



Cordova District Fishermen United
PO Box 939 | 509 First Street | Cordova, AK 99574
phone. (907) 424 3447 | fax. (907) 424 3430
web. www.cdfu.org

October 13, 2023

To: Alaska Board of Fisheries P.O. Box 115526
Juneau, Ak. 99811-5526

FAX: 907.465.6094

Chairman John Wood,

Cordova District Fishermen United (CDFU) is requesting that the Alaska Board of Fisheries deny the petition by Alaska Department of Fish and Game (ADF&G) commissioner Vincent Lang, dated October 6th 2023, for an emergency declaration for rockfish in Prince William Sound (PWS) and subsequent immediate amendment to statewide regulation outside of public process.

Exceeding the rockfish Guideline Harvest Level (GHL) at at this point in the year does not constitute an emergency as described in AS 44.62.250(a) and permanently amending 5 AAC 28.050 outside of the process described in 5 AAC 96.525 (b-d), would be a violation of state policy as outlined in AS 44.62.270(a).

While the guideline harvest level (GHL) for rockfish in PWS has been exceeded in 2023, this does not constitute an emergency, as the directed halibut fishery in PWS now is effectively over for the year. Even though the season continues into December, all fish processors in and around PWS have now closed for the season and there will be very little, if any more, directed halibut harvests in PWS for the remainder of this year. ADF&G should be well aware of this fact.

The GHL for rockfish in PWS was also exceeded in 2014, 2015, 2016 and 2022. Why did ADFG not take action at a proper in-cycle meeting if this was such a concern? The rockfish GHL has not been modified in well over ten years. We believe ADFG should use the tools at its disposal such as lowering the GHL, before asking for new powers. If regulatory change is necessary we stand ready to help ADFG develop options that won't adversely affect the



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fishermen. These could include transitioning the cod fishery to pots and removing regulatory language that prevents fishermen from fishing both pots and hooks during the same trip.

We are deeply concerned by ADF&G's request for a wide reaching, permanent change to statewide regulation outside of public process, based on a local emergency declaration that at this point in the year is no longer necessary. Amending 5 AAC 28.050 per ADF&G's request would give ADF&G unprecedented authority to close areas around the state to federal commercial fisheries outside of public process. The small boat longline fishery in Prince William Sound is urgently dependent on state waters for the safe and efficient harvest of halibut and closing waters of PWS to this harvest without public process may constitute a violation of Magnuson-Stevens Act National Standards 8 and 10.

For these reasons we urge the Alaska Board of Fisheries to deny this petition by Commissioner Vincent-Lang, and to follow the regular public process for managing statewide and regional groundfish fisheries to conserve rockfish in state waters.

Sincerely,

Ezekiel Brown
Board President
CDFU Groundfish Division