

RC 3

Ronn Buschmann
P. O. Box 1367
Petersburg, Alaska 99833
(907) 772-3008

RECEIVED
MAR 23 2009
BOARD

Alaska Board of Fisheries
Board Support Section
Attn: John Jensen, Chairman
P. O. Box 15526
Juneau, AK 99811-5526

Dear Governor,

I am writing you in the hope that you will understand the predicament this attempt to reallocate a commercial fishery resource to the charter and sport sector places upon a commercial fisherman who depends on this resource to support his family.

I bought my Chatham Straits blackcod permit nine years ago, just before the quotas were readjusted to reflect a declining biomass. I borrowed \$175,000 from the State of Alaska in good faith, under the assumption that the State assumed this fishery was a good risk. Due to quota reductions I have barely been able to make my payments most years after deductions for crew, boat, and direct expenses. I had hoped to have a few profitable years with this permit before my retirement.

The presently enacted bag limits on Black Cod should be maintained or reduced for the following reasons.

1. This is a new sport and Charter fishery. In the past, sport and charter catches of Black Cod were incidental.
2. Sport and Charter catches of Black Cod were minimal until the implementation of jigging machines and electric reels by the sport and Charter fleet. These jigging machines and electric reels are similar to the gear used in the commercial jigging fisheries and should be considered commercial gear, inappropriate for sport and charter use.
3. The declines in the Southeast Alaska halibut biomass are due, in part, to the Charter sector exceeding their allowable harvest in each of the past years. It is unreasonable to expect the established commercial Black Cod fishery to absorb sport and charter effort displaced by these declines. Any reallocation sufficient to satisfy those anglers displaced by halibut biomass declines would devastate the a hundred year old commercial fishery.

We must all live within our means, and within nature's ability to provide for us. The commercial fisherman lives with quotas, opening dates, and gear limitations. The sport and charter fisherman understands limits also, and comes to Alaska because of limitations in

his or her home state or country. We need to protect our resources so that we, as State residents, can provide for ourselves. Please encourage strict limits on the sport and charter take of Black Cod and limit the use of electric reels and jigging machines to the commercial fishery.

Sincerely,


Ronn Buschmann

RC 4

Alaska Board of Fisheries
Board Support Section
Attn; John Jensen, Chairman
PO Box 15526
Juneau, Ak. 99811-5526

RECEIVED

MAR 23 2007

BOARD

Chairman John;

I am writing you to let you know that I am against any increased black cod bag limit to the sport fisherman. According to the scientist's, there is already a significant decline in the biomass and the quotas for black cod in Southeast. As a commercial fisherman, we are constantly getting quota reduction and we are never, ever given any increase back. To give any of the precious quota to the sport fisherman is wrong!!!! So, obviously, I am against any increase in the bag limit.

I was born and raised in Southeast Alaska. I was born and raised on and around fishing boats. My father and my grandfather have been pioneers of the black cod fishery in Alaska. Both have spent their entire lives on the ocean harvesting fish. I have recently purchased IFQ quota and if the existing quota is constantly being taken away and reallocated to other interests, I will not be able to meet my obligation of my recent purchase. I am also using the funds I make fishing to put myself through college. After college, I intend to come home to Alaska and be a history teacher. I also plan to fish locally in the summer months. The decisions you make, enable or discourage the youth of Alaska to return or not to return to Alaska. Please try to remember that. There has been a lot in the news lately asking, "who is listening?" Our president has made it a point to let the youth of America know that he is listening. I hope the same holds true here in Alaska. Please do not allocate any more of our quota to the sports fisherman.

Thank you.

Sincerely,

Aaron L. Phillips
PO Box 1315
Petersburg, Ak. 99833 360-388-5512

currently @ Western WA U.

cc: Governor Sarah Palin



RCS

3/20/09

RECEIVED
MAR 23 2009
BOARD

Alaska Board of Fisheries
Board Support Section
Attn: John Jensen, Chairman
PO Box 15526
Juneau, AK. 99811-5526

Chairman John;

I am writing to you in regards to the sport fishing bag limit that has been implemented for black cod in Southeast. As far as I am concerned, the bag limit already implemented by the Board of Fish is TOO much. Now, it has come to my attention that the sport fishers have asked to have the board revisit the issue and increase their bag limit above what has already been established. This would be a disaster for the already established fisheries in both Chatham and Clarence Straits. These fisheries are long established, traditional fisheries that has seen drastic cuts in their quotas over the years already and I can't believe that we are shifting some of that precious remaining quota over to sport fishers. I started fishing black cod in Chatham about 30 years ago. At that time, we would pretty much spend our entire fall in Chatham fishing black cod. There was really no quota to speak of that I remember. We would spend at least a month in Chatham Straits fishing and enjoying the traditional life that many Alaska's live. We sold the fish locally and supported our small communities, our state, and our fishery. Now, once again, we have sport fishers that want to come into our state, take what they can and leave with it. It would not be so bad if it was just this one fishery that is taking the hit but all of our fisheries are being jeopardized in the same way. Every year we loose quota that we will never see replaced. There is, according to scientists, a significant decline in the biomass and quotas for black cod in all of Southeast. IF this is so, why are we willing to give some of what is left of the precious quota to the sport fishers?

I have 2 sons who have been brought up in Southeast on fishing boats. They have been on the boat since they were little boys. Both of my sons fish Chatham black cod with their dad who is a life long Alaska fisherman who was practically born and raised on fishing. My sons have recently purchased IFQ quota. It will be harder and harder for them to

make a living, pay off their debt, and be productive individuals without the ability to fish - especially if quota is being shifted to sport fishers. Sport fishers have good paying jobs wherever they live and go back to those good paying jobs. FISHING is 100% of both of my sons income.

I urge you to take a good long look at the situation here and act conservatively on this issue which is exactly the way the scientists are acting when they are constantly cutting our quota. REFUSE to give what precious quota we have left to the sport fishers!!!

I would like to remind you that not only will an increased bag limit be devastating to the quotas involved here, it will be devastating for families and a traditional way of life lived here in Southeast.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Maura J. O'Brien-Phillips". The signature is written in a cursive, flowing style.

Maura J. O'Brien-Phillips
PO Box 1315
Petersburg, Ak. 99833
907-772-2554

RC6

March 18, 2009

Dear Alaska Board of Fisheries:

I am a Chatham Straits Black Cod permit holder. I am writing this letter in support of the annual bag limit the Board of Fish set for sport caught Chatham black cod. The board acted correctly and conservatively on this issue.

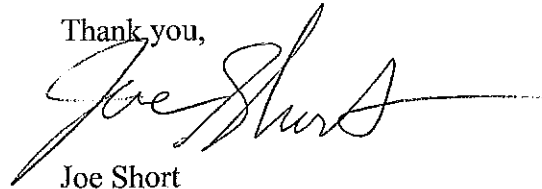
This new sport fishery is only a couple of years old and is already being abused with Jigging Machines and Electric Reels. Is this sport fishing when you push a button to reel in your fish?

We need this annual limit as there are already conservation concerns with significant declines in the biomass. There is basically no enforcement in these out lying Southeast Alaska sport fishing lodges and this fishery will be abused and over fished like the 2C sport Halibut fishery. We need an annual limit on Halibut and Harvest Tickets for both Halibut and Chatham Black Cod for some accountability.

The sport sector has no historical claim to Chatham Black Cod. This is a very new sport fish made accessible by the use of Jigging Machines and Electric Reels. So I see it as they are asking for a reallocation of a fishery they have no historical claim to. We have historically fished Chatham Black Cod for decades. This is the last fishery of the year for me and my crew. This is the last fish of the year for our local processors and their workers.

I urge you to support the Board of Fish ruling of 2 fish per day 4 in possession and 8 annually.

Thank you,



Joe Short

RECEIVED
MAR 20 2009
BOARDS

RC 7

RECEIVED

MAR 27 2009

BOARDS

To The Alaska Board of Fish and Game,

It must be recognized that our Chatham blackcod, Clarence blackcod, and SE blackcod fisheries have decades of historical catch data and that these stocks are fully utilized by our local families and communities. Our harvest group has developed a long range commitment financially AND THIS NEEDS TO BE PROTECTED. We have made commitments to our crews their kids our local business and communities all of which have come to depend on this resource harvest. In this financial melt down we all are experiencing dramatic destabilization of our own commitments and dependability on historical harvest income and commitment to our crews and our community's income. For the Board of Fish and Game to even consider any increase for the charter industries daily sport bag limit of this already fully utilized species would be similar to the inappropriate actions of AIG and their bonus fiascal.

The Board of Fish must stick to the approved daily bag limit plan at best, but to really keep historical stability in our local families business and communities it should lower the existing daily bag limit to 1 fish a day and 4 fish yearly. The Board should also at this time more clearly define sport gear that is used as hand deployed and hand retrieved exclusively and forever. The move by the charter industry to use high teck deployment and retrieval gear is constantly improving. By allowing any other gear than hand operated, ENFORCES SPORTS HARVESTING, and defeats the intent of sport fishing.

The Alaska Board of Fish and Game must stop reallocation and stick to the decisions made and at this time redefine sport gear as only hand cranked and hand deployed with no more then a 1:1 gear ratio keep it sport fishing.

Thanks
Bill Connor
Box 1124 Petersburg Ak.



3-27-09





RC 8

Post Office Box 20761 • Juneau, Alaska 99802

Telephone: (907) 789-2399 • Fax: (907) 586-6020

March 31, 2009

John Jensen, Chairman
Board of Fisheries
PO Box 681
Petersburg, AK 99833

RECEIVED
APR 6 1 2009
BOARDS

Dear Chairman Jensen:

The Territorial Sportsmen, Inc. (TSI) is pleased that the Board of Fisheries will hold a special teleconference meeting in April to re-evaluate their action taken at the recent meeting in Sitka related to sablefish. The decisions in Sitka resulted in a severe and unnecessary bag, possession and annual limits on the sablefish for sport fishermen. TSI believes it is essential for the Board to reverse this action in order to restore confidence in the integrity of the Board. The violations of the Board process to impose severe restrictions on the sport harvest of sablefish go far beyond the issue of sablefish limits because they have implications about the integrity, impartiality and fairness of the entire board.

Initially, the Board followed its standard committee procedures to address the issue of bag limits for sablefish and subsequently passed a rather drastic reduction from no bag limit to a limit of 4 per day, eight in possession and 12 per year. TSI did not agree with such a significant reduction because there is no harvest data to support such a reduction. However, the next steps of the Board relative to this issue violated the process in several ways and this action cannot be condoned.

The Board reconsidered the sablefish decision just as the board was ready to adjourn, claiming that new information had become available. The new information was simply speculation by the longline fishing industry that ten percent of all sport fishermen in Southeast Alaska would harvest the maximum annual limit. Such foolish speculation can easily be shown to be false. Only two fishing lodges in all of Southeast Alaska even attempt to catch sablefish. Resident sport fishermen occasionally catch a sablefish when targeting halibut, but this is very rare as documented by the fact that only 7 sablefish were recorded in the creel census. The Board made no attempt to question the validity of such "new information" nor to ask sport fishermen or charter operators in attendance about their harvest level. Without significant deliberation and only a scant record the Board voted 4 -1 (two board members left the meeting rather than participate in the reconsideration) to reduce the limits from two per day, 4 in possession and an annual limit of 8.

The very restrictive limit on the sport harvest of sablefish is simply not justifiable. The Board needs to correct this action and reaffirm that they will follow a fair and equitable process in the future. Sport fishermen will not tolerate such violations of process and unethical behavior of Board members. I urge the Board to correct this egregious action and to pledge they will follow long-established procedures and base their decisions on the best scientific data available.

1 of 4

I have attached the March 6, 2009 letter to the Board of Fisheries that TSI wrote on this same issue. It provides more details about the concerns of TSI.

Sincerely,

A handwritten signature in cursive script that reads "Wayne Regelin".

Wayne Regelin
President of TSI

cc: All Board of Fish Members
Denby Lloyd, Commissioner, ADFG
Jim Marcotte, Executive Director



Post Office Box 20761 • Juneau, Alaska 99802

Telephone: (907) 789-2399 • Fax: (907) 586-6020

March 6, 2009

John Jensen, Chairman
Board of Fisheries
PO Box 681
Petersburg, AK 99833

RECEIVED
APR 01 2009
BOARDS

Dear Chairman Jensen:

The Territorial Sportsmen, Inc. (TSI) Board of Directors have asked me to write this letter in response to a particular action taken at the recent Board of Fisheries (BOF) meeting in Sitka.

You are probably aware that Mr. Larry Edfelt represented the Territorial Sportsmen at your meeting in Sitka. We were extremely concerned about the King Salmon and other related issues on your agenda. We are grateful for Larry's time and effort and feel he did an excellent job representing our Juneau constituents at the meeting.

First, I want to say that the TSI Board was extremely pleased with the positive approach taken by the BOF to address the contentious king salmon allocation issues at the meeting. Making a reasonable effort to provide at least some resident retention even at low abundance levels and making a greater effort to assure the non-resident and charter industry that a maximum effort will be made to allow their quota to be taken by their industry was definitely positive and appreciated.

The reason for this letter is primarily to strenuously object to the action, taken late at the Sitka meeting, related to sablefish. After examining the information available to us, it is clear that the BOF did something they generally decline to consider which is to make arbitrary changes to the committee process and initial actions of the Board based on faulty or weak data. After an exhaustive process, the BOF adopted (by a vote of 6-1) a sablefish sport regulation which provided for a daily bag limit of four, a possession limit of eight and an annual limit of 12 fish. In our opinion, this was probably a reasonable approach to regulating the sport harvest of sablefish. Although, we all believe that the sport harvest of sablefish in southeast Alaska is extremely low and undetectable compared to the commercial harvest.

The BOF, however, chose to resurrect the issue late in the meeting based on questionable information provided by the commercial fishing industry. Unfortunately, the reconsideration was based on clearly biased and misrepresented information. Usually, in these types of cases, the BOF refrains from reconsidering major issues unless new information is provided. The new information we have reviewed does not meet in any way the high standards usually set by the Board. Clearly, the special interests providing the "new" information attempted to mislead and hook-wink the Board. Unfortunately, the exhaustive process utilized during the entire process leading up to the adoption of the regulation initially was not followed in the reconsideration. No public comment or review was allowed and the position of some of the sport interests was clearly misrepresented on the record.

3 of 4

The Territorial Sportsmen do not have much of a "dog" in this allocation fight. Very few of our members probably ever fish for or catch sablefish. We do have a "dog" in the battle over the process, however. Sport, recreational, personal use or subsistence uses of our fisheries resources frequently take a back seat to the commercial interests. The only things that level the playing field are the Board process, our Constitutional mandates requiring that we manage our resources to benefit all Alaskans, the hard work and good will of the individual Alaskan Board members like yourself and, of course, the courts.

We are aware that a petition is being filed requesting that the BOF fix this embarrassment at its upcoming Anchorage meeting. We are asking you to reestablish the public faith and trust in the process that we all have come to expect of our regulatory Board process. We hope you will rescind your action adopted in the dying moments of the Sitka meeting and reestablish the regulation you initially adopted which had been subjected to an adequate public review and deliberative process.

We appreciate your consideration of our request.

Sincerely,



Wayne Regelin, President
Territorial Sportsmen, Inc.

CC.

Governor Palin
PO Box 110001
Juneau, AK 99811-0001

Denby S. Lloyd
Commissioner
Alaska Department of Fish and game
PO Box 115526
Juneau, Alaska 99811-5526

Jim Marcotte
Executive Director
Board of Fisheries
PO Box 115526
Juneau, AK 99811

RECEIVED

RC9

APR 07 2009

April 1, 2009

BOARDS

To: Alaska Board of Fish

Please reconsider the decision you made on sablefish bag limits and lower them to either 1 fish annually or zero. The sablefish fishery is a fully utilized many year historical fishery by the commercial setline fishermen with huge economic impact for the State of Alaska. Sablefish is a declining stock at this time. Additionally, there is NO history in the sport fishery of sablefish catches, and allocations are made on historical catch. The bag limit you set has the potential to completely undermine the existing historical commercial fishery. Also, by allowing electric reels to be used you are allowing commercial gear to be used in a sport fishery.

I feel it was a very bad decision by the Board of Fish, that it will cause problems in the future for the fishery, and that it is the Board of Fish's responsibility to repair this before it is too late.

Please change the bag limit to either 1 fish annually or zero and do not allow electric reels to be used.

Thank You,



Carina Nichols
305 Islander Drive
Sitka, AK 99835

Sitka Fish & Game Advisory Committee

Tad Fujioka, Chairman
214 Shotgun Alley, Sitka, AK 99835

RC 10

March 31, 2009

Mr. John Jensen Chairman, Alaska Board of Fisheries
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526

RECEIVED
APR 09 2009
BOARDS

Subject: Board Generated Proposal B

Dear Mr. Jensen,

The Sitka Advisory Committee is comprised of a broad cross section of community members and includes conservationists, charter operators, commercial fishermen, resident sport fishermen, a trapper, subsistence fishermen, hunters, and at large seats.

The Sitka Advisory Committee is reaffirming our support for a **2 fish daily bag and possession limit for sablefish**. We supported this amendment to Proposal 137 at our January 29 advisory committee meeting on a vote of **14-0**. There was obviously strong support for the 2 fish bag limit given the unanimous vote from a diverse membership. While this support was documented in our written report to the Board for the February meeting our support was unfortunately not included in the committee report at that meeting.

We **do not support a 4-fish daily limit** and believe that a two fish daily and four fish **annual limit** for nonresidents is more consistent with an appropriate conservation ethic in a recreational fishery given the declining stock trend for sablefish and the importance of the directed commercial fishery to our local area and the State. We are not opposed to the removal of the annual limit for residents as long as **guides and crew may not retain sablefish when clients are on board**.

The proposed 4 fish daily limit and the 8 fish annual limit is inconsistent with the Board's action on other high value species such as king salmon and also inconsistent with other groundfish bag limits such as dogfish sharks, yelloweye rockfish and lingcod. Sablefish is the highest value groundfish species that the state manages and the Chatham Strait fishery has a hundred year commercial history. Current stock trends are downward for all sablefish in the Gulf and a new fishery should not be allowed to develop at this time.

A two fish bag limit gives ample recreational opportunity for anglers and actually is allowing for growth in the charter fishery based on testimony by the charter industry and the Department that catches are very low now. Allowing a 4 fish bag limit, apparently intended to meet the needs of a few remote lodges, sets a precedent that is not appropriate. Given that electric reels are now legal, there is efficient means to target these fish. We urge you to consider the impacts if anglers choose to maximize their catch and not base this regulatory decision on the perception that few anglers will make this choice.

Sincerely,

Tad Fujioka- Chairman (Letter adopted by unanimous vote at March 31 2009 Sitka AC Meeting)

March 31, 2009

Sitka AC Meeting

18:30

AC members In Attendance:

Ken Ash

Jack Lorrigan

Jerry Barber

Tad Fujioka

Pete Roddy

Floyd Tomkins

Dick Curran

Tory O'Connell

Erik Bahnsen

No members of Dept present

Public in Attendance:

Randy Gluth

Review Board of Game Meeting Southeast results

Review Board of Game Statewide meeting results

Review Board of Fisheries Southeast Finfish results

Review Board of Fisheries March Statewide results

Proposal A and B, Board generated

Discuss Proposal A

Discuss Proposal B with history of actions in February and in March

Oppose Proposal B, 0-9

Liberalize sport blackcod limits

After a attempt to move to Oppose followed by a Point of Order that the Board Support has asked us to always Move to Support proposals JB moved to Support Proposal B, 2nd PR.

Some discussion about other users of the resource.

TF said he thought that an allocation works best, using king salmon as an example. The king salmon allocation seems to be working. We didn't have a big fight over king this past board cycle- for the first time in many years. No one is afraid for their future given a firm allocation and effective management plans that keep each user group within their allotment.

PR – how would you enforce an allocation without bag, possession, and annual limits. We also need to limit the means.

EB how do we come up with an allocation because there is no good reporting on this.

KA agrees.

TO explained how allocation history is usually set and also the political realities of a small allocation.

DC would like to see an allocation based on current catch not future catch.

PR I think if you suggest allocation they will pick a big number out of the air.

JB if they are given electric reels they will target blackcod. When halibut goes to 1 fish they will go for blackcod.

FT likes the draft letter adding that we have reason to think that if there isn't a conservation concern now there will be in the near future, I'm persuaded.

Move to adopt letter : KA, 2nd DC

Vote 9-0

Submitted additional written comments in letter form

AC generated proposals for Statewide meeting 2010

Electric Reel proposal – allow disabled people easy access to fishing with electric reels.

EB – some questions – if we have age exceptions in addition to exception for disabled people than this opens up enforcement issues with bag limits. How does enforcement know who really caught the fish?

JB agrees. Even the disabled exception has this problem to some degree, but there wouldn't be very many disabled fishermen compared to the number of elderly or young fishermen.

RG – Did any charter operators at the BOF meeting express a need for age exceptions?

DC – Don't recall any. We heard about the handicapped needing to use electric reels. Ms. Williams (BOF member) was the one who brought this up. Age exceptions would water it down too much to make it useful. This is a sport fishery, if you can't handle the sport you shouldn't be there unless there is a handicap issue. There are other opportunities for personal use and subsistence. I worry about them having gear on board when there is no handicapped situation. Maybe we should prohibit having an electric reel aboard unless there is a disabled fisherman- or at least require that the reel be taken off the rod.

EB – We may lose the whole proposal passing if we get too wordy, so I think this is cleaner language.

PR – There are large hand-held electric reels for commercial snapper and grouper fishing – KA – why are we stating electric reels attached to the pole?

TF – (In response to KA) This would prohibit the electric downrigger being used as a "rod and reel". I like SEAGO's language requiring that the reel be attached to the rod via a reel seat- using threaded rings

FT – What if someone comes up with an electric reel that doesn't require a reel seat? Would it be out?

PR – Maybe we should leave the reel seat language to them?

TF – If it is restricted to a threaded reel seat it does limit reel power since a really powerful reel would have to be bolted to the rod or risk being disattached.

JB – I don't know if we need to say anything about it being attached since we don't have a definition of a fishing rod.

Consensus to support proposal allowing disabled sportfishermen to use an electric reel using simple language.

Vote: 9-0 to support proposal without age exceptions

Motion to adopt Sitka AC proposal to set Sport blackcod bag limit of 2 fish per day, no annual limit for residents, 4 annual limit for nonresidents statewide

JL – suggest we start crafting a strong blackcod proposal for next meeting

**PR – I suggest we draft a proposal for a 2 fish daily 4 annual sport bag limit for blackcod Statewide
No annual limit for residents**

JB – don't know enough about the rest of the state –

PR- In PWS, & Aleutian chain state waters there are blackcod fisheries.

Motion to support-KA

2nd TO

TF – Dept told me that a sportfisherman doesn't escape the state's 2 fish bag limit by going 3 miles offshore (I.e. the areas that are federal commercial fisheries are still included in the state sport fishery.)

PR – Dept might think this isn't an issue in other areas, but if you don't start with a number you have no place to go.

JL – Question

Vote 9-0 to support

RG – when can we get them to address priority between personal use, resident sport, commercial and nonresidents?

TO- explained that subsistence is supposed to have highest priority, then everything else based on a number of criteria that have allowed the board quite a bit of flexibility.

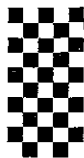
TF – I was told by Sportfish Division that the trophy lingcod regulations were not published correctly in their news release. A non-resident can keep two fish annually, if one is over the trophy limit and the other is in the 30"-35" slot, but only during the spring and fall open seasons and only if they aren't caught on the same day.

Any other proposals?

TF – adjourn

MTA JB, KA 2nd

20:00



RC 11
RECEIVED

APR 10 2009

BOARDS

April 9, 2009

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

Re: Proposal B – 5 AAC 47.020 General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the SE Alaska area.

We support the daily bag limit of two fish, possession limit of four fish, and annual limit of eight fish.

The February 2009 Board of Fish meeting in Sitka went through public testimony and the committee process to establish these limits. No changes should be made until the current provisions have been in place for multiple years and the record of sport harvest can be analyzed to determine if the daily bag limit, possession limit, and annual limit should be modified.

If it is the Board's intention is to acquiesce any opposition than the Board is going about it the right way. These sorts of backroom dealings reinforce the lack of confidence many of us have about the board process. Besides the local residents of Sitka, many of us traveled to the February meeting ready to commit time and energy to be a part of the public process that reviewed, modified and recommended meaningful and sometimes substantive changes to proposals. Proposal B rejects the work of these committed individuals who worked collectively for consensus in a decision that regards the viability of the resource, economic livelihood of commercial fishermen, and the communities that rely on a healthy productive resource.

We appreciate the opportunity to comment.

James E. Phillips Patricia Phillips
James E. Phillips and Patricia Phillips
P.O. Box 109
Pelican, Alaska 99832

RC 12 RECEIVED

APR 10 2009

March 30, 2009

BOARDS

To: Board of Fish

I am very concerned with recent actions on sablefish sport bag limits and other actions by the Board of Fish surrounding this issue. This is a brand new fishery for the sport sector and the Board of Fish is allowing it to develop on the back of the commercial fishery which is inappropriate. The Board of Fish is making an allocation decision based on one person's proposal. Allocation decisions are based on history in the fishery and there is no history for the sport sector in this fishery. This is a fully utilized fishery whose biomass is in a decline.

The charter operator that put in this proposal runs a 16 person lodge with 5 day trips. If we assume he has a 100 day season that is 20 groups and each person takes home the 8 sablefish you have now allotted- that is 16 people x 20 groups x 8 fish = 2560 fish at an 8 pound round average = 20480 pounds. That is more than a permit holder in the Chatham sablefish fishery is allowed. It would not take very many other lodges jumping on this bandwagon to make a huge impact in a fully utilized fishery. The Chatham fishery in 2008 was 1.5 million pounds and is projected to go down in 2009. This is a very important commercial fishery. The other sablefish fisheries in the state are equally threatened by this action taken by the BOF. To allow this much sablefish in the sport bag limits is eroding the fishery if accounted for and is eroding the fish stocks (and ultimately the fishery and fish stocks) are not accounted for. Self reporting is totally unreliable at best and that is what is out there for the charter industry now.

I feel that a daily, in possession and annual limit of 1 (one) fish is plenty. That is what rockfish, lingcod and dogfish are at. Now why would the BOF make the limits on sablefish larger than the limits on dogfish? You don't know the size of the dogfish biomass, yet from fisherman's observations there has been an increase in dogfish both in numbers and area they are in over the last 7-8 years and it is not a fully utilized commercial fishery. You have many ideas on the sablefish biomass and it is declining and it is fully utilized. Makes no sense to me particularly since the BOF rationalization for not increasing the dogfish quota was that ADFG sport fish couldn't show a need for it - that people were not utilizing it. The creel samples for sablefish show 7 fish. With 133000 anglers last year I don't think 7 fish reported on creel surveys shows any need for sablefish at all! If the person that presented the proposal says that they caught more - well than that sure shows that self reporting doesn't work and that to use it on a declining vulnerable stock is a huge mistake!

The second thing I am very concerned about is the decision to allow electric reels. Basically the BOF is now allowing commercial gear to be used in a sport fishery. (Jigging machine) This is definitely not an historical use! So not only is the BOF allowing a non historical fishery to develop on the back of a historical fully utilized declining fishery it is allowing commercial gear to be used in it too. What's up with that? If charter operators are successful in developing this new fishery then the BOF is at fault for creating a HUGE problem that is going to affect the whole sablefish fishery in the State of Alaska. It will be even worse than the halibut mess going on now as it is not an historical fishery for the sport sector and so will have been caused by the BOF allowing it to happen. Not really the BOF's job to do that is it?

I definitely feel that the BOF should NOT be looking at this and thinking of it as an opportunity for growth in the sport sector. The BOF should have made a definite statement citing it as a situation of NO opportunity. I think the BOF should look at this again and repair the damage looming over us all immediately. To do otherwise would be to cause all to wonder just what the BOF agenda is.

Thank You
Carolyn Nichols
111 Knutson Drive
Sitka, AK 99835

A handwritten signature in black ink that reads "Carolyn R. Nichols". The signature is written in a cursive style with a large, prominent 'C' and 'N'.

RECEIVED
APR 13 2009
BOF
RC 13

April 1, 2009

To: Alaska Board of Fish

Please reconsider the decision you made on sablefish bag limits and lower them to either 1 fish annually or zero. The sablefish fishery is a fully utilized many year historical fishery by the commercial setline fishermen with huge economic impact for the State of Alaska. The sablefish stocks are in a decline at this time. There is NO history in the sport fishery of sablefish catches. A creel sample of 7 fish does not show history in the fishery! Allocations are made on historical catch. The bag limit you set has the potential to completely undermine the existing historical commercial fishery. Also by allowing electric reels to be used you are allowing commercial gear to be used in a sport fishery. I feel it was a very bad decision by the BOF and it will cause a huge mess in the fishery and it is the BOF's responsibility to repair this before it is too late.

I am 21 years old and have fished with my family all of my life and hope to make fishing my livelihood. I own some halibut IFQ's that I have bought and am hoping to invest in sablefish IFQ's in the future. I am well aware of the problems in the halibut fishery and have seen my allowable catch of halibut shrink to less than half what it was when I bought it. As a fisherman buying into the IFQ program I look at the BOF decision on sablefish bag limits to be a huge threat to the stability of the sablefish fishery both for the health of the fish stocks and the economic stability of the fishery. I feel this way because self reporting has yet to be an accurate way to account for sport catches and so fish will be caught that are not accounted for and with the sablefish stocks in a decline unaccounted for catches will harm the health of the stocks. I think it will harm the economic stability of the fishery as with the present 8 fish annual limit set by the BOF the guided sport charter fishery has the potential to have a huge impact on sablefish stocks. The operator who proposed this in the last meeting (and who wants more now) has the ability with the number of clients that his lodge alone runs in a summer to take more than a chatham sablefish permit holder is allowed annually. This is going to cause havoc in the fishery that has existed for many years.

I do not understand why the BOF would open up a new fishery on the back of an existing historical fishery with a fully utilized resource that is in a decline. Please change the bag limit to either 1 fish annually or zero and do not allow electric reels to be used.

Thank You
Ryan Nichols
305 Islander Drive
Sitka, AK 99835

RC14

3/20/09

MAR 20 2009
BOARD

Alaska Board of Fisheries
Board Support Section
Attn: John Jensen, Chairman
PO Box 15526
Juneau, Alaska 99811-5526

Dear Chairman John Jensen;


I am writing you to let you know that I am against any increased bag limit of black cod to the sports fisherman. I am told that there is already a very significant decline in the biomass for black cod in Southeast. I KNOW from my own quota cuts that there is definitely a significant cut in quota for black cod in Southeast.

I was born in Alaska and have been raised on and around boats my entire life. I am 100% dependent on fishing for my income. I have recently purchased IFQ quota and depend on the vitality of the fishery to be successful in paying off my debt. Not only am I a life long Alaskan fisherman, but my father and my grandfather are also. My grandfather is now retired in all fisheries except Chatham black cod. This income is very important to my grandfather. I always look forward to Chatham with my grandfather onboard the boat. It is the only fishing we are able to do together anymore. We are not only talking about a fishery here but a lifestyle that is unique and significant here in Southeast.

As far as I am concerned, the Board acted too liberally in giving any allocation of black cod to sports fisherman. Please do not give any more of our quota or our lifestyle away.

Thank you.

Jeb Stuart Phillips
PO Box 1315
Petersburg, Ak 99833 907-518-1977



cc: Governor Sarah Palin

F/V Kruzof

JIM & RHONDA HUBBARD

P. O. Box 3302 • Seward, Alaska 99664
Phone: (907) 224-7342 • Fax: (907) 224-5572

RECEIVED

APR 13 2009

BOARDS

RC 15

Jim Marcotte, Executive Director
Alaska Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

RE: Proposal B- 5 AAC 47.020. Bag and Catch limits for Sablefish in Southeast Alaska Area.

Attention, Director and Board Members,

Before passing this proposal, I would like to stress the following concerns or comments for consideration

1. As of late, I understand there has been no formal catch record for sablefish taken by sport and personal use anglers in Southeast. It is suspect that a significant amount of the sablefish will be harvested by private lodges and their clients. Please answer how this proposal is going to accommodate establishing a catch record and enforcing annual limits in a real time fashion among such clientele.
2. The commercial fishery has endured recent cuts over the years. Until a sport angler catch and discard record is established for sablefish, it seems most appropriate to maintain the lower daily catch limit of two fish and annual limit of eight fish. This proposal should open discussions for a more comprehensive catch plan that includes a firm sport angler allocation that moves up and down relative to annual biomass assessments. Without this consideration commercial fishermen will be bearing all the burden of stock reductions.
3. Sport angler catch limits should fluctuate based on annual stock assessments as determined by fisheries managers. This precedence should be established as soon as possible so anglers are aware of increases / decreases in exploitable biomass and incorporate this management style into their business plan and with their clients.
4. There is no provision in the proposal on method of catch by anglers for sablefish. It should be determined now that electric reels not be allowed as a catch method.

Your consideration of these concerns would be greatly appreciated.

Sincerely yours,


Jim & Rhonda Hubbard

Chatham and Clarence Straits Permit Holders

CC: Cara Crume, Gov
Palin's office

CC: John Jensen
Board Support Section
Chairman

RC 16

Alaska Dept. of Fish and Game
PO Box 115526
Juneau, Ak. 99811-5526

RECEIVED
APR 16 2009
BOARDS

April 13, 2009

To Board Support:

A few years back I suggested to several of the states fisheries biologists to curtail sport fishing for blackcod in state waters. Quotas for sablefish on the outside waters and Alaska's inside waters have all decreased substantially in the last few years. As sport fish opportunities decrease due to the charter fleets' total disregard to any sense of conservation, sablefish will be the next targeted bonanza! I can only urge the state and its' policy makers to put the brakes on this onslaught before it erupts into yet another murderous nightmare, not only of blackcod, but shortrakers and idiot fish, as well.

As I have pointed out in my previous letters to various agencies, the charter fleet has demonstrated throughout its' history in Alaskan waters, total disregard for the resources it pursues, and, in the name of money and greed, the State of Alaska sits idly by and lets this environmental catastrophe take place. It is in a word, pathetic. The only way to save the fisheries resource in Alaska is to have a system of accountability for every charter boat, just as there is for commercial fishermen. Every fish or pound should be accounted for. Then and only then, will the true picture of the plundering that's taking place be brought to light.

Very sincerely,

Martin D. Beam

Martin D. Beam
35628 Whitnah Lane
Richland, OR 97870



RC 17

April 16, 2009

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

RECEIVED
APR 16 2009
BOARD

Members of the Alaska Board of Fisheries:

I request you adopt Board Proposal A which would liberalize the size limit for pike in Alexander Lake. However, I also encourage two suggested amendments: If the Board chooses to continue allowing harvest of only one large pike daily (as in the proposal) then I advocate the size at which unlimited number of pike could be harvested be set at 30 inches or less. Current regulation lists the bag limit for pike over 30 inches at one daily. Since the primary proposal objective is to reduce pike predation on threatened Alexander Creek king salmon, only protecting pike over 30 inches should better reduce predation on king salmon. In addition, there should be less confusion for people harvesting Alexander Lake pike, as the published 2009 regulation size, above which only one pike may be kept, is 30 inches. I see no compelling reason for protecting pike in the Alexander population less than 30 inches in length -- as these fish certainly prey on salmon smolt sized food sources -- evidenced by the fact I've caught many pike (even over 30 inches in length) on smolt sized #4 and #5 splnners.

The primary concern is how to restore the Alexander Creek king salmon population, and, secondarily, restoration of the silver salmon population. Does definitive scientific data show protecting all pike over 27 inches in length has greater benefit for depressed salmon populations in the Alexander Creek drainage? In any other water body?

Concerning point (7): I call for clarification so anglers reading the regulation would know 5 lines could be used when ice fishing for northern pike in ALL portions of the Alexander Lake / Alexander Creek drainage (if ADF&G data shows specific areas where protection for other species is warranted -- ONLY those waters should be excluded). Typically, large pike hooks and large baits will keep incidental catches low.

I'm encouraged by Board Proposal A, and support adoption. King salmon populations in several Northern Cook Inlet streams are at low levels, and have been so for many years. In 2009, I believe, ADF&G Commercial Fish Division should make a (first ever?) commercial conservation closure / restriction (beyond Management Plan minimum) to protect Northern District king salmon. In the future, I hope to see the Board reconsider recent expanded commercial harvest it has placed on depressed king salmon stocks.

Sincerely,

Andrew N. Couch, PO Box 155, Palmer, AK 99645 907-746-2199

Bob Pence

RECEIVED

RC18

From: "Bob Pence" <bpence@mtaonline.net>
To: "Bob Pence" <bpence@mtaonline.net>
Sent: Tuesday, April 14, 2009 11:01 AM
Subject: letter

APR 17 2009

BOARDS

My name is Bob Pence and I would like to comment on the new pike regulation proposal for Alexander lake.

I am the owner of a new fishing guide business on Alexander Lake called Alaska Pike Hunters. I am also a property owner on the Lake and live there part time. I have noticed a huge increase in summer and winter pike fishermen at Alexander lake over the last few years. I feel this increase is due to the trophy sized pike being caught, better winter access, word of mouth, newspaper articles, and local fishing derby winners hooked from the lake. Also, more and more sport fishermen are learning how fun pike can be to catch. Love them or hate them the excitement of catching a huge pike makes you want more. One Saturday this last March I counted over 40 ice fishermen fishing for pike at Alexander. They travel nearly 40 miles by snow machine for a chance of catching a trophy! Pike fishing in Flathorn, Figure Eight, Red Shirt, and Trapper Lakes has increased to the point that fishermen are not catching the larger pike they were in years past. They are now making their way a little further to Alexander. Groomed snowmachine trails from local lodges and flying services with floatplanes make Alexander very accessible and profitable for these services. My business will be expanding with small rental cabins for winter and summer use. One of the reasons I am starting my guide business at Alexander lake is I felt there was a need for a experienced, quality, licensed pike guide with a bigger boat to take people out safely. If the pike regulation changes to a no size limit lake, my business will suffer because the big pike will be thinned out and the fishermen will stop coming. I practice catch and release on large pike personally and I encourage my clients to do the same.

Because of the increased fishing pressure, we need to have a size regulation for the pike sport fishery to keep it from becoming another hammer handle lake.

We should continue with 2 ice fishing holes, no spearing, no bow fishing (these techniques cannot catch and release). The no limit rule will be okay if the size limit is downsized to 27. Lets keep the restrictions on size for Alexander lake. Big pike are an exciting freshwater sport fishery for the south-central sports fisherman.

Bob Pence
 Owner of Alaska Pike Hunters
 Alexander lake, Alaska
 715-4420

Robert E Pence
 4501 E. Echo Ave,
 Wasilla, AK 99654

RC 19

April 14
2009

To

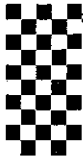
APR 17 2009
Alaska Board of Fisheries
BOFF-111

The State should liberalize
all Pike Fishing in the
Susitna/Yentna River Drainages
including Alexander Lake.

The rule should read that
all pike caught are to be
taken from the water and
left high on shore dead.

~~One~~ salmon and trout
are more valuable, in all
cases, and all pike should
be eradicated to protect
salmon and trout populations

Thank you
George Ontarom
Box 261
Willow AK 99688



RC 20

April 20, 2009

Mr. Jim Marcotte
Executive Director
Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811

RECEIVED
APR 20 2009
BOARDS

Re: Proposal B – Sablefish (black cod) bag, possession, and annual harvest limits and reporting requirements - April 28, 2009 Meeting

Dear Jim,

The SouthEast Alaska Guides Organization, SEAGO, supports Proposal B and we recommend that the Board of Fisheries approve this initiative.

While we agree with the proposal as written, we believe that it would be improved by adding a one year sunset clause. As you recall, the current regulation was adopted during the February, 2009 BOF meeting in Sitka with no historical catch data available. The best estimate from creel survey information showed black cod catches in the single digits. The ADF&G has subsequently changed the sport fish logbook to collect data on sablefish caught during the 2009 fishing season. Having a year's worth of data will give the Board an opportunity to re-evaluate the need for sport conservation and re-establish bag limits (if at all) based on real data. Your consideration of this amendment is appreciated.

Sincerely,

John A. Blair
Executive Director
925-366-6638
john@seagoalaska.org

SEAGO • P.O. Box 422 • Sitka, Alaska 99835 • 907.947.2121
www.seagoalaska.org

RC21 RECEIVED
APR 20 2009
April 15, 2009
BOARD

Dear Governor Sarah Palin:

I have fished Chatham Black cod commercially for 20+ years as a deck hand. This fishery is very important to me as it is my last income for the year.

Please support the board's action of 2 fish daily, 4 in possession and 8 fish annual. I feel this is plenty as the Sport/Charter sector has no historical claims in this fishery. This fishery has developed in the last few years only because they are accessing them with jigging machines and electric reels. I don't think this is sport when you push a button to haul in your fish; this is what we do as commercial fisherman.

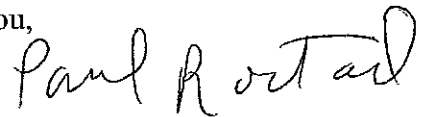
We need to be conservative as the black cod stocks in the Gulf of Alaska are low and directly related to Chatham.

The State of Alaska in my opinion, years ago dropped the ball on the halibut and now we have our halibut stocks in trouble, we don't want to do this with black cod. There are just too many people in the U.S.A. today to be liberal with our states resources.

This is a new fishery for the Sport/Charter sector. We have developed and managed this fishery for 80 years. They are asking for a big reallocation just like halibut. The State can't manage the halibut sport/charter they won't be able to monitor or manage the black cod either.

Please support the boards existing position. We can't afford more of our fisheries reallocated like is being let happen to our halibut.

Thank you,



Paul Rostad

RECEIVED

RC22

APR 20 2009 April 16, 2009

Dear Alaska Board of Fisheries,

BOARD

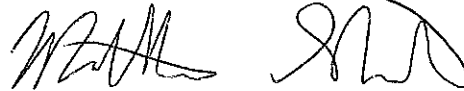
The Chatham Straits Black Cod fishery has been helping to support me and my family for my whole life, 21 years. My father has been using the fishery to my family first as a deckhand and then as a permit holder. I have also recently been a deckhand for the fishery for several years and it helps me pay for my education. This fishery is the last income for me and my family each year.

I am writing this letter in support of the board's current action of a 2 fish daily, 4 fish in possession, and 8 fish annually for the sport/charter sector. The sport/charter sector has no historical claims to the Chatham Straits Black Cod fishery and has only recently accessed the fishery through the use of jigging machines and electric reels. In my opinion, the use of these devices isn't very sporting.

Conservation is a very important part of this issue. Black cod stocks are already low in the Gulf of Alaska and these are directly related to the Chatham Straits fishery. I am also a 2C halibut quota shareholder and I have taken huge quota drops over the last several years. I do not want to see this happen to the Chatham Straits Black Cod fishery also.

Please support the board's existing position on the sport/charter sector black cod catch limits.

Thank you,



Matthew Short

RECEIVED

April 6, 2009

APR 06 2009

Members, Alaska Board of Fisheries

It is mind-boggling to think that the Board of Fisheries would set a restrictive allocation to a commercial fishery that was (1) proposed by sport fishermen; (2) based on last-minute contrived information; and (3) never critiqued by the affected commercial fishermen. This proposition is not just unthinkable, it is something no board member could ever support with a straight face.

Yet the board did exactly that in revising Southeast sport limits for sablefish. Although there are very few sablefish anglers, there are serious repercussions from this action involving board process issues, public notice, and use of disingenuous information. Luckily, there is an opportunity to fix this by repealing or amending the regulation at the April teleconference.

Let's review:

At the Sitka meeting, despite no proposal to do so, the board initiated and adopted a bag limit of 4 sablefish, a possession limit of 8, and an annual limit of 12 for all of Southeast Alaska. There were no quantitative data on the sport catch, except that a total of 7 sablefish were seen in the 2008 region-wide creel census, indicating extreme low resource use. The board heard through public input that two lodges near Juneau had developed a small niche market for sablefish targeting customers from Hawaii. The board declared a vague conservation perspective in northern Southeast was at the basis of its decision, although the board did not consider any changes in the vastly larger commercial sablefish fishery.

The sport sector present at the meeting reluctantly agreed to these limits although the preferred option was to delay a bag limit consideration until after the 2009 season, so that the sport catch could be quantified before setting an appropriate limit, and so affected users could be given opportunity to be heard.

PROPOSED BY COMMERCIAL FISHERMEN

At the last moment of the Sitka meeting, the board reversed itself, vaguely referencing "new information" set out in RC's 285, 293, 295 and 298, all submitted by commercial longline fishing interests (see attached). A motion

to shrink the limits to 2 per day, 4 in possession, 8 annually for all sport users was adopted 4 to 1, even though two board members abruptly walked out.

No discussion of the “new information” took place, just a vote to accept it. One member argued against it. No one built a record for why this sudden reduction was necessary. No one explained why two fish per day was better than four fish per day, nor why eight per year was better than twelve. (See attached transcript)

One can only assume the “new information” in the RC’s was relied upon by the board. Otherwise, the board’s action was arbitrary.

FALSE INFORMATION

The “new information” in all 4 RC’s incorporated the premise that 10 % of the 133,500 sport fishermen fishing in 2007 would fish for sablefish and also catch an annual limit of 12. The resulting catch would be enormous, a large percentage of the commercial catch.

For that matter, if 10% of all sport fishermen caught 12 king salmon, the king salmon catch would be enormous too, in the neighborhood of 156,000 king salmon, which is preposterous. King salmon are THE target species in Southeast Alaska. Far less than 10% of all fishermen catch 12 king salmon.

Sablefish are not a targeted species, and the fact there is no sport catch information testifies to its lack of sport popularity. King salmon are caught everywhere in Southeast Alaska, primarily in 150 feet of water or less, while sport-caught sablefish are only taken in one deep trench (2000 feet) near Juneau by only two lodges.

Logic therefore suggests it is truly impossible for the sport sablefish catch to be targeted by 10% of all anglers, let alone caught by 10% of all anglers, as falsely asserted in the late RC’s.

Let’s examine the sport licensing data to corroborate this:

In 2007, there were 120,500 sport fishing licenses sold in Southeast Alaska (see attached licensing information). Of these 51,700 were nonresident one-day licenses, the preponderance of which are cruiseship passengers buying 4-hour trips for salmon. None of these could be sablefish fishermen.

There were 25,000 3-day nonresident licenses sold in Southeast in 2007. These too are not Chatham Strait sablefish fishermen staying at Juneau area lodges for 4 or 5 days. These instead are mostly salmon, halibut, or steelhead fishermen visiting any of many communities or short-stay lodges throughout the region, including Yakutat.

In 2007, there were 17,000 resident sport fishing licenses sold, plus another 13,000 resident combination licenses sold in Southeast. Since the dockside creel census shows only a handful of sablefish (7 fish in 2008), clearly these 30,000 licensees are not taking 12 sablefish each. Even 10% are not taking 12 sablefish per year, or the creel census would detect them readily. It is irrational to believe that 10% of all resident licensees will fish northern Chatham Strait for sablefish.

In 2007, there were approximately 6000 blind, low income and reciprocal licenses, duplicate licenses, military licenses, nonresident annual licenses, and combination nonresident licenses sold in the region. Almost none of these likely target sablefish. The nonresident combination licensees are hunters who also sportfish, not fishermen who fish in 2000 feet of water with specialized expensive gear targeting sablefish in a trench in Chatham Strait.

This leaves only the 14-day nonresident licenses. In 2007, there were 6000 sold in Southeast Alaska, including Yakutat. This is the pool of potential nonresidents who could stay at lodges for several days and theoretically target sablefish. However, all lodges target salmon and halibut, so the fraction that fish for sablefish in a deep trench near Juneau with specialized gear for a specialized clientele can only be very very low. The Southeast Alaska Guides Organization testified in Anchorage that it polled its member lodges and found only two lodges targeting sablefish on a weather permitting basis (both near Juneau), and one lodge in Icy Strait/Cross Sound that reported taking an occasional sablefish incidentally while halibut fishing. The 6000 14-day licenses were sold throughout Southeast Alaska. The fraction sold within a two-hour run from the sablefish fishing area in northern Chatham Strait is very small.

All of this licensing information was available on short notice at the Sitka meeting. It is public information.

But because of the fear generated by the hastily written R.C.'s that some large fraction of nonresidents may be taking a huge poundage of sablefish, the board sidestepped the process and imposed a super-restrictive bag, possession and annual limit on everyone, even residents, everywhere in the region.

The two-fish limit for residents is the same as a closure because of the high cost to reach the sablefish grounds coupled with very low catch considerations. No one will run 40 miles from downtown Juneau to Chatham Strait (80 miles round trip) for two 7-or 8-pound sablefish. The distance for other users in the region is even greater. Did the board really mean to cut residents out of participating at all? If so, why not just close the fishery?

NEVER CRITIQUED

The board adopted this skimpy new limit without asking a single sport user for a comment. The board's reconsideration of its own board generated proposal was so bizarre, it is no wonder that word of this action has spread around the state. This procedure was truly not the board's finest hour.

Among the sport representatives at the meeting in Sitka was one of the two lodge owners who fishes sablefish. He was there to testify about electric reels, but could have been consulted to help the board with sablefish questions. Sport industry representatives were present who could speak to the difficulty of catching sablefish in 2000 feet of water using several pounds of lead, trying to keep lines from tangling at that depth and still be able to reach the bottom. Charter operators could have told board members, if asked, how dependent the fishery is on perfect weather and currents, and also why most charter operators don't even desire to enter the fishery because of a lack of clientele for a specialized fish, the cost to gear up for the fishery, and unpredictability of success. All these factors operate to keep effort extremely low. These issues most certainly would have been addressed in the public hearing had there been a public or staff proposal.

Yet the board did not seek any understanding of the fishery. Instead they brought the concocted RC's to the table. Essentially, what those RC's say is that if a lot of people fish and catch lots of fish, then lots of fish will be caught. Apparently, the board never questioned the "if", but instead treated the premise as if it were a fact.

OPPORTUNITY TO FIX THIS

There are three wrongs to make right in this issue. The first is the damage to the process from last-minute reconsiderations based on bogus information. The second is unfairness to fishermen who were present but never consulted when drastically restricting their fishery. The third is undeserved injury to sport fishers who had no notice that the board would even be considering sablefish limits. The opportunity now exists to make right these wrongs at the April teleconference by increasing the bag limit, or by repealing it and putting off any bag limit decision until catch data are in hand.

The process issue is of statewide interest, since all fishermen rely on board members acting ethically and using the best available information. In any allocation dispute, no one wants to see fear-based hypothetical expansions from one side become the basis for an allocation. The public needs the board to take the time to do it right. All users have lost an allocation battle at some point in the past, but it doesn't sting as badly when the board is fair and uses the best available information.

You can argue that "yes, it was wrong to make a regulation based on no data, and wrong to reconsider it based on exaggerated claims, but if we change it again, we are just compounding the problem".

The overriding counter argument to this is that the stain to the process is permanent if you don't fix it. Many people are upset, not because they are blackcod sport fishermen, but because at some point they too will want a fair shake from the board with honest data. Fishermen have a right to expect that the board process is not corrupt, but is responsive to logic and reason.

You have new data on the number of possible anglers involved now. You now know there are only two lodges involved. There was insufficient time to be unerring when it was reconsidered, but now you have before you a clean proposal to either fix the regulation or repeal it until a time certain next winter.

Anyone, any agency can make a mistake. The difference between good government and bad government is the steps taken to correct it rather than bury it.

If you do nothing, this issue will fester and reappear many times until it is addressed. If you correct it now, there will be no adverse harm to the sablefish resource, with participation at a very low level and expected to stay

that way, and the board's process and reputation for fairness will once again be intact.

Sincerely,

Larry Edfelt

Organizations Supporting This Letter

Petersburg Charter Boat Operators Association

Sitka Charter Boat Operators Association

Juneau Charter Boat Operators Association

Ketchikan Guided Sportfishing Association

RECEIVED
APR 16 2009

RC 24

Transcript End of Feb. 2009 Sitka Meeting - Blackcod regulation
Submitted by: Sitka Charter Boat Operators Association

Jensen: Do we have any other unfinished business we'd like to bring up before we go off the record?

Williams: I move we adjourn.

Delo: I'm going to bring something up that will probably get me shot. I'm going to bring it up and then I'm going to defer to Chairman Jensen to discuss it. And I'm just doing this because this thing just doesn't seem to want to die. And I think we're either going to deal with it or kill it right now and that is I make a motion that we reconsider the black cod, bag, possession and seasonal limits and it's based on new information contained in R 285, 293, 295 and 298. And I would ask if there's a second.

Morris: Second.

Jensen: It's moved and seconded. I guess we have to ask if this is considered new information? Is that what we're doing right now?

Delo: I suspect that's what we're going to have to do.

Jensen: You'll find starting at the bottom of 285, I believe. I don't recall seeing this graph. Maybe I wasn't reading all my RC's, but I'm pretty sure I did. But the last three, 293, 295 and 298 to me were definitely new information and I would turn it over to the board and see if they agree with me. Anyway it's new information to me, it may not be to you. I looking for... guys we want to take it up and work it over one more time.

Williams: Mr. Marcotte, point of order. What is the vote required for successful reconsideration. It is simple majority or is it more?

Marcotte: Through the Chairs, it would be a simple majority. You would need four votes to bring the proposed back in front of the board.

Jensen: if there's no discussion we might as well just bring it up for a vote. Is that okay with the board. Anybody have any comment before we...

Delo: Mr. Chair

Jensen: Mr. Delo

Delo: I suspect folks might be digging and looking and possibly reading either that they're just numb. I'm not sure which, so I would ask that we take a five minute by my

watch, break just to give people a chance to read it. It's five after seven. I'd say we're back in the Chairs and we're taking a vote at ten after seven.

Jensen: We'll come back on the record on the two there on the big clock.

Delo: If people are wondering around, I'll ring the bell.

Bill Brown and Bonnie Williams walk out.

Jensen: We have five of seven board members left and on the table before us we have a consideration of some new information. Mr. Morris do you have a...

Morris: Mr. Chairman I think a lot of the actions might be taken be relevant to the discussions that we make pertaining to electric reels and as such I propose to table this to the same meeting.

Jensen: We have a second.

Delo: Second

Jenkins: it's been moved and the second to table this to the March fin fish meeting in 2010 and that way we can discuss it in conjunction with the electric reel and that way in my opinion we'll also have a year of information we can take a look at...at the twelve limit that we have before us right now, Mr. Webster.

Webster: Yes, the information presented to us, although its reorganized, the numbers have been recolumnized, reorganized, and regraphed, but I don't consider thi new information myself. The action we did take on proposals I think... I don't consider that new information that would influence anything that I would consider for this proposal and if next year if we bring this up and table it... we'll have a year of data before us and at that time if it looks like the harvest is a lot more than what we thought it was and there's a greater conservation concern, we can generate a board proposal to address that. I just don't think that this is new information. I will be voting against this.

Jensen: Thank you Mr. Webster. That being said, is there any more comments board members? Okay, what we're doing right now is we're going to vote on whether this is enough new information to bring it up before us. Then we'll continue with Mr. Morris's discussion on board ...

Delo: Point of order.

Jensen: Mr. Delo.

Delo: On this vote, Mr. Marcotte said that it was a simple majority. Would that be a simple majority of seven or of five?

Marcotte: Mr. Chairman, Mr. Delo...of the board four votes.

Delo: Thank you.

Jensen: Thank you Mr. Marcotte. We we'll take a roll cal vote now whether this is new information or not.

Marcotte: Actually the motion is to reconsider that black cod proposal which was proposed 298.

Jensen: And that's based on our finding new information.

Marcotte: Correct.

Jensen: Okay, so it's a roll call vote. Explain it one more time, could you?

Marcotte: The motion was to reconsider that black cod proposal and it requires four votes to pass.

Jensen: Okay. Thank you Mr. Marcotte. Roll call vote. Mr. Morris.

Morris: Question. The question is whether we have new information or is it just to reconsider?

Marcotte: Through the Chair, the motion was to reconsider, the board has a finding, err... a policy on reconsideration motions, those are in the RC1 under the policies and findings tab, the essence of which is that any board member can bring up a proposal for reconsideration during the course of the meeting, it suggests that some prior notice be give so that folks have a heads up on it. You don't have to be on one side or another side of a previous vote and the basis for a reconsideration includes finding new information.

Jensen: That clarify it for you, Mr. Morris?

Morris: I think so.

Jensen: Okay, we're ready for the roll call vote. Mr. Marcotte, roll call vote please.

Marcotte: Okay Jensen.

Jensen: Yes

Johnstone: Yes.

Morris: Yes.

Webster: No

Delo: Yes

Marcotte: Motion carries four votes in favor one opposed. Mr. Chairman.

Jensen: Thank you, Mr. Marcotte. And with that, Mr. Morris would you like to make a motion to table it. I don't want to put words in your mouth.

Morris: Yes Mr. Chairman. Given the fact that we uh, have tabled the electric reels to another meeting, I believe that the information is pertinent to that discussion that will take place at that time. And I therefore move to table this proposal to that same meeting.

Jensen: Do I hear a second? Oh, Mr. Doherty...

Doherty: Mr. Chair, the department way want to correct me if I'm wrong, it's my understanding that if this proposal is tabled and not adopted, you won't have the information that you are assuming will be present at the new meeting because there won't be any logbook recording, Mr. Chair. The department may correct me if I'm wrong.

Jensen: Deputy Director Bentz.

Bentz: Mr. Chairman, I need to verify you're talking about tabling it to March 2010.

Jensen: Correct.

Bentz: We will have information from the 2009 season from the salt water charter logbook and regional creel survey program for that meeting.

Jensen: Thank you Deputy Direct Bentz. That's sort of what I was looking for. Further questions? Mr. Webster?

Webster: Did we just.....? Or if we passed..., if we tabled it, the proposal is back before us at this time, right?

Jensen: Correct. Yeah, we voted to reconsider.

Webster: So what was our decision, that it's? What we just did is no longer regulatory. So, uh the law goes back to the way it was before... before.

Jensen: And that was no limits.

Webster: So...

Jensen: So... Mr. Delo.

Delo: What I'm ... is what I'm hearing that the 4-8-12 or the 4 4 12 or whatever it was we passed is that out the window now?

Webster: That's gone. That's gone right now. As of right now, that's gone.

Delo: That was not my intention by bringing this up.

Webster: What need to do Mr. Chair is.... We... we should have left... we need to vote this... we need to support this again. Then create a board generated proposal and table it for next year so that the department will have data that we can look at a year from now. Otherwise we're back to zero.

Morris: I withdraw my tabling motion.

Jensen: You withdraw the seconding motion on the tabling?

Delo: Yes, I withdraw the second on the tabling.

Jensen: With that we're back to some numbers. Um...as far as the reconsidered uh...black cod proposal. Mr. Delo.

Delo: Thank you, Mr. Chair. My intention of even bringing this up was I had heard a discussion that there was some concern about the level of annual bag limit in the regulation that was passed at this meeting and I thought that the discussion might lead to a readjustment of that annual limit in this meeting. Uh. It was not to overturn the actions of this board at this meeting it was merely to allow a little further discussion to see if there was going to be clarification on the annual limit and uh... now that I understand the process a little bit better.. I would agree with Mr. Webster's assessment I think we need to backup and leave the regulation as it was passed by this board alone so there is a reason and the ability to generate some data and then perhaps generate as Mr. Webster suggested a board generated proposal to revisit these annual limits and whatever comes out of this one year data. That's what I'm thinking.

Jensen: Is that a motion?

Delo: I'm not sure what we gotta do to kinda back ourselves out of the hole we just dug ourselves into.

Jensen: Mr. Doherty?

Doherty: Mr. Chair, the proposal is before you now as it was when it was adopted. The board can choose to adopt it again unchanged or the board could choose to amend it at this time, Mr. Chair.

Jensen: Mr. Delo?

Delo: Hearing that I would move that we adopt the regulation unchanged from the way the full board passed it at this meeting and then as a second step we talk about a board

generated proposal for the statewide. Thank you Mr. Chair. And I make that as a motion and hopefully somebody will second it.

Morris: Second.

Jensen: Okay, we have a motion and a second. Uh...explain what you just did, Mr. Delo?

Delo: What I'm trying to do.... The board already had a regulation in place.

Jensen: Right.

Delo: ...and apparently the actions that we just took in the course of our trying to get something on the statewide meeting, undid that regulation. That was not my intent when I brought this up. And I would not support that outcome if that's what we ultimately end up with. So what I would like to do is reinstate the regulation as it was passed earlier in the meeting. We don't touch that. Then if we want to we come up with a board generated proposal to readdress the annual limits or whatever, which is what I thought we were originally going to do, uh... for this statewide meeting.

Jensen: Well then, if that's what your wishes are then we sort of went through whole bunch of gyrations to get back to where we were. And...

Delo: That's what I understood that we were doing.. I didn't understand realize that we did what we did.

Jensen: And we could um... Do it a board generated proposal at our wish.

Delo: We can, but right now have to backup to reinstate the regulation we overruled.

Jensen: I realize that. Mr. Marcotte?

Marcotte: Procedurally, what... you may want to follow this path, but it's your choice. But simply a board member can call for the question and you can vote once again on proposal 298. that's the proposal that's in front of you. It's as you amended it previously. Uh...and then after that adopting a proposal then the slate is clean and you can generate a new proposal. It's a little awkward to have the motion have both an accepting proposal 298 and generating a new one that's not specified yet. So, I guess my recommendation is simply you could call for the question, vote on it, that proposal 298.

Delo: Question....

Jensen: I ... this is the biggest ditch I've ever been in in my life. Um, so now I'm forced to vote for a 12 fish bag limit or it goes to nothin'. What a cunnundrum.

Unidentifiable Voice: Aren't we voting to put it back the way it was?

Marcotte: Mr. Chairman, the proposal in front of the body right now is proposal 298.

Jensen: Yeah, it's... what it is right now there's

Morris: So we can amend it?

Unidentifiable Voice: You can amend it.

Morris: I move to amend it to the 6-what was it... 6-8 and 12?

Webster: I can't hear you down here.

Morris: I move to amend it to 6-8 and 12. or whatever we had 4-8 and 12.

Confusion...talking over each other

Tonkin: Mr. Chair?

Jensen: Yes, Miss Tonkin.

Tonkin: (too soft to understand)... proposal to begin with, has sable fish taken from January 1 to December 31 bag limit of four, possession limit of eight, annual limit of 12, no size limit, harvest record required. Mr. Chair.

Jensen: Thank you Miss Tonkin.

Morris: So that's where were at right now?

Jensen: Are we at RC 283?

Tonkin: RC283 was the RC that was substitute language for proposal 298. Mr. Chair.

Jensen: 283, thank you miss Tonkin(?). I'm lookin'.... On moment please.

Tonkin: I would be glad to loan you mine, Mr. Chair.

Jensen: Could you? I'll come over and get it.

Background talking...

Jensen: Okay so what we're talking about right now is ...

Unidentifiable Voice: Mr. Chair, do you want to step out five minutes?

Jensen: Yeah, okay... let's take another five minutes off.

Jensen: Back on the record 7:26. uh... five of seven board members present and seated. Mr. Morris?

Morris: Mr. Chairman, I move to amend proposal before us to two daily, four in possession, eight annual.

Jensen: Is there a second? (long pause) do I hear a second?

Delo: Second.

Jensen: Okay, it's moved and seconded. Floor's open to discussion. Mr. Morris your amendment.

Morris: Mr. Chairman, I believe this is being conservatively having taken up the issue of electric reels we don't know what impact those will have on the harvest it's a developing new fishery that is uh.. focused on a fully allocated uh... resource and uh certainly this is more conservative then what we had before us but this I think the same proposal that I put before the board earlier last year whenever it was we were sitting here talking. So anyway, I would support this. Mr. Chairman.

Jensen: Thank you Mr. Morris. Further discussion, Mr. Johnstone?

(mumbled conversation)

Johnstone: I would adopt by reference, earlier comments on cost and earlier comments on allocations. Thank you Mr. Chair.

Jensen: Thank you Mr. Johnstone. Mr. Delo, do you have anything to add?

Delo: Well, I would also like to adopt by reference all of my comments from earlier in the meeting uh.. regarding this. Thank you Mr. Chair.

Jensen: Thank you. Mr. Webster do you have anything?

Webster: Yes, I'll address this. (Long pause) I'm going to be voting in opposition to the amendment. The department will be collecting the data no matter what the bag limit is, possession or annual limit. And that's what we need before us, so we can make an informed decision. So I won't be supporting this at this time. Mr. Chair.

Jensen: Thank you Mr. Webster. Um.... Do I hear a question?

Morris: Do we need four votes?

Jensen: Yeah we do.

Morris: Question.

Jensen: Question's been called at this time. Errors or Emmissions, Mr. Doherty.

Marcotte: Just on the amendment.

Jensen: Just on the amendment, okay. Mr. Marcotte will call vote on the amendment.

Marcotte: Okay, on the amendment. Delo?

Delo: Yes.

Marcotte: Jensen?

Jensen: Yes

Marcotte: Johnstone?

Johnstone: Yes

Marcotte: Morris?

Morris: Yes

Marcotte: Webster?

Webster: No.

Marcotte: Motion carries. Four in favor, one opposed, two absent. Mr. Chair.

Jensen: Thank you mr Marcotte. So we have an amendment before us and is there any discussion on the amended language? On the main amendment, main proposal.

Unidentifiable Voice: Question.

Jensen: questions been called for. Errors or Ommissions, Mr.. Doherty.

Doherty: No Mr. Chair.

Jensen: Staff.

Staff: No, Mr. Chair.

Jensen: Roll call vote please, Mr. Marcotte.

Marcotte: Final action on proposal 298. Webster?

Webster: Yes

Marcotte: Delo?

Delo: Yes.

Marcotte: Jensen?

Jensen: Yes.

Marcotte: Johnstone?

Johnstone: Yes.

Marcotte: Morris?

Morris: Yes

Marcotte: Motions carries five in favor, no opposed, two absent.

Jensen: Thank you Mr. Marcotte. Is there any other business before us at this time. Mr. Delo?

Delo: I move we adjourn before we do anymore damage.

Jensen: Mr. Delo, I appreciate your adjourn, so moved. We're adjourned.

Record copies from the February 17-26, 2009 Board of Fisheries meeting in Sitka that contained comment on the topic of sablefish bag limits

These written comments from the Southeast Finfish meeting are included in the materials for the April 28, 2009 meeting for references purposes.

RC 55	O'Connell	article on recreational fisheries
RC 84	ALFA	letter on fishery conservation
RC 85	ALFA	comments on seafood industry
RC 99	Malcom	comments on sport bag limits
RC 224	SEAFA	comments on proposal 137
RC 227	O'Connell	comments on sablefish harvests
RC 239	Curran	comments on proposal 137
RC 264	Behnken and Hansen...	comments on proposal 137
RC 284	Behnken	assessment of sablefish stock
RC 285	Behnken	impacts of sablefish harvest
RC 293	O'Connell	comments on proposal 137
RC 295	Behnken, ALFA	comments on sablefish harvest
RC 298	Curry, PVOA	effects of different bag limits

O'Connell 2/17/05
RCS
FEB. 2009

REPORTS

15. R. N. Holdaway, C. Jacomb, *Science* 287, 2250 (2000).

16. K. J. Gaston, in *Encyclopedia of Evolution*, M. Pagel, Ed. (Oxford Univ. Press, New York, 2002), vol. 1, pp. 344–349.

7. R. N. Holdaway, in (12), pp. 189–238.

18. D. A. Roff, R. J. Roff, *Evol. Ecol. Res.* 5, 759 (2003).

19. N. P. Ashmole, N. J. Ashmole, K. E. L. Simmons, in *Seabirds on Islands: Threats, Case Studies and Action Plans*, D. N. Nettleship, J. Burger, M. Gochfeld, Eds. (BirdLife International, Cambridge, 1994), pp. 94–121.

20. I. A. E. Atkinson, in *Conservation of Island Birds: Case Studies for the Management of Threatened Island Species*, P. J. Moors, Ed. (Technical Publication No. 3, International Council for Bird Preservation, Cambridge, 1985), pp. 35–81.

21. S. L. Pimm, M. P. Moulton, L. J. Justice, in *Extinction Rates*, J. H. Lawton, R. M. May, Eds. (Oxford Univ. Press, Oxford, 1995), pp. 75–87.

22. J. M. Diamond, in *Extinctions*, M. H. Nitecki, Ed. (Chicago Univ. Press, Chicago, 1984), pp. 191–246.

23. J. M. Diamond, in (11), pp. 824–862.

24. T. M. Blackburn, P. Cassey, R. P. Duncan, *Ecography* 27, 124 (2004).

25. R. H. MacArthur, E. O. Wilson, *The Theory of Island Biogeography* (Princeton Univ. Press, Princeton, 1967).

26. Materials and methods are available as supporting material on Science Online.

27. T. J. Case, *Biol. Conserv.* 78, 69 (1996).

28. I. A. E. Atkinson, T. J. Atkinson, in *Invasive Species in the Pacific: A Technical Review and Draft Regional Strategy*, G. Sherley, Ed. (South Pacific Regional Environment Programme, Apia, Samoa, 2000), pp. 19–84.

29. D. Tilman, C. L. Lehman, K. T. Thomson, *Proc. Natl. Acad. Sci. U.S.A.* 94, 1857 (1997).

30. BirdLife International, *Threatened Birds of the World* (Lynx Edicions and BirdLife International, Barcelona and Cambridge, 2000).

31. A. Balmford, *Trends Ecol. Evol.* 11, 193 (1996).

32. R. C. Littell, G. A. Milliken, W. W. Stroup, R. D. Wolfinger, *SAS System for Mixed Models* (SAS Institute Inc., Cary, NC, 1996).

33. K. P. Burnham, D. R. Anderson, *Wildl. Res.* 28, 111 (2001).

34. We thank D. P. Armstrong, L. Birch, R. L. Boulton, J. G. Ewen, and G. R. and K. B. Cassey. Supported by the Leverhulme Trust (grant no. F/00094/AA), a British Ecological Society small ecological project grant (no. 2264), and Foundation for Research, Science & Technology contract no. C09X0004.

Supporting Online Material
www.sciencemag.org/cgi/content/full/305/5692/1955/DC1
 Materials and Methods
 Table S1
 References and Notes

17 June 2004; accepted 12 August 2004

The Impact of United States Recreational Fisheries on Marine Fish Populations

Felicia C. Coleman,^{1*} Will F. Figueira,^{2†} Jeffrey S. Ueland,^{3‡} Larry B. Crowder²

We evaluated the commercial and recreational fishery landings over the past 22 years, first at the national level, then for populations of concern (those that are overfished or experiencing overfishing), and finally by region. Recreational landings in 2002 account for 4% of total marine fish landed in the United States. With large industrial fisheries excluded (e.g., menhaden and pollock), the recreational component rises to 10%. Among populations of concern, recreational landings in 2002 account for 23% of the total nationwide, rising to 38% in the South Atlantic and 64% in the Gulf of Mexico. Moreover, it affects many of the most-valued overfished species—including red drum, bocaccio, and red snapper—all of which are taken primarily in the recreational fishery.

clusion of commercially caught freshwater species and the exclusion of recreational data sets, such as data from the southeastern headboat sector (table S1).

We developed a comprehensive landings database (10) with data provided by the Marine Recreational Fisheries Statistics Survey (MRFSS), NMFS science centers and fishery management councils (FMCs), multistate marine fisheries commissions, and state natural resource agencies (table S2). We included landings data only and did not include fish discarded at sea either as regulatory discards (for commercial and recreational fisheries) or as a result of catch-and-release (exclusively a recreational fishing practice). After standardizing the data to allow for reasonable comparisons of these diverse data sets (tables S1 to S3), we assimilated a 22-year (1981 to 2002) time series of commercial and recreational landings.

We conducted analyses for the continental United States at national and regional levels, the latter based on the management jurisdictions of the following FMCs: Northeast (combining Northeast and Mid-Atlantic FMCs, Maine through Virginia), South Atlantic (11) (North Carolina through the east coast of Florida), Gulf of Mexico (the west coast of Florida through Texas), and Pacific (Washington through California, including Alaska only in the nationwide comparisons).

The nationwide analyses included three successively smaller groups of species: all federally managed marine fish; all marine fish, excluding walleye pollock (*Theragra chalcogramma*, used to produce frozen fish products) and menhaden (*Brevoortia tyrannus* and *Brevoortia patronus*, used almost exclusively to produce fish meal); and all “populations of concern” [i.e., those populations listed by NMFS (12) as either overfished or experiencing overfishing]. Menhaden and pollock were excluded because they have little or no recreational value and they are not considered overfished (12), although they comprise more than half of all U.S. fisheries landings: pollock landings approximate 1.8 million metric tons

Many of the ecological and political problems associated with fishing in U.S. waters historically have been attributed to foreign fishers (1, 2). This perspective led to the passage of the Magnuson Act nearly 30 years ago to eliminate foreign competition, which set in motion a wave of expansion for U.S. commercial fishing fleets. By 1996, it was clear that removing the foreign fleets had not resulted in sufficient conservation (3), and amendments to the Magnuson Act more

strongly emphasized reducing the fishing pressure of domestic fleets.

In the years following the amendment, the public focused on stock depletion, bycatch, and habitat damage caused by commercial fisheries (4, 5) but paid little attention to the recreational sector. The perception that recreational fishing had little influence on stock declines derived from estimates that it contributed only 2% to U.S. landings (6). However, marine recreational fishing effort has increased by over 20% in the past 20 years (7), rivaling commercial fisheries for many major fish stocks, including summer flounder (*Paralichthys dentatus*), scup (*Stenotomus chrysops*), and red snapper (*Lutjanus campechanus*) (8).

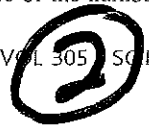
We examined data from the National Marine Fisheries Service (NMFS) online databases (9), because we assumed that these readily accessible data sets were used to produce the existing estimates of recreational landings. Using these data, we produced a similar estimate. However, substantial inconsistencies in the online databases cloud the relevance of the number, such as the in-

¹Department of Biological Science, Florida State University, Tallahassee, FL 32306–1100, USA. ²Nicholas School of the Environment and Earth Sciences, Duke University, 135 Duke Marine Lab Road, Beaufort, NC 28516–9721, USA. ³Department of Geography, Florida State University, Tallahassee, FL 32306–2190, USA.

*To whom correspondence should be addressed. E-mail: ccoleman@bio.fsu.edu

[†]Present address: Department of Environmental Sciences, University of Technology Sydney, Westmead Street, Gore Hill, NSW 2065, Australia.

[‡]Present address: Department of Geography, Clipping Lab 122, Ohio University, Athens, OH 45701, USA.



(4 billion pounds) annually, and menhaden landings approximate 0.454 million metric tons (1 billion pounds). The regional analyses used only on the populations of concern.

Our database indicates that the percentage of all U.S. landings of marine finfish attributable to recreational fishing in 2002 is actually about 4%, averaging 5% over 22 years (Fig. 1A). Excluding pollock and menhaden raises the recreational contribution to 10% of the total landings in 2002 (Fig. 1A), and focusing on the most relevant populations—the populations of concern—raises it to 23% (Fig. 1B). The regional differences in landings of populations of concern are pronounced (Fig. 1, C to F). In the Gulf of Mexico, 64% are taken recreationally (Fig. 1C); in the South Atlantic, 38% (Fig. 1D); along the Pacific Coast, 59% (averaging 14% over 22 years) (Fig. 1E); and in the Northeast, 12% (Fig. 1F) (13).

Current management of recreational fisheries focuses on controlling the landings of individual fishermen without restricting the number of individuals allowed to fish. In this

open access scenario, control is limited to bag limits and size limits, which increases regulatory discards, thereby increasing fishing mortality (14–20) and sublethal effects on growth and reproduction (21–24). Increased fishing mortality also occurs with nonregulatory discards caused by high grading (wherein fishermen limited by quotas or bag limits discard small, less-valued fish to replace them with larger, more-valued fish) and catch-and-release in recreational fisheries. Discards are not included in this analysis, so these results underestimate likely impacts. Current regulatory methods have done little to constrain recreational fisheries, and for some major fish populations, recreational landings in the United States outstrip commercial landings, notably for red drum (*Sciaenops ocellatus*) in the South Atlantic (93% recreational), bocaccio (*Sebastes paucispinus*) on the Pacific Coast (87%), and red snapper (*Lutjanus campechanus*) in the Gulf of Mexico (59%).

Commercial and recreational fishing have similar demographic and ecological effects on

fished populations. They truncate size and age structures, reduce biomass, and alter community composition (25–31). Whereas commercial fisheries fish intensely on both lower levels (e.g., menhaden and anchovies) and upper levels (top-level predators) of the food web, the recreational sector concentrates on the latter. All these fishery removals can cause cascading trophic effects that alter the structure, function, and productivity of marine ecosystems (1, 32–37). Where recreational fishery landings rival those of commercial fisheries for major stocks of concern, sometimes even replacing them, they can have equally serious ecological and economic consequences on fished populations. If the goal of fishery management is to sustain viable populations and ecosystems, then recreational as well as commercial fishing requires effective regulations.

References and Notes

1. R. A. Myers, B. Worm, *Nature* 423, 280 (2003).
2. D. Pauly, V. Christensen, J. Dalsgaard, R. Froese, F. Torres, *Science* 279, 860 (1998).
3. NMFS, "Our living oceans" NOAA Tech. Memorandum NMFS-F/SPO-19 (1996).
4. S. F. Thrush, P. K. Dayton, *Annu. Rev. Ecol. Syst.* 33, 449 (2002).
5. National Research Council, *Effects of Trawling and Dredging on Seafloor Habitat*, N. R. Council, Ed. (National Academy Press, Washington, DC, 2002).
6. National Research Council, *Sustaining Marine Fisheries*, N. R. Council, Ed. (National Academy Press, Washington, DC, 2002).
7. J. Sutinen, R. J. Johnston, *Mar. Policy* 27, 471 (2003).
8. NMFS defines major stocks as those having annual landings >200,000 pounds (90,909 kg).
9. The database for commercial landings is available at www.st.nmfs.gov/st1/commercial/; the database for recreational landings is available at www.st.nmfs.gov/st1/recreational/queries/index.html. Note NMFS disclaimers on these sites.
10. Materials and methods are available as supporting material on Science Online.
11. The South Atlantic refers to the Atlantic off the southeastern United States.
12. NMFS, "Annual report to Congress on the status of U.S. fisheries, 2003" (U.S. Department of Commerce, NOAA/NMFS, Silver Spring, MD, 2004).
13. Although NMFS listed Pacific hake (*Merluccius productus*) as overfished in 2003 (12), they reversed the designation in March 2004. Thus, we excluded this species from the populations of concern. Pacific hake is an industrial fishery comprising 25% of the Pacific Coast landings. It has virtually no recreational value.
14. M. R. Collins, J. C. McGovern, G. R. Sedberry, H. S. Meister, R. Pierdieck, *N. Am. J. Fish. Manage.* 19, 828 (1999).
15. M. I. Muoneke, W. M. Childress, *Rev. Fish. Sci.* 2, 123 (1994).
16. G. R. Gitschlag, M. L. Renaud, *N. Am. J. Fish. Manage.* 14, 131 (1994).
17. D. V. Guccione, *Technical Report No. 98-FEG-02* (Fisheries Grant Project, Raleigh, NC, 1999).
18. M. H. Malchoff, *Technical Report No. NA36FD0102* (U.S. Department of Commerce, NOAA/NMFS, Gloucester, MA, 1995).
19. J. C. McGovern, M. R. Collins, O. Pashuk, H. S. Meister, *N. Am. J. Fish. Manage.* 22, 1151 (2002).
20. R. R. Wilson, K. M. Burns, *Bull. Mar. Sci.* 58, 234 (1996).
21. N. W. Pankhurst, D. F. Sharples, *Aust. J. Mar. Freshw. Res.* 43, 345 (1992).
22. S. P. Quinn, *N. Am. J. Fish. Manage.* 9, 86 (1989).
23. R. G. Taylor, J. A. Whittington, D. E. Haymans, *N. Am. J. Fish. Manage.* 21, 70 (2001).
24. D. F. Clapp, R. D. Clark, *N. Am. J. Fish. Manage.* 9, 81 (1989).
25. M. Westera, P. Lavery, G. Hyndes, *J. Exp. Mar. Biol. Ecol.* 294, 145 (2003).

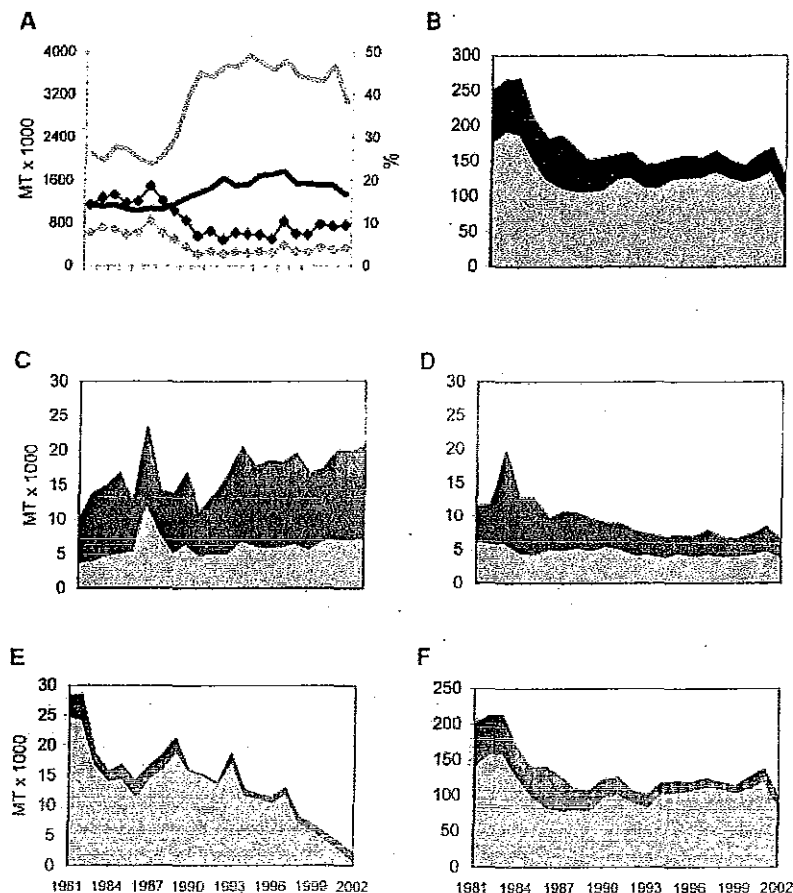
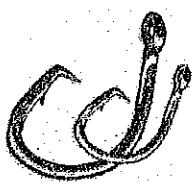


Fig. 1. Time series of marine fisheries landings from the continental United States in metric tons (MT) × 1000. (A) Total combined commercial and recreational landings (left y axis, solid lines) with recreational percentage of the total (right y axis, diamonds). The total, including all species, is shown in gray and the total, excluding menhaden and pollock, is in black. (B to F) Total (cumulative) landings of populations of concern separated into commercial (gray) and recreational (black) components for (B) all regions combined, (C) Gulf of Mexico, (D) South Atlantic, (E) Pacific Coast (excluding Alaska), and (F) Northeast. On the Pacific Coast, no complete sets of recreational data were collected for the years 1990 to 1992 from any of the federal or state organizations that maintain these databases.





Alaska Longline

FISHERMEN'S ASSOCIATION

Post Office Box 1229 / Sitka, Alaska 99835 907.747.3400 / FAX 907.747.3462

RC 84
FEB. 2009

*From: Linda Behnken
To: Alaska Board of Fisheries
Subject: Fishery Conservation Network
Date: February 18, 2009*

In February 2006, longline fishermen made a commitment to the Board of Fisheries to work toward controlling rockfish bycatch. Since 2006, the longline fleet has remained below its rockfish allocation in all target fisheries. We are proud of that record, but committed to building resilience in coastal fisheries through strong conservation initiatives. To ensure we continue to fulfill our commitment to the Board and to more actively support resource conservation, ALFA has spent the past year developing and securing funding to launch an innovative Fishery Conservation Network.

Ready to launch in 2009, the **Fishery Conservation Network (FCN)** is designed to foster community-based stewardship of ocean resources. The FCN will assist fishermen in controlling rockfish bycatch rates by identifying areas of high rockfish abundance through stock assessment information and a real-time bycatch reporting network that allows fishermen to share information on rockfish bycatch rates. The FCN will also connect fishermen working to avoid and discourage sperm whale depredation on longlines, acting as an information clearing house. FCN fishermen will benefit from the data gathered by all participants, allowing information to be shared between fishermen and between generations.

Participating fishermen will be provided with:

- GIS maps identifying areas of consistently high rockfish bycatch rates from the halibut and sablefish stock assessment fisheries;
- Continuous enhancement of GIS maps as bycatch rate data are gathered from participating halibut and sablefish fishermen;
- An interactive sperm whale sighting and reporting system to assist fishermen in avoiding sperm whale depredation on longlines and to facilitate an information exchange on effective deterrents;
- Financial and expert assistance with installing bathymetric mapping equipment and sharing collected data to enhance "clean" fishing strategies;
- Access to premium seafood markets where consumers recognize and support the efforts of fishermen dedicated to the sustainable harvest of high quality seafood. The FCN will work with local processors to expand existing markets and strengthen coastal economies.

The Alaska Longline Fishermen's Association (ALFA) is a non-profit association of independent commercial longline vessel owners and crewmembers who are committed to continuing the sustainable harvest of sablefish, halibut and groundfish, while supporting healthy marine ecosystems and strong coastal communities through resource stewardship and participation in federal, state, and local forums.

4

ALFA 2117
RC 85
FEB. 2009

Executive Summary

The commercial harvesting and processing of fish and other seafood products is part of Alaska's historical heritage dating back well over 100 years. The industry started with cod, halibut, herring and salmon in the late 1800s and early 1900s and has grown to include today's sophisticated offshore fisheries for pollock, cod, crab, and other species. As a major player in global markets, Alaska's seafood industry is an economic engine for the state and the nation. If Alaska were an independent country, it would rank in the top 10 of seafood producing nations. On the national scale, Alaska produces over half the United States' seafood landings. Alaska has 8 of the 20 largest seafood ports nationally (based on ex-vessel value of product): Unalaska/Dutch Harbor (2nd); Kodiak (3rd); Naknek-King Salmon (7th); Seward (9th); Sitka (10th); Cordova (11th); Homer (13th); and Petersburg (16th). Additionally, Unalaska/Dutch Harbor has been one of the nation's highest volume seafood ports for years. Within Alaska, the industry is the largest private sector employer, and provides jobs and revenues to communities throughout the state.

The seafood industry in Alaska is dependent on a healthy marine ecosystem and access to sustainable stocks of fish and shellfish. Management is science-driven and conservation comes first. Alaska's fishery management systems are held up as examples to fisheries around the world. The Pew Ocean Commission, as well as the United States Commission on Oceans Policy found that Alaska's fisheries are some of the best managed fisheries in the country, citing the role of science in setting catch limits, efforts to control bycatch and protect habitat. National Geographic (Bourne, 2003) identified Alaska as one of the three best managed and most sustainable fisheries in the world.

The mosaic of fisheries in Alaska is complex. State fisheries include salmon, herring, shellfish, and other species harvested within three miles of shore and in Alaska's vast network of rivers and lakes. Federal fisheries are those harvested beyond 3 miles, in federal waters out to the 200 mile limit. Federal fisheries include some of the nation's largest, such as pollock, cod, and crab. All of these fisheries, both federal and state, contribute to the economic and social well-being of Alaska's coastal communities, its urban cities, and the state as a whole.

Some highlights of the economic importance of the Alaska seafood industry include:

Importance of Alaska to the Global Seafood Market

If Alaska were a nation, it would place 9th among seafood producing countries.

The groundfish fishery in the waters off Alaska is among the largest fisheries in the world. Alaska landings of traditional global groundfish species groups (including cod, pollock, hake, and haddock) and flatfish accounted for about one-fifth of the world harvest of these species groups in 2006.

In the same year, around 42 percent of the world capture production of species in the "salmon, trout, smelt" group occurred in Alaska waters.

Alaska is the top producer of wild, high-value salmon, producing nearly 80 percent of the world supply of wild king, sockeye and coho.

Importance of Alaska Seafood to the U.S.

In 2007, Alaska accounted for over 62 percent of the volume of the commercial seafood harvested in the United States.

Alaska as a single state led all other multi-state regions in the US in terms of ex-vessel value with over 37 percent of the US total. The five New England States combined for a distant second at with 21 percent, followed by the five states on the Gulf of Mexico with 16 percent.

5

In terms of volume, Alaska's pollock fishery is the largest in the U.S., accounting for more than one-third of total U.S. fisheries landings.

Alaska also accounted for 96 percent of total U.S. commercial landings of salmon in 2007, and approximately one-third or more of total U.S. crab catches. U.S. domestic production of king and snow crab comes entirely from Alaska.

Alaska landings accounted for over 90 percent of the U.S. Pacific Ocean herring harvest and over 75 percent of the US commercial catch of Pacific Halibut in 2007.

Since 1997, Dutch Harbor-Unalaska has been the leading U.S. fishing port in quantity of commercial fishery landings. In 2006, the port had record landings for quantity at a U.S. port, with more than 414,200 mt of seafood.

In 2007, Alaska had two of the country's three top fishing ports ranked by total harvest value. Dutch Harbor-Unalaska ranked second (after New Bedford, MA) with a harvest value of \$174 million; Kodiak moved was ranked third with \$126 million in harvest value.

In the list of top 100 U.S. ports based on volume for 2007, Alaska had 14 including: Unalaska/Dutch Harbor(1st); Kodiak (4th); Naknek-King Salmon (11th); Cordova (12th); Ketchikan (17th); Petersburg (18th); Seward (19th); Sitka (22nd); Juneau (37th); Homer (41th); Kenai (57th); Wrangell (53rd); Yakutat (64th); Anchorage (78th). Were it not for confidentiality restrictions for ports with 3 or fewer companies, Akutan, King Cove, and Sandpoint would all be listed in the top 20.

Importance of Alaska Seafood to Alaska

The total estimated ex-vessel value of Alaska's commercial harvest was \$1.55 billion in 2007.¹

The additional value added by Alaska's seafood processing sector brought the total wholesale value of Alaska's commercial seafood industry to over \$3.6 billion in 2007.

It is estimated that the seafood industry's \$3.6 billion in wholesale value generated an additional \$2.2 billion in indirect and induced economic output for a total contribution of \$5.8 billion to Alaska's economic output. The seafood industry also generated a total of 78,519 direct, indirect and induced jobs and \$1.75 billion in direct, indirect and induced payments to labor and income.

While data for 2007 are not available it is estimated that in 2006, the wholesale value generated by the seafood industry represented over 9.4 percent of the \$36.4 billion basic sector activity in Alaska's economy. The basic sector, because it brings money into the state from outside, is the driving force behind all economic activity in the state.

The seafood industry ranks third in importance behind the North Slope oil and gas industry and federal government in terms of generating basic economic activity in Alaska.

According to ADCCED (2007), seafood is Alaska's top international export—seafood exports accounted for half of the State's total export value.

In 2006, seafood processing accounted for about 80 percent of all manufacturing jobs in the state.

With an estimated workforce of 56,606, the seafood industry employs more workers than any other industry sector in Alaska. The retail and wholesale trade sector follows with a workforce of 56,445.

With the concentration of major fishing ports in the Aleutian and Pribilof Islands region, seafood processing accounted for 65.4 percent of all private sector payments to labor in that region in 2007.

¹ This estimate includes the imputed ex-vessel value of the crab and groundfish that are harvested by vessels that both catch and process seafood, i.e. catcher processors. Because these vessels process their own catch they do not make payments for their unprocessed fish, nor do they report the unprocessed value of their catch.

The seafood processing industry is estimated to have accounted for over 33 percent of private sector payments to labor in Bristol Bay and 39 percent of private sectors payment to labor in Kodiak.

The Community Development Quota (CDQ) Program augments the important role of the seafood industry in Western Alaska. Sixty-five Bering Sea communities participate in the CDQ Program.

From 1992 through 2005 the CDQ Program generated over \$362 million in net income.

The value of CDQ group assets in the aggregate increased from about \$13.3 million in 1992 to over \$415 million in 2005.



2-18-09

2099
FEB. 2009

RE: Proposal 137, establishing sport bag limits; specifically Blackcod

Chairman Jensen, Board Members,

The commercial sablefish (Blackcod) fishery takes place in two distinct areas, Northern South East Inside (NSEI) and Southern South East Inside (SSEI). There is no published management plan for sablefish. Stock assessment is limited in the NSEI area and non-existent in SSEI. Since 1999 the Total Allowable Catch (TAC) for NSEI has fluctuated between a high of 3,120,000 and a low of 1,488,000 pounds per year. The TAC for SSEI has remained constant at 696,000 pounds per year.

The most recent 10 year harvest records indicate that in the NSEI area commercial fishers have left unfished quota in the water in 8 of the past 10 years with slight overages occurring in 2 of those years. **Underages** left in the water average 21,389 pounds per year over 10 years.

For the SSEI area, **underages** have occurred in each of the most recent 10 years averaging 59,554 pounds per year.

In each of these areas subsistence, personal use (p/u) and sport fisheries are allowed. Longlines are allowed for the subsistence and p/u fisheries with no limits on the amount of gear an individual can set and with no bag limits and no reporting requirements. The sport fishery is limited to a hand held rod and reel with no more than two hooks attached. Sport fishers would be subject to reporting their harvest on the Statewide harvest Survey as well as being checked by creel census personnel.

Proposal 137 specifically mentions Blackcod as a species being targeted by a "significant sport fishery" that is impacting the resource. A few things to consider;

There is no data to show any measurable harvest of Blackcod by the sport fishery.

Blackcod by their very nature make them extremely difficult for sport fishers to target. With the bulk of the biomass inhabiting waters from 1200 to 3000 feet deep, specialized gear and equipment is required to even attempt to target these fish. Even with specialized gear sport fishers will be unable to access a high percentage of Blackcod habitat. Water depths are so great it is impossible to anchor. Drift fishing at these depths is only possible on days when wind and tidal currents will allow the sport angler to reach the bottom. Weather conditions alone will prevent large scale harvest by sport fishers. Sport fishing gear restrictions will also limit the recreational fishers ability to harvest large amounts of Blackcod. Most recreational fishers will never attempt to take Blackcod simply because of the logistics and expense of gear involved.

Allegations of charter operations using the lack of bag limits on Blackcod or any other species to entice clients is unfounded. However, establishing a bag limit could present a "goal or target" for sport fishers resulting in the opposite effect of the proposer's intent.

The "underages" left in the water by the commercial fishery are far greater than any sport harvest now or in the foreseeable future.

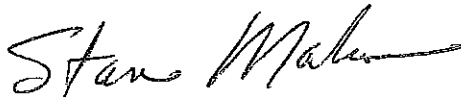
8

Allegations of large scale harvest by sport fishers brought forth by commercial fishers who might be impacted by such harvest should not be considered as justification for a regulation to establish bag limits on any species. The first step would be to quantify the sport harvest through verifiable data collection.

The proposers suggest protecting the resource by establishing a bag limit on the user group that extracts the least amount of usage from that resource.

A better protection of the resource for all users might be to establish a management plan for Blackcod coupled with a comprehensive stock assessment program and more complete accounting by all user groups.

Thank you for the opportunity to comment.

A handwritten signature in cursive script that reads "Stan Malcom". The signature is written in black ink and is positioned above the printed name.

Stan Malcom

RC 224
FEB. 2009

Southeast Alaska Fishermen's Alliance

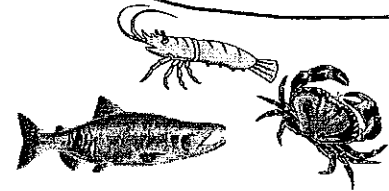
9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

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



E-mail: seafa@gci.net

February 22, 2009

Board Support Section
Alaska Dept of Fish and Game
John Jensen, Chair
1255 West 8th Street
Juneau, AK 99811-5526

Dear Chairman Jensen and Board of Fish Members,

RE: **Committee D** - Sport fisheries

Proposal #137 - SEAFA members urge the Board to *implement a 2 fish daily bag limit and 2 bag limits in possession and no annual limit along with recording requirements for sablefish (blackcod)*. We believe that this stock does have some biological and conservation concerns. We do not believe that all the pertinent information came out in the committee process.

We would request that you ask the Commercial fisheries division how the sablefish TAC is determined? What and how the allowance for other removals is determined? What the effect to the stock would be if a new growing fishery with unknown quantities being removed would do to the management of the commercial fishery on a fully utilized stock that is in a decline?

We would also suggest that the Board consider requiring the charter fleet to record what species are being harvested and release that are currently listed under "other" on the logbook so that next board cycle the board might have better information to determine the removals occurring from the resource.

Proposal #368 (138) - Withdrawn SEAFA would like to withdraw this proposal from Board consideration and instead we support a task force to look at the issue of possession limits and other issues.

Proposal #286 - Develop a task force: As we stated in committee, we believe that the task force to address the issue of possession limits should be reconstituted. To that end we have attached a draft charge for development of a task force regarding possession limits.

10

Proposal #296-298

As we stated in committee we are offering this conceptual language for Proposals #296-298. It is based on the Washington State sport-fish regulation summary. We are asking for conceptual language to allow regulation, law and enforcement specialists to write the final language as appropriate.

Conceptual Substitute Language

- All fishing gear must be kept in immediate control, and gear may not be left unattended while fishing;
- Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish;
- Rodholders may be used; the rod must be easily removed without delay; rod may be left in the holder while playing fish; and
- Electric reels may be used if designed for sport fishing and attached to a fishing rod.
- A fishing rod is a tapered, often jointed, rod equipped with a hand grip upon which is mounted a reel to deploy and retrieve the fishing line.

Thank you for this opportunity to comment. We are available at any time to discuss these issues further.

Sincerely,

Kathy Hansen

Kathy Hansen
Executive Director



RC 227
FEB. 2009

O'Connell 2/22/2009

http://www.shelterlodge.com/photo_album/SH2008Photos



30 lb. Pacific Grenadier



June 27, 2008



Bob Hiyama
22-1/2 lb. Black Cod

- ADF&G estimates 3% of the ABC (~48,000 lbs in 2008) is used by personal use/subsistence/and other bycatch fisheries combined (this would include sportfish) and takes this off the TAC before setting directed fishing level. The 2008 NSEI quota was 1.5 million pounds, with 97 permit holders – this represents a 50% decline since 2000. Sablefish live to be 94 years old and are undergoing low recruitment gulf wide.
- The sablefish longline fishery is the most valuable state managed groundfish fishery in the State, in operation since the early 1900's! Ex-vessel price exceeds \$4/lbs. Lingcod and yelloweye have 1 or 2 fish bag limits. To set a bag limit above 1 or 2 fish per day serves to devalue sablefish in the eyes of the angler, and will allow a new fishery to develop on the backs of an existing fishery. Coho and pink salmon have a 6 fish bag limit because there are few conservation concerns for these species – The Department has said sablefish are in steep decline and has conservation concerns. This is not a “scrap fish” please value it with a daily bag limit, not to exceed 2.
- Just For this ONE LODGE: 100 day season, 16 clients/day, ~50 fishable days 2- 10 lbs fish/day= 16,000 lbs, 1% of TAC, 10 fish per day = 80,000 lbs, 7% of TAC (see above)! Given that there are numerous lodges that are within running distance of Chatham and Clarence Straits even a 2 fish bag limit could seriously impact the resource and the longline fishery. We heard testimony that lodges wish to develop a sport fishery for sablefish now is the time to set a boundary on that fishery. Two fish daily gives an ample sport fishing opportunity.

Consider annual limit for non resident

12



<http://www.anchorpointlodge.com/AP2008Photos/083008.htm>

13

239
FEB. 2009

Please consider:

Sablefish are a long lived species (97 years maximum) that has slow growth and sporadic recruitment. It is the most valuable groundfish fishery managed by the State of Alaska and it is currently at historic low abundance. Management changes in 2009 will result in lower quotas even if stock levels remain stable.

ADF&G has conservation concerns for this resource: From staff comments: *“Survey and biomass data for the Chatham Strait blackcod stock suggest that the stock is in a period of significant decline and the department has taken very conservative management actions in the commercial fishery”*

From Region I Commercial Fisheries News Release 6/11/2008:

Harvest Rate and Quota Determination Considerations

In order to review our current stock assessment methods and explore the possibility of using an age structured analysis the Department contracted with a consultant. That work **revealed that the stock level in Chatham is at a low level relative to the historic biomass** and that the harvest rate used in 2007 and now in 2008 is unsustainably high for a population at this level. For this reason the **Department intends to proceed with caution and conservatism with regard to the harvest of sablefish from Chatham Strait, ...** Therefore fisherman can expect that in 2009 the Department will use a more conservative harvest rate such as F45% or F40% adjusted. These harvest rates are used by other agencies managing sablefish on the west coast. Additionally, in 2009 the Department intends to begin deducting testfish removals from the ABC. However, the Department will explore options to minimize the impact to permit holders regarding the deduction of testfish removals by integrating EQS harvest into testfish fishing. **The Department has taken into consideration that there has been no definitive evidence of strong recruitment into Chatham Strait, that there has been a reduction in the TAC for the federal fishery, and that Canadian sablefish fishermen are seeing declines in abundance there.**

Substitute Language for 137:

5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA

(x) For blackcod (sablefish, butterfish):

- i. non-guided Alaska residents: 2 per day, no size limit;**
- ii. nonresidents and guided anglers: 2 per day, with an annual limit of four blackcod;**
- iii. immediately after landing a blackcod the nonresident or guided angler shall record, in ink, all blackcod harvested either on the back of their sport fishing license or on a nontransferable harvest record;**
- iv. charter operators will record the number of blackcod harvested in their charter logbook**
- v. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain blackcod while clients are on board the vessel.**

14

Behnken and Hansen 2/25/2009
ALFA and SEAFA

RC 264
FEB. 2009

Proposal 137:

Substitute Language:

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

(X) sablefish may be taken as follows:

- i. Alaska residents no daily bag limit**
- ii. nonresidents 2 per day, 4 annual limit;**
- iii. immediately after landing a nonresident angler shall record, in ink, all sablefish harvested either on the back of their sport fishing license or on a nontransferable harvest record;**
- iv. A sport fishing guide and sport fishing guide crew member working on a charter vessel in the salt waters of Southeast Alaska may not retain sablefish while clients are on board the vessel**

To be consistent with Board action taken on proposal 230 on 2/24/09:
No reallocation should occur because:

- 1) conservation concerns for sablefish: do not want increased harvest;
- 2) historic use by one user: commercial fishery has been in place since 1930's – no record of any significant sport fishery;
- 3) commercial fishery is limited to a specific area and distribution of fish is limited by depth
- 4) extreme value of this commercial fishery to the state and to the individual permit holders that rely on this fishery

Sablefish are in a period of steep decline, with commercial quotas down 68% over the last decade. The Department has not seen signs of above average recruitment since the 1990's and is lowering the harvest rate for the 2009 season. The 2009 commercial quota is projected to be below the 2008 level of 1.5 million pounds. Without an annual limit on nonresidents, the allowable biological catch could be exceeded. If nonresident annual limits are not implemented now the BOF would be allowing a new fishery to develop on a stock that is declining, highly valued by a different user, and fully utilized already.

RC 284
FEB. 2009

Behnken
2/25/09

Chapter 3: Assessment of the Sablefish stock in Alaska

by

Dana H. Hanselman, Chris R. Lunsford, Jeffrey T. Fujioka, and Cara J. Rodgveller

Executive Summary

Summary of major changes

Relative to last year's assessment, we made the following substantive changes in the current assessment.

Input data: Relative abundance and length data from the 2008 longline survey, relative abundance and length data from the 2007 longline and trawl fisheries, and age data from the 2007 longline survey and longline fishery were added to the assessment model.

Model changes: When moving to a sex-specific model in 2007, the number of selectivity parameters was greatly increased. These parameters were estimated with high correlation and low precision. For this year we use simpler selectivity functions and link some selectivity curves to improve parameter estimation without greatly affecting model fit or trends. We show two steps to a recommended model that reduces the total parameters by thirteen with minimal effects on the overall model fit. A CIE review is planned for Spring 2009.

Assessment results: The fishery abundance index was up 5% from 2006 to 2007 (the 2008 data are not available yet). The survey abundance index decreased 2% from 2007 to 2008 and follows a 14% decrease from 2006 to 2007. Relative abundance in 2008 is 3% lower than 2000, and is at an all-time low for the domestic longline survey. Spawning biomass is projected to be similar from 2008 to 2009, and begin declining through 2012.

We also include results from a study to test for sablefish cannibalism pots in the **Fishery** section and the results from a gear experiment in **Appendix 3C**.

Sablefish are managed under Tier 3 of NPFMC harvest rules. Reference points are calculated using recruitments from 1977-2003. The updated point estimates of $B_{40\%}$, $F_{40\%}$, and $F_{35\%}$ from this assessment are 115,120 t (combined across the EBS, AI, and GOA), 0.095, and 0.113, respectively. Projected spawning biomass (combined areas) for 2009 is 103,127 t (90% of $B_{40\%}$), placing sablefish in sub-tier "b" of Tier 3. The maximum permissible value of F_{ABC} under Tier 3b is 0.085 which translates into a 2009 ABC (combined areas) of 16,080 t. The OFL fishing mortality rate is 0.101 which translates into a 2009 OFL (combined areas) of 19,000 t. Model projections indicate that this stock is neither overfished nor approaching an overfished condition.

We recommend a 2009 ABC of 16,080 t. The maximum permissible yield for 2009 from an adjusted $F_{40\%}$ strategy is 16,080 t. The maximum permissible yield for 2009 is an 11% decrease from the 2008 ABC of 18,030 t. This decrease is supported by an all-time low in the domestic longline survey abundance estimate and no evidence of any large incoming recruitment classes. Spawning biomass is projected to decline through 2012, and then is expected to increase assuming average recruitment is achieved. Because of the lack of recent strong year classes, the maximum permissible ABC is projected to be 14,895 t in 2010 and 14,086 in 2011 (using estimated catches, instead of maximum permissible, see Table 3.10).

Projected 2009 spawning biomass is 36% of unfished spawning biomass. Spawning biomass has increased from a low of 30% of unfished biomass in 2001 to a projected 36% in 2009. The 1997 year class has been an important contributor to the population but has been reduced and comprises 13% of 2008 spawning biomass. The 2000 year class appears to be larger than the 1997 year class, but is only 85% mature and should also comprise 23% of spawning biomass in 2009.

16

x Sablefish are longer lived than dogfish

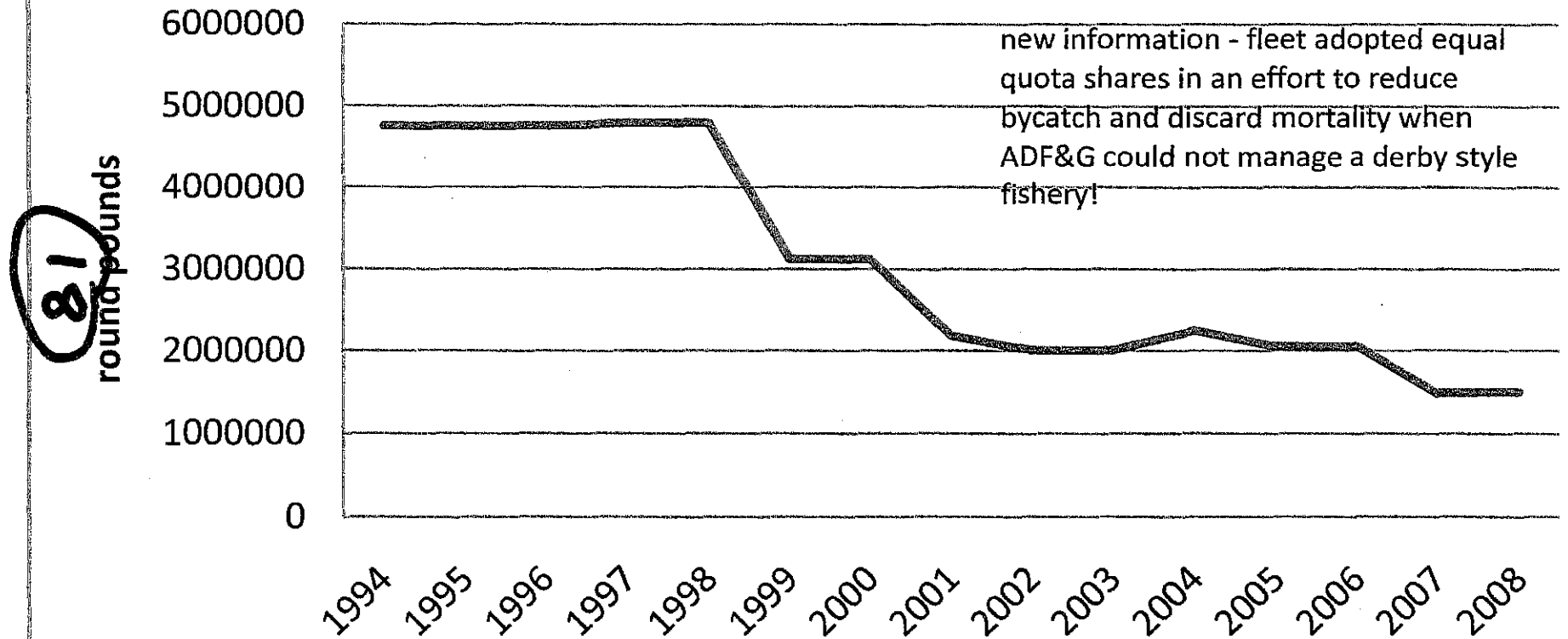
Table 3.1a. Alaska sablefish catch (t). The values include landed catch and discard estimates. Discards were estimated for U.S. fisheries before 1993 by multiplying reported catch by 2.9% for fixed gear and 26.9% for trawl gear (1994-1997 averages) because discard estimates were unavailable. Eastern includes both West Yakutat and East Yakutat / Southeast.

Year	Grand total	BY AREA							BY GEAR		
		Bering Sea	Aleutians	Western	Central	Eastern	West Yakutat	East Yakutat/SEO.	Unknown	Fixed	Trawl
1989	34,829	1,516	3,704	4,533	13,224	11,852			0	27,509	7,320
1990	32,115	2,606	2,412	2,251	13,786	11,030			30	26,598	5,518
1991	27,073	1,318	2,168	1,821	11,662	10,014			89	23,124	3,950
1992	24,932	586	1,497	2,401	11,135	9,171			142	21,614	3,318
1993	25,433	668	2,080	739	11,971	9,975	4,619	5,356	0	22,912	2,521
1994	23,760	694	1,726	555	9,495	11,290	4,497	6,793	0	20,797	2,963
1995	20,954	990	1,333	1,747	7,673	9,211	3,866	5,345	0	18,342	2,612
1996	17,577	697	905	1,648	6,772	7,555	2,899	4,656	0	15,390	2,187
1997	14,922	728	929	1,374	6,237	5,653	1,928	3,725	0	13,287	1,635
1998	14,108	614	734	1,435	5,877	5,448	1,969	3,479	0	12,644	1,464
1999	13,575	677	671	1,487	5,873	4,867	1,709	3,158	0	11,590	1,985
2000	15,919	828	1,314	1,587	6,172	6,018	2,066	3,952	0	13,906	2,013
2001	14,097	878	1,092	1,589	5,518	5,020	1,737	3,283	0	10,863	1,783
2002	14,789	1,166	1,139	1,863	6,180	4,441	1,550	2,891	0	10,852	2,261
2003	16,432	1,006	1,081	2,110	7,090	5,145	1,822	3,323	0	14,370	2,062
2004	17,782	1,179	974	2,168	7,428	6,033	2,243	3,790	0	16,137	1,645
2005	16,537	1,064	1,147	1,923	6,688	5,715	1,823	3,562	0	14,981	1,556
2006	15,829	1,053	1,130	2,139	6,034	5,472	1,789	3,563	0	14,590	1,239
2007	14,979	1,173	1,126	2,061	5,599	5,019	1,768	3,251	0	13,743	1,235

Quotas & catch have been falling since 2004 and ~~are~~ in 2009 are 52% less than their 1994 peak.

17

Chatham Strait Directed Fishing quota



NSET

ADFG

Summary of NSEI Quota Share Fishery

Catch, Effort and Value	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994
	na	na	na	na	na	na	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1.59-4.8M round	1-3 M dressed	1-3 M dressed	1-3 M dressed
HR (Guideline Harvest Range)	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
HO (Annual Harvest Objective) round pounds	1,508,000	1,488,000	2,053,000	2,053,000	2,245,000	2,005,000	2,005,000	2,184,000	3,120,000	3,120,000	4,800,000	4,800,000	4,761,905	4,781,905	4,761,905
Season open	08/15-11/15	08/15-11/15	08/15-11/15	08/15-11/15	08/15-11/15	08/15-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/01-11/15	09/08-11/08	09/13-10/13	09/22-10/22
Pre-season fishery	na	na	na	Feb, Mar, Apr	Feb, April	na	na	na	na	na	na	na	na	na	na
FEC permits eligible for EQS	96	103	105	106	108	108	109	109	109	112	115	122	122	122	122
FEC permits fished	96	103	105	106	108	108	109	111	111	112	116	122	121	121	121
Permanent permits	54	43	41	41	41	40	39								
Term use permits	42	60	64	61	67	66	70								
Permits under appeal to courts	4	4	4	4	5	4									
QS (Equal Quota Share)	15,710	14,500	19,550	19,400	20,787	18,565	18,400	19,600	28,600	28,000	41,700	39,300	38,889	38,889	38,889
Total PQS (Persona Quota Share)	1,503,937	1,498,133	2,053,122	2,081,422	2,241,338	---	---	---	---	---	---	---	---	---	---
% allowable overage/underage	786	723	978	970	1,039	---	---	---	---	---	---	---	---	---	---
Round pounds harvested															
Total directed harvest (rnd pounds)	1,512,269	1,501,478	2,033,786	2,026,131	2,229,954	2,001,643	2,009,380	2,142,617	3,082,159	3,043,273	4,688,008	4,753,394	4,673,701	4,542,348	4,713,552
Percent of AHO harvested	100.3%	100.9%	99.1%	98.7%	99.3%	99.8%	100.2%	98.1%	98.8%	97.5%	97.7%	99.0%	98.1%	95.4%	99.0%
QS harvested	1,488,569	1,477,892	2,015,788	1,989,022	2,201,211	1,976,408	na	na	na	na	na	na	na	na	na
Pounds illegal overages	3,155	5,254	1,989	9,248	2,402	1,100	17,459	11,930	10,830						
Permits w illegal overages	7	10	4	10	9	4	40								
Pounds legal overages	20,545	18,332	16,009	27,861	25,479	21,821	---	---	---	---	---	---	---	---	---
Permits w legal overages	49	45	39	45	46	49	---	---	---	---	---	---	---	---	---
Pounds transferred	na	na	na	1058	431	2,314	---	---	---	---	---	---	---	---	---
Number of transfers	na	na	na	3	1	5	---	---	---	---	---	---	---	---	---
Landings by Vessels															
Total number of vessels	71	77	80	82	88	88	86	87	93	98	106	111	118	116	112
Number of Trips	123	140	175	168	203	---	---	---	---	---	---	---	---	---	---
Approx total landings	125	168	181	181	217	229	233	296	372	366	519	460			
Approx avg number of landing	1.5	1.6	1.9	1.9	2	2.1	2.1	2.7	3.3	3.3	4.5				
Max landings for a permit	4	9	8	8	8	8	8	8	9	10	15				
Trips of permits finishing in one trip	55	61	44	49	44	41	34	20	10						
Trips of permits finishing in two trips	34	27	42	37	39	36	48	43	30						
Trips of vessels fishing opening day	12	16	20	38	26	25	52	48	61						
Trips of vessels week 1	16	22	27	43	30	38	53	52	64						
PUE (based on trips with logs; prior to 2003 not all trips had logs)															
Overall CPUE by Trip for all longline gears (rd lbs/hook)	1.00	0.87	0.78	0.78	0.77	0.83	0.70	0.55							
PUE based on Std Hook Spacing (rd lbs/hook)	0.90	0.81	0.71	0.71	0.71	0.75	0.63	0.50							
Total number of hooks set (Unstd)	1,506,177	1,701,521	2,602,836	2,603,958	2,882,182	2,397,343	2,864,638	3,887,377							
Avg. CPUE by Permit for all longline gears-single permit only (rd lbs/hook)	1.10	1.02	0.85												
PUE by Trip for conventional/mixed gears (rd lbs/hook)	1.05	0.94	0.85												
PUE by Trip for snap-on gear (rd lbs/hook)	1.43	1.56	0.91												
Price															
Avg price of NSEI sablefish	\$3.15	\$2.67	\$2.69	\$2.49	\$2.03	\$2.39	\$2.40	\$2.13	\$2.40	\$2.16	\$1.57	\$2.43	\$2.12	\$1.70	\$1.94
Est ex-vessel value in millions	\$4.7	\$4.0	\$5.4	\$5.0	\$4.5	\$4.8	\$4.8	\$4.6	\$7.4	\$6.6	\$7.4	\$11.6	\$9.9	\$7.7	\$9.1

19

*corrected from previous figures

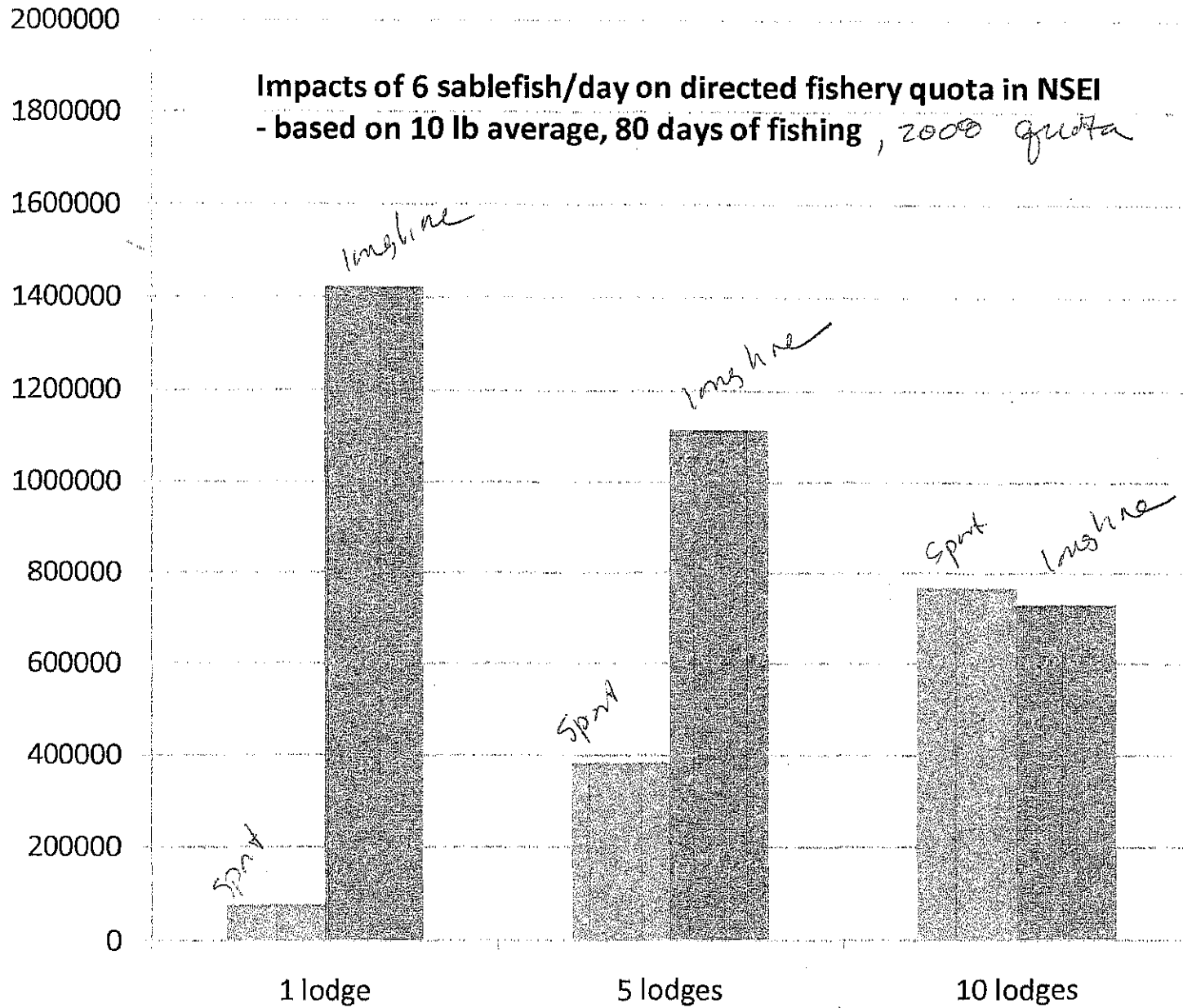
TOTAL 2008 HARVEST
 lbs 1,512,269 = 1,938,880 fish

1994 - 4.76
 2008 - 1.50

3% of this is 5800 fish
 1% is 1,938 fish
 Decline = 68%

RC 285

Behnken
ALFA
2, 1/09



20

RC 285
FEB. 2009

O'Connell

RC 293

FEB. 2009

Regarding 137 and 296

At a 12 fish annual limit for sablefish and a 7.7 lb average (from commercial data) 10% of anglers could take 1 million pounds of sablefish. The 2008 quota was 1.5 million and is headed downward with no recruitment and the Department is applying a lower harvest rate in 2009 to set the quota.

One lodge, with 16 clients, could take 2,560 individual fish – this alone is more than the 2,000 fish estimate commercial fishery has used in their stock assessment.

Sablefish can live to be 97 years old – contrast with the 1 fish annual limit species of dogfish (70) and lingcod (25).

Logbooks are self reported and there is no creel sampling of remote lodges, there is an incentive now for lodges to report 12 per client given that their catch numbers will be reported to the BOF at the next cycle.

Without prohibition of electric reels the BOF has given the charter industry the means, methods, and incentives to take unprecedented amounts of this species and preempt the traditional, 100 year old, fishery.

20

Behnken, ALFA
Proposal number 137/296

RC 295
FEB. 2009

2/26/09

The Board needs to remember that the data from the guided sport fishery are entirely self-reported, with little oversight and no unannounced access to remote lodges.

While I was on the North Pacific Fishery Management Council, the department opposed use of logbook data as the basis for allocation or management decisions. The Department claimed the self-reported, unverified logbooks created an opportunity—and incentive—to misreport. The Board's action to allow a 12 sablefish annual limit, with notice to the charter industry that the self-reported logbooks will be used as the basis for future allocation and management decisions, provides the incentive to target sablefish and to over-report catch. If 10% of the anglers visiting SE take (or report taking) the 12 sablefish annual limit, they will take 1 million pounds and could displace the historic, highly valuable directed longline sablefish fishery. Since the board took no action on electric reels, the Board has also provided effective means for development of a new commercial fishery (sablefish guided sport) and unprecedented levels of harvest.

The Board also should consider the potential impact of the 12 sablefish annual limit on the federal sablefish fishery, since any sablefish taken on the outside coast inside 3 miles will count against the federal TAC and create management preemption issues.

22

Rc 298
FEB. 2009

Curry, PVOA 2/26/09

Blackcod Bag Limit Effects for NSI

2008 Northern SE Inside TAC = 1,508,000
2008 Permit Holders = 96
2008 Pounds per permit = 15,708

SE Total anglers 2008 = 133,560
10% of 2008 anglers = 13,356
5% of 2008 anglers = 6,678
1% of 2008 anglers = 1,336

Average poundage approximate = 7.8

Effects of 12 fish annual limit: lbs
10% of 2008 anglers = 1,250,122
5% of 2008 anglers = 625,061
1% of 2008 anglers = 125,012

NSI permits equivalent
80
40
8

Effects of 10 fish annual limit: lbs
10% of 2008 anglers = 1,041,768
5% of 2008 anglers = 520,884
1% of 2008 anglers = 104,177

NSI permits equivalent
66
33
7

Effects of 8 fish annual limit: lbs
10% of 2008 anglers = 833,414
5% of 2008 anglers = 416,707
1% of 2008 anglers = 83,341

NSI permits equivalent
53
27
5

Effects of 6 fish annual limit: lbs
10% of 2008 anglers = 625,061
5% of 2008 anglers = 312,530
1% of 2008 anglers = 62,506

NSI permits equivalent
40
20
4

23