

On-Time Public Comment List

Kodiak Finfish

January 7–10, 2014

Robert K. McDonnell & Robert M. Funkhouser	PC 01
John A. Cratty.....	PC 02
Rita Dieters.....	PC 03
Eric Dieters	PC 04
Mark Larsen	PC 05
Annika Jensen	PC 06
Gordon L. Jensen, Jr.	PC 07
Theodore Squartsoff, Sr.	PC 08
Pete Hannah.....	PC 09
James Pryor.....	PC 10
Dan & Sandra Earle	PC 11
Alaska Groundfish Data Bank.....	PC 12
Alaska Charter Association.....	PC 13
Leigh Gorman-Thomet.....	PC 14
Margaret Bosworth.....	PC 15
Chris Berns	PC 16
Jonathan Edwards.....	PC 17
United State Department of Interior Fish and Wildlife Service	PC 18
Ed & Judy Fisher	PC 19
Kevin Fisher	PC 20
Charles P. Fogle.....	PC 21
Keith Omlid	PC 22
Glenn & John Jorgensen	PC 23
Nina Burkolder & Gabriel Brown	PC 24
Carol Lather.....	PC 25
Richard Lather	PC 26
Kodiak Area Purse Seine Permit Holders (30 Signatures).....	PC 27
James R. Peterson	PC 28
Donald C. Peterson	PC 29
Kimberly Peterson.....	PC 30
Bruce Wehrauch, LLC (Representing Alaska Scallop Association)	PC 31

On-Time Public Comment List
Kodiak Finfish
January 7–10, 2014

Bryan Ellsworth	PC 32
Alaska Jig Association.....	PC 33
Deborah Nakada-Limacher	PC 34
Don Dumm	PC 35
Donald Lane	PC 36
Eric Graves	PC 37
Erik OBrien	PC 38
Harvey Goodell.....	PC 39
Ian Ivanoff	PC 40
Jane Petrich.....	PC 41
Jill Wittenbrader	PC 42
Mary Furuness- NOAA, NMFS Alaska Region.....	PC 43
Maureen Knutsen	PC 44
Mike Nugent	PC 45
Miker Spokas.....	PC 46
Oliver Holm	PC 47
Richard Blanc.....	PC 48
Susan Payne	PC 49
Theresa Peterson & Family	PC 50
Toby Sullivan	PC 51
Warren Brown.....	PC 52
Wendy Beck	PC 53
Weston Fields.....	PC 54
Patrick J. Pikus.....	PC 55
Mathew Alward	PC 56
Virginia C. Adams	PC 57
Robert Funkenhouser	PC 58

On-Time Public Comment List Kodiak Finfish January 7–10, 2014

The following Public Comments and Record Copies were received at Chignik Finfish and Lower Cook Inlet Meetings Regarding Proposals 43, 44, and 45

Paul Olson (Representing The Boat Company).....	PC 59
Alaska Marine Conservation Council	PC 60
Alaska Whitefish Trawlers Association	PC 61
Alaska Whitefish Trawlers Association	PC 62
Alaska Whitefish Trawlers Association	PC 63
Kenai River Sportfishing Association.....	PC 64
Alaska Groundfish Data Bank.....	PC 65
Mike Shupe	PC 66
Alaska Whitefish Trawlers Association	PC 67



Submitted By Jane Petrich
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December 22, 2013

Re: Letter of SUPPORT for Proposal 99

Dear Mr. Chairman and Members of the Board,

My name is Jane Petrich and **I SUPPORT Proposal 99.**

I set net for salmon on the west side of Kodiak Island along with my three sons and my ex-husband. I began set netting in 1978 and am the poster child of what would happen if stacking were to be allowed in the set net fishery on Kodiak according to those who oppose Proposal 99. This amazes me. There are 5 Kodiak set net permits in my family –one each owned by my three sons (purchased in 2000, 2006, 2008), my ex-husband (purchased in 1988), and mine.

The opposition says that stacking would lead to consolidation and that new entrants would not be allowed in the fishery. What about my three sons who grew up in the fishery? Don't they have a right to economic success due to their participation in the fishery? My kids started earning crew shares when they turned 7 and had duties including cleaning the cabins and skiff, preparing meals and cleaning the nets on closures. Should the person getting off the ferry with nothing but their pack back be given priority over my three sons who have spent every summer of their lives participating in the fishery?

Over the years each of my sons has bought a permit. The opposition says that permits were bought and transferred to expand multiple site permits when stacking was allowed in 2008-2010-referring to my family. Yes we did purchase a permit in 2008 and took advantage of the stacking option but we would have purchased the permit whether or not the dual permit option was in place. Three years after the sunset of the option we are still fishing 5 permits.

(A brief aside the permit we purchased in 2006 would have gone to a man who lives in Dubai and New York when not sports fishing in Larsen Bay and the permit we purchased in 2008 would have gone to a rancher in Texas if we had not been able to come up with the asking price of the sellers.)

The opposition says that dual permit holders will negatively impact smaller, rural communities. Our operation is located in the village of Larsen Bay. We provide a tremendous boost to the local community with our presence. We hire local residents as crew, we own three separate properties in the village to house family and crew, we pay monthly utilities to the community year round and we rent three annual slips in the local harbor. My family participates in community events during the spring, summer and fall and has built strong friendships within the community over the past 35 years.

All three of my sons attended Kodiak schools through High School and one of my sons along with myself have received graduate degrees from the University of Alaska system. During the time we are not in Larsen Bay two of my sons and I live and work in Kodiak and are active participants in the community. We own homes, pay taxes and contribute daily to our community through our volunteer efforts. One of my sons lives with his wife and child in Anchorage and works as an advocate for a number of south central rural municipalities from this hub. My ex husband also lives in Anchorage. We are all lifelong Alaskans and we POSITIVELY impact the smaller, rural communities of Alaska in which we live.

The opposition says that the dual permit holder will use the option as a mechanism of convenience and that allowance for absenteeism for hardship cases can be handled through emergency transfers. The emergency transfer system is very limited and restrictive. If you are an elementary or high school student you can get an emergency transfer when you have to return to school but not if you are a college student. If you are pregnant and/or nursing you can get an emergency transfer but you cannot get a transfer due to chronic conditions often related to aging. If you are a teacher with 3 months off from teaching each year or a consultant or accountant who can manage your accounts when you not on the nets you are golden. Many professions do not allow such flexibility. The emergency transfer is not a fair or equitable system.

The opposition assures us of the doom and gloom of dual permit holders –they say look what happened in Bristol Bay! This is not Bristol Bay. This the Kodiak set net fishery. This is a family centered, low profit fishery. The families who fish cooperatively assure the continuity of this fishery but to be profitable we need more flexibility. Historically 50% of the money is made by 20% of the permits fishing (cfec.state.ak.us/quartile). The remaining 80% of the permits do not provide enough profitability for the participants.

If the argument of consolidation is holding you back from approving this proposal then adapt it to allow stacking of a permit for 2 years out of every 5 – or some combination that would safeguard against the unforeseen consequences that are being PREDICTED.

Proposal 99 is a good thing for my family and for the fishery as a whole. It provides us the flexibility to maintain our continued involvement in the fishery in the short and long term. It provide stability to the rural, smaller communities on the Island and will help to *prevent economic distress among fishermen and those dependent upon them for a livelihood.* (1972 Constitutional Amendment).

Submitted By Jane Petrich
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PC 41
2 of 2

My name is Jane Petrich and I support Proposal 95.

In years of low Karluk early run sockeye returns, the Northwest District west side salmon fishery is open only a few days in June, in order to protect the Karluk sockeye run. An unintended consequence of this is that setnetters have less opportunity to catch Spiridon bound fish, which peak in the last part of June, while seiners can still access those fish inside the Spiridon Bay Special Harvest Area. In years of low Karluk abundance setnetters lose opportunity to catch Spiridon fish which both gear groups paid for.

To allow more equitable access to these Spiridon sockeye, Proposal 95 would allow for a 114 hour (4 1/2 day) gillnet-only opening in the Central District on June 28.

Proposal 95 provides reasonable access to Spiridon for the set net fleet despite potential escapement issues at Karluk, and gives setnetters the opportunity to benefit from the 2% tax we have contributed over the past 20 years. It still protects Karluk by allowing escapement into late June. Despite the fact that all of the setnetters, have been taxed 2% to fund programs meant to benefit all KRAA members and augment wild stock returns, the reality is, seiners have access to all of the enhancement projects--because of Karluk issues. In essence, the set net fleet subsidizes fishing opportunity for seiners when we have no access to **our only enhancement project**. This ongoing situation reallocates our part of the Spiridon harvest to the seiners

Proposal 95 is a reasonable and fair solution which will increase fishing time for the set net fleet and will have very little impact the Karluk escapement. This is not an adversarial attempt against seiners, it is just a common sense solution that is fair way for setnetters to get a return on their 2% investment.

Submitted By Jill Wittenbrader
Affiliation Resident of Kodiak



PC 42
1 of 1

We need better information about catch and bycatch in state wide trawl fisheries. Given the serious decline in tanner crab, king salmon and and halibut stocks I believe it would serve the best intersts of our state and our fisheries to require 100% observer coverage in gulf of Alaska trawl fisheries. I support proposal 45. We didn't even have a tanner season this year. Halibut are very hard it find for local subsistence residents. Someohtng needs to be done ASAP to ensure the healthy future of our fisheries. Please act now and require 100% observer coverage for all trawl fisheries in state waters.

Thanks for the oppportunity to comment,

Jill Wittenbrader



NMFS Alaska Region discussion of fishery impacts from

2013 BOF proposals

Proposal 43: All groundfish GHL set at 25% of Central GOA ABC for non-pelagic trawl vessels <= 58 ft combined for areas: Prince William Sound outside, Cook Inlet, Kodiak, Chignik. The proposal includes 100% observer coverage.

The proposal would allocate 25% of the CGOA ABC for all groundfish species. It is not clear what impact this proposal would have on species that are allocated on a GOA-wide basis without a specific allocation in the Central GOA. These include Atka mackerel, octopuses, sculpins, sharks, other skates, and squids. We assume that these species would not be allocated.

The proposal refers to closing these trawl fisheries on a bycatch limit, but there is no bycatch limit specified in the proposal.

1. Proposal 43 would require decreases in the TACs since the Council and NMFS set TACs less than the ABCs to account for GHLS. NMFS would need to monitor the GHL catch to monitor the annual catch limits for federal ABCs and overfishing levels. This proposal for non-pelagic trawl gear would decrease TACs for species harvested by vessels using hook-and-line gear including IFQ sablefish and incidental catch of species in the IFQ sablefish targets. Some groundfish species are not open for directed fishing because the ABCs/TACs are not large enough for the potential effort and may only support incidental catch amounts in other fisheries. Reducing the TACs by 25% may result in TACs being exceeded earlier in the year which may result in NMFS prohibiting retention of these species with low ABCs/TACs.
 1. In 2013, these species were set equal to the ABC in the Western and Central GOA: pollock, sablefish, deep-water flatfish, rex sole, Pacific ocean perch, northern rockfish, shortraker rockfish, rougheye rockfish, dusky rockfish, thornyhead rockfish, other rockfish, big skate, longnose skate.
 2. In 2013, these species were set equal to ABC Gulf-wide: other skates, sharks, squids, octopus.
2. Reduces allocations for the Central Rockfish and IFQ sablefish catch share programs..
3. Reduces sideboard limits for AFA catcher vessels, Crab sideboarded vessels, and Amendment 80 and Central GOA catcher/processors.
4. It may require re-consultation on Steller sea lion (SSL) protection measures to assess the impact of any increase in harvest in SSL areas closed by Federal regulation that would be allowed under this proposal. The Federal Steller sea lion measures close directed fishing for pollock and Pacific cod trawl fisheries on November 1. This proposal closes the fisheries on December 31 unless the TAC or bycatch limit is reached prior to December 31.
5. From 2003 through 2013 the main targeted trawl groundfish fisheries in state waters are for pollock and Pacific cod. There is some catch in shallow-water flatfish and arrowtooth flounder targets in State waters; however, the catch in each of these targets averages less than 150 mt per year from 2003 through 2013. Except for a seasonal opening on the west side of Kodiak and Afognak Islands, all other State waters in these areas currently are closed to non-pelagic trawl gear.

Proposal 44: Pollock GHL set at 25% of Central GOA ABC for vessels <58 ft using pelagic trawl, non-pelagic trawl, seine, or jig gear, in combined areas of Cook Inlet, Kodiak, and Chignik. The proposal includes 100% observer coverage.

1. Would require a decrease in the TACs and seasonal apportionments. See the Tables 1 and 2 below.
2. It may require re-consultation on Steller sea lion (SSL) protection measures to assess the impact of any increase in harvest in SSL areas closed by Federal regulation that would be allowed under this proposal. Existing SSL protection measures allocate the pollock fishery by four seasons to distribute the directed fishery over time. Another SSL protection measure closes pollock directed fishing on November 1. It appears that this proposal would not establish seasonal allocations and would close the fishery on December 31 unless the GHL has been reached.
3. Chinook salmon bycatch (PSC) limits apply in the Western and Central GOA pollock fisheries. The federal limits would not apply to the state GHL fisheries for pollock, and the proposal does not address whether Chinook salmon PSC limits would be part of the new GHL fisheries. Chinook salmon PSC may increase unless the state establishes Chinook salmon PSC limits.
4. Halibut bycatch (PSC) limits also apply to all trawl fisheries (including pollock). These federal limits would not apply to the state GHL fishery for pollock, and the proposal does not address whether halibut PSC limits would be part of the new GHL fisheries. Halibut PSC may increase unless the State establishes halibut PSC limits.
5. Reduces pollock sideboard limits for AFA catcher vessels.

Tables for Proposal 44 - Pollock GHLS set at 25% of Central GOA ABC

Table 1 - 2013 Status Quo Pollock OFLs, ABCs, and TACs					GHL = 25% of ABC	
Species	Area/District1	OFL	ABC	TAC	GHL	TAC minus GHL



Pollock2	Shumagin (610)	n/a	28,072	28,072	N/A	
	Chirikof (620)	n/a	51,443	51,443	12,861	38,582
	Kodiak (630)	n/a	27,372	27,372	6,843	20,529
	WYK (640)	n/a	3,385	3,385	846	2,539
Subtotal	W/C/WYK	150,817	110,272	110,272	27,568	89,722
	SEO (650)	14,366	10,774	10,774	N/A	10,774
Total		165,183	121,046	121,046	27,568	100,496

WYK – West Yakutat District, W/C/WYK – Western, Central, and West Yakutat District

Blue highlighted cells are the revised TACs and GHs under proposal 44.

Proposal 45: Require 100% observer coverage in all trawl groundfish fisheries inside state waters in the Central GOA. The primary trawl fisheries in state waters are the parallel fisheries for pollock and Pacific cod.

1. Trawl catcher/processors are required to have 100% observer coverage, so this proposal does not apply to trawl catcher/processors.
2. The federal observer program applies to federally-permitted vessels in the federal or parallel fisheries. The current deployment of observers does not differ whether a vessel is fishing in federal or state waters in that fishery. Under the current deployment, if the State requires 100% observer coverage in state waters then a vessel could only fish in state waters if they were selected for observer coverage.
3. If 100% observer coverage was required in state waters then either this coverage would need to be incorporated into the current federal observer program or the State would need to establish its own program to provide observer for non-federally permitted vessels and for federally-permitted vessels not selected for observer coverage that fish in state waters. Each option has benefits and concerns related to many aspects including enforceability, funding, deployment, and data management. A combined state and federal observer program makes sense when reviewing the benefits of a collaborative state, federal, and IPHC electronic fish ticket program: improved data quality, more timely data for managers, and reduction of duplicative reporting of similar information to multiple agencies. Separate state and federal observer programs would need to be carefully developed to prevent one program from negatively influencing the other program.
4. Because NMFS provides stock assessment for most groundfish, any new state waters observer program would need to collect data compatible with data collected by the federal program to be used for both catch accounting and stock assessment.



Submitted By Maureen Knutsen

Affiliation

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I am writing in support of Proposal 45 to provide 100% observer coverage of trawl bycatch in the Gulf of Alaska.

I am a commercial and subsistence fisher who resides in Bristol Bay and feel that all Alaska fisheries should be held to the highest standards of good management and sustainability. With some important species in decline in the Gulf of Alaska, accurate bycatch information is essential.

Thank you for considering my comments.

Submitted By Mike Nugent
Affiliation



PC 45
1 of 1

My Name is Mike Nugent. I hold a Salmon Setnet Permit number S04K61167. I fish in the Alitak District. I support Proposal 99 as it would allow my small operation to stay afloat. With two permits able to fish under one person my site would be a viable operation. With only one permit in an average year we might do a bit better than break even but nowhere near the average annual return. In my case no alteration of the status quo would happen in my district as the same two permits would be fished in the same net locations.

The reality in my case was that I had to let one permit go as I had no family member who could fish the whole season. It takes too long to transfer permits between family members while fishing from a remote site. This is one situation where the dynamics might change in the district where the permit was fished. If nothing is done then other small operations like mine will disappear when there is no one in the family to take over either because of age, too young or too old. The fishing site just becomes a remote cabin where the family might go for a vacation or a hunting trip.

Please think hard letting permit holders to fish two permits. The only downside I see is if an operation with multiple permit holders wants to hoard permits by buying them but not fishing them which would drive other new entrants away.

Thanks for the time.

Submitted By Miker Spokas
Affiliation Crab Fisherman



PC 46
1 of 1

While this is a good start and I support it 100%, this mandatory observer coverage for bottom trawlers also needs to be expanded to include coverage for all waters, not just State waters. The trawlers will simply fish in their nontraditional grounds when being observed if it is not expanded. If there is no crab season in Kodiak or Bering, then there should also correspondingly be no allowed crab/shellfish bycatch. The reduction in species numbers results from bottom trawling practices that kill everything, not from pot fishing.



Submitted By Oliver Holm
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Chairman and members of the Board of Fisheries,

I would like to comment on two proposals coming before you at the Kodiak meeting in January. I am a seiner who has fished the Kodiak area since 1964. Most of this time I have been a seiner but I also setnetted on the westside and my wife and daughter are currently westside setnetters.

I am opposed to proposal number 95. Seiners would lose some of their access to the hatchery produced run that returns to Telrod Cove in Spiridon Bay. In addition access to Early Karluk sockeye would be restricted also. If the central section is open for early Karluk sockeye fishing this proposal would preclude seiners from fishing in the central section during the gillnet only opening proscribed by this proposal. In years of decent returns to Karluk this would hinder the ability of managers to keep Karluk escapement from exceeding the top end of the escapement goals. In addition seiners would lose other species such as early chum normally caught by seiners in the central section. For the last four years seiners have not been permitted to fish in Telrod Cove because the fish that have returned in June have been taken for cost recovery. The ending dates for cost recovery have been: 2010-June 30th, 2011-June 30th, 2012-July 7th, 2013-July 19th. A substantial portion of seiners access to Spiridon sockeye has been in Telrod Cove. In 2013 the majority of fish returning to Telrod Cove were harvested for cost recovery so weren't available for harvest by seiners. I am on the board of our regional salmon enhancement association (KRAA). KRAA is likely to continue cost recovery in Telrod Cove into the future as even with 2013's high enhancement tax contribution, the budget required to produce these fish and other 2% tax funded projects is greater than the tax receipts generated. In addition there may be new projects at Karluk and in Olga Bay that likely won't have any cost recovery option so would be funded by cost recovery at Telrod Cove. The new projects at Anton Larsen Bay and Ouzinkie's Katmai Creek as well as old projects at Port Lions, Foul Bay, and Waterfall Bay are also funded by cost recovery at Telrod Cove in combination with the 2% enhancement tax.

There are two other major enhancement projects, they are the Kitoi Bay Hatchery and the Fazer Lake sockeye project. Kitoi is funded from cost recovery catches for which seiners are managed so the fish can get through to be harvested. Kitoi is not funded by the 2% tax and contributes most of the funding for administration of KRAA. Frazer Lake fish pass is funded mainly through the state with additional funds from KRAA generated by the 2% tax or Telrod cost recovery.

I am also opposed to proposal number 96. It is far more common for some of the seine only areas in the westside management plan area to be closed while the central section where the setnetters fish is still open than the reverse where the central section is closed while some of the seine only areas are open. Aside from the chaos that would result from setnetters putting gear in the way of seine haul spots in the very small seine only areas, the proposal is poorly written as it would change the longstanding management separation in these areas even when there is no differential closure as any 48 hour closure in the central section after August 15th would trigger the change.

I plan to participate in the January meeting here in Kodiak but hope by commenting on these two proposals early that you may have more time to think about them.

Sincerely;

Oliver Holm



Submitted By Richard
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State Board of Fish Proposal Comments to the State Board of Fish Members Submitted by Rich Blanc Set Gillnetter Alitak Bay.

20 Dec 13

Dear BOF Members:

I am a fisherman in Alitak Bay for 46 years, five years on a seiner and 41 years set gill netting. I am submitting the following comments on the following proposals for your consideration:

Proposal 88, **oppose:**

This is purely an allocation proposal, there is no biological justification for this proposal. The author states that those likely to suffer are those who fish in the outside sections (Alitak Bay and Moser Bay) and that those who fish in Olga Bay will benefit by an increase in catch of larger quality fish.

This proposal restricts F&G management of the fishery which will lead to terminal fisheries as the fish will not be able to be harvested in the traditional areas.

The present regulation provides for a minimum closure of 69 consecutive hours in every 10 day period ensuring a genetically diverse stock.

I urge you to retain the present regulation or an alternative reinstating the previous regulation that provided for a mandatory 2.6 day closure in every 10 day period with all sections in the Alitak District (Cape Alitak, Alitak Bay, Moser Bay and Olga Bay) opening at 12 noon and closing at 9:00 pm.

Proposal 89, **support:**

Proposal 90, **support:**

Proposal 91, **oppose:**

I oppose changing the Optimum Escapement Goal (OEG) to a Biological Escapement Goal (BEG) on the Early Upper Station Run. Historically, the Early Upper Station run has not supported a strong stock fishery. F&G would be compelled to manage Early Upper Station as a strong sock fishery with a BEG designation. Frazer Lake Run is a healthy strong stock fishery. Managing a weak strong stock fishery (Early Upper Station) along with a healthy strong stock fishery (Frazer Lake Run) will result in numerous terminal fisheries. There has not been a terminal fishery in Olga Bay since the Early Upper Station run was designated OEG.

The present Alitak District Management Plan provides latitude for F&G to manage openings to ensure that the OEG is achieved in the



the fishery from June 16 through July 15 instead of June 1 through July 15 is not necessary and limits F&G's ab

The Upper Station Early Run Sockeye Escapement has a current lower goal of 43,000 and a current upper goal of 93,000. The 10 year average (2003 - 2012) is right on or just above the 43,000 lower goal. See, Figure 17.-Upper Station Early Run Sockeye: 30-Year Escapement, 10-Year Average, and Upper and Lower Optimal Escapement Goals (Nemeth et al. 2010).

There are more effective ways to enhance the Early Upper Station Early Run. I urge you to reject Proposal 91.

Proposal 98, **oppose:**

This is an allocation proposal with no biological justification.

This proposal will put an extra 50 fathoms of seine net in the water reallocating the resource..

If a seiner wants to fish dual permits then enact a regulation like the set gillnetters had when they fished dual permits (2008-2010) during the sunset clause under current regulations. The seiner as the gillnetter would make a set on one boat and then make a set with another boat. There would be no additional gear being fished.

I urge you to reject proposal 98.

Proposal 99 **support,**

Allowing a dual set gillnet permit holder to fish both permits under existing regulations is essential for a family and or partner ship with multiple permits to economically remain in the fishery and preserve the dual permits.

The Alaska State Legislature recognized this and on **03-28-06** : Passed the Legislature, to be transmitted to the Governor for signature.

House Bill 251 would allow the Board of Fisheries to assign additional fishing privileges to persons who hold two commercial fishing entry permits in the same salmon fishery. This would increase efficiencies and provide for those who are active in the fishery, a more competitive edge where outstanding permits are underutilized. It will also help active fishermen more successfully address market forces.

Correspondingly, CFEC stated, "as a general statement, CFEC supports changes that will improve conditions for Alaska salmon fishermen and their families." See, CFEC Memorandum August 3 2007.

The average harvest and value of a set gillnet in the Kodiak Management Area from 2002-2012 is \$35,044. See, Steve Honnold, 2012, Table 3.-Estimated commercial salmon harvest and value, by gear type, in the Kodiak Management Area 2002-2012.

This value per permit is not viable economically.

We need help. An average of \$35,044 before expenses is financial ruin. Multiple permit operations can make it financially if they can fish

and preserve all their permits.



Families and partnerships with multiple permits need a way to keep the permits fishing to be economically feasible. as children and aging members no longer are able to fish.

From 2008-2010 when dual permit holders were allowed by regulation to fish both permits under existing regulations there was no abuse of the regulation, fears of the opposition were not realized, and there were no complaints to enforcement. Of the 38 persons holding two permits at the end of 2010,

- 63% (24/38) are Alaska residents local to Kodiak,
- 13% (5/38) are Alaska residents not local to Kodiak,
- 24% (9/38) are non-residents 24% (9/38) are non-residents.

From 2004 to 2010, a total of 43 permit transfers were made which resulted in persons holding two S04K permits at year-end. Of those transfers:

- 70% (30/43) were instances in which the transferor (donor) and the transferee (recipient) were immediate family members.
- 5% (2/43) were between other relatives.
- 12% (5/43) were between friends and or business partners.
- 14% (6/43) were between others. See, CFEC Memorandum January , 2011

Other options:

1. Integrate joint venture, (e), under 5 AAC 18.331 GILLNET SPECIFICATIONS AND OPERATIONS. Two fishers who each own a permit can combine and form a joint venture, with proxy fishing. One fisher of the joint venture can fish the permit for the other member of the joint venture.
2. Allow dual permit holders to fish both permits under current regulation by majority vote by area and or section.

As you can see, you can't financially enter the fishery buying a permit, site and gear earning an average of \$35,044 per season and survive. A multiple permit family and or partner operation can be financially viable if they can fish and preserve their permits. This will allow as well an operation to be sold to an entry level fisherman and be economically viable.

I urge you to support Proposal 99.

Thank you for your consideration,

Rich Blanc

Set Gillnet



Submitted By Susan Payne

Affiliation

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January 2014 BOF Testimony by Susan Payne

Only three years ago, we came before you to urge you to end permit stacking for the Kodiak set net fleet. Again, we have to revisit this issue not only for the set net fleet (**Proposal 99**), but now the seine fleet as well (**Proposal 98**). How sad.

When permit stacking was allowed, our family of two permits did take advantage of the opportunity so that I could visit my elderly parents with my children for 10 days during the season for the July 4th Holiday. There were no CFEC rules that would allow this limited leave from the fishery, allowing my husband to fish our gear. Pulling the nets at that time, did sometimes affect our overall total, so leaving them in was a financial advantage. It is convenient for a family to utilize this provision, and we have done so.

However, when it came time to renew the permit stacking, we were against it because we felt that this would restructure the fishery, giving advantage to some and limiting others from participating in the fishery. We are still against permit stacking in both the seine and set net fisheries.

Three years ago, people argued that they needed to stack their permits in order to make a living at salmon fishing. The last two years, prices of salmon have increased the gross of all fishers substantially. Financial reasons no longer are a valid argument for stacking. There are only so many write-offs people can make, excess profits just go to the government and do not help the greatest number of individuals wanting to start fishing businesses. This alone should be enough to vote no on these proposals. With the increased prices, latency issues are likely not an issue at this time either.

Proposal 98 concerns me as far as stock management is concerned. In some management areas, the additional net will affect the abundance of fish arriving at stream terminus especially in the narrow bays (eg. outer Terror Bay near Bowmans Creek, Anton Larsen Bay, and inner Uganik).

Regarding Proposal 95:

All Kodiak salmon fishers contribute to the cost of the Telrod enhancement project, but on years of low early Karluk abundance only the seine fleet are able to fully utilize this resource. Without affecting subsistence or any managed salmon species abundance, this proposal allows the set net fleet time to acquire additional harvest opportunity of this Telrod run. Since the seine fleet can move to the terminal fishery area, there is no reallocation issue. Because of this ability to travel, I see no reason to include the seine fishery in this additional time for setnetters. This proposal appears to correct an allocation issue that currently favors the seine fleet over the setnet fleet on this particular run of fish.

Thank you for considering my concerns in this letter. I will likely not be able to deliver these comments in person as I work a winter only job in town.

In summary:

Proposal 95: For.

Proposal 98: Against.

Proposal 99: Against.

Sincerely,

Susan Payne

907-486-3737



~December 23, 2013
Board of Fish Comments
Boards Support Section
P.O. Box 115526
Juneau, AK. 99811

Proposal 98- Oppose - Permit stacking in the Kodiak Seine Fishery
Proposal 99- Oppose - permit stacking in the Kodiak Setnet Fishery

To Chairman Johnstone and members of the Board of Fish,

My name is Theresa Peterson and my family and I have lived and fished out of Kodiak for over 30 years. We own and operate a fishing vessel which we use to fish a combination of fisheries including Tanner crab, cod, herring, salmon and halibut. In addition, we own and operate a salmon gillnet site on the South end district of Kodiak.

We believe the limited entry system to be an ideal model to manage fisheries in promoting active participation through owner on board requirements. The permit system represents the backbone of a fisheries management policy which supports coastal communities found throughout Alaska. The system provides sufficient entry level opportunity, protected by the State of Alaska Constitution, in providing the maximum number of permits determined appropriate for each limited fishery. It is a system that has proven to work well and thorough review should be conducted for each fishery prior to implementing a significant change in the fishery.

By way of background, in addition for actively fishing for the last 30 years and raising three children in Kodiak, I have previously served on the ADF&G advisory committee as the South end set net representative and currently serve on the Advisory Panel to the North Pacific Fisheries Management Council. I serve on the board of the Alaska Jig Association and work part time for the Alaska Marine Conservation Council. My involvement with fisheries policy is focused on maintaining opportunity for future generations. I am writing on behalf of myself and my family.

Prior to allowing permit stacking in the Kodiak Island set net fishery or seine fisheries there is a need to establish policy guidelines to determine social, economic and conservation goals of the action. The legislative action, HB251, which allowed for permit stacking in the Bristol Bay drift net fishery, was brought forth during years of economic distress due to low salmon prices and geared to consolidate a large number of unused permits. The objective was to remove latent permits from the fishery using the funds of its participants. To provide incentive to purchase an additional permit, Board of Fish action adopted a regulation that allowed two individual permit holders to fish on the same vessel and their combined operation was allowed to fish an extra 50 fathom of net. This action was adopted with clear objectives and determined as necessary in the Bristol Bay fishery after an optimum permit study was conducted. No such objectives or optimum permit study exist for the Kodiak set net or seine fishery.

Points to consider against proposal 99:

- A 50% potential ownership reduction represents a significant shift in the fully utilized setnet fishery. Without a thorough analysis and clear policy direction, this action is nothing more than a convenience.
- There is no observed excess of harvesting capacity in this fishery.
- The State, through CFEC regulations, demands active participation of permit holders and prohibits absenteeism, but makes allowances for these in cases of hardship through emergency transfers.
- When consolidating a fishery, we must take into consideration the requirements of Alaska's constitution. Particularly Article VIII Section 15: "A limited entry system should impinge as little as possible on the open fishery clauses consistent with the constitutional purposes of Limited Entry".
- The already scarce supply of permits for sale will be further limited if permit stacking is allowed.
- Dual permits disadvantage the single permit holder.
- Dual permits may enable Kodiak setnet participants to engage in other salmon fisheries and other occupations. This circumvents the current regulation which states that salmon permit holders may only participate in one salmon fishery as a permit holder in any given year.
- The proposal primarily benefits those who currently hold limited entry permits and will consolidate ownership of the limited entry permits, thereby reducing future opportunity for others.
- Permit stacking will exacerbate the challenges found in small rural communities around Kodiak to acquire limited entry permits.

The ability to stack permits in the Kodiak seine fishery is fraught with allocation issues. An increase in seine length will only advantage vessels large enough to carry that size net. Smaller vessels, our 42' boat included, will be at an unfair advantage to compete, thereby creating an allocation within the user group. In the traditional fishing grounds where boats fish 2 and 3 sets out, the extra length will disrupt historical fishing practices.

It is a privilege to participate in the limited entry fisheries in Alaska and there is a fine balance to provide economic opportunity for those engaged in the fishery while providing opportunity for those who want a chance to put their boots on and go fishing. Before disrupting a functioning fishery which allows for maximum participation, conduct the studies to illustrate why the action is needed. While there are a number of unused permits in the seine fleet, each permit represents an opportunity for someone and we have seen a number of young fishermen buy into salmon over the last few years. From my perspective this is a good thing. An optimum permit study should be conducted over the next few years and then the Board may choose to consider if there is a need to reduce permits in the fishery. If a flood of permits starts to come into Kodiak and there is identified economic distress among the participants then it then it may be appropriate to

consider a change. However, right now the fishery and its participants are thriving and we are experiencing rec fleet. A thorough analysis demonstrating the need, with established goals and objectives should be conducted stacking in any fishery.



Thank you for your careful consideration of this issue and we look forward to discussing the matter further during your visit to Kodiak.

Sincerely,

Theresa Peterson and family



Submitted By Toby Sullivan
Affiliation
Phone 907-360-8837
Email tobysullivan@gmail.com
Address PO Box 3047
Kodiak, Alaska 99615

To: Alaska Board of Fish

From:

Toby Sullivan
PO Box 3047
Kodiak, AK 996715

December 23, 2013

Dear Board of Fish Members-

I write in support of Kodiak Finfish Proposal 95. This proposal would allow a 114 hour gillnet-only commercial salmon opening in late June in the Central Section of the Kodiak Management Area. The area would open to both gillnet and seine fishermen if the minimum escapement was reached for the early Karluk sockeye run.

I support this revision to the existing rules because in years of low early Karluk sockeye escapements, the Central Section, which allows for both gillnet and seine gear, is often closed for long periods of time to allow for Karluk sockeye escapement. During these closures neither seine nor gillnet fishermen can fish in the outside areas of the Central Section. However, when the Central Section is closed, seine vessels can harvest sockeye bound for Telrod Cove in Spiridon Bay, inside a special seine only area within the Central Section, while gillnet fishermen sit idle. This Spiridon Bay run is a put and take fishery developed by Kodiak Regional Aquaculture Association, and has been paid for by assessments on both gillnet and seine fishermen.

In years of low Karluk early run sockeye escapements therefore, because gillnetters are idle and have no opportunity to catch these Spiridon bound fish swimming through the Central Section, the result has been an unintended allocation of Spiridon bound sockeyes to seine fishermen.

The data I attach with this letter shows this clearly. After years of strong Karluk runs the early Karluk sockeye run was much diminished from 2008-2011, resulting in long closures in the Central Section during June. This resulted in very few Spiridon bound fish being caught in outside areas of the Central Section, (by both gillnetters and seiners) and a much higher proportion of those fish being caught in the seine only fishery inside Telrod Cove. In 2012, when the early Karluk run rebounded, the ratio of fish caught in the outside Central Section areas rose back to historical levels.

This situation would not be an issue if the forecast for the early Karluk sockeye run was good for the next few years, because the Central Section would have long openings, allowing for good fishing opportunities for both for both gear to catch Telrod Cove bound fish swimming through the Central Section. However, ADF&G foresees a downturn in the Karluk early run sockeye in the next few years, which will result in long closures in the Central Section, and again, because the gillnetters will be closed, an allocation of Telrod cove sockeye to the seine only area in Telrod Cove.

I believe Proposal 95 is a good way to alleviate this skewing of historic allocation ratios between seiners and gillnetters. The proposed



gillnet only opening on June 28th would happen right at the peak of the Telrod Cove run, but because 88% of the fish would be passed by June 28th, and because gillnetters historically catch only about 50% of those Karluk bound fish, the 1994-2005 Karluk run would be low. The proposal also allows for seiners to participate also in this opening if the natural Karluk run is above escapement levels by June 28th, and the threat to the natural Karluk run was low. This seems like a fair way to allow seine fishermen opportunities to catch these Telrod Cove also, in addition to their seine only Telrod Cove fishery.

Thank you for your consideration of this proposal.

Toby Sullivan

Spiridon Bound Sockeye Harvests 1994-2012

All figures in number of fish

Year	Total	Spiridon run		Spiridon run		
		Seine Only	Seine & Gillnet	Seine Only	Seine & Gillnet	
Karluk early run	escapement	Spiridon run	Spiridon run	Spiridon run	Spiridon run	
Run	Run	caught in	caught in	caught in	caught in	
		Telrod Cove	outside areas	Telrod Cove	outside areas	
1994	260,771	267,464	128,897	138,567	48.19%	51.81%
1995	238,079	96,621	31,692	64,929	32.80%	67.20%
1996	250,357	387,062	162,118	224,944	41.88%	58.12%
1997	252,859	147,245	64,483	82,762	43.79%	56.21%
1998	252,298	215,514	88,449	127,065	41.04%	58.96%
1999	392,419	468,220	190,774	277,446	40.74%	59.26%
2000	291,351	202,472	81,931	120,541	40.47%	59.53%
2001	338,799	147,295	59,733	87,562	40.55%	59.45%
2002	456,842	491,629	199,532	292,097	40.59%	59.41%
2003	451,856	633,449	258,564	374,885	40.82%	59.18%
2004	393,468	185,961	75,009	110,952	40.34%	59.66%
2005	283,860	144,857	55,997	88,860	38.66%	61.34%



2006	202,366	88,945	36,435	52,510	40.96%	59.04%
2007	294,740	171,341	170,250	101,091	41.00%	59.00%
2008	82,191	244,414	155,981	88,433	63.82%	36.18%
2009	52,798	155,025	81,725	73,300	52.72%	47.28%
2010	71,453	174,472	100,727	73,745	57.73%	42.27%
2011	87,049	167,293	111,459	55,834	66.63%	33.37%
2012	188,085	171,344	77,934	93,410	45.48%	54.52%

Submitted By Warren brown
Affiliation Com fish
Phone 907 234-7498
Email Buck@xyz.net
Address Po box 77
Seldovia, Alaska 99663



PC 52
1 of 1

Please enact the 100 percent observer coverage on the state trawl fleet. This would be a great step towards more coverage on all trawl fisheries.

Submitted By Wendy Beck

Affiliation Kodiak set net permit holder



PC 53
1 of 1

Mr. Chairman and Members of the Board,

My name is Wendy Beck, and I would like to state my OPPOSITION to proposal 99 for the record.

I have been involved in the set gillnet fishery on the west side of Kodiak Island for many years. As a permit holder and fishing business owner I see proposal 99 simply consolidating ownership and creating a more narrow field. For young people that would like the chance to be able to buy in to this fishery, it will be next to impossible from both an economic and availability standpoint. NO study has been done showing the need for consolidation in this fishery. Consolidation is never good for small coastal communities such as Kodiak.

Active participation in the fishery is critical to keeping things balanced and healthy. One permit, one person, keeping open opportunity.

I urge you to vote NO on proposal 99.

Sincerely,

Wendy Beck



Submitted By Weston Fields
Affiliation Fields and Sons
Phone 907 942 7190
Email seascrolls@gmail.com
Address Box 35
Kodiak, Alaska 99615

~~2014 Permit Stacking for Kodiak Set Gillnet Permit Holders

I support Proposal 99 for Kodiak Setnet Permit Stacking beginning in 2014.

A number of unsupported, unsupportable, and erroneous claims have been made about purported negative impacts from the proposed reinstatement of stacking for SØ4K Kodiak setnet permits.

Stacking did not, does not, and will not contribute significantly to "consolidation" of permit ownership. Most permit ownership is already within family units, and consolidation is often simply a matter of family members having chosen over the years to share equipment and labor in order to make setnetting a more fiscally viable small business. Stacking primarily makes it more convenient for families to use permits in keeping with the varying and constantly changing needs of age, health, winter job responsibilities, or the need for children or spouses to be absent for part of a season in order to attend school or to care for children attending school during what is one of the longest continuous salmon seasons in the State of Alaska.

The 2013 Kodiak season stretched for approximately 90 days (June 7-September 7), and in the autumn significantly overlapped the beginning of local schools as well as many colleges. Stacking allows for families to plan ahead for such unavoidable absences, mainly for the first week or two of the season and the last three weeks of the season.

The length and timing alone of the Kodiak season precludes any significant comparison with Bristol Bay, so appeal to the situation there is largely irrelevant.

Stacking has no proven impact on new or future entrants. In the 40 years since the inception of limited entry, buying and selling of permits has always been minimal, and use of permits has always been optimal. Very few permits have been or are allowed to be dormant or "latent," and one must remember that statistics about usage of permits based on deliveries (pink slips) are largely faulty and unreliable. This is because it is almost universally normal for families to deliver shared catches on one permit per total delivery, and simply for accounting convenience one permit per family may end up being credited with most of a season's catches, even though several permits have been used to catch the fish. This is because all the members of a family group may pick multiple nets in multiple skiffs at the same time and deliver from multiple skiffs at the same time, but the tender writes everything on one pink slip with one permit number. In short there is no firm evidence for the number of "latent" SØ4K permits.

There is no proof that stacking SØ4K permits will negatively impact smaller, rural communities. First, very few SØ4K permits are held by residents of smaller rural communities. More than that, stacking more often results in added efficiency leading to added profitability for family operations, and thus more net income to be spent in the owners' communities, whatever their size or location.

There is absolutely no clear evidence that stacking SØ4K permits affected permit prices in the past. There are only two primary factors which have affected prices over the last 40 years: fish prices and volume of fish runs, both in the very recent past and anticipated in the future. Stacking is highly unlikely to affect prices of Kodiak setnet permits.

There is, further, no evidence of any sizeable demand for permits from the residents of the six villages around Kodiak Island. On the contrary, in the past 40 years more villagers have sold setnet permits than have tried to buy them.

There is no hard evidence that permit stacking led to purchase of permits to expand multiple permit sites. The majority of sites have had to be multiple permit sites already, just to survive. There is no evidence that multiple permit sites disadvantage single permit sites. There is no evidence that the supply of permits for sale will be affected by permit stacking, nor, conversely is there any evidence that lack of stacking will result in more permits offered for sale or more participants in the fishery. Thus, the reference to State vs. Herbert is irrelevant to the Kodiak setnetting fishery because it is not based on any clear evidence.

I have participated in the Kodiak setnet fishery for the past 53 consecutive seasons. It is my opinion that stacking permits will have no measureable real effect on the fishery except to make it more convenient and more survivable. Stacking should be reinstated by the Board of Fisheries.

Sincerely,

Weston W. Fields

Bear Island, Uyak Bay, Kodiak Island

seascrolls@gmail.com; P. O. Box 35, Kodiak 99615; Tel.: 907-942-7190



December 20, 2013

Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526
Attn: BOF Comments

Re: Proposal 98, to allow Kodiak Area CFEC seine salmon permit holders to operate additional gear under a dual permit or joint venture.

To whom it may concern:

I am the original proposer of proposal 98. After talking with many people and attending the Kodiak Fishery Advisory Committee meeting, I would like to offer to the Board of Fish an amendment to my original proposal for its consideration. This amendment is an effort to address the concerns of the committee.

I would eliminate option 1 from consideration, making option 2, the joint venture option, the basis of the proposal. I would also eliminate the addition of 50 fathoms of total net length from consideration, and instead suggest that under a joint venture the permit holders be allowed to operate with a full 250 fathoms of seine, instead of a maximum of 200 fathoms of seine and 50 fathoms of lead. The total net length would remain the same at 250 fathoms.

The proposal language would read as follows:

Allow a joint operation if two separate permit holders are on board.

- 1.) With two permit holders on board, the combined maximum length of gear would be 250 fathoms, with up to 250 fathoms of seine.
- 2.) The two permit holders would be required to register with ADF&G their intent to combine permits and while so registered the permits would not be allowed to operate separately from one another. Termination of the joint operation would have to be registered with ADF&G.
- 3.) The vessel would be required to clearly display an indication of a joint operation on its ADF&G permanent license plate number. Upon termination of the joint operation, the display must be removed.
- 4.) Both permit holders would be responsible for the lawful use of the gear.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Pikus".

Patrick J. Pikus
Polar Star, Inc.
P.O. Box 2843
Kodiak, AK 99615



December 22, 2013

Boards Support Section
Alaska Dept. of Fish and Game
Attn: BOF Comments

Re: Proposal 95, Establish certain set gillnet-only fishing periods, beginning June 28, in the Central and North Cape sections.

To whom it may concern:

I oppose the adoption of proposal 95 by the Board of Fish.

The Westside Kodiak Salmon Management Plan has proven to be an effective management strategy for all the wild salmon runs on the west side, which I believe has been generally equitable to all of the resource user groups. The timing and size of the salmon runs is going to naturally vary year to year somewhat, which gives rise to year to year fluctuations in how well the various user groups do, both in an absolute sense and relative to each other. Sometimes mobile seine gear has a really good season relative to set gillnetters, and sometimes vice versa. Such is the nature of the salmon fisheries.

The specific purpose of this proposal is to shift some of the harvest of the Telrod Cove enhancement sockeye from mobile seine gear to set gillnetters by allowing for a set gillnet-only 5-day opening in the Central section beginning June 28 if the minimum Karluk early-run sockeye escapement is not reached. However, if the set gillnetters were to have an exclusive opening, at least *some* portion of their catch would be natural-run fish returning to Karluk and other systems. They would be intercepting at least some of the fish needed to meet the Karluk escapement. What if there were a surge of Karluk sockeye during this period? The provisions of the management plan are in place primarily to protect the natural salmon runs, especially Karluk. This strategy should not be preempted in an attempt to alter the harvest of the Telrod cove enhancement sockeye run.

According to the proposal, to date there have been four years, 2008-2011, where there was a smaller than usual Telrod Cove sockeye harvest by set-gillnetters. The program began in 1988, so for a large majority of the program's existence, the management plans have achieved the desired goals for both the natural runs as well as the Telrod enhanced run. So why change them? If the proposal were to go into effect, it would shift the harvest patterns. Then in the future the situation could switch back, such that it could be said that the mobile seine gear sector is disadvantaged. Then what? Remove the set-gillnet only provision? Then there is the added complication of cost recovery, which is a big variable in the timing of the opening of the Telrod Cove SHA. The failure to achieve cost recovery goals would be harmful for all users. All in all, I would argue that it is not practical to try to manage the relative harvests of the mobile seine and set-gillnet sectors by a proposal such as this. I urge the Board of Fish to reject proposal 95.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick J. Pikus".

Patrick J. Pikus
Polar Star, Inc.
P.O. Box 2843
Kodiak, AK 99615



Boards Support Section

Alaska Dept. of Fish and Game

Attn: BOF Comments

Re: Proposal 95, Establish certain set gillnet-only fishing periods, beginning June 28th, in the Central and North Cape sections.

To whom it may concern,

I oppose the adoption of proposal 95 by the Board of Fish.

The Westside Kodiak Salmon Management Plan has proven to be an effective management strategy for all the wild salmon runs on the west side, which I believe has been generally equitable to all of the resource user groups. The timing and size of the salmon runs is going to naturally vary year to year, which gives rise to year to year fluctuations in how well the various user groups do, both in an absolute sense and relative to each other. Sometimes mobile seine gear has a really good season relative to set gillnetters, and sometimes vice versa. Such is the nature of the salmon fisheries.

The purpose of this proposal is to shift some of the harvest of the Telrod Cove enhancement sockeye from mobile seine gear to set gillnetters by allowing for a 114 hour gillnet-only opening in the Central section from June 28th if the minimum Karluk early-run sockeye escapement goal is not reached. If the central section is opened, and Karluk is under the minimum escapement, there is no protection to Karluk bound fish. It is impossible to target Telrod Cove sockeye and not Karluk sockeye.

There is also the fact that Telrod Cove SHA is used for cost recovery efforts, and allowing a gillnet-only fishery to target said fish could hamper cost recovery efforts.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Alward".

Matthew Alward
Alward Fisheries LLC
60082 Clarice Way
Homer AK 99603



Monday, December 23, 2013

Alaska Board of Fisheries Members,

I am writing in support of Kodiak fin fish proposal 95.

My name is Virginia Adams. I have fished my Kodiak set net site for 34 years, in Viekoda Bay on the West side of Kodiak, in the Central Section for F&G Management.

I have contributed 2% of my gross earnings for the Kodiak Aquaculture Association, KRAA, of which only ONE project affects me, the Spiridon Bay Sockeye Project. For many years I have had NO opportunity to harvest Spiridon bound sockeye, fish I have paid for. Yet those fish ARE harvested, inside the seine exclusive Telrod Cove fishery. Proposal 95, in a VERY conservative manner, attempts to give access to the set net fishermen in the Central section during a time period when Spiridon bound sockeye are in the Central section, yet during a time period when Karluk sockeye have already accumulated at the Karluk terminus.

You will receive a great deal of data showing the validity of this proposal. Proposal 95 creates no losers, only bring an infinitesimal opportunity to the set net gear group who have been denied any opportunity on fish we have paid for.

I urge you to focus on the conservative nature of Proposal 95, and not to be clouded by gear conflict issues, i.e.; set net vs seine. In fact, this proposal very modestly attempts to bring the slightest parity to the set net gear group which has had no opportunity to harvest Spiridon bound sockeye.

I want to thank you for your time on the Board, I appreciate it very much.

Sincerely,

A handwritten signature in cursive script that reads "Virginia C. Adams".

Virginia C. Adams

Submitted By Robert Funkhouser
Affiliation Kodiak Salmon Seiner



PC 58
1 of 1

I have been a Kodiak Salmon Seiner for over 30 years. I Oppose Proposal 90. Fisheries Managers already close Cape Alitak Section if Upper Station Sockeye is not meeting escapement levels. It would be difficult for managers to manage Humpy-Deadman if this Proposal is confirmed. Purse Seiners would suffer with this proposal.

I Oppose Proposal 92. It would be very hard to manage the Cape Igvak Fishery under this proposal. Kodiak Seiners don't exceed 15% of the total harvest very often. The Kodiak area managers do a great job keeping us under 15% year after year. Over the years the Chignik fleet has become more efficient at fishing the outer capes. I believe at many times during the season Chignik Seiners target & catch many Sockeye headed for Kodiak Rivers. Losing the ability to manage the Cape Igvak Section by never being able to exceed 15% would be difficult for managers, and a hardship on Kodiak Seiners.

I Oppose Proposal 93. It would be a hardship on Kodiak Seiners. We are supposed to get the opportunity to catch 15% of the total run. We are always shut down during the overlap period from June 28th to July 8th. If managers don't have the ability to go over 15% early, it would be hard to catch up after July 8th.

I Oppose Proposal 94. Having to check in and check out would be very difficult for area managers to work with. The company I fish for requires me to deliver every day when fishing Cape Igvak. As do most processors in Kodiak. We also are required to list where all fish have been caught on our fish tickets at all times. Crossing the Shelikof with a full tank of water is something most fishermen avoid doing. It's a safety issue, the weather is very difficult at times. Transporting fish across Shelikof is not good for the fish, so we don't do it. Kodiak Seiners and Managers would suffer with this Proposal.

I Oppose Proposal 95. Having a Setnet only opening on the Westside of Kodiak is allocative. Westside setnetters already catch a much larger portion of all Kodiak Sockeye Salmon. We cannot let this happen. As it stands now 60% of Telrod bound fish are caught outside of Telrod Cove. Of those fish 75% are caught by westside setnetters. I have been fishing primarily on the westside of Kodiak Island for over 30 years. We now only have a minimal amount of Purse Seine sets we can make, without a setnet right in front of our nets in the Northwest Kodiak District. Once we start having Setnet only openings. Then the Setnetters will want Setnet only openings all the time. 500,000 lbs of Sockeye have been harvested in Telrod Cove for cost recovery in recent years. Every Kodiak salmon fisher benefits from this money. Please do not consider this Proposal. It's just a fishgrab by the Setnetters.

I Oppose Proposal 96. Would be a huge gear type conflict. Difficult to manage.

I Oppose Proposal 97. Delaying a Closure would mess with any set fishing periods. If the weather is coming, then pull your nets early. That's what the Seiners have to do.

I Support Proposal 98. I would like to see this proposal amended to read. That seines could be 250 fathoms with or without leadweb. Without permit stacking.

I Oppose Proposal 99. I oppose allowing anyone person to fish two permits at the same time.

Thank You

Rob Funkhouser

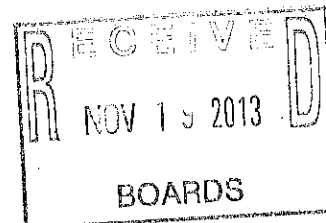
F/V Kipper



Paul Olson, Attorney-at-Law
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(907) 738-2400
polsonlaw@gmail.com

November 19, 2013

Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526, Juneau, AK 99811-5526
Fax # (907) 465-6094
www.boardoffisheries.adfg.alaska.gov
Attn: BOF COMMENTS



Re: Proposal No. 45

Dear Alaska Board of Fisheries:

Thank you for the opportunity to comment on Proposal No. 45, which would require 100 percent observer coverage on groundfish trawl vessels in state waters of the Cook Inlet, Kodiak and Chignik management areas. I submit the following comments on behalf of The Boat Company (TBC). TBC is a tax exempt, charitable, education foundation with a long history of operating in southeast Alaska. TBC conducts multi-day conservation and wilderness tours in southeast Alaska aboard its two larger vessels, the 145' M/V Liseron and the 157' M/V Mist Cove. TBC's clients participate in a variety of activities that include environmental education, kayaking, hiking and beachcombing as well as sport fishing for halibut and Chinook from smaller vessels. The socio-economic health of Southeast Alaska communities depends on Chinook and halibut fisheries for commercial and guided sport fishing, unguided sport fishing and subsistence.

As a result, long-term conservation of these unique fishery resources is one of TBC's most important programs. Over the past decade, trawl bycatch has become increasingly significant as halibut and Chinook stocks have declined and there is considerable uncertainty about the amount of halibut and chinook actually wasted as bycatch in trawl fisheries. TBC strongly supports Proposal 45 because 100% observer coverage in trawl fisheries is necessary to enable the collection of statistically reliable bycatch data that are essential to addressing uncertainties with regard to the cumulative effects of halibut and Chinook bycatch on long-term conservation of those resources. Proposal 45 mirrors efforts by trawl fishery managers in the Bering Sea, British Columbia and other Pacific Coast states to implement high levels of observer coverage that respond to the scale and variability of trawl bycatch as well as the impacts on other users of these important fishery resources. Finally, Proposal 45 is consistent with the Board of Fisheries' purpose of conserving Alaska's fishery resources.¹

¹ See AS § 16.05.221; see also *Kenai Peninsula Fisherman's Coop. Ass'n v. State*, 628P.2d 897, 902 (Alaska 1981)(explaining that "conserving" implies controlled utilization of a resource to prevent its exploitation, destruction or neglect").



I. ISSUE

The Board of Fisheries can require an on-board observer program upon finding, among other things, that the program is the only practical data-gathering mechanism.² The following comments pertain primarily to the Board's findings regarding the data-gathering mechanism; TBC submits that increased monitoring through on-board observers is the only method available to address the significant uncertainties regarding the amount of halibut and Chinook bycatch in the Gulf of Alaska and the impacts of that bycatch on important state commercial, recreational and subsistence fisheries.

Observer programs are "widely recognized as the best way to obtain reliable information about bycatch" and "in the majority of instances, [are] the most effective way to monitor bycatch."³ High coverage levels are most important when low levels of mortality may jeopardize the recovery of at-risk species, when fisheries management requires statistically reliable and timely bycatch data, and when the bycatch is an important species targeted by other fishermen.⁴ All of these factors are relevant to the bycatch of halibut and Chinook in Gulf of Alaska trawl fisheries.

In general, north Pacific trawl fisheries require 100% observer coverage - International Pacific Halibut Commission (IPHC) regulatory areas 2A (Washington, Oregon and California coasts), 2B (British Columbia) and 4 (Bering Sea/Aleutian Islands) all implement 100 percent observer coverage for trawl fisheries.⁵ The primary exception is the federal groundfish fishery in the Gulf of Alaska, which currently implements between 13 - 15% observer coverage rates for trawl fisheries. The amount of bycatch in state waters is estimated based on data gathered from the federal fishery.⁶ The low level of observer coverage in the Gulf of Alaska reduces the availability of statistically reliable data needed for the sustainable management of important commercial, sport and subsistence fishery resources such as halibut and Chinook salmon. The North Pacific Fishery Management Council seems to recognize that 100% observer coverage for Gulf of Alaska trawl fisheries is a key component of a comprehensive bycatch management program.⁷ But NMFS does not have any regulatory proposals pending to implement this industry standard in the near future, heightening the importance of a state observer program.

² See AS § 16.05.251(13).

³ See, e.g. Magnuson Stevens Act Provisions, Subpart H, General Provisions for Domestic Fishing. 68 Fed. Reg. 11501, 11504 (March 1, 2003); Babcock, E. & E. Pikitch. 2003. How Much Observer Coverage is Enough to Adequately Assess Bycatch? Oceana, Washington D.C. at 18.

⁴ Babcock, E. & E. Pikitch. 2003 at 4-5, 12.

⁵ Raab, J. & S. Stern. 2013. NPFMC/IPHC Workshop on Halibut Bycatch Estimation, Halibut Growth and Migration & Effects on Harvest Strategy: Meeting Summary at 277. In: Int. Pac. Halibut Commission Report of Assessment and Research Activities 2012: pp. 267 - 314. Available at http://www.iphc.int/publications/rara/2012/rara2012267_bycatchworkshop.pdf

⁶ *Id.* at 291.

⁷ See North Pacific Fishery Management Council, 2013. Motion on C-5(a) Gulf of Alaska Trawl Bycatch Management at 1 (October 5, 2013). Available at <http://alaskafisheries.noaa.gov/npfmc/PDFdocuments/bycatch/GOAtrawlDesignMotion1013.pdf>



Historically, the majority of vessels participating in Gulf of Alaska federal groundfish fisheries had either 30 percent observer coverage rates or did not carry observers at all.⁸ Thus, historical bycatch estimates reflect data extrapolated from the 30 percent coverage fleet which altered fishing practices when observers were onboard, causing significant uncertainty about the accuracy of bycatch estimates.⁹ This problem is known as the "observer effect" and reflects studies showing that the presence of onboard observers results in different fishing behaviors on observed vessels in terms of where to fish, what to target, how to deploy gear and how crew members handle bycatch species.¹⁰ Researchers have identified significant differences in particular from groundfish trawl fisheries showing that observed data is not representative of the fleet as a whole.¹¹ This means that bycatch rates estimated from observed trips may not accurately reflect actual bycatch by unobserved vessels, resulting in unreliable estimates.¹²

According to scientists from the International Pacific Halibut Commission (IPHC) other groundfish trawl monitoring programs "have not contemplated the form of incomplete coverage seen historically for the [Gulf of Alaska] groundfish fisheries."¹³ IPHC scientists have explained that "estimates for these fisheries can be considered to be only a minimum estimate of total halibut mortality."¹⁴ Similarly, for Chinook salmon, a 2009 ADF & G study noted that an independent review of reported Chinook bycatch estimates in the pollock trawl fishery were consistently and considerably underestimated.¹⁵ A significant concern regarding declines in these fishery resources is uncertainty about bycatch estimates and a need for better data to inform the development of measures that avoid and minimize bycatch in the trawl fisheries.

II. WHAT WILL HAPPEN IF NOTHING IS DONE?

The proposal explains that if observer coverage is not increased to 100%, fishery managers will lack accurate estimates of bycatch amounts, and management decisions will not be informed by reliable data and will continue to have an incomplete understanding of the levels of mortality and impacts of bycatch on Chinook, halibut and other important state fishery resources. Over the past decade, estimated Gulf of Alaska trawl chinook bycatch has been as high as 54,000 fish and halibut bycatch mortality in the trawl fisheries from 2002 - 2011 exceeded 22 million net pounds.¹⁶

⁸ NMFS, 2011. Secretarial Review Draft; Proposed Amendment 86 to the Fishery Management Plan for the Bering Sea Aleutian Islands and Proposed Amendment 76 to the Fishery Management Plan for the Gulf of Alaska. Alaska Region Office, Juneau, AK at 10.

⁹ Raab, J. & S. Stern. 2013 at 277.

¹⁰ *Id.* at 276-277.

¹¹ Sampson, 2002. Final Report to the Oregon Trawl Commission on Analysis of Data from the At-Sea Data Collection Report. Oregon State University, Newport, Oregon.

¹² Babcock, E. & E. Pikitch. 2003 at 7.

¹³ Raab, J. & S. Stern. 2013 at 277.

¹⁴ Williams, G. 2011. Incidental Catch and Mortality of Pacific Halibut 1962 - 2011. In: Int. Pac. Halibut Commission Report of Assessment and Research Activities 2011: pp. 381 - 389.

¹⁵ Pella, J.J., and H.J. Geiger. 2009. Sampling considerations for estimating geographic origins of Chinook salmon bycatch in the Bering Sea Pollock fishery. Alaska Department of Fish and Game, Special Publication No. 09-08, Anchorage.

¹⁶ See <http://alaskafisheries.noaa.gov/sustainablefisheries/inseason/goasalmonmort.pdf>; Williams, G. 2011 at 384, 388 (adding that limited observer coverage in the Gulf of Alaska renders the estimates unreliable).



The absence of statistically reliable bycatch data will thus further impede efforts to ensure the recovery of Gulf of Alaska halibut and Chinook populations.

The recent decline in Chinook salmon abundance has led to social and economic hardships in Alaska communities as Alaska has had to implement increasingly restrictive management measures to address the downward trend.¹⁷ 2007 – 2011 average subsistence harvests declined 12% relative to 1994 – 2006 average harvest levels and commercial and sport harvests experienced even larger reductions.¹⁸ The majority of salmon taken in Gulf of Alaska groundfish fisheries are primarily taken in the trawl pollock fishery and estimated trawl bycatch of Chinook in the Gulf of Alaska increased by nearly a third even as directed fishery harvests declined.¹⁹

Better data about Chinook stock composition and bycatch levels in the trawl fishery is thus necessary to evaluate whether trawl fishery bycatch may be impacting salmon returns or contributing to local population depletions. Statistically reliable estimates require higher levels of observer coverage for species with highly variable catch rates such as Chinook.²⁰ During the 1990s, Alaska Fishery Science Center and contracted scientists evaluated the precision of bycatch estimates at different levels of observer coverage in numerous Bering Sea and Aleutian Islands groundfish fisheries.²¹ Estimates of salmon bycatch in the Pollock fisheries required 90 – 100% observer coverage to be reasonably precise.²² A subsequent study also concluded salmon bycatch estimates for management purposes can be generated from heavily observed fleets when a high percentage of hauls (60 – 70%) are sampled.²³

Because high coverage levels are needed, a 2009 review of salmon bycatch estimation in the trawl fisheries recommended a census approach to estimating bycatch numbers because it is “simple, easy to explain, and has the advantage that it is free of sampling error.”²⁴ Amendment 91 for the Bering Sea Chinook bycatch program mandated 100 percent observer coverage and required a census of Chinook salmon in every haul or fishing trip so that every salmon caught in the Pollock fishery is counted.²⁵ NMFS recognized that this measure “ensure[s] that the appropriate conservation and management measures are adequately applied to Chinook salmon

¹⁷ Alaska Department of Fish and Game, 2013, Chinook Salmon Stock Assessment and Research Plan, 2013 at 1, 7. Alaska Department of Fish and Game Division of Sport Fish, Chinook Salmon Research Team Special Publication No. 13-01. Anchorage, AK: January 2013.

¹⁸ *Id.* at 7.

¹⁹ *Id.*

²⁰ Babcock, E. & E. Pikitch, 2003 at 5.

²¹ NMFS, 2011 at 173.

²² *Id.* at 173 – 174.

²³ Witherell, D., D. Ackely & C. Coon. 2002. An Overview of Salmon Bycatch in Alaska Groundfish Fisheries. Reprinted from the Alaska Fishery Research Bulletin, Vol. 9, No. 1, Summer 2002 at 55 (citing Karp, W.A. & H. McElderry. 1999 Catch Monitoring by Fisheries Observers in the United States and Canada. Nolan, C.P., ed. Proceedings of the International Conference on Integrated Fisheries Monitoring. Sydney, Aus. February 1999. Pp. 261 – 284.

²⁴ Pella, J.J., and H.J. Geiger, 2009 at 35.

²⁵ Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery, Final Rule, 75 Fed. Reg. 53026, 53030 (August 30, 2012).



bycatch.²⁶ Proposal 45 would help to reduce the significant disparity between the low level of chinook bycatch monitoring in the Gulf of Alaska and the Bering Sea trawl fisheries.

There are also significant concerns about the long term health of the halibut resource and how trawl bycatch – particularly of juvenile halibut - affects the ability of the resource to recover from the current and steep decline in the exploitable biomass. 100% observer coverage for trawl fisheries with halibut bycatch issues is consistent with the recommendations of expert scientists from the IPHC and other trawl fishery observer programs. Analyses done by Alaska Fisheries Science Center staff in the early 1990s to assess halibut bycatch showed that "essentially 100% observer coverage is needed" to estimate and manage halibut bycatch.²⁷ The level of precision needed to measure halibut bycatch is quite high because of resource uncertainties, the volume of halibut taken as bycatch and the variability of bycatch rates.²⁸

The IPHC has stated that improved estimation of halibut bycatch mortality is important in the Gulf of Alaska because the ratio of halibut mortality to groundfish catch is more than twice as high as the ratio in the Bering Sea fisheries.²⁹ Two of the critical problems with the existing estimates are the observer effect on bias (changes in fishing behavior) and incomplete observer coverage.³⁰ It is extremely difficult to fully account for the magnitude of statistical bias caused by incomplete coverage and observer effect.³¹ Consequently, IPHC experts question whether statistically reliable estimates can be obtained from partial observer coverage programs and recommend 100% observer coverage to address statistical bias and to improve the accuracy of bycatch estimates.³²

III. WHO IS LIKELY TO BENEFIT: FISHERY AND ECONOMIC BENEFITS

Proposal 45 proponents indicates that a primary benefit of the 100% observer coverage requirement will be that the state will benefit from having better data and chinook, halibut and crab user groups will benefit from better information about bycatch levels. TEC adds that there is another likely and direct benefit to Alaska's fishery resources because 100 percent observer coverage also minimizes both bycatch and bycatch mortality - positive environmental benefits that would result from the effect of observers on fishing practices and more careful handling of bycatch species. Fishery managers who implement 100 percent coverage programs cited the 100% observer coverage level as a specific tool to minimize bycatch in trawl fisheries in British Columbia, the Pacific Northwest and Bering Sea.³³ For example, a group of Bering Sea trawlers reduced their halibut bycatch by 40% during implementation of

²⁶ *Id.*

²⁷ Dorn, M.W. 1992. Analysis of Levels of Observer Coverage. Internal Memorandum, Alaska Fisheries Science Center. Seattle, WA (on file with TEC).

²⁸ Babcock et al, at 12 (citing Karp and McElderry 1999).

²⁹ IPHC, 2011. Effect of reducing bycatch limits in the Gulf of Alaska on the halibut exploitable biomass and spawning potential, including downstream effects from halibut migration at 2-3.

³⁰ Raab, J. & S. Stern. 2013 at 276-277.

³¹ *Id.* at 278.

³² *Id.*

³³ *Id.* at 283-284.



the 200 percent observer coverage program by changing fishing practices such as using exploratory tows and shorter tow lengths.⁸⁴ Canadian fishery managers also cited more careful handling practices that resulted in a discard mortality rate that is significantly lower than in Alaska.⁸⁵ In sum, 100 percent observer coverage for trawl fisheries will benefit state halibut and chinook fisheries not only by improving fishery management, but also by actually decreasing bycatch and bycatch mortality.

IV. CONCLUSION

Thank you for considering these comments and TBC urges you to move forward with implementing Proposal 45.

Sincerely,

Paul Olson

⁸⁴ *Id.* (200 percent observer coverage means there are two on-board observers so that there is ongoing coverage of vessel activities and more complete haul sampling).

⁸⁵ *Id.*



December 5, 2013

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

Re: Comments in Support of Proposal 45, Board of Fish 2013-14 Proposals

Dear Chairman Johnstone and Alaska Board of Fisheries Members:

The Alaska Marine Conservation Council (AMCC) is a non-profit dedicated to protecting Alaska's marine ecosystems and promoting healthy, ocean dependent communities. Our members are fishermen, subsistence harvesters, marine scientists, small business owners and families. AMCC, along with Cape Barnabus, Inc. and Ouzinkie Community Holding, Inc., submitted proposal 45 to require 100% observer coverage on groundfish trawl vessels in State waters in the Cook Inlet, Kodiak and Chignik management areas (Central Gulf of Alaska or CGOA) to provide desperately needed information on bycatch of Chinook salmon, Tanner crab and halibut in the trawl fisheries. **AMCC supports proposal 45 for the reasons outlined below.**

1. Observer coverage which provides accurate data about bycatch in the GOA trawl fisheries is desperately needed.

Observer coverage which provides accurate information about bycatch in the trawl fisheries is long overdue. In the context of the current declines in Chinook salmon, Tanner crab and halibut in the Gulf of Alaska, this need has become more urgent than ever. The Board is well aware of the dramatic declines in Chinook salmon throughout the State. As Chinook salmon decline to levels at which escapement goals aren't even being met in some river systems, allocation battles between user groups are heating up. Accurate data on bycatch in the trawl fisheries is critical in this climate – both to understand the biological impacts and the allocative issues. Board-managed Tanner crab stocks in the Gulf of Alaska are also greatly reduced, and the Kodiak area commercial fishery is closed for the year. In addition to these State-managed species, Pacific halibut are also experiencing dramatic declines, with commensurate reductions on directed commercial and sport fisheries. At the same time, Chinook salmon, Tanner crab and halibut are caught as bycatch in the pelagic¹ and non-pelagic trawl fisheries. In this climate of low abundance for Chinook salmon, Tanner crab and halibut—all of which are foundational species for Alaska's fishing

¹ Note that while "pelagic" trawling refers to mid-water trawling, pelagic trawls also have significant contact with the seafloor. NMFS estimates that pelagic trawl contact the seafloor across some substrates for 44% of the duration of a tow. National Marine Fisheries Service, *Final Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska*, Appendix B, Table B.2-4 (Apr. 2005).



communities—accurate information on the number of these species caught as bycatch in the trawl fisheries is critical in the Gulf of Alaska. The current levels of observer coverage do not ensure that bycatch is accurately estimated.

II. Observer coverage under the federal observer program is insufficient to provide accurate data.

Observer coverage in the CGOA trawl fisheries is currently provided through the federal observer program managed by the National Marine Fisheries Service (NMFS) under the advice of the North Pacific Fishery Management Council (the Council). This observer program was recently restructured, and the new program went into place in 2013. Accurate bycatch accounting in the Gulf of Alaska trawl fisheries was a driving force behind the need for a restructured observer program. In practice, however, coverage on the over 57.5 foot trawl fleet (the majority of the CGOA trawl fleet is over 57.5 feet) was 17-18% in the first part of 2013 (slightly higher than the goal of 14-15%).² These results are severely disappointing, as the promise of the restructured federal observer program was that the low bycatch coverage on the trawl fleet would be addressed. While the new program has spread observer coverage to other previously unobserved vessels and fleets, and eliminated some source of bias by removing the decision about when to carry observers from the individual vessel, in terms of observer coverage on the trawl fleet the coverage is still problematically low.

While the restructured program will eliminate the bias associated with picking when to carry an observer, the low coverage rate still allows for a significant ability to fish differently with an observer on board. Logically, the higher the observer coverage rate, the less ability to create non-representative samples by fishing differently with an observer on board, because proportionally more of the catch will be harvested when an observer is present. In other fisheries in which Chinook salmon bycatch is a concern, such as the Bering Sea pollock fishery, NMFS and the Council determined that a minimum of 100% observer coverage was required. Ironically, this point is further enforced by another fishery in the Bering Sea: the trawl catcher vessel cod fleet in the Bering Sea, which under the restructured program is in the partial coverage category, had a special contractual agreement with NMFS in 2013 which allowed that fleet to carry 100% observer coverage voluntarily. This is because the data generated under the partial coverage category is not accurate enough for their co-op management, which requires accurate accounting of bycatch at the individual vessel level.

² National Marine Fisheries Service, Letter to North Pacific Fishery Management Council, Table B-1 (Sept. 27, 2013), available at http://alaskafisheries.noaa.gov/npfmc/PDFdocuments/conservation_issues/Observer/NMFSletter913.pdf. See also National Marine Fisheries Service, Letter to North Pacific Fishery Management Council (Nov. 30, 2013), available at http://alaskafisheries.noaa.gov/npfmc/PDFdocuments/conservation_issues/Observer/ADPletter1212.pdf.

Observer coverage under the federal observer program at the present rate is not sufficient to provide a full and accurate assessment of the amount or impacts of bycatch of critical species. As the Board deals with addressing chronically low Chinook salmon returns throughout the State, a full and accurate accounting of bycatch is critical to the Board's responsibility for sustainable management of Alaska's fisheries.

III. The Board of Fish has the authority and the ability to get accurate data on bycatch by requiring 100% observer coverage in State waters.

While change within the federal observer program to increase observer coverage is unlikely at this time, the Alaska Board of Fisheries has the ability to require 100% coverage in State waters now. A significant portion of the pollock harvest occurs in State waters. On average, 2003-2012, 33% of the allowable biological catch (ABC) was caught in the parallel fisheries in area 630 and 19% in area 620. While the percentages are highly variable, in some years, almost half of the pollock harvest took place in the parallel fisheries in area 630: in 2005, 49%, in 2006, 47% and in 2009, 46% of the pollock harvest occurred in the parallel fisheries.³

With a significant portion of the harvest occurring in State waters in some years, requiring 100% observer coverage in State waters could dramatically increase the amount of coverage, and the amount of data available. While having better observer data on a portion of the harvest would be an improvement, additional coverage in State waters is particularly relevant. Since State waters represent the nearshore environment, improved data on bycatch, particularly of Chinook salmon, is critical. With better observer coverage in State waters, communities dependent upon healthy Chinook stocks for commercial and subsistence such as Old Harbor, Ouzinkie and Kodiak will have a more comprehensive understanding of the levels and impacts of Chinook salmon bycatch occurring literally outside their front doors.

Requiring 100% observer coverage in State waters would provide the greatest benefit in terms of estimates of Chinook salmon bycatch, since the vast majority of trawl harvests inside three miles consists of pollock. This would provide much better information about the level of Chinook salmon bycatch occurring in State waters. In this current climate of Chinook salmon declines, the Board of Fish needs accurate information about removals and impacts from bycatch on Alaska's Chinook salmon stocks. While additional information is needed from other Gulf of Alaska trawl fisheries as well, improved coverage in State waters would be an important starting point. While the Board can only recommend changes to observer coverage in federal waters, the Board has the authority to require observer coverage in State waters. It's critical that the Board use this authority to allow the State to lead in setting the bar for what level of observer coverage is required by mandating 100% coverage in State waters.

³ Alaska Department of Fish and Game, *Staff Comments on Chignik Finfish Regulatory Proposals, Alaska Board of Fisheries Meeting, Anchorage Alaska, Dec. 5-6, Regional Information Report 4K13-12, at 23.*

IV. Action to require 100% observer coverage in State waters should not wait for the development of a catch share/comprehensive trawl bycatch management program.

The Council is currently in the process of developing a comprehensive trawl bycatch management program for the GOA trawl fleet. Progress thus far indicates that the program is likely to take the form of a catch share or rationalization program. One hundred percent observer coverage has been included in the initial design of the new program.⁴ While this program may ultimately be the vehicle for requiring 100% observer coverage in all GOA trawl fisheries, the timeline or ultimate success of the program is uncertain.

Attempts to develop this type of program have been ongoing for the past decade and the last attempt, called "Gulf Rationalization" was put on hold in 2006 in response to strong community outrage to giving away a public resource and concerns about specific design features of the program. Given this experience, and the combined experience of Alaska communities impacted negatively by past catch share programs, a catch share program for the GOA could take a while. While there is a higher degree of support for examining a catch share program this time around, that support is highly contingent on program design. AMCC supports development of a new management program which provides the trawl fleet with additional tools to reduce bycatch. However, a catch share program which repeats the mistakes of past programs by privatizing the resource and impacts communities negatively will be met by AMCC and others with strong opposition.

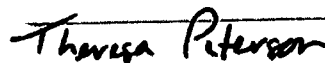
We do encourage the Board of Fish to work cooperatively with the Council and other stakeholders in the development of the new management program. However, to fulfill the Board's immediate management needs for better data on Chinook salmon bycatch, the 100% observer coverage requirement should not be pursued only through a catch share program. We urge the Board to move forward expeditiously to require 100% observer coverage in trawl fisheries in State waters in the Cook Inlet, Kodiak and Chignik management areas by adopting proposal 45.

Thank you for your consideration of our comments and your continued dedication to managing Alaska's bountiful fisheries.

Sincerely,



Becca Robbins Gisclair
Sr. Fisheries Policy Advisor



Theresa Peterson
Kodiak Outreach Coordinator

⁴ North Pacific Fishery Management Council, Motion C-5(a) GOA Trawl Bycatch Management (Oct. 5, 2013), available at: <http://alaskafisheries.noaa.gov/npfmc/PDFdocuments/bycatch/GOAtrawlDesignMotion1013.pdf>.



Alaska Whitefish Trawlers Association



Alaska Board of Fisheries
Chignik Finfish meeting
December 5-6

Proposal 45 - Oppose

The Alaska Whitefish Trawlers Association (AWTA) is located in Kodiak and represents the majority of independently owned trawl vessels that harvest groundfish in the Central Gulf of Alaska (CGOA). Our vessels also harvest groundfish in the Western Gulf of Alaska and Bering Sea.

AWTA opposes proposal 45 which would require 100% observer coverage for trawl vessels targeting groundfish inside state waters.

The trawl fleet in the Gulf of Alaska has been required to carry observers for many years under the original observer program, was required to carry an observer 30% of the time and it was the responsibility of the vessel to make sure that they had enough observed trips. On January 1, 2013 a new Restructured Observer program became effective. Under this new program trawl vessels are a part of the trip selection pool which means that for every trip, a vessel has to register with the observer program and find out if they are required to carry an observer. It is no longer the responsibility of the vessel to determine whether they will carry an observer. It is believed that shifting the decision to carry an observer from the vessel to NMFS results in better data.

This program was developed over several years and is a complex and sophisticated program designed to meet data collection goals and objectives. Information regarding the volume, size, sex and stomach contents for target species and the amount and type of bycatch is recorded. Genetic data is also being collected from bycaught Chinook salmon to determine their river of origin. Once this data is collected it is used to give regulators better insight into the removals of both target and non-target species by the trawl fleet.

It is unclear what would be done with any data that would be collected by the state observer program and how it could be used for scientific insight and management decisions. Discussion between the federal observer program and the state would need to be undertaken so the assimilation of state-derived data could somehow be incorporated into the larger data base and provide useful output. One thing that is very clear is that the collection of data just for the sake of collecting data is a futile undertaking and it would be very important to understand how any additional data could be used

The requirement for 100% observer coverage inside state waters would entail the development of a similar complex program which will be an expensive and time consuming process.



The cost of developing, implementing and managing a new observer program will be very high and will be a substantial investment of state money and personnel. The cost of the program will also be high for the trawl fleet with observer costs approaching \$600-\$800/day. The vessels will not only incur the daily costs but they are also responsible for many additional costs for debriefing days and transporting of observers.

The trawl fleet continues to race for fish in the Gulf of Alaska. The fast paced derby-style fisheries compromise the ability to effectively manage bycatch and the North Pacific Fisheries Management Council has recognized the need to make changes in the way trawl fisheries are managed. The NPFMC has already begun the process of developing a new management structure and one of the components of the new program will be 100% observer coverage.

The interaction between trawl activity that occurs in federal waters and state waters is an integral part of the new management program and will require collaboration between the NMFS and State to insure that common goals and objectives are developed.

AWTA asks that the Board of Fish focus their attention on the development of the new management structure for trawl fisheries in the GOA and not spend their time, energy, staff and money to develop a separate observer program. The joint protocol process should be used to discuss the common goals and objectives of both NMFS and the state before any new observer program is considered.

AWTA requests the Board reject Proposal 45.

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Krueger".

Robert L. Krueger, President
Alaska Whitefish Trawlers Association
Robert.Krueger@alaskawhitefishtrawlers.org



Alaska Whitefish Trawlers Association



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Alaska Board of Fisheries
Chignik Finfish meeting
December 5-6

Proposal 44 - Oppose

The Alaska Whitefish Trawlers Association (AWTA) is located in Kodiak and represents the majority of independently owned trawl vessels that harvest groundfish in the Central Gulf of Alaska (CGOA). Our vessels also harvest groundfish in the Western Gulf of Alaska and Bering Sea.

AWTA opposes proposal 44 which seeks to establish a new Central Gulf of Alaska state-waters trawl fishery for twenty-five percent (25%) of all Pollock from areas 62, 630, and 640. It would also establish a new Western Gulf of Alaska state-waters trawl fishery for twenty-five percent (25%) of all Pollock from area 610.

This proposal is very poorly thought out with no consideration of the impacts on critical habitat and the implications regarding the measures that have been taken to protect Stellar Sea Lions. The federal Pollock fisheries were a central part of the dialogue regarding the protection of Stellar Sea Lions. There was concern that the removal of Pollock as a food source may cause nutritional stress on the sea lion population. To minimize the potential for negative impacts, the federal Pollock fishery is divided into multiple seasons (A, B, C, and D) in multiple areas (610, 620, 630, and 640) with only a portion of the available TAC made available to each season and area. Areas adjacent to rookeries and haul-outs were closed. **The creation of a state-waters Pollock fishery designed to permit the harvest of over 43,438,887 pounds of Pollock (based on 2013 TAC) in these sensitive near-shore areas is a very bad idea.** It will trigger a full Section 7 consultation of the Stellar Sea lion regulations and additional closures will likely be mandated.

The management of Pollock in the Gulf of Alaska is a complex task and the idea that you can take a significant portion of the Pollock resource and just move it into the hands of state managers without the appropriate amount of time it will take to design and implement a management structure for this new fishery is very short sighted. The Pollock resource is a large and important part of the Gulf of Alaska groundfish fisheries. It must be managed carefully and not at the whim of some individual making this proposal.

The historic pollock harvesters have developed long-term business and harvesting plans in conjunction with processors, their workers and the vendors and service industries that support the Pollock fishery. Removing access of 25% of the Pollock resource from these historic harvesters will have a significant economic ripple effect on all those who depend on this fishery.



AK BOF
Chignik Finfish meeting
Proposal 44
AWTA Comments
Page #2

This proposal calls for the use of non-pelagic (bottom) trawl gear as well as pelagic trawl, seine and jig gear. State waters are currently closed to bottom trawling.

This proposal is couched as providing opportunities for little guys but Pollock fishing is a high overhead, very narrow margin fishery. It costs several million dollars to procure the necessary permits and build a vessel capable of participating in this fishery. The new Super 58' vessels being built are far from being little boats with 800-1000 horsepower, the ability to pack up to 250,000 pounds of Pollock and costing \$2.5 - \$3 Million Dollars.

This proposal calls for 100% observer coverage in all of these new fisheries inside of state waters. This would require the state to duplicate the federal observer program and somehow interface it with that program. The process of designing, developing the regulatory structure, implementing and managing this new observer requirement would be incredibly complex, expensive and impossible to do in any reasonable time frame. While you could expect the vessels to pay for on-going observer coverage, the state would have to pay for all of the costs necessary to develop, implement and manage this program.

This proposal would not move 25% of the federal Pollock TAC inside of 3 miles because fish have tails and go where they want. This proposal would grant, to a limited number of less than 58' vessels, access to those fish that might be available inside 3 miles but it would remove access to the 35+ vessels that have historically prosecuted the Pollock fisheries. This is a direct reallocation of a fully subscribed Pollock fishery.

This proposal was submitted by an under 58' vessel with minimal history in the Gulf of Alaska and it is aimed at taking away fishing opportunities of historic participants for their own advantage.

This proposal should be eliminated!

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Krueger".

Robert L. Krueger, President
Alaska Whitefish Trawlers Association
Robert.Krueger@alaskawhitefishtrawlers.org



Alaska Whitefish Trawlers Association



PC 63
1 of 3

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Alaska Board of Fisheries
Chignik Finfish meeting
December 5-6

Proposal 43 - Oppose

The Alaska Whitefish Trawlers Association (AWTA) is located in Kodiak and represents the majority of independently owned trawl vessels that harvest groundfish in the Central Gulf of Alaska (CGOA). Our vessels also harvest groundfish in the Western Gulf of Alaska and Bering Sea.

AWTA opposes proposal 43 which seeks to establish a new state-waters trawl fishery for twenty-five percent (25%) of all species of groundfish in the Gulf of Alaska. This proposal would not move 25% of the federal groundfish TAC inside of 3 miles because fish have tails and go where they want. This proposal would grant, to a limited number of less than 58' vessels, access to those fish but it would be impossible to catch because they don't exist inside state waters. For example, this proposal would result in moving access to 41,336,250 lbs. of Arrowtooth Flounder into state waters. There is not that much Arrowtooth inside three miles.

This proposal does not specifically name the type of gear that would be used but flatfish can only be harvested with non-pelagic (bottom) trawl. To access the deep-water and shallow-water flatfish, Arrowtooth flounder, skates and other species, the state would either have to allow non-pelagic (bottom) trawling in all of the bays and other state waters or deny access to these fish. The economic impact of denying access to 25% of these different species would be huge, with harvesters, processors, processor workers, vendors, and coastal communities bearing the burden, all so that a small number of under 58' vessel could have their own private fishery.

Table 1 displays very clearly that this proposal is completely unworkable. This proposal states that there would be a 150,000 trip limit with a vessel being able to deliver only once every 72 hours (3 days). Moving access to 25% of the Central Gulf of Alaska TAC inside three mile would result in 144,587,589 pounds of groundfish. It would take 964 trips (150,000 lbs. each) and would take 2,892 days (1 deliver/3days). There are currently 4 under 58' vessels that could be considered to be active in the CGOA. This means that each vessel would have to start fishing on January 1, make a delivery every 3 days throughout the year (never stopping for fuel, groceries, or other fisheries) and it would take 723 days (1.98 years) for these 4 vessels to catch the fish!

This proposal calls for PSC management and 100% observer coverage in all of these new fisheries inside of state waters. The process of designing, developing the regulatory structure, implementing and managing these new PSC management and observer requirements would be incredibly complex, expensive and impossible to do in any reasonable time frame. While you



AK BOF
Chignik Finfish meeting
Proposal 43
AWTA Comments
Page #2

could expect the vessels to pay for on-going observer coverage, the state would have to pay for all of the costs necessary to develop and implement this program.

This proposal is very poorly thought out with no consideration of the impacts on critical habitat and the implications regarding the measures that have been taken to protect Stellar Sea Lions. To create a program designed to permit the harvest of over 144,000,000 pounds of groundfish in the sensitive near-share areas is a very bad idea. The potential economic harm done to the Gulf of Alaska fishing industry and the people who depend on the groundfish fisheries for their livelihood must be recognized.

This proposal should be eliminated!

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Krueger".

Robert L. Krueger, President
Alaska Whitefish Trawlers Association
Robert.Krueger@alaskawhitefishtrawlers.org



Alaska Whitefish Trawlers Association
Alaska Board of Fisheries
Chignik Finfish Meeting
December 5-6

Proposal # 43

Table 1 - State-waters all species trawl groundfish fishery

Species	2013 TAC	2013 TAC (lb)	Lbs inside 3	# of 150,000	# of days	# of years	Number of	days per	Years per
	Metric Tons	Pounds	25%	trips	3 day/trip	58' boats	58'boat	58' boat	
Pollock (620 630 WYAK)	78,815	173,755,549	43,438,887	290	869	2.38	4	217	0.60
Pacific Cod (CGOA)	36,966	81,495,244	20,373,811	136	407	1.12	4	102	0.28
Sablefish (CGOA)	5,540	12,213,484	3,053,371	20	61	0.17	4	15	0.04
Shallow flats (CGOA)	18,000	39,682,800	9,920,700	66	198	0.54	4	50	0.14
Deep flats (CGOA)	2,308	5,088,217	1,272,054	8	25	0.07	4	6	0.02
Rex Sole (CGOA)	6,376	14,056,530	3,514,132	23	70	0.19	4	18	0.05
Arrowtooth (CGOA)	75,000	165,345,000	41,336,250	276	827	2.27	4	207	0.57
Flathead Sole (CGOA)	15,400	33,950,840	8,487,710	57	170	0.47	4	42	0.12
POP (CGOA)	10,926	24,087,460	6,021,865	40	120	0.33	4	30	0.08
Nrht Rockfish (CGOA)	3,122	6,882,761	1,720,690	11	34	0.09	4	9	0.02
Shortraker (CGOA)	452	996,479	249,120	2	5	0.01	4	1	0.00
Dusky Rockfish (CGOA)	3,533	7,788,852	1,947,213	13	39	0.11	4	10	0.03
Rougheye (CGOA)	856	1,887,138	471,784	3	9	0.03	4	2	0.01
Thornthead (CGOA)	766	1,688,724	422,181	3	8	0.02	4	2	0.01
Other Rockfish (CGOA)	606	1,335,988	333,997	2	7	0.02	4	2	0.00
Big Skate (CGOA)	1,793	3,952,848	988,212	7	20	0.05	4	5	0.01
Longnose Skate (CGOA)	1,879	4,142,443	1,035,611	7	21	0.06	4	5	0.01
Totals	262,338	578,350,355	144,587,589	964	2,892	7.92	4	723	1.98



Cook Inlet Sport Fishing and Personal Use Salmon

Sport Fishing and Personal Use

Proposal	KRSA Position	Comment(s)
46	Oppose	Sport bag limits should apply to individuals
47	Oppose**	
48	Oppose**	
49	Oppose**	
50	Oppose**	
51	Oppose**	
52	Oppose**	
53	Oppose**	
54	Oppose**	
55	Oppose**	
56	Oppose**	
57	Oppose**	

Those proposals marked ** which appear in both the Lower Cook Inlet and the Upper Cook Inlet proposal booklets fall into a category of proposals that KRSA contends has one or more of three very negative attributes. These negative attributes are:

1. Outside the authority of the Alaska Board of Fisheries to address.
2. Not implementable with current technology and/or budget.
3. So sweeping in nature and potentially harmful to sportfishing opportunity and the economic value provided to the state, region, area by participants in the sport fishery and so radically and dangerously divergent from the fishery specific regulatory development that is our custom in Alaska that the proposals should fail unanimously or perish of no action.

Freshwater - Salmon

58	Oppose	Support adaptive management, opportunity
59	Support	ADFG proposal
60	Support*	*Support conditioned on ADFG support
61	Support*	*Support conditioned on ADFG support
62	Support	ADFG proposal

Saltwater - Salmon and Lingcod

63	Support*	*Support conditioned on ADFG support
64	Support*	*Support conditioned on ADFG support
65	Support*	*Support conditioned on ADFG support
66	Oppose	Snagging and archery side-by-side, NOT pretty
67	Oppose*	*Support #209, #218 in UCI, addresses same



68	Oppose*	*Support #209, #218 in UCI, addresses same
69	Oppose*	*Support #209, #218 in UCI, addresses same
70	Support*	*Support conditioned on ADFG support
71	Oppose	Destroys too much fishing opportunity
72	Support	ADFG proposal
73	Support	ADFG proposal
74	Oppose	Not an ADFG proposal to restrict
75	Oppose	Lingcod conservation balance

Cook Inlet Subsistence Fisheries

76	Support	ADFG proposal
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Cook Inlet Commercial Fisheries

Salmon Fishing Districts, Subdistricts, and Sections

77	No Position	
78	Support	ADFG proposal
79	Support	Coho salmon conservation

Salmon Closed Waters

80	Support	Clarifies closed waters regs
81	Oppose	Too sweeping in nature

Salmon Hatchery Management Plans and Special Harvest Areas

82	Support	Clarifies fishing strategy
83	Support	Puts in regs what is being done
84	Support	Puts in regs what is being done
85	Oppose	Sport should share in equitably in benefit

Cook Inlet Groundfish Pot Storage and Landing Requirements

86	Support	ADFG proposal
87	Support	ADFG proposal

Groundfish Trawl and Pollock Management Plans and Observer Coverage

43	Support*	*KRSA support for these three proposals is conditioned upon support from the ADFG on these proposals as written. ADFG comments are not available at the time of this writing.
44	Support*	
45	Support*	



Groundfish Data Bank

Alaska
BYSP/IA

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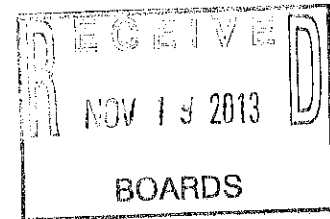
Julie Bonney, Executive Director jbonney@gei.net
Katy McGauley, Fisheries Biologist agdb@gei.net



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

Re: Proposals 43-44-45

November 19, 2013



Dear Chairman Johnstone and Board Members,

Alaska Groundfish Data Bank (AGDB) is a member organization that includes the majority of both the shorebased processors located in Kodiak and catcher vessels home ported in Kodiak that participate in the Central Gulf of Alaska (CGOA) groundfish trawl fisheries.

This letter expresses our opposition to proposals 43 -45. We ask that the Alaska Board of Fish (BOF) reject these proposals and instead work with the North Pacific Fishery Management Council (Council) and the GOA trawl industry stakeholders to develop a Gulf of Alaska trawl bycatch management program. Any program developed within the Council process will require input from and coordination with the BOF to address the interrelationships between state-waters, parallel and federal fishery zones. We are asking that you join us in developing a vision for a new fishery management structure that will allow our industry to effectively manage and reduce bycatch while meeting optimum yield for groundfish harvests - a management plan that holds each individual vessel accountable for their fishing behavior. We are asking that you allow this process to play out and not disrupt our industry in the short term by adopting any of these proposals.

Attached for your information is the Council purpose and need statement/Goals and Objectives (appendix A) for the new program and the Council initial program design motion (appendix B) which will be used to focus public input for development of program alternatives and options. Both these documents demonstrate the vision under construction for our industry. Also attached for your information is the Council's Bycatch Reduction Flyer underscoring the industry's need for additional tools.

Specific comments for each proposal:

Proposal 43 – this proposal would create state-water management plans for all groundfish species in the Cook Inlet, Kodiak and Chignik management areas for non-pelagic trawl vessels 58 foot and less.



- The Pacific cod resource, both federal and state, are fully allocated and subscribed. A separate state-water Pacific cod non-pelagic trawl fishery would increase the total amount of Pacific cod ABC allocated to state-water fisheries. The BOF at their recent Oct 18 – 22 meeting addressed the allocations for state cod fisheries. Revisiting the cod allocations between state and federal fisheries now is completely out of cycle with the prior decision making process and should be rejected.
- It is impossible to harvest 25% of all groundfish ABC's within three miles. Based on table 43-1 (staff comments) harvest in the CGOA for groundfish taken with non-pelagic gear inside three miles is less than 8 million pounds over the time period 2000-2012 (averaging about 615,000 lbs per year). This compares to a potential annual State waters allocation of 133 million pounds based on 25% of the current, respective groundfish ABCs.
- It is unclear whether the proposal would open additional areas inside three miles to allow for additional harvesting opportunities for groundfish with non-pelagic trawl gear. While the trawl industry in general is supportive of additional access to these fishing grounds, a thoughtful, research driven approach via a commissioner's permit is the appropriate vehicle - not this proposal.
- The Department of Fish and Game is opposed to this proposal.

Proposal 44 – this proposal would create state-waters management plans for Pollock in the Cook Inlet, Kodiak, and Chignik management areas for vessels 58 feet or less.

- Increasing Pollock catch within Stellar Sea Lion critical habitat (zero to three miles) will most likely require a reconsultation under the Endangered Species Act (ESA). If a jeopardy determination is found, additional restrictions for federal fishing activity may result. During the 2010 reconsultation, the CGOA regulatory area barely escaped increased fishing restrictions similar to what occurred in the Aleutian Islands.
- This proposal redistributes access to the Pollock resource across users. The CGOA Pollock fleet consists of approximately 40 vessels, typically 4 of which are <58 feet in length. Note that these four <58' vessels all currently participate fully in the Federal GOA pollock fisheries. Allocating pollock between federal and state participants, large and small vessels, will not only impact individual harvesting vessel businesses but also their business partners -- processing companies, secondary fishery businesses and coastal communities. Reallocations of this type (potentially every 3 years at the BOF finfish meeting) would breed instability and uncertainty in GOA trawl fisheries, reducing investment for efficiency improvements and gear modifications. .
- It is difficult to understand how state quotas would be created. The proposal suggests 25% of the CGOA quota would be set aside for a new state Pollock fishery. Would there be some portion set aside for Cook Inlet, Chignik and Kodiak management areas? If so how would the Board decide? In the federal fishery, pollock is allocated seasonally across four quarters to mitigate impacts to Stellar Sea Lions. Would some type of seasonal structure be needed for the state fishery? Dividing the pollock quota between federal and state fisheries, then again by federal management areas and state management areas and finally into seasonal allocations for both jurisdictional fisheries could result in both federal and state fishery allocations too small to



manage. The potential is to go from the present eight allocation boxes in the CGOA federal fishery system to a possible 20 allocation boxes in a combined CGOA federal and state system.

- If the BOF develops new state water pollock fisheries it will fragment the pollock industry and frustrate our ability to meet bycatch management objectives. Some examples of the challenges include:
 - a. Fish do not understand the 3 mile line. This is exhibited in the tables in the staff document where inside and outside Pollock catch has ranged from a low of 5% to a high of 49% annually. When pollock catch per unit effort (CPUE) is high, bycatch is typically low. The fleet needs the ability to target areas of high pollock abundance with the associated low Chinook salmon bycatch to control and reduce bycatch.
 - b. The Bering Sea Pollock industry uses rolling seasonal hotspot closures to reduce salmon bycatch. The GOA industry hopes to develop a similar plan once a new cooperative fishery management structure is in place as in the Bering Sea fishery. The key for a rolling hotspot program is removing the race for both target and bycatch allocations along with the ability to move the fleet fluidly across the fishing grounds, 0 to 200 miles.
 - c. Cooperative management programs allow industry to develop contractual mechanisms to police the individual cooperative members. These co-op contracts are structured to benefit the entire group of co-op members as a whole versus individual members. State fisheries participants would be outside this self-policing mechanism.
 - d. Co-op contracts could address gear development and excluder use, fleet bycatch performance standards, incentives / penalties that address individual vessel fishing behaviors, and strategic fishing strategies.

- There would be significant costs incurred to the state of Alaska if this proposal is approved. The 100% observer coverage requirement would require the establishment of a state groundfish observer program. This would be duplicative to the federal groundfish observer program for the trans-boundary pollock stock. As the staff comments notes, this would require a substantial investment in time and resources for the state of Alaska. Maintaining a compatible state-water observer program would be necessary to provide the essential information needed for both catch accounting and stock assessments. Additionally, the federal program collects genetic tissue samples from Chinook salmon bycatch taken within the federal trawl Pollock fisheries. A companion genetic collection program would be necessary to understand stock of origin for bycaught Chinook if state pollock fisheries are created. Presently, the NMFS observer program is collecting all samples within the federal Pollock fisheries and NMFS Auke Bay laboratory is doing the genetic workup of these samples. The final cost element is the necessary personnel to manage these new state Pollock fisheries.

Proposal 45—this proposal would require 100% observer coverage for trawl vessels targeting groundfish inside state waters of the Cook Inlet, Kodiak and Chignik management areas.

The partial coverage portion of the newly restructured North Pacific Groundfish and Halibut observer program estimates total removals for the commercial fishing industry where the observed vessel data is extrapolated to the unobserved portion of the fleets. Estimates are stratified by target fishery, gear type and federal regulatory area. This new restructured program replaced the old Observer Program in 2012, improving the catch estimates and reducing the bias by requiring random trip or vessel selection.



Previously, for the partial observed vessels (the majority of the Kodiak trawl fleet), the operator chose when to take an observer on a trip.

It is unclear whether the proposal would create a state water observer program or whether the BOF would require federal observers to be on board vessel while fishing inside three miles. If a state system is created it would be a substantial financial investment by the State. It is unclear whether the State data would be incorporated within federal catch accounting system for bycatch and catch estimation processes or whether a separate state system would be necessary. This new data would over sample catch within three miles affecting the random data collection processes that are in place within the new federal program designed to estimate catch and bycatch for trawl fisheries in general. If the BOF requires vessels to carry federal observers within three miles then additional costs will be incurred not only by those vessels fishing inside three miles but also by NMFS. Cost estimates per fishing day for the vessels are underestimated in the staff analysis. Typical costs are \$500 to \$600 per fishing day and can be as high as \$1,000 per fishing day. Observer daily costs can also include travel costs, excessive baggage costs and cost for observer stand-down days due to weather, price negotiations, etc. The agency incurs costs due to observer training, briefing and debriefing, management of observer data and staff in general to support the overall observer program.

Additional observer coverage inside state waters will only affect the Chinook salmon bycatch data within the federal program since the vast majority of non-pelagic trawl harvests occurs outside three miles. Mid-water pelagic gear catches de minimis amounts of both crab and halibut so requiring 100% observer coverage will not affect the estimates for these PSC species in the overall federal catch accounting system. The vast majority of trawl harvests inside three miles consist of pollock taken with pelagic trawl gear. Thus additional coverage would only affect Chinook salmon PSC estimates. 100% coverage within 3 miles in the pollock target would remove the random nature of the present system, introducing a large bias into the estimates. Also, with the current race structure of the Federal pollock fisheries in the CGOA and large number of participants, the fisheries typically last only 3-10 days per season – with the operators racing for catch before the fishery closes, there is no time or incentive to game the observer system so observed trips are representative of actual catches.

The Council vision for a new GOA Trawl Management Program, includes a mandatory 100% federal observer coverage requirement, as it does in all other North Pacific trawl catch share programs. The 100% observer coverage requirement is necessary because each individual vessel will be held accountable for its bycatch performance versus the present system which holds the entire fleet to a fleet wide bycatch limit and where the behavior of one vessel operator can potentially shut down the entire fishery.

The Council has passed a series of actions to reduce bycatch in the GOA trawl fisheries. (See appendix C). Recent actions include a Tanner crab closure area near Marmot Bay, requiring modified sweeps for flatfish harvests, Halibut Prohibited Species Catch (PSC) reductions, and new Chinook salmon PSC caps for both the pollock and non-pollock fisheries. Industry believes that a new fishery management structure that creates additional tools is necessary to successfully address these bycatch reduction actions.

GOA Trawl Industry is making bycatch improvements:

The trawl industry continues to be proactive to understand the impact of our bycatch, mitigate the impact of our bycatch and develop tools to reduce bycatch.



The fleet is presently modifying their gear to add elevation devices to their sweeps in anticipation of a new regulation that requires the use of sweep modifications for flatfish harvests. These sweep modifications are intended to reduce gear impacts on bottom habitat and reduce crab bycatch mortalities.

All the Gulf of Alaska trawl groundfish processors and fishing vessels joined the Sea Share program in 2011. This year (2013) Sea Share has donated more than 34,000 pounds of finished product, both halibut and salmon bycatch, to food banks across Alaska from GOA trawl bycatch.

The Council and NMFS are collecting genetic information from the Chinook salmon bycatch in the pollock fishery to understand stock of origin and impacts to Alaska salmon runs. Industry has expanded genetic data collection to the CGOA shoreside catcher vessel rockfish fishery. Sample collections from the Rockfish Program landings include:

1. Tissue samples from all landed Chinook salmon for DNA and stock of origin analysis.
2. Biological data (weight, length, sex) from all landed salmon.
3. Scan all landed Chinook salmon for the presence or absence of adipose fin clips and Coded Wire Tags (CWT). This will allow for an estimation of Chinook bycatch that originate from hatcheries.
4. Collect CWT's (snouts) from all salmon with positive CWT signal.

Cooperative research partners for this initiative include NMFS groundfish observer program, NMFS Auke Bay Genetics laboratory, and the inshore CV rockfish cooperatives, all located in Kodiak.

The North Pacific Fisheries Research Foundation was awarded an Exempted Fisheries Permit to test Chinook salmon excluder devices for mid-water Pollock nets on "typical" Central Gulf of Alaska pollock trawlers. Two trials occurred in 2013 with two additional trials scheduled in 2014.

AGDB members respectfully request that the Board reject proposals 43, 44, and 45 and instead join with the NPFMC and the GOA trawl industry in developing a new vision for a new fishery management structure for our industry. We appreciate the opportunity to comment and look forward to engaging with the Board at the upcoming Chignik, Lower Cook Inlet and Kodiak finfish meetings.

Sincerely,

Julie Bonney
Executive Director
Alaska Groundfish Data Bank



Appendix A: North Pacific Fishery Management Council purpose and need statement/Goals and Objectives: GOA Trawl Bycatch Management

Purpose and Need Statement:

Management of Central Gulf of Alaska (GOA) groundfish trawl fisheries has grown increasingly complicated in recent years due to the implementation of measures to protect Steller Sea lions and reduced Pacific halibut and Chinook salmon Prohibited Species Catch (PSC) limits under variable annual total allowable catch (TAC's) limits for target groundfish species. These changes complicate effective management of target and non-target resources, and can have significant adverse social and economic impacts on harvesters, processors, and fishery-dependent GOA coastal communities.

The current management tools in the GOA Groundfish Fishery Management Plan (FMP) do not provide the Central GOA trawl fleet with the ability to effectively address these challenges, especially with regard to the fleet's ability to best reduce and utilize PSC. As such, the Council had determined that consideration of a new management regime for the Central GOA trawl fisheries is warranted.

The purpose of the proposed action is to create a new management structure which allocates allowable harvest to individuals, cooperatives, or other entities, which will eliminate the derby-style race for fish. It is expected to improve stock conservation by creating vessel-level and/or cooperative-level incentives to eliminate wasteful fishing practices, provide mechanisms to control and reduce bycatch, and create accountability measures when utilizing PSC, target, and secondary species. It will also have the added benefit of reducing the incentive to fish during unsafe conditions and improving operational efficiencies.

The Council recognizes that Central GOA harvesters, processors, and communities all have a stake in the groundfish trawl fisheries. The new program shall be designed to provide tools for the effective management and reduction of PSC and bycatch, and promote increased utilization of both target and secondary species harvested in the GOA. The program is also expected to increase the flexibility and economic efficiency of the Central GOA groundfish trawl fisheries and support the continued direct and indirect participation of the coastal communities that are dependent upon those fisheries. These management measures shall apply to those species, or groups of species, harvested by trawl gear in the Central GOA, as well as to PSC. This program will not modify the overall management of other sectors in the GOA, or the Central GOA rockfish program, which already operates under a catch share program.

Goals and Objectives:

1. Balance the requirements of the National Standards in the Magnuson Stevens Act
2. Increase the ability of the groundfish trawl sector to avoid PSC species and utilize available amounts of PSC more efficiently by allowing groundfish trawl vessel to fish more slowly, strategically, and cooperatively, both amongst the vessels themselves and with shore-based processors
3. Reduce bycatch and regulatory discards by groundfish trawl vessels
4. Authorize fair and equitable access privileges that take into consideration the value of assets and investments in the fishery and dependency on the fishery for harvesters, processors, and communities
5. Balance interests of all sectors and provide equitable distributions of benefits and similar opportunities for increased value
6. Promote community stability and minimize adverse economic impacts by limiting consolidation, providing employment and entry opportunities, and increasing the economic viability of the groundfish harvesters, processors, and support industries



7. Improve the ability of the groundfish trawl sector to achieve Optimum Yield, including increased product retention, utilization, landings, and value by allowing vessels to choose the time and location of fishing to optimize returns and generate higher yields
8. Increase stability relative to the volume and timing of groundfish trawl landings, allowing processors to better plan operational needs as well as identify and exploit new projects and markets
9. Increase safety by allowing trawl vessels to prosecute groundfish fisheries at slower speeds and in better conditions
10. Include measures for improved monitoring and reporting
11. Include the trawl sector's ability to adapt to applicable Federal law (i.e., Endangered Species Act)
12. Include methods to measure the success and impacts of all program elements
13. Minimize adverse impacts on sectors and areas not included in the program
14. Promote active participation by owners of harvest vessels and fishing privileges



Appendix B: North Pacific Fishery Management Council GOA Trawl Bycatch Management Program

C-5(a) GOA Trawl Bycatch Management Council Motion 10/5/13

The Council requests that the staff provide a discussion paper reviewing the program structure described below using the decision framework provided in the June 2013 ‘roadmap’ document and the Council’s purpose and need statement. The paper should evaluate whether and how the elements of this design address the objectives in the Council’s purpose and need statement. The intent is to receive feedback characterizing: 1) how the fishery would operate under the new design; 2) how well it may meet the Council’s stated objectives; and 3) which second-tier decisions are necessary to transform the program structure into alternative(s) for analysis. The paper should also include information on bycatch reduction results from other trawl catch share programs in the North Pacific and other regions.

GOA Trawl Bycatch Management Program

1. Bycatch Management

The primary objective of this action is to improve incentives for PSC reduction and PSC management, achieved in several ways through this program design.

a. **Reduced PSC:** The Council intends to adopt a program to: (1) minimize Chinook salmon bycatch, and (2) achieve more efficient use of halibut PSC, allowing some efficiency gains to provide additional target fishery opportunity while leaving some halibut PSC savings in the water for conservation and contribution to exploitable biomass.

b. **Duration of shares:** A portion of target species share allocations (maximum 25%) will be evaluated for retention based on achievement of performance targets relative to bycatch and other Council objectives after a set period of time (3-10 years). The time period and the criteria used to evaluate performance will be established in regulation.

c. **Cooperative management:** A system of cooperative management is best suited to managing and reducing bycatch (such as, hotspot program, gear modifications, excluder use, incentive plan agreements) while maximizing the value of available target species. Cooperatives are intended to facilitate a flexible, responsive, and coordinated effort among vessels and processors to avoid bycatch through information sharing and formal participation in a bycatch avoidance program.

d. **Gear modification. Option:** gear modifications for crab protection.

2. Observer Coverage

All trawl catcher vessels in the GOA will be in the 100% observer coverage category.

3. Areas

Western Gulf, Central Gulf, West Yakutat

4. Sector allocation of target species and PSC



Allocations for the trawl CP and CV sectors for WG and CG Pacific cod (Am 83), CGOA rockfish program (Am 88), and GOA pollock (Am 23) are maintained. Am 80 target sideboards and GOA flatfish eligibility are maintained. Allocate halibut and Chinook salmon PSC caps between CP and CV sectors.

5. Allocated species.

Target species are pollock and Pacific cod. PSC species include halibut and Chinook salmon.

6. Program structure for trawl catcher vessel fishery

Voluntary cooperative structure

- a. Allocate target species (pollock, Pacific cod) at the cooperative level, based on aggregate catch histories associated with member vessels' LLPs.
- b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of GOA trawl vessels in the cooperative [such as, pollock Chinook salmon PSC cap divided based on pollock landings; non-pollock Chinook salmon cap divided based on non-pollock landings (excluding rockfish); halibut PSC apportioned in proportion to the cooperative's allocation of target species.]
- c. Participants can choose to either join a cooperative or operate in a limited access pool [sector-level, non-transferable target allocations and PSC]. Harvesters would need to be in a cooperative with a processor by a specified date prior to the season to access a transferable allocation of target species and PSC.
- d. Initial (2 years) cooperative formation would be based on the majority of a license holders' historical landings (aggregate trawl groundfish deliveries, excluding Central GOA rockfish harvested under a rockfish cooperative quota allocation) to a processor.
- e. Each cooperative would be required to have a private cooperative contract. The contract would require signatures of all harvesters in the cooperative and the processor (option: and community in which the processor is located). The contract would include clear provisions for how the parties may dissolve their contract after the first two years. If a harvester wants to leave that cooperative and join another cooperative, they could do so if they meet the requirements of the contract.
- f. Additional contract elements (such as bycatch management, active participation, mechanisms to facilitate entry, community provisions) may be required to ensure the program is consistent with Council objectives.

Option: Each processor controls a portion of PSC within the cooperative and negotiates terms of access through private agreement. The processor would activate the incremental PSC through NMFS, making it accessible to the cooperative. PSC made available by these agreements cannot be used by processor-owned vessels.

7. Fishery dependent community stability

- a. Consolidation limits
 - Vessel caps and limits on the percentage of the total allocation that a person can hold (accessible only through a cooperative).
 - Processor caps in each area (WG and CG).



- b. Target species quota would be regionalized (WG or WY/CG designation) based on historical delivery patterns.

Option: Target species CG quota that has historically been landed in Kodiak would have a port of landing requirement to be delivered to Kodiak; CG quota not historically landed in Kodiak would be regionalized (WG or WY/CG).

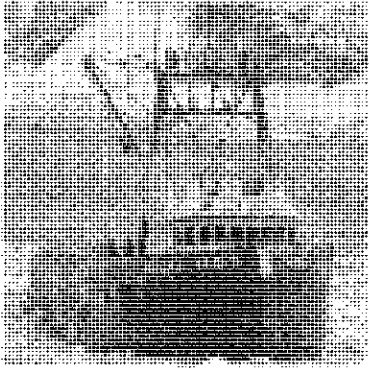
- c. Require individuals or entities to meet fishery participation criteria in order to be eligible to purchase an eligible license with associated history.

8. Transferability

- a. (Annually) Full transferability for annual use within the cooperative. Cooperatives can engage in inter-cooperative agreements on an annual basis.
- b. (Long-term) The LLP is transferable, with the associated history of the target species (which, when entered into a cooperative, brings with it a pro rata share of PSC). Target species history is severable and transferable to another eligible license.

9. Gear conversions

Upon further development, the Council could include gear conversion provisions that allow Pacific cod trawl allocations to be fished with fixed gear, although any harvest would continue to be deducted from the vessels' annual trawl quota account and would not affect the fixed gear Pacific cod sector allocations.



Reducing Bycatch in Alaska

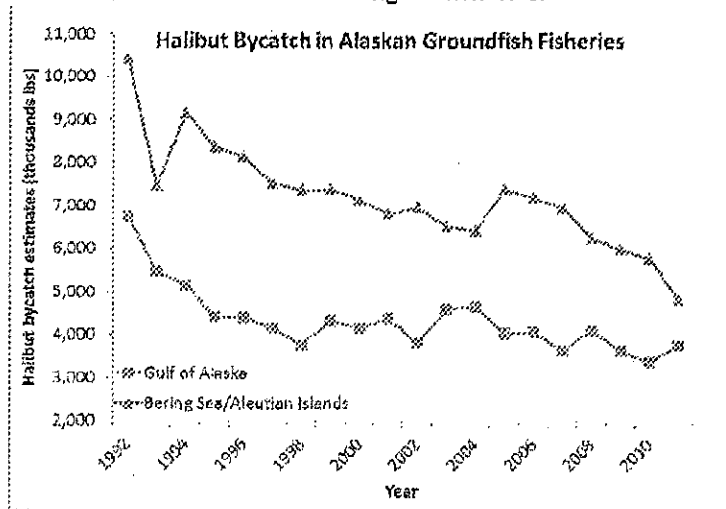
The Magnuson-Stevens Act requires the North Pacific Fishery Management Council to minimize bycatch while also allowing for optimum yield in the fisheries. The Council has implemented new measures or refined existing measures to reduce bycatch of prohibited species, such as Chinook and chum salmon, Pacific halibut, and crab in the Federal fisheries. These species are integral to the health of Alaskan marine ecosystems and to State and Federal economies. This paper shares highlights of recently implemented restrictions.

Pacific halibut bycatch reduction

Numerous subsistence users, charter vessels and commercial halibut fishermen rely on Pacific halibut. Halibut bycatch reduction is a priority for the Council and State of Alaska. Halibut size at age has decreased over the last decade and the entire Pacific halibut biomass is in decline along the Pacific coastal corridor.

Bycatch limits

- In June 2012, the Council took action to reduce halibut bycatch limits by 15% in the Gulf of Alaska (GOA) trawl fisheries and longline catcher vessel fisheries and 7% in the GOA freezer longline fisheries.
- In 2012, the Council established a halibut bycatch limit in the central GOA Rockfish Program that is 12.5% less than the historical average, and required that 45% of any unused bycatch must be left in the water and not used in other trawl fisheries that year.
- In 2008, the Council established cooperative management in the BSAI non-pollock trawl catcher processor sector and reduced halibut bycatch by about 8% over four years.



Source: IPHC 2011 (net weight).

King, tanner and snow crab bycatch reduction

Gear modifications

- In 2011, new regulations required all BS flatfish fisheries to elevate their trawl sweeps off the seafloor to reduce habitat damage and crab mortality. In 2013, this requirement was extended to all central GOA flatfish fisheries.
- Pot fishing gear is required to have biodegradable panels to prevent lost pots from 'ghost fishing' and tunnel openings or escape panels to reduce crab bycatch.



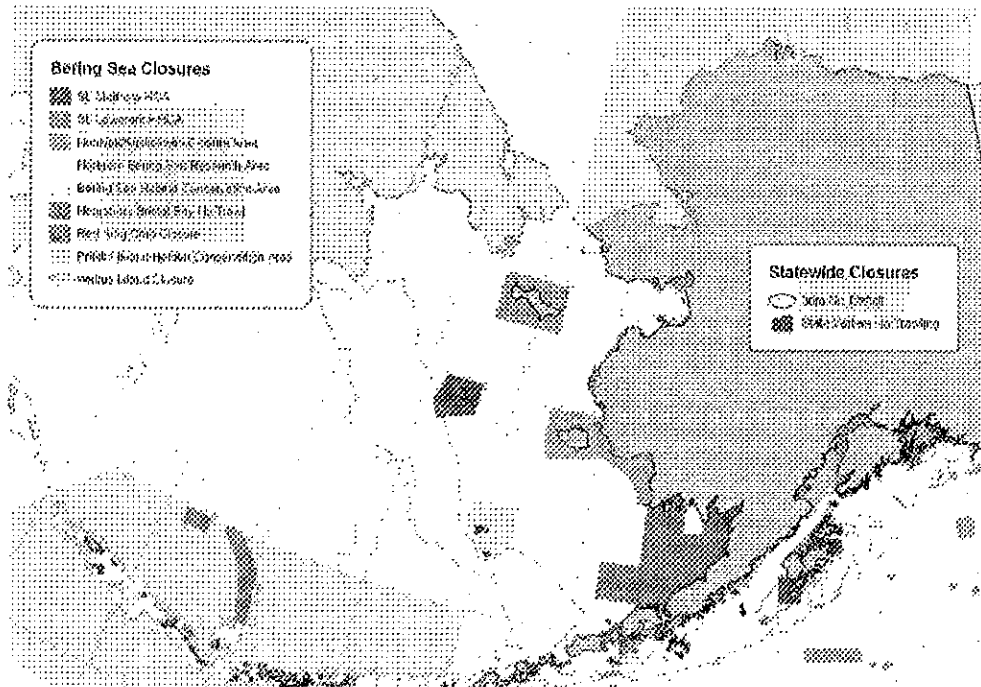
Bycatch limits

Bycatch limits are established for some red king, Tanner, and snow crab stocks by the Council in the BS groundfish fisheries and by the State in the statewide scallop fisheries. Bycatch limits are area specific to reduce impacts on local populations and fluctuate based on annual estimates of crab abundance.



Area closures

Several closures were applied in the Bering Sea in the mid-1990s to conserve red and blue king crab stocks, such as the Red King Crab Savings Area, the Nearshore Bristol Bay Closure, and the Pribilof Islands Habitat Conservation Area. In 2010, the Council adopted a bottom trawl closure in Marmot Bay to reduce bycatch of Tanner crabs, enhancing existing trawl closure areas designed to protect red king crabs.



Chinook salmon bycatch reduction

Chinook salmon are an integral part of subsistence, sport, and commercial harvests in Alaska. The Council has implemented numerous management measures to reduce Chinook salmon bycatch over the years.

Bering Sea

In 2011, the Council implemented a new Chinook salmon bycatch avoidance program for the Bering Sea pollock fishery, which includes:

- A hard cap on the number of Chinook salmon that can be taken in the Bering Sea pollock fishery. This maximum limit requires immediate closure to all further pollock fishing for the remaining season.
- Incentive plan agreements to keep bycatch lower than the cap level. These agreements include explicit incentives and penalties for the pollock fleet to avoid Chinook salmon in all conditions.
- An industry program to close areas of the pollock fishing grounds when Chinook salmon bycatch rates are high in those areas.
- Requirements for every pollock vessel to have at least one observer onboard at all times. It requires a full count of all salmon caught, with genetic sampling to determine stock of origin.

Gulf of Alaska

- In 2012, a bycatch cap of 25,000 Chinook salmon was established for the western and central GOA pollock trawl fisheries.
- In 2013, the Council approved a hard cap (7,500 salmon) on Chinook bycatch in all remaining GOA trawl fisheries.
- Full retention of Chinook salmon is also required in all trawl fisheries. Retention of salmon supports research to identify the stock of origin of Chinook salmon bycatch in the GOA.



For more information: (907)271-2809 or www.alaskafisheries.noaa.gov/npfmc



Boards Support Section
P.O. Box 11526
Juneau, Ak. 99811-5526

RC 034

From: Mike Shupe
1035 W. Northern Lights Blvd.
Anchorage, Ak. 99503

RE: Proposals 43 and 44

As a single-plant processor of ground fish and salmon in Seward, Polar Seafoods has developed a niche business over several years. In recent years the groundfish fishery has been especially difficult to pursue due to the harvest of Pollock under a derby style fishery spreading from Prince William Sound to Chignik. Boats targeting Pollock will frequently come to Prince William Sound and harvest the entire quota of Pollock with a single trip that goes to Kodiak and contributes nothing or, little, to the economy of Seward. By comparison, in 1997-1999, Polar Seafoods in Seward processed 10-12 million pounds of Pollock per year, when the nearby waters were open to fishing and the season lasted until March or April. Clearly, state waters fisheries are necessary for local economies to benefit from the harvest of the resources at their front door.

Comments:

Proposal 43 oppose

I agree that state waters fisheries should be established; however, I also believe that the legalization of trawl gear in state waters fisheries where it is not legal gear, now would be counter productive to efforts to maintain stability in the fishery, improve product quality, and minimize gear conflict.

Proposal 44 support

I support except for the 100% observer requirement. I'd like to see the observer requirement apply to the processing plant/ fishing vessel on the random basis. I also do not support vessel limit under 125 feet as this would eliminate many of the boats available to participate in the state waters fishery would be eliminated by a 58 foot limit.

Thanks for your consideration,

Mike Shupe, Owner



Alaska Whitefish Trawlers Association

PO Box 991

Kodiak, AK 99615

Proposal 43 Oppose

Proposal 44 Oppose

Proposal 45 Oppose

The Alaska Whitefish Trawlers Association (AWTA) is located in Kodiak and represents the majority of independently owned trawl vessels that harvest groundfish in the Central Gulf of Alaska (CGOA). Our member vessels also harvest groundfish in the Western Gulf of Alaska (WGOA) and Bering Sea (BS).

Proposals 43 & 44

We oppose these proposals that would create a new state waters non-pelagic (bottom) trawl fishery for all species of groundfish (Proposal 43) or for Pollock (Proposal 44) in the Central and Western Gulf of Alaska.

- There is no mechanism for the management of Prohibited Species Caps (PSC) inside state waters. Halibut, Tanner Crab and Chinook salmon resources would be compromised by this new increased effort inside state waters. A large and complex system for the monitoring, assessing, reporting and management of PSC inside state waters would have to be developed. The development of this program would demand a significant amount of time, work by ADFG personnel and money.
- There is no observer program for fisheries inside state waters. This proposal calls for 100% observer coverage inside state waters with the cost being paid by the vessels. While the cost for the onboard observers could be paid for by the vessels, the entire state-run management structure required to manage a new observer program would have to be funded by the state at significant cost
- The movement of 25% of the massive stocks of Pollock, Rockfish, shallow-water flatfish and deep-water flatfish from Federal to State waters and designating it for harvest only by vessels under 58' in length is a direct re-allocation from one user group to another.
- There are only two (2) under 58' vessels that are home-ported in Kodiak and fish primarily in Central Gulf of Alaska. These proposals would take access to 25% of all groundfish (proposal 43) or Pollock (Proposal 44) in the Central Gulf away from the 35+ trawl vessels and grant access to these two vessels.
- It is impossible for two under 58' vessels to harvest the TAC's of all groundfish Central Gulf of Alaska. It is likely that enormous amounts of groundfish would not be harvested every year with the resulting lack of revenues for historic trawl vessels, their processors and the community infrastructure that supports these fisheries.
- There is a large group of less than 58' trawl vessels that fish in the Western Gulf of Alaska and a many of these vessels have Central Gulf of Alaska endorsements. Since it is impossible for 2 vessels to harvest the TAC's in the CGOA, it is likely that these WGOA vessels would move into the CGOA and target groundfish. Again, this is a direct reallocation from one user group to another, this time from the historic Kodiak fleet to the under 58' Sand Point and King Cove fleets
- CGOA trawl vessels and their associated processors have worked together to develop business plans for the harvest and processing of groundfish. Any reallocation to other user groups will disrupt these long-established relationships.
- CGOA trawl vessels have built relationships with support business and vendors and any reallocation will have a significant impact on these other businesses...
- The city and borough of Kodiak have invested heavily in infrastructure (harbors, shipyard, etc.) and they depend on the revenues that flow from the trawl fleet. Any reduction of groundfish to the trawl fleet will have a significant impact on Kodiak.
- All federal participants have made substantial investments in gear and technology to harvest groundfish while minimizing bycatch. Any reallocation that limits access to the resource will lead to excessive stranded capital for these fleets.
- Temporal and Spatial measures have been taken to protect Stellar Sea Lions. All groundfish harvests are split into different seasons with specific PSC caps established for each season within each fishery. Areas around rookeries and haul-outs have been closed. Having more harvest come out of the sensitive near-shore state waters will likely result in a Section 7 consultation of the SSL protection measures.
- The North Pacific Fisheries Management Council is moving forward with the development of a new management structure for trawl fisheries in the Gulf of Alaska. The interaction between federal and state-waters is an important component of the management structure. Any changes in the federal/state-water relationship need to be conducted within that process.
- ***This proposal was submitted by an under 58' vessel that is a new entrant into Gulf of Alaska trawl fisheries with very little history. This proposal is aimed at dis-enfranchising vessels with long-term histories of participation in, and dependence***



Proposal 45

We oppose this propose that would require 100% observer coverage for trawl vessels targeting groundfish inside state waters.

- The North Pacific Groundfish and Halibut Observer program has been in place since the beginning of 2013. It has extended observer coverage to not only the trawl fleet but also to other sectors that impact our important fisheries resources. This is a very complex program developed over a number of years and it is unrealistic to create a new state designed, implemented and managed observer program inside state waters within any reasonable time frame.
- The North Pacific Fisheries Management Council has already begun the process of developing a new trawl management program in the Gulf of Alaska. One of the requirements in this new program will be 100% observer coverage.
- The GOA trawl industry has been the subject of numerous Prohibited Species Cap (PSC) reductions over the past few years. There has been a reduction in the Halibut PSC cap as well as the establishment of reduced caps for Chinook salmon in both our Pollock and non-Pollock fisheries trawl fisheries. There has also been action taken to require new modified trawl sweeps for all vessels targeting flatfish as well as an area closure in the Marmot Bay area.

The established trawl industry in the Gulf of Alaska is comprised of harvesting vessels, processors, vendors and communities that support this industry. Working together, the trawl industry delivers large volumes of groundfish that provide fish for the processors, employment opportunities doe processor workers, and economic benefits to local vendors as well as our coastal communities. The trawl industry is a major economic engine which provides tremendous economic and social benefit to the State of Alaska and those who live here.

AWTA asks that the Board reject proposals 43, 44, and 45. We also ask that the Board work alongside the North Pacific Fisheries Management Council and the GOA trawl industry as the new fishery management structure is developed.

Best Regards,

Robert L. Krueger, President

Alaska Whitefish Trawlers Association

Robert.Krueger@alaskawhitefishtrawlers.org