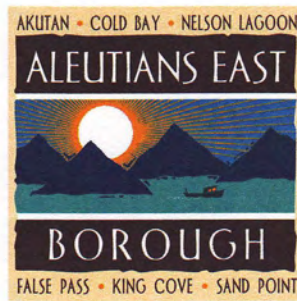


**Alaska Board of Fisheries
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Work Session
October 18–20, 2016**

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September 8, 2016

Chairman John Jensen, Alaska Board of Fisheries
ADF&G Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-6094 FAX
dfg.bof.comments@alaska.gov

Re: Aleutians East Borough strongly opposed to Agenda Change Request #4

Dear Chairman Jensen,

This letter is to state the Aleutians East Borough's strong opposition to ACR #4, slated for consideration at the October 2016 Work Session. We believe this ACR is misguided and the conservation purpose as stated in the ACR, '*Limiting commercial harvest of Chinook in this fishery to its historic levels will contribute to the sustainable Chinook runs in the AYK and Norton Sound Areas*', is flawed. The science and data show that this is a non-issue, plus this subject has already been addressed by the Board twice this year. We respectfully request that you *not* accept ACR #4.

The ACR suggests reducing commercial Chinook salmon harvest to historic levels. Actually, recent June harvests of Chinook, with the exception of the anomalous lightning strike in 2015, are *below* historic levels. This includes the June South Unimak & Shumagins harvest of **3843** Chinook for 2016.¹ We calculated average June Chinook harvests in South Unimak and the Shumagin Islands from several sample range of years using ADFG data.² The average June Chinook harvest for the South Unimak & Shumagin Islands areas for years 1975 – 2014 was **4247** Chinook; for years 1975 – 1990, **4228** Chinook; for years 1980 – 2014, **4729** Chinook; for years 1980 – 1990, **5754** Chinook; and for years 1990 – 2014 the average was **4503** Chinook. The recent range of years 2000 through 2014, average of **3187** Chinook, is less than the other historic levels since 1975. In the same document, a table³ including the South Alaska Peninsula Chinook harvest dating back to 1908 ranks 2005 to 2014 as the second lowest average overall Chinook harvest range of years for the area.

In addition, the recent Gulf of Alaska Chinook salmon genetic study from NMFS, Genetic Stock Composition Analysis of the Chinook Salmon Bycatch Samples from the 2014 Gulf of Alaska Trawl

¹ ADFG Inseason Commercial Harvest Estimates

<http://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareaakpeninsula.salmonharvestsummary>

² South Alaska Peninsula Salmon Annual Management Report, 2015 (FMR No. 16-02) Appendix B3 on page 60

<http://www.adfg.alaska.gov/FedAidPDFs/FMR16-02.pdf>

³ South Alaska Peninsula Salmon Annual Management Report, 2015 (FMR No. 16-02) Appendix A10, pages 23-25

<http://www.adfg.alaska.gov/FedAidPDFs/FMR16-02.pdf>



Fishery⁴, shows that 99% of the Chinook salmon caught as bycatch in other Gulf of Alaska fisheries are not bound for the Yukon, Kuskokwim, Norton Sound or the Arctic, but instead the majority are bound for the West Coast and Pacific Northwest. This would indicate that reducing fishing time in the June South Unimak and Shumagin Islands salmon fishery would not benefit Chinook runs in Western Alaska.

The South Unimak & Shumagin Island June Salmon fishery is a healthy, vibrant and sustainable fishery, critical to the local economy in the communities of False Pass, King Cove and Sand Point. Fishermen, shore-based processors and many support businesses depend on the June season, documented as a commercial fishery in the area for over 100 years, and sustaining the native people for thousands of years. The adoption of ACR #4 could have severe regional economic impacts.

The Alaska Board of Fisheries has twice addressed virtually this same issue, brought forward by the same petitioner, first as Proposal 184 in February 2016, then as an emergency petition at your March 2016 meeting. We urge you to finally put this issue to rest by showing unanimous opposition to this ACR #4 that is controverted by the science and data.

Thank you for your consideration and the opportunity to comment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ernie Weiss", followed by a horizontal line.

Ernie Weiss
Natural Resources Director
Aleutians East Borough

⁴ NOAA Technical Memorandum NMFS-AFSC-311, <http://www.afsc.noaa.gov/Publications/AFSC-TM/NOAA-TM-AFSC-311.pdf>



September 9, 2016

Chairman John Jensen, Alaska Board of Fisheries
ADF&G Boards Support Section
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dfg.bof.comments@alaska.gov

Re: Aleutians East Borough Assembly Resolution 17-03, Requesting the Alaska Board of Fisheries Accommodate Western Gulf of Alaska Fishermen by Adjusting the Board's Meeting Cycle Schedule

Dear Chairman Jensen,

This week the Aleutians East Borough Assembly passed the attached Resolution 17-03 by a unanimous vote supporting a change to the Board of Fisheries meeting cycle organization. This office has been advocating a change to the meeting cycle for several years¹ to accommodate our active fishermen who also wish to participate in the Board of Fisheries public process. We were very pleased to hear former Chair Kluberton during public testimony at the February Board meeting, express an interest by some Board members to consider the issue this year. Executive Director Haight confirmed that the October Work Session is the appropriate time to bring the issue forward again.

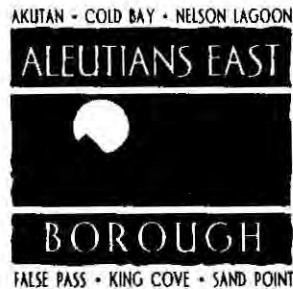
The main problem for Alaska Peninsula fishermen is that the Area M finfish meeting is currently scheduled every 3 years in February, right at the height of the most important Pacific cod season. Even though P. cod issues have been addressed at a separate fall meeting for the last few cycles, the majority of our P. cod fishermen also fish for salmon in the summer. Thus, the timing of the Area M meeting currently forces many of our fishermen to choose between making a living, or participating in the Board public process.

The attached resolution requests the Board to address ALL Alaska Peninsula finfish issues, including cod and salmon, at a December meeting, a time of year supported by many local fishermen. Thank you for the opportunity to comment and for considering this cycle organization change request.

Sincerely,

Ernie Weiss
Natural Resources Director

¹ ACR #15 for the October 2012 Board Work Session; RC #20 for the October 2015 Board Work Session.



RESOLUTION 17-03

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY REQUESTING THE ALASKA BOARD OF FISHERIES ACCOMMODATE WESTERN GULF OF ALASKA FISHERMEN BY ADJUSTING THE BOARD'S MEETING CYCLE SCHEDULE

WHEREAS, the Alaska Board of Fisheries has held the Alaska Peninsula Finfish meeting beginning in February, on a rotating basis within the three-meeting cycle, for many years; and

WHEREAS, since 2011 the Board has removed Pacific cod issues from the regular Alaska Peninsula finfish February meeting and discussed cod issues in a separate meeting held in October or November; and

WHEREAS, February and March are critical months for the South Peninsula Pacific cod fishermen; and

WHEREAS, most South Peninsula Pacific cod fishermen also participate in the Alaska Peninsula salmon fisheries; and

WHEREAS, discussing Alaska Peninsula area salmon or other finfish at Board of Fish meetings in February or March serves to disenfranchise local Pacific cod fishermen from participating in the Board's public process regarding salmon issues; and

WHEREAS, the Borough, through the Natural Resources Department, has previously submitted comment letters and provided public testimony to the Board regarding the problem of holding the Alaska Peninsula finfish meeting in February; and

WHEREAS, local fishermen have suggested that a December Alaska Board of Fisheries meeting would be the most convenient time to discuss all Alaska Peninsula finfish matters including cod and salmon.

NOW THEREFORE BE IT RESOLVED that the Aleutians East Borough Assembly respectfully requests the Alaska Board of Fisheries adjust their Three Meeting Cycle Organization to accommodate the needs of Alaska Peninsula Pacific cod and salmon fishermen; and

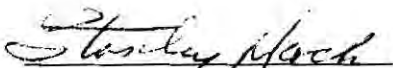


RE:

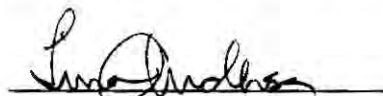
PC 02
3 of 3

BE IT FURTHER RESOLVED the Assembly requests the Board consider the month December for future meetings to discuss all Alaska Peninsula finfish issues for the benefit of local fishermen and the fishery resource.

PASSED AND APPROVED by the Aleutians East Borough on this 7th day of September 2016.


Stanley Mack, Mayor

ATTEST:


Tina Anderson, Clerk



September 13, 2016

Chairman John Jensen, Alaska Board of Fisheries
ADF&G Boards Support Section
PO Box 115526
Juneau, AK 99811-5526
dfg.bof.comments@alaska.gov

Re: Requesting the Alaska Board of Fish Accommodate Western Gulf Fishermen by
Adjusting the Board's Meeting Cycle Schedule

Dear Chairman Jensen,

The City of Sand Point requests a change to the Board of Fisheries meeting cycle organization. The Aleutians East Borough (AEB) - and the communities within, including Sand Point and King Cove - has for a number of years asked the Board to consider a meeting change to accommodate the active Western Gulf fishermen that would like to participate in the public process.

The AEB's recent Assembly Resolution 17-03 encapsulates the real rub for our area, which is that Alaska Peninsula fishermen who fish for Pacific cod are at the height of that particular season when the Area M finfish meeting occurs every 3 years in February. The majority of our P cod fishermen also salmon fish in the summers. Thus, the timing of the finfish meeting forces many fisherman to choose between being out on the water to make a living or participating in a hotel for the Board's public process.

Instead, Alaska Peninsula fishermen would rather the Board consider addressing all regional finfish issues, including cod and salmon, at a December meeting, a more convenient time of year for many local fishermen. We hope this change could lead to more active participation at the Board level from our local fleet.

Thank you for the opportunity to comment and for considering this meeting cycle request.

Sincerely,

Glen Gardner, Jr

Mayor



Board of Fish and Game

Boards support section

PO box 115526

Juneau Alaska, 99811

To the board of fish and game:

Cc: Clarence Sable Fish Coalition:

My name is Bill Connor, I am a member of the Clarence Sable Fish Coalition, I have made a request with an ARC, to extend the longline season and also to allow the longline permit holders the option to use pots to harvest their EQS.

I am asking for your support on the ACR submitted by me on behalf of the Clarence Sable Fish Coalition.

Beginning Sept 25th to November 15th (the closing date by existing regulation) to allow longline permit holders the option to use pot gear and reopen the season for long line gear.

We believe this ACR falls under an unexpected event, **ever increasing killer whale interaction and predation on longlines causing excess unaccounted for sablefish removals, and for conservation, the reduction of bycatch.**

Currently NPFMC is also working hard on measures to reduce bycatch in the gulf as we should here in state waters.

Here a few reasons to allow the use of pots and to extend the longline season.

AS times change so do fisheries, and to conduct them without change is going forward blindly.

Pre 1960 whaling was a legal business. The whale population was disappearing. Since late 1960 these populations have exploded. With this explosion, these mammals have overpopulated and are becoming opportunist feeders, quite like protected park bears.

We have the tools to adjust to these changes and we **must** to keep Alaska fisheries sustainable.

The Clarence Sable Fish Fishery is now being beaten down by the removal of 85% of the allowable quota in 75 days when it could be spread out over a much longer season. It is disappearing in massive amounts by the whales predation on the longline fisherman causing unaccounted for removals of sable fish affecting the biomass. This could be remedied by pots.

If we allow these changes we will reduce bycatch considerably by lengthening the longline season and by allowing pots. WE would be adjusting to our **environmental** change. This would be a conservation move for our fishery.

By lengthening the season it allows us to fish on different stocks as they move through the fishing grounds. Not just the one that is present June and July and half of August.



I have included statistical information that was provided by the STATE OF ALASKA FISH AND GAME GROUND FISH DEPARTMENT (which I requested.)

Questions:

1. How many pounds of bycatch (by species) were caught each year from 2006-2015 in the SSEI pot fishery?
2. Why are halibut not included in the bycatch numbers?
3. How much bycatch of each species were caught each year from 2006-2016 on the SSEI LL survey?
4. How many times has the state survey vessel had whale predation 2006-2016?
5. For the SSEI LL fishery: how many pounds of by catch are caught each year? I would note that the states bycatch is quite significant to the total pounds caught each year, as well as my by catch noted on my fish tickets. So I question if the bycatch numbers are not a bit low over all, since my fish tickets represent 15% of the total, and the total bycatch if you include halibut is quite significant. But not so with pot gear.
6. For the SSEI LL fishery: what is the AHO and EQS for the fishery each year and what is the bycatch percentage to Sablefish?
7. How many skates of gear were hauled each year to reach the quota?
8. How many pots were hauled each year to reach their quota?

Thank you in advance for taking the time to read and discuss this letter with the other members

Bill Connor

Member of the Clarence Sable Fish Coalition



Pot info → 1. How many pounds of bycatch (by species) were caught each year from 2006 to 2015 in the SSEI pot fishery?

The only bycatch reported was 14 pounds of Thornyhead in 2007.

2. Why are halibut not included in the bycatch numbers we provided for the SSEI LL bycatch?

SSEI	Year	Sum of HALIBUT
	2006	2,228
	2007	10,830
	2008	45,447
	2009	64,881
	2010	50,257
	2011	50,362
	2012	56,250
	2013	33,254
	2014	22,116
	2015	22,890
	2016	3,666

In the gulf trawl rationalizing, halibut is a big issue.

These are big numbers if it is realized the Clarence quota is only around 550,000 lbs. This number could go way down with pot gear.

State survey vessel bycatch



3. How much bycatch of each species were caught each year from 2006 to 2016 on the SSEI LL survey?

Sum of Number Fish Caught Species	Year										
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Arrowtooth flounder	196	134	213	313	294	270	245	145	147	148	118
Bullhead sculpin		2									
Coral	10	12	6	5	9	11	2	3	13	4	16
Dover sole	6	29	19	10	13	6	15	63	44	40	36
Flatfish, deep water		1									
General groundfish		0	0	0	2		12	6		2	
General shark					1						
Golden king crab		3			1						
Grenadier (rattail)					3						
Halibut	467	586	558	748	616	424	834	728	1,433	1,378	789
Lingcod greenling	2			1			1		4		
Octopus		1		1					1		
Pacific cod	92	115	67	59	142	82	137	52	152	290	143
Pacific hagfish	606	588	648	602	531	337	561	344	327	1,087	39
Pacific hake		1									
Pacific sleeper shark	6	12	3	3	2	2	4				1
Pollock, walleye	2	2		2	1	1	2	2	5	7	12
Ratfish	110	171	172	87	192	99	189	205	121	104	54
Redbanded rockfish	13	23	25	39	43	26	37	40	30	47	72
Rougeye rockfish	44	71	79	16	45	22	47	20	56	73	80
Sablefish	8,405	8,001	7,613	6,278	6,053	8,031	9,539	5,575	5,780	4,335	6,030
Shortraker rockfish	37	130	149	107	100	29	69	37	41	122	143
Skate, big					1		2				
Skate, general	215	287	320	253	361	179	466	275	291	429	171
Skate, long nose	417	392	539	631	606	276	627	345	472	390	200
Spiny dogfish shark	973	1,273	175	1,126	695	417	632	177	297	223	404
Thornyhead rockfish	441	465	558	721	774	753	503	535	571	629	418
Unspecified slope rockfish		1									
Waste fish				1							
Yellowtail rockfish			1				1		1		
Grand Total	12,042	12,300	11,145	11,003	10,485	10,965	13,925	8,552	9,786	9,308	8,726

This is for two vessels

Commercial vessel Bycatch for 20 vessels

4. For the SSEI LL fishery; How many pounds of bycatch are caught each year?



Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Grand Total
Sablefish	537,812	533,129	531,866	525,534	488,449	472,070	445,678	429,259	425,395	442,123	347,502	5,178,818
Arrow fldr											150	150
Black rf								19				19
Longnose skate										2,275		2,275
P. cod	1,827	1,150	561	2,742	2,332	4,593	10,237	5,454	8,171	11,471	4,910	53,450
Quillback rf	4	142	96				8	23	88			361
Redbanded rf	2,654	4,177	6,347	4,752	4,555	3,610	5,519	2,710	3,273	2,832	3,543	43,972
Rougheye rf	7,021	9,269	9,576	8,987	9,119	13,609	5,831	2,102	8,767	6,440	4,020	84,742
Shortraker rf	14,604	19,477	31,366	26,446	29,952	12,974	18,893	22,744	20,250	13,840	12,020	222,563
Silvergray rf	14		4	6		5					7	36
Skate									4,694		2,053	6,747
Spiny dogfish											300	300
Tiger rf										2		2
Thornyhead rf	22,086	23,593	27,845	29,385	32,789	23,985	26,044	22,383	22,220	23,778	20,656	274,763
Yelloweye rf		256	441		66			10	41			814
Reported Total bycatch	48,210	58,063	76,236	72,318	78,814	58,776	66,532	55,445	67,503	60,638	47,659	690,194

My total Bycatch for 2016 = 5366 or 11%
There are 19 other permits - are Bycatch numbers good

Longline Bycatch

PC 04
6 of 14



by Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Bycatch % of Sablefish	9.00%	10.90%	14.30%	13.80%	16.10%	12.50%	14.90%	12.90%	15.90%	13.70%	13.70%
Arrow fldr	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Black rf	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Longnose skate	0%	0%	0%	0%	0%	0%	0%	0%	0%	0.50%	0%
P. cod	0.30%	0.20%	0.10%	0.50%	0.50%	1.00%	2.30%	1.30%	1.90%	2.60%	1.40%
Quillback rf	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Redbanded rf	0.50%	0.80%	1.20%	0.90%	0.90%	0.80%	1.20%	0.60%	0.80%	0.60%	1.00%
Rougheye rf	1.30%	1.70%	1.80%	1.70%	1.90%	2.90%	1.30%	0.50%	2.10%	1.50%	1.20%
Shortraker rf	2.70%	3.70%	5.90%	5.00%	6.10%	2.70%	4.20%	5.30%	4.80%	3.10%	3.50%
Silvergray rf	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Skate	0%	0%	0%	0%	0%	0%	0%	0%	1.10%	0%	0.60%
Spiny dogfish	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0.10%
Tiger rf	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Thornyhead rf	4.10%	4.40%	5.20%	5.60%	6.70%	5.10%	5.80%	5.20%	5.20%	5.40%	5.90%
Yelloweye rf	0%	0%	0.10%	0%	0%	0%	0%	0%	0%	0%	0%

The bycatch is pretty High, Longline vense pots!



1. For our LL survey in Clarence; how many times have we had whale predation? I would assume this would be the number of sets that had whale predation.
Orca whales were noted during hauling in the set comments for 2006, 2010, 2014, and 2016. Depredation was explicitly noted in 2010, 2014, and 2016. In 2010 seven sets had signs of whale depredation, 2014 had two sets, and 2016 had four sets including one set which was not fished due to orca predation on previous sets.
2. For the SSEI LL fishery; How many units of gear (i.e. skates) were hauled each year to reach the quota?
Skate gear configuration varies quite a bit so total hooks provides a better reflection of actual effort.

Year	Sum of HOOKS
2005	898,935
2006	829,644
2007	892,962
2008	1,185,497
2009	1,411,049
2010	1,221,135
2011	991,683
2012	1,267,827
2013	1,167,060
2014	1,237,947
2015	1,110,279
2016(preliminary)	651,020

Note: as quota falls and whale predation is more common the number of hooks to catch the lower sablefish quota increases



3. For the SSEI pot fishery; How many units of pot gear were hauled each year to reach the quota?

Year	Sum of NUMBER OF POTS
2005	3,125
2006	2,408
2007	2,325
2008	4,674
2009	3,707
2010	2,678
2011	1,376
2012	1,066
2013	1,872
2014	1,638
2015	1,846
2016	No data

Pot, By catch reported by the state was only for 2007
and only 14 pounds.



6. For the SSEI LL fishery; What is the AHO and EQS for the fishery for each year?

			Longline Fishery	Pot Fishery
			No. of permits	No. of permits
Year	Annual harvest objective	Equal share quota		
2005	696,000	24,860	24	4
2006	696,000	21,750	28	4
2007	696,000	21,750	28	4
2008	696,000	21,750	28	4
2009	634,000	22,650	25	3
2010	634,000	23,400	24	3
2011	583,280	23,300	22	3
2012	583,280	25,360	20	3
2013	583,280	25,360	20	3
2014	536,618	23,331	20	3
2015	536,618	23,331	20	3
2016	482,956	20,998	20	3

Will whale predation help the quota to fall even further?



5. For the SSEI LL fishery; What percent of the quota is not reached each year?

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
HQ longline only	609,000	609,000	609,000	566,100	561,600	512,600	507,200	507,200	466,625	466,625	419,962
EQS	21,750	21,750	21,750	22,650	23,400	23,300	25,360	25,360	23,331	23,331	20,998
5% annual allowable overage/underage	1,088	1,088	1,088	1,133	1,170	1,165	1,268	1,268	1,167	1,167	1,050

Total legal harvest/PQS	534,836	529,986	530,218	521,428	486,632	469,906	443,432	426,959	425,395	441,322	412,509
Overages above PQS's	3,535	4,327	2,352	6,070	2,976	2,354	2,434	2,959	0	1,125	285

Total unfished PQS pounds	74,164	79,014	78,782	44,672	74,968	42,694	65,316	87,743	51,067	38,957	15,472
Unfished PQS %	12%	13%	13%	8%	13%	8%	13%	17%	11%	8%	4%
Total remaining AHO minus unfished permits	30,664	13,764	35,282	22,022	51,568	19,394	39,956	62,383	27,736	15,626	15,472
Permits not fished	2	3	2	1	1	1	1	1	1	1	0
Unfished permit poundage	43,500	65,250	43,500	22,650	23,400	23,300	25,360	25,360	23,331	23,331	0
unfished permits %	7%	11%	7%	4%	4%	5%	5%	5%	5%	5%	0%
Percent of Quota unfished excluding inactive permits %	5%	2%	6%	4%	9%	4%	8%	12%	6%	3%	4%

Unfished pounds that can't be transferred to following year PQS's (excluding inactive permits)											
	7,003	55,020	13,175	8,021	5,833						
	1%	11%	3%	2%	1%						

→ not convinced all data is in. as noted on another question.



ALASKA DEPARTMENT OF FISH & GAME ELECTRONIC GROUND FISH TICKET

DO NOT WRITE IN THIS SPACE

E16 521071

SELLER

Statistical Area WorkSheet			
Stat. Area	%	Stat. Area	%
315432 STATE 659	100		

Vessel OBSESSION
ADF&G NO. 35553
Permit C61C 691990 1601A
 CONNOR WILLIAM
 HJ

Crew Size 5 **Mgmt Pgm** SMS
Observers onboard 0 **ID**

Port of Landing or off-shore operation type
 KTN Ketchikan
Type of Gear used
 61 Longline (hook and line)

✓ **Mag Stripe Read**

Owner: F1546 Trident Ketchikan Cannery
Date Fishing Began (Gear in Water) 06/12/2016

Custom Processor:
Days Fished 6
Date Landed 06/17/2016

Buying Station: KETCHIKAN DOCK

PARTIAL DELIVERY:
 Partial Delivery
 Dock Delivery
 Last Landing for Trip
 Multiple IFQ Permits

SPECIES	STAT AREA	DEL. COND	SCALE WEIGHT	NUM	DISP.	SIZE & GRADE	SOLD WEIGHT	PRICE	AMOUNT
710 Sablefish		01 Whole	10,811		60 Sold				
152 Shortraker rf		01 Whole	862		60 Sold				
143 Thornyhead rf		01 Whole	674		60 Sold				
153 Redbanded rf		01 Whole	198		60 Sold				
110 P. cod		01 Whole	493		60 Sold				
151 Rougheye rf		01 Whole	355		62 Overage				
19 - Forfeited catch - bycatch overage - State Managed Groundfish									
152 Shortraker rf		01 Whole	34		62 Overage				
19 - Forfeited catch - bycatch overage - State Managed Groundfish									

Total: 0 \$0.00

I HEREBY ATTEST THAT THESE FISH WERE CAUGHT IN COMPLIANCE WITH ADF&G REGULATIONS.

Permit Holder's Signature

Fish Received by

Date

9/17/16

Taxes	Rate	Amount
Landings Tax		
AFA Fee		
Other		
Total		

Landing Report ID: 2999092 CFEC Serial Number: 457024

Other Fish Tickets: E16 521070

P. cod Round Weight: 493
 Thornyhead rf Round Weight: 674
 Rougheye rf Round Weight: 355
 Shortraker rf Round Weight: 896
 Redbanded rf Round Weight: 198
 Sablefish Round Weight: 10,811

2016 1st Delivery
 Total bycatch
 2619 lbs

Observer only	
Total Round Weight: 13,427	
ODDS Trip Number:	
ADFG only	
Logbook	
Observer	
Interview	

In 2016 I fell short of my EQS 1,627 Pounds or 8% because of killer whales



ALASKA DEPARTMENT OF FISH & GAME ELECTRONIC GROUND FISH TICKET

DO NOT WRITE IN THIS SPACE

E16 568791

SELLER

Statistical Area WorkSheet			
Stat. Area	%	Stat. Area	%
315502 STATE 659	15	325531 STATE 659	70
325533 STATE 659	15		

Vessel OBSESSION
ADF&G NO. 35553
Permit C61C 691990 1601A
CONNOR WILLIAM
HJ

Crew Size 5 **Mgmt Pgm** SMS
Observers onboard 0 **ID**

Port of Landing or off-shore operation type
 KTN Ketchikan
 Type of Gear used
 61 Longline (hook and line)

✓ **Mag Stripe Read**

Owner: F1546 Trident Ketchikan Cannery

Date Fishing Began (Gear in Water) 06/18/2016

Custom Processor:

Days Fished 4

Buying Station: KETCHIKAN DOCK

Date Landed 06/22/2016

PARTIAL DELIVERY:
 Partial Delivery
 Dock Delivery
 Last Landing for Trip
 Multiple IFQ Permits

SPECIES	STAT AREA	DEL. COND	SCALE WEIGHT	NUM	DISP.	SIZE & GRADE	SOLD WEIGHT	PRICE	AMOUNT
710 Sablefish		01 Whole	8,560		60 Sold				
151 Rougheye rf		01 Whole	599		60 Sold				
143 Thornyhead rf		01 Whole	433		60 Sold				
153 Redbanded rf		01 Whole	158		60 Sold				
151 Rougheye rf		01 Whole	89		62 Overage				
19 - Forfeited catch - bycatch overage - State Managed Groundfish									
152 Shortraker rf		01 Whole	994		62 Overage				
19 - Forfeited catch - bycatch overage - State Managed Groundfish									

Total: 0 \$0.00

I HEREBY ATTEST THAT THESE FISH WERE CAUGHT IN COMPLIANCE WITH ADF&G REGULATIONS.

Permit Holder's Signature

Taxes	Rate	Amount
Landings Tax		
AFA Fee		
Other		
Total		

Fish Received by Date 6/22/16

Landing Report ID: 3048245

CFEC Serial Number: 457024

Thornyhead rf Round Weight: 433
 Rougheye rf Round Weight: 688
 Shortraker rf Round Weight: 994
 Redbanded rf Round Weight: 158
 Sablefish Round Weight: 8,560

2016 2ND Delivery
 Total Bycatch
 2,273 lbs

Observer only	
Total Round Weight:	10,833
ODDS Trip Number:	
ADFG only	
Logbook	
Observer	
Interview	



Board of Fish and Game

Boards support section

PO box 115526

Juneau Alaska, 99811

To the board of fish and game:

Cc: Clarence Sable Fish Coalition:

My name is Bill Connor, I am a member of the Clarence Sable Fish Coalition, I have made a request with an ARC, to extend the longline season and also to allow the longline permit holders the option to use pots to harvest their EQS.

I am asking for your support on the ACR submitted by me on behalf of the Clarence Sable Fish Coalition.

Beginning Sept 25th to November 15th (the closing date by existing regulation) to allow longline permit holders the option to use pot gear and reopen the season for long line gear.

We believe this ACR falls under an unexpected event, **ever increasing killer whale interaction and predation on longlines causing excess unaccounted for sablefish removals, and for conservation, the reduction of bycatch.**

Currently NPFMC is also working hard on measures to reduce bycatch in the gulf as we should here in state waters.

Here a few reasons to allow the use of pots and to extend the longline season.

AS times change so do fisheries, and to conduct them without change is going forward blindly.

Pre 1960 whaling was a legal business. The whale population was disappearing. Since late 1960 these populations have exploded. With this explosion, these mammals have overpopulated and are becoming opportunist feeders, quite like protected park bears.

We have the tools to adjust to these changes and we **must** to keep Alaska fisheries sustainable.

The Clarence Sable Fish Fishery is now being beaten down by the removal of 85% of the allowable quota in 75 days when it could be spread out over a much longer season. It is disappearing in massive amounts by the whales predation on the longline fisherman causing unaccounted for removals of sable fish affecting the biomass. This could be remedied by pots.

If we allow these changes we will reduce bycatch considerably by lengthening the longline season and by allowing pots. WE would be adjusting to our **environmental** change. This would be a conservation move for our fishery.

By lengthening the season it allows us to fish on different stocks as they move through the fishing grounds. Not just the one that is present June and July and half of August.



I have included statistical information that was provided by the STATE OF ALASKA FISH AND GAME GROUND FISH DEPARTMENT (which I requested.)

Questions:

1. How many pounds of bycatch (by species) were caught each year from 2006-2015 in the SSEI pot fishery?
2. Why are halibut not included in the bycatch numbers?
3. How much bycatch of each species were caught each year from 2006-2016 on the SSEI LL survey?
4. How many times has the state survey vessel had whale predation 2006-2016?
5. For the SSEI LL fishery: how many pounds of by catch are caught each year? I would note that the states bycatch is quite significant to the total pounds caught each year, as well as my by catch noted on my fish tickets. So I question if the bycatch numbers are not a bit low over all, since my fish tickets represent 15% of the total, and the total bycatch if you include halibut is quite significant. But not so with pot gear.
6. For the SSEI LL fishery: what is the AHO and EQS for the fishery each year and what is the bycatch percentage to Sablefish?
7. How many skates of gear were hauled each year to reach the quota?
8. How many pots were hauled each year to reach their quota?

Thank you in advance for taking the time to read and discuss this letter with the other members

Bill Connor

Member of the Clarence Sable Fish Coalition



Submitted By
Linda Kozak
Submitted On
9/20/2016 11:01:31 AM
Affiliation
Crab Observer Oversight Task Force

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Address
PO Box 2684
Kodiak, Alaska 99615

TO: Alaska Board of Fisheries

From: Linda Kozak - Crab Observer Oversight Task Force

SUBJ: COOTF Membership

In the past six months, two members of the Crab Observer Oversight Task Force have resigned from their positions. A call for nominations was sent out to the various crab organizations in Alaska and Washington, as well as to the cooperatives. The nomination period was open for about 45 days and during that time, only one name was submitted for consideration.

The members of the Crab Observer Oversight Task Force would like to recommend that the Board of Fisheries appoint Craig Lowenberg to fill one of the vacancies on the Task Force.

Following is contact information and a brief summary of Craig's involvement in the fishery.

Thank you for your consideration to this request.

Craig Lowenberg:

Having been born and raised in Kodiak, AK into a fishing family, I have been involved in the fishing industry, one way or another, essentially all of my life. I am currently the manager and co-owner of a vessel that participates in the BSAI Crab Rationalization program. In 2011, I was appointed to serve on the North Pacific Fisheries Management Council Advisory Panel as the Oregon fixed gear representative. My current term expires in 2018. I also serve on the Board of Directors for Alaska Bering Sea Crabbers (advocacy group for crab harvesters) and Inter-Cooperative Exchange (FCMA Cooperative).

I believe the Crab Observer Oversight Task Force provides an important function and look forward to the opportunity to participate. Feel free to contact me at your convenience if you have any questions or would like additional information. Thank you.

Craig Lowenberg

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PMB 333
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craig@craiglowenberg.com



Submitted By
Stanley R Steadman
Submitted On
9/16/2016 4:07:55 PM
Affiliation
no affiliation- sport fisherman

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Soldotna, Alaska 99669

Thank you for the opportunity to comment. I have been fishing on the Kenai River for 30 years and live in Soldotna. Over the years I have seen the numbers of Out of State fishermen skyrocket. With this happening it has been more and more difficult for local families to find a place to fish from the bank, unless we want to get on the river at 5 a.m. and often "wait in line for someone to leave." It used to be that we could head out after work with family and enjoy an evening of fishing. That time has passed. It is particularly difficult to find a place to fish when the minimum escapement level has been reached and the limit goes to six fish. Fishermen from out of the area are not going to leave their spots until they have caught their six, making it all the more difficult to find a spot. My suggestion would be to come up with a management plan that keeps the catch limit at three fish. Also, in one area I like to fish, the Kenai River Center, there is always the same group of German's who catch their limit in the morning, come back and catch it again after lunch, and then give it one more shot after dinner. I know this because I like to go in the morning (I practice the one and done approach--1 fish and go home), then try it again in the evening. This approach didn't work well this year, because I could not stay all morning or evening to find a spot. I would suggest Fish and Game target key spots to nail these out of state fishermen. Thanks



Submitted By
Tom Manning
Submitted On
9/20/2016 2:29:26 PM
Affiliation
Krestof Clam Co.

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sayulitamex@gmail.com
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622 Hemlock Way
Juneau, Alaska 99801

Ak. Fish & Game Board

I am writing to request a species inclusion of Geoduck clams to section Ak. 5 AAC 41.070. I was advised that the same wording used to allow Weatervane Scallops would be appropriate to include Geoduck clams for hatchery spawning in established hatcheries outside of Alaska. I would like to propose a section F to this list, adding Geoduck clams.

Alaska hatcheries have so far been unable to produce viable geoduck seed in State for Alaskan shell-fish farmers. I have had a clam farm for over 12 years and have only received healthy stock twice and they were not in sufficient quantity to support a commercial operation.

Thank you for your consideration,

Tom Manning

[5 AAC 41.070. Prohibitions on importation and release of live fish](#)

(a) Except as provided in (b) - (d) of this section, no person may import any live fish into the state for purposes of stocking or rearing in the waters of the state.

(b) Live oysters native to and originating from the Pacific Coast of North America may be imported for aquaculture purposes, under a permit required by this chapter, and may be released into the waters of the state only if the

(1) broodstock is derived from oysters commercially cultured on the Pacific Coast of North America through three or more generations; and

(2) disease history or an inspection indicates no incidence of disease that is not indigenous to the state or is not considered to be a risk to indigenous stocks, and oyster health or marketability.

(c) Ornamental fish not raised for human consumption or sport fishing purposes may be imported into the state, but may not be reared in or released into the waters of the state. Fish wastes and waste water from ornamental fish may not be released directly into the waters of the state.

(d) Weathervane scallops originating from wild stocks or cultured stocks in the Southeastern Alaska and Yakutat Areas may be imported for aquaculture purposes and may be released only into the waters of the Southeastern Alaska and Yakutat Areas under a permit required by this chapter only if the

(1) broodstock was taken under the provisions of a permit issued by the department;

(2) broodstock was certified by the department's fish pathology section before transport out of the state;

(3) broodstock was held continuously in a department-approved isolation facility;

(4) weathervane scallops proposed for import have been held continuously in a department-approved isolation facility before import into the state;

(5) disease history, or an inspection, of the weathervane scallops proposed for import indicates no incidence of a disease of transport significance.

(e) A person may not import, own, possess, breed, transport, distribute, release, purchase or sell within this state any species listed under 50 C.F.R. 16.13, as revised as of October 1, 2002, as an injurious live, or dead fish, mollusk, crustacean, or their eggs.

(f) Geoduck Clams originating from wild stocks or cultured stocks in the Southeastern Alaska and Yakutat Areas may be imported for aquaculture purposes and may be released only into the waters of the Southeastern Alaska and Yakutat Areas under a permit required by this chapter only if the



- (1) broodstock was taken under the provisions of a permit issued by the department;
- (2) broodstock was certified by the department's fish pathology section before transport out of the state;
- (3) broodstock was held continuously in a department-approved isolation facility;
- (4) Geoduck clams proposed for import have been held continuously in a department-approved isolation facility before import into the state;
- (5) disease history, or an inspection, of the geoduck clams proposed for import indicates no incidence of a disease of transport significance.



Submitted By
Joel Doner
Submitted On
9/28/2016 7:47:06 AM
Affiliation
Anchorage Advisory Committee

~~Members of the Alaska Board of Fisheries,

We, the Anchorage Fish and Game Advisory Committee, are writing to support the salmon habitat proposal that seeks Board of Fish action to recommend that the legislature update Alaska's fish habitat permitting law under Title 16. It is notable to our committee that this proposal was brought forward by a diverse group of Alaskans who practice subsistence, personal use, commercial, and sport fishing. It is not often that a proposal comes before our body or yours that is supported by representatives from all of the fisheries user groups.

AS 16.05.871, which gives the Department of Fish and Game its authority to issue permits for development projects that may impact fish habitat, lacks specific criteria that defines what is or isn't an acceptable level of development activity in Alaska's anadromous fish habitat. The Board of Fish specifically developed the Sustainable Salmon Policy to "ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska's fishing communities." 5 AAC 39.222(b). As Alaska faces an ever increasing number of applications for both large and small development projects, we think all Alaskans will agree that ensuring development is done in a responsible manner that truly protects the sustainability of our fisheries resources is critical.

Thus, it is time for Alaska to revisit one of its oldest laws in order to ensure it contains the appropriate sideboards to assist the Alaska Department of Fish and Game in clarifying how development should be permitted in anadromous fish habitat. Thank you very much for your careful consideration of this matter.

Joel Doner, Chair
Anchorage Fish & Game Advisory Committee



Submitted By
Linda Fisch
Submitted On
9/27/2016 10:10:19 PM
Affiliation

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9073762055

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akfish@mtaonline.net

Address
P.O. Box 876286
Wasilla, Alaska 99687

I commercial fished in Cook Inlet for over 10 years and I am a long time Alaska resident living in Wasilla for 29 years Kenai peninsula for 5 and Fbks for the 10 years as I was a young 20 yr old. My Husband is born and raised in Palmer third generation. I SUPPORT AND STAND FOR THE SALMON PROPOSAL TO STRENGTHEN ALASKA'S fish habitat permits through a revision of and an update to Title 16. As board of fish members it makes sense to support this proposal and keep Alaska thriving. I reside along Paradise Lake in Wasilla. I have experienced first-hand how the non-specific and broad language in Title 16 has many loopholes which allow projects to continue that degrade and reduce the abundance of our salmon. The State of Alaska is facing a budget crisis and the economy is unlikely to improve in the new few years-- Our State Constitution was drafted with salmon as a key focus. I implore you- do not lose focus now. Salmon employ thousands of Alaskans and attract ten more thousands of tourists. As Members of Board of Fish you have the ability to recommend changes to Title 16 that protect Salmon habitat and ecosystems in the Cook Inlet Watersheds. Please do this Please otherwise Alaska will go down the tubes.

Sincerely

Linda Fisch



Submitted By
Patricia Scudder
Submitted On
9/27/2016 2:39:27 PM
Affiliation

I have been fortunate to spend about half my time in Alaska each year, visiting my family, who have made Alaska their home since 2005. One of the things about your great state that has both impressed and appalled me at the same time are the abundant salmon resources. My time in Alaska has been spent fishing throughout South Central from Homer to the Denali Hwy, in Prince William Sound and in almost any stream that I can find in between. Alaska is unique in the protections that have been given to salmon, but more needs to be done. As members of the Board of Fish please update Title 16 and listen to the people – both in Alaska, and from consumers and tourists of other states that spent upward of \$30 a pound for fresh, Wild Alaska Salmon at the start of each summer. Alaska is the “last frontier” for certain, but you should learn from the mistakes made in New England and the Pacific Northwest and ensure that Alaska’s salmon remains abundant through enhanced habitat protection. Thank you for putting this proposal on the agenda for your work session in October 2016.

Thank you -

Patricia Scudder



Submitted By
Emily Leak
Submitted On
9/28/2016 2:05:52 PM
Affiliation

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Anchorage, Alaska 99523

Emily Leak's Public Testimony: 9/27/16

My name is Emily Leak, I am currently a student at UAA and I would like to give testimony on the resolution to title 16.

-I was raised on wild fish and game, my parents were adamant that it was the healthiest way to raise and feed their children

-My parents are hunters and fisherman and I was raised hunting, fishing, hiking and camping and was taught to appreciate the outdoors and its capacity to feed our family.

- My first summer in Alaska, before I had decided to live here forever, I ate salmon everyday. At every social event, every meal I shared with family and friends we ate moose and salmon.

-And it became clear to me immediately the abundance of our wild fish and game here in Alaska.

-I grew up in CO and left because of the growth of the state

-huge influxes of people, hundreds of people per day and I felt it was losing its feeling of being a resource rich rural area

-My decision to stay in Alaska indefinitely has been strongly driven by the prospect of continuing to live in the way I was raised and the potentiality of raising a family the way I was fed on wild fish and game

-for these reasons I feel strongly that our salmon populations and salmon habitat need to be protected and preserved for the future so that this way of life can remain a possibility for future generations

-That is why I support the resolution to title 16 and I encourage you to support the resolution as well



Submitted By
Satchel Pondolfino
Submitted On
9/28/2016 7:55:03 PM
Affiliation

I am a lifelong Alaskan, born and raised here in Anchorage. Like most Alaskans I have grown up with the luxury of having salmon as a staple at the dinner table. I never realized what a gift this was until I moved to Oregon to attend university. I quickly discovered that most people go fishing at the local Costco and salmon especially, is saved for special occasions. Well thankfully after a few dismayed phone calls to my dad, my Alaskan roots provided for me and a cooler full of salmon soon arrived on my doorstep and my dinner table quickly became a popular one.

Now that I am back living in Alaska again, I am so happy the days of the cooler are over and I have returned to a state with abundant of salmon runs and deep freezers. I studied environmental policy in university. It is clear to me when legal language is too vague to serve the purpose it is intended for. It is also clear to me that the culture around salmon in Alaska is unique to our state, and is dependent upon sustaining strong runs so that we have the resources to maintain this way of life. Title 16 is long overdue for an update, I urge you to do what you can within your power to make sure we protect this amazing resource by adopting the resolution to upgrade title 16.



Submitted By
Lorraine Crawford
Submitted On
9/29/2016 11:01:21 AM
Affiliation
Citizen

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I would like the Board of Fish to strengthen the sustainable salmon policy (Prop N, Title 16). It is fundamental to protect fish habitat for the sustainability of all user groups and all fish species. I would urge the BOF to vote on this proposal and strengthen state law to protect all fish habitat.



Submitted By
Matthew Koenig
Submitted On
9/29/2016 1:31:36 PM
Affiliation

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Anchorage, Alaska 99508

Dear Board of Fish members -

First up I want to thank the Anchorage AC for hosting this meeting and opportunity to provide input.

My name is Matt Koenig - and I'm writing to support the proposed changes to Title 16. I did not have the good fortune to be born and raised here, but I felt drawn here because Alaska is rich in natural resources - including abundant fishing opportunities, and that is something that is increasingly rare in the world.

Before I was here I lived in Los Angeles. There were kings there once, or so I'm told, good luck finding any now. I lived in the Pacific Northwest for a time - there are salmon, but due to a lack of information and foresight the runs are not historic levels. Overfishing and harmful fishing practices, habitat loss through dams, hatcheries, pollution and the effects warming streams have caused a death by a thousand cuts situation. The lower 48 is playing a game of habitat recovery and remediation - spending millions of dollars to revert impacts as best they can to restore runs to a portion of what they once were. We've seen what can happen.

I don't want to see this in my new home in Alaska.

In my mind this is a no brainer, we have to learn from the mistakes made in the Lower 48 and do a better job in Alaska to protect our wild salmon. It all comes back to habitat. Without habitat, there are no salmon. It's crucial that title 16 is updated to give ADF&G clear guidelines and enforceable language for when a permit should be approved or denied, to give them the tools that they need to ensure salmon habitat is protected for future generations.

Thanks for your time.



Submitted By
Rebecca Long
Submitted On
9/29/2016 2:19:58 PM
Affiliation
self

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Talkeetna, Alaska 99676

~~Upper Cook Inlet Area All Finfish Meeting
Rebecca Long Comments Supporting Habitat Protection Proposal

September 22, 2016

I support the Proposal that the Board of Fish recommend to the Alaska Legislature to clarify the criteria for fish habitat permitting to better protect Cook Inlet Fisheries.

My family has made its living as commercial fish tenderers and fishers and in the tourism industry in Southcentral Alaska. We are also personal use fishers.

I have had personal experience with at least 10 Habitat Permits in Southcentral Alaska. My experience has shown that fish habitat has been jeopardized by some of these permit approvals

Lack of Public Transparency

There is no public notice of applicants for Fish Habitat (FH) permits. Thus, there is no way for the public to even know about the existence of the permit application or even commenting on these permits. Many times the public finds out about the existence of a FH permit only when the applicant applies for a state Land Use Permit. The Department is losing valuable local knowledge of the waterway and area involved in the permit without a mechanism for prior public knowledge of a permit application.

Inconsistent Permit Terms

Some FH permits restrict crossing of anadromous streams only to the winter months when the ice/snow conditions can support the equipment crossing being permitted. But then you get FH permits like the last two years at the mouth of Larson Creek near Talkeetna that are allowing crossing of an important anadromous stream with heavy equipment over 10,000 pounds right in the middle of sockeye salmon migration and spawning. There seems to be no rhyme or reason to the permit terms.

I believe that the Board of Fish's enacted Sustainable Salmon Policy should become part of Title 16. This would strengthen the Alaska Department of Fish and Game's Habitat Permits and address the above-mentioned weaknesses of the current policies...

This Sustainable Salmon Proposal in front of you is supported by sport, commercial, personal use and subsistence fishers, business owners, tribal entities and the scientific community. It would be a habitat protection measure that will ensure our anadromous fisheries continue to be sustainable. The 61 year old Title 16 regulates our fisheries and is unique among the state governments. But changes are necessary in order to keep pace with the modern world. Regulatory streamlining by Alaskan administrations since 2000 has eroded habitat protections and the public's ability to sufficiently protect anadromous fish habitat. Degradation has occurred. Our salmon fisheries were Alaska's first economic engine. We want it to continue to be important economically especially in the low state budgetary years.

What is at risk:

- 10,840 seafood industry jobs in Southcentral, of which are 7660 jobs held by Southcentral residents,
- An estimate of \$247 million in direct labor income. With the multiplier impact generation of another \$164 million for a total of \$411 million,
- Total economic input to Southcentral of \$1.2 billion considering the wholesale value and the gross value through secondary impacts. (All 3 bullet points are 2013 data from The Economic Impact of the Seafood Industry in Southcentral Alaska, June 2015 by the McDowell group for the Alaska Salmon Alliance.)

Because there is no regulations in Title 16 that define protection of fish populations and their habitat, the HB permits are issued with few restrictions. I believe the habitat criteria in the Board of Fish Sustainable Salmon Policy could be used to define those protections and strengthen Title 16.

I urge you to act in support of this current proposal before you.

Rebecca Long



Submitted By
Denis Ransy
Submitted On
9/29/2016 2:31:43 PM
Affiliation
myself only

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~~Denis Ransy Comments to Upper Cook Inlet Area All Finfish 2016 Meeting In Support of Sustainable Salmon Proposal by Lindsey Bloom et al

Our Board of Fisheries would do us a great service if it recommended to the legislature changes to the Fish Habitat Permit system to completely enforce the Sustainable Salmon Policy. This action would go a long way toward maintaining Cook Inlet's valuable salmon runs for all users.

I have fished for personal use for 40 years and commercial fished for 15 years so I know how important anadromous fisheries are. Alaska's salmon fisheries are without a doubt one of the world's few remaining truly sustainable anadromous fisheries. Where else can a fishery supply food for: all residents who desire it, a viable commercial fishery, and thousands of residents and non-residents jobs. Alaska's Sustainable Salmon Policy's is currently not being implemented in the Alaska Department of Fish and Game's Fish Habitat permits. Permitting practices for heavy equipment moves, construction projects, mining and other potentially habitat and waterway damaging activities are very loose. Oversight inspections and penalties for infractions are rare. Waivers of requirements are commonly allowed. All these problems endanger our world class fisheries, and many long-held livelihoods. I have witnessed these situations in my home neighborhood of Larson Creek regarding Fish Habitat Permits; and I am aware of other situations.



CONCERNED AREA M FISHERMEN
35717 Walkabout Road, Homer, Alaska 99603
(907) 235-2631

September 30, 2016

John Jensen, Chairman
Alaska Board of Fisheries
P.O. 25526
Juneau, Alaska 99802-5526



Re: ACR 4

Dear Mr. Jensen and Board Members:

We are writing to express our strong opposition to agenda change request (ACR) 4 that seeks to add the South Unimak and Shumagin Islands June fishery (5 AAC 09.365) to your agenda for this year's meeting cycle. This ACR was filed in the name of the Fairbanks Fish and Game Advisory Committee. For the reasons discussed below, Concerned Area M Fishermen (CAMF) submits that the ACR meets none of the three criteria for consideration by the Board.

First, the ACR asserts that out-of-cycle review of the June fishery is justified by a need to limit the harvest of Chinook salmon in the fishery to its historic levels. But as the following data show, the Chinook harvest in the fishery has been very consistent, including in the season just concluded:

	Avg. 1994-2013	Avg. 2004-2013	2016 Harvest
Shumagin Islands	2,160	2,260	2,716
South Unimak	1,954	1,597	1,127
June Fishery Total	4,114	3,857	3,843

Source: Fishery Management Report, 15-35, South Alaska Peninsula Annual Salmon Management, 2014 (Keyse and Fox, September 2015), Appendices B4 and B9; and 2016 Inseason Harvest Summary (ADF&G).

The 2016 Chinook harvest in the June fishery was in line with historic harvests, and there is no reason to believe that this harvest level will change in the two years between now and the next regularly-scheduled Alaska Peninsula meeting. Nor is there any basis to assume that the harvest spike in the 2015 season will be repeated. The Board earlier this year twice reviewed the 2015 harvest. During those meetings, the Department described it as an anomaly, a function of very high Chinook abundance in the Gulf of Alaska, driven by production from rivers and hatcheries in the Pacific Northwest at levels that have not been seen since the pre-dam era on the Columbia River. The fact that the 2016 Chinook harvest in the June fishery returned to normal levels demonstrates that 2015 was indeed an abnormal year.



Second, the best available scientific evidence suggests that AYK Chinook salmon are not harvested in the June fishery. A recent genetic stock composition study of Chinook salmon bycatch in three Gulf of Alaska trawl fisheries in 2014, on the south side of the Alaska Peninsula, in the vicinity of the June fishery, indicates that 95 percent of the fish originated in areas to the south and east of the Alaska Peninsula, mostly from British Columbia and the West Coast of the U.S.¹ More importantly for purposes of ACR 4, this report demonstrated that there were no – repeat, no – Yukon River Chinook salmon present in the bycatch samples. Attached are figures and tables from the report relevant to this point. This presents a situation not unlike that for Yukon fall chum salmon, which may be the closest analog to Yukon River king salmon. Yukon fall chum were for many years cited as the basis for restricting the June fishery, until their absence from the fishery was confirmed by numerous studies, including WASSIP. The Board should not simply assume that Yukon River Chinook salmon are caught in the June fishery when the best available scientific evidence points to a contrary conclusion.

Finally, we object strenuously to the Fairbanks A.C. making another run at restricting the June fishery on the basis of the harvest of king salmon. The Board heard evidence on this issue at the regular Alaska Peninsula meeting in February, in deliberations that centered on proposal 184, which was submitted by the Fairbanks A.C. The Board again considered this issue at its statewide meeting in March, in response to an emergency petition also filed by the Fairbanks A.C. The facts and issues surrounding the king harvest in the June fishery were fully aired at these meetings, in general staff reports, in public testimony, in the Committee of the Whole process, and during deliberations, and the Board made a reasoned and responsible decision not to impose the kinds of dramatic restrictions on the June fishery called for by the A.C. Unfazed, the A.C. is now asking the Board again to take up the June fishery out-of-cycle despite having failed in its prior efforts. The only thing that has changed since the earlier meetings is the composition of the Board, and it is clear that the A.C. is hoping to capitalize on that. The Board should firmly reject the A.C.'s effort to game the system. Forcing Alaska Peninsula residents and fishermen to attend yet another Board meeting, to defend their fishery and livelihood outside the normal cycle, is unwarranted and burdensome. Scheduling another contentious Area M-AYK meeting outside the normal regulatory cycle would also be very costly to the Department, adding at least a day or two of meeting time and requiring the staff to incur substantial time and expense preparing for and attending such a meeting.

CAMF strongly urges the Board to reject ACR 4. There simply is no legitimate conservation purpose or reason to take up the June fishery again in this meeting cycle.

Sincerely,

A handwritten signature in cursive script that reads "Steve Brown".

Steve Brown

President, Concerned Area M Fishermen

¹ Guthrie, *et al.*, "Genetic Stock Composition Analysis of the Chinook Salmon Bycatch Samples from the 2014 Gulf of Alaska Trawl Fishery," NOAA Technical Memorandum NMFS-AFSC-311 (January 2016). This report was presented to the North Pacific Fishery Management Council at its April 2016 meeting and can be found in full on the Council's website.



NOAA Technical Memorandum NMFS-AFSC-311

doi:10.7289/V5/TM-AFSC-311

Genetic Stock Composition Analysis of the Chinook Salmon Bycatch Samples from the 2014 Gulf of Alaska Trawl Fishery

by

C. M. Guthrie, III, H. T. Nguyen, and J. R. Guyon

U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Alaska Fisheries Science Center

January 2016



fishery, but because samples were taken opportunistically, the sample distribution at this time is not considered representative of the entire bycatch but is used to indicate presence/absence of particular Chinook salmon stocks. The sample collection area from the arrowtooth flounder trawl fishery is approximated in Figure 7.

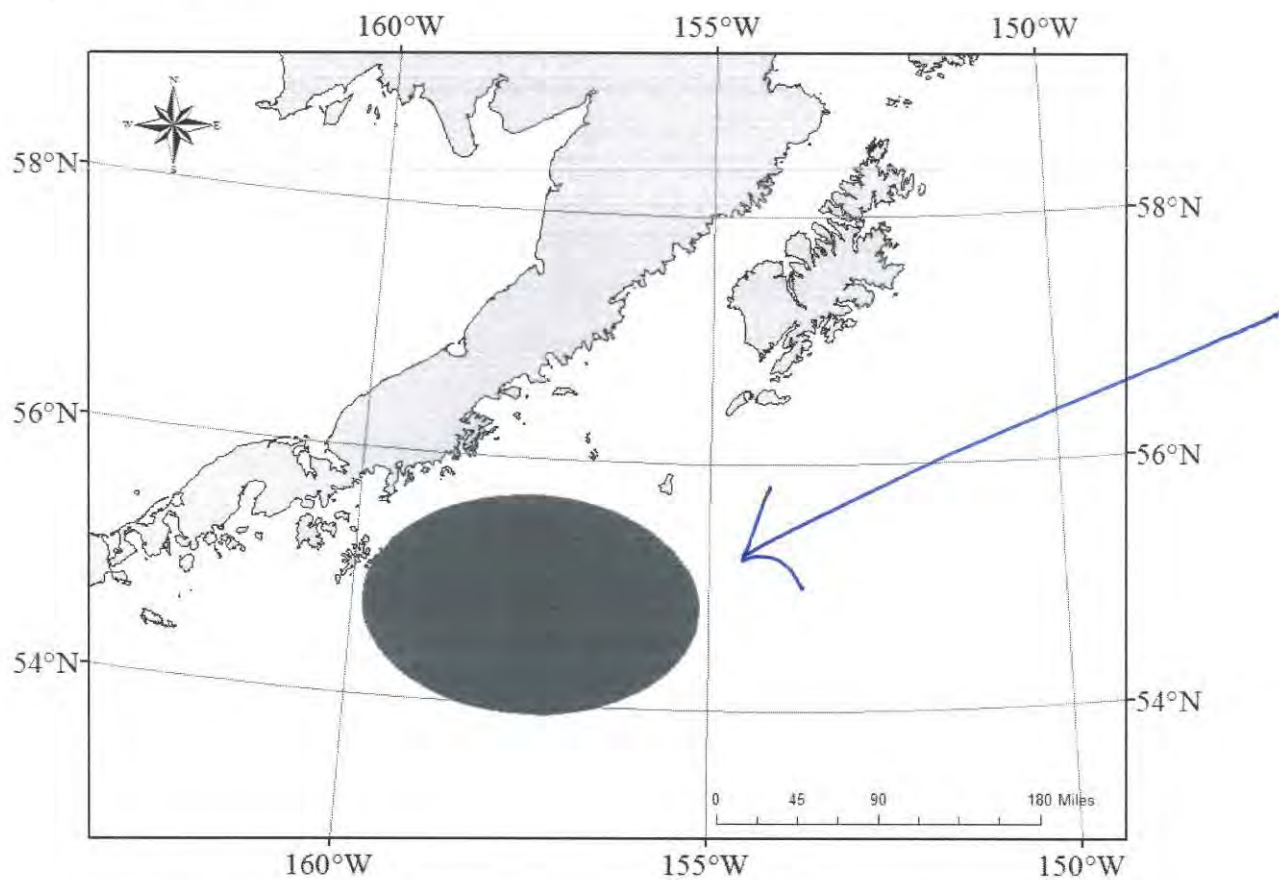


Figure 7. -- Approximate location (NMFS Statistical Areas 610 and 620) of 560 Chinook salmon bycatch samples collected by the Alaska Seafood Cooperative in the 2014 GOA arrowtooth flounder trawl fishery.



Table 1. – Regional BAYES and SPAM stock composition estimates for the 1,163 Chinook salmon samples from the bycatch of the 2014 GOA pollock trawl fishery. The BAYES mean estimates are also provided with standard deviations (SD), 95% credible intervals, and the median estimate. Standard deviations for the SPAM estimates were determined by the analysis of 1,000 bootstrap resamplings of the mixture.

<u>Region</u>	<u>BAYES</u>	<u>SD</u>	<u>2.5%</u>	<u>Median</u>	<u>97.5%</u>	<u>SPAM</u>	<u>SD</u>
Russia	0.000	0.001	0.000	0.000	0.002	0.002	0.000
Coast W AK	0.003	0.003	0.000	0.002	0.011	0.004	0.000
Mid-Yukon	0.000	0.000	0.000	0.000	0.001	0.002	0.000
Up Yukon	0.000	0.001	0.000	0.000	0.002	0.000	0.000
N AK Penn	0.000	0.000	0.000	0.000	0.001	0.000	0.000
NW GOA	0.048	0.007	0.035	0.048	0.063	0.045	0.003
Copper	0.003	0.003	0.000	0.002	0.012	0.005	0.001
NE GOA	0.010	0.005	0.002	0.009	0.021	0.015	0.001
Coast SE AK	0.161	0.015	0.131	0.161	0.192	0.151	0.005
BC	0.432	0.019	0.394	0.432	0.470	0.434	0.013
WA/OR/CA	0.343	0.015	0.314	0.343	0.373	0.341	0.012

GOA Chinook Bycatch by Year

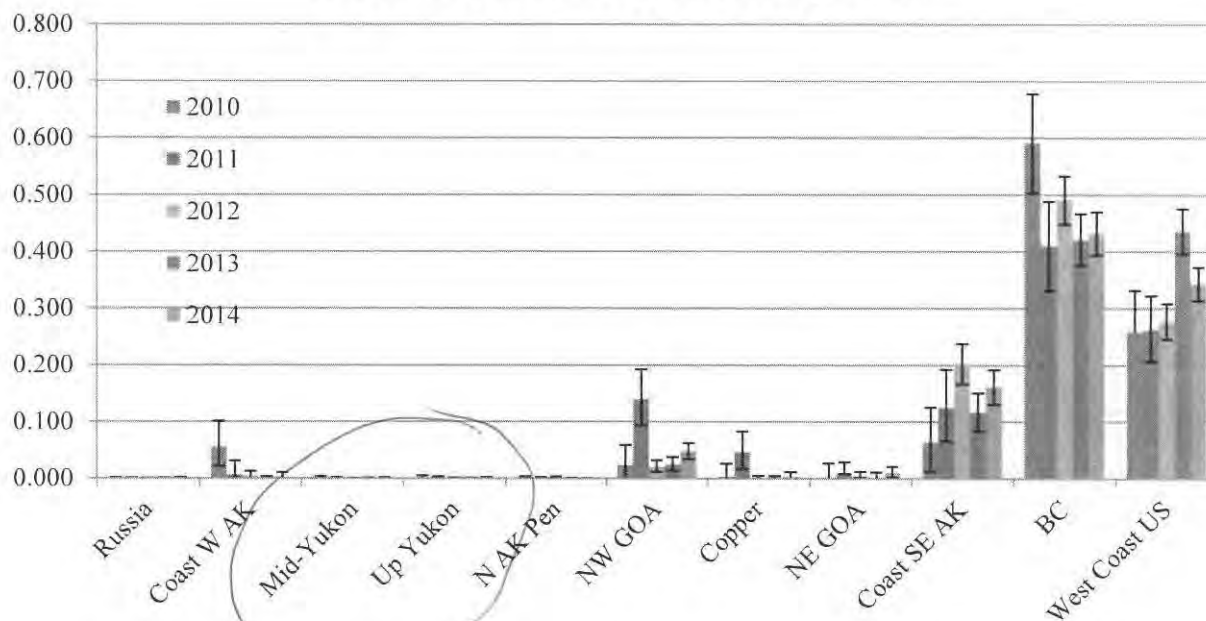


Figure 8. -- Comparison of yearly stock composition estimates (2010-2014) based on available genetic samples from the GOA Chinook salmon bycatch. The same genetic baseline and general regional groupings were used in all analyses. BAYES 95% credible intervals are plotted for yearly estimates.



Table 11. -- Regional BAYES and SPAM stock composition estimates for the 398 genotyped samples from the bycatch of the 2014 GOA rockfish CV trawl fishery. The BAYES mean estimates are also provided with standard deviations (SD), 95% credible intervals, and the median estimate. Standard deviations for the SPAM estimates were determined by the analysis of 1,000 bootstrap resamplings of the mixture.

<u>Region</u>	<u>BAYES</u>	<u>SD</u>	<u>2.5%</u>	<u>Median</u>	<u>97.5%</u>	<u>SPAM</u>	<u>SD</u>
Russia	0.001	0.002	0.000	0.000	0.008	0.003	0.001
Coast W AK	0.003	0.004	0.000	0.002	0.013	0.003	0.000
Mid-Yukon	0.000	0.001	0.000	0.000	0.001	0.000	0.000
Up Yukon	0.000	0.001	0.000	0.000	0.002	0.000	0.000
N AK Penn	0.000	0.001	0.000	0.000	0.003	0.000	0.000
NW GOA	0.032	0.010	0.015	0.031	0.053	0.027	0.006
Copper	0.001	0.002	0.000	0.000	0.006	0.003	0.001
NE GOA	0.001	0.003	0.000	0.000	0.010	0.002	0.001
Coast SE AK	0.071	0.017	0.041	0.070	0.108	0.074	0.004
BC	0.174	0.023	0.130	0.174	0.221	0.186	0.012
WA/OR/CA	0.717	0.024	0.669	0.717	0.763	0.703	0.032

GOA Rockfish/Arrowtooth Chinook Bycatch by Year

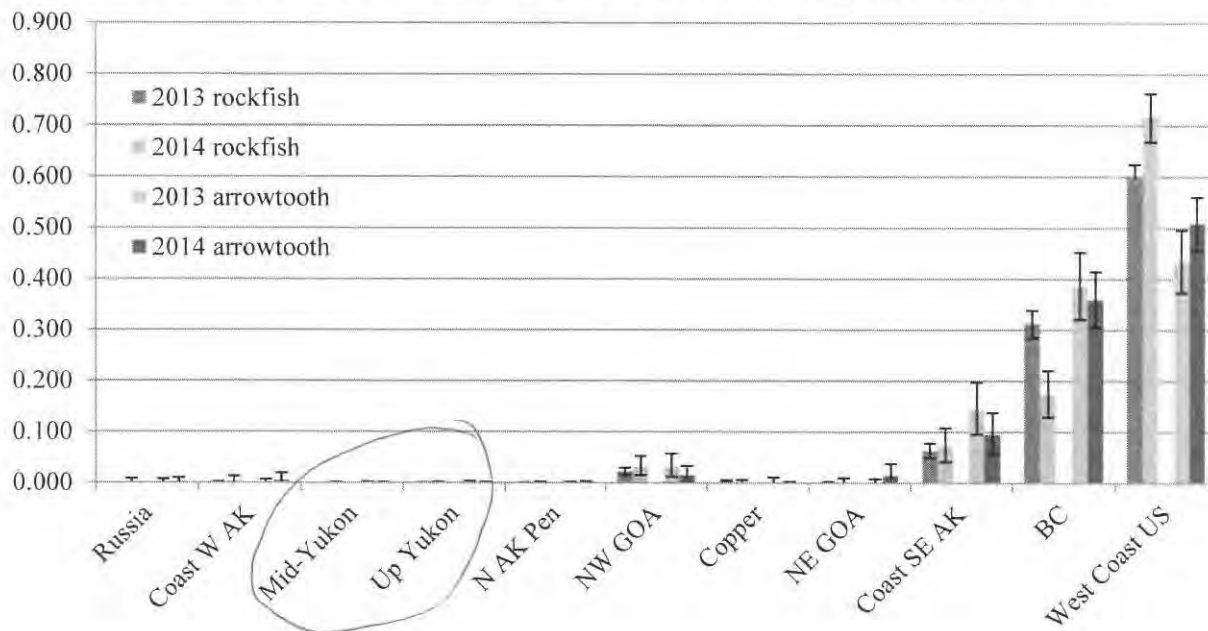


Figure 11. -- Comparison of stock composition estimates from Chinook salmon bycatch samples collected from the 2013 and 2014 GOA rockfish and arrowtooth trawl fishery.



Gulf of Alaska Arrowtooth Flounder Trawl Fishery

Stock composition estimates were made from the 404 Chinook salmon bycatch samples collected throughout the 2014 GOA arrowtooth flounder trawl fishery from the catcher-processors (CP) FV *Vardal* and FV *US Intrepid*. West Coast U.S. stocks (WA/OR/CA) represented the largest stock grouping (51%) with smaller contributions from British Columbia (36%), Coastal Southeast Alaska (10%), Northeast GOA (2%) and Northwest GOA (2%) stocks (Table 12). There were more West Coast U.S. (WA/OR/CA) (51% vs. 43%) and minutely less British Columbia (36% vs. 38%) present in 2014 (Fig. 11), but the majority were from southern regions (96%) in both years.

Table 12. -- Regional BAYES and SPAM stock composition estimates for the 404 genotyped samples from the bycatch of the 2014 GOA arrowtooth trawl fishery. The BAYES mean estimates are also provided with standard deviations (SD), 95% credible intervals, and the median estimate. Standard deviations for the SPAM estimates were determined by the analysis of 1,000 bootstrap resamplings of the mixture.

<u>Region</u>	<u>BAYES</u>	<u>SD</u>	<u>2.5%</u>	<u>Median</u>	<u>97.5%</u>	<u>SPAM</u>	<u>SD</u>
Russia	0.003	0.003	0.000	0.002	0.010	0.003	0.000
Coast W AK	0.005	0.006	0.000	0.003	0.019	0.006	0.003
Mid-Yukon	0.000	0.001	0.000	0.000	0.001	0.002	0.000
Up Yukon	0.000	0.001	0.000	0.000	0.002	0.000	0.000
N AK Penn	0.000	0.001	0.000	0.000	0.003	0.000	0.000
NW GOA	0.015	0.008	0.002	0.014	0.034	0.017	0.003
Copper	0.000	0.001	0.000	0.000	0.002	0.000	0.000
NE GOA	0.015	0.010	0.000	0.014	0.038	0.017	0.001
Coast SE AK	0.095	0.020	0.058	0.094	0.138	0.067	0.004
BC	0.359	0.028	0.306	0.359	0.415	0.387	0.020
WA/OR/CA	0.509	0.027	0.456	0.509	0.561	0.500	0.025



Submitted By
Allison Haines
Submitted On
9/30/2016 10:34:08 AM
Affiliation

To the Board of Fish members -

My name is Allison Haines, and I am a student at UAA and a lifelong Alaskan. In the twenty years I've lived here, I have spent a significant amount of time outdoors. The beauty of our state is unparalleled, and our unique landscape allows the state to be international leaders in markets such as seafood. The seafood industry is Alaska's largest private sector employer, and creates over 63,000 direct jobs throughout the state. And we love catching and eating fish! We have the right as residents to have a say in how decisions - which could adversely affect our environment and economy - are made.

That is why I am writing in support of the proposal to give Title 16 a much needed update. The ambiguous nature of Title 16 is overdue for a change that will let Alaskans have some control in protecting salmon habitats. People like my uncle and his family heavily depend on subsistence fishing. Please listen to the chorus of Alaskans calling for change. We want to be a part of decisions which shape the future of our state and our lives. I implore you to approve the proposed revisions to Title 16, for the good of Alaskans, fisheries, and the world.

Thank you for your time and service,

Allison Haines



Submitted By
Ashley Plante
Submitted On
9/30/2016 3:24:43 PM
Affiliation

Phone
8609175308
Email
aplante86@gmail.com

Address
2040 Farmer Place
Anchorage, Alaska 99508

Dear Board of Fish members -

My name is Ashley. I started my relationship with Alaska about 12 years ago as a freshman at APU. I came here from Connecticut and had never tried salmon. I didn't try it my freshman year, but before long I came to love wild salmon as any other Alaskan does. I have enjoyed it in all its culinary varieties, teaching my camp kids about them and watching salmon bring people together.

In the state that our country is in, we need more things that bring people together. We need to make changes to title 16, that has seen limited updates since statehood. We need to make these changes more specific, and detailed so the permitting process is clear and has improved criteria. We need to protect salmon for future generations, for our industry and the people of Alaska of all backgrounds.

Thank you for your time.

Ashley Plante



Submitted By
Lyn Franks
Submitted On
9/30/2016 2:09:27 PM
Affiliation

Dear Alaska Board of Fisheries,

As an Alaskan resident of over thirty years and an avid sport fisherman, I am writing to support your implementation of the Sustainable Salmon proposal, and the proposed changes to title 16. I believe that this proposal will help to strengthen Alaska's fish habitat and protect this habitat for generations to come. I am concerned how the current title 16 does not solidly define the nature of fish protection.

Alaska natural resources should be kept healthy for Alaskans and not traded for outside interests. I believe that updating title 16 will help accomplish this task! Alaskans deserve a law that states clear intent to protect fish and fish habitat.

Thank you for your time and attention to this important issue - please let the state legislature know my comments.

Sincerely,

Lyn Frank



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau Alaska 99802-1668



PC 21
1 of 31

September 30, 2016

Glenn Haight, Executive Director
Alaska Board of Fisheries
1255 West 8th Street
P.O. Box 115526
Juneau, Alaska 99811-5526

Dear Mr. Haight:

On January 12, 2016, the Alaska Board of Fisheries (BOF) requested review of a proposal to open Alaska State waters outside of three nautical miles from the Sutwik Island Steller sea lion haulout to vessels using pot gear in the Pacific cod parallel fishery that do not have a Federal fisheries permit. The Sutwik Island Steller sea lion haulout is in the State of Alaska's (State) Chignik Management Area in the Central Gulf of Alaska (GOA).

Existing fishing closure areas in the Central GOA Pacific cod parallel fishery, including those proposed to be opened around Sutwik Island, were implemented as protection measures for the endangered western distinct population segment of Steller sea lions (SSL WDPS) in 2003 (68 FR 204, January 2, 2003; corrected 68 FR 24615, May 8, 2003). The protection measures were implemented to ensure that the groundfish fisheries, as authorized by the Fishery Management Plan for Groundfish of the GOA, and the State parallel fisheries for pollock, Pacific cod, and Atka mackerel, as authorized by the State, were not likely to jeopardize the continued existence of SSL WDPS or adversely modify its designated critical habitat. The proposal to open State waters outside of three nautical miles from the Sutwik Island haulout, to vessels using pot gear in the Pacific cod parallel fishery, would modify the action analyzed in the 2001 and subsequent 2010 Endangered Species Act (ESA) section 7 consultations. Therefore, the National Marine Fisheries Service (NMFS) conducted an ESA section 7 consultation to ensure that the GOA groundfish fisheries, as modified by the proposed change to the area closure around Sutwik Island during the Pacific cod parallel fishery, is not likely to jeopardize the continued existence of the SSL WDPS or adversely modify its designated critical habitat.

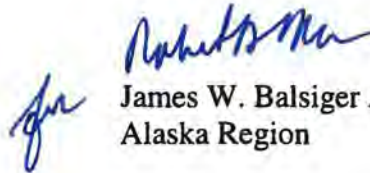
NMFS determined that the proposed action may affect, but is not likely to adversely affect, the SSL WDPS or designated SSL critical habitat. Please find the consultation documents enclosed. We appreciate the BOF coordinating with us prior to taking final action on this





proposal. We appreciate the BOF coordinating with us prior to taking final action on this proposal. If you have further questions regarding this matter, please contact Bridget Mansfield at 586-7642 or by email at bridget.mansfeild@noaa.gov.

Sincerely,



James W. Balsiger Administrator,
Alaska Region

cc: Sam Cotten, Commissioner, Alaska Department of Fish and Game
Forest Bowers, Alaska Department of Fish and Game

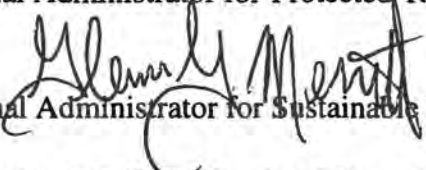
Enclosures:

Request for Section 7 Consultation on Chignik Management Area Closures
Chignik Management Area Letter of Concurrence



August 12, 2016

MEMORANDUM FOR: Jon Kurland
Assistant Regional Administrator for Protected Resources

FROM: Glenn Merrill 
Assistant Regional Administrator for Sustainable Fisheries

SUBJECT: Endangered Species Act (ESA) Section 7 Consultation on the Effects of Opening Waters in the State of Alaska (State) Chignik Management Area to Pacific Cod Fishing with Pot Gear in the State Parallel (parallel) Fishery on the Endangered Western Distinct Population Segment of Steller sea lions (SSL WDPS)

Proposed Action and Background

The State of Alaska's (State's) Board of Fisheries (BOF) proposes a change to Steller sea lion (SSL) protection measures that apply to the Pacific cod fishery within State waters (from 0 to 3 nautical miles from shore) in the Chignik Management Area. The Chignik Management Area is in the Central Gulf of Alaska. The action proposed by the BOF would open a portion of area currently closed in State waters to the harvest of Pacific cod with vessels using pot gear during the parallel fishery. The Pacific cod parallel fishery in the Gulf of Alaska (GOA) occurs in State waters adjacent to Federal waters (from 3 to 200 nm) in the GOA management area. The State manages the parallel fishery concurrently with the Federal Pacific cod fishery to allow for seamless management. All catch of Pacific cod in the parallel fishery is deducted from the Federal total allowable catch (TAC).

The State is proposing to open an area of State waters in the Central GOA for vessels using pot gear in the Pacific cod parallel fishery that do not have a Federal fisheries permit (FFP). Because closure areas in the Central GOA Pacific cod parallel fishery were implemented as SSL protection measures in 2003 (68 FR 204, January 2, 2003; corrected 68 FR 24615, May 8, 2003), I am requesting ESA section 7 consultation to ensure that the GOA Pacific cod fishery, as modified by the BOF proposal, is not likely to jeopardize the continued existence of the SSL WDPS or adversely modify its designated critical habitat.

Specifically, the BOF proposes a change to its management of the parallel Pacific cod fishery to allow the harvest of Pacific cod by vessels using pot gear and who do not have an FFP around the Sutwik Island SSL haulout (described in Table 5 at 50 CFR 679) where it overlaps State waters from 20 to 3 nm (see Figure 3).





The proposed action would not modify restrictions in State waters within 3 nm of the Sutwik Island haulout, or in that portion of the 20 nm closure area around haulout that occurs in Federal waters. The proposed action would not modify restrictions that apply to vessels with an FFP that harvest Pacific cod in the parallel Pacific cod fishery within the 20 nm closure area around Sutwik Island. The proposed action would not modify management of hook-and-line, jig, or trawl Pacific fisheries in parallel waters within the action area. Under status quo management, the State permits vessels to use jig gear to harvest Pacific cod in the parallel fishery around Sutwik Island without restriction. Under status quo management, the State prohibits the use of hook-and-line and trawl gear for the harvest of Pacific cod in the parallel fishery within State waters around Sutwik Island.

ESA consultations and Steller sea lion protection measures

The ESA consultation history for effects of the GOA Pacific cod fisheries on the SSL WDPS is extensive. Most recently, NMFS issued a biological opinion (BiOp) on the authorization of the Alaska groundfish fisheries under the FMP, including the GOA Pacific cod pot fishery, on November 24, 2010 (2010 FMP BiOp). The 2010 FMP BiOp concluded that the groundfish fisheries, as authorized, were likely to jeopardize the continued existence of the SSL WDPS and adversely modify designated critical habitat.

The GOA Pacific cod jig and pot fisheries were not implicated in the jeopardy and adverse modification finding. The jeopardy and adverse modification finding in the 2010 FMP BiOp was based on potential connections between the continued decline of SSL WDPS populations in the western and central Aleutian Islands and the Aleutian Islands Atka mackerel and Pacific cod fisheries. NMFS subsequently modified the SSL protection measures in the Aleutian Islands Atka mackerel and Pacific cod fisheries in 2011 (75 FR 77535, December 13, 2010; corrected 75 FR 81921, December 29, 2010) and 2015 (79 FR 70286, November 25, 2014) to ensure the fisheries were not likely to jeopardize the continued existence of the WDPS or adversely modify its designated critical habitat.

NMFS has implemented protection measures to reduce potential competition for prey between the GOA Pacific cod fishery and SSLs since 1990. No-transit areas were instituted in 1990, trawl closures in 1992, and Pacific cod pot fishery measures in 2001. The following section summarizes SSL protection measures in the GOA Pacific cod fishery, analyzed in the October 19, 2001 BiOp on the Authorization of BSAI and GOA Groundfish Fisheries, 2010 FMP BiOp, proposed (67 FR 56692, September 4, 2002) and final (68 FR 204, January 2, 2003) rules:

Harvest Control Rule

To protect prey abundance for the SSL WDPS, the harvest control rule stipulates the Pacific cod acceptable biological catch be reduced when Pacific cod spawning biomass is estimated to be less than 40 percent of the unfished biomass. Pacific cod fishing would be prohibited in the event the estimated spawning biomass is below 20 percent of the projected unfished biomass.



Area Closure

Numerous areas are closed to Pacific cod harvest in the GOA to protect prey availability in important sea lion foraging areas. Table 1 provides Pacific cod fishery restrictions in the GOA for specific rookeries and haulouts.¹

¹ See Table 5 to 50 CFR 679 for a list of all rookery and haul-out sites, by latitude and longitude, throughout the GOA and Bering Sea/Aleutian Islands and associated closures for all gear types. See Table 12 to 50 CFR 679 for a list of 0 to 3 nm “no groundfish fishing/no transit” locations.



Table 1. Area closures in the GOA Pacific cod fishery

Site name	No Fishing Zone for Trawl Gear (nm radius)	No Fishing Zone for Hook and Line Gear (nm radius)	No Fishing Zone for Pot Gear (nm radius)
Chuginadak ²	20	10	20
Samalga	20	10	20
Ogchul I.	20	10	20
Polivnoi Rock ³	20	10	20
Emerald I. ^{4,2}	20	10	20
Unalaska/Cape Izigan ²	20	10	20
Unalaska I./Cape Sedanka ²	20	10	20
Old Man Rocks ²	20	10	20
Akutan I./Cape Morgan ²	20	10	20
Rootok ²	20	10	20
Tanginak I. ²	20	10	20
Tigalda/Rocks NE ²	20	10	20
Aiktak ²	20	10	20
Ugamak I. ²	20	10	20
Round ²	20	10	20
Bird I.	10	-	-
Caton I.	3	3	3
South Rocks	10	-	-
Clubbing Rocks S	10	3	3
Clubbing Rocks N	10	3	3
Pinnacle Rock	3	3	3
Sushilnoi Rocks	10	-	-
Olga Rocks	10	-	-
Jude I.	20	-	-
Sea Lion Rocks (Shumigans)	3	3	3
Nagai I./Mountain Pt.	3	3	3
The Whaleback	3	3	3
Chernabura I.	20	3	3
Castle Rock	3	3	3
Atkins I.	20	3	3
Spitz I.	3	3	3
Mitrofanina	3	3	3
Kak	20	20	20
Lighthouse Rocks	20	20	20
Sutwik I.	20	20	20
Chowiet I.	20	20	20
Nagai Rocks	20	20	20
Chirikof I.	20	20	20
Puale Bay	10	-	-
Kodiak/Cape Ikolik	3	3	3
Takli I.	10	-	-
Cape Kuliak	10	-	-

² Trawl closure around this site is limited to waters east of 170° 0'00" W longitude

³ Restriction area includes only waters of the Gulf of Alaska area.

⁴ See 50 CFR 679.22(a)(7)(i)(C) for exemptions for catcher vessels less than 60 feet (18.3 m) LOA using jig or hook-and-line gear between Bishop Point and Emerald I. closure areas.



Site name	No Fishing Zone for Trawl Gear (nm radius)	No Fishing Zone for Hook and Line Gear (nm radius)	No Fishing Zone for Pot Gear (nm radius)
Cape Gull	10	-	-
Kodiak/Cape Sitkinak	10	-	-
Shakun Rock	10	-	-
Twoheaded I.	10	-	-
Cape Douglas (Shaw I.)	10	-	-
Kodiak/Cape Barnabas	3	3	3
Kodiak/Gull Pt	10, 3	-	-
Latax Rocks	10	-	-
Ushagat I./SW	10	-	-
Ugak I. ⁵	10, 3	-	-
Sea Otter I.	10	-	-
Long I.	10	-	-
Sud I.	10	-	-
Kodiak/Cape Chiniak	10	-	-
Sugarloaf I.	20	10	10
Sea Lion Rocks (Marmot)	10	-	-
Marmot I. ⁶	15, 20	-	-
Nagahut Rocks	10	-	-
Perl	10	-	-
Gore Pt	10	-	-
Outer (Pye) I.	20	10	10
Steep Pt.	10	-	-
Seal Rocks (Kenai)	10	-	-
Chiswell Islands	10	-	-
Rugged I.	10	-	-
Pt Elrington ^{7, 8}	20	-	-
Perry I. ⁶	-	-	-
The Needle ⁶	-	-	-
Pt Eleanor ⁶	-	-	-
Wooded I. (Fish I.)	20	3	3
Glacier I. ⁶	-	-	-
Seal Rocks (Cordova) ⁷	20	3	3
Cape Hinchinbrook ⁷	20	-	-
Middleton I.	10	-	-
Hook Pt. ⁷	20	-	-
Cape St Elias	20	-	-

⁵ The trawl closure between 0 and 10 nm is effective from January 20 through June 10. Trawl closure between 0 nm and 3 nm is effective September 1 through November 1.

⁶ The trawl closure between 0 and 15 nm is effective from January 20 through June 10. Trawl closure between 0 nm and 20 nm is effective September 1 through November 1.

⁷ Contact the Alaska Department of Fish and Game for fishery restrictions at these sites.

⁸ The 20 nm closure around this site is effective only in waters outside the State waters of Prince William Sound.

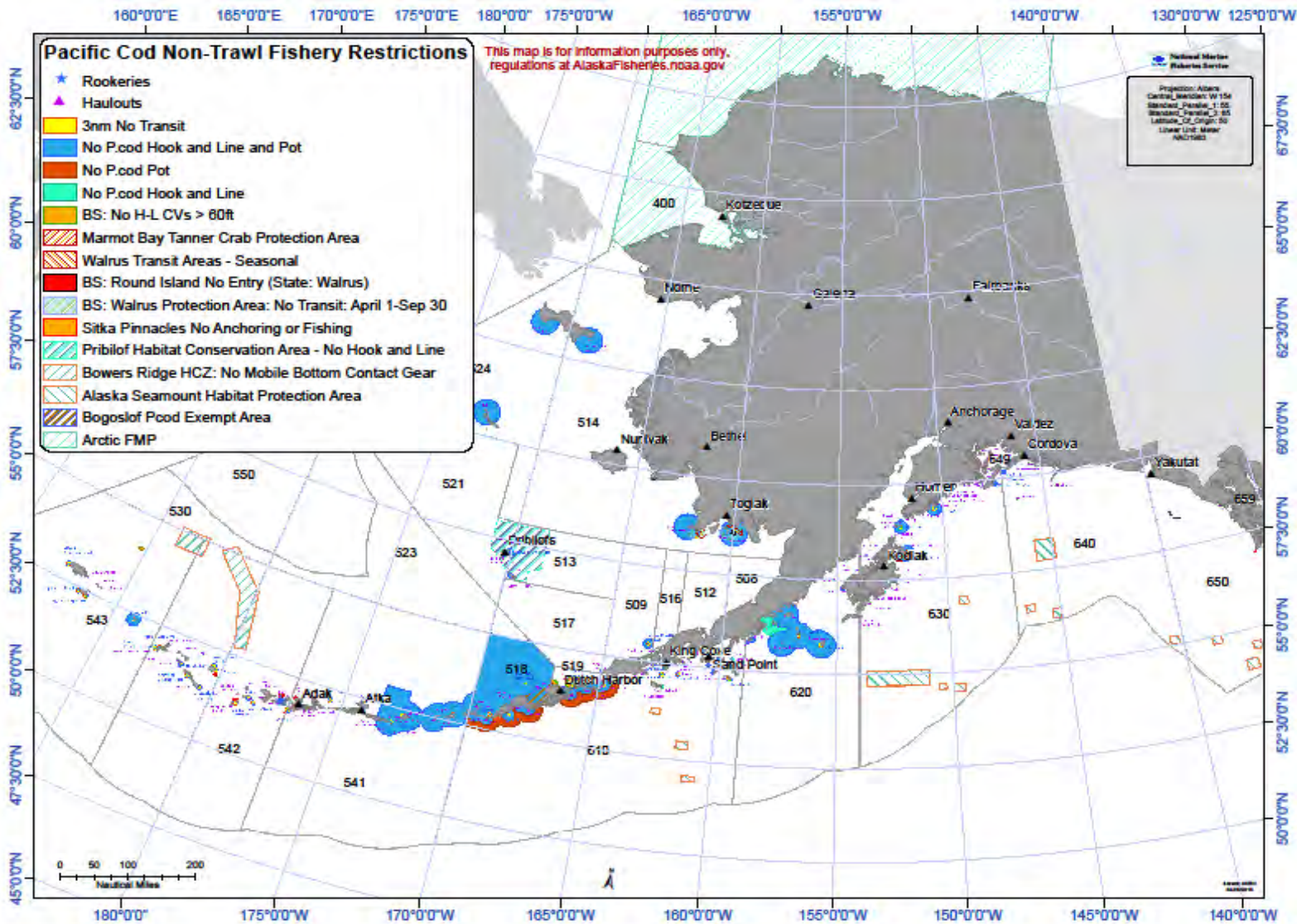


Figure 1. Federal and parallel Pacific cod non-trawl (pot and hook-and-line) fishery restrictions



Vessel Monitoring

Any vessel participating in the GOA Federal or parallel Pacific cod pot fishery is required to have an operable vessel monitoring system (VMS) onboard when the directed Pacific cod pot fishery is open to ensure compliance with the SSL protection area restrictions. NMFS does not require VMS on vessels using jig gear due to the fact they generally are not restricted except within 3 nm of rookeries (no fishing zones in Table 21 to 50 CFR part 679) and in the Seguam foraging and Bogoslof areas (areas outside of the Central GOA). Vessels using jig gear are exempt from most of the closure zones beyond 3 nm of rookeries due to their slow rate of extraction and small number of vessels which prosecute these fisheries. (See 67 FR 956, January 8, 2002).

Fishing Seasons

The annual GOA Pacific cod fishery in the Western and Central regulatory areas is divided into two seasons (50 CFR 679.23(d)(3)):

- A season - January 1 through June 10 for hook-and-line, pot, and jig gear;
January 20 through June 10 for trawl gear
- B season - September 1 through December 31 for hook-and-line and pot gear;
June 10 through December 31 for jig gear;
September 1 through November 1 for trawl gear

The Eastern GOA has no seasonal apportionments.

Seasonal Allocations

To disperse Pacific cod harvests over time and reduce the likelihood of localized depletions, the catch allocations for the GOA Pacific cod fishery are divided into two seasons:

- A season - 60 percent
- B season - 40 percent

All directed fishing allowance and incidental catch of Pacific cod that may occur in other groundfish fisheries before June 10 are managed such that total harvest in the A season is not more than 60 percent of the annual TAC.

Description of the Gulf of Alaska Pacific Cod Pot Fishery

Thorough descriptions of the Federal and parallel GOA Pacific cod fishery are provided in the 2010 FMP BiOp and the final rule for Amendment 83 (76 FR 74670, December 1, 2011) to the GOA FMP. They are incorporated here by reference. Amendment 83, implemented in 2012, changed the Western and Central GOA Pacific cod TAC allocation from an inshore/offshore allocation to an allocation among harvest sectors (catcher vessels and catcher/processors using trawl, pot, hook-and-line, and jig gear) (76 FR 74670, December 1, 2011). The sector allocations under Amendment 83 further dispersed the GOA Pacific cod harvest in time relative to the action analyzed in the 2010 FMP BiOp.

Amendment 83 further stabilized the GOA Pacific cod fishery by 1) prohibiting federally permitted vessels without properly endorsed licenses from participating in the parallel Pacific



cod fishery and 2) limiting the ability for vessels to reactivate a surrendered FFP to one time in three years. Before Amendment 83, vessels could surrender their FFP and participate in the parallel Pacific cod fishery without being subject to Federal observer coverage, VMS, or recordkeeping and reporting requirements and then have their FFP reactivated an unlimited number of times to re-enter Federal fisheries. Amendment 83 has improved the temporal dispersion of the GOA Pacific cod harvest and the data available for managing the fishery and enforcing SSL protection closure areas.

While the directed fishery for Pacific cod in Federal waters (3 nm to 200 nm) are open, directed fisheries for Pacific cod in State waters, referred to as parallel fisheries, are prosecuted under virtually the same rules as the Federal fisheries, with catch accrued against the Federal TAC. The State also manages separate Guideline Harvest Level (GHL) fisheries for Pacific cod in State waters. Catch from the State GHL fisheries is not deducted from the Federal TAC. The State GHL fisheries are opened when Federal/parallel fisheries are closed. The State GHL fisheries are not allowed to harvest more than 25 percent of the combined acceptable biological catch limits of Western, Central and Eastern GOA Pacific cod (76 FR 11111, March 1, 2011). The proposed action would not modify any aspect of the State GHL fishery.

Proposed Change to the Gulf of Alaska Pacific Cod Pot Fishery

The proposed action would modify the State's management of the GOA Pacific cod pot parallel fishery relative to the action analyzed in the 2010 FMP BiOp. The proposed action would allow the State to authorize the use of pot gear in State waters more than 3 nm from the Sutwik Island haulout, where it overlaps State waters (Figure 3). This would result in additional State waters being open during the GOA Pacific cod pot parallel fishery. The State would undertake this action under its regulations that apply only to State waters. No change would be required or made to Federal regulations under the proposed action. The proposed action would not change the GOA Pacific cod TACs or seasonal TAC apportionments.

Action Area

The action area is the GOA management area (Figure 2). This action would solely address management of the Pacific cod pot parallel fishery in a portion of State waters within the State Chignik Management Area, shoreward of GOA Federal reporting area 620, and west of 156° W longitude.

The area affected is within the 20 nm area of SSL critical habitat around the Sutwik Island haulout, which is closed to Pacific cod fishing with pot gear in Federal and parallel fisheries to conserve prey for SSLs (see 68 FR 204, January 2, 2003). The 20 nm closure area around Sutwik Island that does not overlap State waters would not be affected (Figure 3). The 3 nm area closures in State waters around the Sutwik Island and Kak Island haulouts would remain unchanged. Three additional 20 nm Pacific cod pot fishery closure areas of SSL WDPS critical habitat around Lighthouse Rocks, Chowiet Island, and Chirikof Island are adjacent to, but are not included in, the area affected by the proposed action.

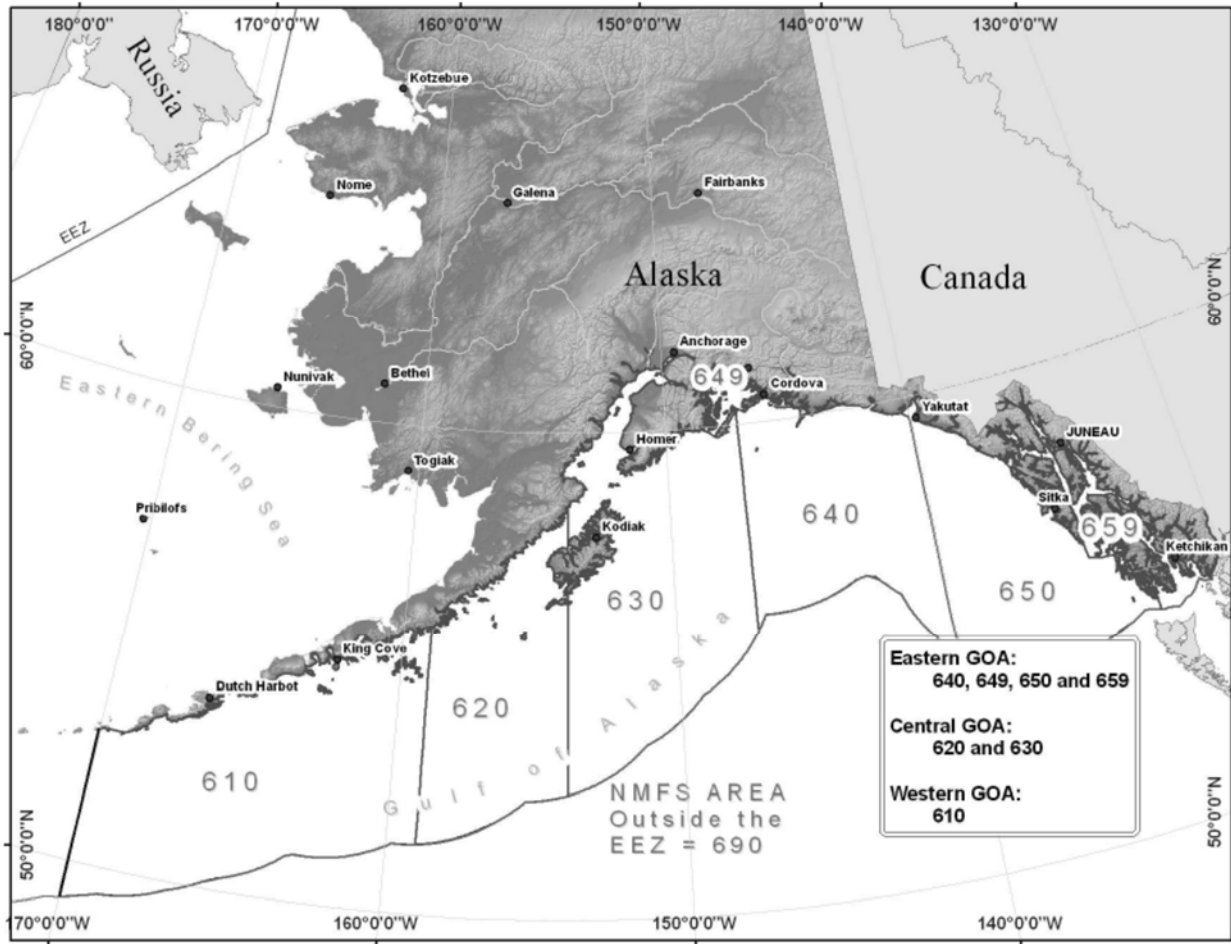


Figure 2. Gulf of Alaska Federal reporting areas

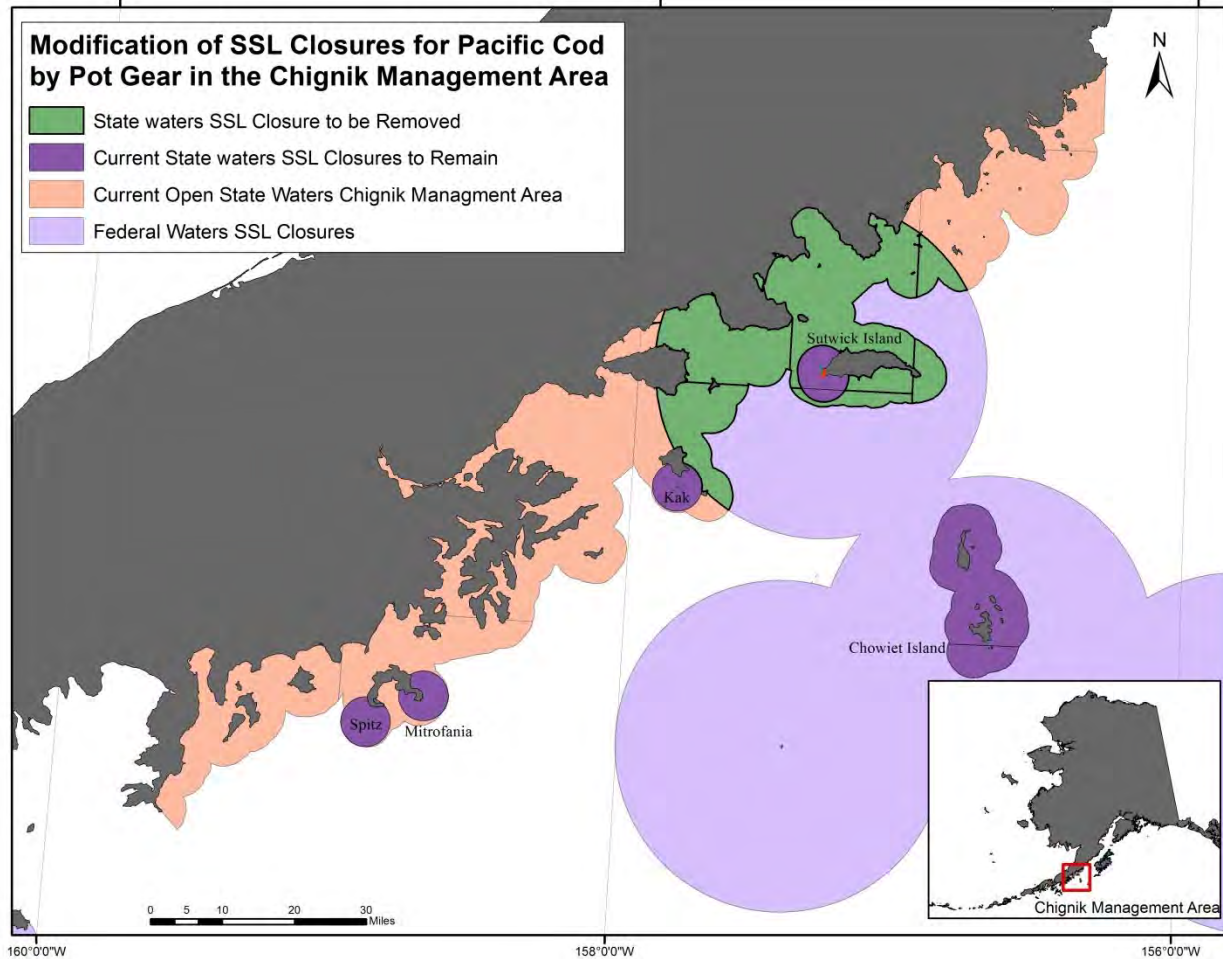


Figure 3. Proposed modification of SSL protection measures for the parallel Pacific cod fishery in the Chignik Management Area (Central GOA)

Effects of the Proposed Action

The area that would be opened under the proposed action is currently closed to Pacific cod fishing with pot gear during the parallel fishery to conserve prey in nearshore habitats that appear to be important for SSL foraging. Here, we analyze whether, based on the best available information, the proposed action is likely to adversely affect the SSL WDPS.

For purposes of the ESA, “effects of the action” means the direct and indirect effects of an action on the listed species or critical habitat, together with the effects of other activities that are interrelated or interdependent with that action (50 CFR 402.02). The applicable standard to find that a proposed action is “not likely to adversely affect” listed species or critical habitat is that all of the effects of the action are expected to be insignificant, discountable, or completely beneficial. Insignificant effects relate to the size of the impact and are those that one would not be able to meaningfully measure, detect, or evaluate, and should never reach the scale where take occurs. Discountable effects are those that are extremely unlikely to occur. Beneficial effects are contemporaneous positive effects without any adverse effects to the species.



Current Harvest

Current harvest of Pacific cod by pot vessels in the proposed area is limited due to its remoteness. Based on recent effort (2013 through 2015) in the parallel fishery, the nearest active fishing grounds to the area proposed to be opened are about 50 nm to the west. Vessels without FFPs that fish in those adjacent areas are relatively small (generally less than 60 ft length overall (LOA)) and deliver to western GOA processors. The two nearest ports to the proposed action area that receive Pacific cod are Sand Point and Kodiak, approximately 125 nm west and 350 nm east from Sutwik Island, respectively. Transit time for delivery trips to those ports from the area proposed to be opened is between 24 and 48 hours. Because processors require Pacific cod to be delivered no more than three days from harvest, the extended delivery time results in actual fishing operations of only 1-2 days, thereby limiting potential catch. Consequently, most of the non-FFP Pacific cod pot vessels that deliver to Kodiak or Sand Point processors do not fish in the Central GOA west of 156° W longitude.

NMFS assumes that any Pacific cod harvest in the area proposed to be opened would be harvested by vessels that do not have an FFP and that have participated in the parallel fishery in the Central GOA west of 156° W longitude with pot gear since 2013. Harvest records from 2013 through 2016 show that four vessels meet those criteria, and only one of those vessels fished more than one year from 2013 through 2016.

The Pacific cod harvest by non-FFP pot vessels from 2013 through 2015 is provided below in Table 1 as a baseline harvest level from which to determine and evaluate the potential change in harvest under the proposed action. For the period from 2013 through 2015 the maximum number of trips per year by any non-FFP vessel in parallel Pacific cod pot fishery the Central GOA west of 156° W longitude was five, with an average harvest of 25 metric tons (mt or tons) of Pacific cod per trip. The total harvest of Pacific cod per year for all non-FFP pot vessels in the parallel fishery during that period and in the action area was less than 300 tons per year.

Six additional non-FFP vessels participated in the parallel fishery in the Central GOA west of 156° W longitude with pot gear prior to 2013. However, these vessels have not fished in the action area since 2011. As explained below, the sector split implemented under Amendment 83 in 2012 changed the participation and temporal extent of the parallel Pacific cod pot fishery. Therefore, this analysis is limited to the years after 2012 when the pot cod sector was allocated its own TAC. Prior to the sector split, all Pacific cod pot and hook-and-line vessels competed in a race to harvest the shared GOA Pacific cod TAC before the trawl "A" season began on January 20. Before Amendment 83 was implemented, the trawl harvest opening resulted in the Pacific cod TAC being taken quickly, closing the area to all gear for Pacific cod.

Since the implementation of Amendment 83, the Pacific cod pot harvest has been prosecuted at a more moderate and consistent pace. Amendment 83 also prohibited vessels without properly endorsed LLP licenses from participating in the parallel Pacific cod fishery, and limited the ability for vessels to reactivate a surrendered FFP to one time in three years. The number of vessels that fish for Pacific cod in State waters during the parallel fishery has declined since the implementation of Amendment 83 and the amount of observer coverage and vessel location monitoring in the parallel fishery has increased.



Harvest under the State’s GHL fisheries opens after the closure of the parallel fishery. Harvest may continue through August. Vessels participating in the GHL fisheries are allowed to fish in the SSL WDPS closed areas, with the exception of the 3 nm no-transit zones. For comparative purposes, harvest in the GHL Pacific cod pot fishery in the Chignik area from 2013 through 2015 is shown in Table 2. Vessels that fish in the GHL Pacific cod fishery in this area represent a fleet that does not fish in the parallel fishery.

Table 2. Central GOA Pacific cod pot harvest: west of 156° W longitude (2013-2015)

Vessel Permit Type	Mgt Area	Fishery	Year	Harvest (t)	Number of vessels	% Harvest Taken in SSL No-Fishing Zones***
Non-FFP	Chignik	Parallel	2013	150-300*	1-4*	0
			2014	150-300*	1-4*	0
			2015	150-300*	1-4*	0
	Chignik	GHL	2013	4,356	19	91
			2014	4,575	12	90
			2015	5,124	17	82
FFP and Non-FFP**	Chignik	Parallel	2013	197	3	0
			2014	864	4	0
			2015	527	6	0

*For reasons of confidentiality, the exact harvest and number of vessels cannot be reported.

** Includes the non-FFP vessels in the 2013-2015 Chignik parallel fishery reported in the rows above.

*** GHL fisheries are not restricted from fishing in areas closed to other fishing for SSL protection.

Pacific cod pot and non-pot harvests (2013 through 2015) for the Central GOA and the Central GOA west of 156° W longitude are presented in Table 3. In Federal waters for those years, the average Pacific cod harvest by non-pot gear is greater than the average pot gear harvest. However, in the State waters parallel and GHL fisheries, Pacific cod harvest by non-pot gear is lower than that of pot gear.

Table 3. Central GOA Pacific cod harvest: non-pot vs pot gear: 3-year avg (2013-2015)

	Central GOA Harvest (t) - All Areas			Central GOA Harvest (t) – West of 156° W longitude		
	Non-Pot *	Pot	Total	Non-Pot*	Pot	Total
Federal and State waters (excluding GHL)	25,318	10,757	26,393	3,709	1,213	4,922
FFP and Non-FFP Parallel Fishery Only	2,667	2,921	5,588	59	529***	588
Non-FFP Only	252**	1,027	1,279	3**	300***	303

* Non- pot gear comprises hook-and-line, jig, non-pelagic trawl, and pelagic trawl.

** Non-pot gear for “Non-FFP Only” comprises hook-and-line and jig.

*** Upper estimate of non-FFP harvest in the Chignik parallel fishery.



Effects of the Expected Temporal Distribution of Catch on the SSL WDPS

NMFS expects the overall temporal distribution of the GOA Pacific cod pot fishery to be unchanged relative to the status quo. No net change under the proposed action is expected for the total duration of the GOA Federal and parallel fisheries for Pacific cod with pot gear. As noted above, the fishery is broken into two seasons with approximately 5-6 total weeks of active harvest. The “A” season allocation is generally harvested within 5-6 weeks of the January 1 start for hook and line, pot, and jig gear. The “B” season allocation is not always achieved. No change to the seasonal TAC would occur under this proposal.

Effects of the Expected Spatial Distribution of Catch on the SSL WDPS

The proposed action would open 651 nm² (green shaded area in Figure 3), or 65.1%, of the total 1,000 nm² area closed for SSL WDPS protection in the state waters Chignik Management Area to non-FFP vessels fishing for Pacific cod with pot gear (light and dark purple and green shaded areas in Figure 3). For comparison, the 651 nm² affected by the proposed action represents 4.6% of the total 14,118 nm² closed to Pacific cod fishing with pot gear in the GOA (see blue areas in Figure 1) and 1.6% of the total SSL critical habitat area (41,590 nm²) in the BSAI and GOA. The proposed action would not modify any other SSL area closures in Table 1.

The proposed action may result in slight changes to the spatial distribution of Pacific cod harvest. The proposed action would allow only vessels without an FFP to fish in the area proposed to be open during the Pacific cod pot parallel fishery. The closure would remain in effect for vessels operating in the parallel fishery while holding an FFP, because those vessels must comply with all Federal regulations (50 CFR 679.22 (b)(2)(iii)) and this action does not propose a change to the Federal regulations. As noted above, this action is expected to affect approximately four non-FFP pot vessels that harvested Pacific cod in the Central GOA parallel fishery west of 156° W longitude from 2013 through 2015.

If all four vessels shift their parallel Pacific cod pot fishing effort into the proposed open area, NMFS estimates that a maximum of 1,000 t (5 trips * 4 vessels * 25 t per trip) may be harvested in the proposed open area based on the 2013 to 2015 data. However, the 2013 through 2015 harvest of 150-300 t shown in Table 1 represents a more realistic expected harvest estimate for the proposed opened area as it incorporates more realistic operating logistics. The 300 t estimate also may be high, since these vessels typically fish close to the Western GOA line to conserve fuel costs. Fishing in the proposed opened area would require vessels to incur longer transit times and higher fuel costs, possibly reducing the number or duration of trips to this area.

A further increase over the estimated harvest of 300 t is possible under a provision in Amendment 83 which allows a floating processor to operate in the area under a Community Quota Exemption (CQE). If a floating processor were to exercise this option due to the proposed action, it may attract additional non-FFP vessels to fish in the area. However, the CQE floating processor has a regulatory processing limit of 1,000 t per year. At this time, no operators have expressed interest in operating a CQE floating processor.

Harvest levels in the State GHL Pacific cod pot fishery in the Chignik Management Area are expected to be similar to those reported in Table 1. That fishery is prosecuted during a different time period from the Federal and parallel Pacific cod pot fisheries, and GHL vessels are not required to abide by the SSL protection measures. Thus, vessels in the GHL fishery are not



affected by the proposed action. Likewise, Pacific cod harvest in Federal waters is expected to be similar to harvest for the 2013 through 2015 period, because the proposed action would not affect those vessels.

In summary, NMFS estimates that implementation of the proposed action would likely result in approximately four vessels harvesting no more than 300 t of Pacific cod per year in the newly opened area in the parallel Pacific cod fishery over 5-6 weeks in January and February. The net effect of the proposed action is an estimated shift in the spatial distribution of approximately 0.8% of the combined, annual Federal and parallel Pacific cod harvest in the Central GOA.

Effect of the Action on SSL WDPS

There have been no reports in the List of Fisheries of direct, incidental or intentional takes of SSLs in the Pacific cod pot fishery off Alaska. Therefore, NMFS concludes that opening the proposed area to fishing for Pacific cod with pot gear during the parallel fishery is not likely to result in any direct incidental takes of SSLs.

Two SSL WDPS haulouts are in the area that would be opened under the proposed action at Sutwik and Kak Islands. SSL counts from the most recent surveys (NMFS 2015) at the Sutwik and Kak Island locations are summarized in Table 4.

Table 4. SSL counts at Sutwik and Kak Island haulouts 2013 through 2015

YEAR	2013		2014		2015	
	Sutwik	Kak	Sutwik	Kak	Sutwik	Kak
NON-PUPS	298	210	Not Surveyed		262	194
PUPS	19	0	Not Surveyed		36	0

The annual rate of change in SSL WDPS abundance in the Central GOA increased from 2000 through 2012 (NMFS 2014) and continued through 2015 (NMFS 2015) as seen in Table 5, although not at the higher rates of the adjacent Western and Eastern GOA areas. The reasons for those differences are presently unknown.

Table 5. SSL WDPS Annual Rates of Change from 2000 (% yr⁻¹)

YEAR/ AREA	2013			2014			2015		
	WGOA	CGOA	EGOA	WGOA	CGOA	EGOA	WGOA	CGOA	EGOA
NON-PUPS	3.60	1.97	4.98	4.09	2.61	5.22	3.95	2.68	5.07
PUPS	3.58	1.93	4.34	3.27	2.14	4.44	3.28	2.82	4.31

Through this analysis NMFS has shown that a small number of non-FFP vessels may harvest approximately 300 t of Pacific cod each year from January through February in the area proposed to be opened to pot gear in the parallel fishery. Under the proposed action, all vessels, whether with an FFP or not, would be prohibited from fishing for Pacific cod with pot gear



within 3 nm from the Sutwik Island haulout. All vessels with an FFP would be prohibited from fishing for Pacific cod with pot gear within 20 nm from the Sutwik Island haulout during the Federal/parallel Pacific cod pot fishery.

NMFS projects the potential for a shift in the spatial distribution of less than 1 percent (0.8%) of the Central GOA Pacific cod harvest under the proposed action with no change to the overall Pacific cod TAC or temporal dispersion of the harvest.

The 2010 BiOp discusses the impacts of prey availability to SSL that may arise from competition between fisheries and SSL and states, “Competition occurs if the fisheries reduce the availability of prey to the extent that sea lion condition, growth, reproduction, or survival is diminished, and population recovery is impeded.” Prey encountered by an individual foraging SSL in part determine its net gain in energy and nutrients that affects its condition, growth, reproduction, and survival. Connors and Munro (2008) have shown that the winter Pacific cod trawl fishery in their Bering Sea study area does not result in localized depletion of Pacific cod at the scale of the fishery removal. Thus, although the fishing removals may have an immediate localized effect on fish abundance, the effect may be obscured by characteristic rapid fish movement (less than one week) over a geographic scale greater than the fishery removal. Qualitative inference from the study area to other areas, including the area proposed to be opened under this action, requires consideration of similarities in fishing pressure and Pacific cod behavior and movement. Although additional information is needed on the size and duration of prey density decreases that impact SSL foraging success on a local scale, it is a reasonable assumption based on the findings of Connors and Munro (2008) that the slow pace and very low level of expected harvest under this action would not result in localized depletion of Pacific cod.

Because the effects of this action are limited to a potential spatial redistribution of less than 1 percent of the Central GOA Pacific cod harvest by a small number of non-FFP vessels, NMFS concludes that the effects of the proposed action on the SSL WDPS would not be able to be meaningfully measured, detected, or evaluated and, therefore, would be insignificant. This conclusion is further supported for the following reasons:

- Amendment 83 to the GOA FMP resulted in further temporal distribution of harvest and reduced the number of participants fishing in State waters during the parallel Pacific cod fishery relative to the regime that existed when NMFS implemented the SSL protection measures, including the 20 nm closure to pot gear around Sutwik Island.
- SSL abundance at Sutwik Island increased from 2002 through 2015 concurrent with GHL Pacific cod harvests inside SSL critical habitat west of 156° W (Table 2). The GHL harvests inside SSL critical habitat are more than 10 times the harvest expected to occur in State waters within the 3 nm to 20 nm closure around the Sutwik Island haulout under the proposed action.
- Localized depletion of Pacific cod is not expected to occur as a result of the action due to the slow pace and low level of harvest by a limited number of vessels using pot gear.
- NMFS implemented area closures for Pacific cod fishing with pot gear at 39 of the 78 SSL rookery and haulout sites in the GOA (Table 1). Greater area closures may not



correspond with greater SSL population increases. A cursory examination of a Central GOA site with no area closures for any gear type (e.g., Caton Island) shows an increasing abundance of SSLs whereas only one animal has been counted over the last 12 years at a site with 20 nm closures for all gear types (e.g., Samalga) (Fritz et al. 2016). NMFS has not conducted a robust analysis of the efficacy of the closure areas on SSL abundance and notes that the proposed action would modify one of the 39 area closures in the GOA for only a few vessels fishing in the parallel Pacific cod pot fishery (Table 6).

Table 6. Count of GOA rookery and haulout sites with area closures (20 nm, 10 nm, 3 nm, and none) for Pacific cod fishing with pot gear

SSL SITES - Closure Area	STATUS QUO – Number of SSL Sites	PROPOSED ACTION – Number of SSL Sites (FFP/non-FFP)
20 nm	21	21/20
10 nm	2	2
3 nm	16	16/17
None	39	39

Determination

Because the proposed action is likely to result in insignificant effects on the GOA Pacific cod fishery and, therefore, in insignificant effects on the SSL WDPS and designated critical habitat, we conclude that the proposed action is not likely to adversely affect the SSL WDPS. We request your concurrence with this determination.



References

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http://www.afsc.noaa.gov/NMML/PDF/SSL_Aerial_Survey_2015.pdf



September 23, 2016

MEMORANDUM FOR: Glenn Merrill
Administrator for Sustainable Fisheries

FROM: Jon Kurland *AJ for JK*
Assistant Regional Administrator for Protected Resources

SUBJECT: Chignik Management Area Letter of Concurrence,
NMFS #AKR-2016-9586

The National Marine Fisheries Service (NMFS) Alaska Region Protected Resources Division (PRD) has completed informal consultation under section 7(a)(2) of the Endangered Species Act (ESA) regarding the proposed change to Steller sea lion (*Eumetopias jubatus*) protective measures that apply to the Pacific cod fishery within Alaska State waters (from 0 to 3 nautical miles from shore) in the Chignik Management Area. The NMFS Sustainable Fisheries Division (SFD) requested, on behalf of the State of Alaska's Board of Fisheries (BOF), written concurrence that the proposed action may affect, but is not likely to adversely affect, the endangered western Distinct Population Segment (WDPS) of Steller sea lion (SSL) or Steller sea lion critical habitat. Based on our analysis of the information you provided to us, and additional literature cited below, NMFS PRD concurs with your determination. A complete administrative record of this consultation is on file in this office.

Consultation History

The ESA consultation history for effects of the Gulf of Alaska (GOA) Pacific cod fisheries on the WDPS of SSL is extensive. Most recently, NMFS issued a biological opinion (Opinion) on the authorization of the Alaska groundfish fisheries under the Fisheries Management Plan (FMP), including the GOA Pacific cod pot fishery, on November 24, 2010 (NMFS 2010). The 2010 FMP Opinion concluded that the groundfish fisheries, as authorized, were likely to jeopardize the continued existence of the WDPS SSL and adversely modify designated critical habitat.

The GOA Pacific cod jig and pot fisheries were not implicated in the jeopardy and adverse modification finding. The jeopardy and adverse modification finding in the 2010 FMP Opinion was based on potential connections between the continued decline of WDPS SSL populations in the western and central Aleutian Islands and the Aleutian Islands Atka mackerel and Pacific cod





fisheries. NMFS subsequently modified the SSL protection measures in the Aleutian Islands Atka mackerel and Pacific cod fisheries in 2011 (75 FR 77535, December 13, 2010; corrected 75 FR 81921, December 29, 2010) and 2015 (79 FR 70286, November 25, 2014) to ensure the fisheries were not likely to jeopardize the continued existence of the WDPS or adversely modify its designated critical habitat.

PRD received your request for consultation on proposed changes to SSL protective measures near Sutwick Island on August 12, 2016. PRD requested additional information about the SSL haul outs by email on August 31, 2016, which SFD provided on August 31, 2016. Finally, PRD requested additional information about Pacific cod catch allocation by email on September 19, 2016, which SFD provided on September 19, 2016.

Description of the Proposed Action

The State of Alaska's BOF proposes a change to SSL protection measures that apply to the Pacific cod fishery in State waters (from 0 to 3 nautical miles from shore) in the Chignik Management Area, located in the Central GOA. The proposed action would open a portion of a currently closed area in State waters to the harvest of Pacific cod to vessels using pot gear during the parallel fishery. The Pacific cod parallel fishery in the GOA occurs in State waters adjacent to Federal waters (from 3 to 200 nm) in the Central GOA management area. The State manages the parallel fishery concurrently with the Federal Pacific cod fishery to allow for seamless management. All catch of Pacific cod in the parallel fishery is deducted from the Federal total allowable catch (TAC).

The State is proposing to open an area of State waters in the Central GOA for vessels using pot gear in the Pacific cod parallel fishery that do not have a Federal Fisheries Permit (FFP). Because closure areas in the Central GOA Pacific cod parallel fishery were implemented as SSL protection measures in 2003 (68 FR 204, January 2, 2003; corrected 68 FR 24615, May 8, 2003), SFD is requesting written concurrence that the proposed action (as modified by the BOF proposal) may affect, but is not likely to adversely affect, WDPS SSL or its designated critical habitat.

The proposed action would not modify restrictions in State waters within 3 nm of the Sutwick Island haulout, or in that portion of the 20 nm closure area around the haulout that occurs in Federal waters. Nor would it modify restrictions that apply to vessels with an FFP that harvest Pacific cod in the parallel Pacific cod fishery within the 20 nm closure area around Sutwick Island. Nor would it modify management of hook-and-line, jig, or trawl Pacific fisheries in parallel waters within the action area. Under the proposed action, State permitted vessels that use jig gear to harvest Pacific cod in the parallel fishery around Sutwick Island would continue harvest without restriction. In addition, the use of hook-and-line and trawl gear for the harvest of Pacific cod in the parallel fishery within State waters around Sutwick Island would continue to be prohibited.



Action Area

The action area is defined in the ESA regulations (50 CFR 402.02) as the area within which all direct and indirect effects of the project will occur. NMFS defines the action area for this project as the Central GOA management area (Figure 1; Central GOA is delineated by reporting areas 620 and 630). While the proposed action solely addresses management of the Pacific cod pot parallel fishery in a portion of State waters within the State Chignik Management Area, shoreward of GOA Federal reporting area 620, and west of 156° W longitude (Figure 2), the fishing that would occur in the newly opened areas would be deducted from the Federal TAC, creating an indirect effect of a lower available TAC for other areas in the Central GOA reporting areas. The lower TAC in other areas could mean less fishing in these areas and would have no negative impacts on (and perhaps could even be beneficial to) SLLs in these areas of the Central GOA management area.

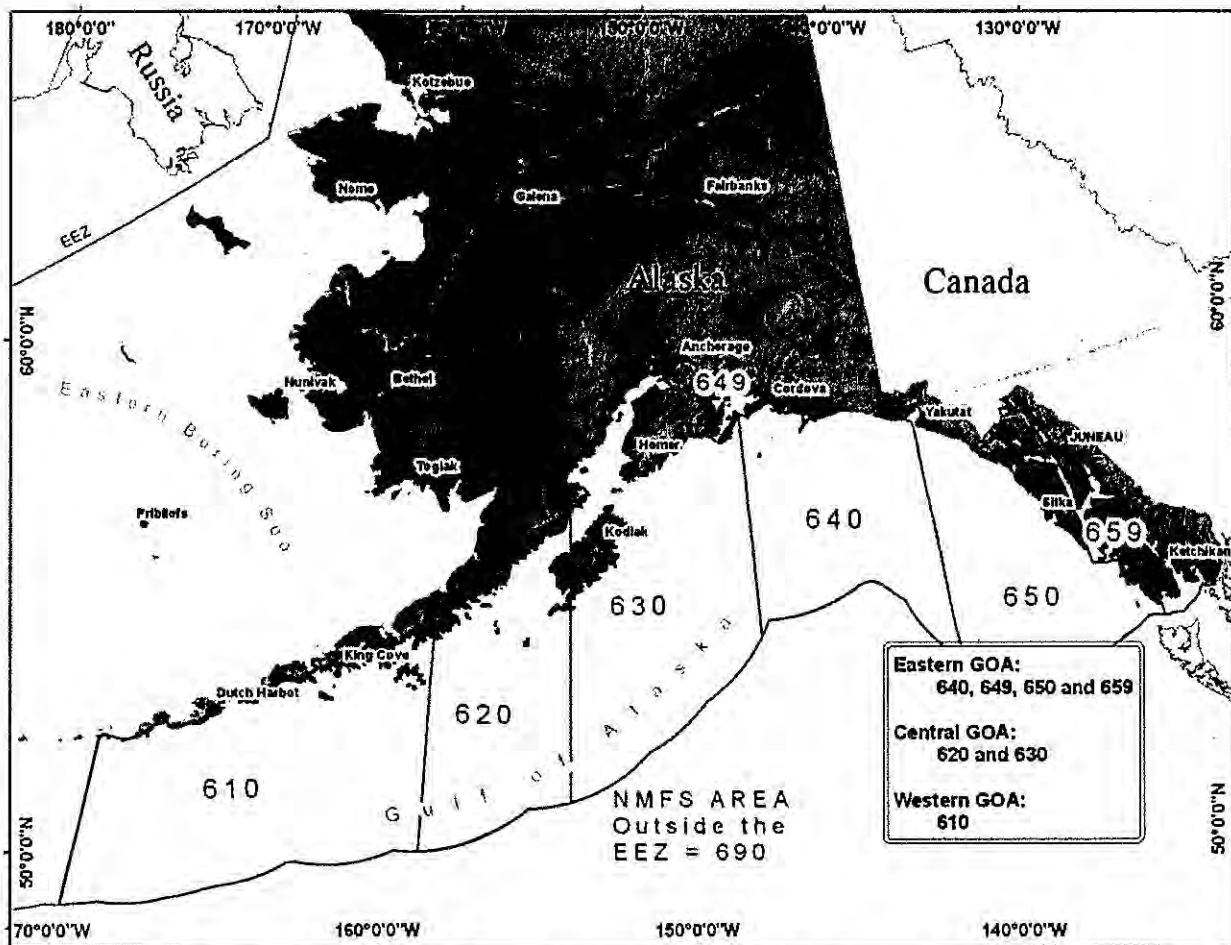


Figure 1. Gulf of Alaska Federal reporting areas. The action area is the Central Gulf of Alaska, comprised of management area 620 and 630 (NMFS 2016a).

The area directly affected by the proposed action is in the 20 nm area of SSL critical habitat around the Sutwik Island haulout that overlaps with State waters (see Figure 2; green shaded

area), which was previously closed to Pacific cod fishing with pot gear in Federal and parallel fisheries to conserve prey for SSLs (see 68 FR 204, January 2, 2003), but which would now be opened under the proposed action.

The 20 nm closure area around Sutwik Island that does not overlap State waters would not be affected, nor would the three additional 20 nm Pacific cod pot fishery closure areas of WDPS SSL critical habitat around Lighthouse Rocks, Chowiet Island, and Chirikof Island. These fishery closure areas are adjacent to, but are not included in, the area affected by the proposed action (see Figure 2; light purple shaded area). The 3 nm area closures in State waters around the Sutwik Island and Kak Island haulouts would remain unchanged (Figure 2; dark purple shaded area).

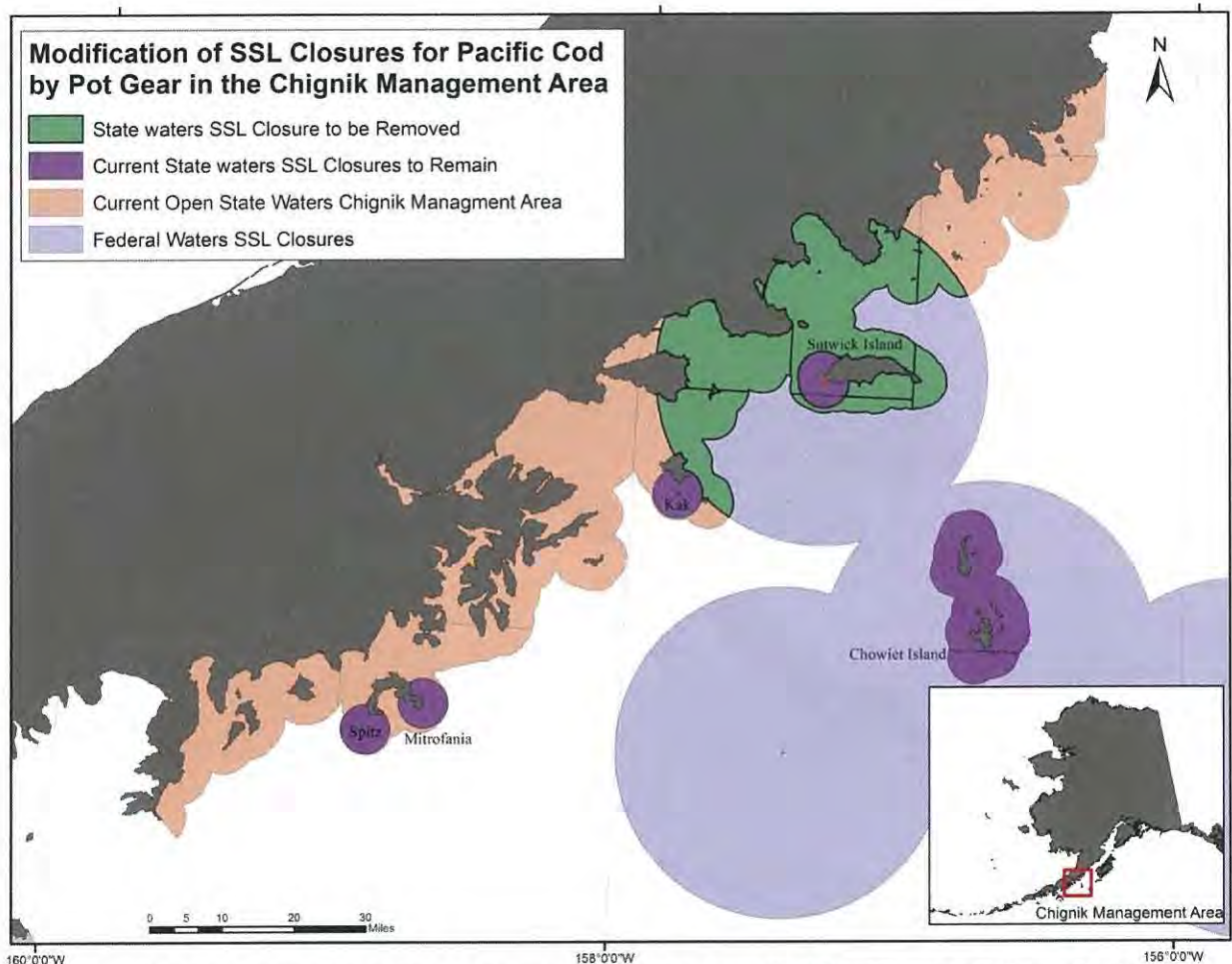


Figure 2. Project location is the state waters of the parallel Pacific cod fishery in the Chignik Management Area (Central Gulf of Alaska). The green area on this map shows waters where modification of Steller sea lion protections are proposed to allow Pacific cod pot gear for the parallel fishery (NMFS 2016a).



Mitigation Measures

Several mitigation measures are already in place to reduce potential impacts of fisheries on the WDPS SSL. These include harvest control rules to protect prey abundance, no transit areas, electronic vessel monitoring, seasonal allocations to reduce the likelihood of localized depletions, and fishery area closures near important sea lion foraging areas. The proposed action relates directly to a change in fishery area closure; for more information on the other existing mitigation measures, refer to the consultation initiation letter (NMFS 2016a). No additional mitigation measures will be implemented with this action.

Listed Species and Critical Habitat

Endangered WDPS SSL and several SSL critical habitat rookeries and haulouts occur within the action area. The proposed action would solely affect endangered SSLs and SSL critical habitat near Sutwick and Kak Islands (all other ESA-listed species in the action area were no effect determinations).

WDPS Steller Sea Lions

The SSL was listed as a threatened species under the ESA on November 26, 1990 (55 FR 49204). In 1997, NMFS reclassified SSLs into two Distinct Population Segments (DPS) based on genetic studies and other information (62 FR 24345); at that time the eastern DPS (EDPS) was listed as threatened and the WDPS was listed as endangered. On November 4, 2013, the EDPS was removed from the endangered species list (78 FR 66139).

SSLs are found throughout the action area (Central GOA), where they are generally increasing in abundance. From 2000 through 2015 the annual rate of change in abundance of WDPS SSL has continually increased in Central GOA (NMFS 2016a). As of 2015, the annual rate of change was increasing at 2.68% for non-pups, and 2.82% for pups in Central GOA (NMFS 2015a). SSLs are found on Sutwick, Kak, and other neighboring islands. There are no indications that numbers at these haulouts are diminishing (NMFS 2015a).

SSLs are opportunistic predators, feeding primarily on a wide variety of fishes and cephalopods, including Atka mackerel (*Pleurogrammus monopterygius*), walleye pollock (*Theragra chalcogramma*), Pacific herring (*Clupea pallasii*), capelin (*Mallotus villosus*), Pacific cod (*Gadus macrocephalus*), Pacific sand lance (*Ammodytes hexapterus*), and salmon (*Oncorhynchus* spp.) (Pitcher 1981, Merrick et al. 1997). The foraging strategy of SSLs is strongly influenced by seasonality of SSL reproductive activities on rookeries, and the ephemeral nature of many prey species. SSLs are generalist predators that eat a variety of fishes and cephalopods (Pitcher 1981, Calkins and Goodwin 1988, NMFS 2008b), and occasionally other marine mammals and birds (Pitcher and Fay 1982, NMFS 2008b).



Winter is a critical period for SSLs, particularly females and juveniles (NMFS 2001, 2003, 2008a, 2010). NMFS has concluded that the winter, in particular, requires catch limitations as it is a particularly sensitive period for SSLs. Not only are juveniles learning to forage and find resources as this time, but their energy demands are very high due to their large growth rate over the first few years of life. For females with pups, their energy demands are about double their requirements without a pup (Winship et al. 2002, Winship and Trites 2003), which makes them potentially susceptible to a reduction in available prey. Under these conditions, a pregnant and nursing female may be more likely to abort the growing fetus which was implanted the previous summer.

Information on SSL biology and habitat (including critical habitat) is available at:
<http://alaskafisheries.noaa.gov/pr/steller-sea-lions>

Fisheries Interactions

Fisheries interactions can impact SSLs. Between 2009-2013, there were incidental serious injuries and mortalities of WDPS SSLs observed in the following fisheries: Bering Sea/Aleutian Islands Atka mackerel trawl, Bering Sea/Aleutian Islands flatfish trawl, Bering Sea/Aleutian Islands Pacific cod trawl, Bering Sea/Aleutian Islands pollock trawl, Gulf of Alaska Pacific cod longline, Gulf of Alaska Pacific cod trawl, Gulf of Alaska sablefish, and longline. In addition, observers monitoring the Prince William Sound salmon drift gillnet fishery in 1990 and 1991 recorded two SSL mortalities in 1991, which extrapolated to 29 (95% CI: 1-108) kills for the entire fishery (Wynne et al. 1992). The combined average annual mortality estimate in observed fisheries is 31 (CV = 0.87) WDPS SSL (NMFS 2015b). Entanglement or other interactions with fishing gear is also a source of SSL injury and mortality. From 2009 to 2013, there were six confirmed fishery-related SSL strandings in the range of the WDPS (NMFS 2015b). Fishery-related strandings during 2009-2013 result in an estimated annual mortality of 1.2 WDPS SSL. This estimate is considered a minimum because not all entangled animals strand and not all stranded animals are found or reported (NMFS 2015b). Based on observer data (31) and stranding data (1.2), the minimum estimated mortality rate of WDPS SSLs incidental to all commercial and recreational fisheries is 32 (NMFS 2015b). However, there are no reported SSL serious injuries or mortalities in Alaskan Pacific cod pot fisheries and no confirmed strandings related to this fishery.

Subsistence Harvest

SSLs are subject to subsistence harvest in some areas. The mean annual subsistence take by Alaska Natives (harvested plus struck-and-lost) from the WDPS from 2004 through 2008, combined with the mean take over the 2008-2011 and 2013 years from St. Paul, was 199 WDPS SSLs/year (NMFS 2015b).

Other Anthropogenic Interactions

Another source of mortality data is represented in reports from the NMFS stranding database of WDPS SSLs entangled in marine debris or affected by other types of human interaction. From 2009 to 2013, nine animals possessed circumferential neck entanglements from packing bands or from unknown marine debris, one animal was shot with an arrow, and one animal was

entangled in an aquaculture facility net. The mean annual mortality and serious injury from other sources of human interactions for 2009-2013 is 2.2 individuals. However, this is a minimum estimate because not all mortalities caused by other types of human interactions are discovered and reported (NMFS 2015b).

Mortalities may occasionally occur incidental to marine mammal research activities authorized under MMPA permits issued to a variety of government, academic, and other research organizations. However, between 2008-2012 there were zero reported mortalities resulting from research on WDPS SSLs (NMFS 2015b)

Steller Sea Lion Critical Habitat

NMFS designated critical habitat for SSLs on August 27, 1993 (58 FR 45269). In Alaska, designated critical habitat includes the following areas as described at 50 CFR §226.202 (Figure 3):

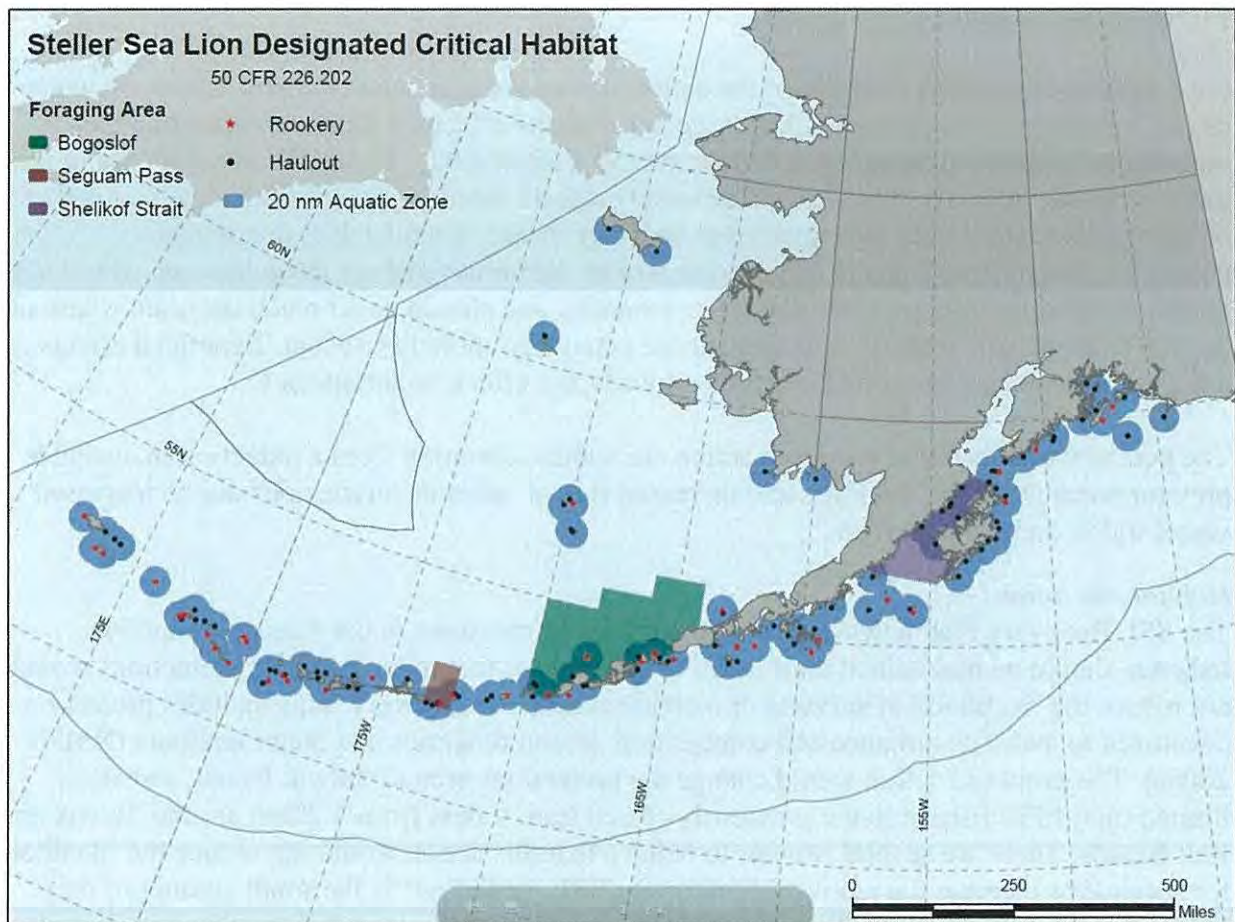


Figure 3. Designated Steller sea lion critical habitat in western Alaska (NMFS 2015a).



1. Terrestrial zones that extend 3,000 feet (0.9 km) landward from each major haulout and major rookery.
2. Air zones that extend 3,000 feet (0.9 km) above the terrestrial zone of each major haulout and major rookery in Alaska.
3. Aquatic zones that extend 3,000 feet (0.9 km) seaward of each major haulout and major rookery in Alaska that is east of 144° W longitude.
4. Aquatic zones that extend 20 nm (37 km) seaward of each major haulout and major rookery in Alaska that is west of 144° W longitude.
5. Three special aquatic foraging areas: the Shelikof Strait area, the Bogoslof area, and the Seguam Pass area, as specified at 50 CFR §226.202(c).

The proposed action would overlap with designated aquatic zones from 3-20nm offshore from Sutwick and Kak Islands.

Effects of the Action

For purposes of the ESA, “effects of the action” means the direct and indirect effects of an action on the listed species or critical habitat, together with the effects of other activities that are interrelated or interdependent with that action (50 CFR 402.02). The applicable standard to find that a proposed action is “not likely to adversely affect” listed species or critical habitat is that all of the effects of the action are expected to be insignificant, discountable, or completely beneficial. Insignificant effects relate to the size of the impact and are those that one would not be able to meaningfully measure, detect, or evaluate, and should never reach the scale where take occurs. Discountable effects are those that are extremely unlikely to occur. Beneficial effects are contemporaneous positive effects without any adverse effects to the species.

The potential effects of the proposed action are habitat alteration from a reduction in available prey for endangered WDPS SSLs and increased risk of fisheries interactions due to increased vessel traffic and fishing effort.

Habitat Alteration

The SSL Recovery Plan notes that the SSL protection measures in the Alaska groundfish fisheries should be maintained until it can be determined that reducing those protections would not reduce the likelihood of survival or increase the time to recovery. This includes protections developed to avoid disturbance and competition around rookeries and major haulouts (NMFS 2008a). The proposed action would change the protections around Sutwick Island, and allow limited (non-FFP) fishing in the previously closed state waters from 3-20nm around Sutwick and Kak Islands. There are several reasons to believe that this action would not reduce the likelihood for survival or increase the recovery horizon for SSL, including: 1) the small amount of prey removal relative to the TAC; 2) the limited fishing effort 3) the expectation of no anticipated local depletions; 4) the increasing abundance of SSL in this area; and 5) the increasing SSL trends in other areas with and without fishing restrictions.



The amount of prey removal anticipated to occur in the area that would be opened by this action is small relative to the TAC. NMFS projects the potential for a shift in the spatial distribution of less than 1 percent (0.8%) of the Central GOA Pacific cod harvest under the proposed action, with no change to the overall Pacific cod TAC or temporal dispersion of the harvest.

The anticipated fishing effort will be low. Fishing is already occurring through the separate State-managed Guideline Harvest Level (GHL) fishery in this area, and the action would only introduce a low level of harvest (approximately 300 tons) by a limited number of vessels (estimated 4 vessels) using pot gear from January through February each year. Under the proposed action, the GHL harvests inside SSL critical habitat are more than ten times the harvest expected to occur in parallel fishery State waters within the 3 nm to 20 nm closure around the Sutwik Island haulout. Therefore, the action would not represent a substantial change relative to the GHL fishing effort already occurring in this area.

Localized depletions are not expected. Conners and Munro (2008) have shown that the winter Pacific cod trawl fishery in their Bering Sea study area does not result in localized depletion of Pacific cod at the scale of the fishery removal. Although the fishing removals may have an immediate localized effect on fish abundance, the effect may be obscured by characteristic rapid fish movement (less than one week) over a geographic scale greater than the fishery removal. Qualitative inference from the study area to other areas, including the action area, requires consideration of similarities in fishing pressure and Pacific cod behavior and movement. Although additional information is needed on the size and duration of prey density decreases that impact SSL foraging success on a local scale, it is reasonable to assume that, based on these findings, the slow pace and very low level of expected harvest under this action would not result in localized depletion of Pacific cod in the action area (Conners and Munro 2008, NMFS 2015a).

The current SSL abundance trend in this area increasing. SSL abundances at Sutwik and Kak Island haulouts increased from 2002 through 2015 concurrent with GHL Pacific cod harvests inside SSL critical habitat west of 156° W. Further, the Sutwik and Kak Island haulouts are historically smaller than the adjacent Aghiyuk and Chirikof Island haulouts, which will maintain 20nm closure areas. These larger haulouts are expected to impart larger demands on localized prey resources and are therefore more important closure areas than the Sutwik and Kak Island closures.

SSL trends in other areas with and without fishing restrictions indicate that fishery closures are not necessarily driving recovery. NMFS implemented area closures for Pacific cod fishing with pot gear at 39 of the 78 SSL rookery and haulout sites in the GOA. Greater area closures may not correspond with greater SSL population increases. A cursory examination of a Central GOA site with no area closures for any gear type (e.g., Caton Island) shows an increasing abundance of SSLs whereas only one animal has been counted over the last 12 years at a site with a 20 nm closure for all gear types (e.g., Samalga) (Fritz et al. 2016). The proposed action would modify one of 39 area closures in GOA for only a few vessels fishing in the parallel Pacific cod fishery.



For the above reasons, NMFS concludes that the effects of the proposed action on the WDPS SSL would not be able to be meaningfully measured, detected, or evaluated. We therefore consider the anticipated effects of this action on potential habitat alteration and prey availability for WDPS SSLs to be insignificant.

Fisheries Interaction

There have been no reports in the List of Fisheries of direct, incidental or intentional takes of SSLs in Alaska's Pacific cod pot fishery (NMFS 2016b). Therefore, NMFS concludes that opening the proposed area to fishing for Pacific cod with pot gear during the parallel fishery to a few vessels over a few months is not likely to result in direct or incidental takes of SSLs.

We therefore consider the anticipated fisheries interaction with WDPS SSLs due to this action to be discountable.

Steller Sea Lion Critical Habitat

Habitat Alteration

NMFS identified physical and biological features essential for conservation of SSLs in the final rule to designate critical habitat (58 FR 45269; August 27, 1993). The proposed project may impact SSL critical habitat by reducing prey availability. However, this impact is expected to be insignificant due to mitigation measures in place and no anticipation of localized depletion. We evaluate effects to each of the essential features of critical habitat below.

Physical. Alaska rookeries, haulouts, and associated areas identified at 50 CFR §226.202(a) have been designated as critical habitat. These critical habitat designations include terrestrial zones that extend 3,000 feet landward, air zones that extend 3,000 feet above the terrestrial zone, and aquatic zones that extend 20 nm seaward for each major rookery and haulout west of 144° W. longitude. The proposed action will not allow fishery participants to fish within 3 nm of Sutwick and Kak Islands, and protections to all other major rookery and haulout locations in the action area would stay the same. The 17 nm surrounding Sutwick that would be open to fishing under the proposed action are anticipated to have insignificant effects on critical habitat due to the limited duration of fishing (Jan-Feb), limited number of boats (approximately four), and the limited amount of catch (approximately 300 tons).

We therefore consider the anticipated effects of this action on WDPS SSL critical habitat to be insignificant.

Biological. Three special aquatic foraging areas have been identified at 50 CFR §226.202(c): the Shelikof Strait area, the Bogoslof area, and the Seguam Pass area. All three special aquatic zones are outside the Chignik Management Area. However, these areas could be indirectly affected by the action as the TAC for Pacific cod would remain the same, while Pacific cod fishing occurring in the newly open area as a result of the action would likely mean that Pacific cod fishing in surrounding areas (including these three special aquatic foraging areas) would be slightly



reduced. This indirect effect would be wholly beneficial as it would, if anything, increase prey availability in those areas.

The potential effects of the action on biological features of the WDPS SSL critical habitat are the same as those evaluated in the habitat alteration and prey availability analysis on pages 8-9. We therefore consider the anticipated effects of this action on WDPS SSL critical habitat to be insignificant.

Conclusion

Based on this analysis, NMFS concurs with your determination that the proposed action may affect, but is not likely to adversely affect, the WDPS SSL or designated SSL critical habitat. Reinitiation of consultation is required where discretionary Federal involvement or control over the action has been retained or is authorized by law and if (1) take of listed species occurs, (2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered, (3) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this concurrence letter, or (4) a new species is listed or critical habitat designated that may be affected by the identified action (50 CFR 402.16).

Please direct any questions regarding this letter to Suzie Teerlink at Suzie.Teerlink@noaa.gov or (907) 586-7240.

cc: Bridget Mansfield, bridget.mansfield@noaa.gov
Brandee Gerke, brandee.gerke@noaa.gov

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October 4, 2016

Alaska Department of Fish and Game
Board of Fisheries
PO Box 115526
Juneau, AK 99811
Email: dfg.bof.comments@alaska.gov

RE: Comments for October 18-20 Work Group Meeting for the ACR 10 concerning the Southern Southeast Sablefish Fishery

Dear Board of Fisheries Members,

Petersburg Vessel Owner's Association (PVOA) is composed of over 100 members participating in a wide variety of species and gear type fisheries. An additional 35 businesses supportive to our industry are members. Targeted species include salmon, herring, halibut, sablefish, cod, crab, shrimp, pollock, tuna, geoduck, and sea cucumber.

PVOA's mission statement is to:

“Promote the economic viability of the commercial fishing fleet in Petersburg, promote the conservation and rational management of North Pacific resources, and advocate the need for protection of fisheries habitat.”

PVOA continues to support legalizing pot gear for the C61C Southern Southeast Sablefish fishery and ask that the Board of Fish address ACR 10 before the Southeast Shellfish/Finfish cycle in 2018. We believe that this fishery is in need of action before 2018 for conservation issues, as well as economic reasons.

First and foremost, the Department of Fish and Game during the work session on August 30th stated that they couldn't estimate the amount of sablefish taken by whales during their stock assessment surveys or the commercial fishery when killer whales are occupying Clarence Straits. Our members agree that this is problematic for them in the management of the fishery and accounting of total removals for each year. It also affects the biomass and consequently the available acceptable removals for all user groups in the area.

Additionally, when vessels either for survey purposes or commercial fisheries suffer predation from whales, they are forced to set additional gear increasing their interactions with bycatch of many types of rockfish and other species.

The Southern Southeast Sablefish fishery is currently broken into two seasons. The hook and line gear get the first 75 days from June 1 to August 15 and pot gear gets the second 75 days from September 1 to November 15. Our members have a conflict in seasons between the hook and line season and various southeast salmon fisheries' seasons. **PVOA members support re-opening the hook and line season on August 25th** to prevent this timing conflict and enable the fishery to occur when less whales are in Clarence Straits. This re-opening would also allow permit holders to choose to fish their equal quota share in the fall when prices for sablefish are often higher than in the spring.

At the 2015 Southeast Finfish meeting, our membership supported similar proposals 134 and 135 that would allow hook and line longline fishermen the option to convert to pot gear. We also

ACR 10 October 18-20, 2016
PO Box 232 Petersburg, AK 99833

Petersburg Vessel Owner's Association
(907) 772-9323
email: pvoa@gci.net



PC 22
2 of 2

supported the Emergency Petition in August of 2016 that would have allowed pots or an extension of the season.

Thank you for your service and considering our comments. Petersburg Vessel Owner's Association represents 6 of the 20 active permanent and interim C61C permits. We would be happy to answer any questions, please email us at: pvoa@gci.net.

Respectfully,

Megan O'Neil

Megan O'Neil
Executive Director



Submitted By
Christopher Tobias
Submitted On
9/30/2016 4:28:37 PM
Affiliation
Sport Fishing Guide

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907-521-2927
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chris@roehard.com
Address
PO Box 877922
Wasilla, Alaska 99687

Dear Board Members of the Alaska Board of Fisheries,

I am writing to you in hopes that you would support the common sense proposal to strengthen Alaska's fish habitat permitting for the future of sustainable salmon. As a sport fishing guide, I whole heartedly support the diverse Alaskan authors who have put this request before you. The importance of this proposal can be seen by the array and background of the individuals that united around a common solution. From sport fishers, to commercial fishers, business owners, tribal representatives and scientists, one unanimous conclusion was reached. Title 16 needs to be strengthened to provide the ADF&G the necessary tools to protect and preserve our salmon stocks for current and future generations.

My wife, Hillery, and I own Roe Hard Guide Service, which operates on the Susitna River Drainage. We make a large portion of our living guiding clients for all five species of Salmon. Without a healthy fishery and depleted resources we would not be able to operate in any way shape or form that would be beneficial to us and our clients. A healthy fisher is not only important for us as Alaskans economically, but it is imperative we maintain a healthy fishery so future generations can enjoy and prosper off of our natural resources.

The issue at hand is that Title 16, the Alaska Statute that deals with all things fish and game, has not been amended since statehood. Although the statute contains statements for how the State of Alaska will plan or development of important salmon habitat, it lacks clear criteria and specificity for the ADF&G to determine whether habitat permit applications should be approved or denied.



The Alaska Board of Fisheries should listen to the people of this great state, and the authors of the proposal, and use its authority to recommend that Title 16 be updated to incorporate principles and criteria from the Sustainable Salmon Policy, which were specifically developed to “ensure conservation of salmon and salmon’s require marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska’s fishing communities.” 5 AAC 39.22(b). Such a recommendation is consistent with the Board’s statutory duties to conserve fish and game and assure that their use continues to be available on a sustained yield basis.

The State of Alaska’s first industry was fishing, and the need for the conservation based management was a primary impetus for statehood. In economically tough times, Alaska’s fishing industry remains a reliable economic engine for countless Alaskan families and communities. Thousands of Alaskans, such as myself, are employed as fishing guides, tourism operators, commercial fishers, seafood processors, marine mechanics, and so on. Given the grave importance and long-term potential of Alaska’s salmon fisheries to sustain many more generations of fishing families, we must ensure that our laws and development decisions are stringent an concise when it comes to protecting salmon habitat. Thank you for your service on our state Board of Fisheries. Please forward the need for action to update our fish habitat law onto the state legislature.

Sincerely,

Christopher and Hillery Tobias

Owners

Roe Hard Guide Service



Submitted By
David D Athearn
Submitted On
10/1/2016 5:16:09 AM
Affiliation
Retired sport fisherman

Phone
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I am a 73 year old, 40 year residence of Alaska. I suggest that seniors be allowed to use bait in fresh water as well as children under the age of 16. It is very difficult to hike up and down streams at my advanced age and being allowed to use bait would increase my chances of catching my winter supply of fish while staying close to my vehicle. I feel this would have minimal impact on the fresh water fisheries and be a good accomadation to older Alaskans. Thanks for considering my proposal.



Submitted By
Terry Nininger
Submitted On
10/1/2016 10:27:45 AM
Affiliation

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Wasilla, Alaska 99687

RE: Letter of Support for EF-F16-037: Establish Shell Lake As A Conservation Concern

In the interest of rehabilitating the Shell Lake sockeye adult escapement and smolt emigration, Shell Lake should be classified as a stock of *conservation concern*, (Sustainable Salmon Fisheries Policy, (SSFP), 5 AAC 39.222 (f) (6), "conservation concern"). In recent history there has never been a greater need to restore a salmon population than what currently exists at Shell Lake.

Adult escapement into Shell Lake has dropped from 69,800 in 2006 to 215 fish in 2016. Out migrating smolt has dropped from 80,600 in 2007 to 12 fish in 2016. It is only because of the efforts by a private organization, Cook Inlet Aquaculture Association, (CIAA), that there are any remaining sockeye in Shell Lake.

As referenced in the SSFP, "conservation concern means concern arising from a chronic inability, despite the use of specific management measures, to maintain escapements for a stock above a sustained escapement threshold (SET)". Yes, "a conservation concern is more severe than a management concern". A conservation concern has rarely, if ever, been used by the BOF but the Shell Lake issue is unique. Previous management efforts have failed to address the complete collapse of this run. Based on euphotic volume, the estimated adult sockeye salmon potential production in Shell Lake should be 10.3% of the entire Susitna River drainage.

The sockeye problem at Shell Lake is complex. Certainly, the pike population is a primary factor, as is the presence of disease and beavers. But that does not take away from the need for an action plan that precludes further harvest of sockeye. You cannot maintain the same level of harvest and still reduce the mortality factor. Additionally, the action plan should include further understanding of what can be done to reinstate the salmon population.

The Alaska Board of Fisheries needs to take a bold and unprecedented position to declare the Shell Lake sockeye a stock of conservation concern. In the short term this may compromise the interests of sports and personal use fishermen and commercial fishermen, but in the long run it is the only action that will return this fishery to its original and natural state.

Terry Nininger



Submitted By
Joshua Cress
Submitted On
10/1/2016 12:56:38 PM
Affiliation

Phone
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jjcress@alaska.edu
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50374 Speedy Hill St.
Kenai, Alaska 99611

Dear members of the Board,

My name is Joshua Cress and I am writing regarding the proposed changes to Title 16 of the Alaska State Constitution and ensuring sustainable salmon habitats are preserved. I am an Alaskan of 11 years, and a lifelong Alaskan in spirit. I have lived on the Kenai Peninsula for the entirety of my residence and have worked in the fisheries industry first-hand both as a deckhand and as a seasonal employee for the Department of Fish and Game.

Salmon are very important to me and to our state as you are very well aware of since you are tasked with regulating our salmon and making the difficult decisions for salmon fisheries. It is my opinion that the proposed changes to the Alaska State Constitution, Title 16, are reasonable, but more importantly necessary. The fact that this section of the constitution has not been updated since its original ratification is downright negligent, both to Alaskans and the salmon they so value. Considering that 1 in 7 Alaskans are employed by the seafood industry (1), and that industry totals an export value of 3.27 billion dollars annually (2) the future of Alaskan's and Alaska's economy are at stake. Consider also the lower-48's salmon fisheries. In 1999, 40% of historic spawning ranges were unoccupied by salmon in Oregon, Washington, Idaho, and California (3). We do not make further definitions to Title 16, or manage our salmon in a sustainable and biological manner, our future may look similar.

I urge you to consider Alaskans and their salmon, and would like to urge you once again to make this necessary change tot Title 16 and send it to the senate. Implementing the Sustainable Salmon plan that was created by the Department of Fish and Game would be a very wise decision.

I thank you for taking your much valued time to review this plea.

Sincerely,

Joshua J. Cress

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2. Alaska Seafood Market Institute Economic Value Report – <http://www.alaskaseafood.org/industry/seafood-market-info/economic-value-reports/>
3. Climate Change Impacts on the United States - Foundation Report: The Potential Consequences of Climate Variability and Change - National Assessment Synthesis Team (U.S.)



Submitted By
Nyangath Diew
Submitted On
10/1/2016 6:10:29 PM
Affiliation

My name is Nyangath K Diew. I'm a student at UAA and I'm writing today because of how important salmon is to me and my family, as it is to so many Alaskans, especially the Native families. They depend on salmon and that's how they feed their families.

I'm writing in support of the proposed update to Alaska's fish habitat permitting process.

I strongly support the proposal because most of my family members work in the fishing industry - that is how they make a living and take care of their families. Please consider this and make the right decision for us and for everyone that will be affected by this including our future generations.



Submitted By
Summer Kerr
Submitted On
10/2/2016 10:45:25 AM
Affiliation

Dear Board of Fisheries members -

I am a lifelong Alaskan born just 2 months after Alaska became a state. I live in Anchorage, and have lived in the Mat-Su where for years I have fished recreationally and eaten wild salmon.

Part of being an Alaskan is salmon. Before the Trans-Alaska pipeline was built much of our economy and social activity centered around salmon, other local fish and wild game. Alaska fish and game connected us as one people, no matter what race, religion, education level each of us had. We cared more about being stewards of our state than becoming rich off things that would change our way of life.

Teaching kids and teens how to catch, prepare and cook salmon teaches many skills and as a mother of two sons is a drug-free activity that encourages healthy lifestyles and builds a sense of community, which in turn encourages our youth to protect our environment and keeps them out of activity that leads to delinquency.

I respectfully request the Board of Fisheries define what is undefined in Title 16 so our fisheries are protected from harm and salmon will thrive. I also ask the Board to include a provision which mandates public notice be made and public input be strongly considered for any permits for construction that may impact salmon streams.

Salmon are a true and proven renewable resource - if we protect our salmon then future generations will be able to continue our way of life.



Submitted By
Monika Carhart
Submitted On
10/2/2016 7:04:57 PM
Affiliation

Board of Fish Directors,

I am relatively new to Alaska, and I have been awed by her many treasures. Coming from the lower 48 I have seen the ravages of man throughout the states and my concern for Alaska's treasures is mainly toward sustainability. These salmon resources can be around for many generations to come - this is needed for all creatures in Alaska, from the trees to top predators, man included. I urge you to adopt the proposed changes to Title 16, so that this magnificent state can remain so for generations to come.

Thank you,

Monika Corhart



September 21, 2016

To: Board of Fisheries
Alaska Department of Fish and Game
Boards Support Section
PO Box 115526
Juneau, AK 99811-5526

Re: ACR 9

Dear Board Members,

To provide background, at the Southeast Finfish meeting in February 2015 my father, Darrell Kapp, submitted a proposal to allow Sitka sac roe herring seine permittees the opportunity to harvest herring eggs using the alternative method of Open Pound roe on kelp (Proposal 126). It was found by the Department of Law (DOL) there was an overlap in Commercial Fisheries Entry Commission (CFEC) regulations between the Sitka Sound seine (G01A) and Northern Southeast herring pound (L21A) administrative areas. DOL stated, "The board likely does not have authority to allow additional users into this limited entry fishery without prior action by the Commercial Fisheries Entry Commission (CFEC)."¹ Consequently, the Board tabled the proposal until the statewide meeting in March 2016 and sent a letter to CFEC on March 3, 2015 asking them to re-define the administrative area for the Northern pound fishery to exclude Sitka Sound so a decision could be made on Proposal 126.² CFEC responded to the Board they were accustomed to the Board first making methods and means decision conditioned on subsequent regulatory action by the commission but felt there was a prima facie case for a regulatory proposal.³ CFEC held a hearing in Juneau on November 6, 2015 and determined in January 2016 to take no further action on the proposal, but allowed that should the Board take positive action on Proposal 126, CFEC would reconsider the matter.⁴ The DOL, in their review of Proposal 126 for the Board's statewide meeting in March 2016, stated, "The Board does not have the authority to adopt this proposal."⁵

If the Board could not take action on the proposal due to the inaction of CFEC then which agency has the statutory authority to make the decision?

Before testimony at the CFEC hearing started, the CFEC Chair stated: "the thing that I would like all of you to note is that our proposal does not address the merits of proposal 126."⁶ Though it was brought to everyone's attention that merits of proposal 126 were not going to be debated, the testimony presented at the CFEC hearing was identical to testimony presented to the Board at its SE Finfish meeting in February 2015. The difference was the Board had a more robust understanding of the issues

¹ Dept of Law Memorandum, February 11, 2015

² Board of Fisheries Letter, March 3, 2015

³ CFEC Letter, May 13, 2015

⁴ CFEC Letter, January 8, 2016

⁵ Dept of Law Memorandum, March 4, 2016

⁶ BOF Statewide Meeting PC#14 p. 5-6 CFEC Hearing Transcription 11-6-15



surrounding proposal 126 and CFEC did not. CFEC made clear their hearing was not to debate the merits of proposal 126 so; consequently, they did not receive the same information that was provided to the Board. CFEC lacked the information about the experimental fishery, marketing reports, and everything else that would go into making a better informed decision with regards to proposal 126. Understanding that the merits of proposal 126 were going to be decided by the Board, I attended and testified at the meeting asking CFEC to change the administrative area definition pursuant to AS 16.43.200⁷ to exclude Sitka Sound so the Board could decide on proposal 126 in accordance with AS 16.43.950.⁸

I did not effectively debate proposal 126 in front of CFEC because I was informed the Board of Fish was the appropriate forum. Unfortunately, as far as I can tell, the CFEC's no action decision was based on what appeared to be a majority opinion of people in the room regarding roe on kelp markets and not based on anything pertaining to the Limited Entry Act. This was disappointing and leaves many questions unanswered:

- What is the relationship between the permit holder and the access to a biomass of fish?
- Who has the right to harvest the biomass the permit holder or the gear?
- Does adding another harvest method for a permit holder in a fully utilized fishery change the individual's right of access to the biomass in the fishery?
- Are the two fishery areas, set up by CFEC, representative of the historical biomass areas of each fishery and the management of each fishery?
- Why were two large areas allowed instead of small areas?
- Why were the administrative lines allowed to overlap yet not overlap completely?
- If the Board of Fisheries is supposed to determine the approval of proposals then why can action or, in this case, no action from CFEC prevent them from doing so?

These are only some of the questions that should have been answered.

We believe the CFEC made an unfitting decision when they established the administrative area for the L21A fishery. They had a choice⁹ but exceeded their statutory responsibility and planned for the expansion of the L21A fishery by choosing a large area definition. CFEC regulates entry into existing fisheries not future fisheries.¹⁰ They overstepped their statutory responsibility by overlapping the G01A area and the L21A area. In addition, CFEC didn't correct the area overlap and usurped the Board's statutory responsibility for development and utilization of fisheries.¹¹

⁷ AS 16.43.200 Administrative Areas

⁸ AS 16.43.950 Applications of Regulations of Board of Fisheries

⁹ CFEC Letter, January 8, 2016, paragraph #4

¹⁰ AS 16.43.100. (3) establish administrative areas suitable for regulating and controlling entry into the commercial fisheries.

¹¹ AS 16.05.251. (12) regulating commercial, sport, guided sport, subsistence, and personal use fishing as needed for the conservation, development, and utilization of fisheries;



The Board has the responsibility to set the means and methods of harvest in an area¹² but it seems there is a conflict with CFEC on how to do it. A memo circulated in the past from CFEC states that following favorable Board action on the proposal, CFEC would stand by to propose complementary regulations.¹³

In this case, the Board was not allowed to act on the proposal so CFEC was not obligated to make the needed change. Granted the following is only an assumption, but if the Board would have been allowed to adopt the proposal then they would have been able to express their reasoning behind supporting it to CFEC. Perhaps the Board's adoption of the proposal would have been compelling enough for CFEC to take action as requested.

We are requesting the Board of Fisheries to make sense of what is appearing to be a "chicken and egg" situation and allow us to again offer a proposal similar to 126 for Board of Fisheries consideration at the swiftest possible time. If CFEC could not "debate the merits" of proposal 126 and the Board is not authorized to adopt proposal 126 then how does proposal 126 get a fair hearing?

Alaska State Statute states CFEC shall establish administrative areas reasonably compatible with areas for which specific regulations are adopted by the Board of Fisheries⁷. The Board is told by DOL they can't adopt the regulations but Alaska State Statute also states that nothing in the Limited Entry Act (CFEC) limits the powers of the Board of Fisheries, including the power to determine legal types of gear⁸. Why, with respect to these statutes, does CFEC have the power to stop potential approval of a Board proposal when nothing in the Limited Entry Act limits the powers of the Board of Fisheries?

Thank you for your time and consideration of this important matter.

Regards,

Ryan Kapp

Darrell Kapp
G01A Permit Holder

¹² AS 16.05.251. Regulations of the Board of Fisheries. (4) Establishing the means and methods employed in the pursuit, capture, and transport of fish.

¹³ CFEC Memorandum January 12, 2000 submitted as RC 100 during 2016 SE Finfish meeting



Ryan Kapp RC100

MEMORANDUM STATE OF ALASKA
COMMERCIAL FISHERIES ENTRY COMMISSION

TO: Alaska Board of Fisheries

DATE: January 12, 2000

Dan K. Coffey, Chairman
Ed Dersham
Larry J. Engel
Grant Miller
Russell Nelson
Virgil L. Umphreour
Dr. John R. White

PHONE: (907) 789-6160 VOICE
(907) 789-6170 FAX



FROM: Commercial Fisheries
Entry Commission

SUBJECT: Board Proposals 168, 175 and 174-
Optional Open Pounding
Alternative for the Southeast Roe
Herring Seine Fishery (Sitka Sound)

Marlene Johnson, Commissioner
Mary McDowell, Commissioner
Bruce Twomley, Chairman

Board Proposals 168 and 175 would authorize open pounding as an alternative means of harvesting roe herring in the Sitka Sound roe herring seine fishery. Board Proposal 174 opposes the change.

The Board previously considered this issue in January of 1997 (Proposal 441). Our comments at the time (coordinated with those of the Department of Law) remain current today. This memo is a recap.

Since our 1997 communications, (1) the Department has experienced managing the experimental, Sitka Sound open pound fishery authorized by the Board in 1997; and (2) the Board authorized a herring pound spawn-on-kelp alternative for Norton Sound herring limited entry permit holders (both gillnet and beach seine). 5 AAC 27.965.

If the Board were to act favorably on Proposals 168 and 175, the Board should be very clear its action affects only the existing, limited Sitka Sound roe herring purse seine fishery.

In turn, following favorable Board action on Proposals 168 and 175, CFEC would stand ready to propose complimentary changes to its regulations. To adopt such regulations after a public comment period, CFEC would be required to determine independently that the purposes of the Limited Entry Act would be served by doing so.

In particular, CFEC's current definition of the administrative area for the Northern Southeast herring spawn-on-kelp pound fishery includes the area in which the Sitka Sound roe herring purse seine fishery is conducted. Compare 20 AAC 230(a) and 5 AAC 39.200(m)(2). CFEC would likely propose



modification of its current definition of the administrative area for the Northern Southeast herring spawn-on-kelp pound fishery to exclude the area included within the Board's definition of the Sitka Sound roe herring purse seine fishery.

In making and considering this proposal, CFEC would be guided by the Limited Entry Act, AS 16.43.200, which reads in relevant part as follows:

The commission shall establish administrative areas suitable for regulating and controlling entry into the commercial fisheries. The commission shall make the administrative areas reasonably compatible with the geographic areas for which specific commercial fishing regulations are adopted by the Board of Fisheries.

* * *

The commission may modify or change the boundaries of administrative areas when necessary and consistent with the purposes of [the Limited Entry Act].

Generally, the Entry Commission would also be guided by AS 16.43.950, which, in relevant part, provides:

Nothing in [the Limited Entry Act] limits the powers of the Board of Fisheries, including the power to determine legal types of gear and the power to establish size limitations or other uniform restrictions applying to a certain type of gear. Holders of interim-use permits or entry permits issued under this chapter are subject to all regulations adopted by the Board of Fisheries.

Our regulatory procedure would allow us to meet our responsibility under the Limited Entry Act, and, additionally, help generate public awareness and comment (particularly from members of the public who believe they have interests under the limited entry system that should be addressed). Our procedure creates an opportunity for the commission to clarify potential ambiguity between regulations of the Board and of the commission. The commission must reserve judgment on the issue until it has received public comment.

Bruce Twomey plans to report to the Board on Saturday, January 15, 2000.

If the Board has additional questions during the following Board meetings, at least one of the following individuals will be available by phone at 789-6160: Bruce Twomey, Susan Haymes, or Kurt Schelle.

cc: Frank Rue, Commissioner, ADF&G
Doug Mecum, Director of Commercial Fisheries
Scott Marshall, Regional Supervisor
Diana Cote, Executive Director, Board of Fisheries
Stephen White, Assistant Attorney General



MEMORANDUM

STATE OF ALASKA *Department of Law*

To: Glenn Haight
Executive Director
Alaska Board of Fisheries

Date: February 11, 2015

File No. J13014200582

Tel. No. 269-5232

Fax: 279-2834

From: Lance Nelson
Seth Beausang
Assistant Attorneys General
Natural Resources Section
Department of Law

Subject: **Comments on Proposals for
2015 Board of Fisheries
Meeting on Southeast
Alaska/Yakutat Finfish Issues**

The Department of Law has the following comments on the proposals to be considered by the Board of Fisheries at its 2015 meeting in Sitka on regulations for Southeast Alaska and Yakutat Areas finfish issues.

Proposal 124: This proposal would authorize equal share quotas for participants in the Sitka Sound sac herring fishery during years when 70% of permit holders voted in favor of such quotas. This is likely beyond the authority of the board. The board may not delegate its authority to decide how a fishery is prosecuted to anyone other than the commissioner or department, especially when there are expected to be individual fishers who do not favor the quota.

Proposal 126: This proposal would allow herring seiners to opt to use open herring pounds in lieu of their seine gear. Southeast Alaska herring pound limited entry permit holders are generally the only users who can participate in a pound fishery in their administrative area, not seiners. "Herring pound" is generally defined as "an enclosure used primarily to retain herring alive over an extended period of time." 5 AAC 39.105(d)(20). But in Southeast Alaska, a "herring pound" can include an "open pound" which is defined in 5 AAC 27.130(e)(2). The board likely does not have authority to allow additional users into this limited entry fishery without prior action by the Commercial Fisheries Entry Commission (CFEC).

Proposals 131-134: These proposals raise similar issues as in Proposal 126. There are already three permit holders in the Southern Southeast sablefish limited entry pot fishery. 20 AAC 05.320(e). The board likely does not have authority to allow additional users into this limited entry fishery without prior action by the CFEC.

Proposal 148: If the board authorizes community harvest permits, such permits could not be limited to residents of Hoonah or any other particular community.

Proposal 155: This proposal would allow "boat" or "party limits" for sport fishing rather than bag or possession limits that apply to individuals. One consideration



THE STATE
of ALASKA
GOVERNOR BILL WALKER

RC 142
Department of Fish and Game
ALASKA BOARD OF FISHERIES

1255 West 8th Street
P.O. Box 115026
Juneau, Alaska 99811-5026
Phone: 907.463.4110
Fax: 907.463.6794

March 3, 2015

Bruce Twomley
Chairman, Alaska Commercial Fisheries Entry Commission
P.O. Box 110302,
Juneau, AK 99811-0302

Subject: Board of Fisheries Action on Southeast and Yakutat Finfish Meeting Proposal 126

Chairman Twomley:

During the 2015 Southeast and Yakutat Finfish meeting in Sitka this past week, the Board of Fisheries considered Proposal 126, which would allow Sitka Sound herring seine permit holders to utilize open pounds to harvest roe on kelp in lieu of their customary sac-roe herring seine gear.

You may be aware the Sitka Sound herring fishery value has declined somewhat over the past few years with the market price falling below \$200/ton.

Also, the Sitka Tribe has encouraged the Board to reduce open fishing area and diminish harvest levels.

In considering Proposal 126, the Board was intrigued that the open pound fishery might provide a potentially higher price-point product to the market.

The Board was advised by the Department of Law that the Board likely does not have authority to allow new entrants to limited entry herring pound fisheries without approval by the Commercial Fisheries Entry Commission (CFEC).

A majority of the Board voted to again consider Proposal 126 next year if CFEC were to re-define the current administrative area for the Southern Southeast herring pound limited entry fishery to exclude Sitka Sound, where it appears no herring pound operations are currently authorized or have occurred there. The Board could then consider authorization of open pound gear as an alternative for sac roe seine permit holders. The CFEC could then ratify that alternative gear for seine permits.

The Board was offered a variety of options by the Department of Law for action on Proposal 126 in light of the inability of the Board to pass the proposal as written, including passing the proposal contingent on eventual approval by CFEC. Not knowing whether or when CFEC might act, the Board found it difficult to craft appropriate language. The Board decided it was more appropriate for the proposer to approach CFEC for approval of this concept before the Board would take subsequent action and allow current seine permit holders the option of utilizing open pound alternative gear.



Commissioner Bruce Twomley

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March 3, 2015

Accordingly, I am writing to inform you that the Board is open to further consideration of the proposal, and encourages the CFEC to assess the feasibility of acting to allow this fishery when approached by the proposer, Mr. Ryan Kapp.

You may already be aware of this concept as it has been before both the Board of Fisheries and CFEC over the years. We understand that CFEC may need a fair amount of time to make its determination.

Best Regards,

Tom Kluberton, Chairman
Alaska Board of Fisheries

Attached: Proposal 126

CC: The Honorable Sam Cotten, Commissioner ADF&G



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Commercial Fisheries Entry Commission

1000 SHANLEYWAY, SUITE 100
PO BOX 116028
ANCHORAGE, ALASKA 99511-0028
PHONE: 907.261-5100
ANCHORAGE, ALASKA 99511-0028
FAX: 907.261-5179

May 13, 2015

Tom Kluberton, Chairman
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: Board of Fisheries Action on Southeast and Yakutat Finfish
Meeting Proposal 126

Dear Chairman Kluberton:

I am sorry for the time that this response to your March 3, 2015 letter has taken. CFEC and I have had much more than the usual interruptions during the intervening period.

You called our attention to Board Proposal 126, which appears to be intended to authorize open pounding as an alternative means of harvesting roe herring in the Sitka Sound roe herring seine fishery.

An issue arising from the proposal is that CFEC's current definition of the administrative area for the Northern Southeast herring spawn-on-keel pound fishery includes the area in which the Sitka Sound roe herring purse seine fishery is conducted.

Your letter suggested the following approach:

The Board was advised by the Department of Law that the Board likely does not have authority to allow new entrants to limited entry herring pound fisheries without approval by the Commercial Fisheries Entry Commission (CFEC).

* * *



A majority of the Board voted to again consider Proposal 126 next year if CFEC were to re-define the current administrative area for the [Northern] Southeast herring pound [limited entry fishery] to exclude Sitka Sound, where it appears no herring pound operations are currently authorized or have occurred there. The Board could then consider authorization of open gear as an alternative for sea urchin seine permit holders. The CFEC could then ratify that alternative gear of seine permits.

I dithered over this a little bit, because I am accustomed to the Board first making a methods and means decision conditioned on subsequent independent regulatory action by the commission. However, there is at least a *prima facie* case for CFEC making a regulatory proposal that would modify its current definition of the administrative area for the Northern Southeast herring spawn-on-kelp pound fishery to exclude the area within Board's definition of the Sitka Sound roe herring purse seine fishery. Because our administrative area definition includes another limited fishery subject to Board regulation, there is an argument that we have not fully met our statutory duties under the Limited Entry Act AS 16.43.200, which reads in relevant parts as follows:

The commission shall establish administrative areas suitable for regulating and controlling entry into the commercial fisheries. The commission shall make the administrative area reasonably compatible with the geographic areas for which specific commercial fishing regulations are adopted by the Board of Fisheries.

+ * *


The commission may modify or change the boundaries of administrative areas when necessary and consistent with the purposes of [the Limited Entry Act].

We will develop and publish a regulatory proposal for public comment. Of course, we will have to reserve judgment, until we have heard all the public testimony, as to whether the proposal is or is not consistent with the purposes of the Limited Entry Act. I can think of



competing analyses, and I am not sure about where this proposal will end up. But we can ensure that all sides are heard and fairly considered.

By Direction of the
COMMERCIAL FISHERIES ENTRY COMMISSION


Benjamin Brown, Commissioner
Bruce Twomley, Chairman

cc: The Honorable Sam Cotten
Commissioner, ADF&G



This is a public hearing on CFEC's regulatory proposal to modify CFEC's administrative area definition for the Northern Southeast herring spawn-on-kelp pound fishery.

Now I'd like to introduce fellow staff members sitting here with me. I have my Co-Commissioner (Benjamin Brown). We have our Law Specialist (Doug Rickey) and we have Head of our Research (Craig Farrington). And we are the folks in response to your testimony who are likely to be asking you questions. And so as we go forward if someone has a question if you'd just get my attention I'll acknowledge you for the record and so they know who's speaking.

Also before we begin I really want to extend a thank you to (Randy Lippert), (David Pierce), and (Ty McMichael) for helping make this work. You guys have done a splendid job. And we are also grateful to GCI and particularly (Julie Pierce) who has helped us through this process.

Now before we begin taking testimony I wanted to say just a few words about the procedure and our regulatory proposal to remove Sitka Sound from our administrative area of definition for the Northern Southeast herring spawn-on-kelp pound fishery. I mean, as you know, earlier board proposal 126 asked the Board of Fisheries to authorize open ponding as an alternative means for the Sitka Sound roe herring fishery.

Now proposal 126 is not at issue in this proceeding but it certainly was the catalyst for this proceeding and our proposal - the trigger that led to this hearing. And you'll notice that CFEC's proposal in front of you says nothing about proposal 126. Our proposal addresses only our area definition. And I wanted to tell you that we made this proposal for two reasons. And the first is that we were asked to do so by the Board of Fish and by the Department of



CDEC SITKA SOUND

Madera



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Confirmation # 21784507
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Law. And that's unusual but that request had a certain amount of force. We like to be good colleagues and cooperate where we can. But there's a second reason and that's actually what prepared us forward to make this proposal.

We took a look at our statutory authorization to define administrative areas at our statute with is AS 16 - Alaska Statute 16.43.200 says that the Commission shall make the administrative area reasonably compatible with the geographic areas for which specific commercial fishing regulations are adopted by the Board of Fisheries. And it further says that the Commission may modify or change the boundaries of administrative areas when necessary and consistent with the purposes of the Limited Entry Act.

So, I mean, for us the question that was raised was why did we define the area for Northern (rolunt) kelp to include Sitka Sound in the first place. And we went back to our records, asked our staff to search through what we had, and we could not find a stated reason for doing that. And of course the managers of Sitka Sound have never told us that they wanted to invite more participants in that fishery. It seems that there are plenty of demands there now.

And so we had to acknowledge that our current definition of Northern spawn-on-kelp may not have fully complied with our statute. We just didn't have a stated reason for having included Sitka Sound in that definition. And so we made this proposal and maybe you folks through your testimony can provide us with a sound reason for maintaining the definition or maybe not. It will - much of that will turn on your testimony.

But the thing that I would like all of you to note is that our proposal does not address the merits of proposal 126. And please note that however - whichever way CDEC decides on our proposal the Board of Fisheries could still take up proposal 126. And if the Board were to act favorably on proposal 126 then



CFEC would have to review the Board's action for consideration of whether the Board's action was consistent with the purposes of the Limited Entry Act under Alaska Statute 16.43.41(2). And the basic purposes for a Limited Entry that we'd have to have in mind are that Limited Entry is intended to serve conservation and prevent economic distress among fishermen and those depended upon them for a livelihood. That's the most basic standard we work with.

And another thing to keep in mind is that the Board has means and methods authority under Alaska Statute 16.05.251. In turn, the Limited Entry Act governing us Alaska Statute 16.43.950 declares – and I'm paraphrasing – nothing in the Limited Entry Act limits the powers of the Board of Fisheries including the power to determine the legal types of gear.

So the short of this proceeding is if the Board in the future acts favorably on Proposal 126 the Board's action will need to come back to CFEC and CFEC will have to determine whether the Board's action is consistent with the purposes of the Limited Entry Act to give it effect.

And so that's when CFEC will be called upon to address the merits. If this does come back to us of course you will all get notice – anyone interested will get notice – and have an opportunity to address the merits as well.

So I think we're ready to move forward with your testimony. And if you have questions I'd like you to raise the questions while you are testifying. And we're going to start first with a testimony of people who have traveled here and who are here in this room to testify to us. When we get through your testimony then we'll turn to the people who are lined up on the phone to give their testimony.



THE STATE
of ALASKA
LIEUTENANT GOVERNOR WALTER



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Commercial Fisheries Entry Commission

1000 Commercial Entry, Suite 120
PO Box 12000
Juneau, Alaska 99801-0200
Phone: 907.586.3100
Fax: 907.586.3100

January 8, 2016

Tom Kluberton, Chair
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: Board of Fisheries Action on Southeast and Yakutat Finfish Meeting Proposal 126

Dear Chairman Kluberton:

As indicated we would in my letter to you of May 13, 2015, the Entry Commission developed and gave public notice of a regulatory proposal to exclude Sitka Sound from the administrative area for the Northern Southeast herring spawn-on-kelp pound fishery [20 AAC 05.230(a)(9)].

In addition to the usual public notice, CFEC sent an individual notice to all permit holders in that fishery, the Southern Southeast herring spawn-on-kelp pound fishery, and the Southeast roe herring seine fishery, inviting them to send written comments or appear at a public hearing on the proposal that was held at the Entry Commission offices in Juneau on November 6, 2015. The public comment period closed on November 13, 2015.

After due consideration, the Commission has decided to take no further action on the proposal, as we believe the record at this point does not support a change in the boundaries of the administrative area for the pound fishery.

When the Entry Commission considered a petition to limit the pound fisheries in Southeast Alaska in 1994, ADF&G Commissioner Carl Rosier sent us a memorandum regarding the Department's management and conservation concerns with the fisheries in the Hoonah Sound and Craig/Klawock areas. The Commissioner made clear the department's preference for either two large administrative areas (Northern and Southern) covering all of Southeast Alaska, or two



smaller administrative areas that would encompass Hoonah Sound and Craig/Klawock. The Entry Commission ultimately chose the first alternative and defined the Northern and Southern administrative areas as suggested in Commissioner Rosier's memorandum.

Nothing in our research or the public comment we received on this latest proposal convinces us that a change is needed at this time in the administrative area definition for the fishery that has been in place since 1995. If, however, the Board of Fisheries decides to go forward with Proposal 126 or something like it, we would reconsider the matter and examine whether allowing the Southeast roe herring seine permit holders to participate as pound fisherman would be consistent with the Limited Entry Act. Without prejudging the issue, I must tell you that, based on the overwhelmingly negative public comment we received, proponents of such a change will have a significant burden of persuasion.

I have copied this letter by email to Glenn Haight and attached copies of all public comment we received (letters and emails), as well as an unofficial transcript of the public hearing we held in Juneau on November 6, 2015. Virtually all of the public comment and testimony concerns Proposal 126 and, with the exception of those of its proponent Mr. Kapp, all comments were in opposition to the adoption of Proposal 126, mostly because of the potential negative economic effects on the existing pound fishery and its permit holders. It is also worth noting that not a single Southeast roe herring purse seine permit holder offered comment or testimony in favor of the proposal.

Please don't hesitate to contact me if you and have any questions regarding this matter.

Yours Truly,
Commercial Fisheries Entry Commission

Bruce Twomley, Chairman
Benjamin Brown, Commissioner

CC: Permit Holders (G01A, L21A, & L21C)
Sitka Tribe of Alaska
Southeast Alaska Seiners Association



MEMORANDUM

State of Alaska

Department of Law

TO: Glenn Haight
Executive Director
Alaska Board of Fisheries

DATE: March 4, 2016

FILE NO.: JU2015200517

FROM: Seth M. Beausang *SMB*
Assistant Attorney General

TEL. NO.: 269-5289

SUBJECT: Department of Law
comments on proposals
for the March 8-11, 2016
Statewide Finfish and
Supplemental Issues
meeting

The Department of Law has the following comments on the proposals to be considered by the Board of Fisheries at its March 8-11, 2016 Statewide Finfish and Supplemental Issues meeting:

Proposal 126: As we explained to the board last cycle, this proposal would allow Southeastern Alaska herring purse seine permit holders in Sitka to use open herring pounds in Sitka Sound in lieu of their seine gear. The Northern Southeast herring pound fishery is a limited entry fishery and includes Sitka Sound within the limited entry administrative area. In Southeastern Alaska, a "herring pound" can include an "open pound," which is defined in 5 AAC 27.130(e)(2). The board does not have authority to allow new entrants into the Northern Southeast herring pound limited entry fishery by allowing non-permit holders to use open pounds in the fishery. We understand from PC 16 that CFEC considered changing the administrative area of this limited entry fishery, in order to allow the board to act on this proposal, but that CFEC ultimately declined to change the administrative area. The board does not have the authority to adopt this proposal.

Proposal 194: Based on the statements in the proposal about the alleged impacts of trawl fishing on subsistence users in this area, the board is encouraged to consider

Matanuska-Susitna Borough



October 3, 2016

Board Support Section
Board of Fisheries
P.O. Box 115526
Juneau, Alaska 99811-5526

Re: Letter of Support for EF-F16-040: Identify rebuilding goals, objectives, and delisting criteria for stock of concern salmon within the Susitna and West Cook Inlet regulatory units.

Dear Board of Fisheries Members,

The Sustainable Salmon Fisheries Policy (SSFP) is found in Alaska regulation under 5 AAC 39.222. This regulation was developed because "... there is a need for a comprehensive policy for the regulation and management of sustainable salmon fisheries" (a) (1). The policy lays out a myriad of things to be considered and incorporated in developing management plans for the various salmon stocks.

In section (d) (4), the policy states that "in association with the appropriate management plan, the department and the board will, as appropriate, collaborate in the development and periodic review of an action plan for ... stocks of concern; action plans should contain goals, measurable and implementable objectives, and provisions, including (B) identification of salmon stock or population rebuilding goals and objectives; (C) fishery management actions needed to achieve rebuilding goals and objectives; (E) performance measures appropriate for monitoring and gauging the effectiveness of the action plan ..."

The SSFP contains specific criteria which must be met before a salmon stock can be declared a stock of concern, along with definitions of the three levels of stock of concern (f) (5) (6) (21) (42). These criteria have been applied to all salmon stocks in the Northern District of Cook Inlet and, as a result, eight stocks have been declared stocks of concern at differing levels (seven Chinook and one sockeye stock).

Proposal EF-F16-040 clearly states why having procedures and criteria either in regulation or contained in the action plan developed to address the particular stock of concern are important to the public, the fisheries user groups, and the fisheries managers.


The proposal suggests establishing either a new section in regulation which establishes recovery plan criteria or stating the recovery plan goals, objectives and criteria in the action plan formulated for each salmon population declared a stock of concern. Since each population has unique characteristics, a "one size fit all" approach would not necessarily be appropriate. A regulation would need to be written in fairly broad and general terms to allow the full range of situations which could be encountered. Incorporating the recovery criteria in the action plan developed for the specific stock of concern salmon



population would require specific detail appropriate to that stock and might be the preferred way to address this oversight in the SSFP.

The approach the Board of Fisheries chooses to implement to address this situation is up to them. We only ask that this deficiency be addressed and corrected. The Northern District currently has 8 of the 14 declared stocks of concern statewide. With nothing in regulation or contained in the respective action plans, declaring when and how one of these stocks of concern has recovered is an unknown at this time.

Sincerely,



John M. Moosey
Borough Manager

cc: Matanuska-Susitna Borough Fish & Wildlife Commission
Matanuska-Susitna Borough Assembly



Submitted By
John Moosey
Submitted On
10/3/2016 9:40:33 AM
Affiliation
Mat-Su Borough

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Letter of Support for HQ-F16-084 Incorporate Portions of the Sustainable Salmon Policy into Alaska Statute 16

Dear Board of Fisheries members,

On behalf of the Matanuska-Susitna Borough Fish & Wildlife Commission, I support in concept proposal HQ-F16-084-to Incorporate Portions of the Sustainable Salmon Fisheries Policy, (SSFP), AAC 39.222, into Alaska Statue 16. The Alaska fish habitat permitting process currently lacks criteria necessary to determine whether permitting decisions will adequately protect salmon populations and related fish habitat. The Board of Fisheries developed the SSFP to “ensure conservation of salmon and salmon’s required marine and aquatic habitat”. As referenced in the proposal, “elements of the SSFP should be incorporated in Title 16 and applied to ADF&G permitting decisions”.

I respectfully request the Board of Fisheries to formally request the legislature to incorporate portions of the SSFP into Title 16.

Sincerely,

John Moosey, Borough Manager



Submitted By
Tawni Neeser
Submitted On
10/3/2016 10:52:50 AM
Affiliation

Dear Board Fishery members,

My name is Tawni Neeser. I was born and have lived in Alaska my entire life. Fishing has been a family tradition for generations, and something we not only enjoy but we rely on. I'm writing to you in support of the proposed Title 16 amendments. I urge you to push for the legislature to adopt these changes.

As Alaskans, it is our responsibility to speak on behalf of the salmon and to protect them and their habitat. Additionally, we need to protect our environment. Fishing is a crucial source of income for the state, and one day I look forward to fishing our pristine Alaskan waters with my children and grand-children, and that they can do the same. Please consider these amendments for future generations of Alaskans.

Thank you for your time.



Submitted By
 Ryanne Tyler
Submitted On
 10/3/2016 1:39:13 PM
Affiliation

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My name is Ryanne Tyler and as an Alaskan, salmon are important to my community as well as myself and the environment. Why are salmon important? They provide clean, healthy stream ecosystems even when we pollute them. They are also important as a food resource for several communities throughout the state, some even surviving off of them. In my community, the Eagle River runs straight through the town and was populated by many salmon in the past. However, over the years I have noticed a decline in salmon and not many people venture down to the river any more. People have to travel to far off rivers, such as the Kenai, in order to get their supply of salmon. We are blessed to live in a state that has such an abundance of salmon. But as our population grows, the salmon population decreases especially with people illegally fishing or polluting our rivers. What can we do about this? It's simple, really. Amend Title 16 with the Sustainable Salmon Policy as a guide for permitting projects in fish habitat. This could be a positive change to ensure healthy salmon habitat for generations to come.



Submitted By
Alexis
Submitted On
10/3/2016 2:33:06 PM
Affiliation
Lucassen

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Dear Alaska Board of Fisheries -

I am writing to encourage your recommendation of the proposed title 16 changes to the legislature. As a recent graduate of Gonzaga University in biology and environmental studies, I studied fisheries management and completed a summer internship doing salmon and ecosystem monitoring and research within the Wood-Tikchik watershed of Alaska. It is my belief that the attached proposal is necessary to preserve Alaska's pristine salmon runs, and prevent further damage.

In my hometown of Spokane, WA, tribes are fighting to return salmon to the area, but sadly, I believe this is a dream that will never come true due to dams and development that Washington state has become so reliant upon. As a new resident of Alaska, I love having a culture strongly rooted in fish and pristine habitat, and I don't want to see our salmon runs become what they are in Washington and elsewhere in the lower 48.

As an Alaskan resident and someone who has worked hands-on with Alaskan fisheries, I have a lot rooted in the success of this proposal, just as everyone else who lives and visits this state does. I hope that the Board of Fish accepts this proposal that will increase public awareness, define what "proper protection of fish and game" is and assume that all waters have fish habitat until proven otherwise.

Thank you for taking the time to hear what I have to say, and for your work to protect salmon.

Sincerely,

Lexi Lucassen



Submitted By
Eric Booton
Submitted On
10/3/2016 3:08:14 PM
Affiliation

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Anchorage, Alaska 99504

Hello Board of Fish members,

My name is Eric Booton, I live in Anchorage, and like many Alaskans, spend my spare time with a fly rod in my hand, chasing wild salmon and trophy trout. The river is where I find my peace and fishing is a cornerstone to my identity.

I am writing to urge you to support the resolution to update Title 16. Alaska stands alone as the last remaining salmon stronghold in the United States, featuring strong salmon runs and pristine habitat. Being the final frontier for salmon, we have the luxury of looking back on the costly mistakes that have been made throughout the Lower 48 and learn from them.

Habitat loss is the greatest contributing factor to the loss of anadromous fish runs and in Alaska it is imperative that we set high standards for protecting fish habitat.

Each year the State of Alaska issues thousands of permits for projects in critical fish habitat, without opportunity for public notice - being that the fish, wildlife and waters are reserved for the people of Alaska, it is only fair that the people should have the opportunity to weigh in on projects that will have a large impact on fish habitat and clean water.

To ensure our salmon runs are protected for the future, it is important that we update Title 16 to ensure Alaskans like you and me have a voice in permitting decisions and the Alaska Department of Fish and Game has the tools it needs to protect anadromous waters.

Under current fish habitat permitting law, only waters in the Anadromous Waters Catalog require a fish habitat permit for development - but seeing that Anadromous Waters Catalog is woefully incomplete since less than 50% of the waters in the state has been catalog - a wise improvement would be to assume that all waters are anadromous unless proven otherwise.

A strong and reliable fish habitat permitting process that carefully balances development and salmon, is critical the future of salmon in Southcentral Alaska, our economy that relies heavily on the fishing industry, and all Alaskans.

As an Alaskan angler, I support the Alaska Board of Fish's use of its authority to recommend to the Alaska Legislature that fish habitat permitting laws be strengthened as outlined in the resolution to update Title 16 and request that you take action at this work session.

Thank you for your time and consideration.

Eric Booton



Submitted By
Ryan Astalos
Submitted On
10/4/2016 12:34:27 PM
Affiliation

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My name is Ryan and I live in Anchorage but travel across the state to find great fishing spots and to have the ability to fill my freezer with wild salmon. I love being able to find these fishing spots in the Cook Inlet Watershed, whether it be dipnetting on the Kasilof or fly fishing on the West Cook Inlet. My favorite fish that I ever caught was a silver on the Chuitna and seeing that fish jump out of the water with a purple fly hanging out of it's mouth was just the biggest adrenaline rush. Because I care about these great opportunities, I felt passionate enough to share these stories with you. And beyond my love of fishing, I also have a biology degree and have the understanding that if we don't conserve salmon habitat then we run the risk of not being able to enjoy the fishing experiences that I shared. I also want to make sure that someday my kids can fish on the Chuitna like I have.

And for these reasons I support your action on the Stand for Salmon Proposal to strengthen Alaska's Fish Habitat Permitting. Title 16 surrounding fish habitat permitting has not been updated since statehood and as times change and bigger threats come to light, the state should adapt and strengthen this law. I would like the board to take into account the following requests; to ensure that public voice is heard when fish habitat permits are issued on a larger scale, such as the Chuitna coal mine or the Susitna Dam. I would like clear definitions of what a company has to do in terms of mitigation if they are to even think about disrupting salmon rearing habitat. I would also like the board to ensure that there are clear definitions of what it means to protect salmon habitat and what sufficient protections actually means. I would also like the board to make it so that it is assumed that every stream has anadromous fish unless otherwise noted, not the other way around. I would like to see these concerns brought to light to the legislature so that the vision of protecting salmon habitat is reflected in our laws. We have a huge culture in Alaska surrounding salmon through subsistence, sport and commercial fishing, let's make sure that our current and future generations can continue to eat, fish and enjoy salmon by protecting their rearing habitat.



Submitted By
Samantha Russell
Submitted On
10/4/2016 12:25:52 PM
Affiliation

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Cook Inlet Salmon put food on my table, provide recreation and create thousands of jobs for Alaskans around the inlet. These annual salmon runs generate hundreds of millions of dollars in economic activity every year and sustain our unique Alaskan way of life. They really are what make Alaska great.

Alaska's constitution and Sustainable Salmon Policy were meant to provide strong protections for our state's unrivaled fisheries and guarantee residents a voice in the decision-making process. Despite these protections, our system fails to provide protections for our fisheries and often leaves Alaskan voices out of the process.

Please do everything in your power to protect Cook Inlet Salmon (and all other salmon) as well as MY voice and my children's voices when it comes to the future of Alaska's fish, water, and habitat.



Submitted By
James Tunnell
Submitted On
10/4/2016 11:33:09 AM
Affiliation
Chase Commuinty

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Chase Community Council

Po box 205

Talkeetna AK. 99676

chasetrail45@gmail.com

To: Alaska Board of Fish
From: Chase Community Council
Date: October 3, 2016
Subject: Support for the Sustainable Salmon Proposal

Dear Members of the Alaska Board of Fish:

The Chase Community Council is the northern most-recognized community council in the Matanuska-Susitna Borough. The western boundary is the Susitna River from Talkeetna to Gold creek and our south and east boundary is the Talkeetna River to Disappointment Creek. We are affected by many permitting and development issues that impact Alaska fisheries in Cook Inlet. The Alaska railroad travels along the entire western boundary of our council area along the Susitna River and regularly proposes herbicide spraying along the tracks. We are the first community downstream of the proposed 730 foot Susitna –Watana dam. At the same time, our community includes prized hunting, fishing and recreational areas for Alaskans. For example, we include Clear Creek king salmon fishing and we are in GMU 13E. The value of these resources to our residents and to Alaskans has put us on the frontline of protecting our fisheries and wildlife habitat. We have found Alaska's permitting process to favor development interest over protection of the natural resources and services that support our community and our neighbors. The Susitna and Talkeetna Rivers provide food and transportation that support a lifestyle for this "off-the-road" community. The Susitna supports the 4th largest King salmon run in Alaska and we strongly support efforts to prioritize and protect this valuable resource.

The Sustainable Salmon Proposal is a step toward strengthening our ability to protect these valuable resources for our community and for Alaska. Please support passing this along to the legislature so we can discuss the merits of strengthening the visionary Sustainable Salmon Policy at a time when Alaskans will rely upon our constitutionally protected resource now more than ever in the state's history.

Sincerely,

James Tunnell

James Tunnell

Chair of the Chase Community Council



Submitted By
Alec Valdez
Submitted On
10/3/2016 5:22:00 PM
Affiliation

Hello -

My name is Alec Valdez. My weekends growing up were spent on the water fishing all the salmon Alaska has to offer. For Alaskans salmon is much more than just a food source or a natural resource - it's a way of life. Without salmon Alaska won't be the same.

We need to take proactive steps now, to invest in something that once it is lost, won't come back. If it is lost we won't be able to supply others with an important food source, our tourism will be slashed and it just won't be the same.

When projects are offered that pose a 20-30 year solution, we need to remember that those solutions are short term. The salmon we have run for as long as the world as been around - please remember that when I have a son I can take him to enjoy the same fun I have, with enough fish to fill the freezer. Please take a look at modifying title 16, to preserve Alaska's fish.



Submitted By
Robert Barnwell
Submitted On
10/3/2016 9:46:44 PM
Affiliation
Business

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Seward, Alaska 99664

Hi, my name is Bob Barnwell and I own Alaska Fjord Charters in Seward. We specialize in salmon charters and glacier and whale watching. I have been involved with salmon my entire life, including working with the Alaska Department of Fish and Game as a fisheries technician for 5 seasons, to commercial salmon fishing for 20 years in Western Alaska. I have a strong, and vested interest in preserving our invaluable salmon runs.

We absolutely must make our decisions about salmon habitat based on current science, and minimize the political or business interests that often have unmerited influence on our decisions. The Sustainable Salmon Policy makes sense to me. It was drawn up in good faith by professionals that understand the complexity of managing and protecting our resource. Our constitution protects our salmon, but our laws must reflect that same commitment.



Dear Esteemed Board of Fish Members,

As a 40yr plus resident of the Kenai Peninsula I would like to give you some of my comment concerning a few of the proposals for this up coming 2017 Board of Fish Upper Cook Inlet meeting in early 2017. I would also like to give you some input as to my thoughts concerning Sports Fishing and Personal Use Fishing on the Kenai River since the last BOF Upper Cook Inlet meeting in 2014 from my own personal experiences in both of these fisheries. I am sending in this public comment because I will be unable to attend the BOF meeting at the Soldotna Sports Center on Oct. 18th due to a Kidney Stone medical issue to take place during the time frame the BOF is excepting Public Comment in Soldotna at its Sports Complex.

I want to thank the members of the Board of Fish for their time, effort and diligence they put forth to try and make all the decisions requested of them in order to make a fair and equitable fishery for all user groups, Thank You. Kenny Bingaman, PO Box 2163, Soldotna, Alaska. 99669.

This is my Public Comment for the following Upper Cook Inlet Proposals;

#87--- Amend Central District Drift Gillnet Fishery Management Plan to maximize commercial harvest of sockeye salmon, as follows: (a) The purpose of this management plan is to ensure adequate escapement of salmon into the Northern District drainages and to provide management guidelines to the department. The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River Coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of in river restrictions. The thought process expressed by this section (a) is important and there seems to be some double talk by the proposal author as to what his real wants are. However, or whatever this proposal really would entail, **it is very important that the BOF does more in an effort to protect and enhance the Coho Salmon fisheries in all of the river of Cook Inlet.** And that is the idea I **SUPPORT**.

#88--- Remove restrictions to the commercial drift gillnet fishery, so that the fishery would occur during two inlet-wide fishing periods based on test fishery and escapement data.

I feel that the current restrictions to the Comm Fish Drift Gillnet Fishery are antique and feel no changes should be made.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#89--- Repeal and readopt Central District Drift Gillnet Fishery Management Plan with the amended plan removing mandatory time and area restrictions from July 1–August 15

I DO NOT AGREE OR SUPPORT THIS PROPOSAL



#90--- Remove restrictions on the commercial drift gillnet fishery from July 1–31 and manage the drift gillnet fishery based on in season salmon abundance

The current plan is working very well.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#91--- Remove area restrictions imposed on the commercial drift gillnet fishery during July 9–15 and 16– 31 time period.

I see no advantage for Cook Inlet bound King Salmon with this proposal.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#92--- Restrict commercial drift gillnet fishery to the Expanded Corridor and Drift Gillnet Area 1 from August 1–15.

I feel it is important to get as many Coho Salmon to the rivers of Upper Cook Inlet as possible.

I SUPPORT THIS PROPOSAL

#93--- Amend preamble of management plan and restrict commercial drift gillnet fishery to the Expanded Corridor and Drift Gillnet Area 1 from August 1-15.

While I do support getting more Coho Salmon to the northern district streams, I do not support it at the detriment of returning Coho to the Kenai and Kasilof rivers.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#94--- Remove the one-percent rule, as referenced to both the set and drift gillnet fisheries, from the Drift Gillnet Management Plan.

I feel the 1% rule has worked very well in getting Kenai River returning King Salmon into the river and should not be changed.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#95--- Restrict commercial drift gillnet fishery to the Expanded Corridors and Drift Gillnet Area 1 from August 1–15.

This proposal is much like #93 and says the following: *Note: under this proposal even if the drift fishery was restricted under the 1 % rule, ADF&G could still allow the fleet to fish 7 days per week (5 days per week in the Expanded Kenai, Expanded Kasilof, and Anchor Point Sections.* I feel that this proposal would take Coho out of the Kasilof and Kenai River drainages. This Coho stock is depleted and should be listed as a stock of concern. There are no where near the numbers of Coho Salmon in the Kenai and Kasilof Rivers that there were even 20yrs ago.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#96--- Allow commercial fishing with drift gillnets in all waters of the Central District, except the Kenai and Kasilof Sections, from August 16 until closed by emergency order.

This just increases the amount of time Comm Fish Drifters are allowed to fish at the detriment of all other user groups.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL



#97--- Repeal the drift and set gillnet one-percent rules that apply to from August 1–15.

This proposal is the same as #94.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#98--- Reduce sport fishery bag limit for Coho salmon on the west side of Cook Inlet and close drift gillnet fishing in Areas 3 and 4 for remainder of season if Coho salmon sport fishing is restricted or closed in the Little Susitna River.

I would like to see more Coho make it to Northern district rivers.

I SUPPORT THIS PROPOSAL

#99--- Amend management plan to remove all restrictions and manage the commercial set gillnet fishery to harvest surplus Kasilof River sockeye salmon.

This proposal would devastate the numbers of returning Kenai and Kasilof King Salmon and is not viable.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#100--- Open the commercial set gillnet fishery in the Kasilof Section as early as June 20 if the department estimates 50,000 sockeye salmon will be in the Kasilof River before June 25.

This proposal would make it a guessing game for ADF&G and would make a big impact to returning King Salmon numbers in both the Kasilof and Kenai Rivers. It would impact Sport Fishing people.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#101--- Allow commercial fishing with set gillnets within 600 feet of shore in the Kasilof Section, with fishing time occurring 600 feet or less offshore not subject to the hourly restrictions in the Kenai River Late-Run Sockeye Salmon Management Plan.

This proposal would hurt all returning King Salmon to the Kenai River.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#102--- Amend management plan to allow commercial fishing with set gillnet gear in the Kasilof Section within one-half mile of shore and eliminate the provision allowing commercial fishing with set gillnet gear only within 600 feet of shore in the Kasilof Section.

This proposal is much like the previous one, #101.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#103--- Add a 24-hour no fishing window on Tuesday in the Kasilof Section through July 7 and adopt mandatory no fishing windows in the Kasilof River Special Harvest Area after July 7.

This proposal would aid in returning numbers of King Salmon to the Kasilof and Kenai Rivers. That would be a good thing.

I SUPPORT THIS PROPOSAL



#104--- Reduce the closed fishing period or “window” and increase additional fishing time with set gillnet gear in the Kasilof Section prior to July 9.

This proposal would hurt returning King Salmon numbers to the Kasilof and Kenai Rivers.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#105--- Allow commercial fishing with set gillnet gear in the North Kalifonsky Beach statistical area (NKB - stat area 244-32) when the upper end of the Kasilof sockeye salmon escapement goal range is projected to be exceeded.

This proposal would increase Comm Fish Set Net opportunity to the detriment of Kenai River King Salmon numbers entering the Kenai River.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#106--- Replace the optimum escapement goal with the sustainable escapement goal for Kasilof River sockeye salmon.

This proposal would affect the current management plan and there is no biologic data to support changing this escapement goal at this time. If anything it should be raised to over 500,000 sockeye. We are talking about the largest lake on the Kenai Peninsula, the escapement goal on the Kenai River is much higher and there is a much smaller lake, Hidden Lake, they go to and it is big enough for 1.4 million, then why is it that Tustemena Lake does not have a larger escapement goat, it is 20 times larger than either Skilak or Hidden Lakes.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#107--- Replace the optimum escapement goal with a sustainable escapement goal for Kasilof River sockeye salmon.

Same as #106.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#108--- Replace the optimum escapement goal with the current biological escapement goal for Kasilof River sockeye salmon.

Again this is the same as #106.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#109--- Provide clarification on the use of gear in the Kasilof River Special Harvest Area (KRSHA) for individuals who hold two Cook Inlet set gillnet Commercial Fisheries Entry Commission (CFEC) limited entry permits.

This proposal sounds reasonable.

I SUPPORT THIS PROPOSAL

#110--- Allow a Commercial Fisheries Entry Commission limited entry permit holder to commercial fish in the Kasilof River Special Harvest Area with one gillnet per limited entry permit held.

I SUPPORT THIS PROPOSAL



#111--- Allow a Commercial Fisheries Entry Commission limited entry permit holder to commercial fish in the Kasilof River Special Harvest Area with one set gillnet per limited entry permit held.

I SUPPORT THIS PROPOSAL

#112--- Allow holders of two Commercial Fisheries Entry Commission set gillnet limited entry permits to fish two set gillnets in the Kasilof River Special Harvest Area.

It is already to crowded for each permit holder to fish more than one net per permit.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#113--- Remove restrictions on the amount of drift or set gillnet gear a vessel may have on board within the Kasilof River Special Harvest Area.

I feel the current amounts of gear allowed on board is sufficient.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#114--- Require all nets, buoys, ropes and anchoring devices to be removed from the Kasilof River Special Harvest Area when this area is closed to commercial fishing.

I SUPPORT THIS PROPOSAL

#115--- Define the boundary that separates set gillnet from drift gillnet gear in the Kasilof River Special Harvest Area (KRSHA), and define the outside boundaries of the KRSHA.

This is common sense.

I SUPPORT THIS PROPOSAL

#116--- Review the optimum escapement goal (OEG) and in river goals for Kenai River late-run sockeye salmon.

ADF&G who sponsors this proposal has worded it tricky. They are saying this; *The OEG and in river goals are currently out of alignment. The upper tier of the in river goal (upper bound of 1,350,000) does not provide enough fish on the upper end to adequately distribute escapements throughout the OEG range and in river goals. Managing for the current multiple goals (in river goal and OEG) can be unnecessarily complicated in season and confusing to user groups when one goal is met and the other is not.*

If the in river goals are aligned with the OEG, the board may also wish to consider simplifying the management plan by removing the OEG from regulation. The department currently manages for both OEG and in river goals, and, if aligned, the two goals seem to be redundant.

While there are many factors involved in managing the Escapement Goals on the Kenai River, ADF&G manages these goals with a stacked deck. For instance this year in 2016, when it was clear that the Sockeye run was over, they were still counting upwards of 20 to 25,000 fish a day that were Pinks as Sockeyes. The counts even during July did not reflect Comm Fish boat test net counts, in river sport fishing counts or personal use take counts. The Sockeye sonar counter must be seriously flawed, at best have some



very substantial short comings. Having Comm Fish people logging the counting makes it untrustworthy at best as the more they count, the more Comm Fish gets to take from the resource. I think the first issue to be solved would be to put unbiased people or over sight people in the sonar counter shacks and see if the numbers fluctuate much differently for a few years. The current system is in need of much repair in order to make sure accurate counting takes place. But this proposal might take away some confusion.

I SUPPORT THIS PROPOSAL

#117--- Amend the Kenai River Late-Run Sockeye Salmon Management Plan to remove the optimum escapement goal for Kenai River late-run sockeye salmon. Clearly this would be a major mistake and could quite possibly undermine the efforts of ADF&G, no matter how limited or inaccurate they may be at this time, it is all we got.
I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#118--- Remove the optimum escapement goal for Kenai River late-run sockeye salmon and add the guided sport fishery to the list of fisheries managed under the plan.

This proposals wording is a smoke and mirrors job by trying to spot light guided sport fishermen when in reality it is just another attempt to toss out the escapement goals in existence.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#119--- Amend management plan to achieve in river goal range of 850,000–1,050,000 late-run sockeye salmon at run strengths less than 2.3 million sockeye salmon and 950,000–1,150,000 late-run sockeye salmon at run strengths greater than 2.3 million sockeye salmon.

All this proposal does is muddy up the current management escapement goal.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#120--- Decrease the in river goal ranges for late-run Kenai River sockeye salmon by 100,000 fish and limit the bag and possession of sockeye salmon to three per day and three in possession in the Kenai River sport fishery.

This proposal is redundant in the fact that the sport bag limit is already 3 fish except in times of extraordinary large runs when it is raised to 6 fish a day and only then in order to use that as an additional management tool to prevent over escapement. The 100,000 fish reduction plays no part in furthering the species, only in letting Comm Fish users more access to the resource. For that reason

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#121--- Repeal and readopt management plan to remove the optimum escapement goal, mandatory restrictions and closed fishing periods or “windows”, and specify that management will be based on the abundance of late-run Kenai River sockeye salmon.

#122--- Remove mandatory closed fishing periods or "windows" from the Upper Sub district commercial set gillnet fishery.



Both of these proposals are basically the same and are greed driven by Comm Fish Set Netters. We need Escapement Goals to ensure the survival of our salmon species and we need Comm Fish closure "windows" to ensure that Kenai River bound King Salmon make it into the river. Only common sense!

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#123--- Repeal and readopt the management plan to allow for the commercial harvest of surplus pink salmon in the Upper Sub district with set and drift gillnet gear.

#124--- Amend the Cook Inlet Pink Salmon Management Plan to remove or lower the daily harvest triggers.

#125--- Remove mesh size restrictions on set and drift gillnet gear in the commercial pink salmon fishery.

#126--- Remove mesh size restrictions on set and drift gillnet gear in the commercial pink salmon fishery.

All of these proposals are close to the same. The current Pink Salmon Management Plan is working and viable. The allowing of a larger mesh for these fish would impact Kenai River King Salmon mortality resulting in more Kings being killed when we need them to make it into the river.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#127--- Remove in river goals from the list of escapement goals in the Upper Cook Inlet Salmon Management Plan and realign in river and escapement goals in the Kenai River Late-Run Sockeye Salmon Management Plan.

While researching this proposal, I have come to the conclusion it is close to one submitted by ADF&G, #116. Elimination of any confusion is a good thing. Plus, in river is not on spawning beds to say.

I SUPPORT THIS PROPOSAL

#128--- Amend plan to prioritize the need to harvest all surplus salmon stocks and to maximize economic yield and the overall benefits from salmon stocks managed under the plan.

This proposal is vague at best and asks the BOF to come up with and entirely different management plan with no direction or input in the proposal.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#129--- Amend plan to prioritize the need to harvest all surplus salmon stocks and to maximize economic yield and the overall benefits from salmon stocks managed under the plan.

This proposal seems to ask for a change in Allocation which is not legal and is a very subjective request.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#130--- Amend Upper Cook Inlet Salmon Management Plan so that fishery restrictions on fully allocated stocks of concern are shared among all user groups in proportion to the respective user group harvest of that stock.



I SUPPORT THIS PROPOSAL

#131--- Define commercial fishing statistical areas in the Upper Sub district set gillnet fishery.

#132--- Move the southwestern-most point of the Expanded Kasilof Section 1.2 nm west so it aligns with the northwestern-most point of the Expanded Anchor Point Section.

#133--- Allow a single person holding two Commercial Fisheries Entry Commission Cook Inlet drift gillnet limited entry permits to operate 200 fathoms of drift gillnet gear.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS.

#134--- Remove restrictions in the Upper Sub district commercial set gillnet fishery and allow for regular weekly fishing periods through July 20 with additional fishing periods based on in season abundance.

The restrictions in place are there to protect King Salmon.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#135--- Redefine sections and manage the commercial set gillnet fishery in the Upper Sub district with three sections with staggered opening dates.

This proposal will lead to confusion and much extra effort by all involved.

I DO NOT AGREE TO SUPPORT THIS PROPOSAL

#136--- Allow commercial fishing with set gillnets in the North Kalifonsky Beach (NKB), statistical area 244-32, within 660 feet of shore with shallow nets only, when the Kasilof Section is open, on or after July 8.

This is an attempt to open the Kenai East Forelands Area for additional time when ever the Kasilof section is open.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#137--- Remove “one-percent rule”, where the commercial set gillnet fishery will close after July 31, if less than one percent of the season’s total sockeye is harvested in two consecutive fishing periods.

#138--- Remove the one-percent rule that applies to the commercial set gillnet fishery in the Upper Sub district after July 31 so that the set gillnet fishery will close August 15 and be managed using regular fishing periods from August 11 through August 15.

#139--- Repeal the one-percent rule, as it applies to the Upper Sub district set gillnet fishery so that the set gillnet fishery will close August 15.

Both of these proposals seek to gain more fishing time for Comm Fish. The 1% rule has been an effective solution to getting more King Salmon into the Kenai River.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#140--- Allow a set gillnet to be up to 45 fathoms in length and a Commercial Fisheries Entry Commission limited entry permit holder to operate up to 135



fathoms of set gillnet gear when commercial fishing with set gillnets 29 meshes or less in depth.

The 29 pane or mesh provision was put in place by ADF&G to protect inbound Kenai River King Salmon. It is a proven concept from Bristol Bay.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#141--- Limit the depth of all set gillnet gear in Upper Subdistrict of the Central District to no more than 29 meshes deep.

This proposal would allow many more King Salmon to reach their natal rivers and spawning beds, proven over time in Bristol Bay.

I SUPPORT THIS PROPOSAL

#142--- Close waters within one statute mile of the terminus of Kustatan, Drift, and Big rivers, and Bachatna Creek; as measured from mean lower low water, to commercial fishing.

This proposal would mimic what is current regulation on the East Side of Cook Inlet.

I SUPPORT THIS PROPOSAL

#143--- Increase the amount of smelt that may be taken in the Cook Inlet commercial smelt fishery from 100 tons to 200 tons annually.

I feel this would create a shortage for Residents to harvest smelt in Cook Inlet Rivers.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#144--- Require that when proxy fishing in Upper Cook Inlet, once a bag limit is taken the next legal bag limit must be retained.

I SUPPORT THIS PROPOSAL

#145--- Allow only barbless hooks in Upper Cook Inlet flowing waters closed to salmon fishing.

I SUPPORT THIS PROPOSAL

#146--- Require the use of circle hooks when fishing for sockeye salmon.

Ridiculous.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#147--- Start the Kenai River early-run king salmon fishery as an unbaited, single-hook, artificial lure, no retention fishery.

#150--- Start the Kenai River king salmon sport fisheries as unbaited, single-hook, artificial lure, no retention.

The current slot limit imposed is the right step toward getting Kenai River King Salmon numbers to grow.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#148--- Rewrite the Kenai River and Kasilof River Early-run King Salmon Management Plan to redefine early-run stocks and establish age- and sex-based escapement goal.



There is not factual based data to support this proposal
I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#149--- Revise Kenai River and Kasilof River Early-run King Salmon Management Plan.

We need to do more for the Kasilof King Salmon before we loose them forever.
I SUPPORT THIS PROPOSAL

#151--- Repeal barbless hook provisions in Lower Kenai River.
I SUPPORT THIS PROPOSAL

#152--- Expand the dates to prohibit back trolling and tie to prohibition of bait.
I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#153--- . Prohibit fishing for king salmon from markers 300 yards below Slikok Creek upstream to Skilak Lake.
I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#154--- Expand the waters of the Kenai River closed to fishing for king salmon.
#155--- Expand the waters of the Kenai River closed to fishing for king salmon.
There is already the majority of the Kenai River closed to King Salmon fishing. It has also been closed for 3 straight years in May and closed 2yrs in June with only limited fishing in June of 2016.
I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#156--- Replace slot limit for Kenai River king salmon with maximum size limit to prohibit retention of king salmon greater than 42 inches in length.
Current slot limit regulations work great. Have not been able to fish for King Salmon in the Kenai River for 3yrs in May and 2 1/2yrs in June so it is redundant.
I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#157--- Modify the annual limit of king salmon from the Kenai River to two fish, only one taken prior to July 1.
Again, no one has been able to retain a Kenai River King Salmon for the last 3yrs during the first run, redundant!
I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#158--- Modify the annual limit of two king salmon for the Kenai River to include only one large fish.

#166--- Modify season dates and area for Kenai River late-run king salmon management. July 8 – July 31: 1 per day, 1 in possession
The current regulations of being able to take one King Salmon per day with a possession limit of two per season is not asking to much. How about limiting the Salt Water King Fishery??
I DO NOT AGREE OR SUPPORT THIS PROPOSAL



#159--- Extend the time that the slot limit for Kenai River king salmon is in effect.
This is only needed at this time for the first run, ie; May and June. The 2nd run has reached the current escapement goal so there is no need for a slot limit there.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#160--- Prohibit the use of bait in the late-run Kenai river king salmon fishery until escapement goals have been met.

#163--- Prohibit bait on runs less than 22,000 and eliminate 12-hour fishing period restriction.

Both of these proposals basically say the same thing except #163 adds an elimination of current management regulation to add additional fishing time for Comm Fish ESSNs.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#161--- Start the Kenai River king salmon sport fisheries as unbaited, single-hook, artificial lure, no retention.

According to current management plan, this would also close the Comm Fish Set Nets.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#162--- Establish an Optimum Escapement Goal (OEG) of 15,000 – 40,000.

I think it is prudent to increase the Kenai River King Salmon goals.

I SUPPORT THIS PROPOSAL

#164--- Repeals and readopts the Kenai River Late-Run King Salmon Management Plan.

#165--- Decrease the trigger for management actions on Kenai River late-run king salmon from 22,500 to 16,500.

164 further says; The department shall manage the late run Mainstream stock of Kenai River king salmon to achieve a sustainable escapement goal of 12,000-27,000 king salmon beginning June 23 as described in this section.

If this action were adopted it would seriously harm the returning numbers of Kenai River King Salmon, we should be **increasing** the escapement not lowering it.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#167--- Close the Kenai River personal use fishery when the late-run king salmon sport fishery is closed.

I feel that a fishery that is for the RESIDENTS of the state and only open to them for food for the winter should not be infringed upon under any circumstance.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#168--- Remove restrictions to the Kenai River sport and personal use fisheries and the Upper Sub district commercial set gillnet fishery in July and August.

#169--- Remove restrictions to the Kenai River sport and personal use fisheries and the Upper Sub district commercial set gillnet fishery in July and August

I feel this is an attempt to increase Comm Fish take at the expense of both the Sport and Personal Use fisheries.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS



- #170--- Reconsider “paired” restrictions to the Kenai River sport and personal use fisheries and the Upper Sub district commercial set gillnet fishery.
- #171--- Remove the commercial set gillnet fishery in the Kasilof Section from “paired” restrictions in the Kenai River Late-Run King Salmon Management Plan.
- #172--- Remove “paired” restrictions in the Kenai River sport and personal use fisheries and the Upper Sub district commercial set gillnet fishery.
- #173--- Decrease the projected in river run goal of late-run king salmon to 19,000 fish and remove the Upper Sub district commercial set gillnet fishery from “paired” restrictions.
- #174--- Remove provisions (e)(3)(A)(i) and (ii) that restrict the number and/or depth of commercial set gillnets fished by a Commercial Fisheries Entry Commission limited entry permit holder in the Upper Sub district if the use of bait is prohibited in the Kenai River sport fishery.
- #175--- Clarify the length and depth of set gillnets that may be used in the Upper Sub district commercial salmon fishery, if the use of bait is prohibited in the Kenai River sport fishery.
- #176--- Allow commercial set gillnet fishing periods in the Kenai and Kasilof sections to be managed separately, with regard to “paired” restrictions, if the use of bait is prohibited in the Kenai River sport fishery.
- #177--- Allow commercial fishing periods in the Kasilof and Kenai/East Forelands sections to be opened separately, with regard to “paired” restrictions, if the use of bait is prohibited in the Kenai River sport fishery.

All eight of these proposals are centered on GREED by Comm Fish Set Net fishermen. Like they don't get their share already. Paired restrictions is the only fair way to manage this resource that belongs to all the people of the State of Alaska. If one fishery is impacted by low returning numbers of King Salmon, all resource users must except the responsibility and be equally restricted. Fair is Fair is Right!

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

- #178--- Increase the number of days only non-motorized vessels may fish on the lower Kenai River, as follows: An extra day of fishing from an non-motorized boat from January 1 to December 31. An example is Monday and Thursdays will be non-motorized boats only fishing on the Kenai River.
- #179--- Add Thursdays as a day only non-motorized vessels may fish on the Kenai River downstream of Cunningham Park.
- #181--- Only non-motorized vessels may be used when fishing on the Kenai River, as follows:

Make Kenai River drift boat only.

This proposal has been revisited time and time again at the BOF. There is not a lot of support for it and there never has been. By adopting this proposal you would disenfranchise many older long time Alaskans who can no longer row a drift boat. This fishery belongs to all of the Residents of the State of Alaska, to be used accordingly. Not to be hogged by a fraction of the majority for their own benefit. There has been less drift boat use in recent years on the Kenai River so please take that into effect. There are also large sections of the Kenai River where Drift Boat only use is allowed.



I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#180--- Establish two Kenai River riparian habitat areas equal to approximately nine-tenths of a mile that will be closed to fishing from shore within 10 feet of the waterline from July 1 – August 15.

I SUPPORT THIS PROPOSAL

#182--- Prohibit all guiding from 6 p.m. to 6 a.m., as follows: Local residents and unguided non-guided anglers would then have a fair chance to access the sockeye salmon fishery before 6:00 a.m. or after 6:00 p.m.

#185---Modify language referencing fishing from guide boats on the Kenai River to include all guided fishing.

I feel that only guided fishing from a boat is a concern in relation to the general public needing access.

I DO NOT AGREE OR SUPPORT THESE PROPOSALS

#183--- Allow guided anglers to fish from a guide boat on the Kenai River on Mondays in August.

At that time of year there are still many tourists in Alaska and on the Kenai Peninsula. They bring much needed money to our cities and communities, why not let them fish on Mondays in August too?

I SUPPORT THIS PROPOSAL

#184--- Relax guiding restrictions when king salmon fishing is closed by emergency order.

I think that ADF&G can manage this fishery with this tool at their disposal.

I SUPPORT THIS PROPOSAL

#186--- Only barbless hooks allowed in the Kenai River upstream of the Lower Killey River.

I SUPPORT THIS PROPOSAL

#187--- Allow only barbless, unbaited, single-hook gear on the Kenai River from January 1 – August 1.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#188--- Allow only one single-hook or one single-hook lure.

I feel multiply hooks should be allowed for Silvers and Pinks in August.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#189--- Allow fishing from shore after harvesting a bag limit of Coho salmon.

#190--- Expand the waters open to fishing after harvesting a bag limit of Coho salmon in the lower Kenai River.

#191--- Kenai River Coho salmon bag limit from two fish to three.

#192--- Shorten the Kenai River Coho season by closing October 31.



Having read all four of these proposals I feel that I agree with them and that they would not place to great a harvest issue upon these fish.

I SUPPORT THESE PROPOSALS

#193--- Create an archery fishery for sockeye salmon in a section of the Russian River.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#194--- Create a size limit for lake trout in Hidden Lake, as follows: In Hidden Lake, the bag and possession limit for lake trout is one fish under 16 inches of length.

This is a vital ice fishery and to limit it to that is not in the interest of the people that routinely fish it during the colder months of the year.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#195--- Remove the commissioner's emergency order authority to extend the Kenai River personal use fishery hour.

#196--- Prohibit dip nets from being attached to a vessel, as follows: Dip nets operated from a boat may not in any way be physically attached to the boat. They must be operated by hand.

#197--- Prohibit dip netting from a vessel that is not anchored in the Kenai and Kasilof river personal use fisheries, as follows:

In the Kenai and Kasilof Rivers boats carrying personal use dip netters must be anchored.

#198--- Prohibit webbing in personal use dip nets that exceeds 2.5 inch stretched measure.

#199--- Prohibit dip netting on the Kasilof River from a vessel with a motor on board greater than 10 horsepower.

All five of these proposals are nonsensical and are presented by Comm Fish interests. This is a RESIDENT Personal Use fisher to provide food for Alaskan tables in the winter. Leave it alone. It works just like it is.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#200--- Amend the number of king salmon that may be retained in the Upper Cook Inlet personal use fishery to 10 king salmon under 20 inches.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#201--- Amend the area open to dip netting from shore in the Kenai River personal use dip net fishery.

I SUPPORT THIS PROPOSAL

#202--- Extend the Cook Inlet personal use dip net fisheries to the 2nd Sunday of August.

#203--- Extend season and liberalize the bag limit in the Kenai River personal use fishery when the sonar estimate is projected to exceed 1.2 million sockeye salmon.



#204--- Extend the boundary of the Kenai River personal use dip net boat fishery upstream to Cunningham Park.

I support Alaska Residents utilizing this Personal Use fishery to the utmost.

I SUPPORT THESE PROPOSALS

#205--- Allow shore-based personal use dip netting in the Kenai River upstream to Skilak Lake.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

#206--- Create an area upstream of the Kenai River personal use fishery where recording and fin clip requirements are waived for fish that have not been off loaded.

I SUPPORT THIS PROPOSAL

#207--- Amend the boundary description language for the area open to dip netting in the Kasilof River personal use salmon fishery.

I SUPPORT THIS PROPOSAL

#208--- Allow 10 Dolly Varden/Arctic char per household in Cook Inlet Personal Use Fisheries.

I DO NOT AGREE OR SUPPORT THIS PROPOSAL

The following Proposals deal with issues that I do not have the knowledge and have not taken the time to research as to what I would support or not support. I simply do not live in those areas nor do I use any of those fisheries. I would like to say that I feel it is important that all user groups in the Northern Districts of Cook Inlet be provided for in an equitable way. I would like to see more Coho Salmon make it thru Cook Inlet to reach spawning grounds located in these watersheds. I would also like to see Sport Fishing and Personal Use Fishing access in all these areas increased for all Alaskan Sport Fishermen. I feel that limiting Sport Fishing access is always a step backwards except if a fishery is in dire need of protection. With that being said, the following proposals I have no input on because of lack of personal experience and use.

Proposals #209 thru #278

Thank You for your time and energy.



Southeast Alaska Fishermen



PC 43
1 of 2

9369 North Douglas Highway

Juneau, AK 99801

Phone: 907-586-6652

Email: seafa@gci.net

Fax: 907-523-1168

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

October 14, 2016

Boards Support Section

Alaska Dept. of Fish and Game, Board of Fisheries

PO Box 115526

Juneau, AK 99811-5526

RE: Board of Fish Agenda Change Request comments

Sent via email: dfg.bof.comments@alaska.gov

Dear Glenn Haight, Executive Director and Board of Fish Members,

ACR 9: Southeast Alaska Fishermen's Alliance (SEAFA) opposes the acceptance of ACR 9 for consideration during the 2016-17 cycle. **This proposal does not meet the criteria for agenda change requests, and has been heard in the last two years.** This ACR is not actually asking for a regulatory change but more advice on the process and overlap of CFEC and BOF regulations. The staff comments explains the process that has reviewed this idea to date. SEAFA opposes the idea of changing the L21A permits and believes that should the board authorize the use of Sitka Sound seine permits for open pounding as an alternative to fishing seine gear in Sitka Sound the decision would be contested in court. We believe that in order to proceed as the original proposal was written, you would need to take the current Sitka Sound GHF and divide it between those fishermen who register by a date certain to fish open pounds and those that fish seine gear. The reason we feel that that it is allocating within a fishery which the court has ruled against is because you would need to divide the allocation for the Sitka Sound fishery between those who are using a pound and those fishing seine gear and therefore treating like permits differently. An alternative is to turn Sitka Sound into an equal share fishery which has been argued before the Board of Fish several times previously and failed every time. If you are going to treat fishermen with like permits differently a review of the Gunnert decision might be applicable.



The only way that we see it possible to legally allow pounding in Sitka Sound is to allocate a portion of the Sitka Sound GHL quota to the Northern Herring Spawn on Kelp fishery (L21A) through the Board of Fish process. We are not saying we would support this proposal but it is the avenue that can accomplish the goal of allowing herring pounds in Sitka Sound without any action by CFEC. Any other process requires action by CFEC prior to Board of Fish consideration. While the proposer may have not have realized the need to make his argument in front of CFEC that does not negate that he had the opportunity and that he did testify at the hearing held by CFEC.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hansen" followed by a long horizontal line.

Kathy Hansen
Executive Director



IN REPLY REFER TO

United States Department of the Interior

Office of Subsistence Management
1011 East Tudor Road MS 121
Anchorage, Alaska 99503-6199

OSM 16089.GP

OCT 03 2016

Mr. John Jensen, Chair
Alaska Board of Fisheries
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811-5526

Dear Chair Jensen:

The Alaska Board of Fisheries will consider 12 Agenda Change Requests (ACR), among other issues, at its work session October 18-20, 2016.

The Office of Subsistence Management (OSM), working with other Federal agencies, has reviewed these requests and do not believe the decision to accept any of these requests for out-of-cycle regulatory action will have a significant impact on Federal subsistence users or fisheries. If any of the ACRs are accepted and assigned to future meeting dates for deliberation, Federal staff comments will be submitted for proposals that may impact Federal subsistence users or fisheries. During the meeting we may wish to comment on other agenda items if issues impacting Federal subsistence users or fisheries arise.

In response to your request, OSM State Subsistence Liaison George Pappas will provide a brief overview of the pending Federal subsistence fisheries proposals submitted to the Federal Subsistence Board. The Federal Subsistence Management Program 2017-2019 Fisheries Proposal book can be found at the following website:

<https://www.doi.gov/sites/doi.gov/files/uploads/2017-2019%20Fisheries%20Proposal%20Book%28web%29.pdf>



Chair Jensen

2

We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

Sincerely,

Eugene R. Peltola Jr.
Assistant Regional Director

cc: Sam Cotten, ADF&G
Chair, Federal Subsistence Board
Tom Brookover, ADF&G, Anchorage
Hazel Nelson, ADF&G, Anchorage
Scott Kelly, ADF&G, Juneau
George Pappas, OSM
Administrative Record

Glenn Haight, ADF&G, Juneau
Jill Klein, ADF&G, Anchorage
Tom Taube, ADF&G, Juneau
Lisa Olson, ADF&G, Anchorage
Forrest Bowers, ADF&G, Juneau
Interagency Staff Committee

Bristol Bay Economic Development Corporation

P.O. Box 1464 • Dillingham, Alaska 99576 • (907) 842-4370 • Fax (907) 842-4336 • 1-800-478-4370



PC 45
1 of 1

September 30, 2016

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

RE: Alaska Board of Fisheries meeting location and dates for the 2018/2019 Bristol Bay Finfish cycle.

John Jensen, Vice-Chairman	Alan Cain
Sue Jeffrey	Israel Payton
Reed Morisky	Robert Ruffner
Orville Huntington	

Dear Alaska Board of Fisheries,

The Bristol Bay Economic Development Corporation recommends that the next Bristol Bay Finfish meeting be held in Dillingham (last time it was held in Bristol Bay it was in King Salmon) with the proposed backup dates from December 12-18, 2018.

The last Bristol Bay Finfish meeting took place in Anchorage, which made it extremely difficult for residential stakeholders to attend. The local knowledge and perspectives on the Bristol Bay fisheries are invaluable and deserve an equitable opportunity to participate. There has not been a Board of Fisheries meeting in Dillingham since 2006. It is imperative to have the voice of local commercial and subsistence fishers when regulatory decisions are made that will directly impact their livelihoods.

The City of Dillingham has adequate lodging, internet, dining facilities, ground transportation, and other necessities required to host an informative meeting. Most importantly, the community validates a strong relationship to the topic of discussion, economic and cultural importance to location, and economic impact of stakeholder travel. All of these meet the listed items from the Criteria of Consideration on Reviewing Meeting Locations.

In addition, we recommend the proposed backup dates of December 12 -18, 2018 because it will not overlap with the North Pacific Fisheries Management Council meeting. Please deeply consider the benefits from conducting the meeting within Bristol Bay. It will allow the new Board of Fisheries members to get a firsthand experience to see this remarkable landscape, including fishing districts and boundaries, and a chance to associate with the residents of Bristol Bay. Thank you for your time and due diligence to ensure that our fisheries remain vibrant and sustainable.

Sincerely,

Gary Cline

Regional Fisheries Director, BBEDC

Mr. Ron Olson



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. ^{my phone #} 360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.


I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

What I am asking for is that on September 25th to November 15th Long liners can again fish using longline gear or pot gear as an option. This would leave June 1st to August 15th long line only, and September 1st to September 24th pots only. John Johansen is pushing for this agenda as well. Currently he is the only pot permit holder.

If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I  am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Ron Olson

Permit # 69405



Sept 21 2016

Bill Connor

Solo presentation of fish #'s

Fishing Dates are very fair.

Pots or Hooks ^{options} might keep Permit values

Equal

I did bring up two other points in my Interview Juvenile Halibut by catch and conflict with Brown Crab Pots which are covering ground we would fish because trying to keep ahead of killer whales

Thank you for your efforts

DAN Daynes
723-1424

Mr. Danny Hayes



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. ^{my phone #} 360-951-0213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I, Danny Hayes am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Danny Hayes
Permit # 9370F

Mr. Matt Carle



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. ^{my phone #} 360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

What I am asking for is that on September 25th to November 15th Long liners can again fish using longline gear or pot gear as an option. This would leave June 1st to August 15th long line only, and September 1st to September 24th pots only. John Johansen is pushing for this agenda as well. Currently he is the only pot permit holder.

If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I Matt Carle am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Matt Carle

Permit # 69402 10



15008 N Tongass Hwy
Ketchikan AK 99901
September 16, 2016

Bill Connor
P O Box 1124
Petersburg AK 99833

Dear Bill,

Thank you for your recent letter regarding the Clarence Strait Sablefish Fishery.

I agree with you that some changes to the fishery need to happen and the sooner the better. We have also experienced predator problems, this year it was a group of sperm whales and on the sets they were on, we harvested no fish. Most of the permit holders, if not all, are losing way too many fish to killer and sperm whales and I agree that it will greatly affect the biomass if we do not aggressively do something to curb this growing trend by predators.

I believe that we need to change solely to a pot fishery, with a reasonable time given for permit holders to make the transition from longline to pots. In the interim, I don't believe there would be a gear conflict during the season as there are a small number of permits.

I agree that the season could run from June 1 to November 15, regardless of gear type. It would spread the product availability to the market over a greater period of time. I am not in favor of setting different seasons for gear types as it could lead to precedence for a short season for pot gear, which could be detrimental should the Board of Fish decide to change the fishery to pots exclusively.

Sincerely,

Norman Alsup



Mr. Charles Pettigrew

My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. ^{My #} Permit # 366-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

What I am asking for is that on September 25th to November 15th Long liners can again fish using longline gear or pot gear as an option. This would leave June 1st to August 15th long line only, and September 1st to September 24th pots only. John Johansen is pushing for this agenda as well. Currently he is the only pot permit holder.

If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

Charles Pettigrew, ~~is~~ a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Charles Pettigrew
Permit # 514662

Mr Bruce Hattrick



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery.

My Phone #
360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I Bruce Hattrick am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Bruce Hattrick

Permit # 69213L

Mr. Andy Kitticans



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. ^{my phone #}
360-251-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I Andrew Kitticans am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

9/15/2016

Andy Kitticans
Permit # 693755

Janet Engle



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. My Phone #
360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I Janet Engle am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Janet Engle
Permit # 69133x

I support changes to reduce
whale predation

Mr. John Engle



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. ^{my phone #} 360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

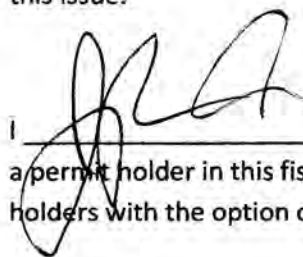
I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

 am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

John Engle

Permit # 69235 Q

I SUPPORT ANY CHANGES THAT REDUCE WHALE PREDATION.

Mr. Charles Christensen



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery.

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

Charles Christensen am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Charles Christensen
Permit # 51812 A

Mr Kyle Franklin



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery. My Phone # 360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

I am confident that in order to catch the three permits totaling 63,000 pounds it took 80,000 pounds of hooked fish. This is giving as much as one entire permit worth of fish to the killer whales. I know of three other permit holders experiencing the same problem with the killer whale. We must act now to keep this fishery healthy. If we continue to feed the killer whales it will reduce the sablefish biomass and in turn will lower all our EQS permit shares.

I am asking you to join the Clarence Sablefish Coalition by signing this letter and supporting the ACR that I have submitted to the board of fish. The board of fish will take this issue up in October and will vote on whether to allow it or do nothing. As a coalition we have a greater voice than as individuals.

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If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

I Kyle Franklin am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Kyle Franklin

Permit # 65969 ✓

Mr. Bill Menish



My name is Bill Connor; I am a permit holder for the Clarence sablefish fishery.

my phone #
360-951-9213

I have been trying to get the Clarence fishery opened longer, and for long liners the option to use pots.

I feel we need to act now. We fished three permits this year in 2016 and had killer whales feeding on our gear, all while getting no more than 100 lbs. on a 20 skate set when the killer whales were present.

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I would like to see a longer season than is talked about
If you are in favor of supporting this proposal, please sign your name below and help give us a voice in this issue.

Bill Menish am a member of the Clarence sablefish coalition, and also a permit holder in this fishery. I am in support of extending the season for longline and pot permit holders with the option of using pots.

Bill Menish

Perm. # 65926 B
cell phone 206 910 4401



Submitted By
Kristen
Submitted On
10/4/2016 3:00:00 PM
Affiliation

Phone
9312177923

Email
kristen@akcenter.org

Address
430 w 15th Ave Apt B
Anchorage, Alaska 99501

Dear Board and Fish Members,

With our state's unstable economic future we should take proactive steps towards ensuring our fisheries, one of our largest economic drivers, are protected. Between the commercial fishing industry, the huge amount of revenue sport fishing and tourism bring in, and the value of having a stocked freezer, it's more important than ever to protect this resource.

My name is Kristen Collins. I am a resident of Anchorage and a subsistence user. I support the amendment to Title 16 and the adoption of the Sustainable Salmon Policy and urge your support too. With defined fish habitat criteria and including public notice, this positive change could ensure that Alaskans have the resource we depend on for generations to come.

Thanks,

Kristen



October 4, 2016

Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811-5226

RE: Alaska Board of Fisheries 2018/2019 Bristol Bay Finfish meeting cycle

Dear Alaska Board of Fisheries,

Thank you for taking the time to read the comments coming in for the public comment period regarding the 2018/2019 meeting cycle. It's be a pleasure being able to attend the last three Bristol Bay Finfish meetings both in region and out of region. Having the meetings in region are so much more beneficial than traveling to Anchorage for a number of reasons. One of the reasons to have the meetings in region is for local Bristol Bay participation on the process. Usually the meetings are held at the high school and this is also a good educational tool we can teach the youth on how to get involved and teach the regulatory process regarding our fisheries. Having the meetings in region is also great for the local economy. Dillingham has a variety warm and friendly lodging options from hotels to bed and breakfasts. We have car rental companies and when big events come to town the here people work together to make sure meetings are a success. A lot of the locals here are always willing to lend a helping hand and we also have caterers who could cater food during the events and there wouldn't be a short supply of food during and after the meetings. We have some restaurants, local grocery stores and convenience stores.

When the board of fisheries travel to the Bristol Bay region (during the cycle when meetings are to be held in region), it gives the board members a clearer picture of our surroundings and views of the waters where the salmon return every year. We live in a beautiful place and we are proud of our home, please come to Bristol Bay to hear our stories from the local people, as more people will be able to participate in the board of fisheries process by having the meeting in region.

Having the meetings out of region only give a few people the opportunity to participate in person and we were thankful funding sources were available for locals to participate in 2015 in Anchorage. It's scary to think if funding is not available during the next cycle and the meetings are out of region, the public would not be a part of this public process. I love the public process and people being able to voice their concerns and testify on proposals. Attending a meeting in person regarding the issues we face for our fisheries and potential changes that may need to be made are priceless. When making your decisions where the 2018/2019 Bristol Bay Finfish meetings will be held, please keep with the schedule of having it in region. The most important take away from having meetings in region is board members will be able to engage with locals to better understand our lifestyle and fisheries in Bristol Bay.

I look forward to working with all of you in the future and thanks for all your hard work and dedication serving on the Board of Fisheries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gayla Hoseth', written over a horizontal line.

Gayla Hoseth
PO Box 585
Dillingham, AK 99576

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 310
DILLINGHAM, ALASKA 99576
PHONE (907) 842-5257



PC 49
1 of 2

Tribal Councils
Served by BBNA:

Aleknagik

Chignik Bay

Chignik Lagoon

Chignik Lake

Clarks Point

Curyung

Egegik

Ekuk

Ekwok

Igrogiq

Iliamna

Ivanof Bay

Kanatak

King Salmon

Kokhanok

Koliganek

Levelock

Manokotak

Naknek

New Stuyahok

Newhalen

Nondalton

Pedro Bay

Perryville

Pilot Point

Port Heiden

Portage Creek

South Naknek

Togiak

Twin Hills

Ugashik

October 4, 2016

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

RE: Alaska Board of Fisheries meeting location and dates for the 2018/2019 Bristol Bay
Finfish cycle.

Dear Alaska Board of Fisheries,

The Bristol Bay Native Association (BBNA) is a Tribal Consortium, made up of 31 Tribes organized as a non-profit corporation to provide a variety of educational, social, economic and related services to the Native people of Bristol Bay region of Alaska. The Mission of BBNA is to maintain and promote a strong regional organization supported by the Tribes of Bristol Bay to serve as a unified voice to provide social, economic, cultural, educational opportunities and initiatives to benefit the Tribes and the Native people of Bristol Bay. BBNA has long been involved with the Alaska Board of Fisheries process to advocate for our region's subsistence resources. We work with our partners such as the Bristol Bay Economic Development Corporation (BBEDC) in recommending that the 2018 Bristol Bay Finfish meeting be held in our region's largest community, Dillingham, with the proposed back up dates of December 12-18, 2018. These dates will ensure that the region's stakeholder's, who are also potentially interested in the proceedings of the North Pacific Fisheries Management Council (NPFMC), are able to fully participate in both meetings, and to avoid potential conflicted meeting dates.

The residents of Bristol Bay are the most affected from decisions made by regulatory bodies such as the Alaska Board of Fisheries, and the region deserves to host the meeting in 2018. The last 2015 Bristol Bay Finfish meeting took place in Anchorage. Further, the Naknek/King Salmon region hosted the Board of Fish in 2012, so it makes sense for Dillingham to host the next Bristol Bay finfish meeting. It costs hundreds of dollars for an individual plane ticket to go from Bristol Bay communities to Anchorage, and thousands of dollars when combining lodging and other incidental expenses for Bristol Bay residents. It's been a decade when the last Board of Fisheries meeting was held in Dillingham, back in 2006.



Looking at the Criteria of Consideration in reviewing meeting locations, Dillingham has multiple hotels and lodging entities, dining facilities, ground transportation and other necessities needed for a successful meeting. The community has proven itself to host national leaders and their staff, such as President Obama in 2015. BBNA is willing to work with the Alaska Board of Fisheries, as well as our partner organizations and other stakeholders in the region, on necessary logistics for the meeting. We are looking forward to hosting stakeholders in the community we call home, as well as residents from villages throughout the Bristol Bay region, who will find it more affordable to travel to Dillingham to attend this important meeting, rather than having to travel to a more distant part of Alaska.

Allowing local participation in fishery regulatory processes leads to more local confidence in the system. When more local people are heard by our decision-makers, especially people who are the residents of the region where decisions are being made--it gives more credibility to the process. We at BBNA are ecstatic to help host the 2018 Alaska Board of Fisheries because we understand how critical the issues are to our tribal members and residents of the region. Having the meeting in Bristol Bay will also allow Board of Fisheries members to experience the region that our national leaders proclaim "A National Treasure."

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ralph Anderson".

Ralph Anderson
Bristol Bay Native Association
President and CEO



GOLDEN KING CRAB COALITION

Linda Kozak – Consultant

**P. O. Box 2684 – Kodiak, Alaska 99615
Office 907-486-8824 – Cell 907-539-5585**

Date: October 4, 2016
To: Alaska Board of Fisheries
From: Linda Kozak, Golden King Crab Coalition
Subject: Agenda Change Request #8

The Golden King Crab Coalition is in support of the Agenda Change Request submitted by the Aleutian King Crab Research Foundation to allow for a change in the fishery closure date for the Aleutian Islands golden king crab fishery.

We believe this ACR complies with the criteria established by the Board and since the BSAI crab fisheries will be addressed in March during this cycle, the proposal is appropriate for the Board to address.

For a Fishery Conservation Purpose or Reason

As the crab fleet has worked in the past few years with ADF&G to develop an annual cooperative survey design, we have been successful in establishing a survey in the eastern portion of the district and have conducted pre-survey work with the department in the western portion. This cooperative survey takes place at the beginning of the fishery and could take two weeks or more to complete in the western area.

This past June when the fleet met with ADF&G to review the grid patterns for the western portion of the survey, the concern was raised that since this fishery is slow-paced, with soak times exceeding 20 days, the western fleet may not have adequate time to fully prosecute their fishery. The vessel owners and skippers did not fully realize the time commitment for this industry funded survey until that meeting.

The survey costs, other than an ADF&G technician, are borne by the vessel owners and the lost fishing time could mean substantial lost revenue for the vessel and crew, as well as the processor located at Adak.

It is imperative that we develop this cooperative annual survey that will work for the fleet, while providing the department with the needed information to better manage the fishery. With the funding challenges facing the State of Alaska, there should be an active effort to find more cooperative ways to work with the industry. This survey is an example of a way to achieve the conservation goals for sustainable management, while being flexible to work with the concerns of the harvesters.



Dear Board of Fish Members,

I highly encourage you to hold the Bristol Bay Finfish meetings in Bristol Bay, this upcoming cycle and every cycle after that. There is infrastructure to support this, albeit maybe not as fancy as Anchorage. It seems pretty simple that the meetings that affect regional issues should be decided in those regions. Otherwise it is silencing to those that are affected by the changes. Or only those with enough money to fly out of Bristol Bay can attend the meetings.

I have personally been affected by the choice of an urban location over an in region location as I was not able to defend my proposal or even speak to it and thus leading to its defeat. I thought I would be able to call in to at least speak. This was not the case. I had no voice because I was not able to go to Anchorage. There should have been a call in line. The argument that the meetings would go on forever and how it would be managed are secondary to giving shareholders the ability to participate. I did write in but another page of paper in comments among thousands of pages on the board members desks is no match to a person passionately pleading their case nor am I able to address other comments in a timely matter. If you do decide to hold the meetings out of region this should at the very least be researched and a call in or video conference should be considered.

I have heard the comment that half of the permits are in Anchorage or can get to Anchorage. People seem to be able to get to Bristol Bay each summer to fish it seems like they could make the same effort to participate in shaping the future of the fishery. If this is policy that also leaves out of state as a possible meeting place. That doesn't seem like a good idea for the above mentioned reasons.

I appreciate you listening to my comments and I look forward to participating in future Board of Fish meetings in person, in writing, and in spirit.

Thank you

Gregg Marxmiller
907 843 0720



Aleknagik Traditional Council
P.O. Box 115
Aleknagik, AK 99555
Phone: (907) 842-2080 Fax: (907) 842-2081
Email: aleknagiktraditional@yahoo.com

To: Alaska Board of Fisheries
Alaska Dept. of Fish & Game
P.O. Box 115526
Juneau, AK 99811-5526

Re: AK Board of Fish Meeting Location
Date: Tuesday, October 04, 2016

On behalf of the Aleknagik Traditional Council members, we would like to recommend the 2018 Bristol Bay Finfish meeting be held in Dillingham because of the costs and difficulty for residents to attend the meeting in Anchorage. We feel there will be a lot more valuable input from residents in Dillingham and the surrounding communities if the meeting is held in the region.

Thank you for your consideration.

Sincerely,
ALEKNAGIK TRADITIONAL COUNCIL


Allen Ilutsik, Tribal Administrator



Submitted By
Patrick Malone
Submitted On
10/4/2016 4:52:59 PM
Affiliation
President - Alaska Fly Fishers

Phone
907-354-8781
Email
pmhse@hotmail.com
Address
1131 Lalande Pl, Unit A
Anchorage, Alaska 99504

A RESOLUTION TO ENSURE SUSTAINABLE SPORT FISHING BY UPDATING ALASKA'S FISH HABITAT PERMITTING LAWS

WHEREAS, Alaska boasts 3,000 rivers, 3 million lakes and 6,640 miles of coastline and stands alone as the last state in the United States with robust salmon runs and habitat;

WHEREAS, Alaska's original industry, fishing, remains a reliable economic engine for countless Alaskan families, communities, and businesses, including fishing guides, local businesses, and tourism operators, driving billions of dollars in economic activity and revenue for the state of Alaska;

WHEREAS, more than 450,000 Alaska residents and visitors annually participate in

Alaska's sport fisheries; Alaska supports over 1,150 sportfishing businesses and licensed over 2,788 sport fishing guide businesses, with 87% reporting Alaska residency, and generates roughly \$1.4 billion in angler related expenditures annually;

WHEREAS, an annual average of 300,000 anglers a year or 81% of Alaska's freshwater sportfishing - for all five species of salmon, rainbow trout, arctic char, dolly varden and grayling - occurs in Southcentral Alaska;

WHEREAS, in Alaska, anglers recognize salmon as a renewable resource for both food and employment; and filling our freezers with salmon or catching prized resident fish on a pristine river are integral to the Alaskan identity.

WHEREAS, Alaska Fly Fishers represents over 440 members and has a mission of: "to preserve the sport of fly fishing, advance the principles of fair chase and fair catch, educate members and the public in the necessity of preserving our outdoor heritage, promote the ethical utilization of all the resources of our woods and waters, and to organize and unite the fly fishers of Alaska for mutual and community benefit."

WHEREAS, Article VIII of the Alaska Constitution reserves fish, wildlife and water for the people of Alaska and directs the state to sustainably manage and maintain our wild salmon resources for future generations;

WHEREAS, the State of Alaska issues several thousand permits annually to develop projects in fish habitat;

WHEREAS, Alaska's Title 16 is the Alaska statute that guides how the State of Alaska issues permits for development projects that may impact salmon habitat;

WHEREAS, Alaska's Fish Habitat Permitting law has not been updated since statehood and lacks explicit directives to protect Alaska

salmon consistent with the Alaska Constitution;



WHEREAS, The Board of Fish Sustainable Salmon Policy states that to maintain sustained yield in Alaska fisheries, "salmon habitats should not be perturbed beyond natural boundaries of variation; . . . all essential salmon habitat in marine, estuarine, and freshwater ecosystems and access of salmon to these habitats should be protected; ... [and] salmon habitat in fresh water should be protected on a watershed basis;"

WHEREAS, the Alaska Board of Fisheries was created to for the "*conservation* and development of the fishery resources of the state" on a sustained yield basis;

WHEREAS, at their October 18, 2016 Work Session in Soldotna, the Alaska Board of Fisheries will consider recommending to the Legislature that the salmon habitat protection provisions from the Board of Fish Sustainable Salmon Policy be added to the fish habitat permitting provision of Title 16;

WHEREAS, a reliable and certain fish habitat permitting process balances responsible development and the protection of Alaska's salmon stocks in Southcentral Alaska and throughout the state;

NOW, THEREFORE, BE IT RESOLVED BY ALASKA FLY FISHERS

That Alaska Fly Fishers supports the Alaska Board of Fisheries using its authority to recommend to the Alaska Legislature that Title 16 be updated to incorporate the salmon habitat protection principles from Alaska's Sustainable Salmon Policy.

Patrick J. Malone,

President, Alaska Fly Fishers



Submitted By
Terry Mann
Submitted On
10/4/2016 4:54:45 PM
Affiliation
Fisherman

Phone
907-842-6405

Email
tdmann75@msn.com

Address
P.O. Box 1488
Dillingham, Alaska 99576

I would like to recommend the Bristol Bay Finfish meeting being held in 2018 be located in Dillingham Alaska. I feel the relationship of community to Board of Fish topic is very important. Dillingham is a regional hub servicing many communities in Bristol Bay. This would make the meeting more accessible to stakeholders. I believe this would highly benefit Bristol Bay stakeholders. Dillingham meets the criteria for meeting location consideration. We have not hosted a Bristol Bay Finfish meeting since 2006 and I believe it would be a great time. Thank you for your time and I look forward to the next Board of Fish Bristol Bay Finfish meeting.

Sincerley,

Terry Mann



Submitted By
Trout Unlimited Southcentral Alaska Chapter
Submitted On
10/4/2016 8:07:07 PM
Affiliation

Phone
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A RESOLUTION TO ENSURE A FUTURE OF SUSTAINABLE SPORTFISHING IN ALASKA BY UPDATING FISH HABITAT PERMITTING LAWS

WHEREAS, Alaska contains an astounding 12,000 rivers, 3 million lakes and over 6,640 miles of coastline and truly is the final frontier in the United States in regards to robust salmon runs and pristine habitat;

WHEREAS, the sport and commercial fishing industries remain the most reliable economic sector and supports thousands of Alaskan families, dozens of communities, and hundreds of businesses, contributing billions of dollars in critical economic activity and revenue for the state;

WHEREAS, 450,000 Alaska residents and visitors annually enjoy Alaska's sport fisheries; Alaska is home to over thousands of sportfishing businesses, guide operations, and outfitters that generate approximately \$1.4 billion in fishing related expenditures every year;

WHEREAS, each year 81% of Alaska's freshwater sportfishing occurs in Southcentral Alaska where anglers can fish for all five species of salmon, rainbow trout, arctic char, dolly varden and grayling;

WHEREAS, in Alaska, salmon are a powerful renewable resource for food, income, and employment; whether it's filling our freezers with salmon for winter or cashing trophy trout on a pristine river, our robust fisheries integral to the identity of the Alaskan angler;

WHEREAS, the Southcentral Alaska Trout Unlimited Chapter represents 450 members and operates throughout Southcentral Alaska to protect and conserve cold water fish and their habitat;

WHEREAS, Article VIII of the Alaska Constitution reserves the fish, wildlife and water for the people of Alaska and directs the state to sustainably manage and maintain our wild salmon resources for future generations;

WHEREAS, the State of Alaska issues thousands of permits annually to develop projects in habitat critical to anadromous fish;

WHEREAS, Alaska's Title 16 is the Alaska statute that guides how the State of Alaska issues permits for development projects that may impact salmon habitat;

WHEREAS, Alaska's Fish Habitat Permitting law has not been updated since statehood and lacks explicit directives to protect Alaska salmon consistent with the Alaska Constitution;

WHEREAS, The Board of Fish Sustainable Salmon Policy states that to maintain sustained yield in Alaska fisheries, "salmon habitats should not be perturbed beyond natural boundaries of variation; . . . all essential salmon habitat in marine, estuarine, and freshwater ecosystems and access of salmon to these habitats should be protected; . . . [and] salmon habitat in fresh water should be protected on a watershed basis;"

WHEREAS, at their October 18, 2016 Work Session in Soldotna, the Alaska Board of Fisheries will consider recommending to the Legislature that the salmon habitat protection provisions from the Board of Fish Sustainable Salmon Policy be added to the fish habitat permitting provision of Title 16;

WHEREAS, an improved fish habitat permitting process, that is reliable and carefully balances responsible development while protecting Alaska's salmon stocks, is crucial for the future of salmon stocks in Southcentral Alaska and throughout the state;

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTHCENTRAL ALASKA TROUT UNLIMITED CHAPTER

That the Southcentral Alaska Trout Unlimited Chapter fully supports the Alaska Board of Fisheries use of its authority to recommend to the Alaska Legislature that Title 16 be updated to encompass the salmon habitat protection principles contained in Alaska's Sustainable Salmon Policy.



Andrew N. Couch
PO Box 155
Palmer, AK 99645

October 4, 2016

Boards Support Section
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526

Board of Fisheries Members:

This is my letter requesting that the Board consider Stock of Yield Concern designation for specific Northern Cook Inlet king salmon stocks that by Alaska Department of Fish and Game (ADF&G) emergency regulation have had no allowable in Unit sport harvest over the past 2 - 4 years.

This list would include all Unit 2, Unit 3, Unit 5, and Unit 6 of the Susitna River king salmon stocks.

It has come to my attention over the past week that the department may not be including discussion of any of these important and formerly heavily utilized king salmon stocks in its discussion of potential Upper Cook inlet stocks of concern to the Board of Fisheries on the basis that no new stocks have failed to attain or are expected to fail to attain escapement objectives for 5 consecutive years. Such a position would not include any discussion of stocks that should clearly qualify for Stocks of Yield Concern. A solid argument based on sport fishery harvests over the past 5 years could be made that ALL Northern Cook Inlet king salmon stocks should qualify as Stocks of Yield Concern. Even more alarming, and needing recognition, however, are stocks where no legal (in Unit) harvest of king salmon has been allowed over the past several years. Such designation could be made by individual stream stocks or on an all inclusive unit - wide basis.

Taking a brief look at yield within these fisheries, according to ADF&G Fishery Management Report No. 13-50 in 2011 Unit 2 king salmon harvest was 2,710 fish — approximately 66% less than the 2001 — 2010 average. In 2012 a preseason emergency order attempted to reduce sport king salmon harvest by 50% over the entire Susitna River drainage — but the season was further closed by emergency order on June 25. A comment in this report mentioned that the eastside harvest (Unit 2) during 2012 with these combined emergency regulations was AT LEAST A 95% Reduction.

Further upriver in Unit 5 (the Talkeetna River Drainage) the report states the harvest reduction was likely 75% in 2012.

Although the report does not mention specific percentages of reduction for Unit 3 Upstream of the Talkeetna river drainage and Unit 6 the Chulitna River drainage, an assumption could be made that since both of these fisheries are located further upriver with even later run timing the net result of harvest reductions was likely even greater during 2012 (remember that emergency order that closed the entire Susitna River drainage to king salmon harvest on June 25). From



2013 —2016, a period of 4 years all Susitna River drainage Units and streams where ADF&G closed king salmon harvest by preseason emergency order had a 100% reduction in legal sport harvest. Therefore, with 5 years of reduced harvest of 75% or more during one year (2012) and 100% on the remaining 4 years (2013 — 2016) this should easily fit the criteria —at least for discussion — as potential Stocks of Yield Concern. If that is not enough, consider that the Department is not planning to allow any legal sport harvest within Unit 2, Unit 3, Unit 5, and Unit 6 in 2017.

Thank You for your careful consideration of the Stock Status of Susitna River king salmon,

Andrew N. Couch
907-746-2199
fishing@fish4salmon.com

p.s. individual king salmon stocks to consider for inclusion would include: Little Willow Creek,, Montana Creek, Clear Creek, Prairie Creek, East Fork Chulitna River — all streams with goals. Steams without goals but with similar king salmon harvest reductions would include Kashwitna River, Rabideux Creek, Trapper Creek, Indian River, Portage Creek.



October 4, 2016

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

RE: Alaska Board of Fisheries meeting location and dates for the 2018/2019 Bristol Bay Finfish cycle.

Dear Alaska Board of Fisheries,

My name is Verner Wilson III and I was born and raised in Dillingham. I grew up commercial, sport and subsistence fishing with my family in the Bristol Bay region. As someone who has worked on Bristol Bay's natural resource issues in both my personal and professional life for over a decade, I can attest that Dillingham would be an excellent site for the 2018 Alaska Board of Fisheries Bristol Bay Finfish meeting. It is because of the warm people, the friendly accommodations and sense of community on why I believe this.

Dillingham has hosted many natural resource managers from all levels of government, and thus has the experience to bring about a successful meeting. I'm sure that just by telling my neighbors that the Board of Fisheries is making important decisions in Dillingham, it would automatically spark their interest in helping out and getting involved.

I also recommend that the 2018 Bristol Bay Finfish meeting be held during the dates of December 12-18, 2018 to avoid conflict with the North Pacific Fisheries Management Council meeting. Our fisheries resources are integral to most people here, and giving them a chance to fully participate in both fisheries-related management organizations is important.

Further, I hope that the Board of Fisheries will continue to have separate meeting times for Bristol Bay and Area M Finfish issues, with Bristol Bay beginning in December, as in past years. This will ensure that stakeholders who are interested in both meetings may be able to fully attend and participate in both of them.

Hosting this meeting in Dillingham won't just help our local economy in Bristol Bay—but it would also ensure more community members have a rightful seat at the decision-making table on the issues that are important for their livelihoods. Thank you for your consideration.

Sincerely,

Verner Wilson III
P.O. Box 905
Dillingham, AK 99576
vernstor@gmail.com

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME ALASKA BOARD OF FISHERIES

SEAN PARN



PC 58
1 of 2

ADF&G
P.O. BOX 115526
JUNEAU, AK 99811-5526
PHONE: (907) 465-4110
FAX: (907) 465-6094

Representative Mike Chenault
Speaker of the House, Alaska State Legislature
State Capitol, Room 208
Juneau, Alaska 99801-1182

Senator Gary Stevens
Senate President, Alaska State Legislature
State Capitol, Room 111
Juneau, Alaska 99801-1182

January 30, 2010

Dear Representative Chenault and Senator Stevens,

The Alaska Board of Fisheries (BOF) was established by the Alaska Legislature, "For purposes of the conservation and development of the fishery resources of the state," (AS 16.05.221 (a)). The BOF is tasked by AS 16.05.251 (a) to "adopt regulations it considers advisable in accordance with AS 44.62 (Administrative Procedures Act) for (1) setting apart fish reserve areas, refuges, and sanctuaries in the waters of the state over which it has jurisdiction, subject to the approval of the legislature;" and "(7) watershed and habitat improvement, and management, conservation, protection, use, disposal, propagation, and stocking of fish".

With these directives in mind, the BOF held a meeting in Anchorage in December, 2009, for the purpose of considering regulatory proposals pertaining to Bristol Bay fisheries. Among them was a non-regulatory proposal asking the BOF to recommend that the Alaska Legislature create a fish refuge in the Kvichak and Nushagak River drainages. The authors of the proposal requested it because of concerns that creation and operation of the Pebble Mine would result in environmental damage to the fish and game habitat in the two drainages.

Before public testimony was heard, the state agencies charged with permitting large mine projects made presentations to the BOF for the purpose of showing how the permitting process worked and what safeguards are provided to protect against environmental damage that might be caused by large scale mine operations.

Many members of the public from a wide range of interests testified at the meeting. A large number of these were Bristol Bay watershed residents. The majority believed that a refuge should be established with many believing that the permitting process would be inadequate to protect the fisheries habitat within the drainages. A significant number of others, many also watershed residents, testified that a refuge was unnecessary and would prohibit legitimate economic development of the area and restrict traditional uses like subsistence hunting and fishing. Some also believed that the permitting process was sufficient to protect the area.

One thing that everyone, on all sides of the issue, had in common was concern for the protection of the Bristol Bay fisheries. They disagreed on what that protection should be.

While the BOF recognizes that no specific permitting plan has yet been proposed for the development and operation of the Pebble Mine, the board is still very concerned about the Pebble Mine development because of its potential magnitude. Both proponents and opponents of the Pebble Mine have publically stated that this development could be larger than any mining operation ever created in Alaska.

Because the habitat of the potentially affected drainages is so critical to the fish and game resources of Bristol Bay, the BOF respectfully requests that the Legislature conduct a comprehensive evaluation of the permitting protections and standards, including regulations and statutes, which provide safeguards against environmental damage. After such evaluation, we further request that the legislature enact any additional safeguards which are considered prudent to provide strict protections to the fish and game habitat of the drainages to prevent any chance of environmental damage.

The various state permitting agencies also need the financial ability to properly monitor and enforce their permit standards.

Whatever the legislature decides to do regarding the public concerns expressed about future development in this area, we would request that subsistence hunting, fishing, and gathering; commercial fishing; personal use; and sport hunting and fishing activities on state lands in this region continue to be protected for the local residents and all Alaskans.

To assist the Legislature in its evaluation, we are enclosing copies of the presentations by the state agencies and copies of the testimony by the public.

If the Alaska Board of Fisheries can be of any further assistance, please let me know what we can do to help.

Sincerely,



Vince Webster
Chairman, Alaska Board of Fisheries

cc: Governor Sean Parnell
Denby Lloyd, Commissioner, Department of Fish and Game
Tom Irwin, Commissioner, Department of Natural Resources
Larry Hartig, Commissioner, Department of Environmental Conservation



From: [Cecilia Kleinkauf](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Improvement in Title 16
Date: Tuesday, October 04, 2016 5:08:36 PM

10/4/16

To the Alaska Board of Fish;

I want to add my support to the proposal asking the Board of Fish to recommend that the legislature improve Title 16 and use the habitat criteria in the Sustainable Salmon Policy to define what constitutes the "proper protection of Fish & Game. Thank you for your attention to this proposal.

Sincerely,

Cecilia "Pudge" Kleinkauf

Cecilia "Pudge" Kleinkauf

Patagonia Fly Fishing Ambassador

Sage Fly Rods Elite Pro

Women's Flyfishing®

A Trout Unlimited Endorsed Business

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Author:

-*Rookie No More: The Fly Fishing Novice Gets Guidance from a Pro*, Epicenter Press 2016

-*Pacific Salmon Flies: New Ties & Old Standbys*, Frank Amato Publications, 2012

-*Fly Fishing for Alaska's Arctic Grayling: Sailfish of the North*, Frank Amato Publications, 2009

Benjamin Franklin Award-winning Books

-*River Girls: Fly Fishing for Young Women*, Johnson Books, 2006

-*Fly Fishing Women Explore Alaska*, Epicenter Press, 2003