved in the near future. The Coghill District north of Esther Pass has been open to drift gillnet gear almost continuously since June 30. Despite near unlimited fishing time for the last two weeks, escapement into Coghill River has approached a level that could potentially have detrimental results on future runs. In an effort to limit the large escapement seine gear will be allowed in the area prior to the July 21 starting date listed under 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN (5)(B).

DISTRIBUTION: Commercial processors, Director of Commercial Fisheries, Commercial Fisheries Management Regional Supervisor, Division of Subsistence Anchorage, Fish and Wildlife Protection Officers, Lt. Governor, Asst. Attorney General, Magistrate DeNapoli, Director of Boards Fisheries, U.S. Coast Guard.

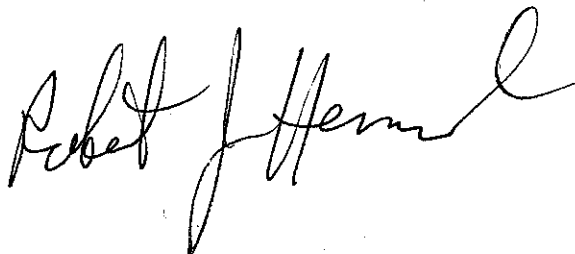
18, 19, 20 and 26. In-season reporting in the Copper River in-river fisheries.

Please refer to RC 110 for discussion of the issue and consensus of user groups for the need for in season data and management.

RECOMMENDED BOARD ACTION:

Establish a board subcommittee with representatives from the public that represent all user groups. This subcommittee should be tasked with gathering data and coming up with an in season management plan and reporting system for the Copper River in-river fisheries and will report to the board its recommendations.

Submitted by Native Village of Eyak.

A handwritten signature in black ink, appearing to read "Robert J. Hermal". The signature is written in a cursive style with a large, sweeping flourish at the end.

RC 116

Corrections needed on RC-49: Committee A Report:

Page 33, Proposal 27, Narrative of Support and Opposition:

The following statements were omitted:

- There was only 681 sockeye counted through the Long Lake weir.
- No historical fishing on the Chitina River.

Native Village of Eyak

Committee A Report, Page 22, Proposal 18.

In reference to the public comment stating "the fishery is in a remote area with limited cell phone coverage making it difficult to report harvests". Please see Figure A. In our experience, cell phone coverage in the Copper Basin is excellent, with full digital coverage provided by fiber optic lines to Chitina, Copper Center, Glennallen, and everywhere in between. We have found reliable cell phone service at the Chitina-McCarthy Bridge and O'Brien Creek, and along the entire stretch of the Richardson Highway between the Edgarton cutoff and the Tok cutoff, covering major fishing hotspots in Copper Center, on the Klutina, Tonsina and Gulkana. High speed wireless internet hotspots are prevalent throughout all communities of the Basin. The argument that reporting would be too difficult in these areas is simply not valid.

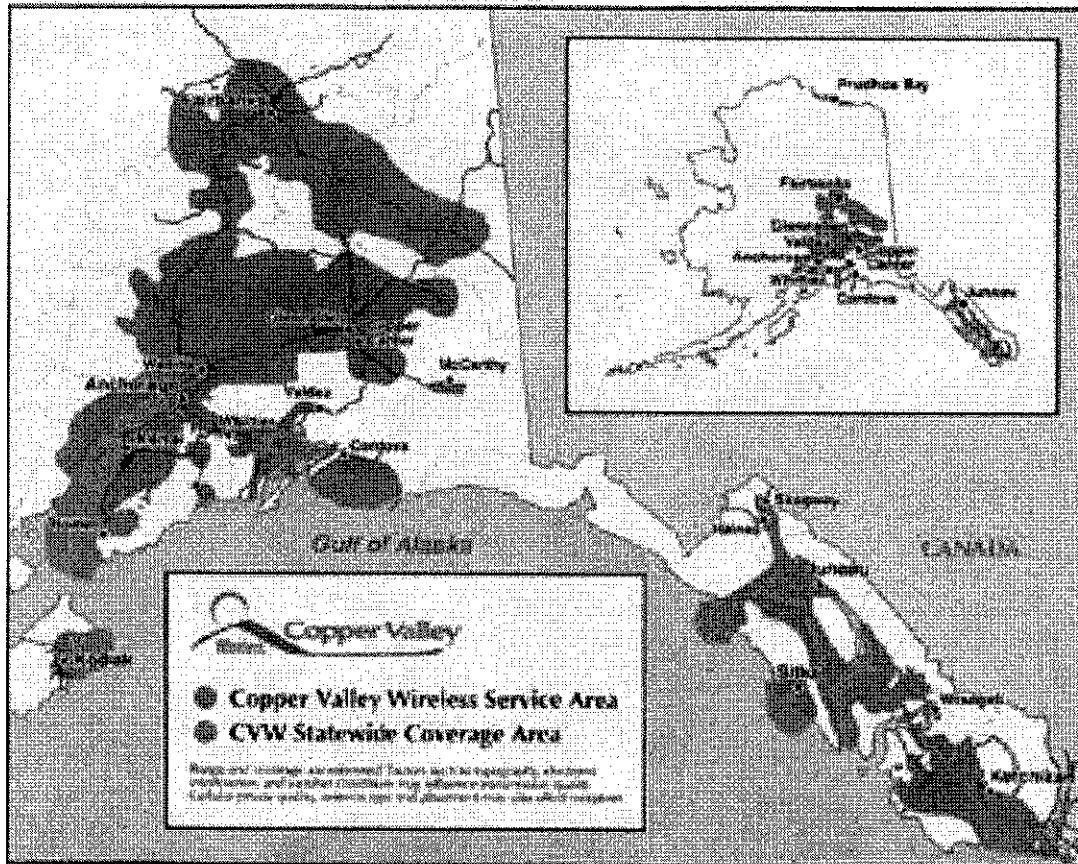


FIGURE A. Copper Valley Wireless cell phone coverage map

Native Village of Eyak

DRAFT PWS COMMERCIAL POT SHRIMP MANAGEMENT PLAN

5 AAC 31.260. PRINCE WILLIAM SOUND POT SHRIMP FISHERY MANAGEMENT PLAN. (a) The Prince William Sound pot shrimp fishery expanded dramatically during 1979 – 1987, declined during 1988-1991 and ultimately remained closed from 1992-2008. Two species of shrimp are harvested in this fishery; spot shrimp *Pandalus platyceros* and coonstripe shrimp *Pandalus hypsinotus*. Spot shrimp historically comprised greater than 95 percent of the harvest. Therefore, it is necessary to base management of this fishery on spot shrimp.

(b) The Alaska Board of Fisheries recognizes the need for conservative management of shrimp fisheries in the established fishing area of western Prince William Sound. Management of the fisheries in this area are described in 5 AAC 31.200 – 260

5 AAC 31.206. AREA E REGISTRATION (is amended to read)

a) Registration Area E is a nonexclusive registration area for vessels fishing for shrimp with trawl gear.

c) Registration Area E is a superexclusive registration area for vessels fishing for shrimp with pot gear.

d) A vessel participating in the Area E shrimp pot fishery must obtain an area registration by close of business April 1.

5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.

a) Shrimp may be taken in those waters of the Inside District west of a line from Middle Point at 60° 20.00' N. lat., 147° 00.00' W. long. north to a point at 60° 40.00' N. lat., 147° 00.00' W. long., then northeast to the Coast Guard marker light on Goose Island to Knowles Head from April 15 to September 15 unless closed by emergency order. Fishing within this area will be rotated on an annual basis between the following areas:

- (1) waters north of 60° 40.00' N. lat. and east of 148° 00.00' W. long.
- (2) waters south of those described in (1) above and north of 60° 25.00' N. lat.
- (3) waters south of 60° 25.00' N. lat.

b) In all other waters of Registration Area E, shrimp may be harvested only under the terms of a commissioner's permit. The permit may restrict gear, fishing areas, and fishing periods and allowable harvest and other conditions the commissioner determines necessary for the conservation and management of the resource.

5 AAC 31.215. Shrimp pot guideline harvest ranges for Registration Area E.

a) The guideline harvest for shrimp harvested from the area described in 5 AAC 31.210 (a), by pot gear will be calculated as xx% of the total allowable harvest for the area.

5 AAC 31.224. Lawful shrimp pot gear for Registration Area E.

a) Shrimp may be taken with pots in Registration Area E only as specified in this section.

(b) A shrimp pot may not have

- (1) more than one bottom
- (2) a vertical height of more than 24 inches;

(3) more than four tunnel eye openings, which individually do not exceed 15 inches in perimeter

(4) a bottom perimeter exceeding 124 inches

(c) The sides of a shrimp pot may only be

(1) at a right angle to the plane of the bottom of the pot; or

(2) slanted inward toward the center of the pot in a straight line from the bottom of the pot to the top of the pot.

(d) A shrimp pot must be entirely covered with net webbing or rigid mesh. At least two adjacent sides or 50 percent of the vertical or near-vertical sides must be covered with net webbing or rigid mesh that allows the passage of a seven-eighths inch diameter by 12 inch long wooden dowel, which upon insertion into the web, must drop completely through by its own weight, without force.

(e) Shrimp pots may be operated only as follows

(1) the maximum number of shrimp pots that may be operated from a vessel is 50.

(2) the department will announce annually, prior to the start of the commercial fishery, the number of pots per vessel that may be operated in the commercial fishery for that season. In determining the annual pot limit the department will consider the total number of registered vessels, estimated catch per unit of effort, and the magnitude of the GHL.

(3) a vessel operator may have only shrimp pot gear owned by that person on board the vessel at any time.

(4) shrimp pot gear may be deployed or retrieved only from 8:00 a.m. until 4:00 p.m. each day ; the commissioner may close, by emergency order, the fishing season in a district or a portion of a district and immediately reopen the season during which the time period allowed to deploy and retrieve shrimp pot gear may be increased or decreased to achieve the guideline harvest level.

(5) all shrimp pots left in saltwater unattended longer than a two-week period must have all bait containers removed and all doors secured fully open.

(f) A registered shrimp vessel may not have, at any time in the aggregate, more than the legal limit of pot gear on board the vessel, in the waters in fishing condition, and in the water in non-fishing condition.

5 AAC 31.226. Shrimp pot marking requirements for Registration Area E. (a) if required by the department, in addition to the requirements of 5 AAC 31.051, each shrimp pot must have one identification tag issued by the department attached to the pot. If required by the department under this section, identification tags will be issued before the fishing season, uniquely numbered for that registration year, and issued at the time of vessel registration for that vessel only. The vessel owner, or the owner's agent, shall apply for identification tags at a department office designated to issue tags. Replacement of tags lost during the season is permitted if the vessel operator submits a sworn statement or affidavit describing how the tags were lost and listing the numbers of the lost tags.

(b) All shrimp pots on board a registered shrimp vessel must be marked as specified in (a) of this section.

(c) Shrimp pots deployed on a longline, consisting of more than five pots, must have at least one buoy attached to each end of the longline. The buoys must be properly marked as specified in 5 AAC 31.051 and the pots must be marked as required in (a) of this section.

5 AAC 31.235. Closed waters in Registration Area E.

(see maps at back – board would have to decide intent for individual closures and ADF&G would provide location information)

5 AAC 31.240. Registration Area E shrimp vessel inspection and inspection points is amended to read:

(b) Unless required under (c) of this section, a vessel fishing for shrimp in Registration Area E is not required to undergo an inspection, as specified in 5 AAC 31.030

(c) The commissioner, by announcement, may require that vessels fishing for shrimp in Registration Area E be inspected as specified in 5 AAC 31.030.

(d) If the commissioner requires a vessel inspection under (c) of this section, the inspection points for Registration Area E are described in (a) of this section.

5 AAC 31.243 Reporting requirements for Registration Area E.

(a) An operator of a vessel participating in the Prince William Sound shrimp pot fishery shall obtain and complete a logbook provided by the department. The vessel operator must have the logbook on board the vessel at all times and must submit to the department, each logbook page that corresponds with each ADF&G fish ticket.

(b) The owner or operator of a catcher-seller vessel registered to take shrimp in Registration Area E shall complete a fish ticket indicating the weight of the shrimp on board by species before any shrimp are removed from the vessel.

(c) Prior to landing shrimp, the owner or operator of a catcher-seller vessel registered to take shrimp in Registration Area E shall contact the Cordova office at a telephone number specified by the department at the time of registration and provide:

(A) the permit holder's name;

(B) the name and ADF&G number of the registered vessel;

(C) the following information for each ADF&G fish ticket that pertains to that trip;

(i) the preprinted fish ticket number;

(ii) the date of landing;

(iii) the statistical areas fished;

(iv) the number of pot lifts for each statistical area;

(v) the round weight of all shrimp taken by species and statistical area.

Alaska Board of Fisheries
Chairman Jensen and members of the Board

Submitted by: CR/PWS Advisory Committee
Cordova District Fishermen United
Native Village of Eyak
Copper River/PWS Native Fishermen Association
Address: Cordova, Alaska

SUBJECT: Request for reconsideration of Proposal 100 & 101

We believe that the Board of Fish has been inconsistent in their findings to oppose Proposals 100 and 101 that proposed to amend regulations seeking to protect the health of spawning salmon stocks in known areas of high traffic in the Copper River Delta.

Cordova's local Advisory Committee is a diverse group, that represents the best interests of the community of Cordova. Committee members include sport fishermen, commercial fishermen, subsistence fishers and hunters, Alaska natives, personal use fishers, local business owners including hospitality, retail and service industries. It is important to note that the Copper River/Prince William Sound Advisory Committee were unanimous in their support of both proposal 100 and 101. Additionally, there is 100% support for this proposal from all local community organizations, including the Native Village of Eyak – the traditional stewards of this area.

NEW INFORMATION

Spawning ground closure for salmon occur all over the State. Many are not closures targeting fishing in general, but closures specifically targeting salmon fishing.

Here are a few examples:

Anchorage Bowl

- Bird Creek: Closed to 500 yards above the mouth;
- Campbell Creek: Multiple areas closed;
- South Fork: All of this area in Eagle River is closed;
- Eklunta River: Upstream of the Glenn Hwy Bridge closed between October 1 to December 31;
- Peters Creek: Closed upstream of the Glenn Hwy;
- Potter Creek: Closed year round.

Kenai Peninsula

- Sucker Creek: In the Swanson River drainage closed year round to salmon fishing;
- Anchor River: Up stream of the confluence of the North and South forks, closed to salmon fishing;
- Deep Creek: Upstream of the ADFG markers, closed year round to salmon fishing;
- English Bay River: Closed to salmon fishing;
- Hidden Lake Creek: Closed year round to salmon fishing;
- Jean Lake Creek: Closed year round to salmon fishing;
- Soldotna Creek: Upstream from ADFG markers are closed year round.

Prince William Sound

- Clear Creek: Upstream of the Carbon Mountain Bridge is closed year round to salmon fishing;
- Eccles Creek: Eyak Lake and its tributaries and Hartney Creek upstream of Whitshed Road are closed year round to salmon fishing;
- All freshwaters draining into Port Valdez inside a line from Allison Point to Mineral Creek, including Mineral Creek are closed to salmon fishing.

Therefore, there is precedence for the Board of Fish to impose restrictions on fishing activity in specific areas of high human traffic that threaten damage and destruction to habitat areas thus impacting the health of spawning salmon.

Proposals 100 and 101 are preemptive approaches that request the Department take a hard look at a growing problem of habitat destruction in salmon spawning ground. Local residents of Cordova have evidenced increased instances of sport fishermen accessing these upriver reaches of Ibeck Creek and 18 mile, and feel it necessary for the Board of Fish to reconsider their decision opposing these proposals to prevent further destruction of these areas.

As evidenced in Proposal 104 as submitted by ADFG, proactive steps to prevent the potential for future damage in an area of growing concern is a standard method of management. Proposal 104 was granted unanimous support by the Board of Fish showing an inconsistency in findings between this decision and the decision made for proposals 100 and 101.

We respectfully request that the Board of Fish reconsider their actions on Proposal 100 and 101, based on the new information as presented above.

Julie K. Auman CR/PWS AC
Bob Auman Natural Village of Eyak
Rud Breele Cordova District Fishermen United
Glenn Bjelke Copper River/PWS Native Fishermen's Assoc

Request for Reconsideration of Props. 107-109

When considering Proposals 107-109 the Board did not consider the effect an early season closure on the Tonsina and Klutina would have on other systems. The Gulkana River is already one of the most popular, if not the most popular, king salmon fishery in the Copper River Valley.

A closure of the Tonsina and Klutina until July 1 will displace fishermen from the mostly the Klutina to the Gulkana during the month of June. This has the potential to drastically increase fishing effort for nearly half (15 Days) of the Gulkana Season (About June 10 to July 19). The Gulkana River has had in-season management actions taken in some recent years to reduce harvest. This amount of increased effort may cause enough extra take to require more in-season closures and restrictions.

The option presented in Proposal #57 will minimize displaced fishermen to the Gulkana by allowing no-bait fishing on the Klutina during June. It will also minimize the take of the generally later female component in the Klutina and Tonsina fish by eliminating the use of bait in August.

From Anchorage Fish & Game AC

Mirroring the concerns outlined in RC-120, and the request for reconsideration of Proposals 107-109 originally suggested in RC112;

When considering Proposals 107-109, the Board did not discuss the effect an early season closure on the Klutina and Tonsina Rivers would have on other systems. The Gulkana River is already one of the most popular chinook salmon sport fisheries in the Copper Basin.

An early season closure on the Tonsina and Klutina Rivers until July 1st will displace fishermen from the Klutina and Tonsina and dramatically increase sportfishing pressure on the Gulkana during the month of June. This will increase fishing effort for nearly half (15 days) of the Gulkana season (~June 10th - July 19th).

Protection of this small, discrete wild run has been the intent of numerous other proposals in this Board cycle, and has been widely accepted as necessary in Board deliberations. The Gulkana River has had inseason management actions taken in some recent years to reduce harvest. This amount of increased effort may cause enough extra take to require more inseason closures and restrictions.

We strongly support reconsideration of Proposals 107-109, and reiterate our original opposition to these proposals. We request the Board overturn their decision and return the regulations to status quo. If the Board chooses to take action restricting fishing on the early end of the season on the Klutina and/or Tonsina, they should also strongly considering mirroring restrictions on the Gulkana River to prevent a shift in fishing pressure to this already heavily utilized system.

CR/PWS Advisory Committee
Cordova District Fishermen United
Native Village of Eyak
CR/PWS Native Fishermen's Association

RC 122

Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

December 7, 2008

Committee B Report (PWS Groundfish, Herring, and Shellfish)

Chairman Jensen and members of the Board,

On behalf of the CDFU Groundfish Division I am submitting comments on **proposals 29, 30, 32, 33, 36, 37, 38, 39, 41, and 44** discussed in Committee B. Please refer also to RC66 and our written comments in PC54 on these proposals.

Proposals 29 and 30. We continue to SUPPORT proposal 30 as the better solution to the problem of predation on blackcod, as discussed in Committee B. Moving the season starting date from March 15 to April 15 will reduce the probability of Orca whale interactions and predation on blackcod. It will also give black cod permit holders who fish in the Copper River salmon fishery adequate time to make a concerted effort to catch their quota, and then reconfigure their vessels for the start of the salmon fishery that occurs around May 15.

Proposal 32. We SUPPORT the substitute language to this proposal provided in the Committee B report, RC47. For clarification, we understand the intent of the substitute language is to allow the retention of lingcod as bycatch in directed fisheries after the lingcod GHL has been reached, in accordance with the current 20% aggregate bycatch provisions in regulation. In other words, the substitute language does not allow an additional 20% lingcod bycatch on top of the current 20% aggregate bycatch provisions. We agree with this.

Although we would prefer to see an increase in the commercial lingcod GHL of 33,000 lbs that is currently set at a very low level unrelated to stock abundance, the substitute language provides an opportunity for some additional commercial harvest. Lingcod stocks are currently healthy, based on our observations fishing, as well as the recreational harvest that has increased substantially from about 60,000 lbs in 1996 to 270,000 lbs in 2007.

This proposal will not affect changes in effort, or fishing patterns to the extent that it could increase the catch of other species.

Proposal 33. Provided that proposal 32 is approved by the Board, we can support NO ACTION on proposal 33. The Committee B substitute language in Proposal 32 will allow for the retention of lingcod caught incidentally in the drift gillnet salmon fishery on the Copper River. However, we recommend that ADF&G provide a news release at the start of the Copper River drift gillnet season, and at the July 1 start of the directed lingcod season describing seasons and regulations for retaining lingcod to educate the fleet.

in the harvest of rockfish. Under the current regulations there is no incentive to discard rockfish because there are no penalties for retaining anything over the 10% bycatch cap.

Proposal 41. We OPPOSE this proposal, and recommend that ADF&G proceed with the pilot skate fishery project before considering any other directed skate fishery.

Proposal 44. We SUPPORT the establishment of the Shrimp management plan as described in RC 118.

Dan Hull, Chairman
CDFU Groundfish Division

RC 123

Information regarding location for December 2009 BOF meeting

Schedule adopted by Board on 10/9/08

List of previous Bristol Bay Finfish meeting locations

Information on residency of Bristol Bay permit holders from CFEC (5 pages)

Recent correspondence to the Board

ALASKA BOARD OF FISHERIES
2009/2010
TENTATIVE MEETING SCHEDULE

**Bristol Bay, Arctic-Yukon-Kuskokwim, and
Alaska Peninsula/Aleutian Islands Finfish;
Statewide General Finfish Provisions;
and Supplemental Issues**

PROPOSAL DEADLINE: 5:00 p.m. Friday, April 10, 2009

<u>Dates</u>	<u>Topics</u>	<u>Location</u>	<u>Comment deadline</u>
October 13-14, 2009 [2 days]	Work Session ACRs, cycle organization, Stocks of Concern	Anchorage Hilton Hotel	Sept. 28, 2009
December 1-8, 2009 [8 days]	Bristol Bay Finfish	Anchorage Hilton Hotel	Nov. 16, 2009
January 26-31, 2010 [6 days]	Arctic-Yukon-Kuskokwim Finfish	Fairbanks Princess Lodge	Jan. 11, 2010
February 2-6, 2010 [5 days]	AK Peninsula/Aleutian Islands	Anchorage Marriott Hotel	Jan. 11, 2010
March 16-20, 2010 [5 days]	Statewide Finfish and Supplemental Issues	Anchorage Hilton Hotel	Mar. 1, 2010

Total Meeting Days: 26

ACR Deadline: August 28, 2009 (45 days prior to worksession)

Adopted 10/9/08; subject to meeting space availability

Alaska Board of Fisheries

Location of Bristol Bay Finfish meetings in prior years:

December 4-12, 2006 in Dillingham

December 9-17, 2003 in Anchorage

Jan. 9-Feb. 1, 2001 in Anchorage (portions of "Mega" meeting)

November 4-14, 1997 in King Salmon

January 17-28, 1995 in Dillingham

January 4-14, 1992 in Dillingham

February 1, 1990 in Anchorage

**CHANGES IN THE DISTRIBUTION OF ALASKA'S
COMMERCIAL FISHERIES ENTRY PERMITS,
1975-2007**

CFEC Report Number 08-5N

Alaska Commercial Fisheries Entry Commission
8800 Glacier Highway Suite 109
P.O. Box 110302
Juneau, Alaska 99811-0302
(907) 789-6160

"nonlocal" to the permit type. He further defined Alaskan domiciles as "rural" or "urban." Non-Alaskans were grouped as a single "nonresident" category. Langdon's conceptual categories are a useful way to examine the geographic distribution of permits. Combinations of Langdon's resident types are used in this report. The resident types are:

ARL: Alaska resident of a Rural community which is Local to the fishery for which the permit applies;

ARN: Alaska resident of a Rural community which is Nonlocal to the fishery for which the permit applies;

AUL: Alaska resident of an Urban community which is Local to the fishery for which the permit applies;²

AUN: Alaska resident of an Urban community which is Nonlocal to the fishery for which the permit applies;

NR: Nonresident of Alaska;

DCCED/CFAB: Signifies permits that have been foreclosed upon by the Department of Commerce, Community and Economic Development (DCCED) or by the Commercial Fishing and Agriculture Bank (CFAB) and have yet to be transferred.

In some cases, ARLs and ARNs will be combined into a "rural" category; AULs and AUNs into an "urban" category; ARLs and AULs into a "local" category; ARNs and AUNs into a "nonlocal" category; and ARLs, ARNs, AULs, and AUNs into an "Alaskan" category.

Decision rules for designating urban/rural and local/nonlocal classifications are described in

Appendix A. For Census 2000, the Census Bureau changed its method of classifying areas as rural or urban. The Census Bureau used advances in geographic information systems (GIS) to automate the urban and rural delineation process. The Census Bureau did not automatically recognize previously existing classifications of rural or urban. There was no "grandfathering" of areas that qualified based on the results of earlier censuses. For details on this process, please see

Appendix A.

Urban and rural designations in this report are based upon the most recent information from

Census 2000. Because editions of this report prior to 2003 used 1990 census criteria, some

changes have occurred in the rural/urban designations. In general, there are now more Alaska

places designated as rural, and consequently more permits issued and held by rural residents.

² The Alaska Urban Local category is not applicable for several administrative areas which have no local communities classified as urban. These include the salmon administration areas of Yakutat, Chignik, Bristol Bay, and the Lower Yukon and the herring administrative areas of Bristol Bay, the Lower Yukon, Nelson Island, Nuntvak Island and Goodnews Bay.

TABLE 4. 2007 Year-end Distribution of Permit Holders by Permit Type and Resident Type*

Permits First Issued in:	All Permits Held By						All Transferable Permits Held By **						All Permits	
	ARL	ARN	AUL	AUN	NR	DCCED/CFAB	ARL	ARN	AUL	AUN	NR	DCCED/CFAB	Alaska Total	Grand Total
1975														
SE Salmon Seine	38	10	137	12	218	0	38	10	137	12	218	0	197	415
SE Salmon Drift Gillnet	134	1	221	8	110	0	134	1	221	8	110	0	364	474
Salmon Power Troll	280	7	474	21	179	0	280	7	474	21	179	0	782	961
Yakutat Salmon Setnet	105	9	0	17	35	0	105	9	0	17	35	0	131	166
PWS Salmon Seine	103	45	0	41	77	0	103	45	0	41	77	0	189	266
PWS Salmon Drift Gillnet	261	72	0	80	124	0	261	72	0	80	124	0	413	537
PWS Salmon Setnet	7	1	0	17	5	0	7	1	0	16	5	0	25	30
Cook Inlet Salmon Seine	63	0	14	0	6	0	63	0	14	0	6	0	77	83
Cook Inlet Salmon Drift	221	6	156	15	173	0	221	6	156	15	173	0	398	571
Cook Inlet Salmon Setnet	243	14	349	2	130	0	243	14	349	2	130	0	608	738
Kodiak Salmon Seine	38	51	163	32	92	1	38	51	163	32	92	1	285	377
Kodiak Salmon Beach Seine	5	5	10	3	8	0	5	5	10	3	8	0	23	31
Kodiak Salmon Setnet	15	3	89	20	61	0	15	3	89	20	61	0	127	188
Chignik Salmon Seine	39	12	0	21	19	0	39	12	0	21	19	0	72	91
Pen/Aleutian Salmon Seine	64	1	4	10	38	1	64	1	4	10	38	1	80	118
Pen/Aleutian Salmon Drift	37	28	4	18	74	1	37	28	4	18	74	1	88	162
Pen/Aleutian Salmon Setnet	75	2	0	17	19	1	75	2	0	17	19	1	95	114
Bristol Bay Salmon Drift	395	160	0	314	985	7	395	160	0	314	985	7	876	1,861
Bristol Bay Salmon Setnet	363	68	0	240	311	1	325	65	0	229	297	1	672	983
	2,486	495	1,621	888	2,664	12	2,448	492	1,621	876	2,650	12	5,502	8,166
1976														
Upper Yukon Salmon Gillnet	27	2	29	6	2	0	27	2	29	6	2	0	64	66
U Yukon Salmon Fish Wheel	83	4	29	7	1	0	83	4	29	7	1	0	123	124
Kuskokwim Salmon Gillnet	566	3	161	25	4	3	566	3	161	25	4	3	758	762
Kotzebue Salmon Gillnet	20	6	111	17	4	0	20	6	111	17	4	0	154	158
Lower Yukon Salmon Gillnet	578	22	0	75	7	0	578	22	0	75	7	0	675	682
Norton Sound Salmon Gillnet	122	4	14	14	1	0	122	4	14	14	1	0	154	155
	1,396	41	344	144	19	3	1,396	41	344	144	19	3	1,928	1,947
1977-1978														
SE Roe Herring Seine	5	5	18	5	13	0	5	5	18	5	13	0	33	46
SE Herring Gillnet	18	0	63	0	27	0	18	0	63	0	27	0	81	108
PWS Roe Herring Seine	23	30	0	27	25	0	23	30	0	27	25	0	80	105
Cook Inlet Herring Seine	32	4	7	12	20	0	32	4	7	12	20	0	55	75
	78	39	88	44	85	0	78	39	88	44	85	0	249	334
1980-1987														
Salmon Hand Troll	414	11	492	36	130	0	285	6	321	23	99	0	953	1,083
NSEI Sablefish Longline	5	3	29	1	7	0	5	3	29	1	7	0	38	45
SSEI Sablefish Longline	0	1	7	0	2	0	0	1	7	0	2	0	8	10
SSEI Sablefish Pots	1	0	0	0	0	0	1	0	0	0	0	0	1	1
SE Red,Blue King Crab Pot	0	0	3	0	0	0	0	0	3	0	0	0	3	3
SE Red,Blue,Brn Kng Crb Pot	0	0	5	0	0	0	0	0	4	0	0	0	5	5
SE Brown King Crab Pot	0	0	7	0	0	0	0	0	4	0	0	0	7	7
SE Red,Blue King/Tanner Pot	1	0	12	0	0	0	1	0	12	0	0	0	13	13
SE Brown King/Tanner Pot	1	0	2	0	0	0	1	0	2	0	0	0	3	3
SE All King/Tanner Pot	1	1	22	0	1	0	1	1	21	0	1	0	24	25
SE Tanner Crab Pot	4	0	13	0	2	0	4	0	13	0	2	0	17	19
PWS Roe Herring Gillnet	17	0	0	6	1	0	17	0	0	6	1	0	23	24
PWS Her Spawn on Kelp Pound	46	23	0	17	40	2	46	23	0	17	40	2	88	128
Kodiak Roe Herring Seine	6	11	29	6	15	0	4	10	26	6	9	0	52	67
Kodiak Roe Herring Gillnet	7	15	46	10	11	0	7	13	41	9	11	0	78	89
Kodiak Roe Her Seine/Gill	1	0	1	0	0	0	0	0	1	0	0	0	2	2
	504	65	668	76	209	2	372	57	484	62	172	2	1,315	1,524
1988-1991														
BBay Herring Spawn on Kelp	235	7	0	11	11	2	235	7	0	11	11	2	255	266
Norton Sd Her Beach Seine	0	0	0	0	4	0	0	0	0	0	4	0	0	4
Nelson Island Her Gillnet	101	5	0	9	2	0	101	5	0	9	2	0	115	117
Numivak Island Her Gillnet	21	2	0	10	3	0	20	2	0	9	3	0	33	36
Lower Yukon Herring Gillnet	56	3	0	3	2	0	50	1	0	1	0	0	62	64
Norton Sd Herring Gillnet	105	47	5	37	58	1	105	47	5	37	58	1	195	253
	518	64	5	70	80	3	511	62	5	67	78	3	660	740

TABLE 4. 2007 Year-end Distribution of Permit Holders by Permit Type and Resident Type*

Permits First Issued In:	All Permits Held By						All Transferable Permits Held By **							
	ARL	ARN	AUL	AUN	NR	CFAB	DCCED/CFAB	ARL	ARN	AUL	AUN	NR	CFAB	DCCED/CFAB

SE Dungeness Ring Net	3	0	0	1	0	0	0	0	0	0	0	0	0	0	4
SE Dungeness Dive	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
SE Dungeness 300 Pot	0	0	0	38	0	0	0	0	0	0	0	0	0	0	42
SE Dungeness 225 Pot	11	0	0	24	0	0	0	0	0	0	0	0	0	0	35
SE Dungeness 150 Pot	29	0	0	40	0	0	0	0	0	0	0	0	0	0	70
SE Dungeness 75 Pot	35	1	1	47	2	2	29	29	1	1	1	1	1	1	86
Cook Inlet Dungeness Pot	56	2	2	7	43	2	47	1	1	1	2	2	2	2	67
1997	138	3	3	158	4	4	120	120	2	2	3	3	3	3	305

NSE Her Spawm on Kelp Found	13	0	0	75	0	0	13	0	0	0	0	0	0	0	88
SSE Her Spawm on Kelp Found	84	0	0	68	3	23	71	0	0	0	0	0	0	0	155
SE Shrimp Other Trawl	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SE Shrimp Beam Trawl	10	0	0	10	0	4	10	0	0	0	0	0	0	0	24
SE Shrimp Pot	115	2	2	116	2	28	66	2	2	2	61	1	1	1	263
PWS Sablerfish Net Gear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PWS Sablerfish Fixed 90ft	1	0	0	0	0	0	1	0	0	0	0	0	0	0	1
PWS Sablerfish Fixed 60ft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
PWS Sablerfish Fixed 50ft	8	6	6	0	0	3	8	6	6	0	0	0	0	0	29
PWS Sablerfish Fixed 35ft	5	3	3	0	0	1	5	3	3	0	0	0	0	0	32
1999-2002	236	13	13	269	22	77	174	13	13	200	19	19	68	68	540

SE Urchin Dive	6	1	1	24	2	45	6	1	1	24	2	44	0	0	33
SE Geoduck Dive	13	0	0	45	2	44	4	0	0	19	0	26	0	0	60
SE Cucumber Dive	76	2	2	152	6	76	37	2	2	79	2	35	0	0	236
Goodnews Bay Her Gillnet	31	84	0	11	1	31	83	0	0	11	0	1	0	0	126
Kodlak Fd/Bt Her Seine/Gill	0	0	0	0	0	0	4	0	0	0	0	0	0	0	5
Kodlak Fd/Bt Her Trawl 75ft	1	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Kodlak Fd/Bt Her Trawl 70ft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Kodlak Fd/Bt Her Trawl 60ft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
2004	127	87	226	21	169	79	86	127	15	109	16	461	0	0	630
Kodlak Tur Baridi Pot 120ft	0	1	26	2	6	0	1	26	2	6	2	29	0	0	35
Kodlak Tur Baridi Pot 60ft	13	11	88	9	16	13	11	88	9	16	10	121	0	0	131
Overall Total	5,496	819	3,493	1,280	3,362	22	5,191	804	3,117	1,241	3,235	22	11,110	14,472	166

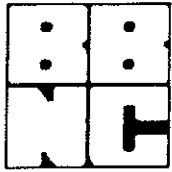
* This table excludes 1,920 permits which were cancelled by CFEC and not reinstated.
 ** By 2007, the net effects of transferable and nontransferable permits changing status through the CFEC adjudication process resulted in the addition of 125 transferable permits.

ARL - Alaskan Rural Local
 ARN - Alaskan Rural Nonlocal
 AUL - Alaskan Urban Local
 AUN - Alaskan Urban Nonlocal
 NR - Nonresident
 DCCED/CFAB - Department of Commerce, Community and Economic Development/Commercial Fishing and Agriculture Bank

2007 Year-End Entry Permit Holders in Bristol Bay Limited Entry Fisheries.

Permit Fishery	Alaska Local Held Held Permits	Alaska Nonlocal Held Permits	Nonresident Held Permits	DCCED/CFAB Held Permits	Total Entry Permits
Bristol Bay salmon drift gill net	395 (21.2%)	474 (25.5%)	985 (52.9%)	7 (.4%)	1861
Bristol Bay salmon set gill net	363 (36.9%)	308 (31.3%)	311 (31.6%)	1 (.1%)	983
Bristol Bay herring spawn on kelp	235 (88.3%)	18 (6.8%)	11 (4.1%)	2 (.8%)	266





Bristol Bay Native Corporation

Enriching Our Native Way of Life

111 W. 16th Avenue, Suite 400 / Anchorage, Alaska 99501-5109 / (907) 278-3602 / fax (907) 276-3925

October 17, 2008

Mr. John Jensen
Chairman, Board of Fisheries
Alaska Department of Fish & Game
P.O. Box 115526
Juneau, AK 99811

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20 2008

BOARDS

Dear Chairman Jensen:

On behalf of Bristol Bay Native Corporation I am urging the Alaska Board of Fisheries to reconsider the December 2009 Bristol Bay fisheries meeting location. We understand that Anchorage was chosen as the meeting site while most Bristol Bay permit holders will be unable to attend due to expenses associated with rapidly increasing costs of living. For this reason alone, we ask the Board of Fisheries to change your meeting location to one of our Bristol Bay communities.

As the Board of Fisheries convenes to discuss issues of importance to the fishery, Bristol Bay permit holders should have access to the meeting. The majority of BBNC shareholder permit holders live in Bristol Bay communities. It is in the State's best interest to hear from Bristol Bay residents who benefit the most from the fishery in terms of local economy, employment and standard of living.

The higher cost of living for Bristol Bay residents, as compared to areas where other permit holders reside, has forced individuals and families to make drastic decisions concerning employment, education, health and wellness. You can see why Bristol Bay Native Corporation would support changing your December 2009 meeting to the heart of the Bristol Bay fishery.

Thank you for your consideration.

Sincerely,

Hjalmar E. Olson
President & CEO
Chairman of the Board

Cc: Jim Marcotte, BOF Executive Director
Joe Chythlook, Regional Coordinator
Bristol Bay Partnership Members

Wassiliisia Bennis
P.O. Box 406
Dillingham, Alaska 99576
jdddj@nushtel.net

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OCT 20 2008

BOARDS

October 16, 2008

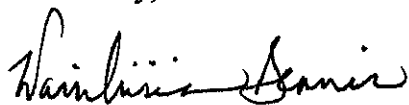
John Jensen, Chairman
Alaska Board of Fisheries
Alaska Department of Fish & Game
P.O. Box 115526
Juneau, Alaska 99811

Dear Chairman Jensen,

I just became aware that the 2009 Board of Fisheries has been set to be held in Anchorage. As a life long resident of Bristol Bay who's family fish in Nushagak, Naknek/Kvichak and Egegik Districts and on behalf of my family from the Bristol Bay region, ask that you please reconsider the Alaska Board of Fisheries decision to hold its 2009 meeting in Anchorage rather than in a Bristol Bay community. The Bristol Bay economy depends on the fisheries and decisions that affect the economy should provide for the greatest amount of local participation. I have participated twice in the process, both times while the meetings were held in Dillingham. Not only did it help me learn the process but the educational benefit was something I would never have received first hand. Being able to testify on the impacts, the proposals and decisions made during this process and express first hand the affects this has on our livelihoods is detrimental in being able to continue to live in our region and the survival of our fisheries as we know it.

Since travel to Anchorage for many fisheries participants is cost prohibitive due to the soaring costs of living in rural areas, I encourage the Board of Fisheries to reconsider its decision and schedule the 2009 Bristol Bay fisheries meeting in the Bristol Bay region.

Sincerely,



Wassiliisia (DeeDee) Bennis
Co-Owner /operator/participant in the Fisheries

Cc: Ralph Anderson, BBNA Chief Executive Officer
Jim Marcotte, BOF Executive Director
Joe Chythlook, Regional Coordinator

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 310
DILLINGHAM, ALASKA 99576
PHONE (907) 842-5257

RECE

OCT 16

October 13, 2008

BOARD

John Jensen, Chairman
Alaska Board of Fisheries
Alaska Department of Fish & Game
P.O. Box 115526
Juneau, AK 99811

Dear Chairman Jensen:

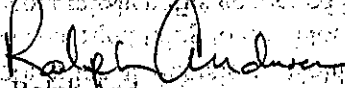
I was very disappointed to hear that the Alaska Board of Fisheries decided to hold its December 2009 meeting on the Bristol Bay fisheries in Anchorage rather than in Dillingham or another community in Bristol Bay. I understand the sentiment driving this decision was that "a majority of Bristol Bay permit holders are from outside the area." This sentiment is not accurate at all. According to information on the State's Commercial Fisheries Entry Commission website, there is about an equal split (50/50) of ownership of drift and setnet permits that are locally owned and those owned outside the area.

I am requesting the Board of Fisheries to reconsider its decision. Holding the 2009 Bristol Bay meeting in Bristol Bay where the fishery occurs is the right thing to do. Not only do the fisheries occur here, but the hundreds of millions of dollars of economic benefits generated by the Bristol Bay fisheries merit the meeting being held here at the source. Furthermore, the local permit owners have much higher costs than those living elsewhere making travel to and from our region more expensive and unaffordable. According to a recent study by the University of Alaska's Institute of Social and Economic Research, rural residents pay 40 percent of their income on energy (gas, home heating fuel and electricity) compared to a meager 4 percent for urban residents. This is compounded by very limited job prospects, ailing economic conditions, and a high cost of living in our communities. Bristol Bay village residents will not likely be able to afford the travel and per diem costs to and from Anchorage. Some may have to choose between paying their monthly bills or paying thousands of dollars for airfare, hotels and meals in Anchorage.

As a matter of fairness, the important restructuring issues, including the 32-foot vessel limit and permit stacking, to be considered at the 2009 meeting requires hearing views from as many fishermen as possible. Those decisions will directly affect their livelihoods and will have a very large impact on our local and regional economies. Holding the meeting in Anchorage will limit the voices you hear to only those who can afford the travel and per diem costs, and will most likely be only voices from out-of-region and out-of-State.

I encourage the Board of Fisheries to reconsider its decision and schedule the 2009 Bristol Bay Fisheries meeting in Bristol Bay.

Sincerely,



Ralph Andersen
Chief Executive Officer

cc: BBNA Executive Committee
Paul Marcotte, BOF Executive Director
Joe Chythlook, Regional Coordinator

Tribal Councils
Served by BBNA:

Aleknagik

Chignik Bay

Chignik Lagoon

Chignik Lake

Clarks Point

Curyung

Egegik

Ekuk

Ekwok

Igiugig

Iliamna

Iv

Kanatak

King Salmon

Kokhanok

Koliganek

Levelock

Manokotak

Naknek

New Stuyahok

Newhalen

Nondalton

Pedro Bay

Perryville

Pilot Point

Port Heiden

Portage Creek

South Naknek

Togiak

Tw

Ugashik

Bristol Bay Housing Authority

P.O. Box 50 Dillingham, Alaska 99576 Phone (907) 842-5956 Fax (907) 842-2784
TTY Phone (907) 842-6541

October 14, 2008

John Jensen, Chairman
Alaska Board of Fisheries
Alaska Department of Fish & Game
P.O. Box 115526
Juneau, AK 99811

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OCT 14 2008
BOARDS

Dear Chairman Jensen:


The recent decision of the Board of Fisheries to hold the 2009 Bristol Bay meeting in Anchorage must be reconsidered. Many of our homeowners and tenants participate in the fishery, either as permit holders, and a great more as crew members and beach fishermen.

The fishery is the largest sector of our economy, and those that are affected directly by it should have the opportunity to comment on the important policies to be discussed, such as the 32' limit on boat size and permit stacking.

The costs of attending the meetings in Anchorage is very expensive for local residents. As organizational budgets shrink and rising fuel costs increase and lead to increased costs for all budget line items, Village Councils, Corporations and municipal organizations cannot afford the per diem and travel to send a representative to an Anchorage meeting, much less individual permit holders and or crew members.

In fairness to the people of Bristol Bay, where the fishery occurs, BBHA requests that the Board of Fisheries reconsider its decision and schedule the 2009 Bristol Bay Fisheries meeting in Bristol Bay.

Sincerely,


Dave McClure
Executive Director
BBHA

cc: BBHA Commissioners
Ralph Andersen, BBNA Chief Executive Officer
Paul Marcotte, BOF Executive Director
Joe Chythlook, Regional Coordinator

OCT 20 2008

BOARDS



University of Alaska Fairbanks
BRISTOL BAY CAMPUS

P.O. Box 1070 Dillingham, AK 99576
Phone: (907) 842-5109 800-478-5109 FAX: (907) 842-5692

October 14, 2008

John Jensen, Chairman
Alaska Board of Fisheries
Alaska Department of Fish & Game
P.O. Box 115526
Juneau, AK 99811

Dear Chairman Jensen,

On behalf of the residents of Bristol Bay region, please reconsider the Alaska Board of Fisheries decision to hold its 2009 meeting in Anchorage rather than in a Bristol Bay community. The Bristol Bay economy depends on the fisheries and decisions that affect the economy should provide for the greatest amount of local participation.

I commend the board for scheduling meetings in a variety of locations for the 2008-2009 meeting calendar but it must be noted that since 2002, 32 meetings have been held in Anchorage. In 2006, the board meeting was held in Dillingham and it was very well attended.

Since travel to Anchorage for many fisheries participants is cost prohibitive due to the soaring costs of living in rural areas, I encourage the Board of Fisheries to reconsider its decision and schedule the 2009 Bristol Bay fisheries meeting in the Bristol Bay region.

Sincerely,

Deborah McLean
Director

cc: Bristol Bay Campus Advisory Council
Ralph Anderson, BBNA Chief Executive Officer
Jim Marcotte, BOF Executive Director
Joe Chythlook, Regional Coordinator

Bristol Bay Economic Development Corporation

P.O. Box 1464 • Dillingham, Alaska 99576 • (907) 842-4370 • Fax (907) 842-4336 • 1-800-478-4370



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BOARDS

October 20, 2008

John Jensen, Chairman
Alaska Board of Fish
P.O. Box 115526
Juneau, Alaska 99811

Dear Chairman Jensen and Board Members:

The Bristol Bay Economic Development Corporation is asking the Board of Fish to reconsider the vote taken in Fairbanks, Alaska, moving the December 2009 Bristol Bay Regulatory finfish meeting from Bristol Bay to Anchorage, Alaska. BBEDC requests that the Bristol Bay finfish regulatory meeting be held within Bristol Bay Region. BBEDC represents 17 villages and over 6,000 people of the region, and the fisheries is the lifeline for all our communities. Watershed residents own 758 Bristol Bay limited entry salmon permits. Each of those permits employ one or two additional residents, some 2,000 plus watershed people in all. Board members, this represents 30 percent of the total population of the Bristol Bay Region that are involved in this commercial fishery, not to mention the sport and subsistence fishermen.

As most of you Board members know, the last Bristol Bay regulatory meeting was held in Dillingham Alaska. Chairman Morris stated to the public during the Board meeting that the Board of Fish really enjoyed the hospitality of the Bristol Bay Region and that the meeting went great. Many local village people were able to attend this meeting, flying in for a day to testify and then flying back home, had the meeting been in Anchorage as in the past, very few local Bristol Bay folks would have attended because of the high cost of travel and leaving homes in the dead of winter. Many of these folks who attended the meeting stayed with friends in Dillingham, cutting travel costs to attend the meeting.

I cannot stress enough how important these meetings are to the region residents, regardless if you are a commercial, sport or subsistence fishermen. The government classes in our schools allow the kids to participate in person or by the KDLG radio station who broadcasts these meeting across the region, people feel they are part of the process. Although the last Board of Fish meeting was held in Dillingham many other communities were involved in making that meeting a success, it was a Bristol Bay community effort.

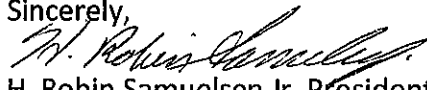
Past Boards of Fish have noticed a big drop in local participation at the Board of Fish meeting held in Anchorage. As you know, most of the fishermen who attend the BOF Bristol Bay meeting in Anchorage are not even Alaskan residents. Based on this, the Board of Fish elected to hold as many meetings as possible within the affected region. I know that many of us have lobbied the Alaska Legislature to ensure the Board of Fish had money to hold these meetings in places like Bristol Bay instead of Anchorage. I believe this has been a positive move by the Board and has benefited everyone involved including the Board of Fish.

It was our understanding that the Bristol Bay regulatory meetings were going to be in Dillingham and Naknek. However, with a major hotel burning down in King Salmon and now the lack of housing in the Naknek/King Salmon area, the 2009 Bristol Bay regulatory meeting should be again held in Dillingham Alaska and not in Anchorage.

BBEDC has spent millions of dollars trying to make our fishery in Bristol Bay economic feasible for our regions residents. Projects such as ice machines, ice barges, product handling programs, totes for ice, slush bags have all contributed to the rise in ex-vessel value to the fishermen, but we still lag behind the rest of the State in ex-vessel prices. Recently, we implemented a program for permit retention for our residents, a first for the State of Alaska. It's a known fact that Bristol Bay residents are losing permits faster than residents of other Alaska regions. The BOF is looking at restructuring the fishery, you need to hear from the people who are most affected by the restructuring proposals, you need to hear the social implications of any action you may take. Just recently, the Mayor of Anchorage and the Anchorage School District wrote a letter to Governor Palin asking that a panel be put in place to look into the migration of people from bush Alaska to Anchorage. People are moving out of Bristol Bay, we must stem this tide, and our commercial fishery must and will lead the way. Our communities all depend on the commercial fishery, taxes and support services are of major economic importance.

BBEDC will commit in helping in any way we can to make sure the success of the meeting in Dillingham matches or surpasses the last Board of Fish meeting held in Dillingham. Again, please reconsider your decision, and re-schedule the 2009 Bristol Bay finfish regulatory meeting in the Bristol Bay region where the people are most dependent on the fishery resources of Bristol Bay.

Sincerely,



H. Robin Samuelsen Jr. President/CEO

Cc

Governor Sara Palin

Senator Lyman Hoffman

Representative Bryce Edgmon

Representative Paul Seaton, Fisheries Chairman

Commissioner Denby Lloyd

Cora Crome, Fisheries Policy Advisor

Villages of Bristol Bay



Bristol Bay Area Health Corporation
 6000 Kanakanak Road
 P.O. Box 130
 Dillingham, AK 99576
 (907) 842-5201
 800-478-5201
 FAX (907) 842-9354

Bristol Bay Area Health Corporation is a tribal organization representing 34 villages in Southwest Alaska:

- Aleknagik
- Chignik Bay
- Chignik Lagoon
- Chignik Lake
- Clark's Point
- Dillingham
- Egegik
- Ekuk
- Ekwok
- Goodnews Bay
- Igiugig
- Iliamna
- Ivanof Bay
- Kanatak
- King Salmon
- Knugank
- Kokhanok
- Koliganek
- Levelock
- Manokotak
- Naknek
- New Stuyahok
- Newhalen
- Nondalton
- Pedro Bay
- Perryville
- Pilot Point
- Platinum
- Port Heiden
- Portage Creek
- South Naknek
- Togiak
- Twin Hills
- Ugashik

October 28, 2008

John Jensen, Chairman
 Alaska Board of Fisheries
 Alaska Department of Fish and Game
 P.O. Box 115526
 Juneau, Alaska 99811

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 BOARDS

Dear Chairman Jensen:

The Bristol Bay Area Health Corporation on behalf of its 34 member villages wants to join many Bristol Bay organizations and villages as well as individual fishermen asking you to reconsider holding your 2009 meeting in a Bristol Bay community such as Dillingham or Naknek rather than Anchorage.

We echo the justification put forth for the meeting in Bristol Bay as the decisions made directly impacts our regions people and our villages. The fish are spawned and later taken from our waters for sale worldwide. We are the caretakers of this land and its waters hopefully with the State and Federal Governments assistance to secure future successful runs of salmon.

The high costs of travel out of the region are a fact. We could use the industries and Boards continued support in the region as our issues are being discussed by you, and you get to see us during our down time of fisheries. You will see our high costs just to live (fuel, electricity, food, travel, etc.) and get a better feel for our testimony.

Our schools, clinics, businesses, and people are all impacted by our ability to have healthy villages. Fishing is our major economy in a region where jobs are scarce.

Please give strong consideration to have Bristol Bay issues be discussed in Bristol Bay, not Anchorage, where many of our people are disenfranchised from testifying and otherwise participating in your meeting.

Sincerely,

Bristol Bay Area Health Corporation

Robert J. Clark
 President/Chief Executive Officer

c: Joe Chythlook, Regional Coordinator
 Jim Marcotte, Executive Director, Board of Fisheries
 Bristol Bay Campus
 BBAHC Board

BBNA
 BBNC
 BBEDC
 BBHA

RJC/dn



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NOV 08 2008
BOARDS

November 3, 2008

John Jensen, Chairman
Alaska Board of Fish
PO Box 115526
Juneau, AK 99811

Subject: Decision to Move the December 2009 Bristol Bay Regulatory Finfish Meeting

Dear Chairman Jensen and Board Members:

I am very much in support of having the 2009 Bristol Bay Regulatory Finfish meeting held within the Bristol Bay Region. As the hub for southwest Alaska, and a major commercial fishing area, Dillingham would be proud to host the regulatory meeting that would have otherwise been held in King Salmon. It is unfortunate that they lost that opportunity, but it should not result in the loss of opportunity for access to the Board by hundreds of residents in the area most affected by the regulations who cannot travel to Anchorage.

The Board of Fisheries meeting in Dillingham in 2007 demonstrated that we can effectively and graciously provide the accommodations necessary for a meeting of this type. Therefore, we would ask the Board of Fisheries to seriously reconsider their position and allow Dillingham to host the 2009 Bristol Bay Regulatory Finfish Meeting. Of the 1,246 Bristol Bay permits fished by Alaskan residents in 2007, 629 were Bristol Bay/Lake and Penn permit holders. This fairly represents that Dillingham is a strategic location for holding the BOF regulatory meeting. I am certain that we could do an even better job than we did in 2007, and prove once again that Dillingham is capable of accommodating staff and guests given the opportunity.

Sincerely,

A handwritten signature in black ink that reads "Alice A. Ruby". The signature is written in a cursive style with a large, looped initial "A".

Alice Ruby
Mayor, City of Dillingham

P.O. Box 189
NAKNEK, ALASKA 99633

www.theborough.com



TELEPHONE
(907) 246-4224
FAX
(907) 246-6633

Bristol Bay Borough

RECEIVED

1 2008

BOARDS

November 6, 2008

Mr. John Jensen, Chairman
Alaska Board of Fish
PO Box 115526
Juneau, AK 99811-5526

Subject: Request for Location Change of Bristol Bay 2009 Board of Fish to Naknek Alaska

Dear Chairman Jensen,

The purpose of this letter is to request the Board of Fish move the location of the December 2009 Board of Fish meeting to Naknek, Alaska. The Bristol Bay Borough would like to sponsor this event for the entire Bristol Bay Region for the December 1-8, 2009 meeting. The last Board of Fish for the Bristol Bay fishery was held in Dillingham in 2006. The Bristol Bay Borough strongly encourages the Board of Fish members to have this very important meeting in the actual region the fishing occurs for the 2009 cycle.

The Borough has the capacity to handle the additional people with the local businesses we have available to include lodging and eating facilities. In addition this would put an economic stimulus into these local businesses for the winter months.

We request this be an agenda item at the next Board of Fish Meeting Scheduled for December 1-7, 2008 in Cordova for a approval of moving the location of the December 2009 Bristol Bay Region Board of Fish from Anchorage to Naknek.

If you have questions please contact Marv Smith, Manager Bristol bay Borough at 907-246-4224.

Sincerely,

A handwritten signature in black ink that reads "Dan O'Hara" followed by a flourish.

Dan O'Hara
Mayor

cc: Governor Sarah Palin
Jim Marcotte, Executive Director Board of Fish and Game

November 4 2008

Mr. John Jensen, Chairman
Alaska Board of Fish
Juneau, Alaska 99811

RECEIVED

NOV 7 2008

BOARDS

Dear Chairman Jensen,

We are writing to request that the Alaska Board of Fisheries reconsider the recent vote to move the December 2009 Bristol Bay Regulatory finfish meeting to Anchorage. The regulations issued by the Alaska Board of Fisheries are very important to the residents of our community. Many of our residents are heavily dependent upon commercial, recreational or subsistence fishing so having the ability to be a part of the process is critical. Our community governments are also impacted by fishing activities and deserve to have access to the Board of Fisheries process as well.

Our residents and communities are challenged with a cost of living that is among the highest in the state of Alaska. The expense of travel to Anchorage, the cost of hotels/food and time required to be away from our communities will make it impossible for many, many of our residents to participate in the meetings if they are held in Anchorage.

We understand that the Board determined that there are not sufficient accommodations in the Naknek/King Salmon area. However the success of the meetings in 2007 demonstrates that there are accommodations elsewhere in the region and we request that the Board use them so that we are allowed full participation.

Sincerely,



November 4 2008

Mr. John Jensen, Chairman
Alaska Board of Fish
Juneau, Alaska 99811

RECEIVED
NOV 21 2008
BOARDS

Dear Chairman Jensen,

We are writing to request that the Alaska Board of Fisheries reconsider the recent vote to move the December 2009 Bristol Bay Regulatory finfish meeting to Anchorage. The regulations issued by the Alaska Board of Fisheries are very important to the residents of our community. Many of our residents are heavily dependent upon commercial, recreational or subsistence fishing so having the ability to be a part of the process is critical. Our community governments are also impacted by fishing activities and deserve to have access to the Board of Fisheries process as well.

Our residents and communities are challenged with a cost of living that is among the highest in the state of Alaska. The expense of travel to Anchorage, the cost of hotels/food and time required to be away from our communities will make it impossible for many, many of our residents to participate in the meetings if they are held in Anchorage.

We understand that the Board determined that there are not sufficient accommodations in the Naknek/King Salmon area. However the success of the meetings in 2007 demonstrates that there are accommodations elsewhere in the region and we request that the Board use them so that we are allowed full participation.

Sincerely,

City of Ekwok



Alaska State Legislature
REPRESENTATIVE BRYCE EDGMON
House District 37



RECEIVED
NOV 24 2008
BOARDS

Jim Marcotte, Director

November 20, 2008

Adak
Akutan
Aleknagik
Atka
Chignik
Chignik Lagoon
Chignik Lake
Clark's Point
Cold Bay
Dillingham
Egegik
Ekwok
False Pass
Bristol Bay
King Salmon
Koliganek
Manokotak
Naknek
Nelson Lagoon
New Stuyahok
Nikolski
Perryville
Pilot Point
Portage Creek
Port Heiden
St. George
St. Paul
Sand Point
South Naknek
Togiak
Twin Hills
Ugashik
Unalaska

Division of Boards Support

RE: Request to hold 2009 Bristol Bay meeting in Bristol Bay

Dear Mr. Marcotte:

I was disappointed to learn that Board of Fisheries made the decision to hold the December 2009 Bristol Bay Meeting in Anchorage, hundreds of miles away from the region. In doing so, it will nearly be impossible for many Bristol Bay residents to attend the Bristol Bay meeting.

I strongly urge the Board to reconsider its decision and to move the meeting location back to Bristol Bay.

If there truly is not enough beds in the Naknek/King Salmon area (the Bristol Bay Borough is in the process of assessing the capacity) then Dillingham should be designated as the meeting site. This will at least serve the purpose of keeping the meeting in the region.

I was at the last Board meeting in Bristol Bay, held in Dillingham in 2006. If I recall correctly, there were approximately 158 individuals who signed up for public testimony, most of whom were local year-round residents and many who traveled from nearby communities. People were extremely grateful to have personal access to board members, staff from the agency, governor's office, etc.

With a number of critical issues forthcoming, including regulatory issues that propose to dramatically restructure the Bristol Bay fishery, it is now more imperative than ever that local residents be given the opportunity to directly participate in the board process.

Again, I'd like to emphasize the importance of moving the meeting site back to Bristol Bay. If there is anything I can do help make this happen, please let me know.

Sincerely,

Representative Bryce Edgmon

EKUK VILLAGE COUNCIL

PO Box 530 / 300 Main St.
Dillingham, AK 99576
Ph: (907) 842-3842 Fax: (907) 842-3843
In state 1-866-842-3842
EVC@ekukVC.net

RECEIVED
NOV 24 2008
BOARDS

November 20, 2008

Mr. John Jensen, Chairman
Alaska Board of fish
P.O. Box 115526
Juneau, Alaska 99811

Dear Chairman Jensen:

We are writing to request that the Alaska Board of Fisheries reconsider the recent vote to move the December 2009 Bristol Bay Regulatory finfish meeting to Anchorage. The regulations issued by the Alaska Board of Fisheries are very important to the residents of our community. Many of our residents are heavily dependent upon commercial, recreational or subsistence fishing so having the ability to be a part of the process is critical. Our community governments are also impacted by fishing activities and deserve to have access to the Board of Fisheries process as well.

Our residents and communities are challenged with a cost of living that is among the highest in the state of Alaska. The expense of travel to Anchorage, the cost of hotels/food and time required to be away from our communities will make it impossible for most of our residents to participate in the meetings if they are held in Anchorage.

We understand that the Board determined that there are not sufficient accommodations in the Naknek/King Salmon area. However, the success of the meetings in 2007 demonstrates that there are accommodations elsewhere in the region and we request that the Board use them so that we are allowed full participation.

Sincerely,

NATIVE VILLAGE OF EKUK dba EKUK VILLAGE COUNCIL

Robert Heyano
HF

Robert Heyano
President

RECEIVED
NOV 24 2008
BOARDS

November 24, 2008

Jim Marcotte, Director

Division of Boards Support

RE: Request to hold 2009 Bristol Bay meeting in Bristol Bay

Dear Mr. Marcotte:

I am writing to ask the Board of Fish to reconsider its decision to hold the 2009 Bristol Bay meeting in Anchorage, and to hold it in Bristol Bay instead.

The 2006 Bristol Bay meeting was held in Dillingham and a huge number of local fishermen showed up to testify. By all accounts, local residents were thrilled to get the chance to speak to Board members in person and also to have access to everyone from the State. You could expect that same amount of interest or more for the 2009 meeting - but you won't get near the level of participation from this area if the meeting is held in Anchorage as is now anticipated.

Folks in the Bristol Bay Borough are currently trying to get a handle on whether there would be enough bed space for their communities to host the meeting. If there is indeed not enough capacity in the Naknek / King Salmon area to host, then I would ask you to consider holding the meeting in Dillingham again.

With so many important issues being taken up in the 2009 meeting, it is imperative that the Board hear the views of our local fishermen that reside where the fishing takes place. When restructuring issues are taken up before the Board, I want to make sure my constituents have the chance to be heard.

Thank you for reconsidering this decision. It is of major importance to all the fishermen and the communities of the Bristol Bay area.

Sincerely,

Senator Lyman Hoffman

November 17, 2008

RECEIVED

19 2008

BOARDS

Mr. John Jensen
Chairman of the Board of Fisheries
C/O Jim Marcott, Executive Director
PO Box 115526
Juneau, AK 99811

Dear Chairman Jensen:

First congratulations on becoming the Chairman of the Board of Fisheries, I believe you are a good representative for all fisherman and will guide the future of the fisheries based on sound principles, not politics.

I am writing because I understand the Bristol Bay December 2009 meeting was recently scheduled to occur in Anchorage, Alaska, but that the Board has already received opposition to having the meeting in Anchorage, rather than in Dillingham or Naknek. Thus, I am writing to applaud and express my support for the decision to have the 2009 meeting in Anchorage.

As you know I am new to the processes of the Board and not familiar to all of the protocol, and I am learning. Unfortunately, many fishermen do not participate in the decision making process that effects their livelihood (ex. fewer than 40% of the fishermen are expressing their interest in voting for or against the BBRSDA). It is important that the Board hear from all voices of fishermen, and it must make every reasonable effort to do so.

The last Bristol Bay cycle meeting was held in Dillingham, which as you know is remote and very expensive place to travel. While the Board receives mail and written correspondence expressing many views on the proposals and it takes the written comments into serious consideration, for some reason attending the meetings has more persuasive impact. Participating in person, having a fair opportunity to participate in person at the meeting, is important.

The ability to attend any meeting during the off season is primarily a function of time and cost. December, prior to the Holidays, is an extremely busy time of year for all fishermen, but especially those that have to combine their fishing income with full time off season employment. In recent years many fisherman have had to move their families out of the Dillingham and Naknek areas to other locations, within Alaska and outside of Alaska, to make a living. (We can probably blame the low price of salmon paid by the packers and we can blame the ever increasing price of fuel and groceries.) Unfortunately, like many fishermen, most of us must work (our wives and spouses must work) in other careers, to pay the mortgage, to pay and obtain medical insurance provided by other employment. Fishing at this time just does not pay all the bills.

Fortunately, the Board must make decisions, whether it is a decision regarding location of a meeting or concerning significant changes to a particular fishery, based on these economic realities.

Where do the Bristol Bay fishermen live and how is the Board going to make a decision that affects the majority of the permit holders? The Bristol Bay Economic Development Corporation (BBEDC) sponsored a study in 2007 to look at status of salmon permits held by Bristol Bay local residents. Not surprisingly, fewer permits are being held by the 7,000 residents in the 34 communities of the Bristol Bay watershed in recent times. The loss of fishing income, the rising cost of fuel to deliver goods and services to the remote areas, the increased production of competition posed by farmed fish, the lack of significant opportunity to

improve Bristol Bay salmon quality, have all significantly affected the local economies, and as noted above, the decision of many to work in other locations during the off season.

Based on BBEDC's studies (most recently the 2005 statistics) of 1862 permits only 22% (403) of Bristol Bay drift net permits are owned/held by local or "watershed" residents, only 36% (357) of Bristol Bay of the 988 set net permits are owned/held by local or watershed residents.¹ In the same year (2005) the CFEC statistics showed: 897 drift permits are held by residents of Alaska and 965 permits are held by non-residents, and 689 set net permits are held by residents of Alaska and 299 permits are held by non-residents. In sum, far greater numbers of Bristol Bay fishermen live outside of the Dillingham, Naknek, and watershed areas. Nearly double the number of permit holders live in Alaska, but are not within the Bristol Bay communities. They live in areas such as Anchorage, Fairbanks, Petersburg, Ketchikan, etc..... Finally, more than 1/2 of the drift permits and over 1/3 of the set net permits are held by non-residents, who live in such places as Washington, Oregon, California, Minnesota, etc....

Accordingly, having a cycle meeting in Dillingham or Naknek requires the significant majority (over 75%) of permit holders to consider travel by plane to attend the meeting. The cost of flying to Dillingham and Naknek from Seattle is twice the cost of flying to Anchorage. The cost of flying Pennair or Alaska Airlines to King Salmon or Naknek from Anchorage is over \$400 roundtrip from Anchorage. The cost of airfare significantly reduces the opportunity for the many fishermen to participate in the cycle meeting. Add the cost of lodging in Dillingham and/or Naknek and the busy time of year, it is an easy decision for many to simply mail in comments, rather than take the time and spend the money to attend the meeting in person.

More significantly, setting a precedent of having December cycle meetings only in Dillingham or Naknek would not be appropriate. Such a precedent would not only impose greater costs on the majority of permit holders, it would demonstrate that the Board of Fisheries is not fairly providing the opportunity to hear from any stakeholders other than the 22% of drift fishermen and 36% of set net fishermen that are able to live in the Bristol Bay communities on a year round basis. The Board should have all of its December cycle meetings in a central location, such as Anchorage which is more accessible by more Bristol Bay fishermen.

I am troubled to hear that you have received opposition to your decision to hold the December 2009 meeting in Anchorage. Please consider the information, statistics, and argument above to reject any opposition to that decision. It is important to provide the best opportunity possible for all fishermen to participate in the process.

Sincerely,



Erick Sabo

¹ See "Residency and the Alaskan Fisheries" by State of Alaska Dept. of Labor Economist Neil Gilbertsen, Dec. 2004, and "Bristol Bay Communities Permits" by BBEDC, 2006, found at <http://www.solutionsthatendure.com/solutions/SustainableResources/BristolBayPermits/tabid/71/Default.aspx>.

RECEIVED

NOV 21 2008

BOARDS

Monday, November 17, 2008

To: Mr. John Jensen, Chairman, BOF

From: John Webb
92615 Astor Rd
Astoria, OR 97103
Phone # 503/325-4549
Email: webbslinger2@msn.com

Mr. Jensen:

Congratulations on serving another term on the BOF. It is refreshing to see a real fisherman serve as the Chairman.

I have heard the December, 2009, BOF meeting for Bristol Bay has been scheduled to be held in Anchorage. I can also hear the screams of protest from Dillingham, clear down here in Astoria, Oregon.

I am in favor of the meeting being held in Anchorage for the following reasons:

1. A central location like Anchorage is much more readily accessible to a much larger cross-section of the Bristol Bay fleet;
2. The cost to the State of Alaska, and everyone (other than Bristol Bay residents) is a lot less;
3. I think the Board will get a broader spectrum of testimony/viewpoints on any given issue – instead of the rather one-sided mauling that happened in Dillingham in December, 2006. This should facilitate issues being decided on merit – not just popularity and politics.
4. They had their turn last cycle – could we have one? It seems only fair.
5. And lastly, there should be more than enough representation from Bristol Bay in Anchorage. All of the Advisory Committees can send one member to the meeting, with the State picking up the tab. The BBEDC, Lake & Peninsula School District, the Bristol Bay Borough, Chogiung Ltd, Bristol Bay Native Corp., various tribal entities, villages, etc, etc, all can and will send one or more representatives to the meeting in Anchorage. That's a lot of stipend for a minority of the fleet.

Thank you for listening.

Sincerely,



John Webb

F/V Webbslinger II

11/25/08

RECEIVED
NOV 25 2008

Alaska Board of Fisheries:

BOARDS

I would like to support the Anchorage location in these tough economic times. As a 27 year permit holder in this fishery I would like to attend this important meeting and having Naknek as the location really adds to expense and time. Thanks for your good work.

Martin Mulholland FV Red Bluff Egegik

11. 24.08

By electronic mail and USPS

Mr. John Jensen, Chairman
State of Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811

RECEIVED
NOV 25 2008
BOARDS

Dear Chairman Jensen,

I am writing to voice my support for the Board's decision to hold the 2009 Board of Fisheries meetings in Anchorage next December.

As you and other Board members are aware, there are some extremely important issues to be heard at next year's meeting, some of which have been placed into your special re-structuring committee that could amount to some significant potential change in how the Bristol Bay salmon fishery is conducted.

Given the sweeping nature of these issues, it stands to reason that holding the meetings in a place where the *bulk* of the permit holders from the fishery have an equal opportunity to attend, only makes sense. Moreover, given the fact that these meetings will probably attract record numbers of participants, it is only prudent to consider a venue where there will be suitable infrastructure in terms of housing and amenities to accommodate everyone.

With this much notification, I am sure that everyone who considers themselves to be a stakeholder in this process will find the wherewithal to develop a plan to make their way to Anchorage to advocate their position. Most importantly however, is that it will spread the cost of attendance upon everyone, and not simply upon the approximately 75% of the Bristol Bay salmon permit holders who do not live in the Bristol Bay watershed.

I appreciate your consideration.

Respectfully,

Warren Gibbons

11/25/2008

RECEIVED
NOV 25 2008
BOARDS

Dear chairman of the Board, John Jensen,

I would like to thank you for planning the next Board of Fish meeting regarding Bristol Bay in Anchorage. This will enable many Alaskan fishermen who are involved in the Bristol Bay fisheries to personally participate at that meeting.

I have been to many of those meetings over the last 16 years, usually a great expense for travel and limited room and board. I believe making the next Board meeting regarding Bristol Bay more accessible to the many fishermen who don't live in Dillingham or Naknek will result in a more productive meeting.

It is also wise for the state of Alaska to save money on travel and lodging for the board members, and use their time more efficiently.

Thank you for scheduling that meeting in a location with equal access to all fishermen.

Sincerely

Konrad Schaad

53200 N Mc Neil pt

Homer Ak 99603

11/25/2008

I would like to thank you for moving the Bristol Bay board of fish meeting to Anchorage. Travel and lodging (if it exists) expenses to Naknek would prevent me from attending. I live outside of Anchorage and I now look forward to attending the meeting next year.

Thanks again, James

james coyle

RECEIVED
NOV 25 2008
BOARDS

Charles W. Treinen

*2054 Arlington Drive
Anchorage, Alaska 99517*

Phone: (907) 345-2414 ♦ Cell: (907) 229-2478

E-mail: cwtreinen@aol.com

November 26, 2008

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NOV 26 2008

BOARDS

John Jensen, Chairman
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK. 99811

Re: 2009 Bristol Bay Meetings

Mr. Jensen:

As a Bristol Bay drift net permit holder and individual with a 'Restructuring Proposal' to be heard during the 2009/2010 in-cycle Bristol Bay meeting, I hope you will hold the meeting in Anchorage. While the board is to be commended for attempting to make decisions within the regions being considered, financial and logistic difficulties of holding the meeting in the Bay often make it excessively difficult for even many local residents from participating. The issues before the board for Bristol Bay are critical for people from throughout the state. Anchorage is the most central and cost effective location for the meeting.

Please do not change the venue.

Sincerely,
Chip Treinen

BRISTOL BAY RESERVE

FISHERMEN'S CENTER BLDG.
1900 W NICKERSON, STE. 320
SEATTLE, WA 98119

TEL (206) 283-7733
FAX (206) 283-7795

RECEIVED
NOV 26 2008
BOARDS

November 26, 2008

Mr. John Jensen
Alaska Dept of Fish & Game
Board of Fisheries
PO Box 115526
Juneau, AK 99811

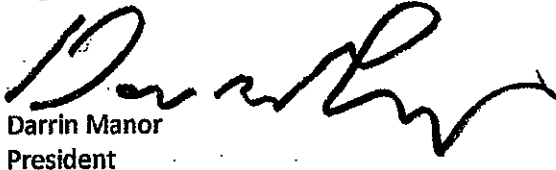
Hello Mr. Jensen,

The Bristol Bay Reserve is an insurance pool comprised of over 220 Bristol Bay boat owners whose residency spreads all over the country. As you may recall, this group submitted to your board a permit consolidation proposal in 2006 that was combined with other proposals and placed into your Bristol Bay restructuring committee.

In 2006 representatives from our organization attended the meetings in Dillingham to advocate the BBR's position and incurred significant associated costs. We were relieved to hear that the 2009 meeting was going to be held in Anchorage, since it would consequently allow many more of our members to attend and become involved in the process. Recently, we have heard the pressure is being brought to bear on your Board to bring the meetings back into Dillingham for 2009. That people of influence have been lobbying your Board through phone calls and personal contacts to, in our mind, create some type of home field advantage that having a meeting in such a remote location would imply.

Given the sensitivity of the upcoming agenda at this meeting, we think it prudent to hold the proceedings in a location where everyone can have equal access to them. While we were initially relieved at the proposed location, we are currently dismayed by the pressure that is being brought upon you and your Board. We also recognize that you had it right the first time and made the initial decision so that access to all stakeholders would be equally assured.

Regards,


Darrin Manor
President

November 26, 2008

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NOV 26 2008
BOARDS

To Whom It May Concern,

As a Bristol Bay fisherman and permit holder, I would like to congratulate the Board of Fisheries decision to hold the 2009 meeting in Anchorage. Since the vast majority of fisherman do not live in Bristol Bay, it makes no sense and is an incredible inconvenience to hold the meeting in Nak Nek. Hopefully the board will uphold their decision.

Sincerely,

Simon Schaad

Harley Ethelbah
P.O. Box 972
Petersburg, AK. 99855
Email: geoduck1@comcast.net

RECEIVED

NOV 28 2008

BOARDS

To: Chairman of the Board of Fisheries
Mr. John Jensen
P.O. Box 115526
Juneau, AK. 99811

Re: 2009 Bristol Bay Meetings

Dear Mr. Chairman (John)

It has come to my attention that there is interest from some to change the meeting location of the 2009 board cycle for Bristol Bay to the location of Dillingham Alaska. This in my mind is wrong as the last board meetings for Bristol Bay were in Dillingham. The cycle program was set up to rotate thus allowing fisherman from different regions the opportunity to participate in the meetings.

For Bristol Bay the Anchorage meeting is pivotal. Dillingham does not allow all that want to participate in the meetings that opportunity. There are limited places to stay in Dillingham. It is expensive to get Dillingham vs. Anchorage. The weather can be sketchy getting there that time of year.

Dillingham is on the rotational cycle. I went to the meetings there last rotation. I paid the money I participated. If those from the Bristol Bay region so wish to participate in the meeting process this rotation, they can pay to go to Anchorage, simple as that. The majority of Bristol Bay permit holders are not from the Bristol Bay area. They are actually from the Washington state area, the remaining are from various regions in Alaska.

Why is it that the small percentage of those permit holders from the Bristol Bay region feel the need to dictate where the meeting will take place? (You know who I am talking about).

I participate in many fisheries throughout Alaska. I have participated in the Board of Fish process many times throughout the years. Never have I seen a meeting location changed off cycle, NEVER. Why start now??

This meeting needs to happen in Anchorage. It will allow those that cannot afford the extra travel cost of getting to Dillingham the opportunity to at least get to Anchorage and participate. It will provide for less of a non-biased atmosphere. And it is what it is, Anchorage where the meeting is supposed to be in the first place.

Please consider my recommendation to keep the meeting in Anchorage.

Sincerely,



Harley Ethelbah

RECEIVED

NOV 28 2008

FISH & GAME
LICENSING SECTION

Christopher White
3705 Arctic Blvd., Ste 3009
Anchorage, AK. 99503

11/24/08

Re: BOF meeting moved to Anchorage

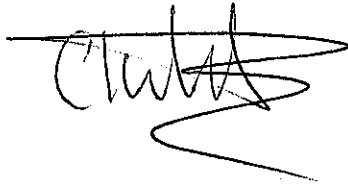
Dear Mr. Jensen:

As a Bristol Bay fisherman I wanted to thank you, and lend my heartfelt support, for your decision to move next years Bristol Bay meeting from Naknek to Anchorage.

As you know, Naknek is a very small town, lodging is limited, and it is expensive and sometimes difficult to get to. The decision to move it to Anchorage benefits the greatest number of stakeholders in the Bay; it is the most fair and carries the most common sense. The meeting should always be held in Anchorage.

Thank you for the decision.

Chris White
BB fishermen

A handwritten signature in black ink, appearing to read 'Chris White', with a large, sweeping flourish underneath.

November 29, 2008

Subject: Bristol Bay meetings

RECEIVED
NOV 29 2008
BOARDS

Dear Jim:

I understand that there is an effort to move the Bristol Bay meetings from Anchorage to Dillingham. I attended the last meetings in Dillingham two years ago. I would strongly suggest that the fair thing to do is to have the meeting in Anchorage this time. Dillingham present a hardship in expense and travel for many Bristol Bay fisherman who live in Kodiak, Homer, Cordova, Anchorage, the Mat Sue Valley and specially for those for the lower 48. The expense is prohibitive and accommodations are spare. If it is in our power to do so, please let the meetings be held in Anchorage as I believe they were intended.

Thank you,

Jerry Gugel

RECEIVED

11. 28.08

NOV 29 2008

Mr. John Jensen, Chairman

BOARDS

State of Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811

Dear Chairman Jensen,

I am writing to voice my support for the Board's decision to hold the 2009 Board of Fisheries meetings in Anchorage next December.

Given the sweeping nature of the issues before the board, it stands to reason that holding the meetings in a place where the *bulk* of the permit holders from the fishery have an equal opportunity to attend, only makes sense. Given the fact that these meetings may attract record numbers of participants, it is only prudent to consider a venue where there will be suitable infrastructure in terms of housing and amenities to accommodate everyone.

This is my first opportunity to attend the meetings in quite a few years as I have just recently retired from the trawl fishery in the Bering Sea and normally been at work during the fall months.

With this much notification, I am sure that everyone who considers themselves to be a stakeholder in this process will find the wherewithal to develop a plan to make their way to Anchorage to advocate their position. Most importantly however, is that it will spread the cost of attendance upon everyone, and not simply upon the approximately 75% of the Bristol Bay salmon permit holders who do not live in the Bristol Bay watershed.

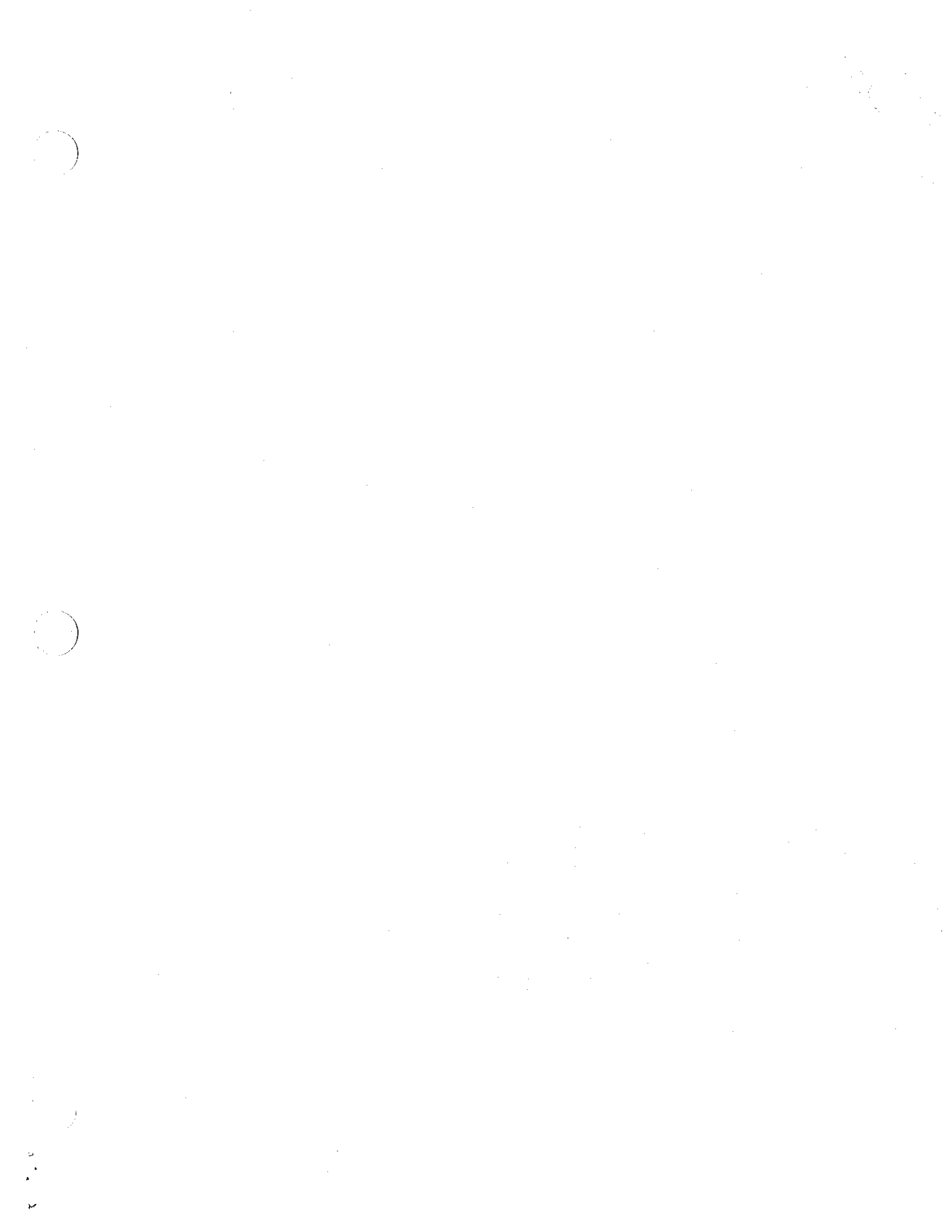
There are some extremely important issues to be heard at next year's meeting, some of which have been placed into your special re-structuring committee that could amount to some significant potential change in how the Bristol Bay salmon fishery is conducted.

I would like to be able to lend my voice to advocate for a progressive position on these issues but it is important to make the process as economical as possible right now. The trip to Anchorage is much more doable than traveling to Dillingham, where the last meeting was held, with limited resources for large numbers of attendees.

I appreciate your consideration.

Respectfully,

Michael Palmgren



12/3/08

Mr. John Jensen, Chairman
State of Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811

Dear Chairman Jenson,

I grew up in Homer and I have been fishing in Bristol Bay since I was 9 years old on my family's boat. I'm currently in college but hope to start my own fishing operation in the near future. I would love to participate at the next board meeting, but my time and finances would only allow this if the meeting were held in Anchorage.

We all appreciate the hard work you do for our fishery and I ask you to keep the board meeting accessible to all fishermen.

Thank you,

Miro Nikolai Schaad

100



Dear Mr. Jensen,

I fully support the location of Anchorage for the Board of Fish meeting regarding Bristol Bay. I and another permit holder in Homer would find the Anchorage site much more accessible as would most permit holders in the Kenai Peninsula, Mat-Su and Fairbanks areas.

Sincerely, Jonathan Flora.

12/4/08

Jim Baumgart
210 Bayside Place
Bellingham, WA 98225
(360) 961-8284

Mr. John Jensen, Chairman
State of Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811

Friday, 12/05/2008

Dear Chairman Jensen,

I am writing in support of the Board's decision to hold the 2009 Board of Fisheries meetings in Anchorage next December. Given the fact that 75% of the permit holders reside outside of Bristol Bay watershed, and the last meeting was held in Dillingham, I think you took the correct action to hold the meetings in Anchorage to allow the most participation as possible by the permit holders.

It is my understanding that you are being pressured from political figures from the drainage to have the meeting in Dillingham. This is very troubling to me on many levels. Foremost, I believe this will be a test of the integrity of the current board and the board process. If the Board could be persuaded by the political figures in the drainage to change the venue, it makes one wonder how they could be influenced when it comes to making decisions on the fishery itself?

I am all for rotating the venues to make the BOF meetings more accessible to all permit holders. Dillingham is too costly and there is not enough lodging. I also think it would be irresponsible for the Board in these tough financial times to spend the added money to appease the minority of permit holders that live in the drainage while excluding Alaskans that do not reside in Dillingham. Naknek residents, for example, would have the same hardship to go to Anchorage as it would be to make the trip to Dillingham.

Thank you for your time and consideration.

Sincerely yours,

Jim Baumgart
F/V Leila M
Bellingham, WA

