

Record Copy (RC) LOG

Board of Fisheries, Southeast and Yakutat Shellfish, Petersburg, Jan. 21-27, 2009

Log #	Date	Source	Description	Pgs.
RC1		ADF&G	Board Book	
RC2		ADF&G	Staff Comments	
RC3		ADF&G	Department Reports	
RC4	1/15/09	James Giesel	Opposition to proposal #155	2
RC5		ADF&G – SF	Deliberation Materials B&D	21
RC6		Craig AC	Mintues and Comments	6
RC7		ADF&G – Subsistence	Amendment to C&T Worksheets	2
RC8		ADF&G – Dept. Comments	Dept. Comm on proposal 166 correction	
RC9		ADF&G	Power Pt. Proposals 164, 165. 167 and 168	
RC10		ADF&G	Power Pt. Proposal 166	
RC11	1/21/09	Phil Doherty	SARDFFA Prop. 188-196	8
RC12	1/21/09	Jerry Dahl	Proposal 141	1
RC13	1/21/09	Jerry Dahl	Proposal 142	1
RC14	1/21/09	Andy Rawolf	Proposal 199 Amendment	1
RC15	1/21/09	Jackie Tyson	Proposal 155	4
RC16	1/21/09	ADF&G	Petition Response	2
RC17	1/22/09	Stan Malcom	SEAGO Comments on shellfish props.	2
RC18	1/22/09	Tanya Somerville	Proposal 152-153	1
RC19	1/22/09	KTTF/John Barry	5 AAC 35.XXX	2
RC20	1/22/09	Jim Stone	Proposal 187	9
RC21	1/22/09	ADF&G	Public Testimony Sign-up Sheet	2
RC22	1/23/09	ADF&G	Committee A Report	
RC23	1/23/09	ADF&G	Committee B Report	

Record Copy (RC) LOG

Board of Fisheries, Southeast and Yakutat Shellfish, Petersburg, Jan. 21-27, 2009

Log #	Date	Source	Description	Pgs.
RC24	1/23/09	ADF&G	Committee C Report	
RC25	1/23/09	ADF&G	Committee D Report	
RC26	1/23/09	ADF&G	Committee E Report	
RC27	1/23/09	ADF&G	Analysis of Proposal 141	1
RC28	1/23/09	ADF&G	RE #187 Memo	1
RC29	1/23/09	ADF&G	RE #187 Article	4
RC30	1/24/09	Jim Stone	Withdraw of support #187	1
RC31	1/24/09	Yancy Nilsen	Comments RE #185	1
RC32	1/24/09	Charles Christensen	Pot Stacking	1
RC33	1/24/09	Roger Gregg/John Barry	Proposal 175, 185	1
RC34	1/24/09	Icy Strait AC	Withdraw of support for #164	1
RC35	1/25/09	ADF&G – Subsistence	C&T use of Shellfish Stocks	2
RC36	1/25/09	ADF&G – Subsistence	Options for ANS – King & Tanner	2
RC37	1/25/09	ADF&G – Subsistence	Power Pt for RC 36	4
RC38	1/25/09	John Barry	Proposal 184	1
RC39	1/25/09	Tad Fujioka	Proposal 168	1
RC40	1/25/09	Michael See	Proposal 164	1
RC41	1/25/09	Alan Reeves	Proposal 141	1
RC42	1/25/09	Kathy Hansen	Committee Report B	2
RC43	1/25/09	SEAFA	94-149-FB	10
RC44	1/25/09	Gary Slaven	Red Crab C&T Findings	6
RC45	1/25/09	Yancy Nilsen	Withdraw Proposal 178	1
RC46	1/25/09	Southeast King & Tan TF	Proposal 185	1
RC47	1/25/09	Pete Rodey	Revision of Comment prop. 156, Comm. D Rpt.	1
RC48	1/25/09	Brent Akers	Withdraw Proposal 166	1

Record Copy (RC) LOG

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Log #	Date	Source	Description	Pgs.
RC49	1/26/09	Otto Florschutz	Reference Proposal 154	1
RC50	1/26/09	Mike Nilsen	Proposal 184-185	1
RC51	1/26/09	Pete Roddy	Proposal 167	1
RC52	1/26/09	J. Andrew Knight	Proposal 185	1
RC53	1/26/09	Ronn Buschmann	Proposal 185	1
RC54	1/26/09	Luke Whitehorn	Proposal 185	1
RC55	1/26/09	Yancey Nilsen	Proposal 184-185	
RC56	1/26/09	Roger Gregg	Committee Report A, RC 22	3
RC57	1/26/09	Robert Hartman	Withdraw subsistence prop. 167	1
RC58	1/26/09	Otto Florschutz	Wrangell AC Proposal 154	1
RC59	1/26/09	Otto Florschutz	Wrangell AC Proposal 149-150	1
RC60	1/27/09	ADF&G	Proposal 318	1
RC61	1/27/09	Alan Reeves	Proposal 141 revisit request	1
RC62	1/27/09	Kerri Tonkin	Clarify Dungeness Permit Stacking	1
RC63	1/27/09	ADF&G – Boards	Miscellaneous Business List	1

RC4

RECEIVED

JAN 15 2009

BOARDS

Giesel
PO Box WWP-45
Whale Pass
Ketchikan, AK 99950

Attn
BOF Comments Boards Support Section
Alaska Department of Fish and Game
po Box 115566
Juneau AK
99811-5526
re proposition 155

I strongly oppose passage of proposition 155 - specifically "Issue: to open commercial Dungeness crab fishing in the Whale Pass closure area."

I am a summer resident and cannot speak, reasonably, to many of the concerns of full-time residents with this proposition.

Rather, my concern is with the undoubted impact of saturation trapping of Dungeness Crabs in the fall on the ability of this small bay to support summer fishing by we part-time residents and by the year round fishing by the subsistence population of Whale Pass. I see no way that heavy fishing in the fall can fail to catastrophically impact the crab population, resulting in gravely reduced catch during the rest of the year.

As noted by my friends at Whale Pass, the commercial crabbers (all of whom are from other communities) have the entire area to the east of Whale Pass available to them, including Whale Passage and vast areas of protected bays and inlets which do not support subsistence communities, the members of which fish from small skiffs incapable of long journeys in safety. Fairness would seem to dictate leaving Whale Bay and other areas like it to the residents who depend on the fishery either for their sustenance or for the occasional good meal in the summer.

I can also sympathize with my neighbor's other concerns regarding safety. There can be no doubt that a bay full of pot buoys would make float plane landing and takeoff difficult, if not dangerous. Float planes are a major lifeline for the Whale Pass community. They are the only source of mail and an important source of emergency medical evacuation (the only source during winter when road passes are made impassable or dangerous by snow). I can only imagine the real possibility of loss of human life should crabbing impede an evacuation or cause a plane to crash. I can also speak, from experience, to the effect of concentrated buoys and lines on small boat navigation. The commercial crabbers saturate the mouth of Whale Bay in the summer. Navigation is difficult, even under summer conditions. I can imagine that it would be hazardous and life-threatening under winter conditions or at night.

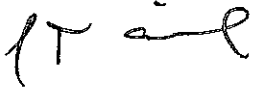
A few extra dollars in the hands of commercial crabbers are not worth a human life or the sustenance of people who are heavily dependent on the fishery.

Finally, I agree with my friends regarding the lack of enforcement in the area. In two full summers, I have never seen an enforcement officer and only heard of their presence twice. The commercial crabber's complaints about others who do not obey regulations and their seeming plea to be allowed to devastate the resource because others (lodges and

charter boats) are, supposedly, "catching more than their share" (I've seen no evidence of this and I live right next to the two biggest lodges in the area) are absurd. If reasoning like this were the basis of management decisions rampant over fishing and the destruction of the resource would be the inescapable result.

sincerely

James T Giesel

A handwritten signature in cursive script, appearing to read "JT Giesel".

DELIBERATION MATERIALS

COMMITTEES B and D

prepared by

SPORT FISH DIVISION
ALASKA DEPARTMENT OF FISH AND GAME

for the

ALASKA BOARD OF FISHERIES

SOUTHEAST AND YAKUTAT CRAB, SHRIMP, MISCELLANEOUS SHELLFISH



Petersburg, Alaska
January 21-27, 2009

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TABLE OF CONTENTS

TABLE OF CONTENTS	iii
LIST OF TABLES	iv
LIST OF FIGURES	v
Committee B- Sport Shellfish	6

Closures

PROPOSAL 133: 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area	6
PROPOSAL 134: 5 AAC 47.036. and 75.035. Prohibitions and Sport fishing gear for shell fish	9

Possession Limit

PROPOSAL 137: 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area	12
PROPOSAL 160: 5 AAC 47.020(11). General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area	15
Committee D-Dungeness Crab	17

Closed Waters

PROPOSAL 154: 5 AAC 47.035. Methods, means, and general provisions - Shellfish.	17
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Ecotourism

PROPOSAL 161: 5AAC 75.085(2). Guided sport ecotourism requirements	18
PROPOSAL 162: 5AAC 47.090. George Inlet superexclusive guided sport ecotourism Dungeness crab fishery.	19
PROPOSAL 163: 5AAC 47.090. George Inlet superexclusive guided sport ecotourism Dungeness crab fishery.	21

List of Tables

Table 133-1. Estimated number of Dungeness crab harvested in the sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.....	6
Table 133-2. Estimated number of Tanner crab harvested in sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.....	7
Table 137-1. Southeast Alaska regulated finfish species and corresponding regional bag, and possession limits for marine sport fisheries under 5AAC 47.020.....	12
Table 137-2. Southeast Alaska regulated shellfish species and corresponding regional bag, and possession limits for marine sport fisheries under 5AAC 47.020.....	13
Table 137-3. Statewide Harvest Survey estimates of Southeast Alaska sport fishing effort, harvests, and proportions for regulated and unregulated species of shellfish and finfish, 1997-2006.	13
Table 137-4. Unregulated shellfish and finfish harvests estimated for Southeast Alaska sport fisheries by Statewide Harvest surveys, 1997-2006.	14
Table 160-1. Estimated number of Dungeness crab harvested in the sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.....	15
Table 160-2. Estimated number of Tanner crab harvested in sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.....	16
Table 162-1. George Inlet Lodge Dungeness crab tour collection activities from 2003-2008.....	19
Table 162-2. George Inlet Lodge Dungeness crab ecotourism trip summary, 2008	19
Table 163-1. George Inlet Lodge Dungeness crab tour collection activities from 2003-2008.....	21
Table 163-2. George Inlet Lodge Dungeness crab ecotourism trip summary, 2008	21

List of Figures

Figure 133-1. Areas closed to sport fishing for shrimp in Southeast Alaska.	8
Figure 134-1. Days fished by resident and non resident in Area D (Sitka Area) 1996 – 2007.....	9
Figure 134-2. Dungeness crab harvested by resident and non resident in Sitka Area 1996 – 2007.....	9
Figure 134-3. Clams harvested (gallons) by resident and non resident in Sitka Area 1996 – 2007.....	10
Figure 134-4. Tanner crab harvested by resident and non resident in Sitka Area 1996 – 2007.....	10
Figure 134-5. Sitka Management Area.....	11
Figure 154-1. Map of Southeast Alaska showing areas that are closed to commercial Dungeness crab fishing.....	17
Figure 161-1. Location of George Inlet Lodge and the boundary of the George Inlet Superexclusive Guided Sport Ecotourism fishery	18
Figure 162-1. Location of George Inlet Lodge and the boundary of the George Inlet Superexclusive Guided Sport Ecotourism fishery	20
Figure 163-1. Location of George Inlet Lodge and the boundary of the George Inlet Superexclusive Guided Sport Ecotourism fishery	22

Committee B- Sport Shellfish

PROPOSAL 133: 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA.

Table 133-1. Estimated number of Dungeness crab harvested in the sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.

Year ^a	Sport harvest (nonresidents)	Personal use harvest (residents)	Total sport and personal use harvest	Commercial harvest ^b (# of crab)
1998	5,289	26,248	31,537	1,132,885 ^c
1999	22,382	38,274	60,656	1,611,136 ^d
2000	16,410	46,355	62,765	1,254,573
2001	18,770	35,435	54,205	2,099,643
2002	12,103	21,717	33,820	3,512,242
2003	19,484	38,191	57,675	2,184,724
2004	48,426	40,199	88,625	2,239,558
2005	27,561	45,757	73,318	2,039,101
2006	31,571	48,135	79,706	2,228,852
2007	26,545	65,030	91,575	2,657,986
10-yr. average (1998-2007)	22,854	40,534	63,388	2,277,085
Percent of sport + pu harvest	36%	64%	100%	
5-yr. average (2003-2007)	30,717	47,462	78,180	2,270,044
Percent of sport + pu harvest	39%	61%	100%	

Source: Sport and personal use data are derived from Statewide Harvest Survey estimates. Number of crab harvested in the commercial fishery is derived from fish tickets and average weight of crab sampled in the department's port-sampling program.

^a Commercial fishery runs from March-February. Sport and personal use fishery data is based on the calendar year.

^b The Southeast Alaska (Registration Area A) Dungeness crab fishery does not include the Yakutat area (Registration Area D. The Area D Dungeness crab fishery was closed by the BOF following the 1999 season.

^c Does not include 121,478 pounds (approximately 60,000 crab) caught in the Yakutat area.

^d Does not include 65,386 pounds (approximately 30,000 crab) caught in the Yakutat area.

Table 133-2. Estimated number of Tanner crab harvested in sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.

Year	Sport and Personal use harvests	Commercial harvests
1998	3,384	810,564
1999	5,348	630,090
2000	4,549	494,028
2001	3,896	368,884
2002	1,087	314,825
2003	4,235	336,439
2004	2,935	323,370
2005	2,299	352,928
2006	1,138	366,851
2007	2,120	239,050
10-year average (1998-2007)	3,099	423,703
5-year average (2003-2007)	2,545	323,728

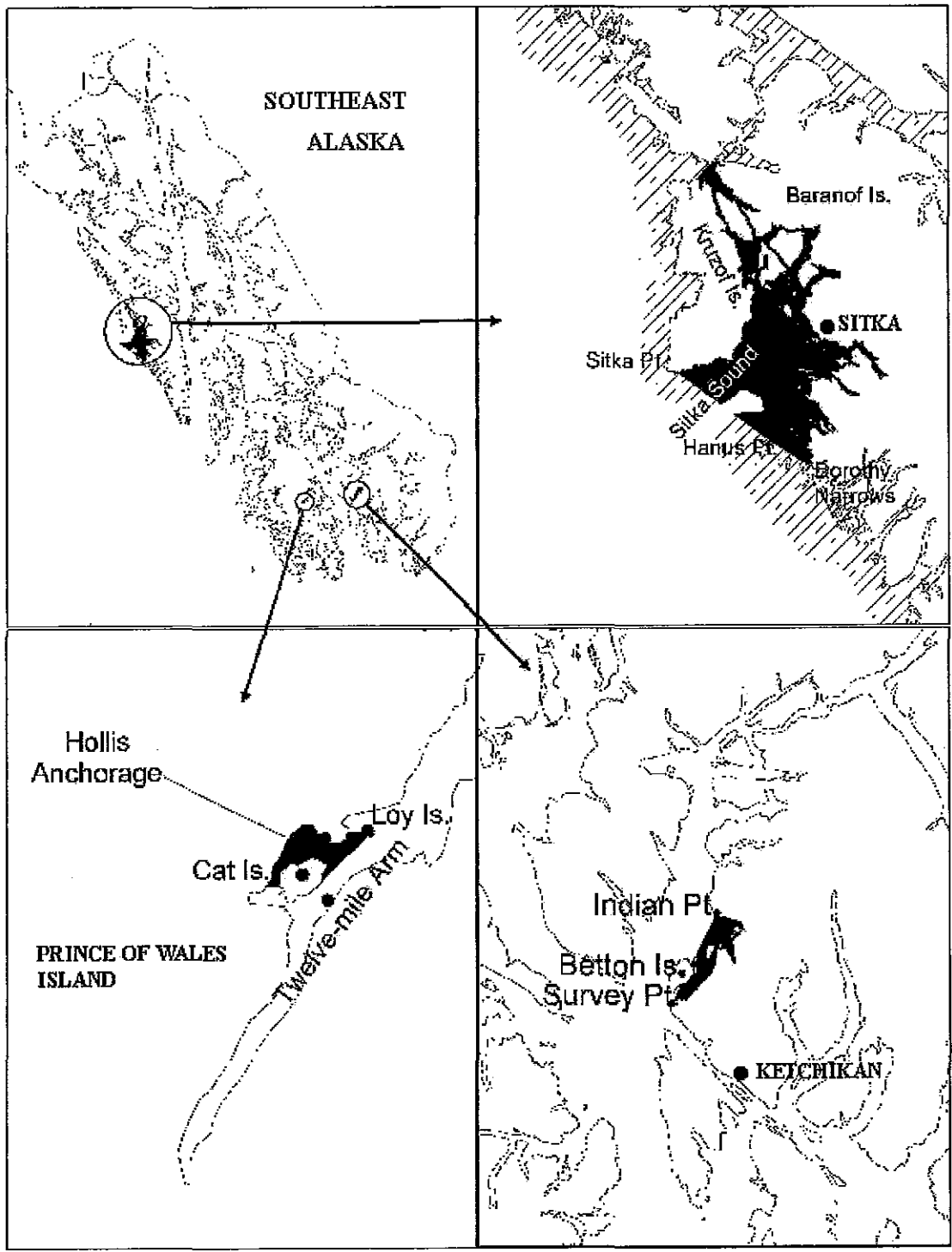


Figure 133-1. Areas closed to sport fishing for shrimp in Southeast Alaska.

PROPOSAL 134: 5 AAC 47.036 AND 75.035. PROHIBITIONS AND SPORT FISHING GEAR FOR SHELL FISH

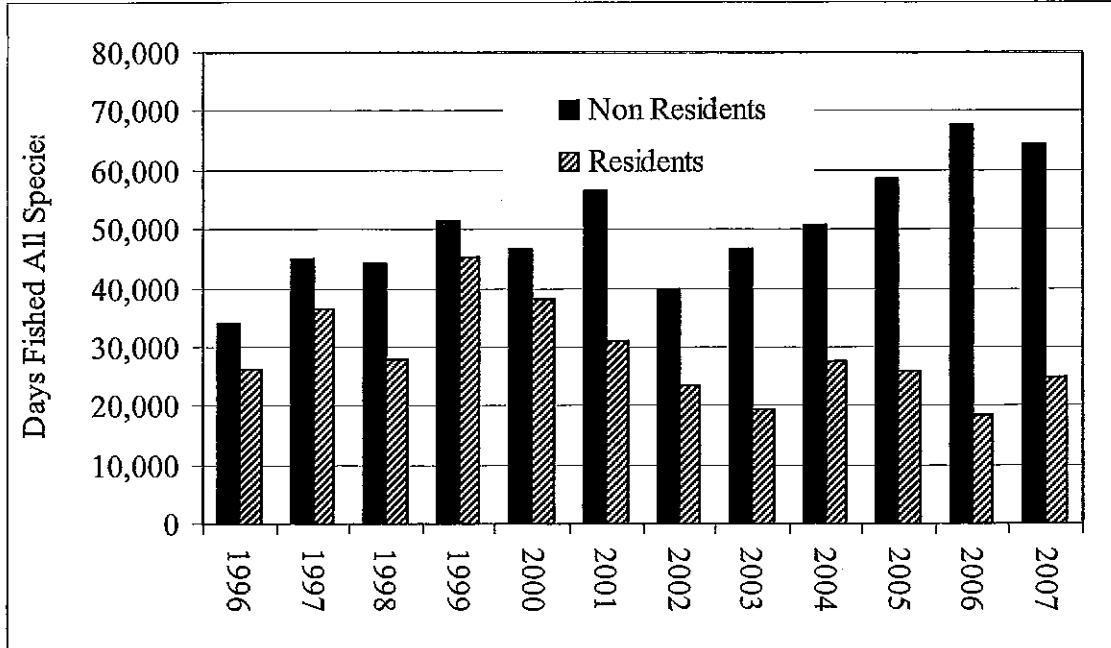


Figure 134-1. Days fished by resident and non resident in Area D (Sitka Area) 1996 – 2007.

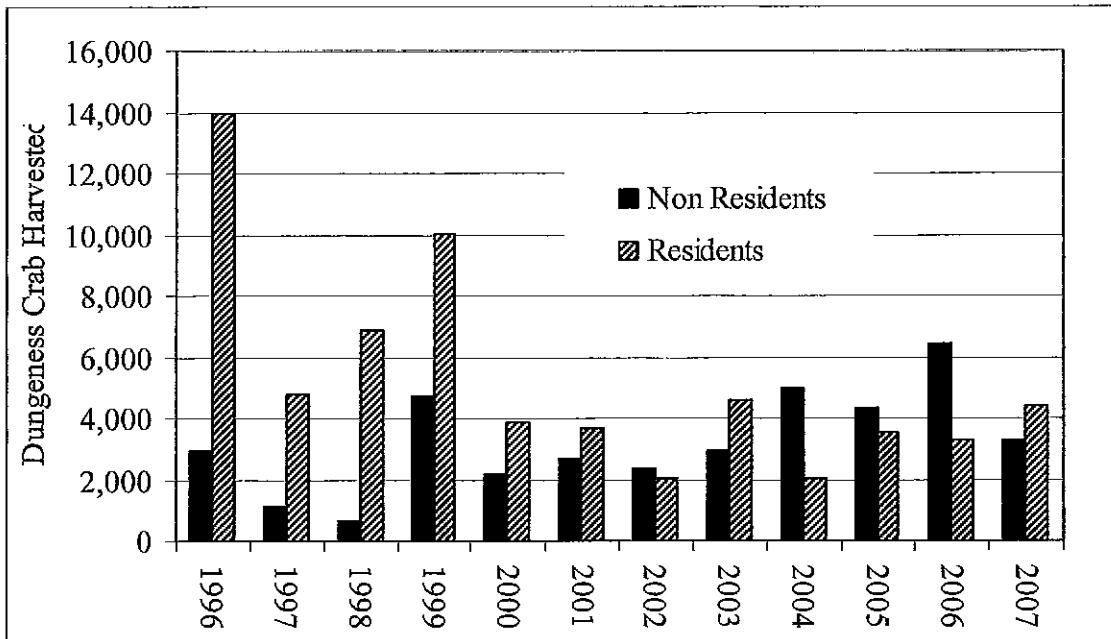


Figure 134-2. Dungeness crab harvested by resident and non resident in Sitka Area 1996 – 2007.

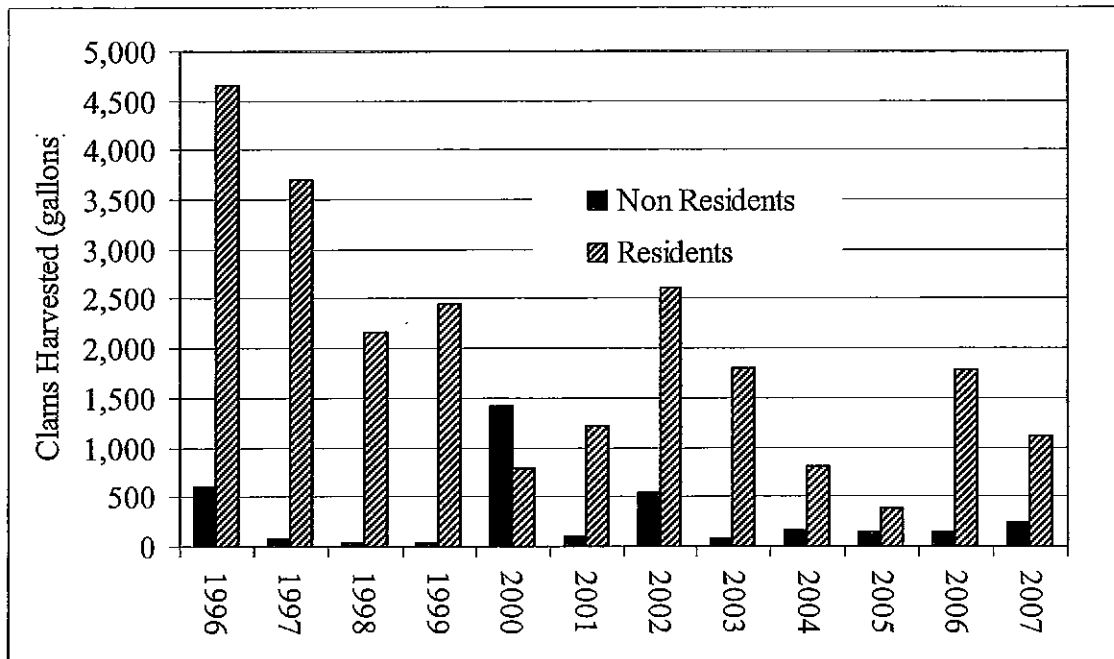


Figure 134-3. Clams harvested (gallons) by resident and non resident in Sitka Area 1996 – 2007.

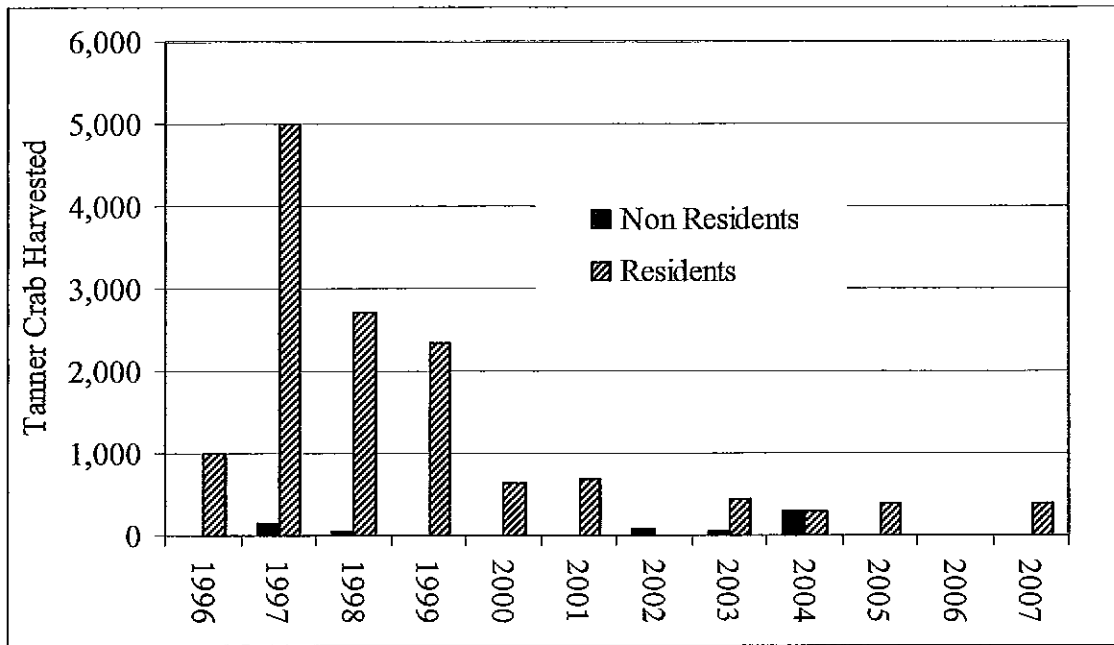


Figure 134-4. Tanner crab harvested by resident and non resident in Sitka Area 1996 – 2007.

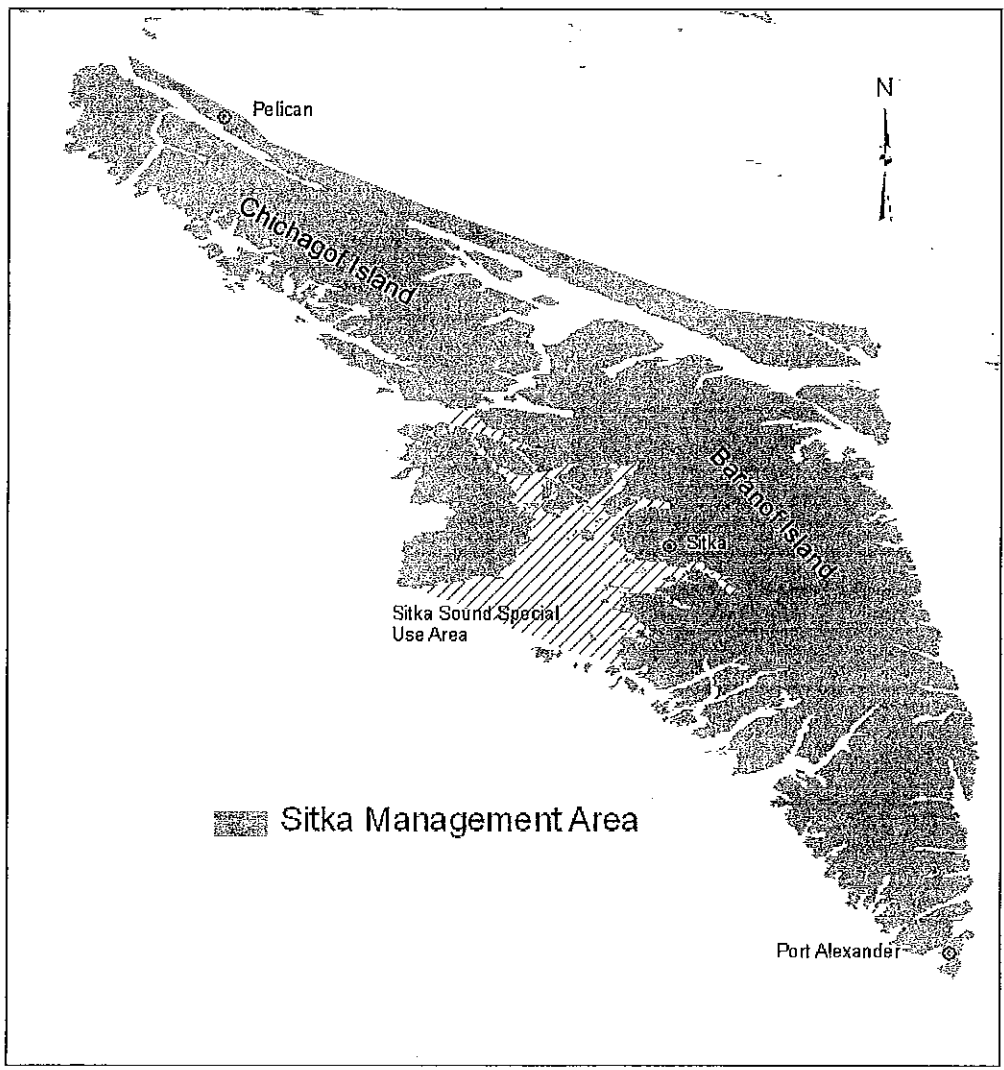


Figure 134-5. Sitka Management Area.

PROPOSAL 137: 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA.

Table 137-1. Southeast Alaska regulated finfish species and corresponding regional bag, and possession limits for marine sport fisheries under 5AAC 47.020.

Finfish with existing bag and possession limits:	Bag limit	Possession limit
king salmon	a	a
<i>other</i> salmon 16 inches or greater:	6	12
<i>other</i> salmon less than 16 inches (in combination):	10	10
rainbow trout	2	2
cutthroat trout	2	2
Dolly Varden	10	10
steelhead	1	2
halibut	2 ^b	4 ^b
lingcod	a	a
pelagic rockfishes: numerous species	5	10
nonpelagic rockfishes: numerous species	5 ^{a, c}	10 ^{a, c}
sharks	1	1

^a Bag and possession limits for King salmon, non-pelagic rockfish, and lingcod are modified annually by emergency order to meet allocations.

^b Bag and possession limits for halibut taken by guided anglers are modified under federal management via National Marine Fisheries Service (NMFS).

^c Bag and possession limits for Yelloweye rockfish are limited to no more than 2 yelloweye rockfish per day and 4 in possession.

Table 137-2. Southeast Alaska regulated shellfish species and corresponding regional bag, and possession limits for marine sport fisheries under 5AAC 47.020.

Shellfish with existing bag and possession limits:	Bag limit	Possession limit
abalone	5	5
Dungeness and Tanner crab, in combination:	5	5
king crab	no open season	
geoducks	no open season	
razor clams	10	10
rock scallops	5	5
weathervane scallops	10	10
shrimp	10 pounds or quarts	

Table 137-3. Statewide Harvest Survey estimates of Southeast Alaska sport fishing effort, harvests, and proportions for regulated and unregulated species of shellfish and finfish, 1997-2006.

Year	Total SEAK Effort (days)	Shellfish Harvests		Finfish Harvests		Proportion Unregulated	
		regulated	unregulated	regulated	unregulated	Shellfish	Finfish
1997	346,197	68,671	11,218	466,561	19,523	0.14	0.04
1998	295,208	56,253	9,582	453,249	14,699	0.15	0.03
1999	435,379	95,891	11,016	668,827	14,996	0.10	0.02
2000	434,944	87,390	8,405	535,443	16,256	0.09	0.03
2001	408,928	82,617	8,676	654,825	11,531	0.10	0.02
2002	367,606	46,898	18,593	577,494	7,497	0.28	0.01
2003	369,289	95,818	8,319	649,636	12,126	0.08	0.02
2004	443,028	115,448	15,786	748,213	17,921	0.12	0.02
2005	465,584	123,456	18,833	864,838	21,661	0.13	0.02
2006	411,748	102,222	18,383	570,473	23,668	0.15	0.04
10 yr avg	397,791	87,466	12,881	618,956	15,988	0.13	0.03

Table 137-4. Unregulated shellfish and finfish harvests estimated for Southeast Alaska sport fisheries by Statewide Harvest surveys, 1997-2006.

Year	Unregulated Shellfish			Unregulated Finfish			
	hard shell clams	other shellfish	total	pacific cod	other fish	smelt	total
1997	8,768	2,450	11,218	9,318	5,727	4,478	19,523
1998	6,597	2,985	9,582	5,355	6,061	3,283	14,699
1999	9,447	1,569	11,016	7,956	3,915	3,125	14,996
2000	6,405	2,000	8,405	9,713	5,096	1,447	16,256
2001	8,011	665	8,676	6,732	2,384	2,415	11,531
2002	12,865	5,728	18,593	4,410	2,207	880	7,497
2003	6,400	1,919	8,319	2,786	5,324	4,016	12,126
2004	5,212	10,574	15,786	6,663	7,716	3,542	17,921
2005	7,059	11,774	18,833	13,019	5,232	3,410	21,661
2006	6,129	12,254	18,383	9,165	13,737	766	23,668
10 yr avg	7,689	5,192	12,881	7,512	5,740	2,736	15,988

PROPOSAL 160: 5 AAC 47.020(11). GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA.

Table 160-1. Estimated number of Dungeness crab harvested in the sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.

Year ^a	Sport harvest (nonresidents)	Personal use harvest (residents)	Total sport and personal use harvest	Commercial harvest ^b (# of crab)
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1999	22,382	38,274	60,656	1,611,136 ^d
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2006	31,571	48,135	79,706	2,228,852
2007	26,545	65,030	91,575	2,657,986
10-yr. average (1998-2007)	22,854	40,534	63,388	2,277,085
Percent of sport + pu harvest	36%	64%	100%	
5-yr. average (2003-2007)	30,717	47,462	78,180	2,270,044
Percent of sport + pu harvest	39%	61%	100%	

Source: Sport and personal use data are derived from Statewide Harvest Survey estimates. Number of crab harvested in the commercial fishery is derived from fish tickets and average weight of crab sampled in the department's port-sampling program.

^a Commercial fishery runs from March-February. Sport and personal use fishery data is based on the calendar year.

^b The Southeast Alaska (Registration Area A) Dungeness crab fishery does not include the Yakutat area (Registration Area D. The Area D Dungeness crab fishery was closed by the BOF following the 1999 season.

^c Does not include 121,478 pounds (approximately 60,000 crab) caught in the Yakutat area.

^d Does not include 65,386 pounds (approximately 30,000 crab) caught in the Yakutat area.

Table 160-2. Estimated number of Tanner crab harvested in sport, personal use, and commercial fisheries of Southeast Alaska, 1998-2007.

Year	Sport and Personal use harvests	Commercial harvests
1998	3,384	810,564
1999	5,348	630,090
2000	4,549	494,028
2001	3,896	368,884
2002	1,087	314,825
2003	4,235	336,439
2004	2,935	323,370
2005	2,299	352,928
2006	1,138	366,851
2007	2,120	239,050
10-year average (1998-2007)	3,099	423,703
5-year average (2003-2007)	2,545	323,728

Committee D-DUNGENESS CRAB

PROPOSAL 154: 5 AAC 47.035. METHODS, MEANS, AND GENERAL PROVISIONS - SHELLFISH.

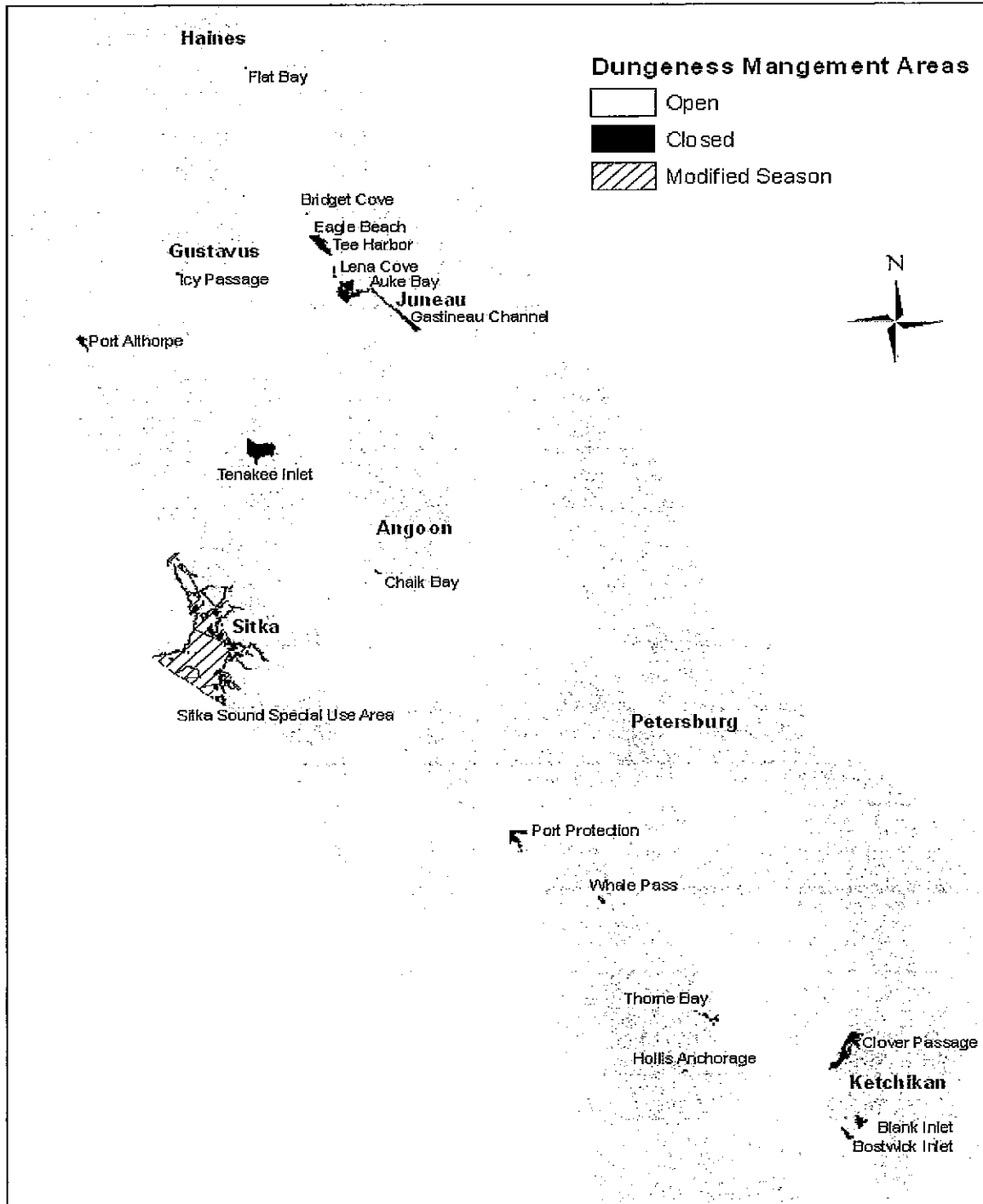


Figure 154-1. Map of Southeast Alaska showing areas that are closed to commercial Dungeness crab fishing.

PROPOSAL 161: 5AAC 75.085(2) GUIDED SPORT ECOTOURISM REQUIREMENTS.

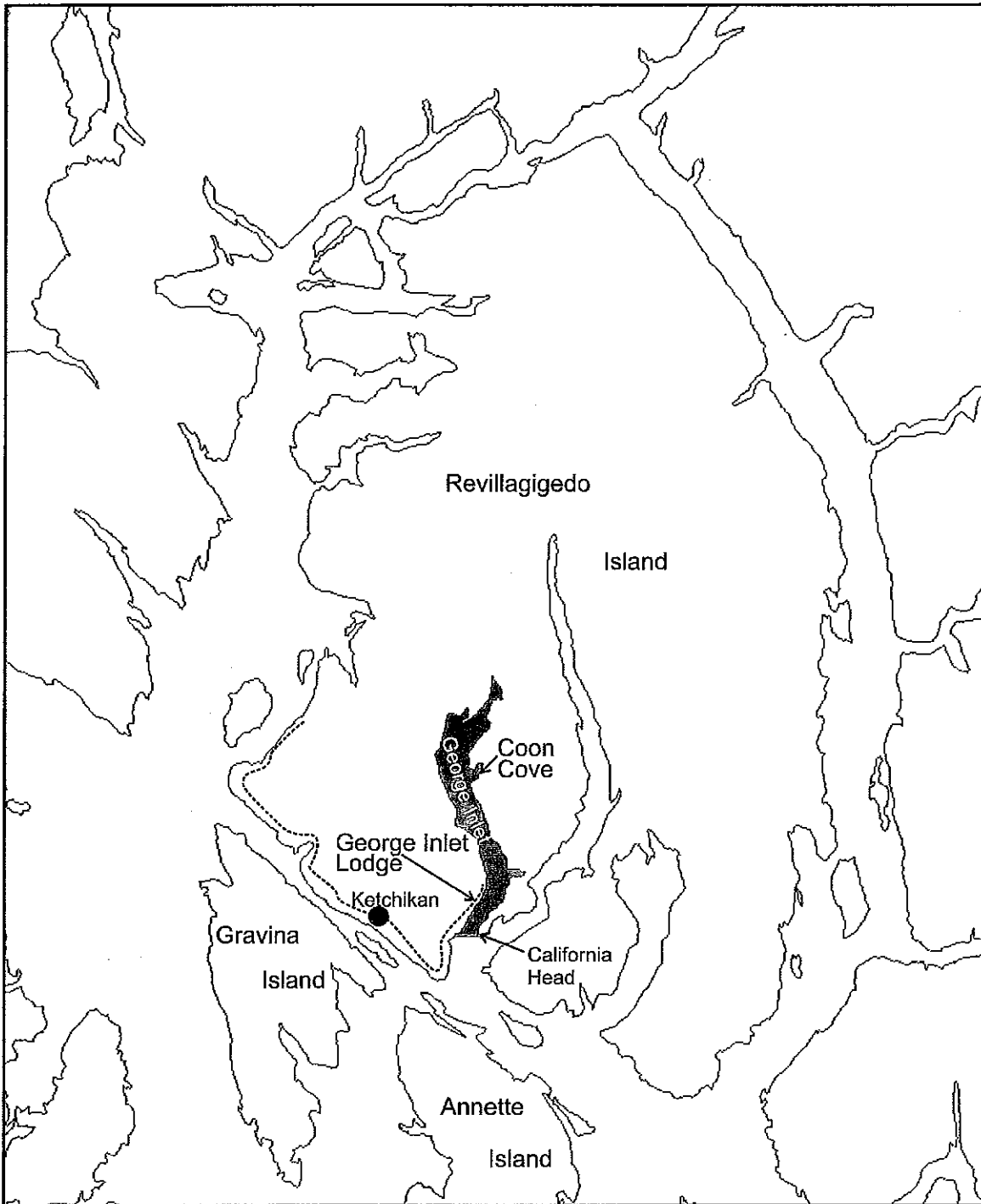


Figure 161-1. Location of George Inlet Lodge and the boundary of the George Inlet Superexclusive Guided Sport Ecotourism fishery.

PROPOSAL 162: 5AAC 47.090 GEORGE INLET SUPEREXCLUSIVE GUIDED SPORT ECOTOURISM DUNGENESS CRAB FISHERY.

Table 162-1. George Inlet Lodge Dungeness crab tour collection activities from 2003-2008.

Permit / Regulation	Year	operation days	average trips per day	pot lifts	total catch	crab caught per pot	crab retained for demonstration
Special Use Permit ^a	2003	135	n/a	1,171	13,540	12	n/a
	2004	125	n/a	525	n/a	n/a	700
	2005	138	n/a	583	n/a	n/a	985
	2006	143	n/a	777	n/a	n/a	576
	2007	145	n/a	890	6,341	7	985
Guided Sport Ecotourism ^b	2008	150	4	1,176	5,764	5	597 ^c
	Mean	139	4	854	8,548	8	812

^aInformation collected via summary reports of collection activities.

^bInformation collected via ADF&G logbook.

^cThe department did not collect this information via the 2008 logbook. Current regulations allow the temporary retention of one legal size male Dungeness crab per trip to be used for demonstration. This value is equal to the total number of trips.

Table 162-2. George Inlet Lodge Dungeness crab ecotourism trip summary, 2008.

	2008 Trip Summary	Maximum operating potential under current regulations ^a
Vessel Inlet Explorer	313	450 trips per season ^b
Vessel Inlet Scout	284	450 trips per season
Vessel Inlet Pioneer	0	450 trips per season
Total # of trips	597	1,350 trips per season ^c
Total days of operation	150	
Average # trips per day	4	9 trips per day ^d

^aBased on a season of 150 days.

^bCalculation based on (each vessel)(3 trips per day)(for 150 days) = 450 trips per season.

^cCalculation based on (three vessels)(3 trips or pot lifts per day)(150 operating days) = 1,350 trips per season.

^dCalculation based on (each vessel)(# trips or pot lifts per day) = 9 trips per day.

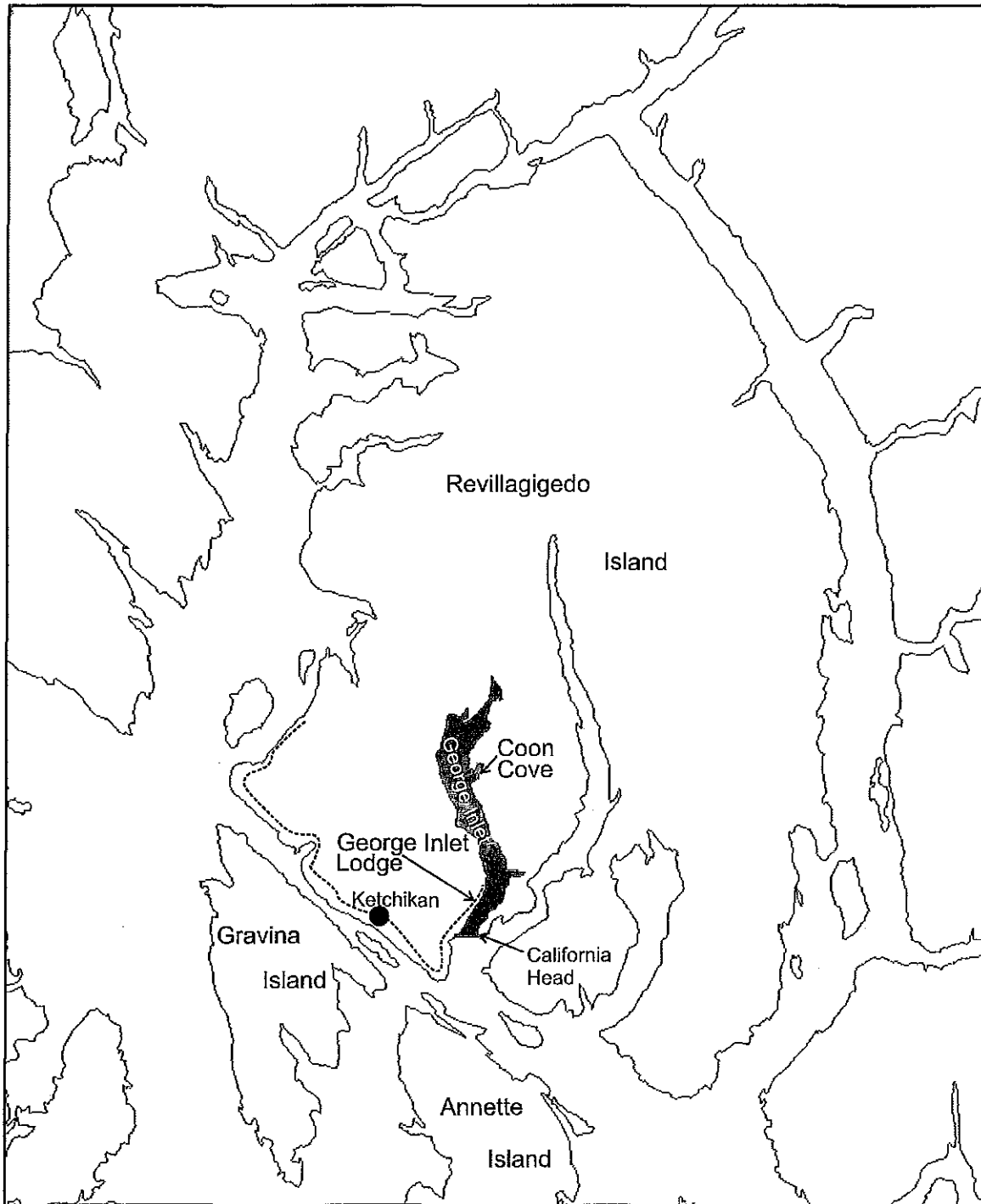


Figure 162-1. Location of George Inlet Lodge and the boundary of the George Inlet Superexclusive Guided Sport Ecotourism fishery.

PROPOSAL163: 5AAC 47.090. GEORGE INLET SUPEREXCLUSIVE GUIDED SPORT ECOTOURISM DUNGENESS CRAB FISHERY.

Table 163-1. George Inlet Lodge Dungeness crab tour collection activities from 2003-2008.

Permit / Regulation	Year	operation days	average trips per day	pot lifts	total catch	crab caught per pot	crab retained for demonstration
Special Use Permit ^a	2003	135	n/a	1,171	13,540	12	n/a
	2004	125	n/a	525	n/a	n/a	700
	2005	138	n/a	583	n/a	n/a	985
	2006	143	n/a	777	n/a	n/a	576
	2007	145	n/a	890	6,341	7	985
Guided Sport Ecotourism ^b	2008	150	4	1,176	5,764	5	597 ^c
	Mean	139	4	854	8,548	8	812

^aInformation collected via summary reports of collection activities.

^bInformation collected via ADF&G logbook.

^cThe department did not collect this information via the 2008 logbook. Current regulations allow the temporary retention of one legal size male Dungeness crab per trip to be used for demonstration. This value is equal to the total number of trips.

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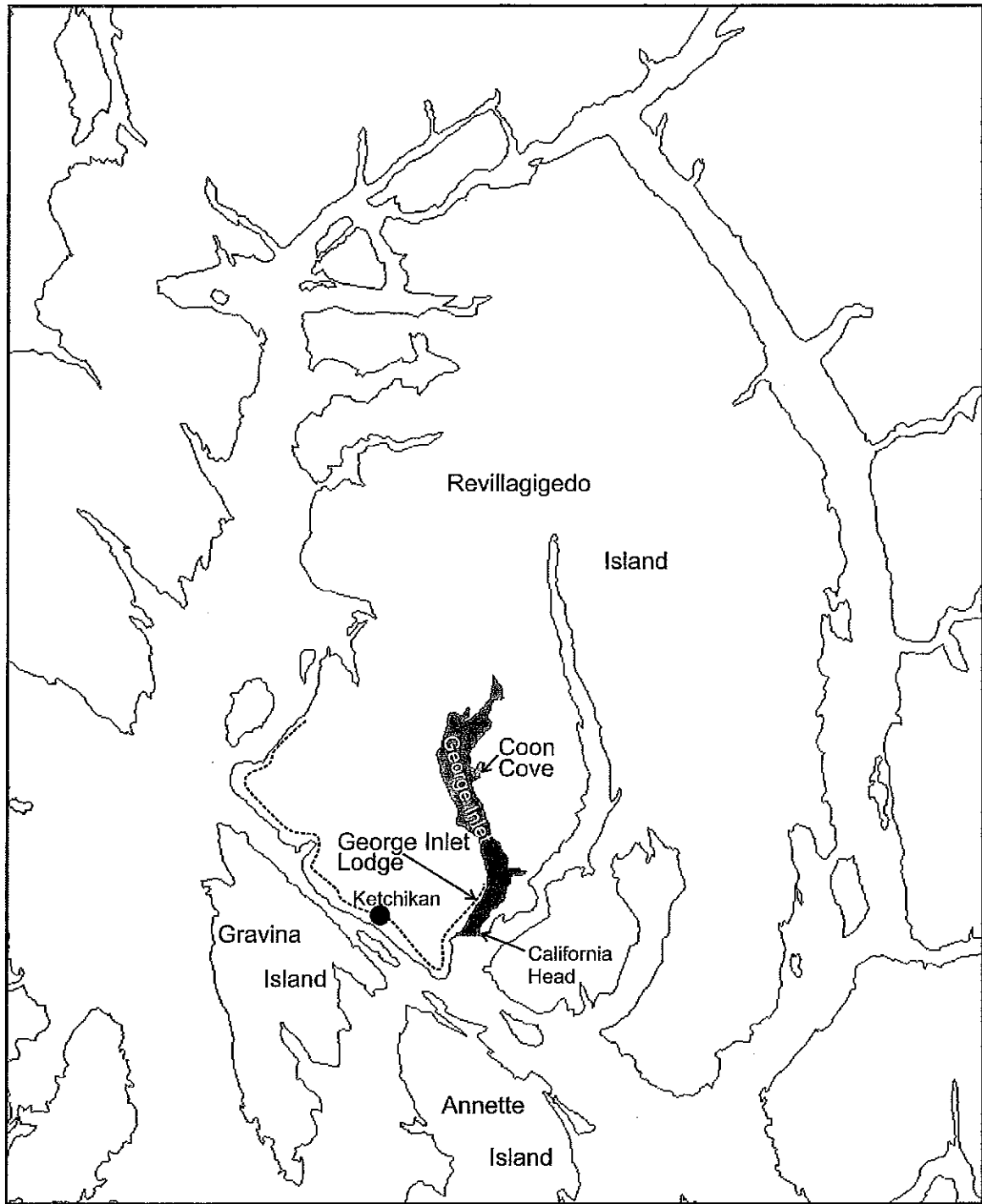


Figure 163-1. Location of George Inlet Lodge and the boundary of the George Inlet Superexclusive Guided Sport Ecotourism fishery.

Graig AC Minutes - 12.04.08 Shellfish Comments

Chuck Haydu - Called to order & identified self ^{Record} explained Process.

Jimi See - Election of officers & Committee next time.

Steve McCurdy - sport fish biologist for POW.

- No POW Comm. Biologist - only in KTN.

• Scott Walker could do teleconference.

Stephanie Clement: Where's line between sport & Commercial pot use.

Res. are personal use fishing

Non-Res. are only "sport" users - never personal use.

Tony Lechity

133 - yes.

134 - yes

135 - yes.

136 - might be removing loophole for King crab.

137 - yes

138 - yes. refer to 133

141 - pots already 48" & 100 pots.

142 - nightmare for ADFEG,

146 - yes.

148 - no June 15 - July 1st interferes trawling crabs are soft.

152 - yes

153 - no

154 - yes - doesn't affect personal use - only non-res.

155 - meant for Thale Pass only

156 - Admiralty Sal.

157 - no.

158 - unknown data.

159 - needs line drawn.

160 - no.

161 - no.

162 - ?

179 - yes.

185 - yes.

188 - yes.

189 - no.

190 - yes.

191 - unknown.

194 - yes. (for a buyer to have more product onboard)

195 - ?

* 199 - no excessive - might need lines drawn for King protection all of bait mucked out of resident herring locally here, all bait taken from this area. Craig area needs to be closed, quota reduced. Craig needs proposal to close our area only, ↓ poundage, or move line back. Our herring are being used all over from here. Sitka needs to get their bait in Sitka (Petersburg) not here. Our King Salmon are decreased as a result. We are 3B area (Hydaburg), 3C Sea Otter Sound, Warm Chuck, etc. JIM SEE has info on this

200 - Video of what herring spawn used to be like

Mary Ellen Skirna has

211 - no - too many dead herring in pounds.

212 - OK if permit holders present - pounds are being overloaded,
- Pound area needs to be cleaned up of anchors, etc. Need to hire divers to clean up area.

- Keep not being regulated enough.

213 - yes

215 - no

216 - Some areas need to be protected - needs defining more.

220 -

221 - Cruise Ships should not be allowed to have 3 fish/day.

Let board decide. Kings are fully allocated already.

No. If abundance, should be able to catch more.

222 - yes. JIM SEE Cruisery (Sitka) mentioned in proposal.

If closed for commercial, should be closed to all users.

Mortality also an issue here.

223 - no

224 - Juneau Derby - NO

225 - no. Hatching corridors need to be defined

Used for dark kings returning to terminal hatching fishery
Needs to be close (very close) to hatchery

Hatchery fish shouldn't be counted against treaty w/ Canada.
Is this proposal only for KRN?

* Kings are supposed to be in PSN in Spring or 1st of June.

* Most Sockeyes come into KKK late summer. Subsistence needs to be moved to Aug.

229 - no.

230 - yes. & 231

238 - no - maybe as written, but move to Aug so don't need a seiner.

* Coho subsistence Sept 1 Kek River.

* Culverts need to be put in on highway on KKK river - fish go in
backside & are trapped

243 - only allowed by handline. Should be able to use longline &
rod & reel.

244 - yes

246 - no

247 - yes.

253 - no.

254 - no.

255 - yes.

256 - yes.

264 - no. trolls fish there. Area needs to be defined

265 - For subsistence yes. Move to Aug. Limit #s by run strength.
Based on run strength to move dates around. Oppose firm date

Shouldn't be allowed to fish above the bridge. Could still fish up
above bridge w/ federal regs. but must start w/ State Reg. 1st

Feds have jurisdiction over fresh water. Feds trump State Regs.

Feds have no jurisdiction in Marine Waters.

Limit July 15 - Aug 7 (only 3 who) Shouldn't be closed on weekends
as working person can't get food. Close Sunday allows escapement

269 - No.

287 - yes. Limits amount of fish non-residents can take out of AK. Hard to enforce as written & maybe covered by other regs.

288 - No. Haydu. Should be allowed 1? or least recovery is met. With economy this yr. it won't be a problem. No abundance problem w/ coho. ^{Seem} says its ok to take the excess, w/ Halibut & King Salmon issues already have cut back.

289 - Haydu says no.

290 - ADF&G will probably oppose their own proposal. Fish has to be > 36" to keep anyway w/ 3 fish limit. So NO on this one.

292 - no. They eat salmon fry & we have a lot of them here.

298 - no. only for handicap people & elderly. No rule that says no now.

299 - yes.

301 - yes.

302 - yes. Mortality of fish. All fishers this should be for. Enforcement a problem in salt water.

304 - ~~yes~~ no. So can take pictures of fish. Good handling is a must. But could still take pics when in H₂O.

305 - ~~yes~~ ^{yes} ~~no~~ - too slick on rocks but spreads disease. Out of state - must use in state boots.

306 - yes.

307 - no.

308 - Can't do it now. NO

309 - already being done

310 - already being done

311 - ~~yes~~ ^{no} - housekeeping 312, 313 all same thing. Check boots instead

318 - Housekeeping - yes!

320 - yes - already is?

328 - no.

329 - no buy a power troll license

334 - yes. We have lots. Need to raise allowable catch.

269 - No.

287 - yes. Limits amount of fish non-residents can take out of AK.
Hard to enforce as written & maybe covered by other regs.

288 - No. Haydu. Should be allowed 1? or last recovery is met.
With economy this yr. it won't be a problem. No abundance
problem w/ coho. See ^{sem}, says its ok to take the excess.
w/ Halibut & King Salmon issues already have cut back.

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318 - Housekeeping - yes.

320 - yes - already is?

328 - no.

329 - no buy a power troll license

334 - yes. We have lots. Need to raise allowable catch.



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1) Chuck Hayden	P.O. Box 1043, CRAIG	Rico@aptalaska.net
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12) Ames Anderson	Box 365 CRAIG	N/A

**Customary and Traditional Use Worksheet:
King and Tanner Crabs in Districts 12, 13 and 14,
Southeast Alaska**

Prepared by

Nancy C. Ratner

and

Michael F. Turek

for the January 2009 Petersburg Board of Fisheries meeting

January 2009

Alaska Department of Fish and Game

Division of Subsistence



INTRODUCTION

This worksheet provides background information on the subsistence uses of king and Tanner crabs in the waters of districts 12, 13 and 14. These waters currently have shellfish customary and traditional use (C&T) findings which exclude king and Tanner crabs (5 AAC 02.108(a)(3)). Under the Alaska subsistence law (AS 16.05.258(a)), the Board of Fisheries is required to identify the fish stocks or portions of stocks that are customarily and traditionally taken or used for subsistence (a "C&T finding").

King crab is defined in regulation as any or all of the following species: *Paralithodes camtschaticus* (red king crab), *P. platypus* (blue king crab), *Lithodes couesi* (scarlet king crab), and *L. aequispinus* (golden king crab) (5 ACC 39.975 (17)). Tanner crab is defined as any or all of the following species: *Chionoecetes bairdi*, (Tanner crab), *C. opilio* (snow crab), *C. tanneri* (grooved Tanner crab), and *C. angulatus* (triangle Tanner crab) (5 ACC 39.975 (18)). In this worksheet, "Tanner crab" refers to all species of Tanner crab combined, unless otherwise noted, and "king crab" refers to all species of king crab combined, unless otherwise noted.

In the waters of District 12, the C&T finding is for shellfish except for shrimp, king crabs, and Tanner crabs in the waters between the latitude of Parker Point and the latitude of Point Caution (5 AAC 02.108(a)(3)(B)). In the waters of District 13, the C&T finding for shellfish is for Dungeness crabs *Cancer magister*, shrimp *Pandalus* spp, abalone *Haliotis kamtschatkana*, sea cucumbers *Parastichopus* spp, gumboot chitons *Cryptochiton stelleri*, cockles (various spp), and clams (various spp), except geoducks *Panopea abrupta* (5 AAC 02.108(a)(4)). There is also a C&T finding for those waters of Section 13-C that are east of the longitude of Point Elizabeth for all shellfish, except shrimp, king crabs, and Tanner crabs. (5 AAC 02.108(a)(3)(B)). In the waters of District 14, the C&T finding is for shellfish except for shrimp, king crabs, and Tanner crabs in those waters that are east of the longitude of Point Dundas (5 AAC 02.108(a)(3)(A)).

A C&T finding for king crabs in districts 12, 13 and 14 is necessary to address proposals 164, 165, 167, and 168 submitted to the Alaska Board of Fisheries for the consideration during their January 2009 meeting in Petersburg, Alaska. The Board of Fisheries requires this information in order to determine whether there are customary and traditional uses of king and Tanner crabs in this area. It is intended that the information in this worksheet be supplemented by written and oral public testimony, if any, delivered during the Board of Fisheries January 2009 meeting.

The quantitative harvest data presented in this report are estimations based on the results of Alaska Department of Fish and Game (ADF&G) Division of Subsistence (Division) surveys administered to randomly-sampled households in various years and communities. The harvest data presented here have been expanded from the sampled households to generate per capita estimates for all individuals in each community. Survey instruments included questions about "king crabs," "Tanner crabs," and "other crabs" in general, and did not differentiate at the species level.

The communities of Angoon, Sitka, and Pelican show a history of using king and Tanner crabs in District 13. Residents of Port Alexander also occasionally use the southern end of District 13. Hoonah, Gustavus and Elfin Cove residents historically have used king and Tanner crabs in District 14.

RC 8

PROPOSAL 166: 5AAC 02.108(a). CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF SHELLFISH STOCKS.

PROPOSED BY: Brent Akers

WHAT WOULD THE PROPOSAL DO? The proposal would establish a Customary and Traditional (C&T) finding for subsistence harvest of red king crab in Section 6-A, District 8, and portion of District 10.

WHAT ARE THE CURRENT REGULATIONS? There are no C&T findings (neither positive nor negative) for shellfish (including red king crab) in these waters. 5 AAC 02.108(a). Customary and traditional uses of shellfish stocks
The Alaska Board of Fisheries finds that the following shellfish stocks are customary and traditionally taken or used for subsistence:

- (3) (C) shellfish except king and Tanner crab in waters of District 10 west of a line from Pinta Point to point Bybus,
- (3)(G) shellfish except king and Tanner crab in waters of Section 6-A west of the line from McNamara Point to Mitchell Point, and in Section 6-B west of the longitude of Macnamara Point;
- (5) shellfish, except king and Tanner crab in the waters of Districts 7 and 8.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? There would be a positive customary and traditional use determination for red king crab in Section 6-A, District 8, and portion of District 10. For stocks with customary and traditional uses, under AS 16.05.258 (b) the board must determine the amount of the harvestable surplus that is reasonable for subsistence uses and adopt regulations that provide a reasonable opportunity for subsistence uses.

BACKGROUND:

Under the state subsistence statute (AS 16.05.258(a)), the Board of Fisheries must identify those fish stocks, or portions of those stocks, that support customary and traditional (c&t) subsistence uses. The Board applies the Joint Board's c&t procedures ("the eight criteria") to make these determinations (5 AAC 99.010). The department has prepared a background report, in the form of a customary and traditional use worksheet that summarizes available harvest and use information for these stocks. This report, plus information the board receives from the public during the January 2009 meeting, can be used to develop a customary and traditional use finding.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on the proposal due to its allocative aspects. We recommend that the board review the information in the department's customary and traditional use worksheet, as well as any information provided during public testimony at the January 2009 meeting, as the basis for a customary and traditional use finding for these stocks.

COST ANALYSIS: This proposal is not expected to result in additional direct cost for the private person to participate.

SUBSISTENCE REGULATION REVIEW:

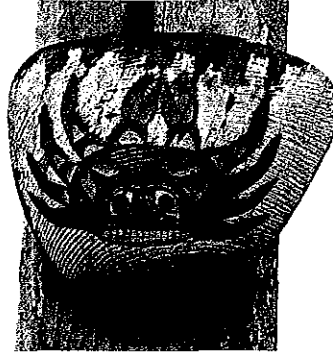
1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? The Board has not yet made this determination.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes
4. What amount is reasonably necessary for subsistence use? If the board makes a positive customary and traditional use finding for the red king crab stocks in the waters in Section 6-A, District 8, and portion of District 10, it should review available harvest data and determine if adequate data are available to support adopting an ANS range.
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? This is a board determination.

RC 9

Proposals 164, 165, 167, and 168

Customary and traditional subsistence uses of shellfish stocks

Prepared for
Alaska Board
of Fisheries
January 2009



Proposals 164, 165, 167, and 168

1

Proposals 164, 165, 167, and 168

- A positive shellfish C&T finding for king (and Tanner) crabs in Districts 12, 13 and 14 is necessary to address Proposals 164, 165, 167 and 168.
- King crabs and Tanner crabs in
 - District 12: Angoon
 - District 13: Angoon, Sitka, Port Alexander, and Pelican.
 - District 14: Elfin Cove, Gustavus, and Hoonah.
- Department recommendation: neutral.

Proposals 164, 165, 167, and 168

2

Rationale for Including Tanner Crabs

- Historical references, usually absent information at the species level, indicate continual uses of crabs in Southeast Alaska throughout the late 19th and early 20th centuries.
- The Yakutat Tlingit phrase for king crab is *x'éix ka s'áaw*.
- The "spider" (Tanner) crab - "crab of the halibut deep" - is called *ítka tsáwù*, and
- Dungeness crabs are *ts'áw* in Yakutat Tlingit.
- In Angoon, *s'áaw* is used for Dungeness, king, or Tanner crabs.
- In Sitka, *x'éix* refers to both king and "spider" crabs (Tanner crabs) and *s'áaw* is a Dungeness crab.

Proposals 164, 165, 167, and 168

3

Why is a C&T Finding Necessary?

- **AS Sec. 16.05.258.** subsistence use and allocation of fish and game.
- **5 AAC 99.010.** Boards of fisheries and game subsistence procedures.
- Both state law and board procedure identify making a C&T finding a *first* step in the regulatory process.

Proposals 164, 165, 167, and 168

4

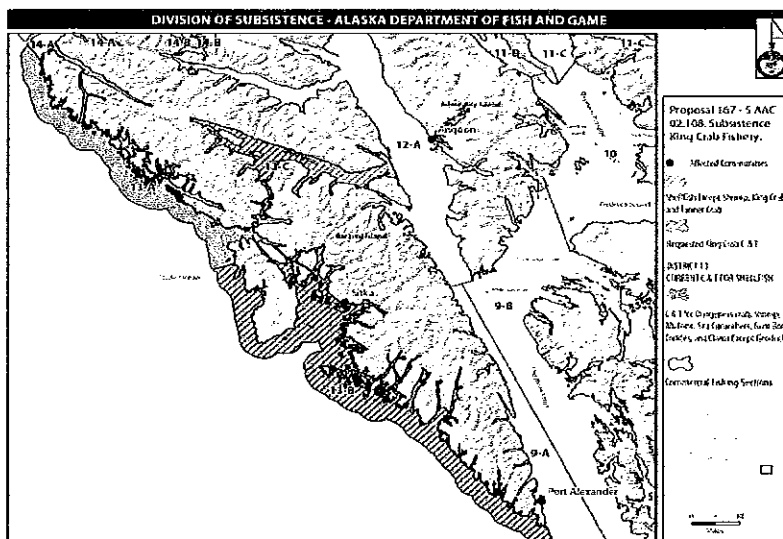
State Subsistence Procedures

- Is there a customary and traditional use finding for shellfish in Districts 12, 13 & 14?
 - **Yes (1993), except shrimp king and Tanner crabs.**
- Is there a "harvestable surplus" of king and Tanner crabs?
 - **Yes.**
- What is the amount reasonably necessary for subsistence?
 - **The board has not made ANS findings for shellfish in Districts 12, 13 & 14.**
- Does the harvestable surplus allow for all or only some uses?
 - **This is a board determination.**

Proposals 164, 165, 167, and 168

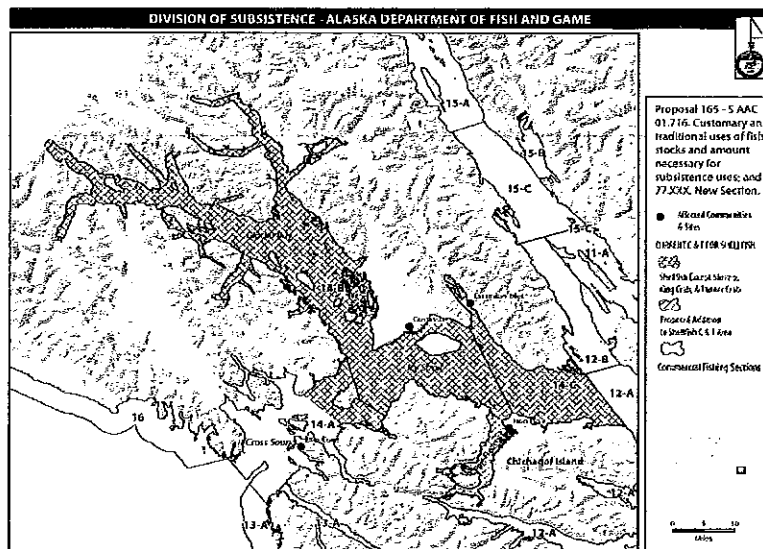
5

Customary & Traditional Findings: Districts 12 & 13



6

Customary & Traditional Findings: District 14



Current State Regulations

- 5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks. (a) The Alaska Board of Fisheries finds that the following shellfish stocks are customarily and traditionally taken or used for subsistence:
 - (3) shellfish, except shrimp, king crab, and Tanner crab,
 - (A) in the waters of District 14 east of the longitude of Point Dundas;
 - (B) in the waters of District 12 between the latitude of Parker Pt. and the lat. of Pt. Caution and in Section 13-C east of the longitude of Point Elizabeth.
 - (4) Dungeness, shrimp, abalone, sea cucumbers, gum boot, cockles and clams except geoducks, in the waters of Dist. 13

Proposed Regulations

- **5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks.**

- Recognize customary and traditional uses of king and Tanner crabs in Districts 12, 13 and 14.

Regulatory History

- In Southeast Alaska, king crabs can be taken under personal use regulation by using no more than 4 pots per vessel [5 AAC 77.664 (a)(4)].
- Daily bag and possession limit is 6 male crab per person [5 AAC 77.664 (a)(1)] of legal size [5 AAC 77.664 (a)(2)(B)].
- ***The Southeast Alaska red and blue king crab PU fishery was closed by emergency order on September 15, 2007. The fishery remains closed pending stock assessment in summer 2009.***

“Eight Criteria” (5 AAC 99.010)

1. Length and consistency of use.
2. Seasonality.
3. Methods and means of harvest.
4. Geographic areas.
5. Means of handling, preparing, preserving, and storing.
6. Transmission of knowledge, skills, and lore.
7. Distribution and exchange.
8. Diversity of resources in area.

Proposals 164, 165, 167, and 168

11

1. Length and Consistency of Use.

- Tlingits have used shellfish for food and tools for thousands of years.
- Dungeness, “spider” (likely Tanner), and king crabs were used by the Tlingits prior to Euro-American contact.
- Cultural significance of king, “spider” and Dungeness crabs depicted in crab carvings, “king crab” tribal house, and traditional stories.

Proposals 164, 165, 167, and 168

12

1. Length and Consistency of Use, continued.

- Commercial activity for Dungeness crabs and shrimp dates to the 1900s.
- Crabs and shrimp are removed from commercial catches for home use.
- Dungeness crabs and clams also fished for home use by Euro-American settlers.

Proposals 164, 165, 167, and 168

13

Estimated Harvest and Use of King Crabs

Table 1.—Estimated total harvest, per capita harvest, and use of king crabs, Southeast Alaska communities, selected years 1984-1996.

Location	Year	Estimated harvest king crab (lbs)	Per capita harvest king crab (lbs)	Percentage using king crab	Percentage giving away	Percentage receiving	95% confidence limit for number harvested
Angoon	1984	1,282	2.00	24%	8%	18%	87
Angoon	1987	437	0.84	25%	2%	18%	100
Angoon	1996	176	0.30	4%	1%	3%	147
Elfin Cove	1987	46	0.77	54%	8%	54%	111
Gustavus	1987	128	0.84	41%	2%	33%	45
Hoonah	1985	986	1.10	37%	ND	ND	98
Hoonah	1987	763	1.09	42%	5%	42%	70
Hoonah ^a	1996	10,201	11.45	53%	18%	47%	100
Pelican	1987	246	1.00	71%	8%	68%	ND
Port Alexander	1987	34	0.32	35%	3%	29%	50
Sitka	1987	23,544	2.92	9%	ND	ND	47
Sitka	1996	53,376	6.25	38%	10%	26%	53

Source: ADF&G CSIS 2008 (<http://www.subsistence.adfg.state.ak.us/CSIS>).

ND = data for this category not collected in this survey

a. No reported harvest from commercial fishing.

Proposals 164, 165, 167, and 168

14

Estimated Harvest and Use of Tanner Crabs

Table 2.—Estimated total harvest, per capita harvest, and use of Tanner crabs, Southeast Alaska communities, 1984-1996.

Location	Year	Estimated harvest Tanner crab (lbs)	Per capita harvest Tanner crab (lbs)	Percentage using Tanner crab	Percentage giving away	Percentage receiving	95% confidence limit for number harvested
Angoon	1984	503	1.00	18%	5%	13%	115
Angoon	1987	1,112	2.00	23%	7%	15%	104
Angoon	1996	197	0.34	7%	3%	3%	109
Elfin Cove	1987	169	3.00	62%	15%	54%	79
Gustavus	1987	193	1.00	25%	12%	16%	80
Hoonah	1985	120	0.13	13%	ND	ND	100
Hoonah	1987	2,166	3.00	26%	9%	21%	107
Hoonah	1996	1,092	1.00	29%	9%	18%	82
Pelican	1987	1,952	8.00	46%	11%	44%	ND
Port Alexander	1987	24	0.23	12%	0%	6%	57
Sitka	1987	3,841	0.50	6%	0%	0%	59
Sitka	1996	10,667	1.00	15%	7%	6%	75

Source: ADF&G CSIS 2008 (<http://www.subsistence.adfg.state.ak.us/CSIS>).

ND = data for this category not collected in this survey.

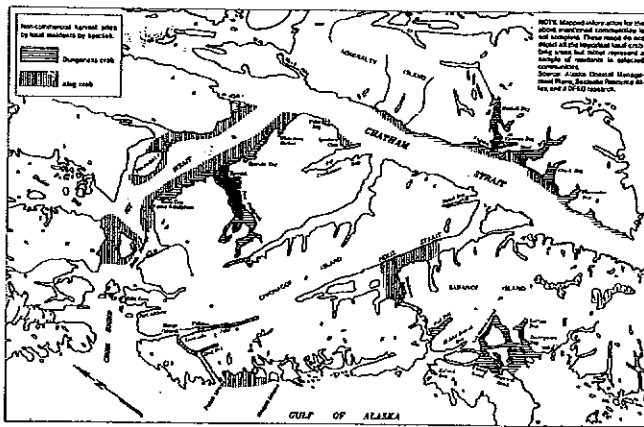
2. Seasonality.

- Crabs are harvested year-round in Southeast Alaska.
- However, primary harvest periods occur in spring, summer, and fall months (April to November).
- Occasional harvest takes place during winter (December through March).

3. Methods and Means of Harvest.

- ❑ Historically, crabs were speared or kicked out of the sand at low tide, or harvested with barbed spears, long poles with loops, or baited lines.
- ❑ Currently, king and Tanner crabs are harvested with pots in the deeper waters of bays and inlets. King crabs are also harvested when they move to shallow water.
- ❑ Crabs are occasionally retained from commercial catches in some communities.

4. Geographic Areas.



- Port Frederick
- Icy Strait
- Peril Strait
- Lisianski Inlet
- Whitstone Harbor

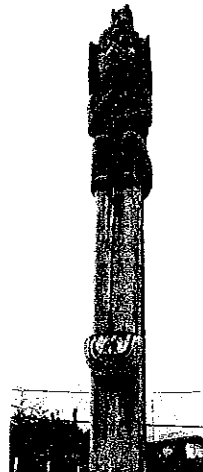
Noncommercial harvest areas of residents of Sitka, Angoon, Hoonah, and Pelican, 1985.

5. Means of Handling, Preparing, Preserving, and Storing.

- Traditionally, crabs were both boiled and roasted.
- Currently eaten fresh or frozen.

6. Intergenerational Transmission of Knowledge, Skills, Values, and Lore.

- Use of king crab ongoing in region.
- Prized food at cultural events.
- Elder residents pass fishing knowledge on to other community members.
- Crabs are mentioned in stories told by several generations of Tlingit.
- King crab shells were used to make drums and rattles.



7. Distribution & Exchange.

- In general, wild foods requiring specialized harvest methods, such as crabs, tend to be widely distributed within communities.
- It is likely that sharing of crabs takes place within networks of relatives and friends, as is common with other subsistence resources.

Proposals 164, 165, 167, and 168

21

8. Diversity of Resources.

Top 10 resources used by the most Hoonah households, 1996.

Rank	Resource	Percentage of households using
1.	Halibut	75.3%
2.	Deer	71.0%
3.	Chinook salmon	72.7%
4.	Coho salmon	68.8%
5.	Seckeye salmon	64.9%
6.	Clams	62.2%
7.	Dungeness crab	61.0%
8.	"Black" seaweed	59.7%
9.	Harbor seal	55.8%
10.	Chum salmon	50.6%

Source: Paige 2002.

Proposals 164, 165, 167, and 168

22

Effect of the Proposals

- The subsistence take of king crabs could be allowed when there is a harvestable surplus.
- In times of shortage, the subsistence harvest of king crabs would have priority over commercial or sport.
- Department recommendation: **NEUTRAL.**

Considerations

- The department is **NEUTRAL** on the proposal due to its allocative aspects.
- We recommend that the board review the information in the department's customary and traditional use worksheet, as well as any information provided during public testimony at the January 2009 meeting, as the basis for a customary and traditional use finding for these stocks.

Summary: Proposals 164, 165, 167, and 168

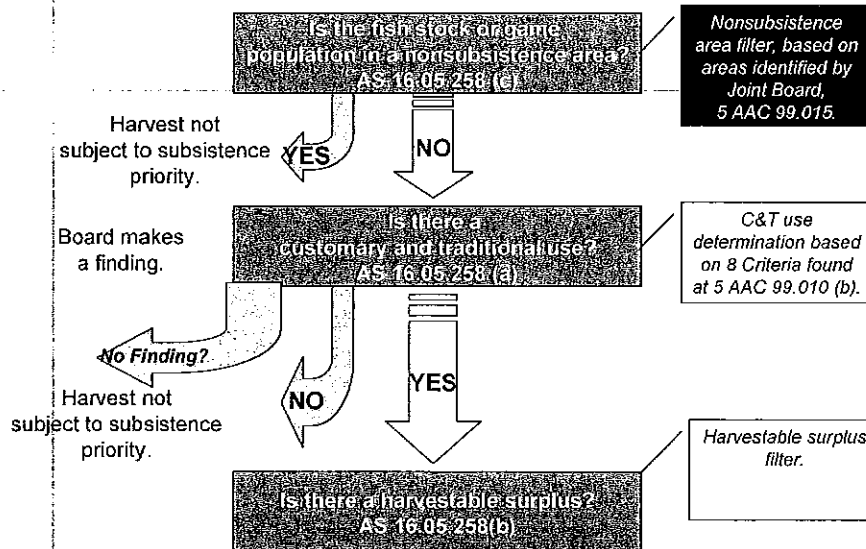
- Proposals 164, 165, 167, and 168 would recognize customary and traditional uses of king and Tanner crabs in Districts 12, 13 & 14.

- **Department recommendation:**
NEUTRAL

Proposals 164, 165, 167, and 168

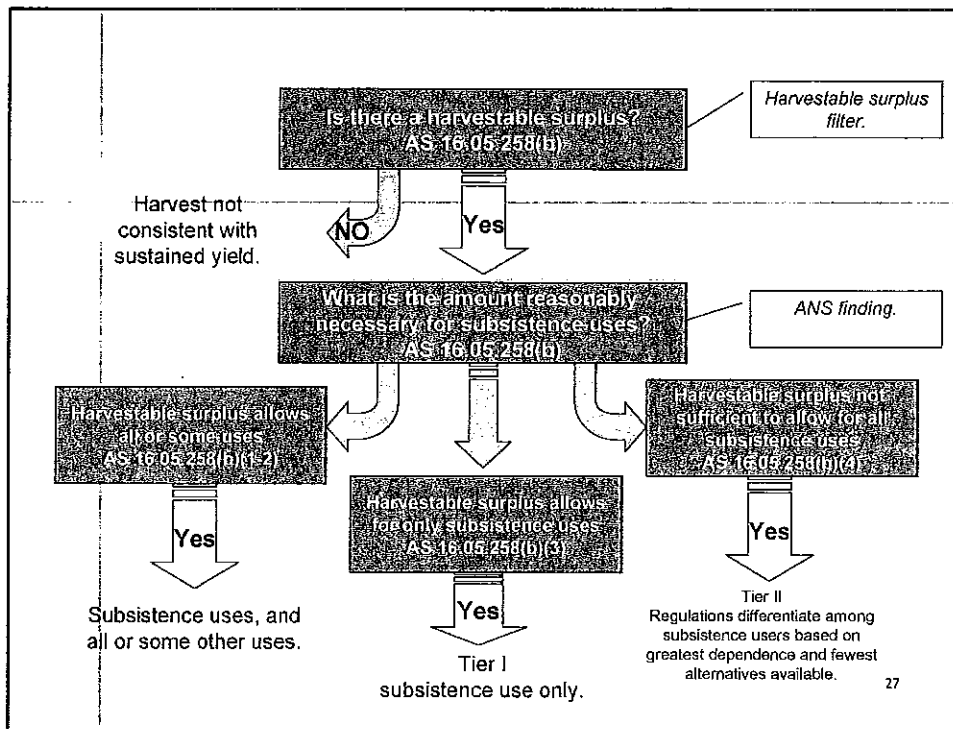
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Steps When Considering Regulations that Affect Subsistence Uses



Proposal #164, 165, 167, and 168

26

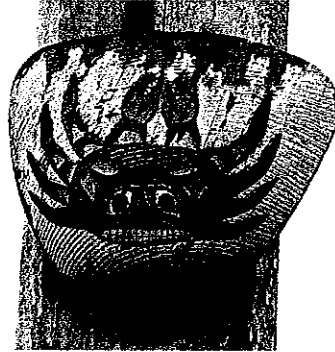


RC10

Proposal 166

Customary and traditional subsistence uses of shellfish stocks

Prepared for
Alaska Board
of Fisheries
January 2009

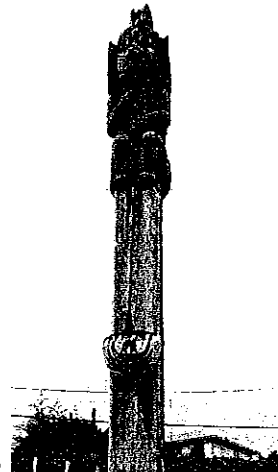


Proposal #166

1

Proposal 166

- **Proposal 166 would establish a customary and traditional (C&T) finding for subsistence harvest of king crabs in Section 6-A, District 8, and a portion of District 10.**
- **Department recommendation: neutral.**



Proposal #166

2

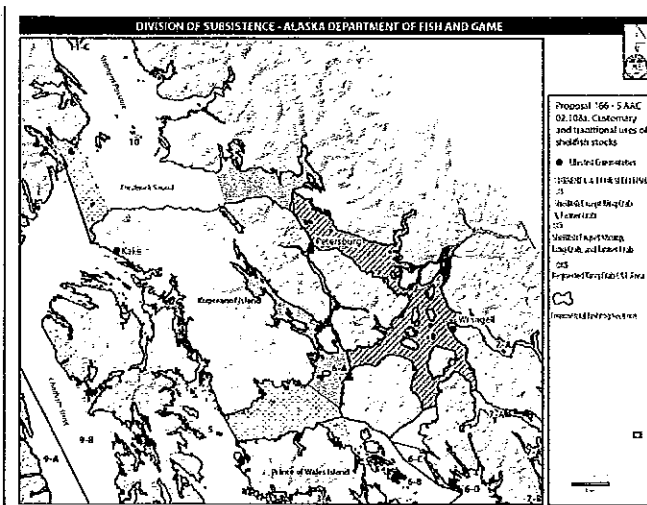
Rationale for Including Tanner Crabs

- Historical references, usually absent information at the species level, indicate continual uses of crabs in Southeast Alaska throughout the late 19th and early 20th centuries.
- The Yakutat Tlingit phrase for king crab is *x'éix ka s'áaw*.
- The "spider" (Tanner) crab - "crab of the halibut deep" - is called *ítka tsáwù*, and
- Dungeness crabs are *ts'áw* in Yakutat Tlingit.
- In Angoon, *s'áaw* is used for Dungeness, king, or Tanner crabs.
- In Sitka, *x'éix* refers to both king and "spider" crabs (Tanner crabs) and *s'áaw* is a Dungeness crab.

Proposal #166

3

Section 6-A, District 8, and a Portion of District 10



Petersburg
Wrangell
Kake

4

Why is a C&T Finding Necessary?

- **AS Sec. 16.05.258.** subsistence use and allocation of fish and game.
- **5 AAC 99.010.** Boards of fisheries and game subsistence procedures.
- Both state law and board procedure identify making a C&T finding a *first* step in the regulatory process.

State Subsistence Procedures

Board findings on shellfish in Section 6-A, District 8, and a portion of District 10:

- Is there a customary and traditional use finding for shellfish (king and Tanner crabs) in Section 6-A, District 8, and a portion of District 10?
 - **No.**
- Is there a "harvestable surplus" of shellfish in Section 6-A, District 8, and a portion of District 10?
 - **Yes.**
- What is the amount reasonably necessary for subsistence (ANS)?
 - **The board has not made ANS findings for shellfish in this area.**
- Does the harvestable surplus allow for all or only some uses?
 - **This is a board determination.**

Customary & Traditional Findings

- 5 AAC 02.108 (a)(3)(G): shellfish, except shrimp, king crab, and Tanner crab in waters of **Section 6-A** west of a line from Macnamara Point to Mitchell Point.
- 5 AAC 02.108 (a)(5): shellfish, except king and Tanner crab, in waters of **Districts 7 and 8**.
- 5 AAC 02.108 (a)(3)(C): shellfish, except shrimp, king crab, and Tanner crab in waters of **District 10** west of a line from Pinta Point to Point Pybus.

Current State Regulations

- **5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks. (a) The Alaska Board of Fisheries finds that the following shellfish stocks are customarily and traditionally taken or used for subsistence:**
- **(3) shellfish, except shrimp, king crab, and Tanner crab,**
 - (C) in waters of District 10 west of a line from Pinta Point to Point Pybus;**
 - (G) in waters of Section 6-A west of the line from Macnamara Point to Mitchell Point, and in waters of Section 6-B west of the longitude of Macnamara Point.**
- **(5) shellfish, except king and Tanner crab, in the waters of Districts 7 and 8.**

Proposed Regulations

- **5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks.**

- Recognize customary and traditional uses of red king crabs in Section 6-A, District 8, and a portion of District 10.

Regulatory History

- In Southeast Alaska, king crabs can be taken under personal use regulation by using no more than 4 pots per vessel [5 AAC 77.664 (a)(4)].
- Daily bag and possession limit is 6 male crab per person [5 AAC 77.664 (a)(1)] of legal size [5 AAC 77.664 (a)(2)(B)].
- ***The Southeast Alaska red and blue king crab PU fishery was closed by emergency order on September 15, 2007. The fishery remains closed pending stock assessment in summer 2009.***

“Eight Criteria” (5 AAC 99.010)

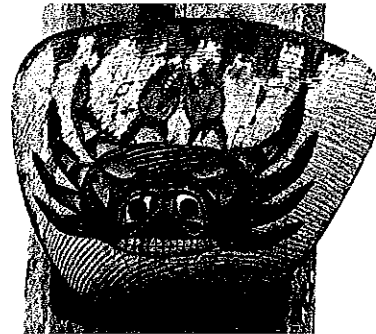
1. Length and consistency of use.
2. Seasonality.
3. Methods and means of harvest.
4. Geographic areas.
5. Means of handling, preparing, preserving, and storing.
6. Transmission of knowledge, skills, and lore.
7. Distribution and exchange.
8. Diversity of resources in area.

Proposal #166

11

1. Length and Consistency of Use.

- Tlingits have used shellfish for food and tools for thousands of years.
- Dungeness, “spider” (likely Tanner), and king crabs were used by the Tlingits prior to Euro-American contact.
- Cultural significance of king, “spider” and Dungeness crabs depicted in crab carvings, “king crab” tribal house, and traditional stories.



Proposal #166

12

1. Length and Consistency of Use, continued.

- Commercial activity for Dungeness crabs and shrimp dates to the 1900s.
- Crabs and shrimp are removed from commercial catches for home use.
- Dungeness crabs and clams also fished for home use by Euro-American settlers.

Proposal #166

13

Wrangell

Resource name	Percentage of households					Pounds harvested			Amount harvested			95% confidence limit (±)		
	Use	Att	Harv	Receive	Give	Total	Mean HH	Per capita	Total	Unit	Mean HH	Per Harvest	capita	
Shrimp	68	19	19	57	24	54,424	72.86	27.78	6,803	gal	9.11	0.89	0.88	
Crab														
Dungeness crab	63	32	30	44	22	30,426	40.73	15.53	23,050	ea.	30.86	1.03	1.01	
Tanner crab	23	9	9	15	7	5,987	8.01	3.06	3,628	ea.	4.86	0.86	0.85	
King crab:														
Red king crab	13	4	4	10	4	5,377	7.47	2.85	1,037	ea.	1.39	1.42	1.41	
Golden king crab	5	1	1	4	3	1,230	1.65	0.63	229	ea.	0.31	1.55	1.54	
Subtotal, all king crab species	15	5	5	12	5	6,807	9.11	3.48	1,265	ea.	1.69	1.20	1.18	
Subtotal, all crab species	64	34	32	52	23	43,221	57.86	22.06	27,982	ea.	37.46	1.00	1.01	
Clam	35	30	30	14	16	12,289	16.45	6.27	3,373	gal	4.52	0.39	0.41	
Cockle	22	17	17	8	10	4,486	6.01	2.29	1,443	gal	1.93	0.41	0.42	
Sea cucumber	6	4	4	3	4	1,616	2.16	0.82	202	gal	0.27	1.05	1.05	
Scallop	5	2	2	3	0	377	0.50	0.19	229	gal	0.31	1.31	1.31	
Octopus	3	2	2	1	1	146	0.20	0.07	23	ea.	0.03	1.15	1.15	
Geoduck	3	0	0	3	1	0	0.00	0.00	0	gal	0.00	0.00	0.00	
Gumboot chiton	2	1	1	1	0	114	0.15	0.06	38	gal	0.05	1.55	1.55	
Mussel	1	1	1	0	1	11	0.02	0.01	8	gal	0.01	1.55	1.55	
Total, all marine invertebrates	83	47	46	72	43	116,685	156.20	59.56	116,685	lbs	156.20	0.81	0.80	
All resources	94	83	81	89	65	328,141	439.28	167.51	328,141	lbs	439.28	0.44	0.43	

Source: ADF&G Division of Subsistence household surveys 2001.

Table 2.—Estimated harvest and use of shellfish resources, species with reported harvest, Wrangell, 2000.

14

Petersburg

Resource name	Percentage of households					Pounds harvested			Amount harvested			95% confidence limit (+/-)	
	Use	Att	Harv	Receive	Give	Total	Mean HH	Per capita	Total	Unit	Mean HH	Harvest	Per capita
Shrimp	34	14	14	23	15	40,814	38.14	13.86	5,102	gal	4.77	0.59	0.58
Crab													
Dungeness crab	67	30	30	50	18	18,689	17.47	6.35	14,158	ea.	13.23	0.36	0.36
Tanner crab	29	14	12	20	9	10,480	9.79	3.56	6,352	ea.	5.94	0.65	0.64
King crab:													
Red king crab	29	8	6	26	7	13,586	12.70	4.61	2,525	ea.	2.36	1.09	1.08
Golden king crab	10	4	4	6	2	5,849	5.47	1.99	1,087	ea.	1.02	0.87	0.88
Crab													
Blue king crab	1	1	1	0	0	87	0.08	0.03	17	ea.	0.02	1.56	1.56
Subtotal, all king crab species	36	10	9	30	9	19,521	18.24	6.63	3,629	ea.	3.39	0.80	0.80
Subtotal, all crab species	76	34	34	62	22	48,690	43.50	16.54	24,139	ea.	22.56	0.44	0.53
Clam	33	26	26	12	11	15,781	14.75	5.36	4,404	gal	4.12	0.63	0.57
Octopus	10	7	7	6	4	2,191	2.03	0.74	342	ea.	0.32	0.85	0.85
Cockle	7	7	7	1	2	1,151	1.08	0.39	370	gal	0.35	0.79	0.79
Gumboot chiton	6	3	3	2	1	597	0.56	0.20	81	gal	0.08	0.92	0.92
Scallop	2	1	1	2	2	42	0.04	0.01	26	gal	0.02	1.56	1.55
Limpet	1	1	1	0	0	6	0.01	0.00	4	gal	0.00	1.56	1.56
Mussel	1	1	1	0	1	13	0.01	0.00	9	gal	0.01	1.56	1.57
Abalone	1	0	0	1	0	0	0.00	0.00	0	ea.	0.00	0.00	0.00
Geoduck	1	0	0	1	0	0	0.00	0.00	0	gal	0.00	0.00	0.00
Total, all marine invertebrates	82	45	45	70	32	109,287	102.14	37.11	109,287	lbs	102.14	0.48	0.48
All resources	94	81	78	81	43	475,321	444.23	161.42	475,321	lbs	444.23	0.34	0.34

Source: ADF&G Division of Subsistence household surveys 2001.

15

Table 1.—Estimated harvest and use of shellfish resources, species with reported harvest, Petersburg, 2000.

Kake

Resource name	Percentage of households					Pounds harvested			Amount harvested			95% confidence limit (+/-)	
	Use	Att	Harv	Receive	Give	Total	Mean HH	Per capita	Total	Unit	Mean HH	Harvest	Per capita
Shrimp	52	5	5	47	4	1,555	6.25	2.08	194	gal	0.78	94.39%	
Crab													
Dungeness crab	71	22	22	55	14	1,986	7.97	2.66	1,504	ea.	6.04	49.57%	
Tanner crab	16	4	4	12	1	107	0.43	0.14	63	ea.	0.26	120.50%	
King crab:													
Red king crab	10	3	3	8	3	587	2.36	0.79	169	ea.	0.44	121.41%	
Golden king crab	5	0	0	5	0	0	0.00	0.00	0	ea.	0.00	0.00%	
Crab													
Unknown king crab	5	0	0	5	0	0	0.00	0.00	0	ea.	0.00	0.00%	
Subtotal, all king crab species	19	3	3	18	3	587	2.36	0.79	169	ea.	0.44	121.41%	
Subtotal, all crab species	74	22	22	59	15	2,680	10.76	3.59	1,678	ea.	6.74	51.12%	
Gumboot chiton	36	30	29	30	19	3,658	14.69	4.90	488	gal	1.96	61.92%	
Clam	55	26	25	32	14	7,536	30.27	10.09	1,849	gal	7.42	98.08%	
Cockle	26	11	11	15	4	785	3.15	1.03	252	gal	1.01	116.40%	
Octopus	15	4	4	11	1	109	0.44	0.15	17	ea.	0.07	110.19%	
Sea cucumber	8	1	1	7	1	27	0.11	0.04	3	gal	0.01	167.60%	
Sea urchin	5	0	0	3	0	0	0.00	0.00	0	gal	0.00	0.00%	
Starfish	4	4	4	0	1	0	0.00	0.00	41	gal	0.16	140.65%	
Geoduck	3	0	0	3	0	0	0.00	0.00	0	gal	0.00	0.00%	
Mussel	3	1	1	1	0	3	0.01	0.00	2	gal	0.01	167.60%	
Squid	1	1	1	0	0	27	0.11	0.04	3	gal	0.01	167.60%	
Total, all marine invertebrates	86	49	48	78	38	16,381	65.79	21.93	16,381	lbs	65.79	63.46%	
All resources	99	89	85	96	75	133,794	537.32	179.10	133,794	lbs	537.32	25.02%	

Source: ADF&G Division of Subsistence household surveys 1996.

Table 3.—Estimated harvest and use of marine invertebrate resources, species with reported harvest, Kake, 1996.

16

2. Seasonality.

- Shellfish consumption occurred year-round.
- King and Dungeness crabs were taken during extreme low tides, most often in spring.
- Clam harvests avoided in the summer.

3. Methods and Means of Harvest.

- Historically, Dungeness crabs were harvested with digging stick, spears, or rakes, or they were kicked out of the sand at low tide.
- King crabs were harvested at low tide with:
 - barbed spears,
 - long poles with loops, or
 - baited lines -- sometimes with treble hooks hung below the bait.
- King and Tanner crabs also harvested incidentally on halibut gear.

6. Intergenerational Transmission of Knowledge, Skills, Values, and Lore.

- Use of king crabs ongoing in region.
- Prized food at cultural events.
- Elder residents pass fishing knowledge on to other community members.
- The uses of crabs are found in stories told by several generations of Tlingit.

7. Distribution & Exchange.

- Shared throughout community.
- In general, researchers have found that resources requiring specialized harvest methods, such as the crab resource, tend to be widely distributed within communities.

8. Diversity of Resources.

- Crabs continue to be part of a wide range of resources, including other shellfish, salmon and other finfish, and deer and other mammals, used in most communities.
- Throughout the region, many species of shellfish are taken for subsistence uses, though amounts vary by species and availability.

Effect of the Proposal

- There would be a positive customary and traditional use determination for red king crabs in Section 6-A, District 8, and a portion of District 10.
- Department recommendation: **NEUTRAL.**

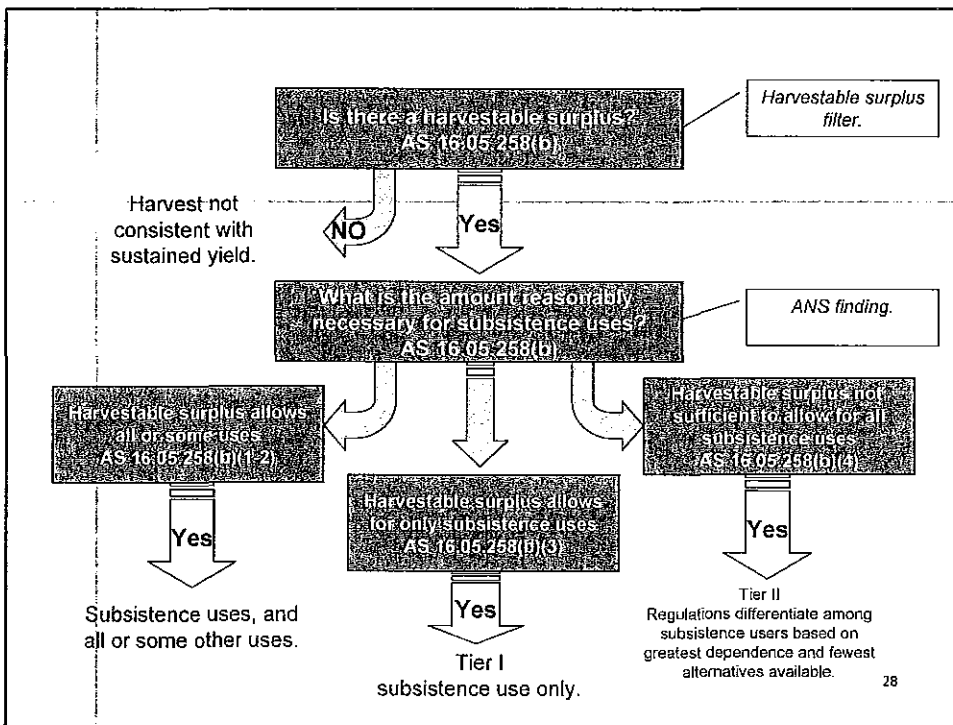
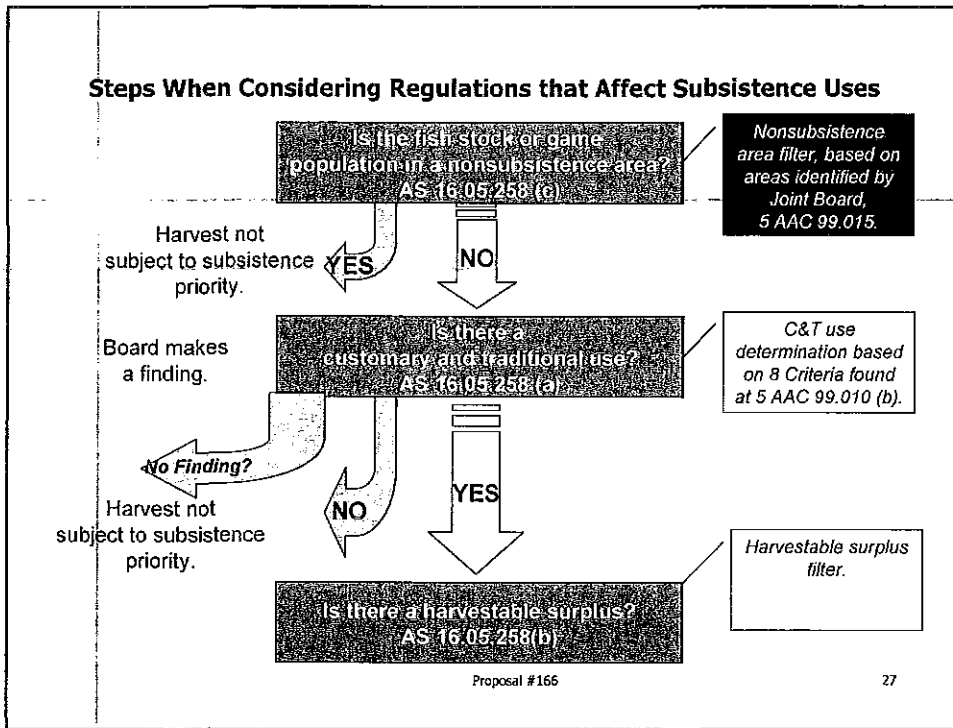
Considerations

- The department is **NEUTRAL** on the proposal due to its allocative aspects.
- We recommend that the board review the information in the department's customary and traditional use worksheet, as well as any information provided during public testimony at the January 2009 meeting, as the basis for a customary and traditional use finding for these stocks.

Summary: Proposal 166

- Proposal 166 would establish a customary and traditional (C&T) finding for subsistence harvest of king crabs in Section 6-A, District 8, and a portion of District 10.
 - **Department recommendation:**
NEUTRAL

Steps When Considering Regulations that Affect Subsistence Uses



Top 10 Species Used by the Most Households in Wrangell, Alaska, 2000.

Rank	Resource	Percentage of households using
1.	Halibut	68.4%
2.	Shrimp	68.4%
3.	Chinook salmon <i>O. tshawytscha</i>	67.3%
4.	Dungeness crab	63.3%
5.	Berry	56.1%
6.	Deer	48.0%
7.	Sockeye salmon <i>O. nerka</i>	38.8%
8.	Clam	34.7%
9.	Moose <i>Alces alces</i>	31.6%
10.	Cutthroat trout <i>O. clarki</i>	29.6%

Source Page 2002.

Table 4.

Proposal #166

29

Top 10 Species Used by the Most Households in Petersburg, Alaska, 2000.

Rank	Resource	Percentage of households using
1.	Halibut	72.0%
2.	Dungeness crab	67.2%
3.	Chinook salmon	64.8%
4.	Berry	55.2%
5.	Coho salmon <i>O. kisutch</i>	45.6%
6.	Deer	40.0%
7.	King crab	36.0%
8.	Shrimp	33.6%
9.	Clam	32.8%
10.	Tanner crab	28.8%

Source Page 2002.

Table 5.

Proposal #166

30

Top 10 Resources Used by the Most Households in Kake, Alaska, 1996.

Rank	Resource	% HH
1.	Sockeye salmon	95.9%
2.	Halibut	91.5%
3.	Chinook salmon	84.9%
4.	Deer	79.3%
5.	Black sea-ueed	75.3%
6.	Dungeness crab	71.2%
7.	Gumboot chicken	56.2%
8.	Shrimp	52.1%
9.	Harbor seal <i>Phoca vitulina</i>	47.9%
10.	Coho salmon	46.0%

Source: Paige 2002.

Table 6.

SOUTHEAST ALASKA REGIONAL DIVE FISHERIES
ASSOCIATION

2009 ALASKA BOARD OF FISHERIES PROPOSALS

PETERSBURG ALASKA

TESTIMONY ON PROPOSALS

188 through 196

The Southeast Alaska Regional Dive Fisheries Association, or SARDFFA, is a private non-profit, economic development organization representing the harvest divers, processors, and communities of Southeast Alaska.

SARDFFA was formed in 1998 under Alaska statutes 43.76.150-210. SARDFFA works cooperatively with ADF&G in developing its Annual Operating Plan, which determines how the dive assessments (self-imposed tax on the dive resources) will be spent.

SARDFFA is an innovative approach to biologically and economically sustainable development of natural resources which partners industry, government and communities for the most effective and efficient use of resources.

SARDFFA's mission is to develop, expand, and enhance new and existing dive fisheries in Southeast Alaska.

SARDFFA is managed by a Board of Directors which is elected by the divers, with one director appointed by the Southeast Conference.

SARDFFA also has three committees which advise the Board of Directors on specific issues.

SARDFFA employs an executive director to carry out the directives of the Board.

SARDFFA also works closely with the Alaska Department of Fish & Game, other state departments, communities, businesses, organizations, the state legislature, and divers.

GEODUCKS

Proposal 188 -- Equal Share

- SARDFA Geoduck Committee voted against the proposal. The vote was 10 against, 5 in favor. The Committee voted against the proposal for the following reasons:
 - Committee did not want to see any added regulations on the fishery since the fishery is still growing;
 - equal shares would draw more of the unused permits into the fishery diluting the return to the divers. There are 104 possible permits, 50 to 60 actually fish every year;
 - SARDFA has addressed some of the problems of large weekly harvests by only fishing a one day 6-hour fishing period;
 - the proposal would add an extremely complicated management scheme to the fishery. ADFG has stated it could not manage this type of fishery unless new personnel were hired;
 - high grading may lead to the waste of the resource;
 - PSP testing would be more complicated and more expensive.
 - **MOTION TO AMEND BOF PROPOSAL 188 (equal share proposal)**. The Geoduck Committee voted against this amendment. the vote was 11 against, 5 in favor.

Proposal 189 -- Earlier starting date

- SARDFA Geoduck Committee voted against this proposal. The vote was 10 against, 5 for. The Committee voted against the proposal for the following reasons:
 - by regulation the geoduck season is from October 1 through September 30;
 - SARDFA and ADFG set the season opening date on a cooperative basis;
 - SARDFA and ADFG already have the flexibility to change the season without this proposal;
 - this fishery has been set up as a fall and winter fishery, most of the processors would have difficulty doing salmon and geoducks at the same time;
 - ADFG would not have the personnel available during the salmon season to manage a summer time geoduck fishery.

Proposal 190 – Weekly trip limits based on weekly participation and remaining GHL

- SARDFA Geoduck Committee voted against this proposal. The vote was 10 against, 5 for. The Committee voted against the proposal for the following reasons:
 - Committee did not want to see any added regulations on the fishery since the fishery is still growing;
 - the proposal would add an extremely complicated management scheme to the fishery. ADFG has stated it could not manage this type of fishery unless new personnel were hired;
 - guaranteed trip limits may draw more of the unused permits into the fishery diluting the return to the divers;
 - there are times when PSP results are not known until the afternoon before the fishery. When that happens this type of management can not be used;
 - SARDFA has addressed some of the problems of large weekly harvests by only fishing a one day 6-hour fishing period;
 - high grading may lead to the waste of the resource;
 - PSP testing would be more complicated and more expensive.

Proposal 191 – divide the geoduck fishery into a competitive and IFQ-type fishery

- SARDFA Geoduck Committee voted against this proposal. The vote was 10 against, 5 for. The Committee voted against the proposal for the following reasons:
 - Committee did not want to see any added regulations on the fishery since the fishery is still growing;
 - the proposal would add an extremely complicated management scheme to the fishery. ADFG has stated it could not manage this type of fishery unless new personnel were hired;
 - equal shares would draw more of the unused permits into the fishery diluting the return to the divers;
 - the group that put forth this proposal told the Geoduck Committee that it would withdraw this proposal.

Proposal 192 – remove geoduck bed registration.

- SARDFA Geoduck Committee voted for this proposal. All were in favor.
 - ADFG defines this proposal as a house cleaning proposal and eliminate an unnecessary and no longer used regulation.

Proposal 193 – correct a line description in the regulation book

- SARDFA Geoduck Committee voted for this proposal. All were in favor.
 - ADFG defines this proposal as a house cleaning proposal. This proposal would correct a line description in the regulation book

The Geoduck Committee's votes are considered an advisory vote for SARDFA's Board of Directors to consider when the Board meets. During the Board's meeting on December 11, 2008 the Board voted to accept the votes of the Geoduck Committee as SARDFA's final position.

Sea Cucumbers

Proposal 194 – allow tender in the sea cucumber fishery.

- The SARDFFA Board voted 6 -0 in favor of this proposal.
 - SARDFFA looks at the two parts of this proposal as largely housekeeping.
 - It was never the original intent of the Board of Fisheries, ADF&G, nor SARDFFA to exclude tenders from this fishery.

Proposal 195 – close a portion of Section 3-B to commercial sea cucumber fishing.

- The SARDFFA Board voted 6 – 0 to oppose this proposal.
 - there is no information to support that the limited commercial harvest in this area has any affect on the subsistence harvest of sea cucumbers;
 - the area is only fished every third year for approximately 6 to 8 days during the open commercial season;
 - this would lower the commercial harvest by an unknown amount;
 - ADFG has not been able to determine what the exact decrease would be;
 - the proposal is confusing in exactly what the new lines would be. ADF&G Figure 195-1 shows the problem with the proposal as written.

Proposal 196 – reopen a portion of West Behm Canal to sea cucumber harvest.

- The SARDFFA Board voted 6 – 0 to favor this proposal. This is a SARDFFA generated proposal.
 - there is no biological or conservation reason for this area to be closed;
 - this area was closed by the BoF in 2000. The BoF closed all of this section of West Behm Canal to all shellfish fishing.
 - SARDFFA believes the intent of the 2000 proposal was largely to protect the shrimp and Dungeness fishery for Ketchikan residents. There is no information available that shows this area is used by Ketchikan residents to harvest personnel use sea cucumbers.
 - this closure reduces the commercial harvest by approximately 40,000 pounds each rotational cycle. This has cost SARDFFA divers approximately 120,000 pounds (2000, 2003, and 2007). Using an ex-vessel value of \$2/pound SARDFFA divers has foregone \$240,000.

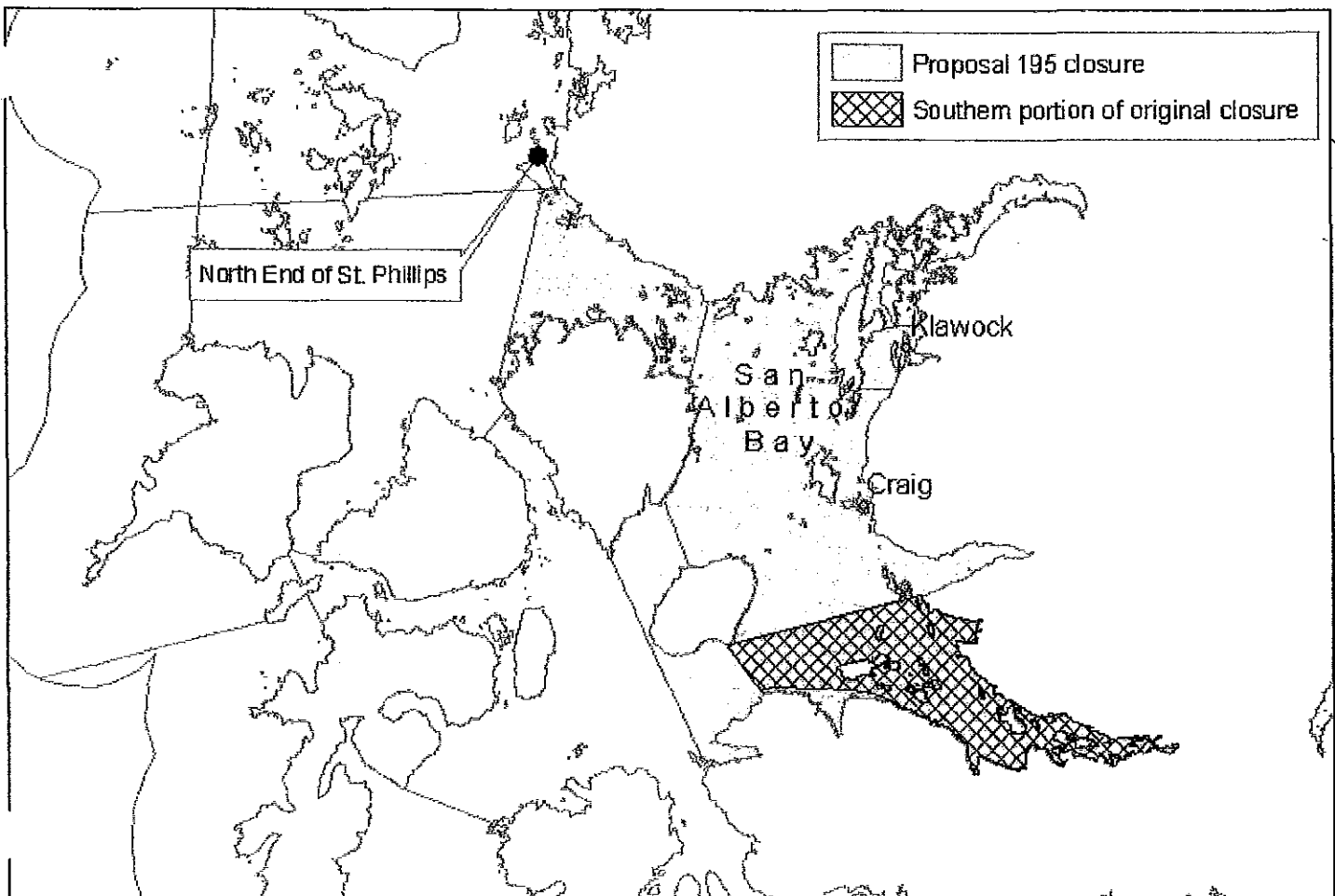
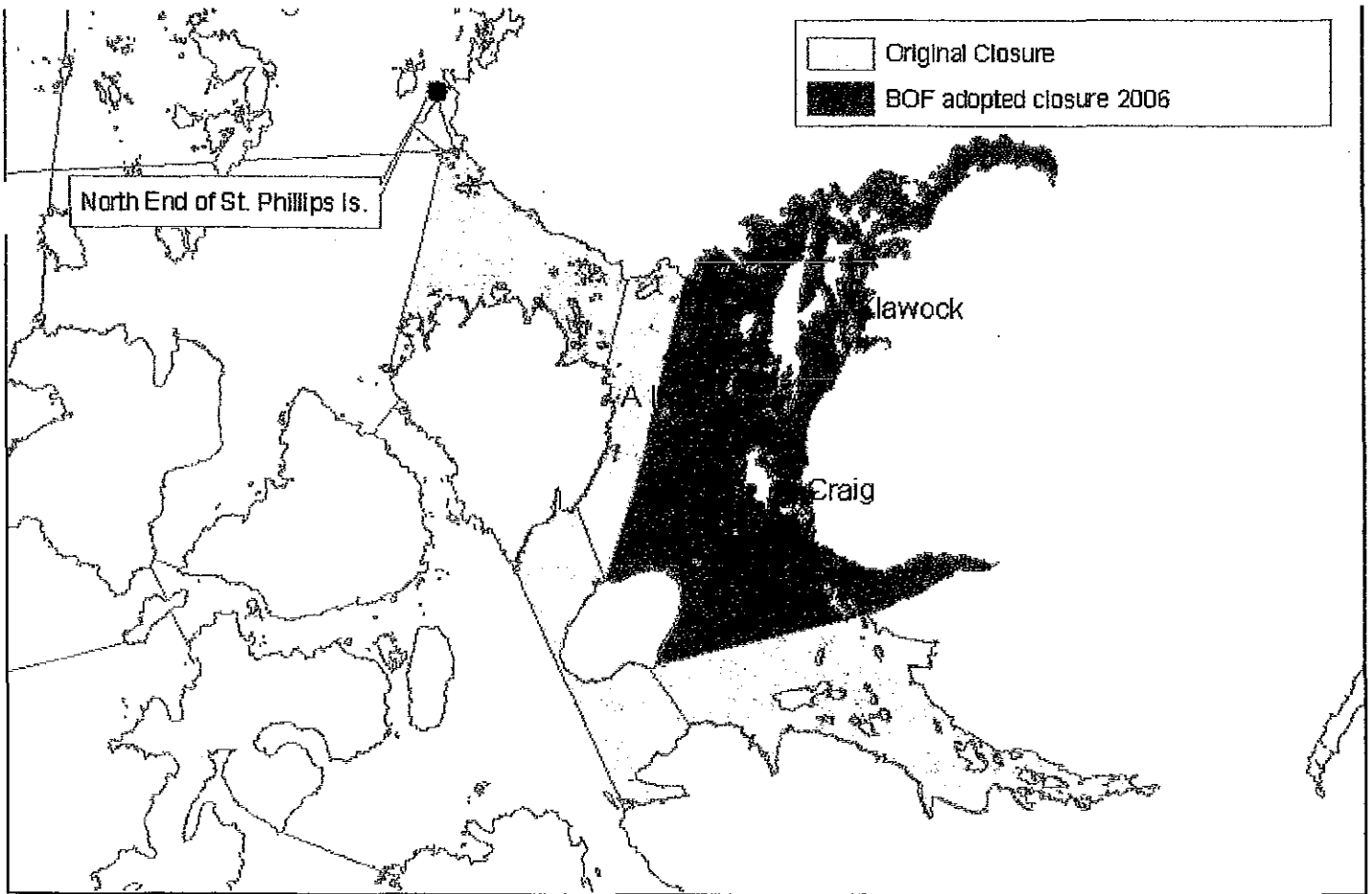


FIGURE 1: PROPOSAL 195

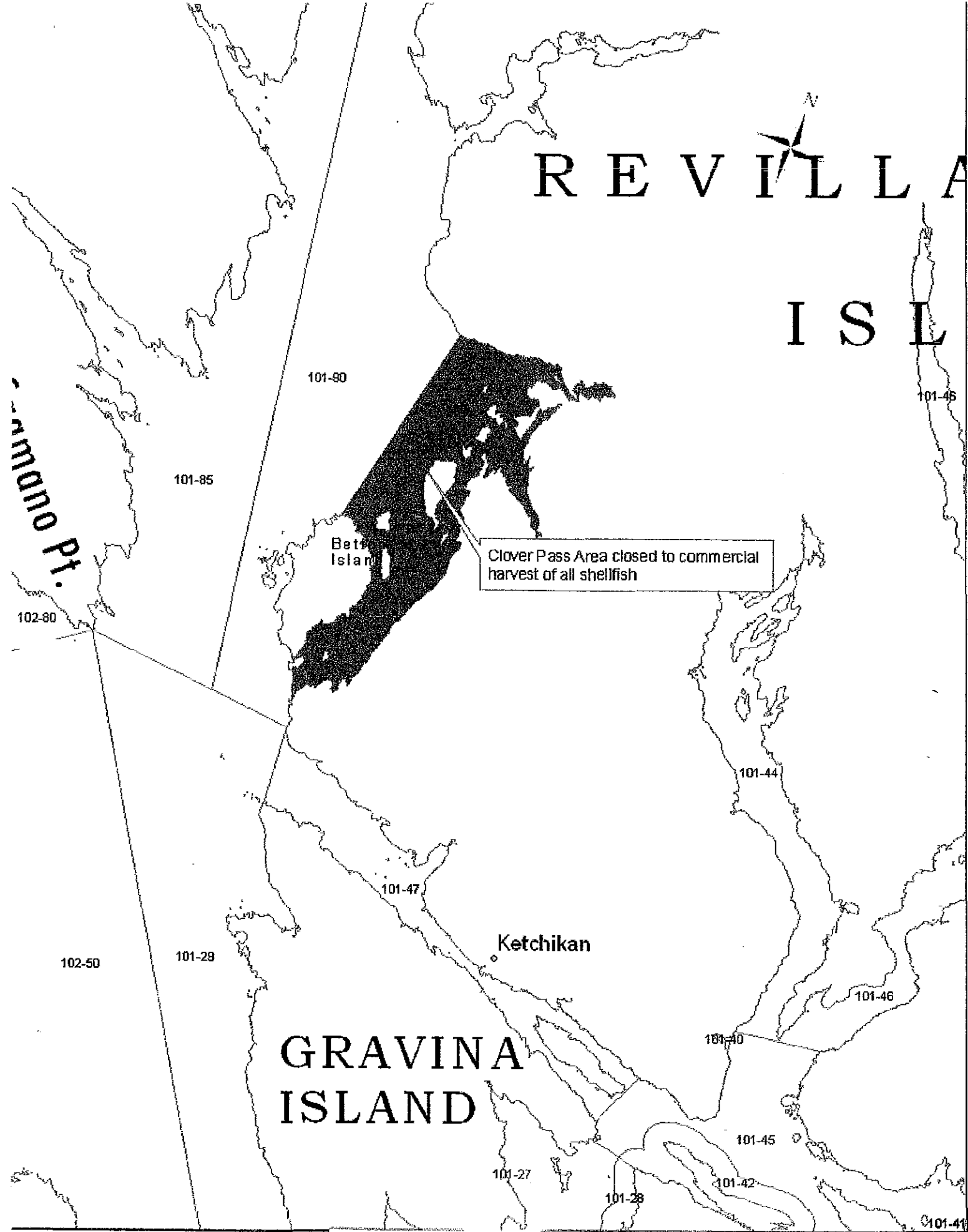


FIGURE 2: PROPOSAL 196

Sea Urchins

Proposal 196 – delete the on board observer requirements for processing sea urchins on individual vessels.

The SARDFFA Board agrees that the intent of this proposal has already been addressed by ADF&G. SARDFFA is willing to work with the department on clarifying the intent of this proposal.

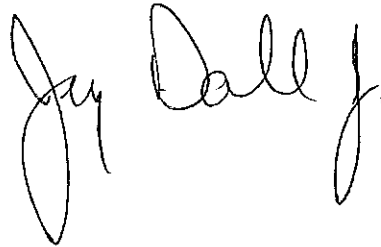
Proposal 141 - 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A. Amend pot limit in Southeast Alaska spot shrimp fishery to 100 pots no larger than 48 inches.

Comments: OPPOSED

The shrimp fleet fishes a variety of pot sizes. One of the biggest considerations is the size of the boat the fisherman has. Larger pots hold more shrimp, but do not fit well on all boats used in this fishery.

Reducing the pot limit without regard to pot size creates an inequitable situation. Those who currently fish smaller pots would be either required to purchase new gear, or fish less gear.

Submitted by Jerry Dahl, Jr.



Proposal # 142 - 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A. Amend shrimp pot size limit to 140 36-inch small pots or 100 48 – inch large pots as follows:

Comments: **OPPOSED**

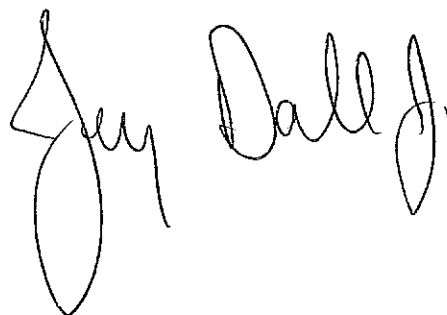
Allowing this change will take away the efficiency of fishermen who have pots between 36 and 39.5 inches.

The current definition of a small pot is “up to 39.5 inches”. Any fisherman with pots between 36 and 39.5 inches would be forced to leave 40 pots on the dock or purchase an entirely new string of gear.

Efficiency is affected in two ways: the smaller the pot, the less shrimp it catches, and by re-categorizing pot size definitions, the pots currently in use by a number of local shrimp fisherman would be considered “large” and the legal number of pots allowed to be fished drastically reduced.

If I were limited to 100 of my current pots (39.5”), It would be necessary for me to buy 48” pots to maintain my current catch rates. This would cost between \$10,000 and \$15,000. Larger pots do not fit well on the deck of my boat. Shrimp is a processing fishery and requires workspace that is organized and efficient.

Submitted by Jerry Dahl, Jr.





RC H

FAXED

Attch. BOF COMMENTS
FAX # 907-465-6094

PROPOSAL 199-5 ACC 27.035 Closure of registration areas.

Amend proposal of 199 to read as follows:

RECEIVED
JAN 16 2009
BOARDS

All herring fisheries in Southeast Alaska : Areas 1A through 16 shall be closed until further notice. Exception: Subsistence personal use at current levels (AND) winter bait and winter bait pound fisheries shall remain at current levels.

ISSUE: Depleted herring stocks in Southeast Alaska are unable to recover due to the increased population of whales. Humpback whales have increased from 82 in 1986 to an estimated (4,000) from the southern border to Prince William Sound. Each adult Humpback consumes an estimated (3 tons) of herring, plankton, and krill daily.

APPROVED BY:

Andy Rauwolf
Ketchikan Herring Action Group

ph 907-225-3697
fax. 907-247-5697

Jackie Tyson
RC15

Hello. My name is Jackie Tyson and _____

First of all, we thank you for the time and dedication you all give to protect our fishery and game resources. Having lived here in Southeast Alaska all my life, our family like so many others has always relied on nature's bounty for food.

I worked for the Department of Fish and Game here in Petersburg for 23 years where I assisted the biologists and the public, mostly commercial fishermen, with regulations, registrations, and whatever it took to keep them legal.

My children have a vested interest in the cabin that overlooks all of the bay in Whale Pass. Some of the residents there who could not be here asked me to speak for them to let you know they oppose Proposal 155. They do not want the small closed area in front of their little town reopened to commercial Dungeness crab fishing. I understand their desire to protect this small area. I have been to Whale Pass when it was open to commercial Dungeness, and I was shocked at the number of pots that peppered the inner bay.

To get a handle on the issue, I did some research to better understand Dungeness crab. I've talked to Don Velasquez, a shellfish biologist with the Washington Department of Fish and Wildlife. I talked to Tim Koeneman about molting, mating and egg extrusion times. I've talked to Joe Stratman and Gretchen Bishop with the Alaska Department of Fish and Game. I've called residents of Whale Pass to get their feelings. I've talked to Sport Fish Division about their logbook program.

Whale Pass is quite remote. One 82-year old fellow I talked to said people there count on floatplanes for groceries and mail, and when the bay was full of crab pot buoys during commercial fishing, it was dangerous for planes and boats. *He said when the tide is low, there's an extra 20 feet of floating line that could catch the pontoons of the plane or cause havoc to boat props. He said pots were even set right up close to the floatplane dock and that some pots went dry when the tide went out.* This particular gentleman felt the bay could only accommodate two or three commercial crabbers. **He felt the commercial crabbers have plenty of area already... all the rest of District 106 and 108 which accounts for almost 20% of the annual Southeast Alaska crab catch.**

Another fellow said during the winter when they're weathered in and the roads are impassable, that Dungeness crab are a very welcome fresh food source. Even in good weather, it's a long way from Whale Pass to the grocery store in Craig. He said after the commercial fleet left, it was weeks and weeks and weeks, before any legal male crab showed up in the bay.

He also reiterated it makes a mess for navigation. He said there'd be a pot set every 20 yards, and the fishers would leave them for the entire season, even after they'd pretty much caught anything there was to catch in the first portion of the open period. He said now they plug up the entrance to the bay and it makes it really tough for them to salmon troll.

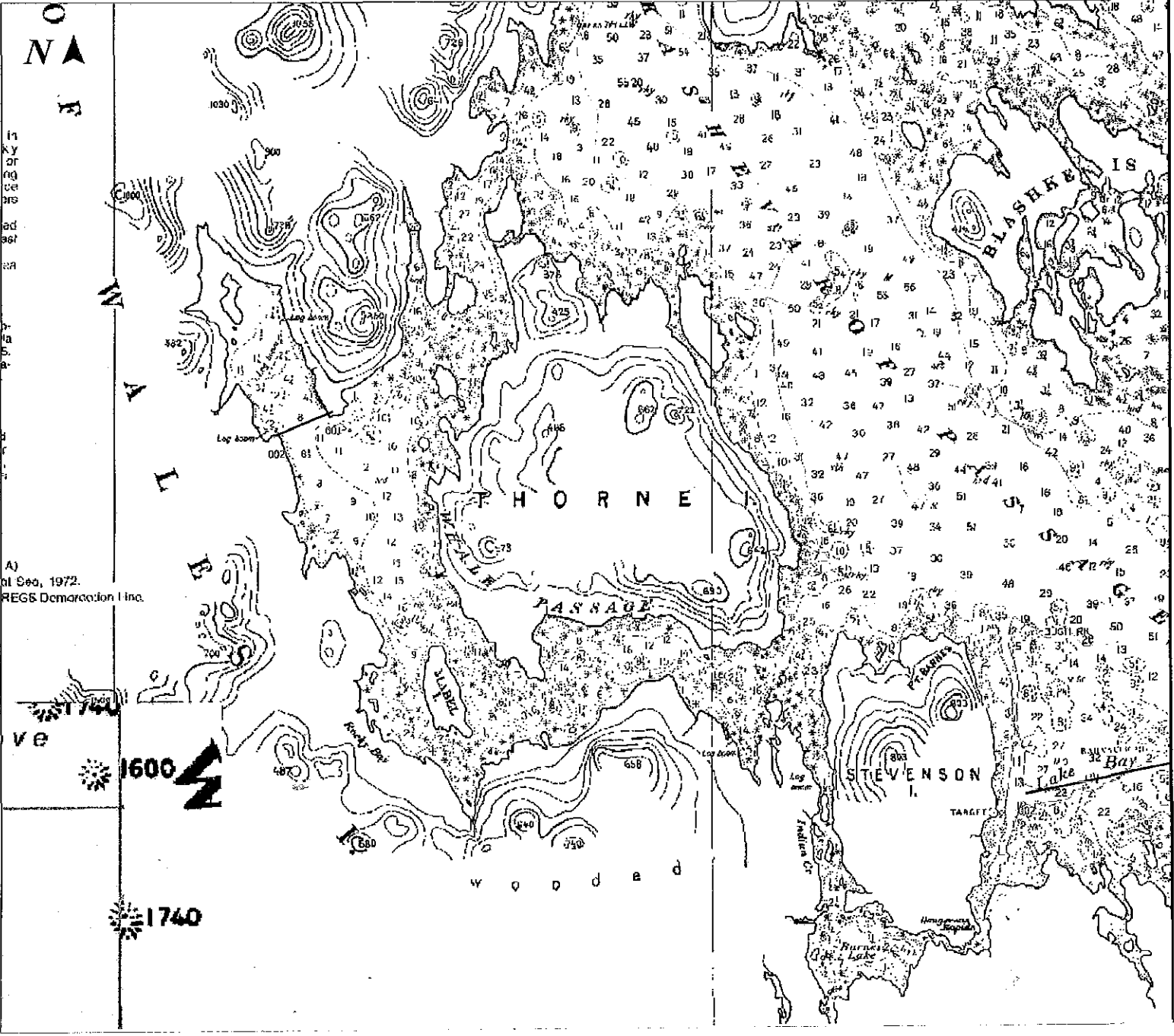
The 50 or so residents of Whale Pass generally have small skiffs and boats. We all know how horrendous the winter storms have been. How much better for them to be able to supplement their food safely there in the inner bay.

We know as salmon and halibut have declined, charter boat operators and lodges are targeting Dungeness and shrimp harder. I wonder, how does anyone know how many crab are being taken by non-residents and residents alike? I shudder to think those wetlock boxes might be full of crab now salmon and halibut have declined. I talked to Sport Fish Division and discovered their logbook program doesn't include shellfish. I wish it would. Possibly they could institute a Dungeness Crab Catch Record Card like the State of Washington has to fund the record-keeping expense.

For the health of the Dungeness stocks, I'd like to see Sport Fish and Commercial Fish work together to find out more about this creatures life cycle. As larvae and megalopes, juveniles and adults, they are a major food source for herring, salmon, other fish, birds and sea mammals. In Washington before the recreational or commercial fisheries are opened, preseason surveys are conducted to check the shell condition of the males ensuring they've recovered from molting and will get the best market price. They have onboard observers to check what's coming up in the pots. There are so many things we need to know about the interdependence of the creatures in Southeast Alaska's waters.

In closing balancing the resource between commercial fishers and subsistence and recreational users is tough. But I feel we need to preserve small closed areas that are near our towns. They provide an easily accessible, historical and unique fishing experience. They could serve as protected, base-line areas where populations are relatively undisturbed and more able to regenerate and flourish. They can be used as educational experiences for students like the Hunter's Safety Program. We need these closed areas so that people who don't have big boats, people who can't afford to run long distances, can partake of our resources.

DIXON ENTRANCE TO CAPE ST ELIAS - 1 : 351,568
(NOAA Chart) Chart #16016_1 - Depth Units: FATHOMS



STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF COMMERCIAL FISHERIES
DIVISION OF SPORT FISH

RC 16

SARAH PALIN, GOVERNOR

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 267-2105
FAX: (907) 267-2442

Memorandum

TO: John Jensen, Chair
Alaska Board of Fisheries

DATE: January, 2009

THROUGH: John Hirsinger, Director
Division of Commercial Fisheries

PHONE: 267-2324

Charlie Swanton, Director
Division of Sport Fish

PHONE: 465-6184

FROM: Jeff Regnart, Region II Regional Supervisor
Division of Commercial Fisheries

SUBJECT: CIAA petition to
repeal/replace the Bear Lake
Management Plan.

James Hasbrouck, Region II Regional Supervisor
Division of Sport Fish

Action Requested

The petitioner requests that the Alaska Board of Fisheries (board) repeal all provisions of **5 AAC 21.375 BEAR LAKE MANAGEMENT PLAN** and in its place, adopt new provisions for **5 AAC 21.XXX TRAIL LAKES HATCHERY MANAGEMENT PLAN**. The stated intent of the petition is to maintain the financial future of Cook Inlet Aquaculture Association (CIAA) and prevent the loss of commercial, sport, and personal use fishing opportunities in Lower Cook Inlet (LCI). The proponents argue that without a change to the current regulations, CIAA would be unable to adequately secure the appropriate level of annual revenue through hatchery cost recovery fishing and would subsequently be unable to meet the organization's present and future fiscal obligations, thus threatening the organization's existence. The proponents seek changes to accomplish this purpose by mandating a higher priority for cost recovery fishing than currently provided by regulation.

Background

Provisions of **5 AAC 21.375 Bear Lake Hatchery Plan** were last addressed by the board during the 2004 meeting to consider LCI salmon fisheries issues. At that meeting, the board adopted a CIAA proposal to provide for an equal allocation of the harvestable surplus of enhanced sockeye salmon (in numbers of fish) returning to Bear Lake in Resurrection Bay near Seward between the common property seine fleet and CIAA. In the four seasons since the new provisions became effective, the department estimates that the cumulative division of harvest in Resurrection Bay was approximately 51% for the seine fleet and 49% for CIAA. CIAA contends that, in practice, this allocation formula fails to adequately account for the price differential paid to the two harvesting groups, and that CIAA receives substantially less for the Bear Lake sockeye salmon it harvests compared to those caught by seiners. As a result, CIAA has routinely failed to meet its Trail Lakes Hatchery combined cost recovery revenue goal in recent years for the various sockeye salmon enhancement projects it conducts in Cook Inlet. Due to loss of other revenue sources, such as federal grants, CIAA now finds its financial existence imminently threatened and faces potential closure of its hatchery facilities.

Present provisions of **5 AAC 21.375** mandate that the department manage the commercial seine fishery targeting the enhanced sockeye salmon return to Bear Lake in Resurrection Bay to achieve an equal harvest allocation between seiners and CIAA. In doing so, the department must account for the fact that a significant portion of CIAA's annual harvest at that location will be, of necessity, taken at their freshwater counting weir (fish that escape the marine fishery) and during the latter stages of the run (after seiners have left the area). These facts both contribute to the lesser value received for hatchery-harvested fish, especially when considering the Bear Lake return is one of the earlier returns in the state, beginning in late May.

Fisheries enhancement has played a major role in LCI salmon production for three decades. Since their inception in the mid 1970s, enhancement and rehabilitation projects have made significant contributions to both commercial and recreational fishing harvests. Regarding the specific sockeye salmon enhancement projects encompassed by this petition, estimated contributions from CIAA-produced fish since 2003 have ranged from 39% to 84% of the annual LCI commercial sockeye salmon harvest (combined hatchery and common property) in numbers of fish, therefore representing an important component of the commercial exvessel value in this salmon management area. Sockeye salmon enhancement projects in Resurrection Bay and Kachemak Bay additionally provide substantial sport and personal use harvest opportunities in those locations. CIAA's enhancement projects are expected to continue providing significant contributions to the LCI commercial and recreational fisheries, and the closure of the organization's hatchery facilities would likely preclude the stocking projects and thus the future benefits received by the common property commercial and recreational fisheries.

Discussion

To grant the petition as requested, the board must make a finding of emergency under the criteria listed in **5 AAC 96.625**. In subsection (f), an emergency is described as an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by

delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

Findings of Emergency

It is ADF&G's conclusion that a finding of emergency under **5 AAC 96.625 (f)** could be satisfied in this case if the board believes that if the situation is left unaddressed, CIAA's ability to continue enhanced fish production could result in the loss of biologically available harvests.

Alaska Board of Fisheries

SEAGO comments on Shellfish Proposals

Mr. Chairman, Board Members,

My name is Stan Malcom. I own and operate a sportfishing charter service here in Petersburg.

I'm here today testifying for the Southeast Alaska Guides Organization. We are made up of Charter and Lodge operations throughout Southeast Alaska and represent over 80 active vessels.

We offer the following comments on proposals that will affect us or our client's ability to access the shellfish resource:

133: OPPOSE; this proposal seeks to close all sport shellfishing. There is no justification from a biological or management standpoint for a region wide closure on shellfish harvesting by sport users. Non-resident harvest of shellfish is a very small percentage of the overall harvest by personal use, sport and commercial fishers. If other users are impacting the resident's ability to harvest shellfish, then specific area closures or restrictions should be proposed considering that areas use by all sectors.

134: OPPOSE: there currently exists regulations preventing Charterboat operators from furnishing personal use shellfish to clients and limiting their use in the sport fishery. If the resident's ability to harvest their personal use needs is being impacted by non-resident sport or commercial fishing, then reductions in bag limits or area closures should be considered rather than closing all shellfish opportunity for non-residents. The portion of this proposal asking to restrict charter vessel use for shellfishing May 15 through September 15 is not justified and seems to be nothing more than punishment for owning or operating a charter vessel in Sitka. The Board failed to adopt a similar proposal in 2006.

135: OPPOSE; this regulation if adopted, banning the use of power assisted haulers, would establish different "methods and means" for residents and non-residents harvesting shellfish. There currently exists differential bag limits on species of high use or concern. We don't believe there is any biological or allocative justification to support this restriction. Adoption of this proposal would cause confusion and be difficult to enforce (example: could non-residents and residents be onboard a vessel equipped with a powered pot hauler at the same time, if shellfish gear was deployed?, would enforcement have to observe a non-resident actually using such gear to retrieve a pot or ring, or would the presence of such powered gear on board a vessel with non-residents and gear in the water be a violation?).

136: OPPOSE; again this proposal would establish different "methods and means" for resident and non-resident shellfish harvesters by requiring different types of pots to be used by each group. It is currently illegal for non-residents to harvest king crab. Trying to reduce "temptation" (as suggested by the proposers) by regulation is a very slippery slope. Adoption of this proposal would create similar enforcement problems as outlined in the previous comment.

137; 138; 368: OPPOSE; we will comment on these proposals at the finfish meeting in Sitka.

154: OPPOSE; this proposal seeks to close all waters to sport fishing for Dungeness crab that are closed to commercial crabbing. As the proposer mentions, each commercial closure has been initiated through the Board process, mostly by local residents who live in the affected areas. Each of these closures has been established through a separate proposal for a relatively small specific area. These closures have been established for a variety of reasons including depletion of the resource, overcrowding, and gear and access conflicts with commercial fishers. Local residents have the opportunity through the board process to request that area closures include sport fishers if a conflict exists, but that is not the case in this proposal. This proposal is too broad and does not identify any specific areas or concerns brought forward by resident personal use fishers to warrant such action.

The commercial fishing advocacy group submitting this proposal seems to be trying to restrict non-resident access to the Dungeness crab resource without any real justification.

160: OPPOSE; this proposal seeks to reduce the daily bag limit for Dungeness and Tanner crab from 5 to 3 per day for non-residents. The most recent 5 year average harvest of Dungeness crab by non-residents is approximately 1% of the total harvest. The average harvest of Tanner crab during the same period by both resident personal use fishers and non-resident sport fishers is approximately 1% of total harvest. There is no justification for reducing bag limits for non-residents area wide.

This proposal appears to be another attempt at restricting recreational harvest by a commercial fishing advocacy group for their own benefit. If there are identifiable specific areas where the non-resident sport harvest of crab is affecting the resident's ability to harvest their personal use needs, then those areas need to be addressed by area specific proposals to reduce bag limits or close those areas to non-resident sport harvest.

180: SUPPORT; this proposal would ban the use of square pots in the Golden King Crab fishery. We support regulations that will reduce by-catch mortality through improvements in gear and reasonable fishing practices. The elimination of square pots through some attrition process would be preferable over an immediate ban of their use.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Stan Malcom".

Stan Malcom
Board Member
South East Alaska Guide Organization

Fish and Game And Advisory Board Recommendations

Submitted by Tanya Somerville

The following Department and Boards took No Action on Proposal 152.
We also feel also that no action should be taken in changing this law.

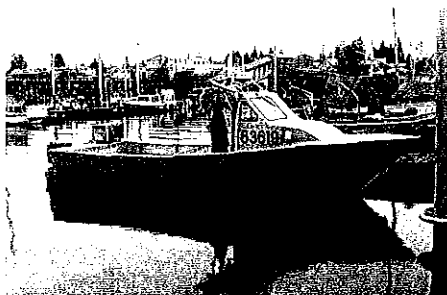
Please vote no on Proposal 152

Recommendations by:	Proposal 152
Fish and Game	No Action
Ketchikan	No Action
Edna	No Action
Juneau	No Action
Haines	No Action
Wrangell	No Action

The following Department and Boards took No Action on Proposal 153.
We also feel also that no action should be taken in changing this law.

Please vote no on Proposal 153

Recommendations by:	Proposal 153
Fish and Game	No Action
Ketchikan	No Action
Edna	No Action
Juneau	No Action
Haines	No Action
Wrangell	No Action
Sitka	No Action
POW	No Action
EPOW	No Action
Petersburg	No Action



Our Fishing Boat, a typical day boat.



5 AAC 35.XXX. Registration Area A Tanner crab harvest strategy.

(a) The provisions of this section establish the abundance thresholds for the Southeast Alaska Tanner crab fishery.

(b) In Registration Area A, the minimum stock threshold for a commercial fishery is 2,300,000 pounds of mature male Tanner crab, which is one-half the long-term average (1997-2007) of mature male abundance. If the estimated abundance of mature male Tanner crab is below this level, the commercial fishery shall remain closed.

(c) The season length will be five days and additional fishing days will be determined by the estimated biomass of mature male crab and the number of validly registered pots by the start of the fishery as follows:

Pots registered	Greater than 2,300,000 pounds and less than 5,500,000 pounds	Equal to 5,500,000 pounds or greater
1,600 - 2,399	4	5
2,400 - 3,199	3	4
3,200 - 3,999	2	3
4,000 - 4,799	1	2
4,800 - 5,599	1	2
5,600 - 6,399	0	1
6,400 - 7,000	0	1

(d) Registration Area A shall be managed using a core area and non-core area approach. All waters of Registration Area A not specifically listed below are defined as non-core areas. Non-core areas will be opened for five additional days after core areas are closed. Core area definitions are:

- (1) Icy Strait west of a line drawn between Point Sophia and 58°14.00' N. lat., 135°16.00' W. long., which includes waters of Port Frederick and Excursion Inlet, and east of Section 14-A, waters of Glacier Bay not closed by the National Park Service;
- (2) St. James Bay west of a line between Point Whidbey and 58°33.00' N. lat., 135°09.60' W. long.;
- (3) Waters of District 15 east of a line between the north tip of Little Island and Point St. Mary including Berners Bay;
- (4) Section 11-A of Stephens Passage;
- (5) Waters of Section 11-B north of a line between Point Arden and Circle Point and east of a line between Point Arden and Point Bishop, including all waters of Taku Inlet;
- (6) Seymour Canal north of 57°37.00' N. lat.;
- (7) Port Snettisham east and north of a line between Point Styleman and Point Anmer;
- (8) Endicott Arm and Tracy Arm east of a line between Point Coke and Point Astley;

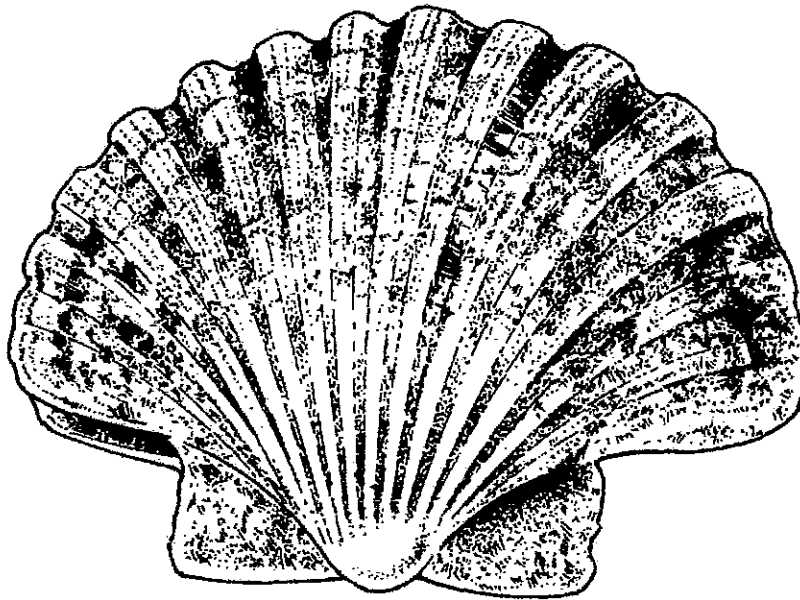
John W. ...
KITF

- (9) Gambier Bay west of a line between Point Gambier and 57°24.90'N. lat., 133°53.00' W. long.;
- (10) Pybus Bay north and west of a line from Point Pybus to the easternmost tip of San Juan Island and from there to a point at 57°14.60' N. lat., 134°07.30' W. long.;
- (11) Section 13-C excluding Sitkoh Bay, and;
- (12) Waters of Keku Strait, Port Camden and associated bays southeast of a line between Cornwallis Point at 56°55.91' N. lat., 134°16.42' W. long. and Point McCartney at 57°01.49' N. lat., 134°03.51' W. long. and west of a line between Point Camden at 56°48.66' N. lat., 133°52.79' W. long. and Salt Point Light at 56°50.68' N. lat., 133°52.02' W long., and;
- (13) Frederick Sound east of a line between Bay Point and Boulder Point including Farragut Bay, and Thomas Bay, the Stikine River flats including Sections 8-A, 8-B, waters north and east of a line between Mitchell Point and Point St. John including Kah Sheets Bay, Duncan Canal, and Wrangell Narrows.

5 AAC 35.115. Guideline harvest level for Registration Area A. Repealed [IN REGISTRATION AREA A, THE GUIDELINE HARVEST LEVEL FOR TANNER CRAB IS 2,000,000 POUNDS].

Alaska Scallop Association

Proposal 187



Alaska Board of Fisheries

Petersburg Alaska

January 21, 2009

Proposal 187

Yakutat Scallop January 22, 2009

My name is Jim Stone of the Alaska Scallop Association. We are a group of Scallopers that work together as a Harvesting cooperative

We are here to ask the Board to consider allowing us to begin one month earlier in the Yakutat Area from the current date of July 1st to June 1st. Our main reason for this is safety. Our member boats fish all the State Scallop fisheries not only Yakutat. Starting in June would get us finished Statewide earlier before the low catch rates and dangerous winter conditions begin.

We respectfully disagree with the Departments view that these Scallop spawn as late as June.

I have submitted a letter from Island Scallop Farm in BC who make a living spawning, reproducing and raising scallops. They have found that the Weathervane Scallop spawns upon the first rise in temperature after a Gonadal buildup over the Winter. Once the Scallop is fully ripe it takes just the slightest trigger to begin the spawn. Once one scallop spawns all the others in the area are triggered to do the same. This rise in Yakutat sea temperature occurs well before the Month of June, in fact it appears to begin as early as March/ April

Another indicator of an earlier spawn then June is the scallop abductor meat condition. When the scallop spawns this meat will tend to be translucent and quite small and therefore undesirable to our buyers. These meats begin to fill back out after the spawn when their energy is no longer needed for Gonadal development. In July the meat quality is very good, indicating to us that we are harvesting quite sometime after the spawn.

Tanner Molting in June was another concern in the Departments comments. I have found from reading department reports that the Mature SE Tanner Crabs tend to Molt in January for Females and the males in March and April. Also these crab tend to move much shallower to molt then the average scalloping depth in Yakutat of 43 fathoms.

We catch very few Tanner crab as bycatch Scalloping. The average size is 28mm, about the size of a quarter. These are very juvenile and in fact molt several times a year and at no particular calendar interval.

In the Packet I turned in is a map showing where the Scallop beds are in the Yakutat areas. On the next page are the pounds and District areas of Tanner crab caught in the Tanner crab fisheries from 1989 to 1990. Note district 189 is Federal waters outside of three miles. The map shows most Scallop beds are in the Federal waters. About 90% of the Scallop is caught in this 189 District. I show this to illustrate that the Scallopers interaction with the bottom Tanner Crab fishermen traditionally fish on is minimal. In fact out of these eleven years only 15,000 pounds of Tanners were caught by Tanner fishermen in District 189 where most of the Scalloping occurs.

Observer training was raised by the Department as a potential problem. I have discussed observer training with our Observer Company, the Observer Training Center in Anchorage and with ADF&G's Shellfish Observer Training coordinator in Kodiak, all of which say Training observers a Month early would not be a problem.

100% Observers onboard is our main point. Observers can easily be trained to identify Scallop that have not yet spawned. Mr. Saunders of Island Scallop Farm has expressed a willingness to work with ADFG on these identifiers of what stage of Gonadal development a Scallop is in. Observers can identify molting crab. If either of these turn out to be a problem we can stop fishing immediately at the Scallop fishermen's cost. The fishery could be restarted again later.

Proposal 187

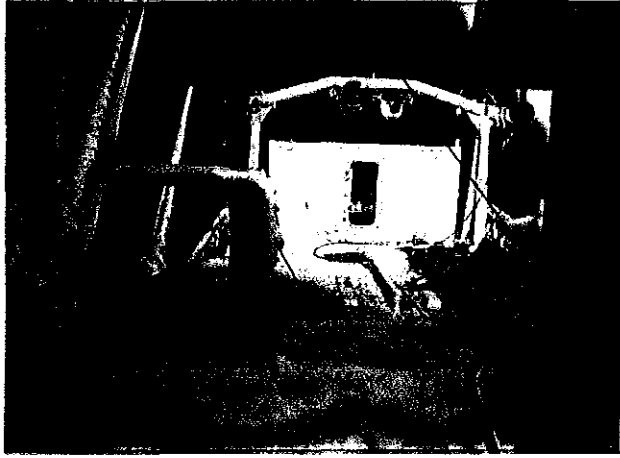
Yakutat Scallop January 22, 2009

The Scallop fleet spends \$125,000 every year on Observers, let's use this valuable tool to learn a little more about the animals in the Yakutat area in the month of June. The data gleaned can help management and the Board to make clearer sound decisions in the future.

Thank you & I look forward to working on this with everyone in committee.

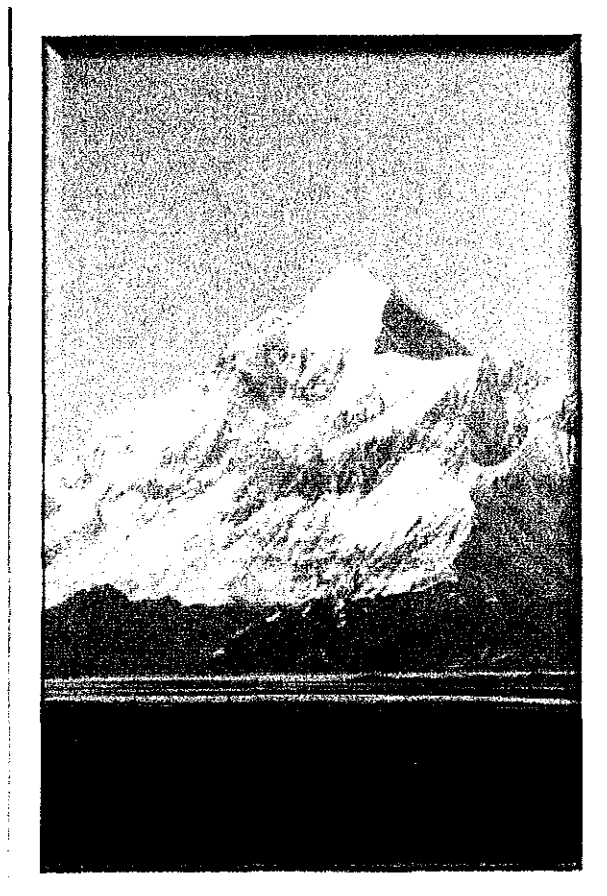
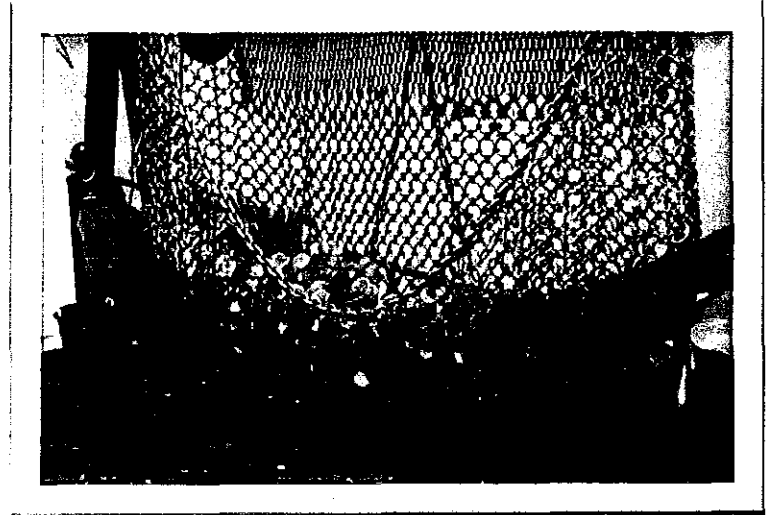
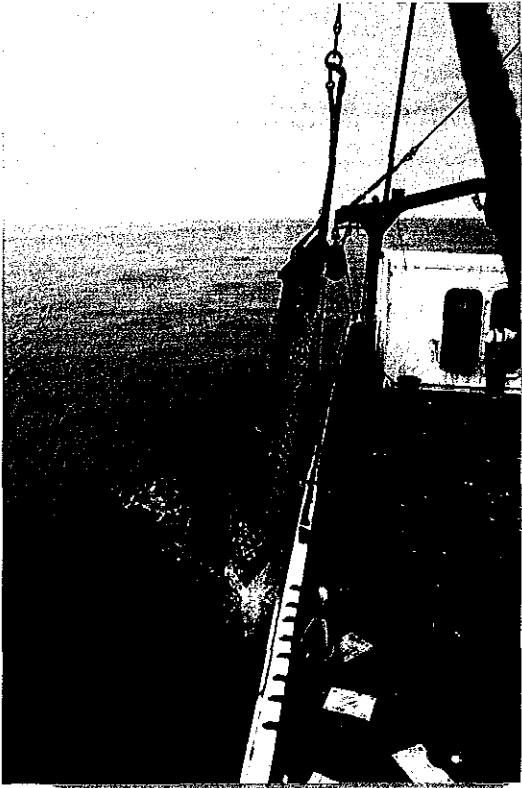
December Scalloping in Shelikof

Proposal 187



Summer Scalloping in T-shirts off Yakutat

Proposal 187



Island Scallops Ltd.

5552 West Island Highway, Qualicum Beach, B.C. V9K 2C8 Canada
Telephone: (250) 757-9811 Fax: (250) 757-8370

January 15, 2009

Jim Stone
President
Alaska Scallop Association

Patinopectin caurinus Spawning

Island Scallops has successfully spawned the Weathervane scallop, *Patinopectin caurinus* and although this is a particularly difficult species to raise, it is however an easy species to mature and spawn. Island Scallops has matured and spawned scallops and other shellfish species over the past twenty years and has developed procedures for the artificial maturation of many species including the Weathervane scallop.

The Weathervane scallop is an early spring spawner and spawns with the first spring temperature rise in the ocean, similar to the geoduck clam. The Weathervane scallop utilizes energy stored in the abductor muscle to build gonad through the winter months. This is clearly evident during the lead up to spawning as the abductor muscle decreases in size and weight and increases in water content. The male and female gonad increased rapidly and can reach roe to meat ratios of over 60% (over 60 grams of roe for scallops over 12 centimeters).

In contrast the Pacific oyster is a summer spawner and requires the summer months (food and temperature) to increase glycogen levels which are converted into gonad tissue.

Island Scallops routinely maintains scallop broodstock in spawning condition by manipulating the seawater temperature of the broodstock system. In general, maturation of adults prior to natural spawning, is accomplished by growing the broodstock seawater temperature 1-2 degrees above ambient seawater. To delay spawning past the natural spawning period, the broodstock is grown in seawater below 8C and at a reduced photoperiod.

Spawning is triggered by a 3 degree temperature rise. As the broodstock reaches sexual maturity the triggers required to induce spawning become less stringent and scallops will spawn with very little inducement with only a slight temperature increase or handling shock.

Proposal 187

The gonad of the Weathervane scallop matures rapidly in the final weeks before spawning and can reach roe yields of over 60% roe to meat yields. Both the red female roe and the white male roe just prior to spawning are very soft and will easily rupture when handled. The quality of the meat is also poor and meat yield and water content drops dramatically. It is very easy to determine when the scallop has spawned as both sexes lose pigment in the gonad, with both the female and male gonad turning clear and watery.

I would suggest that a roe to meat yield of less than 30% roe to meat weight after the spring seawater temperature rise of less than 2c would be an excellent indicator of spawning.

I would be please to answer any further question you may have.

Sincerely

Robert Saunders
CEO
Island Scallops Ltd.

	99/00	98/99	97/98	96/97	95/96	94/95	93/94	92/93	91/92	90/91	89/90	Average ***	Average % ***
District 181 (Stat areas 181-10, 181- 40, 181-50 and 181- 60 in combination) <i>Offshore Less than 3 miles</i>	0	0	0	**	10,181	77,436	320,574	**	**	16,193	**	70,731	76.07%
District 183 (Stat areas 183-10, 183- 11, 183-20 and 183- 30) <i>Yakutat Bay</i>	**	8,528	9,559	11,866	16,855	29,326	28,424	53,318	13,972	25,556	**	19,708	21.20%
District 189 (Stat areas 189-30, 189-40 and 189-50) <i>Federal Water</i>	0	0	0	0	0	0	15,218	0	0	0	0	2,536	2.73%

* No data available for years 00/01 to current due to commercial Tanner closures in these areas

** Confidential data, fewer than three permits fished.

*** Average catch for years with out confidential data.

**** Poundage's supplied by ADFG Petersburg. Averages compiled by Jim Stone- Alaska Scallop Assn.

<u>Number</u>	<u>Name</u>	<u>Subject</u>
1	Donald Westlund	141, 142, 161, 162, 163 / Self
2	Johnny Thompson	155 / Whale Pass Home Owners Assoc.
3	Stan Savland	177, 179, 181, 184, 185 / King & Tanner Taskforce
4	John Barry	177, 179, 181, 184, 185 / King & Tanner Taskforce
5	Gary Fandrei	Emergency petition to establish a Trail Lakes Hatchery Mngt. Plan / Cook Inlet Aquaculture Assoc.
6	Peter Roddy	King, Tanner & Dungeness crab, Shrimp / Sitka Advisory Committee
7	Jackie Tyson	155 / Self
8	Jeff Farvour	133 / Self
9	Mike Peterson	139, 145, 146, 160, 164, 173, 174 / Juneau-Douglas Advisory Committee
10	Phil Doherty	188 - 196 / SARDFFA
11	Jerry Dahl	141, 142 / Self
12	Otto Florschutz	Shellfish / Self
13	Otto Florschutz	AC Comment #6 / Wrangell Advisory Committee
14	Alan Reeves	141, 142 / Self
15	Wayne Regelin	174 / Territorial Sportsmen, Inc.
16	Stan Malcom	133, 134, 135, 136, 154, 160 / SE Alaska Guide Organization
17	Yancey Nilsen	Golden King Crab proposals / Self
18	Dennis Heimdahl	158 / Self
19	Peter Roddy	Closed waters, bag & possession limits / Sitka AC
20	Kathy Hansen	133-190 / SE AK Fishermen's Alliance
21	Ron Opheim	133, 141-142, 157 / Self
22	Markuy Jensen	Dungeness Crab / Self

Public Testimony Sign Up List – Petersburg Jan. 09

RC 21

23	Jim Stone	187 / Alaska Scallop Assoc.
24	John Lemar	187 / Self
25	Tom Minio	187 / Self
26	Roger Gregg	King & Tanner Crab seasons / Myself
27	Julianne Curry	Self - Proppsal 173 Sport, Shrimp and Crab
28	Kirt Marsh	Self - speaking about Dungeness Crab
29	Tanya Sommerville	Self - Proposal 152 and 153 opposed
30	Mike Bangs	Self - Proposal 195 and 196
31	Justin Peeter	Self - Proposal 156 and 152
32	John Scoblic	Ketchikan AC - proposal 133, 141, 142, 149, 161, 162, 13, 188, 189, 190, 194, 196
33	Jeb Morrow	Self - Dungeness
34	Ladd Norheim	Self - Closing commercial fishing Area
35	Arnold Enge	143 / Self
36	Joe Willis	148-159, 180 / Self
37	Mike Bangs	Petersburg AC

ALASKA BOARD OF FISHERIES

RC # 22COMMITTEE A – King and Tanner Crab
January 22-23, 2009

Board Committee Members:

1. Mel Morris, *Chair
2. Howard Delo
3. Karl Johnstone

Alaska Department of Fish and Game Staff Members:

1. Kyle Hebert - Marine Fisheries Supervisor, CF
2. Joe Stratman - Shellfish Management Project Leader, CF
3. Gretchen Bishop - Shellfish Research Project Leader, CF
4. Chris Siddon - Shellfish Biometrician, CF
5. Adam Messmer - Shellfish Research Biologist, CF (Note Taker)
6. Kellii Wood - Shellfish Management Technician, CF (Note Taker)

Advisory Committee Members:

1. Mike Petersen - Juneau AC
2. Otto Florschutz - Wrangell AC
3. Pete Roddy - Sitka AC

Public Panel Members:

1. Julianne Curry - PVOA
2. Charlie Christensen - F/V Erica Ann
3. Wayne Regelin - TSI Juneau
4. Kathy Hansen - SEAFA
5. Ed Hansen - SEAFA
6. Yancey Nilsen - F/V Aleutian Dream
7. John Barry - King and Tanner Task Force Chair
8. Gary Slaven - F/V Cora J
9. Roger Gregg - F/V Shelikof
10. Ladd Norheim - F/V Frigidland
11. Stan Savland - F/V Chikamin
12. Luke Whitethorn - F/V Haakon
13. Randy Lantiegne - Icicle Seafoods

This committee met January 22, 2009 at 3:00 p.m. and recessed at 5 p.m. The committee reconvened January 23, 2009 at 8:45 a.m. and adjourned at 12 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (25 Proposals) 145-146, and 164-185.

PROPOSAL 164 - 5AAC 02.108(a). CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF SHELLFISH STOCKS. This proposal would establish a Customary and Traditional Use (C&T) finding for subsistence harvest of king crab in District 14, east of the longitude of Point Dundas; in the waters of District 12 between the latitude of Parker Point and the latitude of Point Caution, and Section 13-C east of the longitude of Point Elizabeth.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 86.

AC Reports: RC 1, AC tab, AC 2, 3, 4, 6.

Public Comment: RC 1, PC tab, PC 3, 28.

Record Comments: RC 7, 8, 9, 10.

Narrative of Support and Opposition:

Department:

- Department would still determine if there is enough biomass to open the subsistence fishery.
- Pots have been used since the 1920s.

Department of Law: Any Alaskan can participate in an open state subsistence fishery area.

Support:

- The reason for these proposals is because PU is closed in these areas and there is a thought that if it was declared subsistence, there would be a fishery.

Opposition:

- Crab may have been only incidentally caught, and would not use the same methods as they did in the past if the subsistence fishery is open.
- Crab captured in the commercial fishery and retained as PU could be considered as customary and traditional use.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Edna Bay, Sitka.
Oppose: Juneau-Douglas, Wrangell.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Take no action as proposal was withdrawn per RC 34.

Substitute Language: None.

PROPOSAL 165 - 5AAC 01.716. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF SHELLFISH STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES; and 77.XXX NEW SECTION. This proposal would establish a Customary and Traditional Use (C&T) finding for subsistence harvest of red king crab in Port Frederick and would provide a subsistence fishery. Current regulations already allow the personal use red king crab season to open starting on July 1.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 88.

AC Reports: RC 1, AC tab, AC 2, 7.

Public Comment: RC 1, PC tab, PC 3, 28.

Record Comments: RC 7, 8, 9, 10.

Narrative of Support and Opposition:

Department:

- Department would still determine if there is enough biomass to open the subsistence fishery.
- Pots have been used since the 1920s.

Department of Law: Any Alaskan can participate in an open state subsistence fishery area.

Support:

- The reason for these proposals is because PU is closed in these areas and there is a thought that if it was declared subsistence there would be a fishery.

Opposition:

- Crab may have been only incidentally caught and would not use the same methods as they did in the past if the subsistence fishery is open.
- PU kept crab from the commercial fishery could be considered as customary use.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Edna Bay.
Oppose: East Prince of Wales.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 166 - 5AAC 02.108(a). CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF SHELLFISH STOCKS. This proposal would establish a Customary and Traditional Use (C&T) finding for subsistence harvest of red king crab in Section 6-A, District 8, and portion of District 10.

Staff Reports: RC 3, tab 1 (oral report), tabs 7, 9 (written reports).

Staff Comments: RC 2, page 91.

AC Reports: RC 1, AC tab, AC 8.

Public Comment: RC 1, PC tab, PC 3, 28.

Record Comments: RC 8, 10.

Narrative of Support and Opposition:

Support:

- Frustrated that there are lots of crab in areas where there is no survey and it should be utilized.

Opposition:

- Any Alaska resident could go to subsistence areas and fish.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 167 - 5AAC 02.108(a). CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF SHELLFISH STOCKS. This proposal would close the commercial harvest of king crab in 13-B and 13-C or designate the king crab as a subsistence resource in those areas.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 93.

AC Reports: RC 1, AC tab, AC 8.

Public Comment: RC 1, PC tab, PC 3, 20, 28.

Record Comments: RC 7, 8, 9, 10.

Narrative of Support and Opposition:

Department:

- Department would still determine if there is enough biomass to open the subsistence fishery.
- Pots have been used since the 1920s.
- Subsistence Division household surveys estimate as much as 50,000 pounds has been harvested as PU in the Sitka area.

Department of Law: Any Alaskan can participate in an open state subsistence fishery area.

Support:

- The reason for these proposals is because PU is closed in these areas and there is a thought that if it was declared subsistence there would be a fishery.

Opposition:

- Crab may have been only incidentally caught and would not use the same methods as they did in the past if the subsistence fishery is open.
- PU kept crab from the commercial fishery could be considered as customary use.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 168 - 5AAC 02.120. SUBSISTENCE KING CRAB FISHERY and 5AAC 77.664. PERSONAL USE KING CRAB FISHERY. This proposal asks for two separate, but related, provisions. The first would allow for a subsistence fishery for red and blue king crab, which would require that the Board of Fisheries determine whether these crab stocks have been customarily and traditionally used. This proposal would also allow the department the flexibility to alter personal use bag limits for red and blue king crab in Peril Straits in proportion to stock levels and stock status. The department has proposed a similar amendment to the personal use king crab regulations for the entire region (Proposal 176).

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 95.

AC Reports: RC 1, AC tab, AC 3, 6, 8.

Public Comment: RC 1, PC tab, PC 3, 28.

Record Comments: RC 7, 8, 9, 10.

Narrative of Support and Opposition:

Department:

- Department would still determine if there is enough biomass to open the subsistence fishery.
- Pots have been used since the 1920s.
- Subsistence Division household surveys estimate as much as 50,000 pounds has been harvested as PU in the Sitka area.
- With added flexibility in the PU bag limit may provide fishing opportunity.

Department of Law: Any Alaskan can participate in an open state subsistence fishery area.

Support:

- The reason for these proposals is because PU is closed in these areas and there is a thought that if it was declared subsistence there would be a fishery.

Opposition:

- Crab may have been only incidentally caught and would not use the same methods as they did in the past if the subsistence fishery is open.
- PU kept crab from the commercial fishery could be considered as customary use.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.

Oppose: Wrangell, Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 176 - 5AAC 77.664. PERSONAL USE KING CRAB FISHERY. Amend bag limit and season for personal use king crab fishery.

This proposal would accomplish three things: 1) provide the department flexibility to alter personal use red and blue king crab bag limits in proportion to stock levels and stock status, 2) align the personal use red king crab season in District 16 with the rest of Southeast Alaska, and 3) create a two-week closure of the personal use golden king crab fishery prior to the start of the personal use red and blue king crab fishery.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 117.

AC Reports: RC 1, AC tab, AC 1, 2, 3, 7, 8.

Public Comment: RC 1, PC tab, PC 20, 28.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Would allow the department to manage bag limits in the rest of the region similarly to the way 11-A is managed.
- Closing the PU fisheries 2 weeks before the start of another PU fishery on red king crab, golden king crab, and Tanner crab would allow for more of a fair start for PU fishers.
- This would make it easier for enforcement to enforce regulations
- Dungeness would still remain open and size of PU Dungeness gear is undefined.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan, Edna Bay, Sitka, East Prince of Wales, Petersburg.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language:

The intent of substitute language is as follows;

- Provide the department flexibility to alter personal use red and blue king crab bag limits in proportion to stock levels and stock status by creating a daily bag and possession limit of six male crab per person, unless conservation concerns in any portion of the region warrant a complete closure of that portion of the region. When the regionwide harvestable surplus of legal male red and blue king crab is below 200,000 pounds, the commissioner may, by emergency order, reduce the bag and possession limits of red and blue king crab.
- In the waters described in 5 AAC 33.200 as sections 12-B, 15-B, and 15-C in the personal use taking of king crab, create daily bag and possession limits of three male crab per person, unless conservation concerns warrant a complete closure. When the regionwide harvestable biomass of mature red and blue king crab is below 200,000 pounds, the commissioner may, by emergency order, reduce the bag and possession limits of red and blue king crab.
- Align the personal use red king crab season in District 16 with the rest of Southeast Alaska.
- Create a two-week closure of the personal use golden king crab fishery prior to the start of the personal use red and blue king crab fishery.

PROPOSAL 145 - 5AAC 32.XXX, 34.XXX, and 35.XXX. This proposal would require measuring devices used by enforcement and ADF&G samplers to be made of material that is impervious to the weather and these measuring devices must be certified by weights and measures twice a year.

This proposal would also allow crab with broken spines along the edge of the carapace to be considered legal, if the crab appeared to be legal despite the broken spines.

Staff Reports: RC 3, tabs 1, 2, 4 (oral reports), tab 7 (written report).

Staff Comments: RC 2, page 37.

AC Reports: RC 1, AC tab, AC 1, 2, 3, 4, 6, 7, 8.

Public Comment: RC 1, PC tab, PC 20, 28, 29.

Record Comments:

Narrative of Support and Opposition:

- Department of Law stated board has no authority to tell public safety how to enforce regulations regarding measurement device material.

Support:

- Fishermen don't want to be penalized for broken spines.
- Crab is potentially legal until spines are broken.

Opposition:

- Measuring device used is accurate for measuring crab without broken spines.
- Would need objective criteria concerning legal size of crab with broken spines.
- Need clear language.
- Enforcement needs objective/quantitative way to measure crab without spines.
- Enforcement should use best judgment; intentional/unintentional.
- No one in room has been cited for broken spines.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose any regulation that would allow crab with broken spines to be considered legal.

AC Positions: Support: Juneau.

Oppose: Ketchikan, Edna Bay, Sitka, Wrangell, East Prince of Wales,
Petersburg.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 146 - 5AAC 34.XXX and 35.XXX. NEW SECTIONS. This proposal would allow deliveries of up to two percent illegal king and Tanner crab without penalty as long as the illegal crab were alive and able to be returned to the water unharmed. The proposal is unclear if there should be a tolerance for illegal sex and species as well as size.

Staff Reports: RC 3, tabs 1, 2 (oral reports), tab 7 (written report).

Staff Comments: RC 2, page 39.

AC Reports: RC 1, AC tab, AC 3, 4, 7, 8.

Public Comment: RC 1, PC tab, PC 18, 20, 28, 29.

Record Comments: RC 6

Narrative of Support and Opposition:

Department of Law: Board has authority to set guidelines.

Support:

- Once crab is in tank, you don't go after it (fishermen work long hours and become fatigued).
- Small % can end inadvertently end up in tank.
- Can free illegal crab at dock.
- Difficult to identify where individual crab came from when dealing with tenders.
- Usually young crew members are measuring crab, not permit holder.

Opposition:

- Has potential to be a large number of crab per delivery.
- Would have to sample entire load to enforce % allowance.
- Lowering standard for illegal containment.
- Enforcement is exercising discretion.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.

Oppose: Sitka, Juneau, East Prince of Wales, Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 177 - 5AAC 34.115. GUIDELINE HARVEST RANGES FOR REGISTRATION AREA A. This proposal would increase the upper end of the guideline harvest ranges for four of seven golden king crab management units in Southeast Alaska.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 119.

AC Reports: RC 1, AC tab, AC 7, 8.

Public Comment: RC 1, PC tab, PC 20.

Record Comments: None.

Narrative of Support and Opposition:

Support:

- Close to upper end of GHR already.
- Department plans on modest increase of GHR in Northern area.
- In recent seasons, catch rates have been highest observed.
- Unharvested crab will die anyway.
- Overshooting GHs may lead to significant reductions in future GHs.
- Department doesn't feel there is an under harvest.
- Department would support increase in Icy Strait, East Central, and Northern.
- GHs may be reduced below upper end of GHR.

Opposition:

- Would greatly increase harvest, which would lead to possible overfishing.
- Department doesn't have an accurate life history of golden king crab. We have least confidence in stock assessment.
- Difficult to manage fishery accurately due to significant closure lead time required for gear handling logistics mainly because of tidal considerations.
- Department does not manage to upper end of GHRs unless data supports doing so.
- Do not want to create false expectations that the Department will manage to the top end of GHRs.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support substitute language.

AC Positions: Support: Petersburg.
Oppose: East Prince of Wales.

Public Panel Recommendation: Consensus to support part of proposal (Icy Strait and East Central) as proposed. Consensus to support increase in GHR in Northern to 175,000.

Board Committee Recommendation: John Jensen is conflicted out on this proposal. Consensus to support as amended in substitute language.

Substitute Language:

5 AAC 34.115. Guideline harvest ranges for Registration Area A. (a) Repealed 6/24/93.

(b) In Registration Area A, the guideline harvest ranges for the taking of golden king crab in the following areas are:

- (1) Northern Area: 0 to [145,000] 175,000 pounds;
- (2) Icy Strait Area: 0 to [55,000] 75,000 pounds;
- (3) North Stephens Passage Area: 0 to 25,000 pounds;
- (4) East Central Area: 0 to [225,000] 300,000 pounds;
- (5) Mid-Chatham Strait Area: 0 to 150,000 pounds;
- (6) Lower Chatham Strait Area: 0 to 50,000 pounds;
- (7) Southern Area: 0 to 25,000 pounds.

PROPOSAL 178 - 5AAC 34.114. SOUTHEAST ALASKA GOLDEN KING CRAB

MANAGEMENT PLAN. This proposal would likely seek to require the department to manage the Southeast Alaska golden king crab fishery such that target harvest levels are not determined or announced until inseason fishery performance data are obtained, rather than announcing target guideline harvest levels (GHLs) pre-season.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 123.

AC Reports: RC 1, AC tab, AC 1, 7, 8.

Public Comment: RC 1, PC tab, PC 20.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Because inseason management is time-consuming, it's not possible to analyze data at the same time as managing to a GHL.
- Takes department 2 months to make GHL for upcoming season.
- Department stated 3 year cycle helps to separate noise from stock fluctuations.

Support:

- Manage the GHLs inseason as department did historically.
- Fishermen concerned they will be forgoing catch or will be punished.
- Setting GHL for 3 consecutive years does not allow for department to take advantage of a strong year class.

Opposition:

- Can adjust inseason GHL, but. it never happens.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Ketchikan.

Oppose: East Prince of Wales, Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 179 - 5AAC 35.125. LAWFUL GEAR FOR REGISTRATION AREA A. This proposal would allow permit holders with dual golden king/Tanner crab permits to legally retain golden king crab in a Tanner crab pot if both seasons are open.

Staff Reports: RC 3, tab 1, 2 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 126.

AC Reports: RC 1, AC tab, AC 1, 6, 8.

Public Comment: RC 1, PC tab, PC 20, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

Support:

- Inaccurate reporting can occur from fishermen. Catch accounting issue, fishermen like to keep accurate information on catch.
- Crab is already being handled, might as well keep crab.
- Most fishermen use same gear; just switch rings out.
- Doesn't complicate management for department.
- Dual permit holders do not seem to have a problem with single permit holders.
- Golden king crab catch on Tanner grounds is low.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell, Petersburg.
Oppose: Ketchikan.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support with substitute language.

Substitute Language:

5 AAC 34.125. Lawful gear for Registration A.

(a) King crab may only be taken by king crab pots, **except that golden king crab may be retained in Tanner pots as described in 34.128(f) when dually registered for the Tanner and golden king crab fisheries and when both fisheries are open simultaneously, pot limits not withstanding.** King crab taken by other means must be returned to the water without further harm.

PROPOSAL 180 - 5AAC 34.125 LAWFUL GEAR FOR REGISTRATION AREA A. This proposal would eliminate square pots as a lawful gear type in the Southeast Alaska golden king crab fishery.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 129.

AC Reports: RC 1, AC tab, AC 1, 4, 8.

Public Comment: RC 1, PC tab, PC 15, 20, 28.

Record Comments: RC 17.

Narrative of Support and Opposition:

Support:

- Potentially catches more halibut with square pots, but IPHC study was done on Tanner grounds, not Golden King crab grounds.
- Potentially catches more crab than other pots (more volume).

Opposition:

- Halibut bycatch in square pots is limited due to the small number of square pots in the fishery.
- \$100,000 for a new string of gear to replace square pots.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg.
Oppose: Ketchikan, Juneau.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: John Jensen is conflicted out. No recommendation.

Substitute Language: None.

PROPOSAL 171 - 5AAC 77.664 (b)(1). PERSONAL USE KING CRAB FISHERY. This proposal would allow the personal use red king crab season to open starting on July 1. The proposal would create no effective change in management of the fishery.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 102.

AC Reports: RC 1, AC tab, AC 3.

Public Comment: RC 1.

Record Comments: None.

Narrative of Support and Opposition:

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral as written, and opposed if the intent is to require the fishery to open on July 1 regardless of red king crab stock status in the area.

AC Positions: Support: None.
Oppose: Sitka.

Public Panel Recommendation: No action taken because it would create no effective change.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 172 - 5AAC 77.614. PERSONAL USE KING CRAB FISHERY. This proposal would reduce the personal use king crab season in the Yakutat area from year round to July 1-March 31.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 104.

AC Reports: RC 1, AC tab, AC 1, 2, 8.

Public Comment: RC 1.

Record Comments: None.

Narrative of Support and Opposition:

Support:

- Should have same season as Southeast PU and Yakutat subsistence.
- Seen as housekeeping proposal.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan, Edna Bay, Petersburg.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 173 - 5AAC 34.111(b)(4). SECTION 11-A RED AND BLUE KING CRAB MANAGEMENT AND ALLOCATION PLAN. This proposal would repeal 5 AAC 34.111 (b)(4) and eliminate the reallocation of the Section 11-A commercial guideline harvest level to the personal use fishery in years when the commercial fishery is not opened.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 106.

AC Reports: RC 1, AC tab, AC 4, 8.

Public Comment: RC 1, PC tab, PC 20, 28.

Record Comments: None.

Narrative of Support and Opposition:

Support:

- Commercial fleet is under control.
- Commercial fleet needs 11-A for livelihood; 5 AAC 34.111 could potentially permanently eliminate fishery for commercial fishing in 11-A.
- Section 11-A contains area already closed to commercial fishing.
- Should be precautionary until personal use harvest estimates are improved.
- Not reallocating would facilitate stock rebuilding.

Opposition:

- Original proposal allowed for 60/40 split between PU and commercial (1999 BOF), but the reallocation was an unforeseen consequence as stocks were not expected to fall below threshold.
- PU fishery used to be an insignificant fishery prior to current low stock levels of Red King crab.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg.
Oppose: Juneau.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 174 - 5AAC 34.111. RED AND BLUE KING CRAB MANAGEMENT AND ALLOCATION PLAN. This proposal would do two things: 1) eliminate provisions for allocating red king crab to the commercial fishery in Section 11-A and allocate the entire available harvest to the personal use fishery, and 2) change allocations for summer and winter personal use from an 80%-20% split, respectively, to a 90%-10% split.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 109.

AC Reports: RC 1, AC tab, AC 4, 6, 8.

Public Comment: RC 1, PC tab, PC 20, 28.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Fishable biomass is based on 20% of mature or 50% of legal and can be adjusted.
- Survey information from 11-A is done by June 15th.
- PU is a 9 month season when open.

Support:

- Need to use the biomass in 11-A.
- Need to reduce the harvest 11-A
- Enlarge the area in 11-A that commercial can't fish.
- 35% of the time there is no fishery.
- Not enough crab for both PU and commercial.
- If nothing is done the legislature will make PU a priority over commercial.
- Need to control the PU fishery more than current regulations.

Opposition:

- Switching from red king crab to Golden King crab not easy for fishermen.
- ½ of 11-A is closed to commercial when there is a season.
- Entire GHL could be caught in one day if all PU pots were fished and each pot caught only one crab.
- Commercial harvest accounting is more precise than PU harvest estimates; therefore, PU fishery is more likely to overshoot GHLs.
- If 11-A is not included in the regional GHL there will never be a commercial fishery

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.

Oppose: Wrangell, Petersburg, Juneau.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 175 - 5AAC 34.113. SOUTHEAST ALASKA RED KING CRAB

MANAGEMENT PLAN. This proposal would replace the Southeast Alaska red king crab harvest rate and threshold fishery management approach currently specified in regulation with a set commercial season length of seven days.

Staff Reports: RC 3, tab 1 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 112.

AC Reports: RC 1, AC tab, AC 1, 7, 8.

Public Comment: RC 1, PC tab, PC 20.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- One of two red king crab fisheries in the state that remain open.
- Survey has been independently reviewed by a team of experts and experts agreed that overall the survey is functionally appropriate.
- Currently, the department targets abundance with call-ins and is reasonably accurate.
- Department feels confident that the present management plan and survey provide a sustainable fishery.
- Red king crab was closed for 8 years following size, sex, season management.
- Lowering the current GHF of 200,000 may be an alternative.

Support:

- Survey doesn't accurately show stock levels.
- Size, sex, and season worked while it was in place.
- The department could still close or lengthen the season with a fixed season.

Opposition:

- See above.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.

Oppose: Ketchikan, East Prince of Wales, Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 169 - 5AAC 77.666. PERSONAL USE TANNER CRAB FISHERY and 5AAC 47.035. METHODS, MEANS, AND GENERAL PROVISIONS – SHELLFISH. This proposal would result in a closure of the Tanner crab sport and personal use fisheries for two weeks from June 16-30 in order to prevent prospecting for red or blue king crab and better facilitate enforcement immediately prior to the red and blue king crab personal use season.

Staff Reports: RC 3, tabs 1, 2 (oral reports), tab 7 (written report).

Staff Comments: RC 2, page 98.

AC Reports: RC 1, AC tab, AC 1, 2, 3, 4, 6, 7, 8.

Public Comment: RC 1.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Allows fair start for PU red king crab.
- Simplifies enforcement.
- Prevent stockpiling

Support: See above.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Petersburg, East Prince of Wales, Wrangell, Juneau, Sitka, Edna Bay, Ketchikan.

Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 170 - 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA and 5AAC 77.666. PERSONAL USE TANNER CRAB FISHERY. This proposal would result in regulation changes, shortening the Tanner crab sport and personal use fisheries by 1 week in order to prevent prospecting for red or blue king crab and better facilitate enforcement immediately prior to red and blue king crab season.

Staff Reports: RC 3, tabs 1, 2 (oral reports), tab 7 (written report).

Staff Comments: RC 2, page 100.

AC Reports: RC 1, AC tab, AC 7.

Public Comment: RC 1.

Record Comments: None.

Narrative of Support and Opposition:

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: East Prince of Wales.
Oppose: None.

Public Panel Recommendation: No action due to action on proposal 169.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 181- 5AAC 35.110. FISHING SEASON FOR REGISTRATION AREA and 5AAC 35.115. GUIDELINE HARVEST LEVEL FOR REGISTRATION AREA A. This proposal would require the department to manage the Southeast Alaska Tanner crab fishery based on a minimum six-day fishery, which would be extended or closed based on comparison of call-in catch and effort data to established thresholds.

Staff Reports: RC 3, tab 2 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 131.

AC Reports: RC 1, AC tab, AC 8.

Public Comment: RC 1, PC tab, PC 18, 20.

Record Comments: RC 19.

Narrative of Support and Opposition:

Department: Support substitute language.

- Mature biomass has not been below the proposed 2.3 million pounds of mature males threshold in the last 10 years.

Support:

- Lowest mature male biomass estimate is 3.5 million pounds in the last ten years.

Opposition:

- The fleet is nervous about threshold causing a closed season

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support substitute language.

AC Positions on original proposal: Support: None.
Oppose: Petersburg.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: John Jensen is conflicted out. Consensus to support.

Substitute Language:

5 AAC 35.XXX. Registration Area A Tanner crab harvest strategy.

(a) The provisions of this section establish the abundance thresholds for the Southeast Alaska Tanner crab fishery.

(b) In Registration Area A, the minimum stock threshold for a commercial fishery is 2,300,000 pounds of mature male Tanner crab, which is one-half the long-term average

(1997–2007) of mature male abundance. If the estimated abundance of mature male Tanner crab is below this level, the commercial fishery shall remain closed.

(c) The season length will be five days and additional fishing days will be determined by the estimated biomass of mature male crab and the number of validly registered pots by the start of the fishery as follows:

<u>Pots registered</u>	<u>Greater than 2,300,000 pounds and less than 5,500,000 pounds</u>	<u>Equal to 5,500,000 pounds or greater</u>
<u>1,600 - 2,399</u>	<u>4</u>	<u>5</u>
<u>2,400 - 3,199</u>	<u>3</u>	<u>4</u>
<u>3,200 - 3,999</u>	<u>2</u>	<u>3</u>
<u>4,000 - 4,799</u>	<u>1</u>	<u>2</u>
<u>4,800 - 5,599</u>	<u>1</u>	<u>2</u>
<u>5,600 - 6,399</u>	<u>0</u>	<u>1</u>
<u>6,400 - 7,000</u>	<u>0</u>	<u>1</u>

(d) Registration Area A shall be managed using a core area and non-core area approach. All waters of Registration Area A not specifically listed below are defined as non-core areas. Non-core areas will be opened for five additional days after core areas are closed. Core area definitions are:

(1) Icy Strait west of a line drawn between Point Sophia and 58°14.00' N. lat., 135°16.00' W. long., which includes waters of Port Frederick and Excursion Inlet, and east of Section 14-A, waters of Glacier Bay not closed by the National Park Service;

(2) St. James Bay west of a line between Point Whidbey and 58°33.00' N. lat., 135°09.60' W. long.;

(3) Waters of District 15 east of a line between the north tip of Little Island and Point St. Mary including Berners Bay;

(4) Section 11-A of Stephens Passage;

(5) Waters of Section 11-B north of a line between Point Arden and Circle Point and east of a line between Point Arden and Point Bishop, including all waters of Taku Inlet;

(6) Seymour Canal north of 57°37.00'N. lat.;

(7) Port Snettisham east and north of a line between Point Styleman and Point Anmer;

(8) Endicott Arm and Tracy Arm east of a line between Point Coke and Point Astley;

(9) Gambier Bay west of a line between Point Gambier and 57°24.90'N. lat., 133°53.00' W. long.;

(10) Pybus Bay north and west of a line from Point Pybus to the easternmost tip of San Juan Island and from there to a point at 57°14.60' N. lat., 134°07.30' W. long.;

(11) Section 13-C excluding Sitkoh Bay, and;

(12) Waters of Keku Strait, Port Camden and associated bays southeast of a line between Cornwallis Point at 56°55.91' N. lat., 134°16.42' W. long. and Point McCartney at 57°01.49' N. lat., 134°03.51' W. long. and west of a line between Point Camden at 56°48.66' N. lat., 133°52.79' W. long. and Salt Point Light at 56°50.68' N. lat., 133°52.02' W long., and;

(13) Frederick Sound east of a line between Bay Point and Boulder Point including Farragut Bay, and Thomas Bay, the Stikine River flats including Sections 8-A, 8-B, waters north and east of a line between Mitchell Point and Point St. John including Kah Sheets Bay, Duncan Canal, and Wrangell Narrows.

5 AAC 35.115. Guideline harvest level for Registration Area A. Repealed [IN REGISTRATION AREA A, THE GUIDELINE HARVEST LEVEL FOR TANNER CRAB IS 2,000,000 POUNDS].

PROPOSAL 182 - 5AAC 35.110. FISHING SEASON FOR REGISTRATION AREA; 5AAC 35.110. GUIDELINE HARVEST LEVEL FOR REGISTRATION AREA A. This proposal would require the department to manage the Southeast Alaska Tanner crab fishery based on a set season length of two weeks. This proposal would also remove from regulation the current Tanner crab guideline harvest level of 2,000,000 pounds.

Staff Reports: RC 3, tab 2 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 131.

AC Reports: RC 1, AC tab, AC 1, 8.

Public Comment: RC 1, PC tab, PC 18, 20.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Most harvest occurs in the first four days of the fishery and currently has a trend in a lower biomass.
- Wouldn't provide for a sustainable fishery.

Support:

- Needs to be size, sex, season management.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.

Oppose: Ketchikan, Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: John Jensen conflicted out. No action based on action taken on 181.

Substitute Language: None.

PROPOSAL 183 - 5AAC 35.127. TANNER CRAB GEAR STORAGE REQUIREMENTS FOR REGISTRATION AREA A. This proposal would extend the time to store Tanner crab pots from 72 hours to 5 days after a portion of Registration Area A closes during the commercial Tanner crab season.

Staff Reports: RC 3, tab 2 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 140.

AC Reports: RC 1, AC tab, AC 1, 7, 8.

Public Comment: RC 1, PC tab, PC 20, 28.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Small vessels in non-core areas need more time to move gear.
- Enforcement: Same as golden king crab and is reasonable.
- Gives more time to get gear from core to non-core areas.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan, East Prince of Wales, Petersburg.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 186 - 5AAC 77.666 PERSONAL USE TANNER CRAB FISHERY; 5AAC 77.616. PERSONAL USE TANNER CRAB FISHERY; 5AAC 02.125. SUBSISTENCE TANNER CRAB FISHERY; and 5 AAC 47.035. METHODS, MEANS, AND GENERAL PROVISIONS – SHELLFISH. This proposal would require escape mechanisms for all pots used for personal use, sport, and subsistence Tanner crab fisheries in Southeast Alaska and Yakutat.

Staff Reports: RC 3, tab 2 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 150.

AC Reports: RC 1, AC tab, AC 1, 2, 4, 7.

Public Comment: RC 1.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Same size escape rings as commercial pots.
- Enforcement: needs to be defined as circular escape rings.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan, Edna Bay, Juneau, East Prince of Wales.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language:

5 AAC 77.666. Personal use tanner crab fishery. In the personal use taking of Tanner crab

(7) a pot used to take Tanner crab under this chapter must have at least two circular escape rings on opposing vertical or sloping sides of the pot. Each escape ring must not be less than four and three-quarter inches inside diameter.

5 AAC 77.616. Personal use tanner crab fishery. In the personal use taking of Tanner crab

(3) a pot used to take Tanner crab under this chapter must have at least two circular escape rings on opposing vertical or sloping sides of the pot. Each escape ring must not be less than four and three-quarter inches inside diameter.

5 AAC 02.125. Subsistence tanner crab fishery. In the subsistence taking of Tanner crab

(3) a pot used to take Tanner crab under this chapter must have at least two circular escape rings on opposing vertical or sloping sides of the pot. Each escape ring must not be less than four and three-quarter inches inside diameter.

5 AAC 47.035. Methods, means, and general provisions – Shellfish.

(d) Pot gear must include an escape mechanism in accordance with the following provisions:

(3) a crab pot used to take Tanner crab under this chapter must have at least two circular escape rings on opposing vertical or sloping sides of the pot. Each escape ring must not be less than four and three-quarter inches inside diameter.

PROPOSAL 185 - 5AAC 35.125. LAWFUL GEAR FOR REGISTRATION AREA A. This proposal would allow additional pots to be operated from one vessel registered for commercial red, golden, and Tanner crab fisheries when two permit holders are registered for the vessel.

Staff Reports: RC 3, tabs 1, 2 (oral reports), tab 7 (written report).

Staff Comments: RC 2, page 145.

AC Reports: RC 1, AC tab, AC 1, 8.

Public Comment: RC 1, PC tab, PC 9, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

Department:

- Golden king crab and red king crab are two different issues.
- It is already difficult for the department to manage for GHLS for golden king crab with 100 pots being used. With boats having different number of pots, it will reduce the ability of the department to manage accurately.
- Enforcement: language is not precise for when permit holders need to be on board.

Support:

- Intent is to lower number of pots in the water.
- CFEC: 60 permits could register for golden king crab fishery.
- Permits that aren't fished are mostly nontransferable at this time; it is believed that when these permits become transferable they will be sold.

Opposition:

- Golden king crab may be okay in the northern areas but in southern areas waters are already utilized to the max.
- There are too many unused golden king crab permits to allow for 150 pots for two permits.
- Season will end quicker and price will remain low due to golden king crab being a live fishery.
- This would force people who catch most of the GHL to fish with more pots.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support with substitute language.

AC Positions: Support: Petersburg.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: John Jensen is conflicted out on this proposal. Consensus to support with substitute language. The board's intent is to require the same kind of participation requirements for stacked permit holders as for the Dungeness crab fisheries.

Substitute Language:

5 AAC 34.125. Lawful gear for Registration Area A.

(b) The following king crab pot limits are in effect in Registration Area A:

(1) during the commercial red king crab season, the maximum number of king crab pots that may be operated from a vessel registered to fish for king crab is as follows:

(A) no more than 20 king crab pots when the guideline harvest level is at least 200,000 but not more than 399,999, **except when a vessel has two registered permit holders on board then the pot limit is 40 pots;**

(3) when the commercial golden king crab and Tanner crab seasons are open in Registration Area A at the same time, an aggregate of no more than 80 king and Tanner crab pots may be operated from a vessel registered to fish for both king crab and Tanner crab, **except when a vessel has two registered Tanner crab permit holders on board then the pot limit is 100 pots;**

5 AAC 35.125. Lawful gear for Registration Area A.

(b) The following Tanner crab gear limits are in effect in Registration Area A:

(1) no more than 80 Tanner crab pots may be operated from a vessel registered to fish for Tanner crab, **except when a vessel has two registered permit holders on board then the pot limit is 120 pots;**

(3) when the commercial golden king crab and Tanner crab seasons are open in Registration Area a at the same time, an aggregate of no more than 80 king and Tanner crab pots may be operated from a vessel registered to fish for both king and Tanner crab, **except when a vessel has two permit holders on board, then the pot limit is 100 pots;**

PROPOSAL 184 - 5AAC 35.125. LAWFUL GEAR FOR REGISTRATION AREA A. This proposal would allow additional pots to be operated from one vessel registered for the commercial Tanner crab fishery when two permit holders are registered for the vessel.

Staff Reports: RC 3, tab 2 (oral report), tab 7 (written report).

Staff Comments: RC 2, page 142.

AC Reports: RC 1, AC tab, AC 1, 8.

Public Comment: RC 1, PC tab, PC 9.

Record Comments: None.

Narrative of Support and Opposition:

Department: Proposal 181 has been replaced with RC 19 and accounts for increases in effort.

Department of Law: Two permits could not be held by the same person.

Support:

- 10-year average for the number of Tanner permits fished each year: 71.
- Price of Tanner has gone down the last ten years so stacking increases efficiency.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: John Jensen is conflicted out on this proposal. Consensus to support. The board's intent is to require the same kind of participation requirements for stacked permit holders as for the Dungeness crab fisheries.

Substitute Language: None.

Alaska Board of Fisheries
Committee Report

COMMITTEE B

Sport Shellfish
January 22, 2009

Board Committee Members:

1. Bill Brown, *Chair
2. Vince Webster
3. Bonnie Williams

Alaska Department of Fish and Game Staff Members:

1. Rob Bentz – Deputy Director Sport Fish Division
2. Brian Frenette – Regional Supervisor Sport Fish Division
3. Bob Chadwick – Regional Sport Fish Management Coordinator Sport Fish Division
4. Brian Glynn – Area Management Biologist Sport Fish Division, Juneau
5. Doug Fleming - Area Management Biologist Sport Fish Division, Petersburg - Note taker
6. Troy Tydingco – Area Management Biologist Sport Fish Division, Sitka - Note taker
7. Kelly Piazza – Area Management Biologist Sport Fish Division, Ketchikan - Note taker
8. Al Cain – Enforcement
9. Jan Rumble – Misc. Shellfish Biologist Commercial Fisheries Division

Advisory Committee Members:

1. Mike Bangs – Petersburg AC
2. Mike Peterson – Juneau/Douglas AC
3. John Scoblic – Ketchikan AC
4. Otto Florschutz – Wrangell AC
5. Peter Roddey – Sitka AC

Public Panel Members:

1. Jeff Farvour - himself
2. Stan Malcolm - Southeast Alaska Guide Organization (SEAGO)
3. Don Westlund - self/charter
4. Kathy Hansen -Southeast Alaska Fishermans Alliance (SEAFa)
5. Joe Willis - commercial

Federal Subsistence Representative:

1. None

The Committee met Jan 22 at 3 pm and adjourned at 4:15 pm

PROPOSALS BEFORE THE COMMITTEE WERE (8 total): 133,134,135,136,137,368,139,160.

PROPOSAL 133. – 5AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. This proposal would close all sport shellfish fisheries in Southeast Alaska.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 4, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 3.

Record Comments: RC 6, 17, 21

Narrative of Support and Opposition:

- Some panel members indicated that considerable amounts of shellfish are harvested but did not have confidence in the harvest reporting or accounting.
- There was some discussion regarding another (less draconian) way to reduce harvest in sport fishery.

Department: The department stated they were confident with harvest reporting for shellfish other than shrimp. It was later stated by a panel member that guided shellfish harvest might be tracked through the saltwater charter logbooks or some kind of punch card accounting that would travel with the fish or shellfish.

Support:

- A member of the panel indicated the large charter fleet contributes to localized depletion of shellfish in the Sitka area across multiple species, and that is a growing problem.
- Did not believe adoption would put lodges out of business.
- This would be proactive as charter operators begin to target new species.

Opposition:

- Families (relatives of Alaska residents) would not be able to participate.
- The amount of nonresident shellfish harvest is very low. Did not see the problem.
- Many members felt that this was too extreme and that this should be considered on a case-by-case local issue basis.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Juneau, Ketchikan, Wrangell and Petersburg AC's were all opposed.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 134. – 5 AAC 47.036 and 75.035. Prohibitions and Sport fishing gear for shell fish.

Close sport shellfish fishing in Sitka Management Area and restrict charter vessel use May 15-Sept 15.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, AC 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 3.

Record Comments: RC 6, 17, 21.

Narrative of Support and Opposition:

- A member of the panel asked the department what were the other species of concern in the Sitka Sound Special Use Area. The department responded that there were no other shellfish species they were concerned with.
- The committee chair asked the panel members if what was said about proposal 133 would apply to this proposal (134), to which all but one panel member agreed.

Department: None.

Support:

- Same issues as proposal 133.

Opposition:

- Same issues as proposal 133.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 135. – 5 AAC 47.035. Methods, means, and general provisions - Shellfish. Require that sport shellfish pots and rings be pulled by hand.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 4, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 24.

Record Comments: RC 6, 17, 21.

Narrative of Support and Opposition:

- A member of the panel indicated that this proposal would negatively affect disabled or older people that need to pull with mechanical means. Another member of the panel responded that the department already has provisions to accommodate people with physical disabilities.
- The Juneau AC said that they had consultation with enforcement who indicated that enforcement of this regulation, if adopted, would be difficult.

Department: No data on level of power assisted pullers being used.

Support: None.

Opposition:

- The Ketchikan AC indicated that they opposed this because many people set shrimp pots in deep water. The Juneau AC also indicated they did not support this proposal.
- Another member of the panel was opposed to this based on enforcement problems.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: None.

Oppose: Ketchikan, Juneau

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 136. – 5AAC 47.xxx. New section. Require tunnel eye openings in sport crab posts not exceeding 5 inches in height and prohibit top loading pots for nonresidents.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 4, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 20, 28.

Record Comments: RC 6, 17, 21.

Narrative of Support and Opposition:

- The proposer stated the intent of this proposal was to reduce illegal harvest of king crab and that the tunnel eye requirements of this proposal were modeled after commercial fishery pot regulations.
- Members of the panel stated that they thought modifications to pots would be effective for limiting king crab bycatch by:
 - reducing the height of the tunnel-eye opening;
 - adding inserts to reduce the height of the tunnel eye (square style pots); and/or
 - modifying the entrance to a top loading pots.

Department: None.

Support:

- Ketchikan AC supported this citing conservation reasons.

Opposition:

- One panel member indicated that one pot type for residents and another for non-residents would be burdensome.
- Members of the panel felt that passage of this proposal wouldn't stop illegal harvest of king crab, and that there was potential that it will make it worse (incidental capture of king crab).
- A panel member stated that he would prefer to have one pot type – rather than several.
- Another panel member stated that changing pot type wouldn't stop people from catching undersize king crab. He also stated that he believed it was inappropriate to address this issue by dealing with potential temptation.
- Any pot that catches Dungeness and Tanner will catch small king crab.
- Juneau AC opposed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Ketchikan

Oppose: Juneau

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 137. – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. Establish a sport fish bag and possession limit of 2 fish, with the exception of herring (5 gallons), for all species of fish that do not currently have a bag and possession limit.

Staff Reports: None.

Staff Comments: RC 2.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 3, 4, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 19, 20, 28.

Record Comments: RC 6, 17, 21.

Narrative of Support and Opposition:

- The author of this proposal stated that the intent of the proposal was to apply to finfish only. The chair asked if the proposer would consider submitting an RC to withdraw support for this proposal for this meeting; to be taken up at the finfish meeting. The author indicated that an RC had been submitted that addressed their intent.

Department: None.

Support:

-

Opposition:

-

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: None.

Oppose: None.

Public Panel Recommendation: Consensus to withdraw from shellfish meeting; proposer submitted an RC to withdraw.

Board Committee Recommendation: Consensus for no action.

Substitute Language: None.

PROPOSAL #368. Establish possession limits for nonresidents at one daily bag limit for species not already specified. Restrict nonresident possession limit for all species.

Staff Reports: None.

Staff Comments: RC 2.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 3, 4, 7.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 20, 28.

Record Comments: RC 17, 21.

Narrative of Support and Opposition:

- The author of this proposal wished for the Board to defer taking up this proposal until the finfish meeting following the Board's decision on proposal 286.

Department: None.

Support:

- None.

Opposition:

- Enforcement specialist stated that there would be enforcement concerns if the definition of possession changed. He stated that enforcement would be difficult and there would be a burden on an enforcement officer to determine how many fish were in possession in places not normally considered – such as homes.
- A panel member indicated that if you have a 6 king salmon limit (such as terminal harvest area where limits may be higher) enforcement would be difficult.
- A Board member had the same argument.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Wrangell

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus for no action.

Substitute Language: None.

PROPOSAL 139. – 5 AAC 47.020(16). General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. If adopted, this proposal would reduce the sport bag and possession limit of shrimp from 10 pounds or quarts to 3 pounds or quarts.

Staff Reports: None.

Staff Comments: RC 2.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 3, 4, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 20, 24, 28.

Record Comments: RC 6, 21

Narrative of Support and Opposition:

- The proposer stated once again, that this proposal was contingent on the outcome of proposal 268, and asked the Board to defer this proposal until the finfish meeting in February.
- Enforcement stated that current bag and possession limit of 10 pounds or quarts refers to either head-on or head-off shrimp.
- A member of the panel stated that if the definition of possession limit was changed to become a daily limit, then the reduction in shrimp taken home by sport users could be dramatic.
- A member of the public indicated that a punch card and/or color coded packaging (discussion on harvest accounting) were ways to avoid commercial sale of sport caught shellfish.
- Current regulations would allow 70 pounds of shrimp in a week. A change in possession would allow as little as 3 pounds in a week.

Support:

- Proposer supported as written, unless proposal 286 were to further define possession limit.
- Juneau AC supported, but only if there is no change in possession limit.
- Petersburg AC support, but only if no change in possession limit (Same stance as Juneau AC).

Opposition:

- None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Wrangell , Juneau, Petersburg.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 160 - 5 AAC 47.020(11). General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. Reduce sport bag and possession limits for Dungeness and Tanner crab from five Dungeness crab and Tanner crab in combination to three Dungeness crab and Tanner crab in combination.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 3, 4, 6, 7, 8.

Timely Public Comment: Public Comment Tab, PC 18, 20, 24, 28.

Record Comments: RC 6, 17, 21.

Narrative of Support and Opposition:

- There was discussion about the potential adoption of proposal 286 to be taken up at finfish meeting. If this proposal were to be adopted, several members of the committee would not support this proposal.
- A panel member stated that all argument previously stated in proposals 137 and 368 (for which the potential passage of Proposal 286 would affect possession limit) would apply to this proposal; defer action until February meeting in Sitka recommended.

Support:

- A panel member said that the sport bag and possession limits are too high.

Opposition:

- A panel member indicated that he did not feel that this was appropriate regionwide. Rather, it should be dealt with on a local level.
- No regionwide conservation concerns for Dungeness or Tanner crab.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Support: Juneau, Wrangell.

Oppose: Petersburg, Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

Alaska Board of Fisheries
Committee Report

COMMITTEE C
Southeast Commercial Shrimp
January 22-23, 2009

Board Committee Members:

1. Bill Brown, *Chair
2. Vince Webster
3. Bonnie Williams

Alaska Department of Fish and Game Staff Members:

1. Troy Thynes - Petersburg Assistant Area Management Biologist, CF
2. Julie Bednarski - Southeast Shellfish Research Biologist, CF
3. Dave Harris - Juneau Assistant Area Management Biologist, CF (Note Taker)
4. Justin Breese - Ketchikan Assistant Area Management Biologist, CF (Note Taker)
5. Bill Davidson - Southeast CF Management Coordinator, CF
6. William Bergmann - Petersburg Area Management Biologist, CF
7. Scott Walker - Ketchikan Area Management Biologist, CF
8. Al Cain - Enforcement Specialist

Advisory Committee Members:

1. John Scoblic - Ketchikan AC
2. Otto Florschutz - Wrangell AC
3. Mike Bangs - Petersburg AC

Public Panel Members:

1. Otto Florschutz - Wrangell Pot Shrimper
2. Donald Westlund - Ketchikan Pot Shrimper
3. Jerry Dahl - Petersburg Pot Shrimper
4. Alan Reeves - Wrangell Pot Shrimper
5. Kathy Hansen - SEAFSA

Federal Subsistence Representative: None

The Committee met on January 22 at 4:30 p.m. and recessed at 5:17 p.m. The Committee reconvened on January 23 at 8:43 a.m. and adjourned at 9:20 a.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (5 total) 140, 141, 142, 143, and 144.

PROPOSAL 140 - 5AAC 31.143. REPORTING REQUIREMENTS FOR SHRIMP CATCHER/PROCESSOR AND CATCHER-SELLER VESSELS IN REGISTRATION AREA. Amend reporting requirements for commercial shrimp fishers to obtain more complete and timely harvest and effort information, including housekeeping revisions.

Staff Reports: RC 3, Oral Tab 3, Written Tab 7 and 9.

Staff Comments: RC 2, pgs. 16-18.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab AC1, AC2, AC3, AC6, AC7, AC8.

Timely Public Comment: RC 1, Public Comment Tab PC6, PC20, PC28.

Record Comments: None.

Narrative of Support and Opposition:

Department: Submitted and support in order to have more timely information to not exceed GHLS.

Department of Law: No concern.

Office of Subsistence Management: No concern (PC6).

Support:

- The public panel supports the intent of the proposal to improve reporting to the department for management of the fishery.

Opposition:

- The public panel had the following concerns with the proposal as written:
 - 48 hours is not an adequate amount of time to contact the department over weekends and holidays;
 - the specific wording of “other information as required” in the proposal; and
 - the error in definition of catcher-seller in the proposal as written.

Other Points of Discussion:

- Problems and options of communications were discussed in the committee.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan.
Oppose: None.

Public Panel Recommendation: Consensus to support with amendments.

Board Committee Recommendation: Consensus to support.

Substitute Language: **5AAC 31.143. REPORTING REQUIREMENTS FOR COMMERCIAL SHRIMP [CATCHER-PROCESSOR AND CATCHER-SELLER] VESSELS IN REGISTRATION AREA A.**

(a) **Unless otherwise notified by the department,** the [VESSEL] owner or operator of a [CATCHER-PROCESSOR] **shrimp pot** vessel [REGISTERED TO TAKE SHRIMP] **operating in Registration Area A shall contact by telephone or in person an ADF&G area office within two State of Alaska business days of deploying gear and up to two State of Alaska business days after fishing has ceased in any district or portion of a district with a guideline harvest level (GHL) and report** [REPORT TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT WITHIN 72 HOURS FOLLOWING THE CLOSURE OF A FISHING PERIOD IN ANY DISTRICT OR PORTION OF A DISTRICT] the following information:

- (1) the pounds in whole weight by species of shrimp on board the vessel taken during the fishing period in any district or portion of a district **with a GHL;**
- (2) other information requested by the department for the purpose of conserving or developing shrimp resources.

(b) The **weekly** reporting requirements in Registration Area A for vessels commercial shrimp fishing with pots or beam trawls are as follows:

(1) unless other arrangements have been made with a local representative of the department, each week the owner or operator of a shrimp pot catcher-processor vessel operating in the waters of Registration Area A shall contact, by telephone **or in person,** the ADF&G area office in the area where shrimp fishing occurs, before 12:00 noon Wednesday during normal business hours of 8:00 a.m. through 5:00 p.m.; the following information must be provided at the time of contact: ...

(E) any other information the commissioner determines is necessary.

(2) The owner or operator of a shrimp pot catcher-seller vessel operating in the waters of Registration Area A may be required to contact, by telephone or in person, the ADF&G area office in the area where shrimp fishing occurs, each week before 12:00 noon Wednesday during normal business hours of 8:00 a.m. through 5:00 p.m.; the following information must be provided at the time of contact: ...

(A, B, C and D) (Note: A, B, C, and D are the same requirements as for (b)(1)).

(E) any other information the commissioner determines is necessary.

(3) each week an owner or operator of a shrimp beam trawl catcher-processor vessel operating in Registration Area A shall contact, by telephone **or in person,** the ADF&G area office in Petersburg before 12:00 noon Wednesday during normal business hours of 8:00 a.m. through 5:00 p.m.; ...

(c) the fish ticket requirements for commercial pot shrimp and beam trawl vessels in Registration Area A are as follows:

(1) an owner or operator of a shrimp pot catcher-processor vessel shall complete a separate fish ticket for each day fished for each district **or portion of a district with a GHl** [AND EACH STATISTICAL AREA] in which shrimp are harvested and processed on board the vessel; fish tickets must be submitted to the department within seven days of closure of a district or portion of a district **with a GHl**; [FOR WHICH A DISTINCT GUIDELINE HARVEST LEVEL EXISTS] a shrimp pot catcher-processor **who** [VESSEL THAT] has stopped fishing in a district or portion of a district **with a GHl** [FOR WHICH A DISTINCT GUIDELINE HARVEST LEVEL EXISTS] shall contact, by telephone **or in person**, the local ADF&G area office and report the information specified in this paragraph before fishing in a new district or portion of a **district with a GHl** [SECTION];

(2) an owner or operator of a shrimp beam trawl catcher-processor vessel shall complete a separate fish ticket for each day fished for each district and **portion of a district with a GHl** [EACH STATISTICAL AREA] in which shrimp are harvested and processed on board the vessel; fish tickets must be submitted to the department within seven days of closure of a district or portion of a **district with a GHl** [SECTION FOR WHICH A DISTINCT GUIDELINE HARVEST LEVEL EXISTS]; a shrimp beam trawl catcher-processor **who** [VESSEL THAT] has stopped fishing in a district or portion of a **district with a GHl** [SECTION FOR WHICH A DISTINCT GUIDELINE HARVEST LEVEL EXISTS] shall contact, by telephone, the local ADF&G area office in Petersburg and report the information specified in this paragraph before fishing in a new district or **portion of a district with a GHl** [SECTION];

...

(e) For purposes of this section

(1) “catcher-processor” [VESSEL] means **a commercial fisherman who catches and sells or attempts to sell processed shrimp** [A VESSEL FROM WHICH SHRIMP ARE CAUGHT AND PROCESSED ON BOARD THAT VESSEL] and from which no shrimp caught on other vessels was purchased or processed;

(2) “catcher-seller” [VESSEL] means **a commercial fisherman who sells or attempts to sell** [A VESSEL FROM WHICH SHRIMP ARE CAUGHT IF THERE IS ANY ATTEMPT TO SELL] unprocessed shrimp [TAKEN BY THE VESSEL] to a person not licensed to process shrimp.

PROPOSAL 141 - 5AAC 31.124. LAWFUL SHRIMP POT GEAR FOR REGISTRATION AREA A. Amend lawful gear for the Southeast Alaska commercial pot shrimp fishery to eliminate small pot size classification and retain the large pot size and limit.

Staff Reports: RC 3, Oral Tab 3, Written Tab 7 and 9.

Staff Comments: RC 2, pgs. 19-23.

Deliberation Materials: RC 27.

AC Reports: RC 1, Advisory Committee Comment Tab AC1, AC2, AC3, AC5, AC6, AC7, AC8.

Timely Public Comment: RC 1, Public Comment Tab PC 6, PC 17, PC 20, PC 24, PC 28.

Record Comments: RC6, RC12, RC21.

Narrative of Support and Opposition:

Department: The department supports a uniform pot size and one pot limit in order to standardize CPUE data in this fishery which has limited stock assessment data. The department is neutral on the choice of large or small pots as the single desired size. Shrimpers are shifting from large pots to small pots increasing the total number of pots deployed in the fishery. Market changes could result in a large expansion of effort and gear in the fishery, resulting in reduced fishing opportunity due to more conservative management. Recent department analysis of fishery performance data indicates the difference in relative catching power of large and small pots is not as significant as thought when the gear regulations were adopted by the board in 1997. Currently, 140 small pots have roughly 40% greater catching power compared to 100 large pots.

There would be no anticipated enforcement issues if this proposal were to be adopted and mixing of pot sizes under 48 inches in diameter would be allowed.

Department of Law: None.

Office of Subsistence Management: None.

Support:

- Current regulations grant an unfair advantage to fishermen who fish small rather than large pots.
- Errors in the 1997 regulations led to 39.5 inch rather than 36 inch diameter maximum size for small pots, leading to an advantage for those fishermen using small pots.
- No action on this proposal would lead to most fishermen migrating to 140 small pots, increasing the amount of gear in the fishery.

Opposition:

- This proposal would cost fishermen who use small pots by preventing them from using gear they have already purchased.

- If this proposal were adopted fishermen using small pots would have to replace their gear at a significant cost.
- This proposal could increase the occurrence of fishermen hauling their gear more than once a day, increasing the harvest and handling of small shrimp.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocation, but supports uniform pot size and pot limit.

AC Positions: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose as written. No consensus on substitute language.

Substitute Language:

5 AAC 31.124. Lawful shrimp pot gear for Registration Area A

(a) Shrimp may be taken with pots in Registration Area A only as specified in this section.

(b) A shrimp pot may not have

(1) more than one bottom;

(2) a vertical height of more than 24 inches;

(3) more than four tunnel eye openings which individually do not exceed 15 inches in perimeter; or

(4) a bottom perimeter exceeding **153 inches** [A PERIMETER SPECIFIED IN (E) OF THIS SECTION.]

(c) The sides of a shrimp pot may only be

(1) at a right angle to the plane of the bottom of the pot; or

(2) slanted inward toward the center of the pot in a straight line from the bottom of the pot to the top of the pot.

(d) A shrimp pot must be entirely covered with net webbing or rigid mesh. At least two adjacent sides or 50 percent of the vertical or near-vertical sides must be covered with net webbing or rigid mesh that allows the passage of a seven-eighths inch diameter by 12 inch long wooden dowel, which upon insertion into the web, must drop completely through by its own weight, without force. In the waters of Lituya Bay, enclosed by a line from the easternmost tip of Harbor Point to the southernmost tip of LaChaussee Spit there is no minimum mesh size.

(e) Shrimp pots may be operated only as follows:

(1) [REPEALED 7/18/2003;]

(2) the number of shrimp pots that may be operated from a registered shrimp fishing vessel is **120 pots**. [140 SMALL POTS OR 100 LARGE POTS; FOR THE PURPOSES OF THIS SECTION,]

(A) [A "SMALL POT" HAS A BOTTOM PERIMETER OF NO MORE THAN 124 INCHES;]

(B) [A "LARGE POT" HAS A BOTTOM PERIMETER OF MORE THAN 124 INCHES, BUT NOT MORE THAN 153 INCHES;]

(3) [ALL POTS ON BOARD A VESSEL OR OPERATED FROM A VESSEL MUST BE OF THE SAME TYPE AND OF THE SAME SIZE AS DEFINED IN (2)(A) OR (B) OF THIS SUBSECTION;]

PROPOSAL 142 - 5AAC 31.124. LAWFUL SHRIMP POT GEAR FOR REGISTRATION AREA A. Amend lawful gear for the Southeast Alaska commercial pot shrimp fishery to the pot size restrictions the 1997 board had intended.

Staff Reports: RC 3, Oral Tab 3, Written Tab 7 and 9.

Staff Comments: RC 2, pgs. 24-27.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab AC1, AC2, AC3, AC5, AC6, AC7, AC8.

Timely Public Comment: RC 1, Public Comment Tab PC 6, PC 17, PC 20, PC 28.

Record Comments: RC6, RC13, RC21.

Narrative of Support and Opposition:

Support:

- This proposal would change existing regulations to reflect the board's (1997) original intent of equal bottom area for large and small pots. The intent was for small pots to have a maximum diameter of 36 inches; currently, the small pot's maximum allowed diameter is 39.5 inches.
- This error in regulation gives the small pot fishermen an unfair advantage over large pot fishermen.

Opposition:

- Pots between 36 and 39.5 inches in diameter would now be considered large pots and fishermen using this size range would be reduced from a limit of 140 pots to a limit of 100 pots.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action due to action taken on 141.

Substitute Language: None.

PROPOSAL 143 - 5AAC 31.116(c). SHRIMP BEAM TRAWL GUIDELINE HARVEST RANGES AND BYCATCH LIMITS FOR REGISTRATION AREA A. Eliminate the trip bycatch limits for coonstripe shrimp in the commercial beam trawl fishery.

Staff Reports: RC 3, Oral Tab 3, Written Tab 7 and 9.

Staff Comments: RC 2, pgs. 28-33.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab AC1, AC2, AC3, AC6, AC7, AC8.

Timely Public Comment: RC 1, Public Comment Tab PC 6, PC 24.

Record Comments: RC 21.

Narrative of Support and Opposition:

Support:

- Fishery efficiency would be increased by allowing sale of coonstripe shrimp harvested up to the existing seasonal bycatch limits.
- Removing the bycatch trip limit could have little effect on the pot shrimp fishery because seasonal bycatch limits would remain in regulation.
- This proposal would make the beam trawl fishery more economically feasible.

Opposition:

- There is concern about shifting the emphasis of the fishery to a resource that already has concerns about stock health.
- There is concern about what would happen to the unmarketable pink shrimp that are harvested when targeting coonstripe shrimp.
- There is concern that beam trawlers targeting shrimp other than pink and sidestripe would cause harm to the bottom.

Other Points of Discussion:

- There are currently very few participants in the fishery, resulting in a slow pace fishery. There is potential for more participants quickening the pace of the fishery.
- This proposal is allocative within the user group. It could result in faster harvest of the seasonal bycatch limit resulting in the closure of the pink shrimp trawl fishery. Beam trawlers wishing to target pink shrimp would have a loss of opportunity.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg.
Oppose: Wrangell.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 144 - 5AAC 31.136. CLOSED WATERS IN REGISTRATION AREA A.

Establish an area in the waters of District 8 around Sukoi Islands that would be closed to the commercial take of shrimp.

Staff Reports: RC 3, Oral Tab 3, Written Tab 7 and 9.

Staff Comments: RC 2, pgs. 34-36.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab AC1, AC2, AC6, AC7, AC8.

Timely Public Comment: RC 1, Public Comment Tab PC 6, PC 18, PC 20, PC 24, PC 28.

Record Comments: None.

Narrative of Support and Opposition:**Support:**

- None.

Opposition:

- The stock in the proposed area is not large enough for effective commercial pot shrimp fishing. There has been very limited commercial pot shrimp effort in this area over the past 10 years.
- The commercial pot shrimp season in District 8 is typically open 2 to 6 weeks, with an average of 40 days.
- Closing areas close to town makes it harder for entry level people in small boats to fish.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Wrangell, Petersburg.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

Alaska Board of Fisheries
Committee Report

COMMITTEE D

Dungeness Crab
January 24, 2009

Board Committee Members:

1. Vince Webster, *Chair
2. Howard Delo
3. Karl Johnstone

Alaska Department of Fish and Game Staff Members:

1. Brian Frenette – Southeast Regional Supervisor, Sport Fish Division
2. Kyle Hebert – Marine Fisheries Supervisor, Commercial Fish Division
3. Gretchen Bishop – Shellfish Research Project Leader, Commercial Fish Division
4. Bob Chadwick – Southeast Regional Management Coordinator, Sport Fish Division
5. Joe Stratman – Shellfish Management Project Leader, Commercial Fish Division
6. Kelly Piazza - Sport Fish, Ketchikan Area Management Biologist - Note taker
7. Brian Glynn - Sport Fish, Juneau Area Management Biologist - Note taker
8. Doug Fleming - Sport Fish, Petersburg Area Management Biologist
9. Troy Tydingco - Sport Fish, Sitka Area Management Biologist
10. Scott Kelley – Southeast Regional Supervisor, Commercial Fisheries Division

Advisory Committee Members:

1. John Scoblic - Ketchikan AC
2. Otto Florshutz - Wrangell AC
3. Peter Roddy - Sitka AC
4. Mike Bangs – Petersburg AC
5. Mike Peterson – Juneau/Douglas AC

Public Panel Members:

1. Dave Sommerville
2. Allan Reeves
3. Ron Opheim
4. Otto Floschutz
5. Mike Peterson
6. Stan Malcolm
7. Donald Westlund
8. Clifford McDonald

9. Dennis Heimdahl
10. Justin Peeler
11. Mark Jensen
12. Kirt Marsh
13. Tanya Somerville
14. Kathy Hansen - Southeast Alaska Fisherman's Alliance
15. Joe Willis

Federal Subsistence Representative: None.

The Committee met January 23, 2009 at 1:30 p.m. and adjourned at 4:15 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE (18 total): 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 163.

PROPOSAL 145. – 5AAC 32.XXX AND 34.XXX AND 35.XXX. Specify crab measurement devices and allow for broken spines.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 3, 4, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 20, 28, 29.

Record Comments: RC 6.

Narrative of Support and Opposition:

Department:

- Enforcement specialist stated that the proposal would include all crab species.
- Fish and Game stated that king and Tanner crab spines are included in the legal measurement, and that only Dungeness spines are not included.

Department of Law:

- Department of Law stated that the Board does not have legal authority to direct the Department of Public Safety what material to use for measuring devices.
- Panel member asked if there was an allowance for a limited number of broken spines which would preclude a violation.

Support:

- Panel member stated that Dungeness have small minor spines in addition to the large primary spine and that these small spines can be abraded or broken by measuring with hard (metal) measuring devices.
- Panel member stated that old broken spines can be identified as different from new broken spines.

Opposition:

- Panel member stated that regulations already require Department of Public Safety to have their measuring devices checked and therefore the Board should take no action.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral in regards to specifying the material type used for measurement; opposed to any regulation allowing crab with broken spines to be considered legal.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 146 – 5AAC 34.XXX AND 35.XXX. Allow a 2 percent tolerance for mistakes made in sorting crab.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 3, 4, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20, 28, 29.

Record Comments: RC 6.

Narrative of Support and Opposition:

- A panel member who supports and submitted this proposal stated that there appeared to be a new mindset for zero tolerance and asked how enforcement officers are instructed to deal with this issue. Crabbers needed clarification. It was also stated that the intent of the proposal is to avoid violations being issued because of mistakes during sorting. Illegal crabs are not saleable.
- A Board member asked if a citation would be issued if a few crab were illegal. The enforcement specialist noted that there should be some level of tolerance, based on the example given.
- A Board member questioned how crab could be returned safely to the water during a delivery at the dock.
- A Board member asked for examples of violations being issued. One panel member stated that he knew of a violation being issued when just a few females were delivered.
- Proposed 2% allowance may be interpreted as any gender or size.

Support:

- Some level of tolerance should exist for mistakes made during sorting.
- Judgment error exists while sorting.
- Sorting sticks become worn.

Opposition:

- Discussion that 2% was too high and excessive, particularly for large landings.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 147. – 5 AAC 47.020 (11)(A). General provisions for seasons, bag possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Modify sport fish definition of a legal size Dungeness crab.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 4, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 20, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

Department: This is a housekeeping proposal to make regulations on Dungeness crab measurements consistent across sport, commercial, personal use, and subsistence fisheries. Enforcement specialist stated that they would submit a RC with language for clarification of definition.

Support:

- None.

Opposition:

- None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to approve as housekeeping.

Substitute Language: **Subsistence shellfish:**

5 AAC 02.115(2) only male Dungeness crab six and one-half inches or greater in shoulder width may be taken or possessed; **for the purposes of this paragraph, shoulder width measurement of Dungeness crab shall be the straight line distance across the carapace immediately anterior to the tenth anterolateral spine and shall not include the spines;**

Sport Fish, Southeastern Alaska shellfish:

5 AAC 47.020(11)(A) Dungeness crab: must be six and one-half inches or greater in [CARAPACE WIDTH] **shoulder width: for the purposes of this paragraph, shoulder width measurement of**

Dungeness crab shall be the straight line distance across the carapace immediately anterior to the tenth anterolateral spine and shall not include the spines;

Personal use shellfish Southeastern:

5 AAC 77.612(3) the minimum legal size for male Dungeness crab is six and one-half inches in shoulder width; **for the purposes of this paragraph, shoulder width measurement of Dungeness crab shall be the straight line distance across the carapace immediately anterior to the tenth anterolateral spine and shall not include the spines;**

Personal Use shellfish Yakutat:

5 AAC 77.662(3) the minimum legal size for male Dungeness crab is six and one-half inches in shoulder width; **for the purposes of this paragraph, shoulder width measurement of Dungeness crab shall be the straight line distance across the carapace immediately anterior to the tenth anterolateral spine and shall not include the spines;**

PROPOSAL 148. – 5AAC 32.110. FISHING SEASONS FOR REGISTRATION AREA A.

Change season dates for Dungeness crab fishery to July 1 through November 1 in all waters of Southeast Alaska.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 18, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

Department: The department opposes this proposal because the proposed timing overlaps with the molt and mating period for female Dungeness crab.

Support:

- Panel member offered support, but only if a fall season occurred.

Opposition:

- A panel member stated opposition because he bought a permit to fish the first two weeks of season.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Oppose: Wrangell.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 149 and 150. – 5AAC 32.110. FISHING SEASON FOR REGISTRATION AREA A.
Match the season description of Districts 1 and 2 with all other waters of Registration Area A.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

- Panel members questioned the department's standard for soft shell crab and the determination that mortality of light crab was 30% - 50%. Panel members stated that some crab are "light crab" and that these were marketable and harvest/handling was not harmful.
- Panel member stated that he understands that non-commercial users want these areas for themselves.
- Board member stated that fishing time would remain the same with loss of winter opportunity equaling the gain in summer opportunity.

Department: Provided life history information and soft shell identification standard (levels less than 40 as measured with a durometer) and stated that the softer the crab, the higher the handling mortality.

Support:

- Buyers are not getting enough product in early season; most molting has occurred by that time.
- Legal crabs have bred for at least one year and this prevents stock collapse.
- Would like to see District 1 and 2 opened, as soft shell crab can occur any time of the year and it would give more area during the summer months; better market, better weather (avoid freezing over), and sea otters are reducing fishable grounds.
- Industry has worked with the department on management and it has been shown that a summer season works. Summer market conditions have been considered to be more important than considerations regarding life history timing and soft shell issues.
- Panel member stated that production should increase with added bait and if removals allow for stock growth into vacated habitat.

Opposition:

- Commercial opportunity currently exists in the winter.
- Harvest in these areas would increase.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose and take no action on proposal 150 due to the action taken on proposal 149.

Substitute Language: None.

PROPOSAL 151 – 5AAC 32.146 SOUTHEASTERN ALASKA (REGISTRATION AREA A) DUNGENESS CRAB MANAGEMENT PLAN. Allow flexibility in Dungeness crab management plan if soft shell crab landings significantly affect harvest forecast.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 3, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20.

Record Comments: RC 6.

Narrative of Support and Opposition:

- A board member stated that this proposal gives the department more flexibility.
- A panel member supported the idea of the proposal, but not if it is going to shut down the summer season.
- A panel member requested that staff clarify the definition of soft shell vs. a light crab; and expressed concern over various interpretations of soft shell being used in the fishery.

Department:

- Stated that the summer season would not be affected.
- Staff offered an alternative solution to require permit holder to record discarded soft shell crab on fish tickets, for which there was no support.

Support:

- Proposal intent is to prevent the industry from being penalized with a shortened season as a result of lower catch from soft shell early in the summer season.
- Panel member supported proposal as written, but would like a subjective method of determining the number of soft shell crab that are discarded.
- Public panel member stated that port sampling already collects information on level of soft shell that could be used in the forecast.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 152. – 5AAC 32.125. LAWFUL GEAR FOR REGISTRATION AREA A. Require all permit holders to be onboard vessel when multiple permits are used in Dungeness crab fishery.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 3, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 12, 13, 18, 20, 28.

Record Comments: RC 6, 18.

Narrative of Support and Opposition:

Department: Enforcement specialist stated that this was already illegal, but also stated that the regulatory language should be clarified.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: No action necessary.

Board Committee Recommendation: Consensus to support cleaning up the language.

Substitute Language: None.

PROPOSAL 153. – 5AAC 32.125. LAWFUL GEAR FOR REGISTRATION AREA A. Prohibit the use of two permits in the Dungeness crab fishery.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9.

Timely Public Comment: RC 1, Public Comment Tab, PC 12, 13, 18.

Record Comments: RC 6, 18.

Narrative of Support and Opposition:

- No discussion and no support from panel members when polled by committee chair.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 154 – 5 AAC 47.035. Methods, means, and general provisions - Shellfish. Close sport fishing for Dungeness crab in areas closed to commercial Dungeness crab fishing.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 3, 4, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

- The proposer stated that this proposal was previously submitted twice to the Board. The proposer explained that the commercial closures were not made for conservation concerns, but to provide additional harvest opportunity to sport, personal use, and subsistence fisheries and not for the benefit of sport charter and tourism activities. They also mentioned that commercial closures are year-round and would like sport closures for the same time period.
- The committee chair asked the department whether the commercial closures were for conservation purposes. The department replied that there were no conservation issues.
- A public panel member expressed concern that these areas were set aside for local needs, but are now being abused by other business ventures.
- A board committee member asked the department if only 1/3 of 1% of the total harvest can be attributed to the sport fishery. The department clarified that the sport harvest represents 39% of the combined personal use and sport harvest, which is only 1% of the total all gear harvest (including commercial harvest).
- A panel member stated that sport anglers should not benefit from areas closed to commercial fishing.
- Panel member stated that the local residents who originally proposed the commercial closures are not asking that these areas be closed to sport fishing; rather proposal is from commercial industry.

Support:

- A panel member expressed support for this proposal.

Opposition:

- There is a lot of crab in these areas and this proposal would negatively impact tourism.
- Sport harvest in these areas does not impact personal use crabbing.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral, but opposed to implementing regulations that mirror the time and area of the commercial Dungeness crab fishery as a means to restrict the sport fishery due to the complexity of resulting regulations and in-season emergency orders.

AC Positions: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 155. – 5AAC 32.150(11). CLOSED WATERS IN REGISTRATION AREA A. Open Twelve-mile Arm area that is closed to commercial Dungeness crab fishing during the fall season.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 4, 5, 7, 10, 11, 14, 20, 22, 23, 24, 28, 30.

Record Comments: RC 4, 6, 15.

Narrative of Support and Opposition:

- The department explained that the proposal incorrectly identified the Twelve Mile Arm area when the intent of the proposal was actually to reopen the waters of Whale Pass. This clarification was confirmed by the proposer.
- A committee board member asked the panel to quantify the size of the proposed area. A few panel members replied that it was approximately 1.5 miles in length; however the inner third of the bay was not fishable since it goes dry.

Support:

- Wrangell AC supports this proposal.
- A panel member expressed support for this proposal.

Opposition:

- A panel member opposed this proposal because the Whale Pass area proposed to be opened to commercial fishing is a very small area and the commercial fisherman will line their pots right along the boundary line, resulting in the catch of some crab inside the closure line as the crab migrate in and out with the tides.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions:

Supports: Wrangell AC.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 157. –5AAC 32.150. CLOSED WATERS IN REGISTRATION AREA A. Close waters near Coffman Cove to commercial Dungeness crab fishing during the summer season.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20, 21, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

- A panel member asked the board to also close the sport fishery if this proposal was adopted. The panel member mentioned that the proposer is a charter operator and advertises Dungeness crab as part of his operation.
- A panel member noticed an error in the regulatory language regarding boundary lines and requested a correction if the board moves to adopt this proposal.
- A panel member clarified that the proposer is not looking out for the personal use resource; rather, the proposer is a charter operator targeting additional closures in the commercial fishery.

Support: None.

Opposition:

- The Wrangell AC opposes this proposal.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Opposes: Wrangell.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 158. – 5AAC 32.150. CLOSED WATERS IN REGISTRATION AREA A. Close commercial Dungeness crab fishing from the north end of Wrangell Narrows to Mountain Point for five years.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

- Panel member supports proposed closure and mentioned that there is not much sport harvest near Petersburg.
- A board member asked the panel member who was in support of this proposal if he was willing to discuss a compromise on a smaller area with other panel members and submit an RC to modify the proposal. He agreed to smaller size or some form of compromise, however, panel members in opposition were not willing to attempt a compromise.

Support:

- There were concerns for the size of the proposed closure area and one panel member suggested a reduction of the size of the area may be a compromise and would even consider seasons.
- Another panel member was supportive of a compromise if adoption of this proposal would also restrict sport anglers.
- Panel member stated that there needs to be opportunity for less able or young users to harvest or learn how to catch crab nearby town.

Opposition:

- One panel member expressed opposition and mentioned he would like to see the sport fishery closed also if this proposal was adopted.
- Two more panel members opposed; one mentioned that sport and personal use fishers are still able to fish for crab and this proposal serves to remove commercial opportunity in the area.
- Panel member stated that in the past when commercial sector agreed to commercial closure, sport charter users moved in and displaced residents.
- Two panel members thought this proposal would displace entry level fisherman.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 156. – 5AAC 32.150(16). CLOSED WATERS IN REGISTRATION AREA A.
Reopen Chaik Bay to commercial Dungeness crab fishing.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 3, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

- The Sitka AC representative explained that a proposal was presented at 2006 board meeting by a nonresident who operates a charter business in the Chaik Bay area resulting in a closure of Chaik Bay to commercial fishing for Dungeness. He noted the following:
 - The board ruling in 2006 was in part based on information that there were no Dungeness crab populations close to Angoon, which he believed was false.
 - The Chaik Bay area is a significant part of the commercial fishing grounds and that there is no subsistence use in the area.
 - No objections from Angoon and support from Sitka Tribe of Alaska to reopen Chaik Bay.
- A committee Board member asked the department if the prior closure was due to biological concerns in the area. The department reiterated that closure in 2006 was not due to biological concerns.

Support:

- The Sitka AC supported this proposal.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Supports: Sitka.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 159 – 5AAC 32.150. CLOSED WATERS IN REGISTRATION AREA A. Close Naukati Bay to commercial crab fishing.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 2, 18, 20, 24, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

- Panel member stated that probably only one commercial user would be affected.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 161. – 5AAC 75.085(2) Guided sport ecotourism requirements. Allow ecotourism clients without sport fishing licenses to handle gear or fish under direct supervision of registered guide.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 3, 4, 5, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 20, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 162. – 5AAC 47.090 George Inlet superexclusive guided sport ecotourism Dungeness crab fishery. Modify regulations that limit the number of pots and lifts in the George Inlet superexclusive guided sport Dungeness crab ecotourism fishery.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 7, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 20, 28.

Record Comments: None.

Narrative of Support and Opposition:

- A board member expressed to the panel that this proposal would give flexibility to the department to take action to restrict the fishery if more than three vessels register for the fishery.
- A panel member asked if George Inlet was closed to commercial Dungeness crab fishing. The department replied that District 1, including George Inlet, is open to commercial Dungeness crab fishing, though there is not much effort in the area because other areas of District 1 are more productive.
- One panel member stated that this operation should be a commercial venture and be required to purchase limited entry permits.
- A board member briefed the panel on the origin and development of the regulations from the March 2008 board meeting. He explained that the board examined both commercial and guided sport frameworks, however it was determined that a business cannot own a limited entry permit and so the board voted for the guide sport framework.
- The Wrangell AC clarified that during the advisory committee discussions they misinterpreted the meaning of superexclusive thinking it limited participation in the fishery.
- A board member clarified the operational activities and informed the panel that this operation purchases 37K pounds of Dungeness crab from the commercial fisheries.
- One panel member expressed caution because this type of operation will likely gain in popularity and expand throughout the state and their backyards.

Support:

- One panel member expressed support for the regulations being reauthorized. He did not have any concerns as long as there is no damage to the resource. He highlighted that this fishery was a good educational tool to inform the public about the resource, ecosystem, and crab fishery.

Opposition:

- Southeast Alaska Fisherman's Alliance expressed opposition and suggested that the board consider closed seasons to reduce handling mortality during molt season.
- One panel member expressed opposition to having the regulations reinstated because this operation was taking away from his charter business.

- Ketchikan AC expressed opposition due to the risks of handling mortality during molt season and cannibalism.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Opposed: Ketchikan, Wrangell.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support as amended.

Substitute Language:

5 AAC 47.090(i) is amended to read:

(i) The commissioner may close the fishery by emergency order, or close and immediately reopen the fishery with additional conditions by emergency order, if the commissioner determines that a closure or additional conditions are reasonably necessary for the protection of the resource. The commissioner shall close the guided sport ecotourism Dungeness crab fishery if the personal use Dungeness crab fishery in the area is closed. The commissioner **may** [SHALL] reduce the number of allowable pots or the number of allowable lifts, or both, if more than three vessels register for the George Inlet superexclusive guided sport ecotourism Dungeness crab fishery.

5 AAC 47.090(n) is repealed:

(n) Repealed.

PROPOSAL 163. – 5AAC 47.090. George Inlet superexclusive guided sport ecotourism Dungeness crab fishery. Increase number of pots and lifts per vessel in the George Inlet superexclusive guided sport Dungeness crab fishery.

Staff Reports: RC 3, Oral Tab 4, Written Tab 7.

Staff Comments: RC 2.

Deliberation Materials: RC 5.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 3.

Timely Public Comment: RC 1, Public Comment Tab, PC 20, 28.

Record Comments: RC 6.

Narrative of Support and Opposition:

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

Alaska Board of Fisheries
Committee Report

COMMITTEE E

Southeast and Yakutat Miscellaneous Shellfish

January 23, 2008

Board Committee Members:

1. Bonnie Williams, *Chair
2. Bill Brown
3. Mel Morris

Alaska Department of Fish and Game Staff Members:

1. Scott Walker - Ketchikan Area Management Biologist, CF
2. Zac Hoyt - Dive Fisheries Biologist, CF
3. Jan Rumble - Dive Fisheries Biologist, CF
4. Bill Davidson - Regional Management Coordinator, CF
5. Justin Breese - Ketchikan Assistant Area Management Biologist, CF (Note Taker)
6. David Harris - Juneau Assistant Area Management Biologist, CF (Note Taker)

Department of Law:

1. Lance Nelson

Advisory Committee Members:

1. Mike Bangs - Petersburg Advisory Committee
2. John Scoblic - Ketchikan Advisory Committee

Public Panel Members:

1. Phil Doherty - Southeast Alaska Dive Fisheries Association
2. Jim Stone - Alaska Scallop Association
3. John Lemar - Alaska Scallop Association
4. Tom Minio - Alaska Scallop Association
5. Ed Hansen - public

The Committee met January 23, 2009 at 1:37 p.m. and adjourned at 2:29 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (14 total) 187-198.

PROPOSAL 187 - 5 AAC 38.167. FISHING SEASON FOR SCALLOPS IN REGISTRATION AREA D. Move opening date in Yakutat District 16 scallop fishery from July 1 to June 1.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: RC28, RC 9.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 8

Timely Public Comment: RC1, Public Comment Tab PC6, PC 25, PC 26, PC27.

Record Comments: RC 21, RC 30

Narrative of Support and Opposition:

Support: None.

Opposition:

- Proposer offered to withdraw proposal during committee meeting due to department information on spawn timing in the adjacent area.

Other Point of Discussion:

- Chairman asked proposer to submit documentation on withdrawal of proposal as RC.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language: None.

PROPOSAL 188 - 5AAC 38.142. SOUTHEASTERN ALASKA GEODUCK FISHERY MANAGEMENT PLAN. Establish equal quota share program for geoducks fishery.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 6, RC 11, RC 21.

Narrative of Support and Opposition:

Department of Law: Confirmed the ability of the BOF to create an equal share management strategy. The BOF cannot delegate management authority to SARDFa.

Support: None.

Opposition:

- Increased cost to SARDFa to support an equal quota share management strategy due to PSP sampling and testing cost.
- The majority of the fleet would experience decreased revenue.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg.
Oppose: Ketchikan.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language: None.

PROPOSAL 189 - 5AAC 38.142. SOUTHEASTERN ALASKA GEODUCK FISHERY MANAGEMENT PLAN. Change start date of geoduck season to July 1.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 6, RC 11, RC12.

Narrative of Support and Opposition:

Department of Law: BOF cannot delegate management authority to SARDFa.

Support: None.

Opposition:

- It would be very difficult for the department to handle a summer fishery because of staff limitations.
- Processing capacity during summer months would not allow for geoduck processing.
- PSP is worse during the summer months making live shipment more difficult.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.

Oppose: Ketchikan, Petersburg.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language: None.

PROPOSAL 190 - 5AAC 38.142. SOUTHEASTERN ALASKA GEODUCK FISHERY MANAGEMENT PLAN. Establish trip limits for geoducks fishery.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 7.

Timely Public Comment: Public Comment Tab PC6.

Record Comments: RC 6, RC 11, RC 21.

Narrative of Support and Opposition:

Support: None.

Opposition:

- Cited same issues as proposal 188 and 189.
- This plan might work in a small area but not feasible for all of Southeast Alaska.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language: None.

PROPOSAL 191 - 5AAC 38.142. SOUTHEASTERN ALASKA GEODUCK FISHERY MANAGEMENT PLAN. Divide management area in Southeast into two areas for geoduck fishery.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 6, RC 11, RC 21.

Narrative of Support and Opposition:

Support: None.

Opposition:

- Would increase management costs.
- Also, same issues as proposals 188 and 189.
- Too complicated.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan, Petersburg.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language: None.

PROPOSAL 192 - 5AAC 38.146. REGISTRATION REQUIREMENTS FOR RED SEA URCHINS, SEA CUCUMBERS, AND GEODUCK CLAMS IN REGISTRATION AREA A.
Allow sub-regional area registration for geoduck fishery in Registration Area A.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 11, 21.

Narrative of Support and Opposition:

Office of Subsistence Management: No concern (PC6).

Support:

- Would remove unnecessary and cumbersome registration requirement and replace with more suitable requirements.
- Deregulatory proposal.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan, Petersburg.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Support.

Substitute Language: None.

PROPOSAL 193 - 5AAC 38.142. SOUTHEASTERN ALASKA GEODUCK FISHERY MANAGEMENT PLAN. Correct latitude reference for closed area in Kliuchevoi Bay in District 13.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 11, RC 21.

Narrative of Support and Opposition:

Support:

- Unanimous support of this housekeeping proposal with additional language.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support with the amended and added language.

AC Positions: Support: Ketchikan.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Support.

Substitute Language: Due to an additional error found within regulations while creating the briefing document, additional language is suggested.

(3) (A) waters of Kliuchevoi Bay east of a line from 56° [55] 50.40' N. lat., 135 ° 22.52' W. long.

(3) (B) waters of within the unnamed bay located southeast of Frosty Reef east of a line from 56 ° 52.82' N. lat., 135 ° 22.93' W. long to 56 ° 52.70' N lat., 135 ° 22.98' W. long to 56 ° 52.6[3]1' N lat., 135 ° 22. 9[8]7' W. long, **and south of the latitude 56° 53.00' N. lat.;**

PROPOSAL 194 - 5AAC 38.140. SOUTHEASTERN ALASKA SEA CUCUMBER MANAGEMENT PLAN. Allow use of tenders in sea cucumber fishery.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 6, RC 11, RC 21.

Narrative of Support and Opposition:

Department of Law: The BOF does not have the authority to limit the amount of product onboard a tender.

Support:

- This is a housekeeping proposal allowing tenders to participate in the sea cucumber fishery without having to issue EOs, which the department has been doing.
- Deregulatory proposal.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Support.

Substitute Language: None.

PROPOSAL 195 - 5AAC 38.140. SOUTHEASTERN ALASKA SEA CUCUMBER MANAGEMENT PLAN. Move boundary for commercial sea cucumber fishery to the north end of St. Phillip Island.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 11, RC 21.

Narrative of Support and Opposition:

Support: None.

Opposition:

- There appears to be no conservation issue of sea cucumbers in this area.
- This closure would reduce the GHZ for an area easily accessible from Craig.
- The descriptions of lines in this proposal are not clear.
- This proposal will affect approximately 60 square miles.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan, Petersburg.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language: None.

PROPOSAL 196 - 5 AAC 38.140. SOUTHEASTERN ALASKA SEA CUCUMBER MANAGEMENT PLAN. Reopen Clover Pass area near Ketchikan to commercial sea cucumber fishing.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC 7, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: RC 11, RC 21.

Narrative of Support and Opposition:

Support:

- The intent of the original regulation was to provide personal use opportunities of crab and shrimp, not limit sea cucumber commercial fishing.
- No conservation issues with reopening the area.

Opposition: None.

Other Point of Discussion:

- SARDFa representative stated that the Back Island Navy facility may warrant a closure.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Ketchikan.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Support.

Substitute Language: None.

PROPOSAL 197 - 5AAC 38.145. SOUTHEASTERN ALASKA RED SEA URCHIN MANAGEMENT PLAN. Delete onboard observer requirement for red sea urchin fishery.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC1, AC 2, AC 8.

Timely Public Comment: RC 1, Public Comment Tab PC6.

Record Comments: None

Office of Subsistence Management: No concern (PC6).

Narrative of Support and Opposition:

Department of Law: If the BOF wants to retain the observer requirement, it should make the required written findings at this meeting.

Support: None.

Opposition:

- The Department opposes this proposal and desires to retain the current onboard observer requirement. The department feels that onboard observers may be needed in some circumstances to ensure proper accounting of harvest on vessels that are processors for the red sea urchin fishery. The red sea urchin fishery is unique in that the final product is roe and nothing else is kept from red urchins. With onboard processing, there is no opportunity for the department to sample the whole animal since roe would be the only available product when the vessel returns to town. The department is also concerned with the potential of "high grading" and inaccurate reporting on fish tickets.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Oppose.

Substitute Language:

5 AAC 39.XXX. Southeastern Alaska Red Sea Urchin Findings

The Board of Fisheries finds that, for the southeastern Alaska red sea urchin fishery, onboard observers on board fishing vessels that catch and process red sea urchins would greatly enhance management, primarily by facilitating information gathering and by improving regulatory compliance. Onboard observers are the only practical fishery monitoring, data-gathering, and enforcement mechanism that will ensure that a vessel that is used for the processing of red sea urchins is properly documenting its harvest. The Board of Fisheries, therefore, finds it necessary to authorize the Alaska Department of Fish and Game to implement an onboard observer programs for the red sea urchin fishery in southeast Alaska because it:

(1) is the only practical data-gathering and enforcement mechanism;

(2) will not unduly disrupt the fishery; and

(3) can be conducted at a reasonable cost.

PROPOSAL 198 - 5AAC 38.062. PERMITS FOR OCTOPI, SQUID, HAIR CRAB, SEA URCHINS, SEA CUCUMBERS, SEA SNAILS, AND OTHER MARINE INVERTEBRATES. Develop an octopus management plan with octopus as a bycatch only species.

Staff Reports: RC 3, Oral Tab 5, Written Tab 8.

Staff Comments: RC 2.

Deliberation Materials: New management plan included in substitute language.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, AC 2, AC7.

Timely Public Comment: RC 1, Public Comment Tab PC 6, PC 20.

Record Comments: None

Office of Subsistence Management: No concern (PC6).

Narrative of Support and Opposition:

Support:

- Possible increase in octopi biomass.
- The Department supports the proposal with the proposed management plan.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Support.

Substitute Language:

5 AAC 38.1XX. Octopus management plan for Southeast Alaska.

(a) Octopus may be taken as bycatch only in Southeast Alaska.

(1) the maximum bycatch allowance for pot gear may not exceed 35% by weight of the whole weight of the targeted species on board a vessel; and

(2) the maximum bycatch allowance for long line gear may not exceed 15% by weight of the round weight of groundfish or halibut on board a vessel.

(b) Octopus may be taken with pots and longlines.

(c) In registration area A, the guideline harvest range for the taking of octopus is 0 to 35,000 pounds.

(d) when the annual guideline harvest level of octopus has been reached the Commissioner shall close, by emergency order, Area A to the retention of octopus.

(e) All octopus retained whether sold or retained for personal use shall be recorded on a fish ticket.

ADF&G Analysis of Pot Shrimp Catch per Pot Data for Proposal 141

The Department has reviewed the catch per pot (CPUE) analysis contained in the briefing document for proposal 141. Upon further review, it was determined this analysis did not adequately take into account differences among districts, years and fishers; therefore the figure 144-2 can not be used to compare the CPUE between pot size. We revised this analysis to account for the differences by standardizing the data by dividing the seasonal district average large pots CPUE by small pots CPUE, which allows comparison between pot size and years (Figure 1). For example, 75% would indicate the small pot CPUE was 75% of large pot CPUE, 100% would indicate that the small CPUE is the same as the large pot CPUE and 125% would indicate the small CPUE is 25% more than the large pot CPUE.

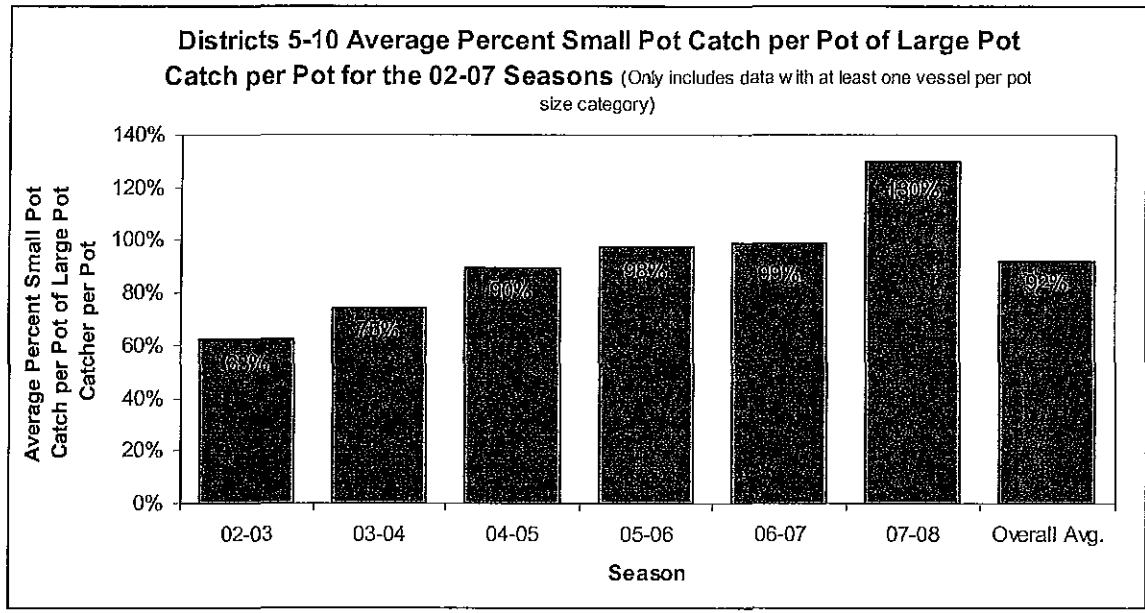


Figure 1. Districts 5 through 10 average percent small catch per pot of large catch per pot (large pot catch per pot divided by small catch per pot) per season.

In addition to the revised analysis, the department also used catcher-processor voluntary logbook data to examine differences in CPUE and shrimp size caught between pot size (Fig. 2) of a one-day soak time. This analysis includes logbook data from Districts 1, 2, 3, 6, 9 and 13. The analysis is more limited in the number of boats, but covers a wider geographical area.

RC28

Stratman, Joseph P (DFG)

From: Rosenkranz, Gregg (DFG)
Sent: Thursday, January 22, 2009 10:36 AM
To: Bishop, Gretchen H (DFG); Hebert, Kyle P (DFG); Stratman, Joseph P (DFG)
Cc: Burt, Ryan M (DFG); Trowbridge, Charles E (DFG); Donaldson, Wayne K (DFG)
Subject: FW: BOF Proposal 187 to open Yakutat Scallop Season one month early.

Folks, not quite sure why this was not sent to you (see below). Ryan may also have comments regarding our ability to have observers ready for deployment a month earlier than usual.

Hope this helps,
Gregg

<<<<<< >>>>>>
Gregg Rosenkranz
Scallop Biometrician
State of Alaska
Department of Fish and Game
211 Mission Road
Kodiak, AK 99615

phone 907 486-1858
fax 907 486-1824

-----Original Message-----

From: Donaldson, Wayne K (DFG)
Sent: Tuesday, January 20, 2009 11:34 AM
To: Bowers, Forrest R (DFG); Milani, Krista C (DFG); Sagalkin, Nicholas H (DFG); Stichert, Mark A (DFG); Rosenkranz, Gregg (DFG); Burt, Ryan M (DFG)
Subject: FW: BOF Proposal 187 to open Yakutat Scallop Season one month early.

FYI

-----Original Message-----

From: Gustafson, Richard L (DFG)
Sent: Tuesday, January 20, 2009 11:08 AM
To: Trowbridge, Charles E (DFG); Goldman, Kenneth J (DFG)
Cc: Lingnau, Tracy L (DFG); Donaldson, Wayne K (DFG)
Subject: RE: BOF Proposal 187 to open Yakutat Scallop Season one month early.

Greeting All,

From my perspective I feel the current fishery date is appropriate for weathervane scallop stocks near Kayak. The spawning event is usually some time in June. I remember one survey around 1998 that had a big storm around Memorial day resulting us being anchored up at Wingham Island. Before the storm scallops most scallops were prespawning condition and after the storm most scallops were spawned out. This could have been due to location with in the bed but timing did seem to be a factor. Checking recent surveys have been as early as May 11-16, 2002, when 97% of the scallops examined for gonad condition were in the prespawning condition. Last year when the Kayak survey was June 7-11 East Bed 26.6% were prespawning or spawning and West Bed 34.9% prespawning or spawning condition. The first Kayak survey was in August 1995 and all scallops were spawned out. I can put all Kayak survey gonad condition data together for this. Also, in order to get all the survey done prior to opening the fishery and data analyzed and estimates complete we would have to survey in April or early May. Good weather may be a factor in completing the survey in April. That is a minor consideration when compared to harvesting when 1/3 to 1/4 of the scallops have yet to spawn. Perhaps the Yakutat Stocks spawn earlier? The spawning timing in Kamishak is similar to Kayak. We could compare the two areas. I haven't seen the observer data from the Kayak for spawning condition. Rich

RC 29

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- SCOTT, W. B., AND E. J. CROSSMAN. 1964. Fishes occurring in the fresh waters of insular Newfoundland. *Roy. Ont. Mus. Univ. Toronto. Dep. Fish. Can. Contrib.* 58: 124 p.
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- TSUYUKI, H., AND E. ROBERTS. 1963. Species differences of some members of Salmonidae based on their muscle myogen patterns. *J. Fish. Res. Bd. Canada* 20: 101-104.
1965. Zone electrophoretic comparison of muscle myogens and blood proteins of artificial hybrids of Salmonidae with their parental species. *J. Fish. Res. Bd. Canada* 22: 767-773.
- TSUYUKI, H., E. ROBERTS, AND W. E. VANSTONE. 1965. Comparative zone electropherograms of muscle myogens and blood hemoglobins of marine and freshwater vertebrates and their application to biochemical systematics. *J. Fish. Res. Bd. Canada* 22: 203-213.

Reproductive Cycle, Size at Maturity, and Sexual Composition of Commercially Harvested Weathervane Scallops (*Patinopecten caurinus*) in Alaska

DANIEL P. HENNICK

*Alaska Department of Fish and Game
Division of Commercial Fisheries
Seward, Alaska, USA*

HENNICK, D. P. 1970. Reproductive cycle, size at maturity, and sexual composition of commercially harvested weathervane scallops (*Patinopecten caurinus*) in Alaska. *J. Fish. Res. Bd. Canada* 27: 2112-2119.

Findings of this study indicated that scallops spawn in the summer, primarily during early June, and also through mid-July. Spawning is complete, and only one annual spawning occurs. Sexual composition of mature scallops appeared as a 50:50 ratio. Most scallops were mature when three or more concentric rings (annual rings) were present on the upper valve and all after four or more were present. Scallops off Yakutat grow slower and are smaller at maturity than scallops off Kodiak Island. Growth and size differences did not seem directly related to time of maturity.

Received May 13, 1970

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EXPLORATIONS FOR SCALLOPS of commercial size and quantity in Alaska began in late 1967. These efforts were successful and by the end of 1969 more than 3.7 million lb of scallop meats were landed at Alaskan ports.

Objectives of this study were to determine: (1) size at maturity with reference to the number of concentric, or annual, growth rings present on the upper valve; (2) reproductive cycle and spawning period; and (3) sex ratio of commercially caught scallops in Alaska. Prior to this study little information existed on Alaska scallop stocks and knowledge on the above objectives is indispensable for the proper management of this resource.

Methods and procedures — Data for this study were collected from August 1968 through December 1969 aboard commercial scallop vessels. Samples were obtained between Cape St. Elias and Cape Fairweather in the Yakutat region, and in the vicinity of Kodiak Island, especially from the Marmot Bay-Portlock Bank region (Fig. 1).

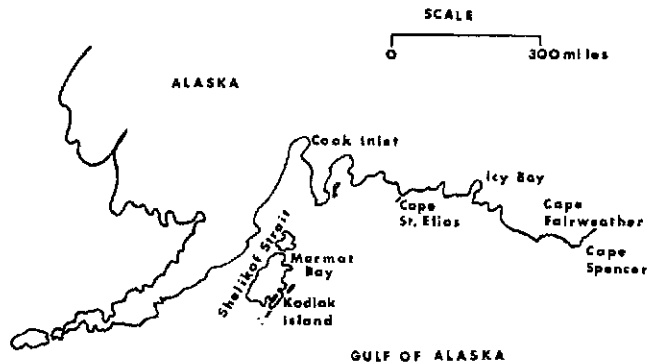


FIG. 1. Alaska, showing major area of commercial scallop fishing.

Random sampling was accomplished by obtaining a shovel-full of about 25 individuals from the catch prior to any sorting or processing. It was assumed that scallops in the catch were not stratified by size. The normal procedure of upending the dredge to dump out the catch resulted in further mixing. Six or more samples were taken during each fishing day.

Samples of live scallops were also obtained from scallop vessels at the return of a fishing trip. The scallops were placed in a plastic container and supplied with a fresh supply of sea water. In this manner scallops could be kept alive for at least 3 days.

As soon as the sample was taken, the scallops were shucked and the gonads were examined macroscopically for determination of sexual maturity. Live samples brought ashore for laboratory study were handled in an identical manner except that all scallops with two, three or, four concentric rings were measured to the nearest millimeter in a straight-line distance from umbo to outer shell margin.

External features of gonad development — The stages of maturation were defined through macroscopic examination. It was also possible to determine sex through color comparisons of ovaries and testes. The definitions are as follows:

(I) Empty or spawned out: Gonad reduced in size and collapsed, contains free water throughout, transparent, loop of alimentary canal clearly visible. Testes nearly colorless; ovaries a dull amber to nearly colorless.

(II) Initial recovery: Gonad increasing in size, contains one-quarter to one-half the estimated capacity of sex products, free water exists in portions, loop of alimentary canal visible but fading.

Portion of testes containing sex cells cloudy white, rest transparent; ovaries amber to dull pink or orange.

(III) Filling: Gonad near maximum size, contains three-quarters or more of the estimated capacity of sex products, free water exists only as small canals or at the distal end of the gonad, loop of alimentary canal visible only where it is close to the surface. Testes pasty white; ovaries orange to bright orange.

(IV) Full or ripe: Gonad relatively large in relation to other body parts, completely full and rounded, contains no free water, loop of alimentary canal not usually visible, texture appears granular. Testes flat white; ovaries bright orange.

(V) Immature or juvenile: Gonad relatively small in relation to other body parts, angular and flattened, transparent and colorless.

The gonads of 17,971 sexually mature scallops were macroscopically examined during this study. Depending upon the external features each gonad was placed into one of the four stages of sexual development. In practice it proved difficult to clearly differentiate through external examinations between the termination of one stage and the beginning of another. The rate of recovery after spawning varied from one area to another, and in some instances within the same area. The problem of overlapping between stages was further compounded because the stage of development was visually estimated and several observers were employed during the study period. These factors were not considered critical, however, as macroscopic differences between unspawned individuals (stage IV), and recently spent individuals (stage I) were clear and unmistakable. In addition an incompletely spawned individual could readily be detected from an individual that had completed spawning.

Initially, the criteria for separation of the stages of maturation were not well defined, but external appearance, fullness, and coloration were noted. Descriptions were based upon laboratory observations with reference to Mason (1958) for *Pecten maximus* and to Sastry (1963) for *Argopecten irradians*.

Reproductive cycle — Scallop gonads during August 1968 were empty, watery, transparent, and nearly colorless (stage I), although it is likely that closer examination would have revealed a portion of them in the early recovery stage. No samples were taken during September and October of 1968, but beginning in November of 1968 and extending through December of 1969, one to five samples were examined monthly. Gonad samples observed during November and December of 1968 from the Kodiak area indicated they were at least three-quarters full (stage III) and contained some free water. Observations in the latter part of January 1969 in the Cape Karluk area of Kodiak indicated the gonads were full or ripe (stage IV) and no free water was visible. Hence, it is evident that the division point between stages III and IV occurred between mid-December and the latter part of January (Tables 1 and 2). The gonads remained in the full or ripe condition in all areas for several months, although there appeared to be a progressive enlargement and rounding of the gonad, and coloration became more distinct with the passing of time.

Prior to May 19 in the Yakutat area and June 3 in the Kodiak area, no spawned or partially spawned individuals were found in any of the samples examined. On June 8 in the Kodiak area and June 16 in the Yakutat area samples were examined that clearly indicated spawning had occurred in all individuals examined, and in each instance spawning was complete (Fig. 2).

Apparently, spawning began after May 19 in the Yakutat area and was completed prior to June 16. However, this statement should be qualified since samples from the Yakutat area were relatively small, with extended

TABLE 1. Observations on the stages of gonad maturity and sexual composition of scallops from the Yakutat area, 1968-69.

Date	Collection location	Sample size	Male	Female	Stage of gonad condition				
					I	II	III	IV	V ^b
1968									
Aug. 4-8	Dry Bay	4348 ^a	--	-- ^b	4348				
1969									
Feb. 17	Yakutat Bay	99	53	46					99
25	Cape Fairweather	1402 ^a	657	745					1402
Mar. 8	Cape Yakutaga	100	40	60					100
16-19	Icy Bay	1361 ^a	701	660					1361
27	Icy Bay	168	79	89					168
Apr. 1	Cape Yakutaga	78	39	39					78
May 19	Cape Yakutaga	60	20	36				56	4
June 16	Icy Bay	80	46	34	80				
July 21	Cape Yakutaga	70	52	18	21	45	4		
26	Cape Yakutaga	52 ^a	32	19	51				1
Aug. 13	Dry Bay	943 ^a	--	--	928	12	3		
Total		8761	1719	1746	5428	57	7	3264	5

^aSamples processed at sea.

^bSamples not sexed or immature.

periods between sampling. By and large, however, it is my opinion that spawning began and ended in the Yakutat area between the dates indicated. In the Kodiak area, samples were larger, periods between samples shorter, and, in general, samples were more representative of the fishing areas. The data suggest that the majority of scallops spawned between June 3 and June 8. However, 21 of 250 scallops examined between July 12 and 14 were only partially spawned. The gonads of the 21 partially or incompletely spawned individuals were largely empty or spent, but small clusters of free eggs and sperm could be seen and the gonads did not appear entirely collapsed.

Samples examined in early August indicated initial recovery was well under way, and by the end of August the majority of gonads were sufficiently recovered so that gametes were visible and sex was easily determined by color. Recovery progressed steadily thereafter, and by late November the cycle was complete, as the gonads were again at least three-quarters full of sex products.

Spawning scallops in this study were observed only during June and early July, and only one annual spawning occurred. It is likely that timing of the spawning period will exhibit yearly fluctuations, or even that seasonal variation occurs between one area and another. However, I think it is conclusive that they spawn during the summer, primarily during early June, but extending into July. The mechanism that triggers spawning is uncertain, but temperature changes seem to be involved. In laboratory experiments on sea scallops from the east coast it was found that they could be induced to spawn by first slowly

TABLE 2. Observations on the stages of the maturity and sexual composition of scallops from the Kodiak area, 1968-69.

Date	Collection location	Sample size	Male	Female	Stage of gonad condition				
					I	II	III	IV	V ^b
1968									
Nov. 22	Cape Karluk	120	53	60			113		7
29-Dec. 12	Cape Karluk	1539 ^a	-	- ^b			1539		
Dec. 12	Halibut Bay	120	65	52			117		3
1969									
Jan. 29	Cape Karluk	116	61	55				116	
Feb. 17	Malina Bay	100	51	48				99	1
28	Cape Chiniak	454 ^a	243	211				454	
Mar. 3-11	Marmot Island	230 ^a	132	96				228	2
12	Marmot Island	59	35	23				58	1
Apr. 7	Cape Ikolik	79 ^a	37	42				79	
11	Ugak Island	550 ^a	257	293				550	
9-21	Marmot Island	503 ^a	247	256				503	
21	Ugak Island	108	63	40				103	5
May 8-17	Halibut Bay	825 ^a	396	421				817	8
23	Katmai Bay	75 ^a	33	42				75	
28-31	Kukak Bay	430 ^a	218	212				430	
June 3	Kupreanof Strait	172 ^a	75	97				172	
8	Marmot Bay	75	48	27	75				
July 12	Cape Ikolik	125	86	37	116				7 ^c 2
14	Ugak Island	125	67	55	108				14 ^c 3
30-Aug. 8	Marmot Bay	1529 ^a	836	680	1073	443			13
Aug. 11	"	100	47	53	49	51			
22	"	44	17	27	8	36			
30-31	"	350 ^a	210	139	50	298	1		1
Sept. 3-11	"	596 ^a	340	255	42	553			1
12	"	52	20	32	14	19	19		
Oct. 28	"	75	33	42		75			
Nov. 21-25	"	534 ^a	278	256			534		
30	"	100	48	52			100		
Dec. 17	"	80					76	1	3
Totals		9265	3996	3603	1535	1475	2499	3706	50

^aSamples processed at sea.^bSamples not sexed or immature.^cIndividuals partially spawned.

raising and then sharply dropping water temperatures (Posgay, 1950, 1953). Sea scallops on portions of the Georges Bank area have been observed spawning during late September and October, and of those examined, 92% spawned or were in the process of doing so within a 4-day period (Posgay, 1958).

Sexual composition --- The earliest published data on observations of weathervane scallop gonads in Alaska (Haynes and Powell, 1968) were made

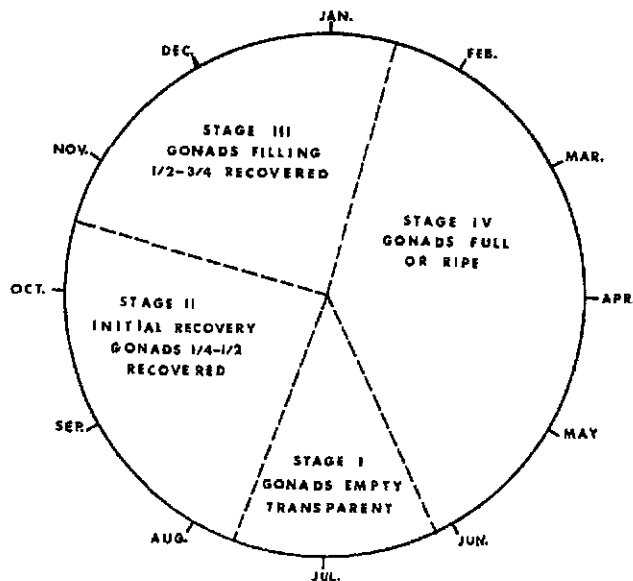


FIG. 2. Reproductive cycle of the weathervane scallop in Alaska. Considerable overlap occurs between each stage of development. Divisional lines are based on observations that a significant proportion of the individuals had reached that stage of maturation by the dates indicated.

during January 1968 in the vicinity of Kodiak Island, Alaska. They state only that the gonads were "ripe" indicating that spawning had not recently taken place.

It is clear that weathervane scallops are dioecious since no hermaphroditic individuals were reported. Also, the sexes of the mature adult scallop are easily distinguished by the characteristic white coloration of the testes and bright orange of the ovaries. The gonad of the adult scallop is full or ripe (stage IV) from about mid-January through the end of May, or until spawning begins. During this period 7087 individuals were sexed: 3531 were males (49.8%), and 3556 were females (50.2%), nearly a 1:1 ratio. Sex determination at other times of the year, especially during the spawning and postspawning period (stage I) was more difficult. At this time the gonads of both sexes appeared similar, although the ovaries of the females tended to retain a faint amber or light pink coloration. In the laboratory, sex could be determined microscopically at any time of the year but for field purposes this technique was considered unnecessary and impractical.

Size at maturity — It is beyond the scope of this paper to enter into a lengthy discussion of the size and growth rates of commercially harvested weathervane scallops in Alaska. However, to state in meaningful terms when a scallop had reached sexual maturity, it became necessary to classify them into size groups according to the number of concentric rings present on the upper valve. This was done only for shells having two, three, and four rings present. Shell heights were determined by measuring, to the nearest millimeter, the straight-line distance from umbo to outer shell margin. This measurement makes no allowances for differential seasonal growth.

Studies on age and growth of the east coast scallop, *Placopecten magellanicus*, have shown that the concentric rings found on the shells are formed annually and are therefore an indication of age (Baird, 1953; Stevenson and Dickie, 1954). During this study monthly or bi-monthly samples of about 100 shells of the smallest sizes available were collected by the author for an age and growth study by another agency. Although the results of this research are unpublished, observations indicated that a single ring is formed annually; it begins to appear by late December, with new or more rapid growth appearing by late April or May. There remains some doubt as to the age of the scallop at the time the first ring has completely formed; hence, it is not implied that the number of rings present as determined during this study can be directly related to the true age of the animal. I do believe, however, that my observations on the formation of the ring from examination of more than 1200 samples gathered over a 1-year period is sufficient evidence to state that a single ring is in fact formed annually. This adds significance to the discussion of size at maturity in relation to the number of rings present. Eventual publication of age and growth studies should support this.

The number of concentric or annual rings present were easily determined since young scallop shells were comparatively free of excessive marine growth. Apparently, so-called "false rings" or checks occur, but my observations tend to indicate these are normally distinct from the annual growth rings, at least after the formation of the initial growth ring.

Examination of 2027 individual scallops during the course of this study showed that 85 had 4 annual rings, 115 had 3 annual rings, and only 9 had 2 annual rings present. No scallops with less than two annual rings present were recovered from the samples examined. The reason for the absence of smaller scallops in the commercial catch is unknown but may be due to gear selectivity, or stock segregation, or both.

Scallops with three annual rings present from the Kodiak area (sample size = 93) ranged from 74 to 128 mm in shell height, with an average of 104.2 mm. Those from the Yakutat area (sample size = 22) ranged from 73 to 92 mm in shell height, with an average of 84.6 mm. Only nine scallops with two annual rings present were found in the Kodiak samples, none from Yakutat. Scallops with two annual rings averaged 85.8 mm in shell height and ranged between 65 and 99 mm. Of the 93 scallops having 3 annual rings from the Kodiak area, 81 were mature (87%) and 12 were immature. Of the 22 scallops with 3 annual rings from the Yakutat area, 13 were mature (59%) and 9 were immature. All 9 scallops with 2 annual rings were immature and all scallops with 4 or more annual rings were mature (Table 3).

The majority of scallops reach sexual maturity after formation of the third annual ring and all are mature after formation of the fourth ring. Unfortunately, the sample size of scallops having four or fewer annual rings present was small as a result of their scarcity in commercial catches. Scallops with three annual rings from Kodiak averaged 19 mm larger than those from Yakutat, and the difference for scallops with four annual rings averaged 23 mm. It is apparent

TABLE 3. Average size at maturity for weathervane scallops from the Kodiak and Yakutat areas of Alaska, 1968-69.

Area sampled	Sample size	Avg shell height (mm)	Size range (mm)	No. annual rings	Mature	Immature
Kodiak Is.	71	123.8	98-147	4	71	0
Yakutat	14	100.6	94-115	4	14	0
Kodiak Is.	93	104.2	74-128	3	81	12
Yakutat	22	84.6	73-92	3	13	9
Kodiak Is.	9	85.8	65-99	2	0	9
Totals	209				179	30

that growth is more rapid in the Kodiak area than in the Yakutat area. This difference in average growth rates and size apparently is not related to sexual maturity as the majority of scallops from both areas reached sexual maturity after formation of the third annual ring.

Acknowledgments — This investigation was partially funded with federal aid under the Commercial Fisheries Research and Development Act of 1969 (P.L. 90-551) as Project Number 5-23-R.

REFERENCES

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RC 30

January 23, 2009

Alaska Board of Fisheries (BOF)
Alaska Department of Fish & Game
PO Box 25526
Juneau, AK 99802-5526

RE: Proposal 187

Dear Chairman Jensen

In consideration of our review of ADF&G's submission of RC 28 & 29 submitted today, we would like to rescind our proposal 187.

RC28 is an email from Richard Gustafson (ADFG), who has been onboard many department survey's in the Kayak Island Scallop beds just north of the Yakutat beds and other surveys. Until today the ASA was unaware the surveys were recording the gonad conditions. Mr. Gustafson's reputation is irrefutable and his email is satisfactory proof to us that our suspected earlier spawning dates were not correct. We would like to ask him and the department to send us copies of the data from his work in these surveys. In particular gonad conditions and bottom temperatures.

RC29 is a study done by Dr. Daniel Hennick in 1970. We were aware of some references to this study and made several requests for a copy, but this is our first look at it.

While we regret the late timing of these ADF&G RC submissions, however we do now agree with ADF&G that the Weathervane Scallop does indeed appear to spawn as late as June. Our goal is the same as the State of Alaska and we do not want to do anything that may harm the sustainability of the Scallop stocks.

Mr. Tom Minio of the Scallop Vessel Provider has agreed to take out Kodiak ADFG personnel, at no cost, in early June to collect Scallops to be used at the Observer training center in Anchorage. The ASA in return we would ask ADFG to check gonad conditions & bottom temperatures and make a small report available to us.

The ASA would like to thank the Board of Fisheries and the Department of Fisheries for their careful consideration of our proposal.

Best regards, Jim Stone

Alaska Scallop Assn.



RC31

Pertaining to proposal 185 permit stacking in the golden king crab fishery.

The Proposers of this proposal would like to see permit stacking for the Golden King Crab fishery in Southeast Alaska to allow for 150 pots to be fished from one vessel. Under the current permit system there is a maximum number of permits set for this fishery at 57. During the past 11 years an average of 36 permits made landings in the fishery from a high of 48 in 2003 to a low of 16 in 1997. I contend that these active permits are not the ones that will be stacked. I believe that currently inactive permits will be brought into the fishery.

-Maximum number of pots fished on average in the past 11 years 3600

-Maximum number of pots allowed if all permits consolidate under this proposal 4275

-Maximum number of pots allowed if all permits consolidate under a 120 gear limit 3420

-Maximum number of pots allowed if just non active permits come back and stack under proposal 4650

-Maximum number of pots allowed if just non active permits comeback and stack under a 120 gear limit 4020

I do not think that it is fair to put a financial hardship on a person to stay competitive in this fishery. This proposal will force those already participating to find another permit to stack on to their vessel because a person cannot participate at 50% less efficiency or even 20%. It was insinuated that because of the cost to operate vessels and gear in these fisheries there is a need to consolidate that just is not the case. I know of no one that is having a hard go of it because they can not fish more gear off their vessel this is just a means to make a few people more affective and in my opinion give them an unfair advantage.

Lastly I would like to point out that the group that submitted this proposal is the Southeast King And Tanner Task Force this group was formed at the direction of a former board to be a collection of Industry and Department persons working together to resolve issues in these fisheries I do not believe that it is fair for a select few to be using it to be bringing proposals before the board. I think any proposals coming out of the King and Tanner Task Force should be agreed upon by the Task Force and Dept before coming to the board also I believe that a consensus of the fleet should be looked into before submitting a proposal under the guise of the King and Tanner Task Force. Otherwise A person should be submitting these proposals under there own name. I have only addressed this on the Golden Crab fishery but I have the same feelings in both the Tanner and Red/blue fisheries.

Submitted by: Yancey Nilsen K69 Permit Holder

KL32

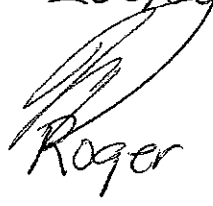
BOARD OF FISH JANUARY 24TH 2009

Opposition to pot stacking in the Tanner and Golden Crab fisheries.

These proposals are on a fast track that would have profound changes in the Fishery. These effects not only impact Management, but, Marketing, Producers and Processors. There needs to be a lot more public input and study on what these changes would do. The Golden King fishery depends on a fresh market and a lengthy season. Most of the available quota is caught by a small percentage of permits. Adding 20% more efficiency to these permits will have a large effect on the rate of catch. This would effectively shorten the season even more. Stacking permits would most likely put all permits to work. No one vessel or permit should be allowed more than 100 pots. Stacking in the Tanner fishery, if allowed, should be kept to a cap of 100 pots. Allowing more than 100 pots in the Golden crab fishery, so as to make it easy to switch from Tanner to Golden, is creating a class of vessels never seen before. The burden on Management to control this class of highly efficient Fishermen could create a much shorter season. The best way to reduce fishing effort is by changing the season to a later date. Thank You

Charles L Christensen
20 years Crab Fisherman

We would like to replace 175 with this proposal. "Amend the regulation in Registration Area A to set the minimum threshold for a commercial fishery at 100,000 pounds (instead of 200,000 pounds),


Roger Gregg

We would also like to request that proposal 185 be considered as two separate proposals, section 1, and sections 2 & 3. In section 2 we also request the language be changed from "150 pots may be operated" to "120 pots may be operated."

John Barry



S.E. King & Tanner Task Force

RC34

January 24, 2009

John Jensen Chairman
Board of Fish
Alaska Department of Fish and Game

Dear Sir,

My name is Michael See; I am the Chairman of the Icy Strait Advisory Committee. I am writing this letter to inform you that we would like to withdraw our proposal # 164 To Have King Crab Recognized as a Subsistence Food. In proposal #165 To Open Port Frederick to Subsistence and Personal use for King Crab, we would amend the proposal by removing the word subsistence but would like to have Port Frederick open for Personal Use. The purpose of our proposals was to make king crab accessible to our community members. It is our hope we can work together in protecting the resource but at the same time, we hope to be able to harvest the crab to feed our families.

Sincerely,



Michael See Chairman
Icy Strait Advisory Committee
PO Box 253
Hoonah, Alaska 99829

5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks (C&T findings).

Prepared by the Division of Subsistence, Alaska Department of Fish and Game for the Alaska Board of Fisheries, January 2009

Winter 1989 Board of Fisheries meeting, Petersburg and Juneau

King and Tanner Crab

The Board found no positive customary and traditional use of king and Tanner crabs in Southeast Alaska, except in Yakutat. Negative findings were made for all communities except Yakutat. No finding was made for Metlakatla.

The Board found customary and traditional use of king and Tanner crab in the waters of Yakutat Bay, inside a line from the western-most point of Point Manby to the southern-most point of Ocean Cape including Russell Fjord.

Marine Invertebrates Other than King and Tanner Crab

The Board found customary and traditional use marine invertebrates (including shrimp) other than king and Tanner crab in the Yakutat area and in the upper Lynn Canal area for Haines and Klukwan, as follows:

in the waters of Yakutat Bay inside a line from the western-most point of Point Manby to the southern-most point of Ocean Cape including Russell Fjord.

in the waters of Dist. 15-A (Lynn Canal) north of Point Sherman;

Marine Invertebrates Other than King and Tanner Crab and Shrimp

The Board found customary and traditional use marine invertebrates (**not** including shrimp, king crab, and Tanner crab) for the communities of Hoonah, Angoon, Kake, Craig, Klawock, Hydaburg, Kasaan, and Saxman, as follows:

in the waters of District 14-E of the longitude of Point Dundas;

in the waters of District 12 between the latitude of Parker Point to the latitude of Point Caution; in the waters of District 13-C east of the longitude of Point Elizabeth;

in the waters of Section 9B north of the latitude of Point Ellis including Bay of Pillars, Rowan Bay, Security Bay, Saginaw Bay, Keku Strait, Port Camden, Murder Cover, Herring Bay, and Eliza Harbor; and in District 10 west of a line from Pinta Point to Point

Pybus including Pybus Bay and Pinta Rocks, and in District 5 north of 56 40' N latitude including Rocky Pass down to and including Summit Island and Big John Bay;

in the waters of Sections 3-A and 3-B;

in the waters of District 2 north of the latitude of the northernmost tip of Chasina Point W of a line from the northernmost tip of Chasina Point to the easternmost tip of Grindall Is. to the easternmost tip of the Kasaan Peninsula;

in the waters of Section 1-F north of the latitude of the northern-most tip of Mary island except waters of Boca de Quadra and in 1-E south of the latitude of Grant Is.;

Spring 1993 consistency review and re-authorization

Summary. At its spring, 1993, meeting the Board of Fisheries completed its work reauthorizing subsistence regulations for Southeast Alaska. In its main actions the board:

Adopted proposals #121-134. Collectively these proposals reestablished the subsistence fisheries that had existed prior to passage of the 1992 State of Alaska subsistence law for the Yakutat and Southeast areas. The new regulations do not include reference to communities and do not permit subsistence fishing in non-subsistence areas.

Customary and traditional subsistence use findings since 1993

shellfish, except shrimp, king crab, and Tanner crab, in waters of District 5 north of a line from Point St. Albans to Cape Pole, in the waters of Section 6-A west of a line from Macnamara Point to Mitchell Point, and in waters of Section 6-B west of the longitude of Macnamara Point;

Dungeness crab, shrimp, abalone, sea cucumbers, gum boots, cockles and clams, except geoducks, in the waters of District 13;

shellfish, except king and Tanner crab, in the waters of Districts 7 and 8.

**OPTIONS FOR AMOUNTS REASONABLY NECESSARY FOR SUBSISTENCE FINDINGS
(ANS FINDINGS), KING CRAB AND TANNER CRAB, PROPOSALS 164, 165, 166, 167, AND
168**

Prepared by the Division of Subsistence, Alaska Department of Fish and Game for the Alaska Board of Fisheries, January 2009

Background: the following are options for the board to consider if it chooses to establish findings for the amount reasonably necessary for subsistence uses (ANS finding) of king and/or Tanner crab as part of its actions on Proposals 164, 165, 166, 167, and 168. An ANS finding for fish stocks with customary and traditional uses is required under AS 16.05.258(b).

Proposal 166 addresses crab stocks in Section 6A, District 8, and a portion of District 10. Proposals 164, 165, 167, and 168 address crab stocks in Districts 12, 13 and 14.

For each stock, estimated harvests are based on the results of systematic household surveys conducted by the Division of Subsistence and reported in the division's Community Subsistence Information System. Estimated harvests by residents of communities within the area addressed by each set of proposals are the basis of the ANS. When more than one estimate for a community was available, the mean per capita harvest for all available study years was used. If no estimate was available for a community, it was assigned the mean per capita harvest for other communities in the area. Harvest estimates are expressed in pounds usable weight.

Proposal 166: Section 6A, District 8, District 10

Community	Population 2007	Tanner Crab		King Crab	
		Per capita harvest in lbs	Estimated harvest, 2007	Per capita harvest in lbs	Estimated harvest, 2007
Petersburg	3,071	0.82	2,518	2.37	7,278
Wrangell	1,947	1.09	2,122	0.77	1,499
Kake	535	0.14	75	0.52	277
Point Baker	16	0.33	5	1.21	19
Port Protection	56	0.58	32	1.38	77
Subtotal	5,625	0.84	4,753	1.63	9,151
Thoms Place	7	0.84	6	1.63	11
Remainder of Wrangell - Petersburg census area	370	0.84	313	1.63	602
Krupreanof	26	0.84	22	1.63	42
Totals	6,028	0.84	5,094	1.63	9,807
		low	high	low	high
ANS range = (= mean +/- 25%)		3,820	5,094	7,355	12,258
Rounded to nearest 500 lbs		3,800	5,000	7,500	12,500
ANS Option		3,800 to 5,000 usable pounds of Tanner Crab 7,500 to 12,500 usable pounds of king crab			

Proposals 164, 165, 166, 167, and 168

Options for Amounts Reasonably Necessary for
Subsistence Findings (ANS Findings),
king crabs and Tanner crabs.

Prepared for Alaska Board of Fisheries,
January 2009



Background

- ANS finding for fish stocks with customary and traditional uses is required under AS 16.05.258(b).
- Proposal 166 addresses crab stocks in Section 6A, District 8, and a portion of District 10.
- Proposals 164, 165, 167, and 168 address crab stocks in Districts 12, 13 and 14.



Estimated Harvests

- For each stock, estimated harvests are based on the results of systematic household surveys conducted by the Division of Subsistence.
- Estimated harvests by residents of communities within the area addressed by each set of proposals are the basis of the ANS.



Proposal 166: Section 6A, District 8, District 10

Community	Population 2007	Tanner Crab		King Crab	
		Per capita harvest in lbs	Estimated harvest, 2007	Per capita harvest in lbs	Estimated harvest, 2007
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Point Baker	16	0.33	5	1.21	19
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Remainder of Wrangell - Petersburg census area	370	0.84	313	1.63	602
Krupreanof	26	0.84	22	1.63	42
Totals	6,028	0.84	5,094	1.63	9,807

ANS range =
(= mean +/- 25%)

	low	high	low	high
	3,820	5,094	7,355	12,258

Rounded to nearest 500 lbs	3,800	5,000	7,500	12,500
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ANS Option **3,800 to 5,000 usable pounds of Tanner Crab**
7,500 to 12,500 usable pounds of king crab



Proposals 164, 165, 167, 168: Districts 12, 13 and 14

Community	Population 2007	Tanner Crab		King Crab	
		Per capita harvest in lbs	Estimated harvest, 2007	Per capita harvest in lbs	Estimated harvest, 2007
Pelican	110	8.15	897	1.03	113
Sitka	8,640	0.88	7,581	4.63	40,028
Port Alexander	60	0.23	14	0.32	19
Hoonah	852	1.34	1,146	4.80	4,093
Gustavus	442	1.27	561	0.84	371
Angoon	478	1.05	504	1.10	524
Subtotal	10,582	1.01	10,702	4.27	45,149
Elfin Cove	21	1.01	21	4.27	91
Totals	10,603	1.01	10,723	4.27	45,239
ANS range = (= mean +/- 25%)		low 8,042	high 13,403	low 33,930	high 56,549
Rounded to nearest 500 lbs		8,000	13,500	34,000	56,500
ANS Option		8,000 to 13,500 usable pounds of Tanner Crab 34,000 to 56,500 usable pounds of king crab			



RC38

Board Members,

This letter is written in support of Proposal 184. This proposal would allow one vessel to have two tanner crab permit holders on board with 150% of the gear currently allowed to one permit. Proposal 181 (Tanner Management Plan) was replaced with an RC. This RC is a management plan that was developed in cooperation with the department. Season lengths are set pre-season, with amount of pots registered for the fishery taken into account. Participation in the tanner fishery is currently at an all time low, mostly due to the poor economics of the fishery. Tanner crab prices have declined over the last ten years as fixed costs escalate.

The tanner fishery is drastically different from the golden king fishery. It takes place in much shallower water with short pot soaks. A fisherman goes through a much larger amount of bait. If a fisherman has more pots in the water, his expenses for the season remain the same. Fuel costs are fixed, as are bait costs (the same number of pots will be hauled in a set amount of time). The big difference will be that pot soak times will be longer. This will allow for larger CPUEs and allow the escape rings to release more of the undersize and female crab. While the gross stock of the vessel will likely go up by less than 50%, the net profit to the vessel and crew will increase by a much larger amount.

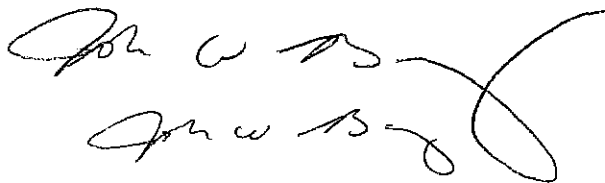
There are currently 87 tanner permits available to be fished. CFEC expects this number to reach its final number of 83 by early 2009. Some of these permits have remained out of the fishery because they were interim and could not be transferred. Many of these permits are currently becoming transferrable and will be available for sale. The last ten year average of participating permits is 71, with a high of 93.

There are currently 33 permanent brown/golden combination permits. The most possible tanner only permits will be 50. If one-half of the combination permits target golden king crab (at least half currently are) then the largest possible number of permits that will target tanners is 66. Last year was the lowest participation in the tanner fishery with 49 permits participating. That means there may be 17 tanner permits available to enter the fishery. If these all enter at half value the largest amount of effort possible in the tanner fishery will be 58 permits, far below the ten year average.

The only opposition to the tanner stacking proposal on the committee was by two fishermen who hold dual permits, but choose to target golden crab. Stacking tanner permits is the best thing that could happen to the golden crab fishery. Fishermen like myself who also hold dual permits but choose to target tanners at the start of each season will remain viable and remain out of the golden crab fishery until tanners closes each season. The alternative is for the economics of the tanner fishery to continue to decline. I, and others like myself, will be forced to skip tanners to target goldens. The set GHs in golden crab will be split more ways, and seasons will continue to get shorter. Much of the value in the golden crab fishery is a live market. The live market can handle a very limited amount of crab each week, and shorter seasons mean less total value to the fleet. As more effort is applied in the golden crab fishery, the tanner crab resource will become more underutilized.

Thank you for your consideration,

John Barry, F/V Pillar Bay

A handwritten signature in black ink, appearing to read "John Barry", with a large, sweeping flourish extending to the right.


RC39

To: Alaska Dept of Fish & Game, Board of Fish & other Interested Parties
From: Tad Fujioka
Date: Jan 24 2009
Re: Southeast Shellfish Proposal # 168

Sent via fax

I am the author of Proposal 168. It was submitted out of a desire to provide residents the opportunity to harvest king crab in the Sitka area whenever there is a harvestable surplus of crab rather than being restricted to only those times when the harvestable surplus is large enough to support a commercial fishery. I have recently been informed that a subsistence designation for Peril Straits would be a complicated and burdensome path towards this goal. I understand it to be the department's position that this goal could be met under a personal use fishery provided that the department has the authority to reduce bag limits and gear allowances as needed for conservation purposes. Hence, I request that proposal 168 be modified to eliminate references to subsistence. I further request that the comments that I submitted on proposals 164-168 be similarly modified.

Additionally, I ask that the department not only be given the authority to modify limits and gear allowances as needed for conservation, but that they also be directed to use this flexibility to maximize the number of days between July 1 and March 31 that the king crab personal use fishery is open.



RC40

January 24, 2009

John Jensen Chairman
Board of Fish
Alaska Department of Fish and Game

Dear Sir,

My name is Michael See; I am the Chairman of the Icy Strait Advisory Committee. I am writing this letter to inform you that we would like to withdraw our proposal # 164 To Have King Crab Recognized as a Subsistence Food. In proposal #165 To Open Port Frederick to Subsistence and Personal use for King Crab, we would amend the proposal by removing the word subsistence but would like to have Port Frederick open for Personal Use. The purpose of our proposals was to make king crab accessible to our community members. It is our hope we can work together in protecting the resource but at the same time, we hope to be able to harvest the crab to feed our families.

Sincerely,



Michael See Chairman
Icy Strait Advisory Committee
PO Box 253
Hoonah, Alaska 99829

RC41

Alan Reeves
Otto Florschutz
Wrangell, AK 99929
1/24/09

Reference proposal 141:

Amend to: Max pot limited in Southeast Alaska Spot Shrimp fishery at 120 pots no larger than 48".

From comments heard while participating in committee work we believe 120 pots is a good compromise position between the two gear groups. It would also eventually solve the problem of two pot sizes confusing ADF&G harvest data.

No action would eventually see most every fisherman fishing 140 pots leading to too much gear, accelerated fishing and stock management concerns.

RC42

Southeast Alaska Fishermen's Alliance

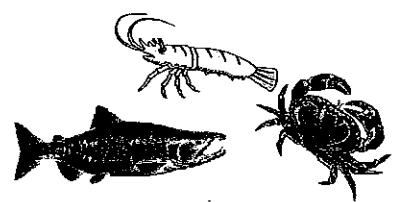
9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

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



E-mail: seafa@gci.net

January 24, 2009

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

RE Committee Report B - Sports Shellfish

After attending the committee meeting and listening to the discussion we would like to provide the following information about proposals that we submitted.

Proposal # 137

We would like to withdraw the shellfish portion of this proposal and only the shellfish portion. The intent was for finfish as the narrative in the proposal indicated and we look forward to the February meeting where we can discuss this issue.

For proposals #368, #139 & #160

Instead of deferring action on these proposals until the February meeting, SEAFa is instead offering the following recommendations and provide our rationale below.

Abalone: [bag and possession limit of five; no annual limit] no open season; may not be taken or possessed

Dungeness and Tanner crab: in combination: bag and possession limit of [five] three crab; [no annual limit] annual limit of 25

Razor clams: bag and possession limit of 10 clams; [no annual limit] annual limit of 10 clams

Rock Scallops: bag and possession limit of five scallops; [no annual limit] annual limit of 5 scallops

Weatherwane scallops: bag and possession limit of 10 scallops; [no annual limit]
annual limit of 10

Shrimp: bag and possession limit of 3 pounds of tails or 3 quarts of tails [10 pounds or 10 quarts]; [no annual limits] annual limit of 10 pounds of tails or 10 quarts of tails

Other shellfish species: no bag, possession or annual limit

King crab: no open season; may not be taken or possessed

Geoducks: no open season; may not be taken or possessed

Rationale: We originally asked that action on #139 and #160 to be deferred to February so that consideration of proposal #286 be deliberated but after listening to the discussion we ask that the board take action on these proposal but also consider annual limits for each individual shellfish species. This would have similar results as changes to the possession limit definition. We have provided above for most species for the annual limit to be equal to the current possession limit. For Dungeness crab since the stock is healthy, there is more catch data available for this species, we suggested a higher possession limit. We would also recommend that as abalone stocks are currently seriously depressed partly due to sea otter predation it would be appropriate to make this species available for personal use only at this time.

Thank you for considering our comments and we would be happy to answer any questions or concerns you may have regarding these recommendations.

Sincerely,

Kathy Hansen

Kathy Hansen
Executive Director

R043

94-149-FB

ALASKA BOARD OF FISHERIES
(Previously 94-03-FB)
Delegation of Authority

Under AS 16.05.270, the Alaska Board of Fisheries delegates to the Commissioner of the Department of Fish and Game authority to adopt and make regulatory changes to 5 AAC to comply with the superior court's judgement in Kenaitze v. State, case no. 3AN-91-4569 Civil (Alaska Super. November 26, 1993), consistent with AS 16.05.251 and the subsistence law at AS 16.05.258(a) and (b), including the following:

(1) make findings under the subsistence law at AS 16.05.258(a) and (b), and adopt, amend, and repeal regulations as necessary and appropriate to comply with the superior court's order to provide for subsistence fisheries within the nonsubsistence areas described at 5 AAC 99.015;

(2) adopt, amend and repeal personal use fishing regulations as necessary for conservation of the resource due to regulations adopted under (1) of this delegation. Where possible, changes to personal use fisheries should result in the same level of opportunity and the same management measures provided by regulation during the 1991--1992 fishing season.

This delegation authorizes the commissioner to adopt and make permanent emergency regulations providing for fishing seasons, periods, areas, gear, and necessary adjustments to management plans, as necessary to provide a reasonable opportunity for identified subsistence uses.

DATE/TIME: April 28, 1994 @ 3:41pm

LOCATION: TELECONFERENCE

VOTE: [Yes/No/Absent] (6/0/1: Edfelt absent)

Kay Andrew
Kay Andrew, Chair
Alaska Board of Fisheries

SEAF 1/25/09

**List of Department Reports
and Board of Fisheries and Game Records
For Use in Development of Subsistence Findings
In Former Nonsubsistence Areas**

Alaska Department of Fish and Game
April 1994

Anchorage-Matsu-Kenai Nonsubsistence Area Fisheries

Alaska Board of Fisheries, Subsistence Regulation Review Sheet, November 1992, Chinook, Coho, Sockeye, Pink, and Chum Salmon, Lower Cook Inlet, 14 p.

Alaska Board of Fisheries, Subsistence Regulation Review Sheet, November 1992, Chinook, Sockeye, Coho, Pink, and Chum Salmon, Upper Cook Inlet, 22 p.

Alaska Board of Fisheries, Subsistence Regulation Review Sheet, November 1992, Finfish Other Than Salmon, Cook Inlet, 13 p.

Alaska Board of Fisheries, Subsistence Regulation Review Sheet, February 1993, Shellfish, Cook Inlet, 10 p.

Alaska Department of Fish and Game, Division of Commercial Fisheries Management and Development. Lower Cook Inlet Salmon Annual Management Report, 1992.

Alaska Department of Fish and Game, Division of Commercial Fisheries Management and Development. Upper Cook Inlet Salmon Annual Management Report, 1992.

Alaska Department of Fish and Game, Division of Commercial Fisheries Management and Development. Cook Inlet Shellfish Annual Management Report, 1992.

Customary and Traditional Use Worksheets, Cook Inlet Area: Salmon, Tyonek Subdistrict: Salmon, Upper Cook Inlet, Remainder: Salmon, Port Graham and Koyuktoik Subdistricts: Salmon, Lower Cook Inlet, Remainder: Dolly Varden, Cook Inlet; Smelt, Cook Inlet; Other Saltwater Fishfish, Cook Inlet. Prepared by Ronald T. Stanek, James A. Fall, and Rita Miraglia. Division of Subsistence, Alaska Department of Fish and Game, November 1992, 64 p.

Hoffman, Andrew, Kelly Hepler, and Paul Cyr. Area Management Report for the Recreational Fisheries of the Anchorage Area. Division of Sport Fish, Alaska Department of Fish and Game, 1993.

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34

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Findings of the Commissioner of the Alaska Department of Fish and Game Establishing Subsistence Fisheries in the Former Nonsubsistence Areas Described in 5 AAC 99.015

Under a delegation of authority from the Board of Fisheries on April 28, 1994, which is attached to this affidavit, I have made findings under the subsistence law, AS 16.05.258, to provide for the subsistence uses of salmon and other fish in the former nonsubsistence areas described in 5 AAC 99.015.

These findings are based on a review of previous Board of Fisheries findings of customary and traditional uses of salmon in these areas, reports prepared by the Department of Fish and Game, including materials prepared by the Division of Subsistence that relate to the uses of the affected fish stocks, previous regulations of the Board of Fisheries providing for subsistence needs, and public comment. The reports and other materials I relied upon are listed on an attached document.

I find as follows:

Anchorage -- Matsu Valley -- Kenai Area

1. There are customary and traditional uses of salmon stocks and of smelt in the former Anchorage-Matsu-Kenai nonsubsistence area. These stocks are described by the department as:

early run king salmon (Upper and Lower District)
late run king salmon (Upper and Lower District)
early run red salmon (Upper and Lower District)
late run red salmon (Upper and Lower District)
pink salmon (Upper and Lower District)
chum salmon (Upper and Lower District)
early run coho salmon (Upper and Lower District)
late run coho salmon (Upper and Lower District)
native coho salmon of the Fox River in Kachemak Bay (Lower District)
smelt in the Cook Inlet (Upper and Lower District)

2. There is a harvestable surplus of these fish stocks in the former Anchorage-Matsu-Kenai nonsubsistence area. This finding is based on run forecasts published annually by the Division of Commercial Fisheries (Geiger and Simpson 1994).

3. The amount of the salmon stocks reasonably necessary to provide for subsistence uses (in numbers of fish), based on the method developed by the Board of Fisheries in 1993 and the best available data showing historical harvest, is:

(Re: 94-03-FB)

(Upper District) king salmon: 797 - 1,737
(Upper District) red salmon: 9,617 - 47,269
(Upper District) pink salmon: 878
(Upper District) chum salmon: 206
(Upper District) coho salmon: 113 - 4,552
(Lower District) all salmon: 4,663 - 8,247
Smelt in Cook Inlet (Upper and Lower District): 153,000

4. The attached regulations provide a reasonable opportunity for the identified customary and traditional uses in the former Anchorage-Matsu-Kenai nonsubsistence area

Valdez Area

1. The Board of Fisheries has made no previous findings regarding customary and traditional uses of fish stocks, nor have subsistence fishing regulations previously been adopted, for the former Valdez nonsubsistence area. Because the question of whether there are customary and traditional uses has not been before the Board of Fisheries, I do not find that it is appropriate or necessary to make such a finding at this time. The Board will take up the question of customary and traditional uses in this area as part of its normal schedule.

Ketchikan Area

1. There are customary and traditional uses of salmon stocks in the former Ketchikan nonsubsistence area and of smelt, Dolly Varden, herring and herring spawn on kelp, bottomfish, and halibut. These stocks are described by the department as:

Salmon and Dolly Varden in waters of:

Section 1-C in Checats Cove east of the longitude of Edith Point

Section 1-D in Yes Bay north of a line from Syble Point to Bluff Point

Section 1-E in waters of Helm Bay north of the latitude of Helm Point and in waters of the Naha River and Roosevelt Lagoon

Section 1-F in waters of George Inlet north of 55 degrees 25 minutes N. Lat. and in Boca de Quadra in waters of Sockeye Creek and Hugh Smith Lake within 500 yards of the terminus of Sockeye Creek

Herring and herring spawn on kelp in waters of Section 1-F between Point Sykes and Foggy Point to a distance of 2 nautical miles offshore.

Bottomfish and halibut in waters of Section 1-F north of the latitude of the northernmost tip of Mary Island, except waters of Boca de Quadra, and in waters of Section 1-E south of the latitude of the Grant Island light.

2. There is a harvestable surplus of these fish stocks in the former Ketchikan nonsubsistence area. This finding is based on run forecasts published annually by the Division of Commercial Fisheries (Geiger and Simpson 1994).

3. The amount of salmon necessary to provide for subsistence uses (in numbers of fish), based on the method developed by the Board of Fisheries in 1993 and the best available data showing historical harvest, is:

Sockeye:	3,541 - 6,155
Pink:	27 - 343
Chum:	19 - 159
Chinook:	7 - 37
Coho:	13 - 17

I have not made specific findings for fish species other than salmon because there is not an adequate historic harvest record, specific to this area, upon which to base a finding.

4. The attached regulations provide a reasonable opportunity for the identified customary and traditional uses in the former Ketchikan nonsubsistence area

Juneau

1. The Board of Fisheries has made no previous findings regarding customary and traditional uses of fish stocks, nor have subsistence fishing regulations previously been adopted, for the former Juneau nonsubsistence area. Because the question of whether there are customary and traditional uses has not been before the Board of Fisheries, I do not find that it is appropriate or necessary to make such a finding at this time. The Board will take up the question of customary and traditional uses in this area as part of its normal schedule.

Fairbanks

1. In the former Fairbanks nonsubsistence area there are customary and traditional uses of Tanana River Subdistrict 6-C salmon, and Delta River salmon. There are also customary and traditional uses of freshwater fish species, including sheefish, whitefish, lamprey, burbot, sucker, grayling, pike, char, and blackfish in the Yukon drainage area, which includes the Fairbanks area.

2. There is a harvestable surplus of these fish stocks in the area. This finding is based on run forecasts published annually by the Division of Commercial Fisheries (Geiger and Simpson 1994).

3. The amount necessary to provide for subsistence uses (in numbers of fish), based on the method developed by the Board of Fisheries in 1993 and the best available data showing historical harvest, is:

Chinook:	1,337 - 2,193
Chum:	6,541 - 7,341
Coho:	1,328 - 3,840

I have not made specific findings for fish species other than salmon because there is not an adequate historic harvest record, specific to this area, upon which to base a finding.

4. The attached regulations provide a reasonable opportunity for the identified customary and traditional uses in the former Fairbanks nonsubsistence area

Signed: _____

Carl L. Rosier
Carl L. Rosier, Commissioner

Date: _____

7/13/94

R644

To: Board of Fish Members

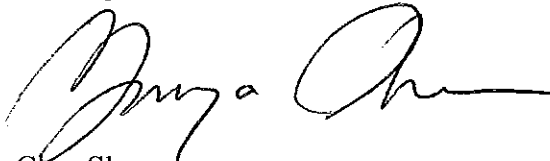
From: Gary Slaven, Petersburg, AK

This R.C. is in response to the requests for Customary and Traditional Findings for Red King Crab in SE Alaska, Proposals 164-168.

Please find enclosed the 5AAC regulations showing no C & T for Red Crab in SE AK/Yakutat area. Also enclosed are articles from the February 2nd, 1989 Petersburg Pilot showing the results of the Board of Fish Meeting in Petersburg.

It is my understanding that the process for reversing a Board finding is different than for an original finding. I believe the Board's most recent example would be in Cordova where you were asked to make the personal use fishery at Chitna a Customary and Traditional subsistence fishery. I believe you were told that you didn't need to make a new C & T finding unless you had new and compelling evidence.

Thank you for serving on the Board of Fish and good luck in the future.



Gary Slaven
F/V Cora J
Petersburg, Alaska



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- Salmon Restructuring Committee

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- Link to Regulations
- Policies and Findings
- Frequently Used Policies

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Board of Fisheries Subsistence Proposal Policy

5 AAC 96.615 SUBSISTENCE PROPOSAL POLICY.

(a) It is the policy of the Boards of Fisheries and Game to consider subsistence proposals for topics that are not covered by the notice soliciting proposals under 5 AAC 96.610(a). To be considered by a board, a subsistence proposal must be timely submitted under 5 AAC 96.610(a), and

(1) the proposal must address a fish or game population that has not previously been considered by the board for identification as a population customarily and traditionally used for subsistence under AS 16.05.258; or

(2) the circumstances of the proposal otherwise must require expedited consideration by the board, such as where the proposal is the result of a court decision or is the subject of federal administrative action that might impact state game management authority.

(b) A board may delegate authority to a review committee, consisting of members of the board, to review all subsistence proposals for any meeting to determine whether the conditions in (a) of this section apply.

(c) A board may decline to act on a subsistence proposal for any reason, including the following:

(1) ~~the board has previously considered the same issue and there is no substantial new evidence warranting reconsideration; or~~

(2) ~~board action on the proposal would affect other subsistence users who have not had a reasonable opportunity to address the board on the matter.~~

(Eff. 8/17/91, Register 119; readopted 5/15/93, Register 126)

Authority: AS 16.05.251 AS 16.05.255 AS 16.05.258

5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks

(a) The Alaska Board of Fisheries finds that the following shellfish stocks are customarily and traditionally taken or used for subsistence:

(1) shellfish in the waters of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Russell Fjord, within a line from the westernmost point of Point Manby to the southernmost point of Ocean Cape;

(2) shellfish, except king and Tanner crab in the waters of Section 15-A;

(3) shellfish, except shrimp, king crab, and Tanner crab,

(A) in the waters of District 14 east of the longitude of Point Dundas;

(B) in the waters of District 12 between the latitude of Parker Point and the latitude of Point Caution, and in Section 13-C east of the longitude of Point Elizabeth;

(C) in the waters of Section 9-B north of the latitude of Point Ellis, in waters of District 10 west of a line from Pinta Point to Point Pybus, and in waters of District 5 north of 56° 40' N. lat.;

(D) in the waters of Section 1-F north of the latitude of the northernmost tip of Mary Island, except waters of Boca de Quadra, and in waters of Section 1-E south of the latitude of Grant Island light;

(E) in District 2 north of the latitude of the northernmost tip of Chasina Point and west of a line from the northernmost tip of Chasina Point to the easternmost tip of Grindall Island to the easternmost tip of the Kasaan Peninsula;

(F) in the waters of Section 3-A and 3-B;

(G) in the waters of District 5 north of a line from Point St. Albans to Cape Pole, in waters of Section 6-A west of a line from Macnamara Point to Mitchell Point, and in waters of Section 6-B west of the longitude of Macnamara Point;

(4) Dungeness crab, shrimp, abalone, sea cucumbers, gum boots, cockles, and clams, except geoducks, in the waters of District 13;

(5) shellfish, except king and Tanner crab, in the waters of Districts 7 and 8.

(b) Shellfish may not be taken for subsistence purposes in the nonsubsistence areas described in 5 AAC 99.015.

History: Eff. 5/15/93, Register 126; am 6/27/93, Register 126; am 6/15/95, Register 134; am 6/19/97, Register 142; am 5/31/98, Register 146; am 7/18/2003, Register 167

Kake receives subsistence designation from Fish Board

A fairly strict interpretation of judgement criteria on community subsistence decisions by the Alaska Board of Fisheries left most Southeast residents without the highest priority fishing rights.

After hearing staff reports, committee and private citizen testimony and debating the related issues at length the board gave continued subsistence fishing rights to ten of 29 communities or population areas. It took no action on four locales and rejected the designation for others.

Those communities which were found to have "customary and traditional use" of specified fish stocks in their area, and received subsistence fishing rights include Kake, Angoon, Hoonah, Yakutat, Klukwan, Craig, Klawock, Hydaburg, Saxman and Kasaan.

For different reasons in each case the board took no action on Haines, Skagway, Hyder and Wrangell. It rejected subsistence designation for Petersburg (including Kupreanof city and the Beecher Pass area), Sitka, Gustavus, Pelican and Elfin Coves, Tenakee Springs, Point Baker, Port Protection, Port Alex-

ander, Thorne Bay, Coffman Cove, North Whale Pass, Hollis, Edna Bay and Meyers Chuck.

In a continuing effort to calm fears that anyone would somehow instantly lose some fishing privilege currently enjoyed, board Chairman Gary Slaven regularly announced that all communities which did not receive subsistence designation could continue to harvest fish stocks under personal use regulations.

Neither did the communities receiving subsistence designation gain an immediate right to any more of any particular fishery stock. The value came in that these locales enjoy the highest priority among competing user groups — including commercial, sports and personal use — at such time that the volume of a fish stock

falls to a level that requires state authorities to reduce harvest levels.

In addition, in many cases, now-subsistence communities did not receive subsistence rights for certain species; most commonly king and tanner crab, shrimp. In addition, boundaries of the designated "domiciles" in which subsistence users must live were also specifically described, most often following city limits or those and obviously related "suburbs." Specific fishing areas in which subsistence rights could be exercised were also noted.

For example, subsistence use for Kake includes "residents domiciled in the city of Kake and in the Kupreanof Island drainages into Keku Strait south of Point White and north of Portage Bay

Boat Harbor." Those folks can continue "customary and traditional uses of herring, herring roe, bottom fish, halibut and shellfish, excluding king and tanner crab and shrimp, in:

— District 9B north of the latitude of Point Ellis, including Bay of Pillars, Rowan Bay, Security Bay, Saginaw Bay, Keku Strait, Port Camden, Murder Cove, Herring Bay and Elizabeth harbor;

— in District 10 west of a line from Pinta Point to Point Pybus including Pybus Bay and Pinta Rocks;

— and in District 5 north of the 56°40' north latitude including Rocky Pass down to and including Summit Island and Big John Bay.

Continued on Page 7

Seattle fish broker...

Continued from Page 1
per pound at Le Havre, France. "Fish being v-shaped, headed, all small sizes fish and half gutted, with marks from nets," the telex states in part.

The NMFS news release explained, "The arrests stemmed from international investigations of complicated laundering and relabeling schemes involving the illegal interception of salmon taken by vessels from Taiwan in the North Pacific Ocean and directed at circumventing Taiwanese and Japanese export

tinuing," the release continued. It said profiteers from within and without the United States were selling fish directly from the Far East to Europe.

Last June, an informant within the fishing industry reported that he had been contacted by a Seattle fish broker doing business as AMPAC Seafoods, and asked to assist in a scheme to import Taiwanese caught high seas salmon into Japan via the US and Canada, the release said. That information prompted the NMFS investigation. Further information was developed through monitored

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and get all regulations in place before the herring would spawn.

Hodson had moved to use 25% of the harvestable biomass above the Alaska Department of Fish & Game's threshold amount of the Craig-Klawock stocks. Based on projections for the 1990 season this would be 250 tons of harvestable herring which would be taken away from the bait fishery. This would be valued at \$446,000 at a price of ten cents per pound.

The board asked if any more harvestable areas existed for bait. ADF&G spokesmen felt they could not manage these stocks as they would need a cap on what could be taken. As the number of boats in a competitive bait fishery is not limited, it would be easy to exceed a 100-ton cap.

In the early 1970s it had a two million pound threshold level which was doubled in 1983 on grounds that they didn't feel they could manage for a smaller threshold level.

One of the deciding factors was that there is more demand for bait now than they are able to provide. The board had received a letter from Sitka Sound Seafoods stating the company's concern in any cut in the bait fishery.

Board member Foster pointed out that the industry would always need bait. He emphasized that the bait fishery takes many small herring which could create biological concerns.

The board felt that probably those who were in the roe-on-kelp

Kake receives subsistence...

Continued

None of the smallest panhandle settlements received subsistence designation despite, in most cases, their request for the label and their large volume home use of seafoods.

The guideline the board used for its decisions was a set of eight criteria which gave general topics which were to be considered but let the degree of weight each should receive for the board to determine.

The criteria included:
— length and consistency of use of a stock, demonstrated by long term, regular harvest excluding interruptions by circumstances beyond the users' control.

— seasonality, or recurring harvests in specific seasons of each year.

— means and methods of harvest, demonstrated by efficient, economic techniques adapted to local circumstances.

— geographic areas with reasonable small-boat or beach access to the users' residences.

— means of handling, preparing, preserving and storing the harvest in traditional ways used by previous generations, but not excluding technological advances.

— intergenerational transmission

of knowledge, skills values and lore, again passed down the generations.

— distribution and exchange of harvest items through trade, barter, sharing or gift-giving within a definable community of persons.

— and diverse use of resources in a given area with consideration to economic, cultural, social and nutritional elements.

Like a maze which each community attempted to pass through, the criteria served to knock a locale out of consideration as it was found to obviously be meeting a few of the requirements, but also definitely, or with questionable evidence, did not meet the rest.

Ketchikan and Juneau were not considered because the cities had both been designated "urban" last year when the combined Fish & Game Board completed a similar process resulting in consideration for subsistence designation only for communities which had then been identified as "rural."

The board's most difficult decisions, and deadlocks, came when it considered the communities with a sizeable minority native population whose spokespersons could show proof that they continued to harvest resources through subsistence methods. At the same time, the prospect of law suits charging discrimination against native towns kept board legal counsel busy Larri Spengler offering suggestions of that explanations of factors in decision reasoning would provide a legally defensible.

Considering communities north to south through the peninsula, the board's first tough call came when it reached Haines. It chose to make no finding. Ditto for Skagway, but largely because it was uncertain of the degree the community used fisheries resources.

The debate over the city and borough of Sitka lasted six hours last Friday before a subsistence designation was rejected by a 4-2 vote.

Joe Demmert, of Ketchikan and Mike Chihui, of Ninilchik voted in favor of subsistence rights for Sitka while Slaven, of Petersburg; Val Angasan, of Dillingham; Bud Hodson, of Anchorage and Bob Lochman, of Kodiak rejected the motion.

Board member Jesse Foster was weathered in at Quinhagak and missed all of the subsistence deliberations.

A decision on Wrangell was also rejected, but largely because of a substantial statistical inconsistency. A 1987 Subsistence Division survey showed Wrangell's population was 37%, but the US Census Bureau's 1980 population count indicated only 18% of the community was native.

In addition the census was a house-by-house survey while the '87 sampling was based on a representative sampling of the population, giving it a larger margin of error.

Angasan called the data "conflicting to the point where it's almost pointless to go any further," and the board eventually followed his observation.

Wrangell, like the other cities which did not receive a determination and those which were rejected for subsistence rights can petition the board for reconsideration at future meetings.

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Board rejects subsistence for Petersburg area

by Bob Tkacz

"This Board of Fisheries will be different than most of the Board of Fisheries meetings you folks have attended," its chairman, Petersburg fisherman Gary Slaven, said as the two-week meeting opened on the afternoon of January 23.

His reference, he explained, was to the panel's first week task of determining whether residents of each of 29 Southeastern communities have practiced "customary and traditional" uses

of various fisheries resources and would qualify for designation as subsistence communities.

He didn't know how tough it would get until five days and eight hours later when the board's debate over subsistence rights for Petersburg concluded with rejection of the designation.

Subsistence designation does not give a community a right to any more of any particular fishery stock. It does give the locale the highest priority among competing fishing interests — including com-

mercial, sports and personal use — at such time that the volume of a fish stock falls to a level that requires state authorities to limit harvests.

When it addressed Petersburg, the board had already considered 11 communities ranging in size from Sitka to Elfin Cove and had begun to develop a pattern for its decisions. But several factors — not the least of which was a highly divided local audience watching their every move — gave the discussion a drama which the others lacked.

Whether locally concerned or not, anyone who had paid any attention to earlier debates knew Petersburg would be one of the "problem" cities.

Consideration of Sitka had taken six hours as the board debated what portion of a community must show customary and traditional resource use for the entire town to receive the priority right. The flip side of the question was when did the truly subsistence harvesting residents of a town become too small a percentage and lose their subsistence right?

The board eventually took no action on Haines, Hyder and Wrangell because it could not resolve this question to its satisfaction, and each of those towns can request a future reconsideration.

But a substantial portion of Petersburg's residents wanted the issue decided last Saturday night and had been urging the board to

just say no.

Any town's decision was to be based on eight criteria including the length of time and regularity with which residents harvested the resource. Other factors were their methods of harvesting, handling, preserving and preparing the fish stocks and whether those methods and traditions had been handed down through family generations.

Petersburg's Fish & Game Advisory Board voted last month to recommend against subsistence designation for the city. Several local commercial fishermen, in testimony last week, explained their reasons for opposing the label here.

Among them Bob Nilsen said subsistence users were already fairly treated as demonstrated by reductions in commercial fishing seasons.

Scott Hursey, an advisory board member speaking on his own behalf, urged the board to "be very strict" in its determination. He sympathized with their charge which he called "an almost impossible task." However, he also emphasized his concern that large scale subsistence designations would threaten commercial fishing operations.

But representatives of the Petersburg Indian Association, like regional and state native groups, spoke forcefully in defense of their right to continue the traditional harvest methods they and their ancestors have practiced for centuries.

Petersburg Indian Association (PIA) spokesman Victor Guthrie, testifying before advisory commit-

Continued on Page 2

Two city manager candidates to visit

The first of Petersburg's two final city manager applicants is scheduled to arrive here this weekend for a two day visit.

Perry Beck, now city manager of Winters, Ca., will meet with the city council, and the public, this Friday and Saturday. David Palmer, city manager of Craig, Alaska, will follow the same schedule on the weekend of Feb. 10.

Beck is expected to arrive on Friday morning's jet. After checking in at the Tides Inn he will be escorted on a mini-tour of the city before lunching with council members and available department heads.


A tour of city facilities, during which he will continue meeting department bosses and staff members follows lunch. Beck will also tour Petersburg General Hospital and the schools that after-

noon. He is not scheduled for a dinner meeting, but continues meeting department heads in the evening.

Saturday at 10 a.m. the mayor and council will conduct a formal, public, interview with Beck in the council chambers. The session is expected to last until about noon.

The public's first scheduled opportunity to meet the candidate will come then, when he lunches at Harbor Lights pizza parlor. Beck will be available there until 2 p.m. when he will take a psychological evaluation test.

Following the test he is again on his own until a 6 p.m. dinner with the mayor and council at the Beachcomber Inn. The public again can meet the applicant in an informal reception there beginning at about 7:30 p.m. Beck will leave on Sunday's southbound jet.



Tide Table FEBRUARY 1989

	High Tides				Low Tides			
	A.M.		P.M.		A.M.		P.M.	
	TIME	FT.	TIME	FT.	TIME	FT.	TIME	FT.
3 Fri	10:33	15.8	4:33	5.7	5:24	-0.7
4 Sat	0:00	14.0	11:25	17.1	5:24	4.3	6:06	-2.2
5 SUN	0:38	15.4	12:11	18.3	6:11	2.8	6:43	-3.3
6 Mon	1:11	16.8	12:56	19.1	6:54	1.3	7:23	-3.8
7 Tues	1:46	17.9	1:41	19.2	7:36	0.0	8:00	-3.7
8 Wed	2:23	18.6	2:25	18.8	8:20	-0.8	8:39	-3.0
9 Thur	3:00	19.0	3:10	17.7	9:05	-1.2	9:18	-1.6

Presented as a Public Service by:

Hammer & Wikan

Box 249, Petersburg, AK • 772-4246

Withdrawal of Proposal 178

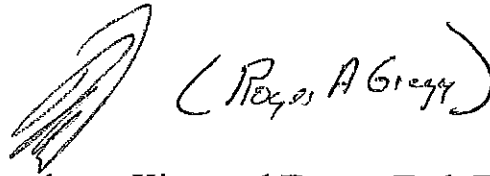
Mr. Chairman And Members of the Board of Fish I would like to withdraw my proposal #178 pertaining to management of the Golden king crab fishery. I am withdrawing my proposal in light of the fact that in Dept. comments they state that they can adjust GHJ during the fishery. Although this is always what I had believed when I asked if that was the case last year I was told it was not. Seeing it in writing in staff comments is good enough for me thank you for your time and consideration. I hope by submitting this request to withdraw it will make your jobs a little simpler.

Thank you, Yancey Nilsen K69 Permit Holder

Proposal 185

Rc 46

The Southeast King and Tanner Task force would like to withdraw support for the portion of this proposal pertaining to Permit stacking in the Golden King Crab Fishery. After further consultation with the fleet it has been determined that there is not enough support for a change at this time. The fleet has expressed a desire to remain with the current pot and vessel limits. Thank you and please consider this an official request to pull that portion of the proposal.

A handwritten signature in black ink, appearing to read "Regis A. Gregg", enclosed in a large, hand-drawn right-facing curly bracket.

Southeast King and Tanner Task Force

RC # 47

This RC revises the 'Narrative of Support and Opposition' section in:

Committee D: Dungeness crab

Proposal 156

Narrative of Support and Opposition:

- The Sitka AC representative explained that a proposal was presented at the 2006 board meeting by a nonresident (who has a vacation house nearby Chaik Bay) that resulted in a closure of Chaik Bay to commercial fishing for Dungeness. He noted the following:
 - The board ruling in 2006 was in part based on information that there were no Dungeness crab populations close to Angoon, which he believed was false.
 - The Chaik Bay area is a significant part of commercial fishing grounds and that there is no subsistence use in the area.
 - A charter lodge has operated pots in Chaik Bay.
 - No objections from Angoon and support from members of the Sitka Tribe of Alaska (who sit on the Sitka AC) to reopen Chaik Bay.
- A committee board member asked the department if the prior closure was due to biological concerns in the area. The department reiterated that the closure in 2006 was not due to biological concerns.

RC48

To: John Jensen, Chairman
Alaska Board of Fisheries

From: Brent Akers
P.O. Box 845
Petersburg, AK 99833
(907) 772-4711

Re: Request for Withdrawal BOF Proposal 166

Mr. Chairman,

I (Brent Akers) reluctantly request that my proposal (#166) requesting a Customary and Traditional (C&T) Use Finding be established for red king crab in the waters surrounding Petersburg be withdrawn from Board of Fish consideration at this time. However we remind the board that the Petersburg Fish & Game Advisory Committee voted unanimously in support of the proposal. My request for withdrawal is driven by two primary factors 1) uncertainties about the potential ramifications of a positive C&T determination on the ability of local Petersburg residents to retain equal access to red crab, and 2) pressure from commercial fishing interest groups and individuals requesting that I withdraw my proposal.

I sincerely hope the initial submission of Proposal #166 has served to highlight the frustration local Petersburg residents currently feel over ADF&G's mismanagement of the red king crab resource in Southeast Alaska. I sincerely hope that the attention this proposal has received will put ADF&G, commercial fishing interests, and the BOF on notice that Alaskan residents need to be better taken care of with regard to having access to Alaska's fisheries resources. Otherwise, I fully intend to resubmit a similar proposal requesting C&T use determination for red king crab in the waters surrounding Petersburg during the next BOF cycle, or sooner.

Sincerely,


Brent Akers

Reference proposal 154:

Comments:

Wrangell AC is in support of this proposal and this was not adequately expressed in the committee report.. We feel this proposal would not negatively impact the sport industry and user as they would still be able to meet their need in the rest of Southeast. This proposal would also assure all AC's that additional areas in their region when proposed for closure would be for local and state resident needs only. With this assurance local AC's might accept local closures with more favor. The Wrangell AC sees the commercial guided sport industry as benefiting from the closure of these areas to commercial fishing. Most commercial fishers in these areas are local who have now been displaced to provided an area for non-resident use.

Otto Florschutz
Wrangell AC


January 25, 2009



Proposals 184 & 185

Mr. Chairman Members of the Board of Fish, My name is Mike Nilsen I am a King and Tanner crab fisher here in Southeast Alaska. I urge you to oppose proposals 184 & 185 pertaining to the stacking of permits in the King And Tanner Fisheries. Let me start out by saying that these proposals should be considered restructuring proposals. These proposals will create an economic hardship for persons to participate in this fishery. I do not feel that is just to cause a person to have to find another permit to fish off their vessel Just to stay competitive I feel that this amounts to reallocation. I also believe that in these times it is wrong to consolidate more causing loss of crewmember jobs. In closing I would like to say that I think this permit stacking plan would back fire by bringing latent permits into the fishery resulting to more gear on the grounds.

Mike Nilsen K69 Permit Holder

A handwritten signature in black ink, appearing to read "Mike Nilsen". The signature is written in a cursive, flowing style with some loops and flourishes.

RC51

Prop%20167[1]

Dear members of the Board of Fisheries:

Re: proposal 167

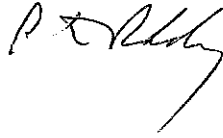
The closure of the personal use King Crab fishery in District 13, due to department concerns for the well being of the resource, does not constitute new or compelling information which might justify consideration of a request for a C & T finding.

The Department is charged with the maintenance of healthy populations of fish and game. Proposal 176 will give the Department latitude in managing the King Crab stocks which will benefit all users of the resource.

Use, means of harvest, transmission of knowledge, etc., are not factually different from those which obtained in 1989 when the board did not find for C&T status in the case of King Crab.

Prop. 167 is overly broad, and in seeking a C&T finding "and/or close 13B and 13C to commercial harvest of king crab" is allocative in nature and therefore should be rejected.

Peter Roddy (speaking for myself only)
Sitka, AK



State of Alaska,
Board of Fish

January 25, 2009

To whom it may concern;

Re: Proposal #185

I am totally opposed to any form of permit stacking in the Tanner crab fishery. I believe that if this is adopted it would concentrate even more gear in traditional fishing grounds. It would cause regulatory and enforcement issues, i.e. Glacier Bay lifetime access permits. It would create an inequity between operators with large platforms and the "small boat" fleet. It would eliminate employment opportunities for deckhands and restrict the opportunities for new operators to buy into the fishery.



J. Andrew Knight

T19 Permit holder

F/V Kathy K.

RC53

Ronn Buschmann
Box 1367
Petersburg, Alaska 99833

John Jensen, Chairman
Alaska Board of Fish
Petersburg Alaska 99833

January 25, 2009

Re: Proposal # 185 as amended

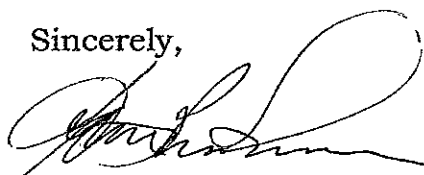
Dear John and Commissioners,

I am writing to oppose this proposal for Red and Tanner Crab Pot Fishery permit stacking. I believe this will lead to further concentration of capital and fishery privileges. In addition, given the mechanical requirements of efficiently operating two permits from one boat, this proposal, if accepted, would lead to a de facto reallocation of the Red and Tanner crab fisheries to larger boats and the better capitalized operators in the fleet. Although this would probably lead to an increase in permit value, it would cause a loss of opportunity for those interested in entering the fishery and create further impediments for young fishermen.

Fifty years ago the act of statehood abolished salmon fish traps. The reason for taking away the rights of the fishtrap owners was that the fishtraps reduced opportunities for local seine fishermen and that it concentrated the capital returns from the salmon runs into the hands of those who could afford to own the trap sites and build the expensive traps. This proposal would create for the red and tanner crab fisheries the same situation that statehood abolished for the salmon fishery.

Both fisheries are near the end of a long CFEC process of reducing entrants to optimum participant numbers. It seems prudent to observe these fisheries for several years once the optimum number is reached before considering major changes such as Proposal #185.

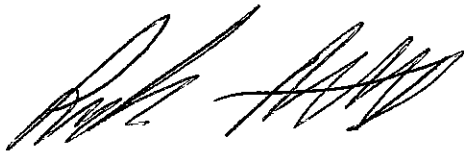
Sincerely,


Ronn Buschmann(K49 owner)

Hello, I'd like to start by thanking all the board members who are here participating in the board of fish meetings in Petersburg, Alaska this week. My name is Luke Whitethorn, I live in Petersburg, Alaska at 100 Odin Lane. I have been a commercial fisherman for 20 plus years. I currently own a red/tanner crab permit for southeast Alaska. I am writing this letter to **OPPOSE** proposal 185 pertaining to lawful gear for registration area A on the stacking of tanner permits allowing a pot limit of 120 pots per vessel. I feel this would bring more permits into the fishery faster causing a stress on a stock that is trying to rebound and intensify this fishery. I also **OPPOSE** this proposal because I feel that allowing two permit holders aboard a vessel would cause many crew members to lose their jobs, which will cause stress on an already shrinking economy. This fishery has already gone from 100 to 80 pots. I strongly feel that we should try to rebuild the tanner stocks before we intensify this fishery. Thank you for your time and consideration.

Sincerely,

Luke Whitethorn/ F/V Haakon

A handwritten signature in black ink, appearing to read 'Luke Whitethorn', written in a cursive style.

Proposals #184 and #185

Mr. Chairman Board of fish Members I would like you to consider proposals 184 and 185 restructuring proposals and take no action or oppose these until the public has further time to comment. I would like to see these submitted as restructuring proposals.

Thank You Yancey Nilsen K69 Permit Holder

Yancey Nilsen

25 JAN 2009

Roger A Gregg

PO Box 3

Wainwright AK 99929

RE: Committee Report A RC#22

Proposal 181.

The limited discussion in committee didn't cover the substitute language. I for one did not use the substitute language at that time. I only received this after the committee report came out.

Although I had serious reservations about the original proposal, at least it would have used fisheries pretaxance to adjust the season length. The proposal with substitute language would only use the Dept Towner crab survey to manage the fishery. I do not know of a single fisherman who believes the survey reflects the status of the Towner Crab stock.

The survey has several problems the task force tried to address in numerous meetings with the Dept, with little or no success. One is the timing of the survey. The survey needs to be done ~~at such a time~~ when the crabs are historically available not the Dept's convenience. Two the amount of pot lifts or data pts is not large enough ~~to give an accurate~~ to give an accurate

assessment. The survey pot placement on strata that are not Tanner crab habitats. Having the survey take place during the large tides. The ~~lack~~ bait protocols which do not use enough nor the correct bait. The KTTF has spent literally hundreds of hours discussing these with the Dept. and seen little or no change in the Survey protocols.

One other question we have asked and never received an answer to ~~is what is~~ ~~the~~ about is what is the confidence factor of the statistical analysis. This is a mathematical Paradox which ~~word~~ gives us an idea of how much we can rely on the information. Normally it should be 95%.

This management plan has not addressed the reduction of effort in the core areas or the return to in season management as charged by the board to the Dept and the KTTF in 2002.

The KTTF proposed the core, no core management to the Dept. originally it to reduce the effort in the core areas and to try to ~~reduce~~ reduce the incidence of Bitter crab. Our proposal after a lot of work was for 10 extra days in the no core areas in order to get part of the Fleet to shift. The Dept reduced this to 5 days and we've seen little effect.

The Board in 2002 also charged us with trying to do something with ^{the} Bitter crab problem. With the started season and less boats fishing, this seems to be getting worse. That was ~~the idea of restriction~~ one of the reasons for the extended time is the NON core areas as many of these have a much larger incidence of the disease.

Without detailing the history of the Tanner Crab fishing in SE Alaska I would ask the Board to consider proposal 182 which would return the fishing to a size, sex, season ~~fishery~~ management ~~with~~ that was successful for 30 years. This could also be easily modified to allow in season management.

In regards to proposals 184 and 185 I am not in favor of stacking permit and do not believe it would lower the number of pots in the water.

These are my personal views and not the Task Force

Thank You



Roy A. Gregg

RC57

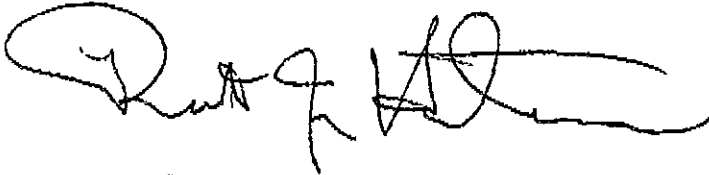
prop 167

Monday, January 26, 2009

Board of Fisheries

I request to revoke my subsistence proposal.

Sincerely,
Robert Hartman



738-0456

Proposal 154:

Wrangell AC supports this proposal.
Staff report findings that no AC
responded is false and misleading.
Wrangell AC sees this proposal as
necessary.

1-26-09

Otto Florschutz
Wrangell AC.

Proposals 149 + 150:

The Wrangell AC supports these proposals.

Staff report findings that no AC had positions is blatantly false or misleading.

The Wrangell AC feels the public could greatly benefit with the adoption of these proposals.

1-26-09

Otto Florschutz Wrangell AC

PROPOSAL 318 - 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Correct an error by amending this section as follows:

(h) In the Petersburg/Wrangell vicinity, shrimp may not be taken in the waters
 [(1) OF TWELVE-MILE ARM WEST OF A LINE FROM PRINCE OF WALES ISLAND AT 55° 29.07' N. LAT., 132° 37.60' W. LONG., TO THE NORTHEASTERMOST TIP OF LOY ISLAND AT 55° 29.07' N. LAT., 132° 36.70' W. LONG., TO THE EASTERNMOST TIP OF CAT ISLAND AT 55° 27.80' N. LAT., 132° 39.08' W. LONG., TO PRINCE OF WALES ISLAND AT 55° 27.80' N. LAT., 132° 40.93' W. LONG., INCLUDING WATERS NEAREST HOLLIS ANCHORAGE; AND]
 [(2)] east of a line from Indian Point at 55° 36.85' N. lat., 131° 42.02' W, long., to the northeastern most tip of Betton Island at 55° 31.95' N. lat., 131° 46.37' W. long., to the southeastern most tip of Betton Island at 55° 29.90' N. lat., 131° 48.18' W. long., to Survey Point at 55° 28.07' N. lat., 131° 49.87' W. long.

(i) In the Prince of Wales Island vicinity: [,]
 (1) the waters of Klawock Harbor between the Klawock River Bridge and a line from the Klawock blinker light to the Klawock oil dock are closed to;
 (A) [(1)] snagging; a fish hooked anywhere other than the mouth must be released immediately;
 (B) [(2)] sport fishing for sockeye salmon;
 (2) shrimp may not be taken in the waters of Twelve-mile Arm west of a line from Prince of Wales Island at 55° 29.07' N. lat., 132° 37.60' W. long., to the northeastern most tip of Loy Island at 55° 29.07' N. lat., 132° 36.70' W. long., to the easternmost tip of Cat Island at 55° 27.80' N. lat., 132° 39.08' W. long., to Prince of Wales Island at 55° 27.80' N. lat., 132° 40.93' W. long., including waters nearest Hollis Anchorage;

ISSUE: This is a housekeeping proposal to remove a Prince of Wales Island regulation from the Petersburg/Wrangell subsection and correctly place it in the Prince of Wales Island subsection.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulation will remain in the wrong subsection.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No

WHO IS LIKELY TO BENEFIT? Everyone will benefit from a regulation listed in the correct section.

WHO IS LIKELY TO SUFFER? No one

OTHER SOLUTIONS CONSIDERED? None

PROPOSED BY: Alaska Department of Fish and Game (HQ-08F-067)

Proposal 141:**Revisit request**

Due to the B.O.F.'s action on this proposal, likely to have significant effect on some but not all fishers and that would likely cause those same to invest in new gear costing between \$11,000.00 and \$19,000.00 each. We propose the B.O.F. revisit this proposal not to wholly reverse its decision but in hope of reaching a better and less costly compromise between gear groups.

Reasons for compromise

Cost to fishermen \$11,000.00 to \$19,000.00 each

Cost to region, excess of 1 million dollars.

Inequity between pot size limits, 140 vs. 100 pots.

100 pot fishermen not likely to double pick causing resource stress.

New compromise action:

130 pots, 48" or smaller.

Benefits

100 pot fishermen only need to buy 30 pots.

100 pot fishermen won't be double picking.

Negatives:

Small pot fishermen or potentially all fishermen loose 10 pots or 7% of their fishing capacity.

Alan Reeves
Wrangell, AK 99929

Proposal 152 intent language
5 AAC 32.125

RC 62

The board intent to allow permit stacking operations would be as follows:

multiple CFEC permit holders must be on board the vessel

When

1. gear from multiple permit holders is in the water AND
2. crab are on board or
3. setting or retrieving gear

The 300 total pot limit per vessel remains in (a)

The pot buoy marking requirements for multiple permit holders remains in (d) and (e)

Miscellaneous Business
Alaska Board of Fisheries
Jan. 21-27, 2009
Southeast Shellfish - Petersburg

Proposal 318, shrimp regulation (RC 60)

Petition from Cook Inlet Aquaculture Association (Misc. Tab; RC 16)

Discussion on deliberation materials and staff comments
for 2009/2010 meeting cycle

Adjourn