

On-Time Public Comment List
Statewide Dungeness Crab, Shrimp, Misc. Shellfish (except
Southeast and Yakutat) and Supplemental Issues
March 17–20, 2015

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The following Public Comments and Record Copies were received 2014 Work Session and Kuskokwim Subsistence Salmon Panel Meeting 2014 regarding Proposals 271 & 272

Grant Fairbanks.....	PC 53
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The following Public Comments and Record Copies were received 2015 Southeast and Yakutat Finfish Meeting regarding Proposal 202

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The following Public Comments and Record Copies were received 2014 Work Session and the 2015 Southeast and Yakutat Finfish Meeting regarding Proposal 276

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Alaska Whitefish Trawlers Association

RC  PC 41
1 of 2
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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
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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



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
DEPARTMENT OF FISH AND GAME

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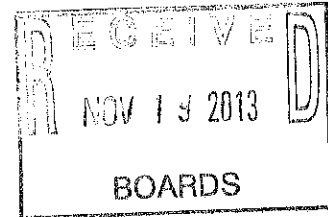
Julie Bonney, Executive Director jbonney@gei.net
Katy McGauley, Fisheries Biologist agdb@gei.net



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,

A handwritten signature in black ink that reads "Julie Bonney".

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).

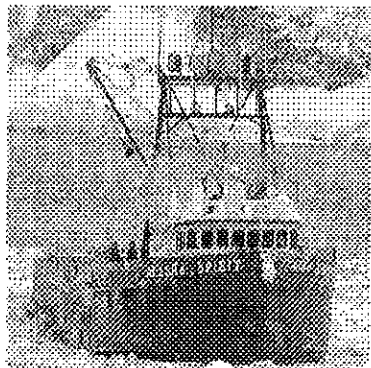
- c. Require individuals or entities to meet fishery participation criteria in order to be eligible to purchase an eligible license with associated history.

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



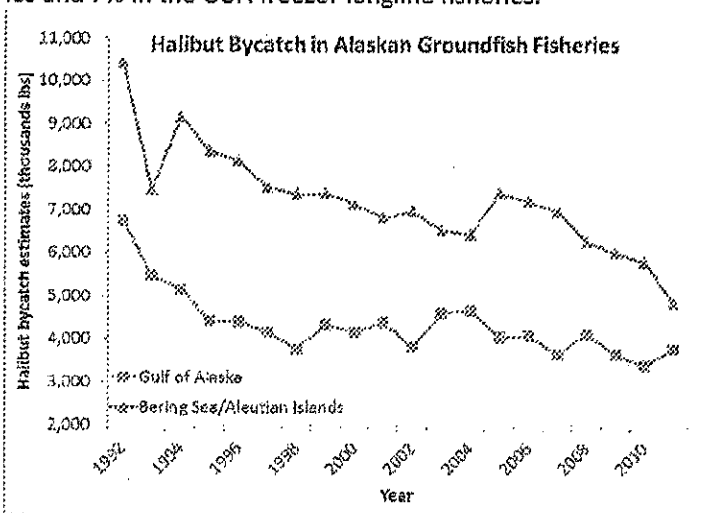
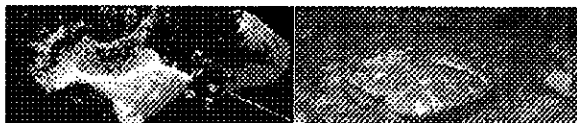
The Magnuson-Stevens Act requires the North Pacific Fishery Management Council to minimize bycatch while also allowing for optimum yield in the fisheries. The Council has implemented new measures or refined existing measures to reduce bycatch of prohibited species, such as Chinook and chum salmon, Pacific 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.



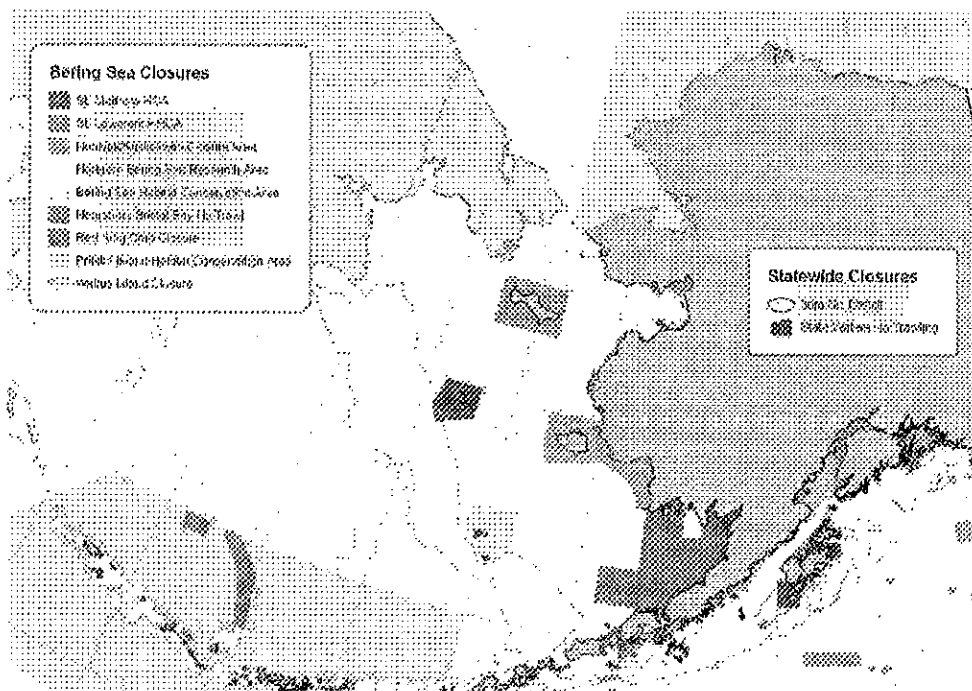
Bycatch limits

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



Dear Chairman Johnstone and Board Members,

My name is Matthew Graham I'm the son of a fisherman I do not support proposals 43, 44, 45, 101, or 102. I'm speaking specifically towards proposal 44. My dad Robert (Buck) Graham has been in the fishing industry since 1983. He started his career in Oregon as a deckhand and worked his way up to Captain. When the industry started to decline in 1999 he chose to fish the Bering Sea, where he started out at the bottom again and had to work his way back up to the top. Six years ago he came to Kodiak to be fulltime captain of the F/V Peggy Jo. During the last fifteen years there have been good fishing years and bad years which affects the livelihood of not just my family but all the vessel's crew and their families as well. This year the Pollock quota which is 60 percent of our annual income, was finally bumped up to a number that would allow trawlers to catch a higher percent of fish thus allowing them to become better providers for their families who rely on the fisheries to survive. If proposal 44 is to pass, the end result will take 25% of the Pollock quota away from historical trawlers and reallocating the resource to others. This reduces the amount of money that Peggy Jo is able to take home to their families. I personally rely on my father's income to help pay for my college tuition. Without his assistance it would not be possible for me to get the education I need in order to succeed in life. That being said, I'm not the only one who relies on this industry. My soon to be newborn sister will come to rely on the fishing industry to provide food, clothes, and a roof over her head for the next 18+ years. The crew of the Peggy Jo who are very good friends and almost like family to mine, rely on the industry to provide for not just themselves, but also for their families. The fishing industry isn't just a way for our families to make money. It's a way of life for us, without it, we would have nothing.

In the end, why would a 58' boat have more fishing rights than a 98' boat that has been fishing in Kodiak since 1966? Due to the changing industry the Peggy Jo has had to switch from catching king crab to becoming a trawler because of that change, why should the captain and crew be punished by having some of their quota taken away from them when they were just doing what the industry required them to do in order for them to maintain a living.

Also, a large part of this proposal that doesn't make sense is the three mile line. How is a fish going to know which side of the line it's on? Pollock and salmon are going to be moving back and forth across this invisible line because they are fish, not cognitive beings that are aware of a man made invisible line. Allowing trawlers to fish both sides of the line will help keep them out of the salmon and on to the Pollock which will help both sides of the industry.

Sincerely,

Matthew R. Graham



January 7, 2014

Re: Kodiak Finfish Proposals 43, 44, 45, 101, 102

Mr. Chairman and members of the Board of Fisheries:

Hello, my name is Ron Naughton, & I am the skipper of the trawl vessel Cape Kiwanda. I was born in Kodiak and have been fishing Kodiak Island and the Bering Sea since I was 16 years old. Presently, a good two-thirds of my fishing income comes from the Central Gulf trawl fisheries.

I do not support proposals 43, 44, 45, 101 or 102. I will speak directly to Proposal 45. Under the old observer program, I was the one to decide when to take an observer, now the new program tells me when to take an observer and randomizes the selection of trips. Even though the percent of observed catch is now less than the 30% goal, the data is much improved because that bias has been eliminated. Observers are now deployed in the Gulf randomly across all fisheries and vessels throughout the year.

As put forth in the State Department of Law Memo, the Board of Fisheries must first consider (A) whether or not a State Observer Program is the only practical data-gathering or enforcement mechanism for that fishery. (The Federal Observer Program already exists and is already in place.) (B) Not unduly disrupt the fishery (I believe it would conflict with the Federal program that is already in place); (C) can be conducted at a reasonable cost (The Kodiak ADFG groundfish managers estimate that it will cost \$500-600,000 just to implement a state observer program and this does not include costs to manage any new state fisheries. Alaska does not have extra money to spend on an observer program that's not really needed; & (D) Can be coordinated with observer programs of other agencies, including the NMFS, NPFMC and the IPHC. Keeping in mind that fish do not respect borders drawn on a chart and that in one tow I can cross that line several times, I believe it would be extremely impractical to coordinate a State Observer Program with the existing Federal one.

The NPFMC motion for the trawl bycatch management package calls for 100% observer coverage which will be necessary for individual vessel accountability. This is how it is now for the Rockfish Program. In the current race for pollock, 100% observer coverage in state waters makes no sense and would be a waste of money. Furthermore, when in State waters I primarily target pollock, so data for salmon bycatch may increase, but there is no method to incorporate this extra data into the Federal catch accounting system. Please collaborate with the Council to develop a workable trawl bycatch management package for our fleet so we can individually be held accountable for bycatch.

Thank You.

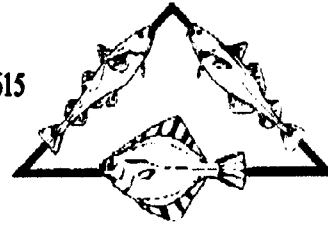
Ron Naughton
Kodiak AK



Groundfish Data Bank

Alaska

PH: 907-486-3033 FAX: 907-486-3461 P.O. BOX 788 - KODIAK, AK. 99615

Julie Bonney, Executive Director jbonney@gci.net
Katy McGauley, Fisheries Biologist agdb@gci.netAlaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: Proposals 43, 44 (potential of a jig pollock retention fishery), 45, 101 & 102

January 7, 2014

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 continued 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; A management plan that benefits coastal communities, processors and harvesters. We are asking you to not disrupt our industry in the short term by adopting any of these proposals.

We are hoping that you will instead schedule a Joint Protocol meeting with the Council and yourselves, the Board of Fish, sometime late this spring so a joint working relationship for the development of a trawl bycatch management program is identified by the two regulatory bodies. This request assumes that you will not take any 'final action' on these proposals at your January 2014 meeting.

Additionally, we are opposed to proposal 101 (Closing Alitak Bay to pelagic trawling, commercial pot fishing for both cod and crab, and subsistence pot fishing for crab) and Proposal 102 (Prohibit non-pelagic trawling in state waters of the Kodiak Management Area). The proposers of these proposals assume that closing these areas will increase crab populations; there is no evidence this will occur. Crab abundance has as much to do with environmental conditions, crab year class strengths, and predator / prey relationships than crab fishing mortalities or crab bycatch mortalities. Please note that the Kodiak Fish and Game Advisory Committee also support our position on these five proposals and are opposed to all five.



Proposal 44 and the jig fleet's desire to have the BOF create a State waters jig pollock fishery

Introduction: The ADF&G Kodiak Advisory committee voted to table proposal 44 which would have created a state waters trawl pollock fishery but were divided about whether a state waters jig pollock fishery should be created instead. There seemed to be some interest by the local advisory committee to allow the jig fleet to keep all the pollock they catch while fishing for Pacific cod versus having to discard pollock if the vessel's catch is over the maximum retainable allowance (MRA). The MRA for pollock in the cod fishery is 20% of the weight of the target species on board.

AGDB members, both the trawl and processing sectors, are dependent on the GOA pollock fishery so any carve off of the federal pollock Acceptable Biological Catch (ABC) to support a jig pollock fishery will directly affect our members. This being said, our members would support entry level opportunities for jig fishermen to catch more pollock if the fishery is "proofed up" and well designed. Within the federal process we have had several experiences with creating jig fishery opportunities. It is a delicate balance to create opportunity for these participants yet not disrupt historically dependent participants; if well thought out and tested, it is possible to strike the appropriate balance for both.

We would propose that the Kodiak jig, trawl and processor sectors work together with assistance from the Department of Fish and Game staff to develop a commissioner's permit to test the viability of a jig pollock retention fishery. Objectives for the fishery should be well defined upfront so that they can be tested within the commissioner's permit fishing environment.

Depending on the test fishery results, participants may decide that a jig fishery construct makes more sense within the federal fishery management structure or within the state management structure; that increased retention limits of pollock in the jig cod fishery makes the most sense or potentially a directed jig pollock fishery. At this point it is premature to know which approach is best.

Issues to be resolved: There is a suite of questions and concerns that need to be resolved to develop a well-designed fishery with as few unintended consequences as possible. Some of these issues could be addressed through the commissioner's permit process. A sample of what needs to be thought out beforehand follows:

(1) Objectives. Is the goal full retention of pollock while cod fishing? Or is the goal a directed pollock fishery for the jig fleet?

(2) Economics. Can the jig fleet make a high volume, low value fishery such as pollock work independently of a directed cod fishery? Pollock prices have ranged from 12 – 18 cents per pound compared to cod prices which have ranged from 28 cents to more than 60 cents. Historical pollock catch/retention by the jig sector suggests there either isn't much interest in pollock or that pollock catch per unit effort (CPUE) isn't that conducive to jig gear.

(3) Catch Accounting. How will catch be accounted for within the federal fisheries (both the federal and parallel zone) as well as in the separate state cod and/or state pollock fishery? Jig is a legal gear for pollock harvest so jiggers could target pollock as a directed fishery during open time frame and also keep whatever they caught when pollock was open and they were participating in the jig cod fishery. In fact, pollock and cod IR/IU regulations (5 AAC 28.070 (e)), require 100% retention when open to directed fishing. Once pollock closes to directed fishing in the federal fisheries then pollock is managed through MRAs in that area. So should jig pollock catch count towards the federal ABC during the open period, and then count towards a state GHM when the federal fishery is closed? If both the state and



federal fisheries are closed what quota should incidental catches of pollock by jig gear in state waters accrue against?

(4) ESA. What are the Endangered Species Act (ESA) consequences of a jig pollock fishery? Pollock is one of the prey species regulated under the Biological Opinion (BIOP) for Steller Sea Lions (SSL) in the GOA.

(5) Allocations. What is the right allocation for a jig pollock fishery? Historical catch or some amount greater than historical catch? If more than historical catch, how much more? How do you prevent stranding fish since the viability of a jig fishery hasn't been proven?

(6) Seasons. What seasonal structure should be adopted for a jig pollock fishery? Presently no pollock fishing is allowed for the trawl fleet from May 31 to August 25 due to Steller Sea Lion restrictions. Should the jig fleet be exempt from these regulations? Should a pollock seasonal structure mirror the state cod fisheries? When is pollock the best grade for food quality? Should a seasonal structure be adopted to improve fish quality?

(7) Areas. Where within the state should jig pollock fisheries be created? All State management areas within the Gulf of Alaska? If no, which areas and why?

(8) Federal versus State Management. Would it be better for the jig sector to approach the North Pacific Fisheries Management Council to address their desire to keep all or most of the pollock they catch? What are the pros and cons of the two management systems when developing a jig pollock fishery? The federal system allows fishers to harvest pollock from 0 to 200 miles - regulatory areas match the present ABC allocations and don't conflict with the federal pollock management system; the state management areas definitely conflict. Stranding pollock ABC within the federal system is less likely since pollock quotas can be rolled over to other gear sectors. The State system, on the other hand, moves at a much faster pace than the federal Council process to get a fishery started.

What is involved with a Commissioner's permit?

A sample commissioner permit that allows for directed test fishery harvests is shown in appendix 1. If the objective of the BOF is to test the viability and feasibility of jig gear to target pollock then a commissioner's permit may not require much effort as long as stakeholders and area managers have clear objectives and the board has final approval of the conditions of the permit.

Existing pollock jig harvesting opportunities: Directed pollock fishing is allowed now for jig gear within the federal management system. The jig sector is bound by the same rules as trawl and other fixed gear fishery participants (in most cases under both federal and state regulations). This includes seasonal opening and closure dates and Improved Retention Improved Utilization (IRIU) regulations that require harvesters - trawlers, jiggers, pot vessels and longliners - to keep all the pollock they catch (either 100% if open for directed fishing or the allowable MRA if on bycatch status). See 5 AAC 28.070 (e).

In the GOA, when directed fishing for pollock is open then it is open for *anybody in the inshore component*, as shown in the following regulation: (i) GOA pollock. The apportionment of pollock in all GOA regulatory areas for each seasonal allowance described in paragraph (a)(5)(iv) of this section will be allocated entirely to vessels harvesting pollock for processing by the inshore component in the GOA after subtraction of an amount that is projected by the Regional Administrator to be caught by, or delivered to, the offshore component in the GOA incidental to directed fishing for other groundfish species.



The only regulatory differences for vessels participating in the inshore component by gear types are the SSL haulout and rookery closures and the Jan 1 – Jan 20 and Nov 1 to Dec 31 prohibition on directed pollock (and cod) fishing using trawl gear; neither of these restrictions apply to jig pollock fishing.

There was significant fishing days for the jig sector to harvest pollock in a directed mode over the last couple of years. The federal pollock fishery in the Kodiak area (area 630) was open for 92 days in 2012 and 65 days in 2011.

Table 1 show pollock catches by gear type for the years 2006 – 2013 for area 630 (Kodiak). On average over the last 8 years, the jig sector has harvested 7 mt (15,157 pounds) of pollock compared to an average pollock ABC of 18,907 mt (41,700,000 pounds).

Table 1. Area 630 (Kodiak area) Pollock quota and catch by gear type 2006-13

Year	630 Poll ABC/TAC	Harvest (mt)				Jig (lbs)
		Trawl	HAL	Pot	Jig	
2006	18,762	16,985	85	7	1	2,205
2007	14,850	14,320	136	15	7	15,432
2008	13,640	14,221	150	12	2	4,409
2009	10,931	12,091	123	8	10	22,046
2010	19,118	18,988	156	10	2	4,409
2011	20,235	19,676	50	9	7	15,432
2012	26,348	25,798	89	12	9	19,842
2013	27,373	29,565	71	10	17	37,479
Avg	18,907	18,956	108	10	7	15,157

When examining historic jig cod catch, actual retained pollock catch is well below what would be anticipated assuming that the allowable 20% MRA for pollock is representative of incidental catches within a jig target fishery and that jig gear is an effective gear type to harvest pollock. Table 2 below shows jig cod catches for the Kodiak area. The average catch for the period 2006 to 2013 is 1,935 mt of cod; applying the allowable pollock retention at the 20% MRA suggests that 387 mt of pollock on average could have been retained. This is an underestimate for allowed retention since the sector must keep what they catch when the directed pollock fishery is open as well. Knowing that the jig sector is required to retain all pollock catches up to the allowable limits (either 100% or 20%) suggests pollock catches are either very low for the gear type or that the sector is discarding pollock catches at sea. The average catch of 7 mt or 15,157 pounds is a long way from 387 mt or 850,000 pounds of incidental catch allowances for pollock.



Table 2. Area 630 (Kodiak area) Jig cod catches (both federal and State) for the Kodiak area for the years 2006-13 and allowable retention amounts of pollock using cod catches as a basis for MRAs

Year	Kodiak Jig Cod GHL	Jig Fed Cod Quota ¹	Total Jig Cod Quota	Jig State Cod Catch**	Jig Fed Cod Harvest (CG)	Total Jig Cod Harvest	Total Potential Pollock harvest based on 20% MRA	Actual Retained Pollock Catch (NMFS)*	Diff
2006	2,363	na	2,363	656	96	752	150	1	149
2007	2,363	na	2,363	567	36	603	121	7	114
2008	2,368	na	2,368	926	49	975	195	2	193
2009	1,971	na	1,971	1,968	37	1,968	394	10	384
2010	3,064	na	3,064	2,922	103	3,025	605	2	603
2011	3,361	na	3,361	3,237	475	3,712	742	7	735
2012	3,556	427	3,983	3,584	403	3,987	797	9	788
2013	3,080	739	3,819	252	202	454	91	17	74
Av MT	2,766	583	2,912	1,764	175	1,935	387	7	380
Avg LBS	6,097,500	1,285,293	6,418,823	3,889,026	386,084	4,264,913	852,983	15,157	837,826

*620/630 NMFS Areas; **KMA only; ¹Initial Annual quota

Jig fishery Development: Rockfish Pilot Program (RPP 2007-2011) and Rockfish Program (2012-present).

During the development of the CGOA rockfish trawl pilot catch share program the Council chose to set aside 2.5 percent of the ABC of the directed CGOA rockfishes in the aggregate (Pacific Ocean Perch (POP), Dusky rockfish, and Northern rockfish) to facilitate additional fixed gear (jig) entry level fisheries. Actual catch by the jig sector over the five year pilot program was far lower than the allocation. See Table 3 for allocations and harvests by year for the fixed gear sector.

With development of the new Rockfish Program (starting 2012) the allocations were revised to be reflective of what the fixed gear sector could possibly catch thus preventing fish from being stranded and unharvested. In the new program, 5 mt for POP, 5 mt of Northern Rockfish and 30 mt of Dusky rockfish was allocated. The regulations state that if the fixed gear (jig) vessels catch (and retain) at least 90% of the allocation, their allocation will be increased in the next year, subject to caps (Table 4). In 2013, the jig fleet has caught 11 mt of Dusky rockfish (36.7%) and essentially zero POP or Northern rockfish. After the first two years, the fixed gear sector has not met the harvest requirement needed to increase their allocation within the new program structure. A straight poundage allocation allows for much more finely tuned allocations than the alternative approach, some percent of the ABC.

Table 3. Fixed Gear allocations and jig catch for the RPP (2007-11) and the Rockfish Program (2012-2013).

Dusky Rockfish	Allocation	Jig Catch
2007	161	11
2008	176	14
2009	165	2
2010	157	1
2011	148	4
2012*	30	3
2013*	30	11



POP	Allocation	Jig Catch
2007	17	0
2008	54	0
2009	63	0
2010	120	0
2011	119	0
2012*	5	0
2013*	5	0

Northern Rockfish	Allocation	Jig Catch
2007	169	1
2008	115	1
2009	110	0
2010	115	0
2011	109	0
2012*	5	0
2013*	5	0

*New Rockfish program, revised fixed gear allocations.

Table 4. Entry Level non-trawl allocations in the Rockfish Program (starting 2012)

The allocation to the rockfish entry level non-trawl fishery of the following rockfish primary species...	For 2012 will be...	This amount will increase in each subsequent year by an additional	Provided that in the preceding year the total retained harvests in the rockfish entry level non-trawl fishery exceeded...	Except that the maximum amount of the TAC assigned to the Rockfish Program (after deducting the ICA) that may be allocated to the rockfish entry level non-trawl fishery for each rockfish primary species is...
Northern rockfish	5 mt	5 mt	90% of the allocation for that rockfish primary species	2 percent
Pacific ocean perch	5 mt	5 mt		1 percent
Pelagic shelf rockfish	30 mt	20 mt		5 percent

Pacific cod (Federal): Similar increased allocations and stair step provisions exist in the Central and Western GOA federal Pacific cod fishery. Amendment 83 to the GOA FMP (implemented in 2012) expanded opportunities for jig vessels by (1) providing an initial allocation that was higher than the sector’s historical catch in the fishery; (2) potentially increasing the jig allocation, if a prior annual allocation is fully harvested and (3) extending the Federal jig sector seasons to allow additional access to Federal fishing zones. One consequence of any increase in the jig allocation is a proportional reduction in allocations to the other sectors. Also, in 2011, the BOF recommended regulations for each State management area that synchronize, to the extent practicable, the State waters Pacific cod GHl season opening and closing dates with the Federal jig seasons opening and closing dates to allow as much as possible concurrent jig fishing opportunities. In 2012, the first year of the cod split, the jig fleet did catch >90% of their Central GOA allocation so their allocation was increased from 1% to 2% of the Federal TAC in 2013. To date in 2013, the jig fleet has caught 202 mt of their 739 mt annual allocation (27.3%). In 2014, their allocation will remain at 2% of the CGOA TAC since they did not harvest 90% of their allocation. If the jig sector fails to catch 90% of their *previous* allocation in two years (2013 or 2014), then they step back down to 1% in 2015. So in 2013, they did not catch 90% of their current (or previous 1%) allocation. If they catch more than 90% of the previous (1%) allocation in 2014, they will stay at 2%. Because the cod allocation to the jig sector flexes up and down based on jig fishery



performance and cod allocations can roll more easily across the other gear sectors within the federal fisheries the likelihood of unharvested Pacific cod is reduced within this system. The jig allocation is capped at 6% of the federal cod quota.

Conclusion: AGDB members believe it would be wise to first determine if a jig pollock fishery is economically viable and feasible before reallocating a very important part of the trawl fleet quota portfolio to another entry level fishery. Allocating fish to the jig sector that will not get harvested impacts historically dependent harvesters, processors and communities. We support "proofing up" the viability of jig pollock fishery first via a commissioner's permit. As historical stakeholders in the federal pollock fisheries, we would be more than willing to help assist the jig sector in developing a proposal to the ADFG area groundfish manager for a commissioner's permit

AGDB members respectfully request that the Board reject proposals 43, 44, 45, 101 and 102 and instead join with the Council and the GOA trawl industry in developing 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 Kodiak Finfish meeting.

Sincerely,

A handwritten signature in cursive script that reads "Julie Bonney".

Julie Bonney
Executive Director
Alaska Groundfish Data Bank



RL 052

RC

Alaska Board of Fish

Please consider this submission of substitute language for proposal 44 – 5 AAC 28.36X

Establish State water GHL Pollock fishery in areas (H) Cook Inlet, (K) Kodiak and (L) Chignik. Areas (H), (K) and (L) would have a combined GHL equal to twenty-five percent (25) % of the combined ABC of areas 620 and 630 of the Gulf of Alaska. State waters of areas (H), (K) and (L) would be open exclusively to GHL fishery. State water GHL Pollock fishery within areas (H), (K) and (L) would open January, 20th of each year and close when GHL harvested or by other regulations or December 31st of same year.

Legal gear For State water GHL Pollock fishery shall be limited to pelagic trawl and jig. Jig allocation shall not exceed 3% of total State Water Pollock GHL, initial jig allocation would be 1% of GHL, increasing the following year of reaching initial allocation to 2% to a maximum of 3%.

Use of pelagic trawl limited to only areas currently open by state regulation. All vessels using pelagic trawl gear would be required to have 100% observer coverage, with one observer onboard for all trips. As written in regulation 5AAC 39.163. All cost associated with the observer are determined to be an attendant fishing-related cost and must therefore be borne by the vessel owner or operator onboard whose vessel the observer serves. Develop observer program with consideration of section 16.05.251. (13); (A), (B), (C) and (D).

A vessel participating in State water GHL Pollock cannot be registered for any other fishery at the same time.

Establish PSC limits for king Salmon that are sustainable in coordination with NMFS. Ensure that State water GHL Pollock fishery is managed for sustainable abundance of both Pollock and King salmon.

Develop State water GHL Pollock management Plan, with initial first year of fishery to coincide with restructured Federal Gulf of Alaska Pollock fishery.

Matt Hegge



RC 051

Alaska Board of Fisheries

P.O. Box 115526

Juneau, AK 99811-5526

Re: Proposals 43,44, 45, 101 &102

January 7, 2014

Dear Chairman Johnstone and Board Members,

My name is Charlie Freeburg. I operate the F/V Alaska Beauty a 98' steel trawler out of Kodiak which derives most of it's income from trawling in the GOA, mainly the CGOA. I moved to Kodiak in 1991 with my family to trawl. My son is the engineer on the F/V Vanguard and also trawls in the GOA.

I am writing today to voice my opposition to proposals 43-45 and 101 & 102. Proposals 43-45 would do nothing to help solve the complex issues of bycatch reduction and resource allocation. On the contrary they would complicate the issue at the expense of ADF&G's budget and the historic participants income. Proposals 101 & 102 are a revisit of a notion that if fishing activity ceased in Alitak Bay and the Shelikof Strait that crab stocks would rebound. If it is that simple why is the area that has the greatest groundfishing effort (pot, pelagic and nonpelagic trawl) ,the Barnabas gulley area, has the healthiest Tanner crab stocks. The bays of Kodiak Island have been closed to nonpelagic trawling for decades and the crab stocks have not rebounded.

I am proud to be an operator in the Kodiak resident trawl fleet. We have put aside our competitive natures and diverse self interests and creatively worked together producing voluntary catch share plans that allowed us fish and bring fish to the dock that otherwise would have been stranded because the quota was not sufficient to open the fishery or bycatch issues would have closed the season before the TAC was reached. We understand that we are a vital part of a community that provides year round employment for a resident processing labor force. Even though we are few in number we are a major source of support for Kodiak's harbor infrastructure, the new Travellift, vendors, etc...



I am requesting that the BOF instead of creating a separate management regime work together with the North Pacific Fisheries Management Council to create a new comprehensive management structure where all the parties involved work together to achieve bycatch reduction, maximum sustainable resource utilization, for the greatest economic and social good of our coastal communities. These are not Alaska or Federal fish, these are fish that swim and are harvested in both waters and need to be managed cooperatively. The NPFMC, which ADF&G has voting representation on, has done a good job at sustainably managing the resource and continues to work towards better collection of biological data and management of groundfish stocks in the GOA. I propose instead of taking final action on these proposals at this meeting the BOF schedule a Joint Protocol meeting with the Council sometime late this spring so a joint working relationship for development of a trawl bycatch management program is identified by the two regulatory bodies.

Proposals 43 and 44 are an attempt to redistribute an already over capitalized fishery to new group of participants at the expense of the historic participants. ADF&G in its comments stated it's opposition prop 43 as they weren't in favor of expanding state waters that are open to nonpelagic trawling so it is unfeasible to take 25% of the ABC of the groundfish that are only exploitable, trawl wise, with nonpelagic gear in the minute amount of state- water open to nonpelagic trawling. In addition prop 44, an attempt to reallocate 25% of the Pollock ABC overlooks the fact that Pollock do not reside full time or spawn in state- waters of Kodiak. The fish move back and forth between state and federal waters so the only management scheme that makes sense is one where the state of Alaska works with the NPFMC. Prop 44 at the Advisory Committee meeting here in Kodiak seemed to morph towards an allocation of Pollock to the Jig fleet. I would ask that before the BOF awards Pollock quota to the Jig fleet that it is established that it is feasible to commercially jig for Pollock by fishing under a commissioner's permit. Also to explore whether it would make more sense to just increase the MRA. The main thing is to not strand fish like the rockfish allocations did.

Proposal 45 is unworkable with the new ODDS program. As I stated before it I counter productive for the state to duplicate federal efforts instead of utilizing their resources to engage in the joint development of a management system that is comprehensive. Part of the new trawl management program that the NPFMC is developing is 100% observer coverage as in the Rockfish Program.



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Sincerely,

Charlie Freeburg Captain

F/V Alaska Beauty

fvalaskabeauty@gmail.com



RC



Parallel walleye pollock harvest from Federal areas 620 and 630.

Year	Area 630			Area 620			Shelikof Strait		
	Parallel Harvest	630 ABC (pounds)	% of ABC	Parallel Harvest	620 ABC (pounds)	% of ABC	Parallel Harvest	ABC (pounds)	% of ABC
1993	23,090,344	190,027,447	12%	5,170,498	80,991,221	6%		n/a	
1994	56,010,214	123,458,867	45%	10,748,281	52,624,342	20%		n/a	
1995	3,805,505	35,957,395	11%	5,190,899	33,752,772	15%		n/a	
1996	4,668,521	30,159,237	15%	9,644,260	28,307,354	34%		n/a	
1997	9,559,661	54,123,485	18%	28,420,143	68,894,457	41%		n/a	
1998	15,625,558	86,674,738	18%	54,876,594	110,330,339	50%		n/a	
1999	19,107,724	67,285,082	28%	21,285,620	85,627,543	25%		n/a	
2000	2,635,867	54,015,459		1,845,188	29,480,214			46,268,415	
2001	6,709,139	58,753,193		11,203,959	31,437,919			45,591,596	
2002	12,984,190	21,715,533	60%	17,765,509	50,805,528	35%		n/a	
2003	9,428,666	22,793,593	41%	7,168,991	43,397,996	17%		n/a	
2004	11,116,433	30,952,902	36%	20,547,516	58,400,453	35%		n/a	
2005	20,091,232	41,266,126	49%	3,698,705	75,847,837	5%		n/a	
2006	19,189,678	40,670,878	47%	9,009,309	67,223,353	13%		n/a	
2007	12,663,479	32,738,646	39%	6,310,058	46,252,983	14%		n/a	
2008	10,674,100	30,071,053	35%	12,022,027	42,286,866	28%		n/a	
2009	11,134,753	24,378,717	46%	7,685,635	31,080,770	25%		n/a	
2010	6,481,020	42,147,975	15%	17,202,210	61,938,873	28%		n/a	
2011	2,206,050	44,610,539	5%	9,481,626	82,375,724	12%		n/a	
2012	9,195,721	58,087,397	16%	18,638,634	100,989,353	18%		n/a	
Average	14,279,603	54,284,423	26%	14,714,806	62,284,876	24%			

*Average does not include data from 2000 & 2001.

Note: Harvest excludes discard at sea.

Matt Hegge

John M. Carthy
 Source: NMF

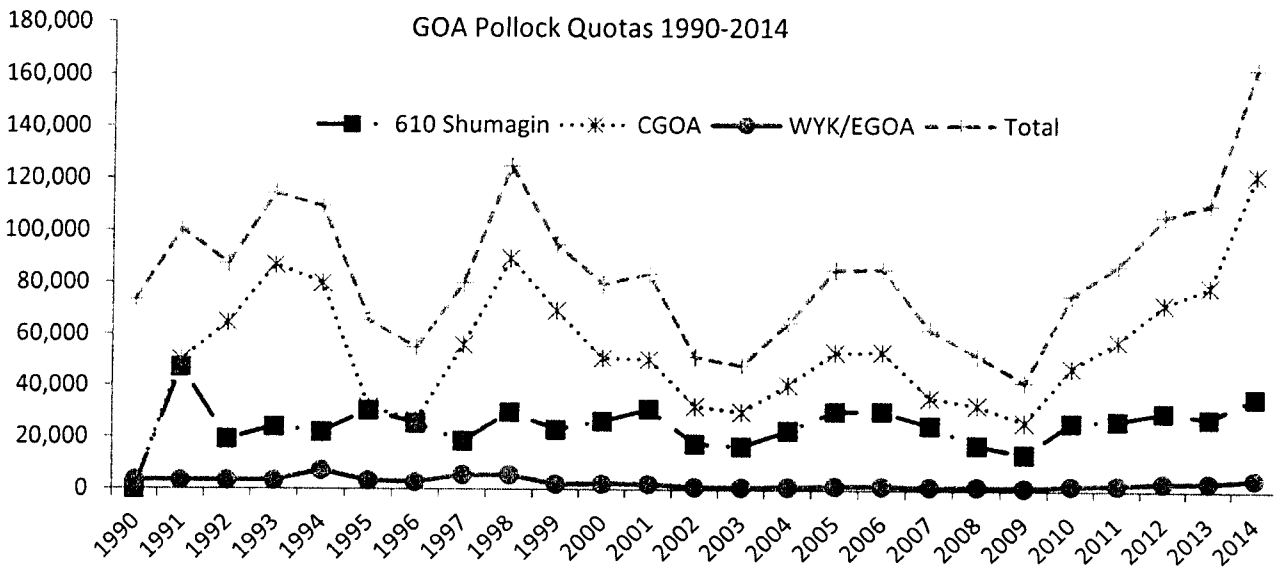


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Pollock TAC's (mt) by Year and Area

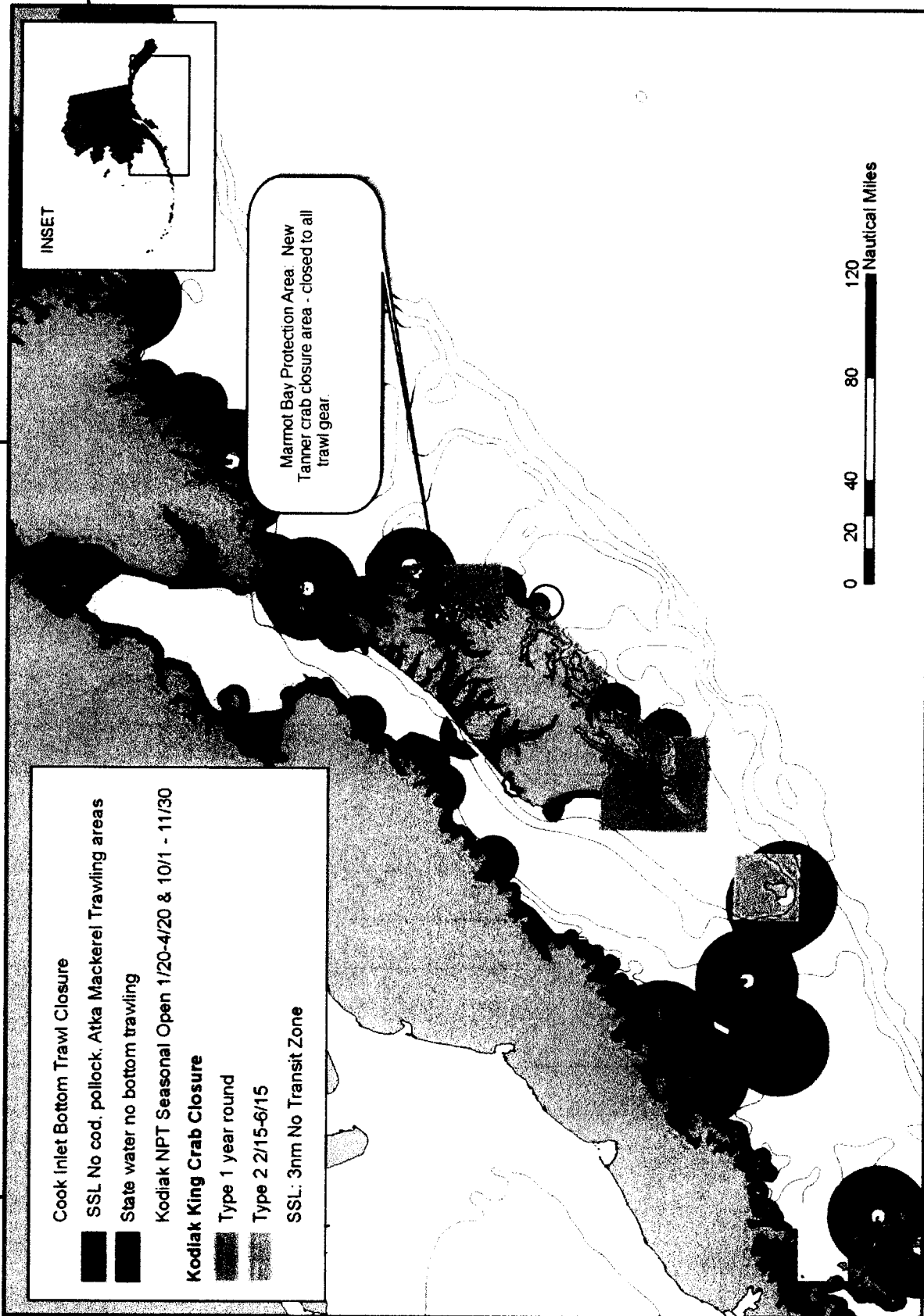
RC 037

Year	610 Shumagin	620 Chirikof	630 Kodiak	CGOA	WYK/EGOA	Total
1990	na	na	na	na	3,400	73,400
1991	47,127	na	na	50,000	3,400	100,527
1992	19,320	18,480	46,200	64,680	3,400	87,400
1993	24,087	25,974	60,939	86,913	3,400	114,400
1994	22,130	23,870	56,000	79,870	7,300	109,300
1995	30,380	15,310	16,310	31,620	3,360	65,360
1996	25,480	12,840	13,680	26,520	2,810	54,810
1997	18,600	31,250	24,550	55,800	5,580	79,980
1998	29,790	50,045	39,315	89,360	5,580	124,730
1999	23,120	38,840	30,520	69,360	2,110	94,590
2000	26,378	28,802	21,978	50,780	2,340	79,498
2001	31,056	26,678	23,583	50,261	2,235	83,552
2002	17,840	25,233	6,995	32,228	1,165	51,233
2003	16,788	19,685	10,339	30,024	1,078	47,890
2004	22,930	26,490	14,040	40,530	1,280	64,740
2005	30,380	34,404	18,718	53,122	1,688	85,190
2006	30,452	34,485	18,762	53,247	1,691	85,390
2007	25,012	20,890	14,850	35,740	1,398	62,150
2008	17,602	19,181	13,640	32,821	1,517	51,940
2009	14,105	15,369	10,931	26,300	1,215	41,620
2010	26,256	28,095	19,118	47,213	2,031	75,500
2011	27,031	37,364	20,235	57,599	2,339	86,969
2012	30,270	45,808	26,348	72,156	3,244	105,670
2013	28,071	51,442	27,373	78,815	3,385	110,272
2014	36,070	81,784	39,756	121,540	4,741	162,350
Avg	25,845	30,970	24,964	55,687	2,845	84,378



Existing Trawl fishery and Crab protection closures in the Gulf of Alaska

N.0.0.09



N.0.0.09

150°0'0"W

160°0'0"W

Source: Steller Sea Lion Protection Measures for the trawl Pollock Fishery, National Marine Fisheries web site:
http://www.fakr.noaa.gov/protectedresources/stellers/mags/Pollock_Alta_base0105.pdf
 Existing Trawl fishery and Crab protection closures in the GOA, NPFMC staff



Grant Fairbanks
P. O. Box 370
Bethel, Alaska 99559
May 13, 2014

August 18, 2014

Chairman Karl Johnstone
Alaska Board of Fisheries
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811--5526

Dear Chairman Johnstone,

I am writing to you as a long-time resident on the Kuskokwim River. I have lived many years in Bethel and on my homestead on the Holitna River, a major tributary to the Upper Kuskokwim.

Kuskokwim king salmon are in trouble. I'm writing this letter, and attaching an Agenda Change Request, to request that you review and address the serious conservation, management and allocation concerns with king salmon on the Kuskokwim River.

We need assurance that conservative, risk-adverse management actions will be taken to insure the recovery of this vital subsistence resource. This has not been the case recently. King salmon have failed to reach escapement goals in many of the tributaries of the Kuskokwim for the four years prior to 2014 assumption of federal management of Chinook on the lower river. In 2013, when other regions took special precautions to protect weak Chinook salmon runs, in-season management errors on the Kuskowim lead to over-harvest, and resulted tributary escapements throughout the drainage being well below the bottom end of the escapement goal range of set by the Department and reviewed by the BOF in 2012. The Comm. Fish Div. Kuskokwim manager publically apologized for the errors in a post-season public meeting in Bethel, stating "...when we look at the results of escapement I failed miserably in my job last summer. I apologize for that."

In light of these long standing conservation problems, it was not a surprise that the Federal Subsistence Board, at its April 17, 2014 meeting, unanimously approved a special action request from the Napaskiak Traditional Council that initiated federal in-season management of Chinook stocks. Implementing section 804 of ANILCA, the Federal Subsistence Board authorized action limited harvesting surplus Chinook salmon to federally qualified subsistence users within the boundary of the Yukon Delta NWR.



There have also been long standing concerns that Dept. actions have not provided for a fair or equitable allocation of kings among users across the watershed. There is a single ANS determination for Chinook Salmon for all communities along the 900 mile long Kuskokwim River. A review of harvest data will show that fishers in the upper portions of the watershed have had significantly less harvesting opportunities, during periods of severe restrictions, compared to harvesters in the lower portion of the watershed. I request that the Board re-evaluate the ANS determination for Chinook salmon within the Kuskokwim River drainage and consider establishment of ANS amounts for major sub-sections of the river to create "nested" ANS determinations. Such action is necessary to help ensure that all segments within the river have a fair and equitable opportunity to harvest available surpluses.

The Alaska Board of Fish (BOF) is guided by statute to provide subsistence fishing opportunities among all qualified residents. Sometimes, however, the surplus available for harvest is less than the Amounts Necessary for Subsistence (ANS) – as formally established by the BOF – and the essential subsistence needs of all qualified subsistence harvesters needs cannot be met.

AS 16.05.258, referred to as "Tier II", is an allocation system that is triggered when there is insufficient harvestable surplus to satisfy all subsistence needs. This system also distinguishes and identifies those individuals most dependent on a particular fish stock or wildlife population among all subsistence users. Tier II gives priority to users based on: 1) customary dependence, 2) proximity to the stock or population and 3) availability of alternative resources. Clearly, we have reached the point where applying this process to Kuskokwim kings should be considered.

I understand that one-time or short-term shortages may not warrant an immediate Tier II designation. However, the Kuskokwim King Salmon stock has now experienced four consecutive years of harvests below ANS. There is no reasonable biological evidence that this situation will change any time soon. I understand that implementing Tier II would not be easy, nor should it be considered the only or best option.

I request that the Board consider all actions that will protect both the fish and equitable subsistence harvest opportunities for all residents of the Kuskokwim, per the attached Agenda Change Request. This could include crafting a very conservative management plan; establishing village quotas or individual permits, or any other actions that effectively address documented conservation problems and fair allocation. Without effective and timely board action, unified salmon management may remain a distant goal.

The Kuskokwim River Salmon Management Working Group should be partners in the discussions. These volunteer stakeholders and participants have been very involved during very difficult times while king populations have been low, requiring conservative actions. They have the local knowledge and understanding of the fishery that is needed to craft solutions to the king salmon conservation and allocation issues on the Kuskokwim.



Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Grant Fairbanks".

Grant Fairbanks

Attached: AK BOF - Agenda Change Request

CC. Kuskokwim Salmon Management Working Group Co-Chairs
Regional Supervisor, ADFG- Commercial Fisheries Division, AYK Region

October 15, 2014

To: Alaska Board of Fisheries

Re: **Agenda Change Request (ACR) #8**

Orutsararmiut Native Council (ONC) is the Tribal Governing body for the community of Bethel, and submits the following for your consideration regarding ACR #8 which proposes establishing a Tier II permit system, creating “nested” amounts necessary for subsistence within the management area, or seeking other alternatives for providing equitable subsistence harvest opportunity/needs for Kuskokwim Chinook salmon within the region.

As the Board is aware there can be no question that there are severe conservation concerns regarding Kuskokwim Chinook salmon. At the same time it is the largest subsistence harvest/use identified for Chinook within the state, historically comprising approximately half of the entire subsistence harvest and use of this species statewide. As such the depleted runs and subsequent restrictions and closures associated for subsistence harvest opportunity in recent years has been utterly disruptive to cultural integrity, seasonal limitations, and recognized patterns of use established over the centuries. The negative impact to subsistence uses, coupled with associated management issues for this stock in consideration of generations to come, cannot be over emphasized.

Given this magnitude of impact, the broad range of management options, and in light of AS 16.05.330 (c) referenced in the department comments, it is our recommendation that the Board of Fisheries establish a Committee charged to address the full range of management options (Tier 1, Tier 2, community harvest permits etc.) identified or raised by this ACR, and develop management recommendations and/or potential proposals for the Board’s consideration during its next scheduled AYK regional regulatory cycle.

Membership on this Committee should be inclusive of at least 2-3 BOF members; a representative from each of the 5 Kuskokwim drainage Advisory Committees and Kuskokwim Salmon Management Working Group; and to facilitate involvement of regional leadership and tribal interests, 3 members (lower, middle & upper river) selected by the Association of Village Council Presidents.

Quyana for your positive consideration of these comments.

Submitted by: Greg Roczicka, Director – ONC Natural Resource Dept.

October 16, 2014

Thank you for accepting ACR#8 and forming a committee to consider the issues raised by Mr. Fairbanks. We are concerned that the Board limited consideration of the issues raised in the ACR to only “gear-related” for the Board’s March 2015 meeting. We understand that the complex issues involved with a Tier II or other permitting activity may be difficult or impossible to implement for 2015 if adopted in March, but we also strongly feel that the option to subdivide the river-wide amount necessary for subsistence for Chinook salmon should also be on the table for the March meeting. A revised ANS could partially address the concerns about equitable distribution of limited subsistence harvest opportunity, but does not have the implementation difficulty posed by the Tier II or other permitting options. Please include consideration of the ANS for the March agenda, as well.

Respectfully,

Art Nelson

Bering Sea Fishermen’s Association

Henry Hunter, Sr., Chairperson
Myron P. Naneng Sr., President
Phone: (907) 543-7300
Fax: (907) 543-3369
Web: www.avcp.org

AVCP
Association of Village Council Presidents
Administration
Pouch 219, Bethel, AK 99559

The Voice of the Region

PRESS RELEASE



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Akiachak
Akiak
Alakanuk
Andreafsky
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Bethel
Bill Moore's Sl.
Chefornak
Chevak
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Chuloonawick
Crooked Creek
Eek
Emmonak
Georgetown
Goodnews Bay
Hamilton
Hooper Bay
Lower Kalskag
Upper Kalskag
Kasigluk
Kipnuk
Kongiganak
Kotlik
Kwethluk
Kwigillingok
Lime Village
Marshall
Mekoryuk
Mtn. Village
Napaimiut
Napakiak
Napaskiak
Newtok
Nightmute
Nunakaulyak
Nunam Iqua
Nunapitchuk
Ohogamiut
Oscarville
Paimiut
Pilot Station
Pitka's Point
Platinum
Quinhagak
Red Devil
Russian Mission
Scammon Bay
Sleetmute
St. Mary's
Stony River
Tuluksak
Tuntutuliak
Tununak
Umkumiut

January 14, 2015 -On October 14, AVCP distributed requests to our Kuskokwim River tribal communities for letters of support for five chosen steering committee members to work together on the initial development of the Kuskokwim River Inter-tribal Fish Commission (KRITFC). Building an understanding between each other for our tribal communities' unique goals, interests, and concerns is a priority for developing an effective working relationship and creation of the inter-tribal commission. Additional input received from our tribal members prompted us to expand the number of steering committee members to twelve representatives.

The twelve steering committee members include: 1) Willard Church of Quinhagak, 2) James Charles of Tuntutuliak, 3) Fritz Charles of Tuntutuliak, 4) Jacob Black of Napakiak, 5) Greg Roczicka of Bethel, 6) Robert Nick of Nunapitchuk, 7) James Nicori of Kwethluk, 8) Mike Williams of Akiak, 9) Robert Aloysius of Kalskag, 10) Wayne Morgan of Aniak, 11) Mark Leary of Napaimute, and 12) Evelyn Thomas of Crooked Creek. The Tanana Chiefs Conference (TCC) will also identify a number of steering committee representatives from Upper Kuskokwim River tribal governments.

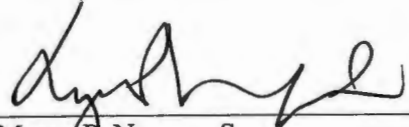
The two primary priorities of the KRITFC Steering Committee include the development of an organizational framework to guide the structure and operation of the KRITFC and the creation of a salmon management plan for the Kuskokwim River Drainage.

The first steering committee meeting will be held in Bethel at the Cultural Center on February 5 and 6, 2015. The second meeting will also be held in Bethel at the Cultural Center on February 23 and 24, 2015. All steering committee meetings will be open to anyone who wishes to participate, and all AVCP tribes in the Kuskokwim River Drainage may appoint a representative to the steering committee. Once the Steering Committee has made its recommendations, AVCP will organize a meeting of all the tribes in the Kuskokwim River Drainage to meet, review, and take actions on the recommendations.

Quyana to our tribes for the input we have received.

Any questions related to this press release should be directed to Kevin Bartley at kbartley@avcp.org or you may call him at (907)543-7342.

Authorized for release:



Myron P. Naneng, Sr.
President

Testimony received
meeting 1/15/2015



January 15, 2015

To: Kuskokwim Subsistence Salmon Panel:

My name is Beverly Hoffman, a lifetime resident of the Kuskokwim I have been a member of the Kuskokwim River Salmon Management Working Group since 1999 and have been co-chair through some good years and bad.

I am 63 years, Growing up on the Kuskokwim, I knew the salmon returned and we would get our food for the summer and the winter. I have had a smoke house with my family all of my adult life.

Being on the working group my education of the cycles of salmon species, the importance of habitat, the importance of escapement grew, concerns of over fishing, acidity in the ocean affecting salmon population and more information started to accumulate in my computer files. Historical knowledge is important but understanding the biology is important for all of us who depend on the salmon.

The first year I was on the working group we were introduced to fishing on the window schedule. This was hard. It was the beginning of the end of commercial fishing targeting our Kings.

In 2012 the state and fed management used the working group to tell our people there would be restrictions. It was a very emotional time; we were very divided up and down the river. State and Federal Managers used our voices but didn't use our wisdom. The final decision was always up to federal and state managers. We didn't make escapement.

In 2013 we opened on the lower river with no restrictions and it was already to late for upriver subsistence and escapement when managers realized it was a bad decision. Many working group members questioned why would the Kuskokwim be the only river with a good forecast when the rest of the state predicted low numbers.

In 2014 another emotional year. Fish and politics became intertwined. How many meetings were there where people of the river were divided. Management was divided. While most people concentrated on other species there were those who used the 4 inch mesh to get their usual King numbers. There were almost two hundred white fish nets going 24/ 7 from Napakiak up to Tuluksak. I took pictures of at least 8 crossing the mouth of the Kwethluk. With our sacrifice some tributaries made escapement and some didn't. The Kwethluk was one that did not.

So as managers continue to have their differences, some of my people think tribal control is the answer, tier II proposals are in the works and you are here to listen then come up with hopefully a good plan.

received at
meeting 1/15/2015



These are my thoughts:

We have to open up with restrictions until we are sure the Kings are returning in strong numbers.

Using 4 inch mesh set nets to give folks the opportunity to get fresh fish for dinner is good but they were also used to target Kings. A schedule needs to be implemented.

Continue to distribute test fish Kings to communities for sharing. Community feeds?

Continue to promote processing other species, many of us in the last three years processed mostly chum and reds in our smoke house successfully. Ban 8 inch mesh nets.

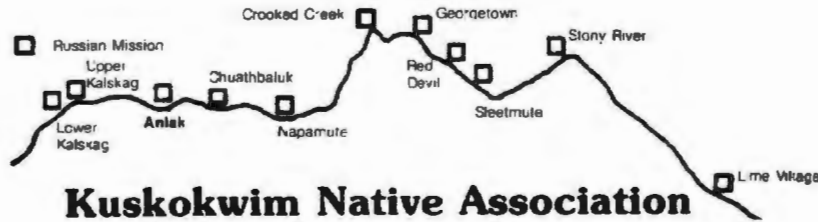
Implement a plan for fair allocation of Kings before a Tier II is implemented. Last year Father Alexander talked about at least 15 Kings per household. What would this look like village-to-village? Could it be less while we are rebuilding. Should there be subsistence permits? Who can come back to fish?

Work together. The working group has many tribal members. We have been working on salmon issues for almost 3 decades. We might not be all sanctioned by our tribal organization but at last count we had 19 members affiliated with a tribe. It's going to be a while before something else is in place. The working group should have all members approved by their tribe.

Restrictions need to be fair. If we are restricted in river, there should be the same restrictions in the bay. The Kings caught out on the coast are headed to spawning grounds on the Kuskokwim and on the Yukon. Continue to work on reducing by-catch on the high seas.

And like our state game biologists and our Federal Fish Managers, at least our head regional fish biologists should reside on the Kuskokwim. Thank you.

Burg Hoffme



Kuskokwim Native Association

To: Kuskokwim Subsistence Salmon Panel
Panel Members

January 14, 2015

From: Kuskokwim Native Association (KNA)
Director of Fisheries

Subject: Community Harvest Trends for Kuskokwim Chinook

Dear Panel Members:

The Alaska Department of Fish and Game, Board of Fish has tasked this group with developing possible solutions (both long and short term) to address the equitability of Chinook salmon harvest on the Kuskokwim River. Inherent in that task is the acknowledgement that a problem exists, i.e. that Chinook harvest patterns have changed, and become inequitable for some communities on the Kuskokwim River. To assist with your determination I present this simple analysis of Chinook salmon harvest reported to ADF&G between 1990 and 2011.

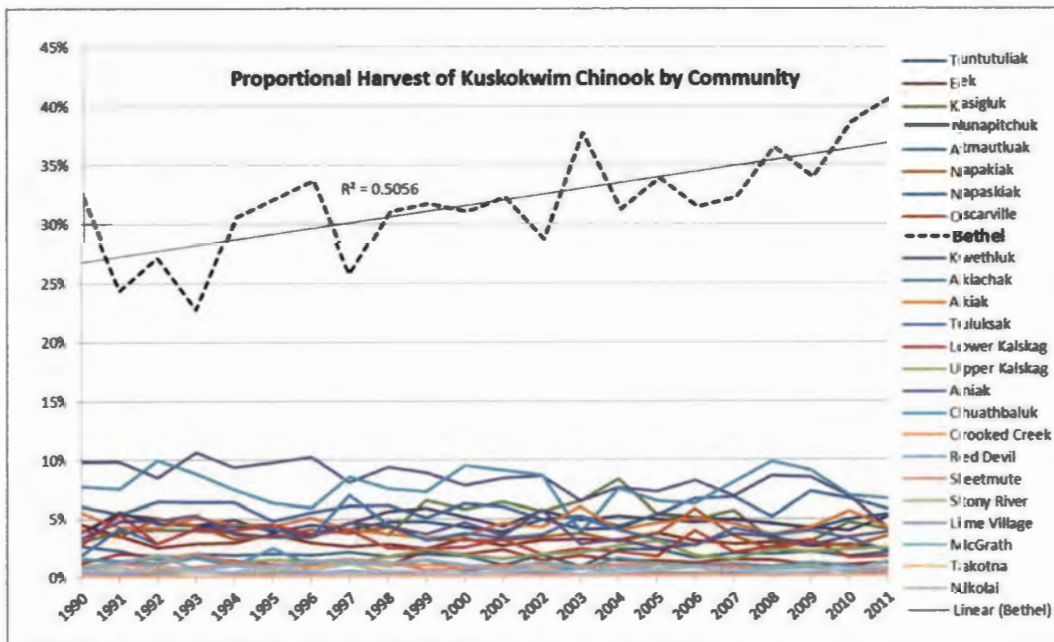


Figure 1. Community harvest trends of Chinook salmon as a proportion (percent) of the total Chinook harvest for the Kuskokwim River.



Growing population trends in Bethel are clearly impacting fishing opportunities for smaller villages; particularly those further up river and will continue to do so as the population continues to increase. If future allocation is based even in part on a per capita basis (either through a Tier II or other permit system) Bethel's allocation will continue to increase (as its population does) at the expense of the smaller villages. If the current trend continues Bethel alone could account for more than half of the total Chinook harvest on the Kuskokwim in less than a decade, figure 1.

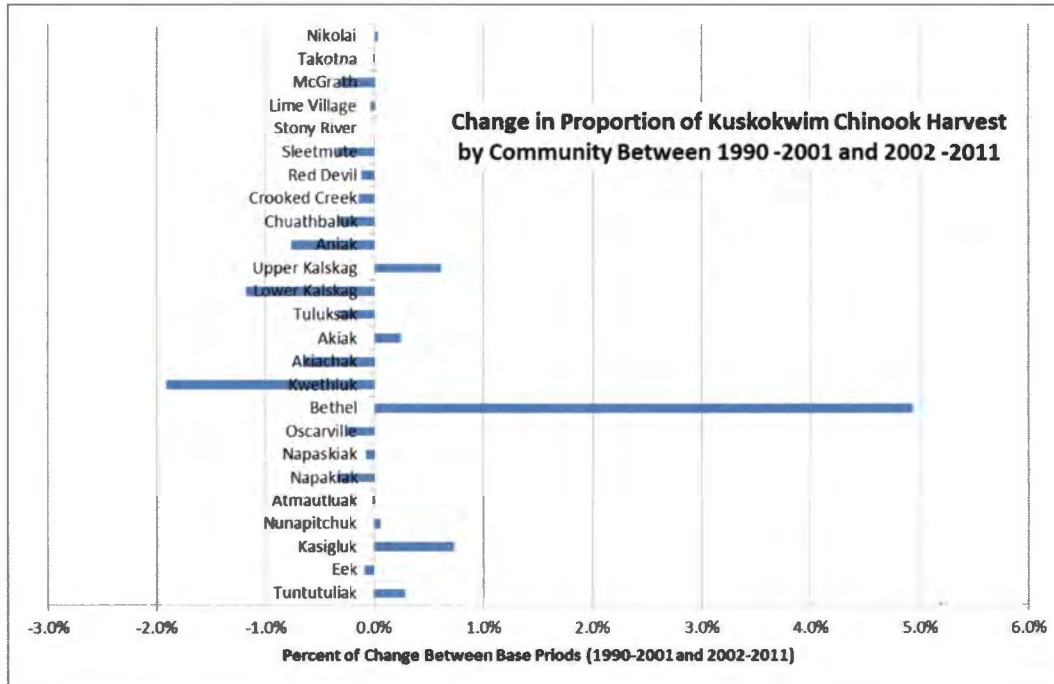


Figure 2. Decadal changes in community harvest of Chinook salmon as a proportion (percent) of the total Chinook harvest for the Kuskokwim River.

The rate of change in the proportion of harvest between Bethel and other communities appears to be approximately 5% per decade, figure 2. This analysis does not include the most recent years when restrictions were in place, which in all likelihood compounded the problem. Furthermore, it has been proposed that the new escapement goal of 65,000 – 120,000 Chinook will further contribute to the problem by reducing densities of fish in the mid and upper river, relative to historic levels. In addition to this surveyed data I have heard numerous reports from local fishers that for decades Chinook abundance (and consequently harvest opportunity) in the mid and upper river for has been declining, long before this recent period of low abundance.

KNA is a regional non-profit native organization created to serve 12 villages along the middle and upper Kuskokwim River, and is a cooperator with ADF&G Commercial Fisheries Division on several salmon monitoring projects.

Thank you for your thoughtful consideration, sincerely:

KNA Director of Fisheries
Dan Gillikin
dgillikin@knafish.org



**Testimony by Mike Rearden to Kuskokwim Salmon Subsistence Panel,
Bethel, Alaska . January 15, 2015**

I'm retired...so these comments are my own. I've got some broad concerns about how this Kuskokwim issue has been addressed and where it is going...Continuing to fight about fish every summer is not healthy for the people and does not contribute to successful management of the fish. Acceptable solutions must be found.

The primary mission of this panel is to consider how to insure equitable distribution of salmon on the Kuskokwim River. It is a complicated process intertwined with commercial fishing interests, management protocols, the so-called downriver/upriver conflict, difficulties in assessing run strength and composition and complexities of overlapping federal/state management laws.

I spent a career dealing with conservation management issues on the delta. Waterfowl , salmon, and moose conservation issues in particular took a huge amount of my and my staff's time. Managing fish or game is easy. Managing people, and getting the majority of users to agree on a course of action is very difficult. It requires a high level of commitment to communicating, listening and finding common ground. I believe that's why there seems to be reluctance to address the allocation issue. It takes a lot of effort.

Residents of the Kuskokwim are very dependent upon salmon . They have a larger stake in successful conservation than anyone, but currently I see a lot of denial—some residents don't believe the numbers , and many others think it will be better next year. I think we will all be better off if we prepare for many years of reduced King salmon numbers. I saw the same reaction on the Yukon 15 years ago. Their king fishery still has not recovered.

Working with the villages is going to be difficult. Fish and game fisheries managers don't live in this community...they come here to work in the summer. Relationships are developed in the local store, at basketball game or camp with them on the river. This isn't a reflection on the individual managers, but it is a poor reflection on the Department. It is disrespectful for an agency to manage people 's resources from afar.

It is not the working groups responsibility to do all of the groundwork for for the department. Their volunteer efforts are very difficult already. I Think the fisheries managers time would be far better spent traveling to villages to understand the residents viewpoints and needs and ultimately would contribute to resolution of this issue.

Without this most basic work being done, I'm concerned that actual agreement on conservation and allocation will be difficult to obtain. If some clear course of action toward insuring equitable allocation, such as Tier II or community allocations, isn't followed very soon, I suspect that it may require legal challenges to accomplish it. It appears that all legal requirements for demanding a Tier II are present...it people don't want that, then alternatives better be found.

Ironically, one of the driving forces for statehood was to have local (state) control of Alaska's fisheries, but now the Department, and to some extent the Board, don't seem to be concerned that the Federal government took over fisheries management last summer. An insider confided in me that some state managers would prefer the federal government manage Kings on the Kuskokwim because it is such a tough job. Those that wrote the state's constitution would surly



be offended if that is true. What is being done to insure that Kuskokwim King salmon are managed by the state in future seasons?

I have no objection to how the federal managers did last summer. In fact, they actively worked with local residents and made the tough management decisions needed to conserve King salmon. Frankly after the Department's dismal management in 2013, and after requests from several tribes, they had no choice but to take over management.

Nevertheless, I believe the department is much better prepared to manage the fishery than USFWS. I've been immersed in this problem myself—the state maintains decades of fishery records, operates the test fishery, and staffs experts trained to manage fish. Furthermore, ADF&G's authority encompasses the whole river...whereas the federal management only encompasses the river within the boundaries of the Yukon Delta NWR—essentially from the mouth of the river to Aniak. I think that a seamless management scheme for the entire river, by one agency will have a better chance of success and less confusion for local residents.

However, there will have to be changes before people will have confidence that this will work. Clearly, some very clear mandates must be established to insure that residents of the mid-river and upper river get an equitable share of surplus fish. This will require changes in management actions that will affect lower river subsistence fishermen and the commercial fishery. This may mean establishing a tier II system, or village quotas or something else. It may require a major rework of the states overall management strategy as it appears that managing for a drainage-wide escapement goal may insure that mid-river and upriver residents will never again get the opportunity to catch the number of kings they customarily use (Molyneaux). As a panel, that is your charge.

In summary:

Its going to take a lot of groundwork and interaction with local residents to find an equitable solution to the allocation issues on the Kuskokwim.

Dual management of the fish in the river will not contribute to seamless, equitable management

There is a clear pattern of allocation and to some extent conservation problems with ADF&G management of king salmon on the Kuskokwim.

Under depressed runs, ADF&G management plans and actions have not provided for an equitable distribution of the available surplus.

The existing drainage-wide ANS provides no incentive to ensure an equitable distribution of the available surplus. There is no benchmark by which to assess success in providing equitable distribution. There is a need to establish a nested ANS for two or more subregions of the watershed.

Some people support implementation of a Tier II system—as required by regulation—unless another equally or more effective tool to ensure equitable distribution in times of low abundance can be developed and implemented in a timely way.



The state BOF should work very closely with the federal subsistence board , state managers should work very closely with federal managers to regain state management that meets the requirements of federal law, yet will provide seamless fisheries management for the entire Kuskokwim.



A Common Site in 2014: King Salmon Damaged by 4" Set Nets

Deadly Gear: My Thoughts on the Use of 4" Mesh Nets:

Yesterday you heard a lot of testimony in opposition to the use of 4" nets – how they damage and kill King Salmon. Nobody knows how many Kings were lost during the 2014 fishing season. In the lower River many hit the hundreds of set nets – there were 140 documented 4" set nets in the 9 miles between the lower end of Church Slough and Napaskiak (see ONC in-season subsistence reports) on the incoming tide, some drown only to be ripped out on the outgoing tide, others sat in those nets struggling for hours to get free, damaging themselves in their drive to get home to spawn.

Today I would like to tell you about my experience with these nets in 2014.

In 2012 people were allowed to drift or set with 4" nets during the restrictions. My friends in the Lower River who took advantage of this opportunity using the "new style 4" mesh nets" told me that type of gear was "deadly".

Last year I found out for myself. Knowing that the use of 4" nets was going to be allowed I called Donaldson's in Anchorage to order a new net. The first question they asked was, "Do you want it hung for salmon?"

I asked them what that meant. They told me:

- Single strand mono-filament
- Heavier lead line
- Regular salmon net cork line

Like any good fisherman that wants to catch fish – my intention was to target Reds and Chum – and for their gear to last I said yes. I think the 60' net was \$265 with postage.

THESE ARE NOT THE LIGHT LITTLE 4" WHITEFISH NETS OF OUR FATHERS & GRANDFATHERS. THEY ARE MADE TO TARGET SALMON.



With my brand new 4" net I set out to abide by the conservation measures. I used the net as a set net. Eddies in the Middle Kuskokwim are few and far between. The two that are close to Napaimute t are not feasible (price of gas) are both shallow – 3' to 5' deep at normal water levels – last year was low water in June. I wasn't catching anything but my net was getting dirtier and dirtier.

So one day I decided to drift it to clean it – because we were in State water we were allowed to drift. In Federal water from Aniak on down you could only use 4" as set nets. As I was drifting it I caught 5 large Kings – I was so amazed that I kept them. In a regular year 5 Kings in a long drift with a 50 fathom 6" net would be a good drift!

In the day after that discovery I kept drifting that little net using a little 14' boat with an old 15hp for better control – even thought of going back to rowing.

Like my friends told me: that net was deadly! I could fish with that net the rest of my life and be happy. It was easy to throw, easy to drift, easy to pull in. Whenever a fish hit the net I would let it loose from the boat and run out to check it.

If it was a King I would let it go – I released 60 Kings from that little net and they were all medium to large something we haven't seen upriver in many years. There were very few small/jack Kings – they were getting caught in the 100's of 4" set nets downriver.

Chums and Reds were carefully hauled in and kept – we caught about 80 Reds and Chums.

In one drift I sank that deadly little net. I physically shook out 12 large Kings – there were a handful more that got out on their own. I quit and went back home. Practically in tears I told my wife, "I can't do this anymore. This isn't what subsistence is about – catching and letting go. I'm going to start keeping some."

I was getting firsthand reports from friends down river that had multiple 4" set nets that had caught over 80 Kings and counting. One of them even testified in a KRSMWG meeting. As long as it was legal to keep Kings caught in 4" People were going to keep doing it.

My oldest daughter was sitting at the kitchen table listening to my ranting. She told me, "You can't do that – you'll be a hypocrite!" So I told her to come with me and see how it is.

We went back out to drift. A few minutes into our first drift – 40' out a bunch of corks went down and bobbed hard. We went out to check. My daughter is 24 years old and she never seen that before in her life growing up in the Middle River. There was a 60lb size King stuck in the net. She was in awe. I held it loosely in the water asking her, "You still want to let it go? You still want to let it go?" She quietly said, "You have to." I shook it loose. It faded away into the water.



One of many large Kings released from a "new style 4" net" in 2014



In each drift that deadly little net would grab everything that was swimming in the River: Suckers, Chums, Reds, and of course Kings. We couldn't let all of the Kings go – some were too injured. So hard pull that small net out of the water and wrap the lead line over the cork line. The only way to get them out of the net was to bring them in the boat. Once onboard they would beat themselves bloody to get free while I tried to untangle them as fast as possible. Letting them go would be like shooting an animal, wounding it, then turning your back on it. I can't do that.

So with all that said, I'm not sure what the answer is.

- Making 4" set net only will lead to saturation of the River with set nets which is burden in the Middle and Upper River where set net sites are very few. Meanwhile many Kings in the Lower River will be caught and kept. An unknown number will be lost – damaged or killed outright. I think it is substantial but there's no way to prove it other than some of the testimonies given yesterday.
- Allowing for 4" to be drifted allows for a conservation-minded fisher to release Kings almost immediately without harm in most cases. Some will have to be kept because they are just too wounded.
- Completely banning the use of 4" nets in the main-stem Kuskokwim and all anadromous streams or only allowing windows of opportunity for 4" nets might have to be considered.
- Requiring 4" nets used as set nets to be checked every 6 hrs. – like the requirement for fish wheels

Thank you for your consideration.