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Marvin J. George  
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May 20, 2008

Alaska Department of Fish & Game  
Board of Fisheries  
Shannon Stone and Scott Crass  
Southeast Region  
PO Box 115526  
Juneau, AK 99811-5526

To Whom It May Concern:

Another way to stop the Yellow Eye and other bottom fish from being killed off or thrown away by the sport fishermen and charter boat group is to impose a rule of no mooching in areas where the Yellow Eye Red Snappers are located. This will keep the overkill rate down.

Whereas, we the true sport fishermen, who troll with down riggers and sometimes we just use 8 to 10 oz. trolling lead, are not hooking onto any Yellow Eye Red Snappers, but sometimes we catch a kelp bass, but those dive back down to the bottom after we unhook and throw them back in the water.

Thank you for your time.

Sincerely,



Marvin J. George,  
Craig Community Association Member

Restructuring Proposal Form for Proposal 255  
Andy Wright  
{ HYPERLINK "mailto:fv\_windall@yahoo.com" }  
907-518-0433

- 1) Southeast Drift Gillnet
- 2)
  - a) Harvester would need two permits to qualify for incentives.
  - b) Harvesting allocations would be relative to incentives decided on.
  - c) Incentives could include longer or deeper nets, more time for dual permit holders, or other ideas that could come out of possible committee meetings.
  - d) No
  - e) Availability of permits would diminish as consolidation grew; the C.P.U.E. should strengthen as gear is taken out of the water and all users would benefit.
  - f) No
  - g) Yes
  - h) Depending on what incentive is adopted, the department would have to modify their C.P.U.E. models as they monitor the fishery.
  - i) ?
  - j) Post-season evaluation of fishery would occur at meetings with industry and department.
  - k) Conservation is not a primary motivation of this proposal; however, it would be easier for the department to manage for weak stocks with less gear in the water.
  - l) Enforcing fisheries with different net lengths may be a challenge; however, this is not a new concept. Much can be learned from the experiments of enforcement in the Bristol Bay salmon fishery and the Seymour Canal fishery.
- 3) The primary goal of this proposal is to bring the number of participants down to a level that achieves a more stable economic viability. The gross income of a Southeast gillnetter should more adequately reflect the amount of investment and risk.
- 4) Currently we have a large number of boats competing over a small amount of fish. This problem is going to be exacerbated as loss of I.F.Q.s makes salmon a more primary target, and loss of Dungeness crab to sea otters diverts the large amount of dual permit holders from the crab grounds to the salmon grounds. It seems counterproductive to have 100 boats, for example, catching the same amount of fish 50 boats could catch. Providing incentives to consolidate would help achieve better economic viability.
- 5) The term allocation usually refers to a specific division of fish numbers, consolidation incentives don't guarantee more product to any individual, or group, only the opportunity to increase their share of the catch. With that said, there are ways that the fishery may be affected. Some areas may see higher use of the program. This may be a challenge for management as permit disbursement



equalizes. Another possible consequence could be less competition between gear groups, if the gillnet fleet is reduced to a manageable level. It would be easier to survive during lean years.

- 6) It seems that as case could be made that all could benefit. Harvesters would have higher incomes, processors would have a more steady flow of fresh fish, and fish handling would be limited to fewer boats. Communities would see more trickle down economics as incomes grew healthy enough for participants to spend money more freely.
- 7) There is no status quo. The continuity of the fleet is changing radically as young aggressive participants buy permits is creating a chum salmon dependent machine.
- 8)
  - a.
    - i. As the fleet consolidates, it should be easier to manage wild stocks.
    - ii. Management will have some extra workload as they adjust to new management formulas.
    - iii. Economic utilization would improve as more cost effective operations bring disposable income into the communities.
  - b.
    - i. It would be far more efficient to have fewer boats catching more fish, limiting pollution and reducing fuel and other operating expenses. As gross incomes rise and expenses shrink, a healthier fishing fleet is created.
    - ii.
    - iii. Permit values would most likely rise, depending on market value of fish. There may be a negative impact on boat values as consolidation progresses.
    - iv. Distribution of product value would swing in favor of consolidation participants, but remain static for processors and market access.
  - c. No effect is anticipated on other gear groups and should not affect interactions between regions or communities.
  - d. In past years, when the salmon fisheries were struggling through hard seasons, the state of the fleet's machinery was falling into disrepair, many vessels were not adequately maintained because of cash flow difficulties. A well maintained boat is definitely a safer boat, more income means better maintenance and that translates into more dollars trickling into local economies.
  - e. There should not be much change in the market aspects after implementation of this proposal, although the end result might possibly be a better product.
  - f. Dramatic changes for processors are not anticipated. Fewer boats delivering more fish may increase their efficiency.
  - g. Some crew jobs could be lost but others would become more lucrative. The overall impact on the local economies should be positive, as no land

based jobs would be lost and more disposable income is spent throughout communities. Raw fish landing should remain static.

- 9) Many stakeholders are just absorbing the possibilities and are, as of now, unsure. At this point, while it does not yet have "broad support," there seems to be increasing interest and the amount of support may change over the next two months.
- 10) The State of Alaska Department of Fish & Game has done an exemplary job of resource conservation to the end of harvestable excess. To date, there are few conservation problems that the department cannot manage with their current tools. This proposal should not create any new obstacles that hinder conservation goals. I have been involved in the Southeast Drift Gillnet fishery since I was around 8 years old. I spent summers as I grew up crewing with my dad and the other fishermen. I bought my first boat and permit with a state loan when I was 20 years old and have participated under the capacity of skipper nearly every year for 27 years. This puts my lifetime experience in this fishery at somewhere near 39 years. I feel very strongly that it is incumbent upon me to do what I can to help shape a fishery that can survive in perpetuity with economic viability. Does this constitute fisheries development? In my mind, since "status quo" is counterproductive, it does.
- 11) I am not aware of any legal ramifications, but it is clear that any consolidation proposal will cause management changes with the department. Clearly the most complicated would be time related incentives. When crafting proposal (255), my intention was to get different ideas out to promote dialogue, which would lead to better ideas. This already seems to be happening, as some new incentive ideas are already surfacing. Hopefully, by the time the board meets, a concept will rise to the top that industry and department can live with.

To Board of Fish

Restructuring Proposal No 253; Increase length limit for S.E. Salmon Seine vessels to 75 feet.

Question #1: S.E. Salmon Seine

Question #2:

- a. Must have current SE Salmon Seine Card.
  - b. No allocations.
  - c. Fishing gear will stay the same.
  - d. Yes, increase vessel length limit to 75 feet.
  - e. No permits or harvest privileges affected.
  - f. No defined role for processors on the beach, but may increase custom processing on board.
  - g. Yes, it should be permanent.
  - h. Maybe, measuring vessels new to the fishery, but should be taken care of by documentation and licensing.
  - i. Vertical integration should occur to some extent, but due to current fish prices will be small, as not as much need to value add currently as a few years ago, i.e. { 6-10 cents lb for pinks, 15 cents for chum, 80 cents for king, 20 cents for coho and 70 cents for sockeye) but if prices fall then there should be an increase in onboard processing.
- Consolidation will not occur. No additional limits imposed.
- j. Monitor by vessel licensing and evaluate by how many people change vessel size, not necessarily capacity as I would add on to my current vessel length to increase speed and stability with no extra capacity.
  - k. No conservation, ADF&G does a good job of monitoring and controlling the fishery.
  - l. The practical challenge that needs to be overcome is to convince the Board of Fisheries to allow it, as last board cycle, there was only one opposing voice in committee by the Tender group, but it wasn't much because it was agreed that it wouldn't affect Tenders much. There are less tenders now due to buybacks restricting participation and attrition, (age, fires sinking's etc.) and no new tenders are being built.

Question #3: Some of the changes/goals are

a: Make vessels more versatile.

b: increase efficiency, keep operating costs down and increase fish quality.

c: Uniformity in Seine gear group.

D: Enable young/new participants to buy in.

Question #4 the proposal can meet the goals/objectives

a: to increase deck space, this would help in custom processing applications as you need much more deck space to comply with regulations, with more room the processing won't be as cramped and there will be better quality in better handling, storage, rinsing etc . Many boats participate in other fisheries, ie Spawn on Kelp, where more deck space is needed, also larger decks tend to make things safer, less crowding ie; S E Roe herring (Sitka) where multiple nets are carried on boats, this would give more room for this and make it safer(stability). Pot fisheries would also benefit and other fisheries may that I don't participate in.

b. Increase fuel efficiency and speed as longer vessels travel through the water faster with less resistance. On larger vessels, you would not have to pack the fish as tight increasing quality.

c. Make the Seine gear group uniform, as the herring seine fisheries have no length limit on vessels.

d. Making more vessels of different sizes will make it more affordable for young fishermen to enter in the fishery and for others to upgrade if they wish to.

Question #5 Management plans should not be affected much , concern was voiced by a biologist that larger vessels would increase catching ability, but I believe his concerns are unfounded . The seine net catches the fish and the nets will stay the same, fishing in rough weather should not change as there is more to it than just a bigger boat. In the summer of 2008 it was so windy where I was fishing that we couldn't haul gear, the net would be blown off the deck. There was no wave action. The waves and wind affect the skiff and side towing , a larger boat will make the net fish shallow and cause other problems- like lines breaking etc, and make it harder for the boat to stay on the gear. Another concern maybe more capacity but already there are 58' boats that pack 200,000 lbs and the management style is not changed because of them. Currently very few vessels under 75' carry more than that.

Another point is that when fish are running heavy , tenders can just go pump out of the net or unload the seiner while it is waiting in line( which happened in 2007 where I was fishing), so the larger vessel catching more fish for management concerns really is unfounded.

If I was to lengthen either of my vessels, it would not increase packing capacity, just give me more deck space and better fuel efficiency .

As far as allocation I couldn't think of any impacts or re allocations.

Question #6 Who will benefit? First Harvesters, given more deck space, the ability to process if wanted, new entrants into the fishery as they could buy existing vessels and not spend millions building a new one, which most new entrants can't afford. Also a more efficient and economical operation.

Communities may benefit as more young or new entrants could afford to buy in.

Question #7 Its better than status quo by all the previous reasons and there is no valid argument against it!

Question #8

- a. 1) There should be no biological impact as the harvest is based on escapement and the seine/catching power is not changed.  
2) The management should not be affected as the catching power of the nets stay the same, and on big days (which there really aren't that many, and if there are, there is usually more than enough fish escaping, we can't catch them all!) the reasons I have stated previously still stand. 3) Economic utilization is positive, as more or different vessels can enter the fishery. Value adding custom processing can take place much easier, this I know as I have witnessed small boats try and fail due to lack of space for one, and I have jumped through the hoops and got processor license myself and all the equipment, but never tried it as the boat would be too small. It is 58'x17.5.
- b. 1) this proposal will increase economic efficiency by offering better fuel savings, more room on deck, make the vessels better in other fisheries.  
2) None that I can think of.  
3) None  
4) a) It will increase product value to the fisherman by a) less packing in the hatch for improved quality and the ability to custom process. b) Will increase value to processors by delivering a better product, less tightly packed=less bruising, scale loss and better refrigeration due to increased circulation over the product.  
5) May increase market access due to custom processing and better quality.  
c) Interdependence, should improve in some fisheries as seine vessels could be larger making better vessels for some other fisheries that seiners participate in but could use bigger vessels, (herring, crab, Spawn on kelp etc.) Regional interaction could be affected by larger vessels not being able to fish there due to size limits. An increase in income to communities by more local vessels, higher moorage income (by the foot, 58' vs 75')  
d) It could increase safety.  
e) Already stated.  
F) Already stated.

g) Local communities; may increase employment by adding vessels, processing increases due to quality improvements resulting in more sales. Industry impacts; by increase income in and to communities and ports, increasing local business income.

9) Every seiner I have talked to supports the Idea, most agree a limit is not practical and restricts potential in today's fishery.

10) As stated previously, ability to custom process on a larger vessel, it is very difficult on a normal 58' seiner (Development), it may bring newer and more efficient vessels(fuel economy) among other things.

11) Management should be the same and enforcement should also be the same, I am not a lawyer or legal person so I don't know the legal implication potential.

Larry Demmert

To All Board of Fish Members;

My Name is Larry Demmert and I am writing on the various proposals below, I am part Alaska Native and my family originates out of Klawock, Ak. I am a fisherman whose family has fished since time immemorial, I have fished since I was 7, I have a residence in Craig, Ak. I own 3 seiners and several skiffs and support vessels, I own permits in SE Sac Roe seine, SE Salmon Seine, 2 Spawn on kelp, have held a Chatham permit and Area M Seine permit. My whole family owns permits, Brenda (wife) owns 2 spawn on kelp permits, Voshte ( Daughter) owns 2 Spawn on Kelp permits, Nicholas (son) owns 2 spawn on kelp permits and a SE Salmon seine permit, Daniel,( son ) owns 2 spawn on kelp permits, Sharon (mother) owns a spawn on kelp permit, Alexi ( nephew ) owns a spawn on kelp permit. Rosemary ( mother in law) owns a spawn on kelp permit, Rudolph Johanson (father in law) 2 spawn on kelp permits, 1 Se Salmon seine permit In total I speak for 15 spawn on kelp permits and 3 SE seine permits!

I will comment on Herring first , as we hold the largest amount of permits.

Proposal 199 General herring closure OPPOSE, many commercial herring stocks are at or near historical highs, the group proposing this obviously has no history or scientific data on Herring, just using lies and misinformation to drive hysterical ranting of overfishing .

Proposal 201 gillnet herring grab OPPOSE, Gillnetters have damaged their fisheries by harvesting only large females, they have no right to damage other healthy herring stocks and have no history there.

Proposal 205 gillnet herring grab OPPOSE, see above.

Proposals 209,210 Support we cannot have a fishery like 2008, large sets were made but the quality was way down, the biomass is so large it is hard to manage, this will appease many users, there will be very little test fishing and when sets are good the herring will be taken, we can harvest in a variety of areas, the tribe should support this all the way! It will also make it much safer, last year I was rammed and set in front of, causing web in the wheel, my partner boat was rammed and many other incidents were reported!!

Proposal 211 not requiring permit holder on kelp placement in pen Support, Fishing is defined as catching/harvesting of fish, not kelp, putting kelp into pens is not fishing, therefore permit holders need not be there, kelp can be harvested by non permit holders and sold!

Proposal 212 SUPPORT

Proposal 214 SUPPORT Makes sense

Proposal 215 expasnd 3b area SUPPORT There is no subsistence in this area, there are no Macrosistys kelp beds in this area, there is plenty of good area for ponding that will have no impact on subsistance.

Proposal 216 expand open pond area in 3b Support This will allow open pounders more opportunity to follow the spawn, and this is outside the subsistence area.

The next comments are for SE Salmon Seine representing 4 permits.

Proposal 238 **SUPPORT** Will help in a short subsistence year.

Proposal 253 **SUPPORT** There is no valid argument for a 58' limit, it is a regulation whose time has long past. Last Board of fish meeting there was only one small voice of dissent from the Tender group ,but it was not strong, as the argument that there are no new tenders entering fisheries and we are losing tenders to sinkings, fire , buy backs etc. Some fish companies will pay the seine boat to pack their fish to the plant.

In Herring there is no length limit, we should make these fisheries the same.

This will also allow for more capitalization as fish quality will be increased and it will also make on board processing easier.

This will make boats more efficient , as longer boats go through the water faster, and give more deck space and increase safety.

Managements worries of more fish being caught are unfounded, as they manage by escapement, seines catch the fish and they are not being changed, many new wide boats pack 200klbs of fish and fish in bad weather, we cannot fish in weather that will endanger the skiff, also it is too hard on the gear, lines break and net tears due to heavy weather.

The size will likely be held to under 65' as there are many regulations on a vessel 65' or greater.

**We should not be held back in making our boats more efficient!**

Proposal 254 **SUPPORT** The measurement should be hull length only no add ons , bolt ons or anything removable should count, it makes for better working deck, doesn't increase the catching ability of a boat.

Proposal 263 extra net onboard seine fishery **Support** we do it in herring why not salmon?

Proposal 264 close seining in Klawock area **OPPOSE** Seining in area 4 is limited to hours a week , it has very little impact on Klawock subsistence, if anything monitor the subsistence fishers who abuse the system and take thousands of sockeye and sell it illegally, this is what's killing subsistence!!

Proposal 265 change harvest dates **OPPOSE** NOT BASED ON SOUBD SCIENCE!!! See above.

Proposals 271,273,274 **SUPPORT** **Gillnets have been catching more !** it is unfair and not how its supposed to be managed!

Proposals 294,307,308,310 311, 312 **SUPPORT** THERE HAS BEEN ZERO OVERSIGHT ON SPORT FISHING AND IT IS ABUSING THE SYSTEM! I see sport fishermen taking 10 to twenty boxes of fish home each, it is ridiculous; they will cause severe damage to all fisheries with their unlawful and irresponsible ways. **All Lodges should have to pay for observers and have full coverage, they make millions,** if a fishing boat



pays for observer coverage and makes 10% of what lodges' bring in there should be no problem in paying!!!

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WE THE UNDERSIGNED REQUEST THAT Larry Demmert represent us for the Board of Fish 2009 meeting in Sitka, Ak.

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WE THE UNDERSIGNED REQUEST THAT Larry Demmert represent us for the Board of Fish 2009 meeting in Sitka, Ak.

1. Richard Salmonson <sup>Solida</sup> <sup>SE-South</sup> <sup>permt</sup>
2. Rachel A. Williams <sup>P.O. Box 23359</sup> <sup>Ketchikan</sup> <sup>AK</sup> <sup>99901</sup> <sup>L21A</sup> <sup>L21C</sup>
3. VOSHK Gustafson - 16232 37<sup>th</sup> Ave NE Seattle WA 98155 <sup>North SE</sup> <sup>spawn on</sup> <sup>L21C</sup>
4. Carlis Demmert P.O. Box 223 Klawock AK 99925 <sup>sheep permit, ponding permit</sup> <sup>Kelp</sup>
5. Kelly Gustafson - 16232 37<sup>th</sup> Ave NE, Seattle, WA 98155 <sup>spawn on</sup> <sup>L21</sup>
6. Lawrence Demmert III <sup>L21C</sup>
7. Sharon Demmert P.O. Box 844 Craig, AK 99821 <sup>SE-South</sup> <sup>ponding permit</sup>
8. Sharon M. M. 18022 25<sup>th</sup> AVE NE, LAKE FOREST PARK, WA <sup>L21A</sup>
9. Allyce Hamble <sup>spawn on Kelp Permt</sup>
10. Matthew Connolly <sup>SSE RIE on Kelp</sup> <sup>P.O. box 221</sup> <sup>Craig, AK 99921</sup>
11. Bonnie Demmert 16136 41st AVE NE LPP WA 98155 <sup>SSE</sup> <sup>NSE</sup> <sup>...</sup>
12. Lawrence Young, SE Salmon, NSE-SSE Pond <sup>L21</sup>
13. \_\_\_\_\_
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# Restructuring Proposal Form for Proposal 256

Bob Martin  
bobwmartin@yahoo.com  
907.772.2923

Answers to questions 1 - 11:

**1.** What regulatory area, fishery, gear type does this restructuring proposal affect?

Southeast Salmon Drift Gillnet except Terminal Harvest Areas. (THAs are small but very important areas where hatchery fish are targeted with very little impact on wild stocks)

A little background on net length:

Southeast salmon gillnetting is allowed in five Districts: 1,6,8,11,15

Districts 1,11,15 have a 200 fathom maximum net length

Districts 6 and 8 allow a maximum of 300 fathoms

I do not know why the districts have different net length limits. I can see no reason at this time. District 6 can be as difficult (strong tide rips, ship traffic, whales, shallow reefs) and congested (lots of gillnetters) as any other area, yet it allows the longer net. All THAs have a 200 fathom maximum. Far from being unaffected by this proposal, THAs would benefit the most because they would feel the boat reduction, yet see not extra net length from any of the remaining fleet.

**2a.** To be eligible for the extra length, a skipper would have to hold two permits.

**2b.** Not directly, but see question/answer #5

**2c.** Same means and methods. A second permit allows the skipper to append an additional 100 fathoms of legal gillnet to whatever maximum length the single-permit regulations already specify.

**2d.** No

**2e.** No, please keep transferability the same.

**2f.** No

**2g.** Yes, a permanent regulation. (The Board can change permanent regulations though, right?)

**2h.** Yes, ADF&G will need to monitor for a change in fleet catch rates and see if a change in fishing time is needed to meet harvest and escapement goals.

**2i.** I don't think vertical integration is affected. Isn't fleet consolidation horizontal integration?

**2j.** I would like to see all possibly relevant data collected and made available in aggregate, anonymous form by CFEC and ADF&G so all can see whether this proposal is working toward its goal of a larger harvest for all vessels whether they have one or two permits. If it is not, perhaps a future proposal could rectify the shortcomings.

**2k.** Not fishery conservation, but fuel and pollution conservation motivation since we have a lot more boats than we need cruising back and forth to our short weekly openings.

**2l.** In practice, this proposal might not achieve much because it should immediately drive permit prices up to a level where the acquisition of a second permit would cost as much as the extra benefit to be gained. This is a problem with any voluntary buyback program. I can only hope that since salmon gillnet permit prices fluctuate a lot, there will be times during poor years when permits are cheap (and the need for fleet reduction most evident), when far-sighted individuals in our fleet can snatch them up and eventually affect a meaningful reduction in the fleet. Having severable permits would mean that the fleet could unconsolidate if permit prices got so high that it was tempting to sell one of the stacked permits. However, if the permit value was so high, it would probably be due to the

profitability of the fishery and another permit stacker could easily be the potential buyer for the severed permit. I like severability, though, since it takes some of the risk out of acquiring a second permit. If it did not work out, you could sell it.

**3.** To reduce the number of boats and the quantity of gillnet deployed during the fishery, thus making the fishery more profitable for remaining participants.

**4.** For every skipper who purchases a second permit and uses the extra 100 fathoms, one boat and at least half of a gillnet will be absent from the fishery. The dual-permit holder gets some extra net, while both dual and single-permit holders get some extra space which means more fish.

**5.** It is possible that some fishing districts within Southeast could see more permit stacking than others if, for example, District 1 fishermen thought a second permit would provide a great benefit, while District 6 fishermen did not think they had much to gain. On the other hand, District 6 fishermen are accustomed to fishing 300 fathoms, have the large gillnet reels to accommodate long nets, and would naturally incline toward using a 300 fathom net when they fish in 200 fathom districts. The main weakness of my proposal is that the extra 100 fathoms of net would be more valuable when appended to a 200 fathom net rather than a 300 fathom net, because it is a greater percentage increase and does not require the "experiment" of trying to make a 400 fathom net pay off. To my knowledge, no one has ever fished 400 fathoms in the Southeast region, while most of the fleet can envision the benefit of a 300 fathom net over a 200 fathom net. One solution to this problem would be make 200 fathoms the maximum single-permit length in all districts. While this has some support from area 6 and 8 fishermen, it also has some strong opposition. Thus I avoided that fight in favor of a less controversial proposal.

**6.** I do anticipate an increase in resource value.

**7.** If we do nothing, there will be increasing fleet effort and a smaller slice of the pie for most fishermen as the older generation who received state-granted permits sells their lightly fished or unused permits to new entrants who generally become more competitive. If these permits could instead be absorbed by existing participants at half of the gear amount, the trend toward a more potent fleet could be offset by a reduction in boats. Over many years, enough permits would be doubled up to make a noticeable fleet reduction and those remaining would be getting a larger share of the harvest.

Adjusting for inflation, average gross income for the fleet trended downward from 1988 to 2002. Since then, a few years of improved chum prices and strong hatchery runs have caused an upturn in income. (Note, however, that some of this increase in income has apparently come at the expense of other gear groups as there is now a chum allocation battle going on between seiners and gillnetters.) If chum prices and catches return to historical levels, there will be a continued downward trend in inflation-adjusted income for the fleet.

**8a.** It is possible that in the long term, a reduced fleet could require more fishing time to catch the harvestable salmon resource. I doubt much change would be necessary, as a smaller fleet usually catches more per boat and mops up the allowable harvest with ease. Since I am not aware of any over-escapement concerns for the salmon stocks targeted by Southeast gillnetters, I would think there is no risk to the resource.

**8b.** In the short term, the harvesters would face the hassle of dealing with two different net

lengths, especially where boats wait in line to take turns. There would be some jealousy and resentment of those who had two permits. Over time, these issues should settle down and become minor. The demand for entry-level boats would drop, leading to lower boat prices, especially for the smallest and least desirable vessels. However, this trend has already been evident for many years as the fleet has steadily upgraded its boats and equipment.

**8c.** I cannot think of an effect on other gear types. As I mentioned in question #5 there could be a regional effect if permits tended to flow toward areas where stacking was more desirable.

**8d.** The only safety issue I can see is the adjustment of boat traffic to the longer nets. Perhaps buoy size and visibility could be regulated to help other boats see the nets better. Boat traffic is already a issue, and I think a larger buoy size could help an existing problem as well. Having fewer boats and less gear in the water would mitigate the net length issue in time.

**8e.** The market should not be affected. The resource can be fully harvested with far few boats.

**8f.** As long as the resource can be harvested with fewer boats, the processors should have only minor adjustments to make. It could even make fish buying operations easier with fewer boats to service. Tender capacity needs should not change, although it is possible that tenders could service the smaller fleet faster and get the fish to the processing plants a little bit sooner. Again, we are not talking about a harvest reduction, only a fleet reduction.

**8g.** The reduction in boats and gear would increase the fleet's efficiency but this could come at the expense of some associated businesses. Less money would be spent on fuel, fishing gear, machinery, insurance, moorage. Individual boat maintenance might increase for the remaining fleet, but there could be an overall decline in maintenance spending. Since the same amount of fish would be harvested with fewer boats, the number of boats with a crew might need to increase to handle the increased catch, possibly offsetting crew laid off by the reduction in boats. If the remaining boats are more profitable, they will also have more money to spend in the community. It is hard to predict how this would play out. The resource will still be harvested, so the money is not lost, but more might be spent in a disgressionary manner rather than in just paying the bills.

**9.** I have found support to be mildly favorable. Usually the proposal is greeted with skeptical indifference, then followed by moderate support after the issues are considered. High prices for hatchery chums in the last few seasons have been good to the fleet and fleet reduction is not on everyone's mind right now. Sometimes opposition to permit stacking is fierce, however. I have found that the strongest opposition does not cite costs and benefits, but rather stems from ego issues and the perceived injustice of any kind of permit stacking. I think House Bill 251 invited this proposal. It is not just my idea.

**10.** I do not think there will be a noticeable effect on the salmon resource. I am proposing a modest gear reduction that could induce fishery managers to allow a little more fishing time in a very well understood fishery. Nor would this proposal lead to rapid change, as permit prices would probably shoot up if a lot of permit holders tried to buy an second one. There would be less fuel consumption and pollution.

**11.** Permit stacking by two separate permit holders on one boat already exists in Bristol Bay and in herring gillnet fisheries and seems to cause very few problems. Enforcement is not hard if stacking boats are required to be clearly marked so the whole fleet can tell if

someone is entitled to a longer net. The fleet already watches for long nets and I suspect many citations issued by the Troopers already come from tips called in by nearby boats.

Fishery managers should be able to compensate for fleet reduction by adjusting fishing time to match the level of effort. Surely they take fleet effort into consideration already. I do not think there would be enough stacking in the first year to warrant any changes. After the first year of catch data, the catches of stacking boats could be compared to non-stackers to develop a simple multiplier that would be applied to stacking boats when describing the level of fleet effort. For example, a stacking boat equals 1.4 single boats when calculating catch per unit of effort, or a stacking boat equals 1.4 units of effort.

I would strongly advocate that permits that are stacked could be unstacked and sold by the owner at any time. This would make the program more appealing and lead to more participation in the fleet reduction.

RECEIVED

09/20/2008

BOARDS

## PROPOSAL 249

ALLOW GILLNET AND TROLL GEAR  
ON BOARD A VESSEL AT THE  
SAME TIME WHILE PARTICIPATING  
IN EITHER FISHERY.

I SUPPORT THIS PROPOSAL  
AS I AM A GILLNETTER AND  
HANDTROLLER

IN AREA 6, SUMNER STRAIT  
FROM MID AUGUST THRU  
SEPT. 20<sup>th</sup> OFTEN GILLNETTING  
IS ONLY OPEN 2 OR 3 DAYS A  
WEEK. FOR ME HAND TROLLING  
ADDS SIGNIFICANT INCOME TO  
EACH WEEK. MY BOATS FISH-  
HOLD IS SPLIT INTO 4 COMPART-  
MENTS SO THAT I CANNOT FIT  
A NET BELOW, SO CURRENTLY  
THE NET MUST BE REMOVED FROM  
THE BOAT TO TROLL. IF I  
COULD KEEP ALL MY GEAR ON  
BOARD AND THE NET ON THE DRUM  
I WOULDN'T HAVE TO WORRY  
ABOUT IT GETTING STOLEN OFF  
OF SOME REMOTE DOCK. AS I  
AM FISHING A 9 HOUR RUN

PUBLIC COMMENT #

5

FROM HOME, SWITCHING GEAR  
THERE IS NOT AN OPTION.

ALSO I HAVE ALWAYS SOLD  
MY FISH FROM ONE FISHERY  
TO BEGIN THE OTHER, SO HAVE  
NEVER HAD FISH FROM BOTH  
FISHERIES ON BOARD AT THE SAME  
TIME, WEATHER OR NOT THAT IS  
AN ISSUE I DON'T KNOW, BUT  
IS "GOOD BUSINESS."

THANK YOU

HARLEY D. BLACK  
F/V WHISPER

P.O. BOX 19103

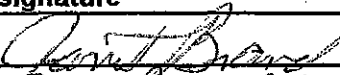
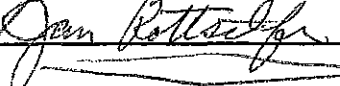
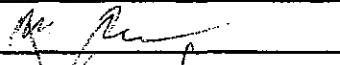
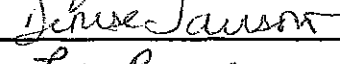


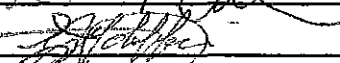

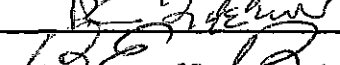
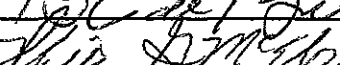
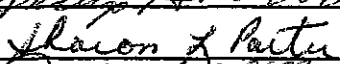

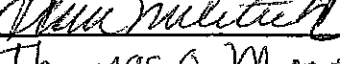
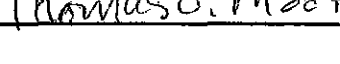


THORNE BAY AK. 99919  
(907) 828-3464



MATERIALS SUBMITTED WITH  
PROPOSAL 270

Close Shoreline Fishing  
In Herring Cove

11-3-07

signature	name Print	address
	Janet Brand	8330 S Tongass Hwy
	Jan Rottschaefer	KTN, AK 99901
		8316 S Tongass Hwy, KTN AK
	Mike Jansons	8352 S. Tongass,
	Denise Jansons	11 11 11
	Liz Bower	8332 So Tongass
	Curt Bower	8332 S Tongass
	Robert Fernbach	8303 STH
	Terri Madaffari	7934 STH.
	Rhonda Madaffari	7934 STH.
	Barb Bigelow	7866 S. Tongass
	BARNWICK/BRA	122 Powerhouse
	Philip G. McElroy	8204 S. Tongass KTN, AK
	Sharon Porter	122 Powerhouse Rd
	Janis L. McElroy	8204 S. Tongass, KTN, AK 99901
	ANN MILETICH	69 LAKE ROAD KET 99901
	TOM MOORE	69 LAKE ROAD, KTN, 99901

### A MATTER OF PUBLIC CONCERN

We are the residents of Herring Cove, and we are writing to express our concerns and apprehensions regarding the upcoming fishing season(s). There have been designated closures in this area for many years, but we have learned that Herring Cove will now be open to fishing from the beach, due to a greatly increased return of Kings and Cohos that were released from the SSRAA Herring Cove Hatchery 5 years ago. This increased release was initiated at that time by Rep. Bill Williams and Sen. Robin Taylor for sport fishing, however, **local residents were not informed** of unusually large returns at the time. Now it is imminent, and we are told by Fish & Game to expect large numbers of anglers using the beach. The anticipated return this year is 5,700; next year it is something like 10,000. Once the Hatchery has replaced its brood stock their ladders will be shut and the rest will be "up for grabs".

**Our greatest concern is that no preparation has been made by ANY authority** to handle the additional vehicular and foot traffic, parking, safety problems, trespassing, and littering of both our neighborhood and the beach. We are told by Fish and Game that they do not have the authority to close the fishery, nor do they have funds to develop designated trails to access the beach. The Dept. of Natural Resources controls the land beyond the high water mark and the Department of Transportation controls some of the property ostensibly designated to provide access to the shoreline. We are told there are 3 of these areas, however, none of these access points have been developed in any way. **This leaves beach anglers no choice but to trespass across private inhabited property.** Confrontations between the residents and trespassers are inevitable, there will be many calls to state troopers to sort out the problems, and we are well aware of how understaffed they are. **There are no public sanitary facilities of any kind in Herring Cove;** please refer to the attached letter from Department of Fish and Game concerning this and other related issues.

We all appreciate how important sport and commercial fishing is to Ketchikan and we do not suggest that the fishery be closed. We do suggest, however, that a reasonable alternative to a free-for-all "combat fishing" situation would be to allow boats in the area, ***but prohibit fishing from the beach until public access facilities (parking, trails and sanitary facilities) have actually been developed.***

A page of residents' signatures is attached hereto and a copy of this letter has been sent to the attached list of governmental agencies.

2  
/24

PUBLIC COMMENT # 6

**Herring Cove Combat Fishing  
CONTACT LIST**

**FISH & GAME:**

Juneau Kevin Delaney, Director  
267-2444  
kevin\_delaney@fishgame.state.ak.us  
Ketchikan Steve Hoffman  
2030 SeaLevel Drive #205 / 225-2859 fax 225-0497

**STATE TROOPERS:**

Ketchikan Sgts. Ludwig & Arlow  
P.O. Box 8700 / 225-5518

**DEPARTMENT OF NATURAL RESOURCES:**

Juneau Commissioner John Shivley  
400 Willoughby Ave. 5th Floor  
Juneau, AK 99801 / 465-2400 fax 465-3886

Anchorage **Division of Lands**  
Attention: Bruce Phelps  
3601 "C" Street  
Anchorage 99503 / 269-8592  
BrucePhelps@dnr.state.ak.us

**DEPARTMENT OF TRANSPORTATION:**

Tom Brigham, Director 465-4070  
Andy Hughes, Planning Chief 465-4479  
S.E. Regional Director 465-1763  
Procurement/Property Control (SE) 465-8979

**OFFICE OF THE OMBUDSMAN:**

Juneau 240 Main St. Suite 202 / (800)478-4970

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION:**

Juneau Commissioner Michelle Brown  
410 Willoughby Ave. #105  
Juneau 99801 / 465-5065 fax 465-5070

Ketchikan Rob Danner  
540 Water St. #203 / 225-6200

**S.E. REGIONAL AQUACULTURE ASSOC. (SSRAA)**

Jay Creasey, Hatchery Manager  
188 Powerhouse Road / 225-2635  
Bill Halloran, Operations Manager  
2721 Tongass Ave. / 225-9605

**SENATOR ROBIN TAYLOR**

50 Front St. #203 / 225-8088 fax 225-0173

**REPRESENTATIVE BILL WILLIAMS**

50 Front St. #203 / 247-4672

**LEGISLATIVE AFFAIRS OFFICE**

50 Front St. #203 / 225-9675

**BOROUGH MAYOR JACK SHAY**

344 Front St. / 228-6604

3/24

PUBLIC COMMENT #

6

Copy of 1999  
List

HERRING COVE RESIDENTS SIGNATURE PAGE

Print Name  
Reggy Rauwolf / Andy  
Signature  
Reggy Rauwolf  
Address  
7942 S. Tongass Hwy.

Print Name  
Margaret Clabby  
Signature  
Margaret Clabby  
Address  
7960 S. Tongass Ketchikan AK 99901  
Print Name  
BARBARA BIGELOW  
Signature  
Barbara Bigelow  
Address  
RB 8415, KETCHIKAN, AK 99901

Print Name  
JUDITH W WALKER  
Signature  
Judith W Walker  
Address  
7980 S. Tongass Hwy Ketchikan AK 99901  
Print Name  
ERNEST W. WALKER  
Signature  
Ernest Walker  
Address  
7980 S. Tongass KTN, AK 99901  
Print Name

Signature

Address

Print Name  
ERIC HUMMER  
Signature  
Eric Hummer  
Address  
7960 S. Tongass

Print Name  
Sharon L. Walker  
Signature  
Sharon L. Walker  
Address  
7980 S. Tongass Hwy.

Print Name  
Dennis A. Brand  
Signature  
Dennis A Brand  
Address  
8230 S Tongass  
Print Name  
JANE A. BRAND  
Signature  
Jane A Brand  
Address  
8230 S. Tongass Ketchikan AK 99901

Print Name  
Stanley L. Berntson  
Signature  
Stanley L. Berntson  
Address  
8476 S. Tongass

Print Name  
Catherine L. Fallon  
Signature  
Catherine L Fallon  
Address (owner)  
8278 S. Tongass  
Print Name  
Michael J. Fallon, M.D.  
Signature  
Michael J Fallon  
Address (owner)  
8278 S. Tongass Hwy

Signature

Address

1999  
Sign up

# HERRING COVE RESIDENTS SIGNATURE PAGE

Print Name

Dwight A. MacPherson

Signature

*Dwight A. MacPherson*

Address

8366 So. Tongass Hwy

Print Name

DAVID PFLAUM

Signature

*David Pflaum*

Address

8256 S. TONGASS HWY

Print Name

Jean MacPherson

Signature

*Jean MacPherson*

Address

8366 So. Tongass RTN

Print Name

Debra J. Pflaum

Signature

*Debra J. Pflaum*

Address

8256 S. Tongass Hwy

Print Name

Susan Perry

Signature

*Susan Perry*

Address

8352 S. Tongass Hwy

Print Name

ROSE WOLF

Signature

*Rose Wolf*

Address

8278 So Tongass

Print Name

MIKE LAUSOCO

Signature

*Mike Lausoco*

Address

8352 SO. TONGASS

Print Name

Alan Wolf

Signature

*Alan Wolf*

Address

8278 S Tongass Hwy

Print Name

Louise Bower

Signature

*Louise Bower*

Address

8332 So. Tongass

Print Name

Tanis Rottschaefer

Signature

*Tanis Rottschaefer*

Address

8316 S Tongass  
Box 9037 KTN 99901

Print Name

Curtis Bower

Signature

*Curtis Bower*

Address

8332 So Tongass

Print Name

KRISTEN CARLISLE

Signature

*Kristen Carlisle*

Address

8630 So. Tongass Hwy

Print Name

Sharron L. Huffman

Signature

*Sharron L. Huffman*

Address

8302 S. Tongass

Print Name

KATHLEEN A. BERNISON

Signature

*Kathleen A. Bernison*

Address

8476 S. Tongass

# HERRING COVE RESIDENTS SIGNATURE PAGE

Print Name  
HALLI KENOYER  
Signature  
HALLI KENOYER  
Address  
44B STG HWY, KTN AK

Print Name  
Frank Steiner  
Signature  
Frank Steiner  
Address  
83 Powerhouse Rd.

Print Name  
Sal Beraldi  
Signature  
Sal Beraldi  
Address  
8381 So Tongan Hwy KTN.

Print Name  
MARIANNE REESE  
Signature  
MARIANNE REESE  
Address  
122 POWERHOUSE RD. KTN.

Print Name  
Nancy DeWitt  
Signature  
Nancy DeWitt  
Address  
250 TOWER RD

Print Name  
Aaryn Kenoyer  
Signature  
Aaryn Kenoyer  
Address  
44 Power Hs Rd. STG

Signature

Address

Print Name  
Ben H Fleenor  
Signature  
Ben H Fleenor  
Address  
8219 So. Tongass

Print Name  
Karalynn Crocker-Bedford  
Signature  
Karalynn Crocker-Bedford  
Address  
Tim Barry

Print Name  
Tim Barry  
Signature  
Tim Barry  
Address  
44B. Power Hs Rd  
KTN. AK-99901

Print Name

Signature

Address

Print Name

Signature

Address

Print Name

Signature

Address

Print Name

Signature

Address

Dennis and Janet Brand  
8230 South tongass hwy  
Ketchikan, Alaska 99901

Governor Sarah Palin

For some time now the residents of Herring cove have had to endure what the state calls shore line fishing. We have fought to move the fish to a more user friendly area .which they can do. It is becoming more dangerous with the huge increase in bear population

There are no provisions for combat fishing. The only access is down slippery and dangerous rock cliff. All other access is private and people are constantly trespassing. If some one is injured on our property while trying to catch a hatchery fish we are liable not the state, or SSRAA who created this abomination. Each time we are told that something will be done it is the start of the fishing season and a new person is in charge. It is not our intention to try to close the hatchery it is a vital part of Alaska's industry, shore line fishing in a residential neighborhood is not. I constantly have people use my rock wall for a restroom and not just urine. There is trash strewn all over .there are treble hooks all over the beach so the children cant swim without fear of stepping on a snagging hook.

I am sure the state troopers have more important problems than trespassers but if we don't call we have no recourse if someone is injured.

There are times that we cannot drive across the bridge because of cars busses or vans blocking the way.

I have enclosed just a few pictures and explanations of them. **Please** will someone not take a look at this travesty? In our bundle of rights as property and home owners we are given the right to privacy and quiet enjoyment both of these have been taken away. Depending on the tides we have persons here from 4am to 1am. fishing regulations are not enforced or controlled.

The state had offered at one time to open an alternate area but it would have been a huge **misuse of funds** since there was no way to access the fish from these sites but we were told that we turned it down. So must we now suffer the consequences?

When SSRAA. Was put in years ago we were told that it would have no impact on our lives or surrounding area which was true until the state got involved and released more fish than they new what to do with. At that time there were little to no fishing because this was not a fish stream. it was created by SSRAA. I see no reason not to close this area until a solution can be found

Sincerely Janet and Dennis Brand  
Frustrated property owners

A copy of this letter is also being hand delivered to fish and game Ketchikan

7/24

PUBLIC COMMENT # 6

#1 bear was literally fed a carcass by a snagger. (Fisherman). Later the Bear was shot and drug up the road by its leg because he was stealing There fish

#2 commercial guides bringing tours down no one is checking for appropriate licenses

#3 A fishermen climbed our rock wall to light his cigarette  
Who is at fault if he is injured?

#4 People were too lazy to carry the fish up the appropriate trek so they were left on the beach.

#5 garbage is a constant factor

#6 snagging in the creek with no one to control it

#7 behind this van is our fire hydrant. Beside the smaller blue car are our mail boxes. Neither of these is accessible by fire department or homeowners

#8 fish caught and left to rot

#9 I was to appalled to take a picture of the man defecating on our rock wall

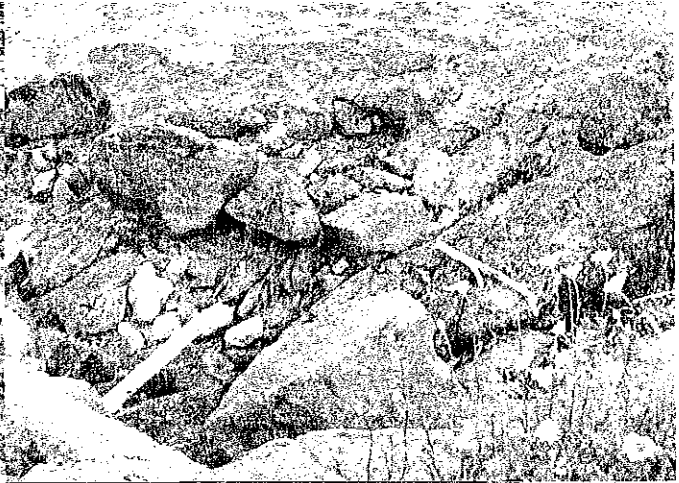
The following page is a letter and a list of officers that it was sent to in 1999; of these we received two responses

8/24

PUBLIC COMMENT #

6





5



6



7



8

9/24

PUBLIC COMMENT # 6

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### SPORT FISH DIVISION

2030 SEA LEVEL DRIVE, # 205  
KETCHIKAN, AK 99901  
PHONE: (907) 225-2859  
FAX: (907) 225-0497

May 12, 1999

Sgt. Ludwig and Sgt. Arlow  
Alaska State Troopers  
Box 8700  
Ketchikan, Alaska 99901

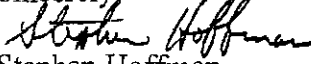
Dear Sgt. Ludwig and Sgt. Arlow:

The Alaska Department of Fish and Game, Division of Sport Fish is writing you this letter to give you a "heads up" on activities that we feel will develop this season at Herring Cove as the result of large king salmon returns to the Whitman Lake hatchery. Beginning this season (late June through mid-September), the Department and staff from SSRAA that operates the hatchery at Herring Cove, anticipate increased use of this area by sport fishermen fishing from the shore and boats. Past problems at this site include the following.

1. Illegal parking along the highway that blocks traffic and causes safety problems.
2. Trespassing through private landowner yards.
3. Urination and defecation in front of the public and on private landowner yards.
4. Litter accumulation and parties that create public problems.
5. Confrontations between landowners and anglers during trespassing situations.
6. Illegal fishing above and below the Herring Cove bridge.
7. Snagging of fish in freshwater portions of Herring Cove Creek.
8. Retention of over limits for salmon.

Our department is requesting help from your agency in dealing with above listed problems. We are wondering if signs could be posted concerning parking laws along the highway in Herring Cove and if additional patrols by both "blue and brown shirt" staff could be scheduled to help with these problems as they develop. Our staff will be spending additional time at this site also to deal with the fishery-related problems.

Sincerely,

  
Stephen Hoffman  
Area Management  
Biologist  
Ketchikan, Ak.

10/24

PUBLIC COMMENT #

6

# STATE OF ALASKA

## DEPT. OF TRANSPORTATION AND PUBLIC FACILITIES

### PLANNING/SOUTHEAST REGION

TONY KNOWLES, GOVERNOR

6860 GLACIER HIGHWAY  
JUNEAU, ALASKA 99801-7999  
PHONE: (907) 465-1774  
TTY/TDD: (907) 465-4647  
FAX: (907) 465-2016

July 9, 1999

Residents of Herring Cove  
C/O 8366 South Tongass Highway  
Ketchikan, AK 99901

Dear Residents,

We appreciate the informative packet that you have provided concerning the potential for difficulties this summer on the South Tongass Highway at Herring Cove. The prospects of a large return of hatchery fish may lead to large numbers of parked vehicles, and individuals who wish to travel from the road to the waterside.

In response, we enclose two right-of-way maps of this area. Both are old and have never been updated. They indicate that the right-of-way managed by the Department of Transportation and Public Facilities (DOT&PF) varies in width, and reaches 150 feet wide in the vicinity of the Herring Cove bridge.

Your letter states that some portion of the highway right-of-way is "ostensibly designated to provide access to the shoreline". We do not understand why this statement is in your letter. In a situation such as this one, planning for access between the state highway and adjoining lands is the responsibility of local government, not DOT&PF. While the highway right-of-way is available for transportation purposes, we haven't taken any action to establish public access from the right-of-way to adjoining properties and the shoreline.

With regards to parking, we encourage your review of regulations found in the Alaska Administrative Code (13 AAC 02.340 etc.). Questions concerning the enforcement of these regulations should be directed to the Alaska State Troopers.

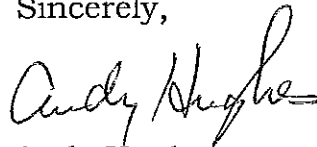
Based on this summer's experience, you may wish to propose a capital improvement project to address access problems at this location. Unfortunately, it typically takes two or more years before a project can be completed. Secondly, it is imperative that some entity other than DOT&PF be identified to provide for maintenance of the completed facility. Without a maintenance sponsor, the prospects are dim for funding these improvements through the Statewide Transportation Improvement Program (STIP).

July 9, 1999

If you have specific suggestions in mind, please bring them to the attention of the Ketchikan Gateway Borough, which coordinates local nominations of projects for funding. It may prove beneficial to discuss your proposals with the Department of Fish and Game, as they also may be able to provide funding assistance.

Please contact me at 465-1776 if you would like to discuss these topics in greater detail.

Sincerely,



Andy Hughes  
Regional Planning Chief

cc: John Hill, Associate Planner, Ketchikan Gateway Borough  
Ron Schonenbach, Acting Southeast Regional Manager, Department of  
Natural Resources  
Gary Hayden, Director of Construction, Maintenance and Operations,  
Southeast Region  
Thomas B. Brigham, Director, Statewide Planning  
Frank Richards, Maintenance Engineer, Southeast Region  
Pat Kemp, Preconstruction Engineer, Statewide Design and Engineering Services

12/24

PUBLIC COMMENT #

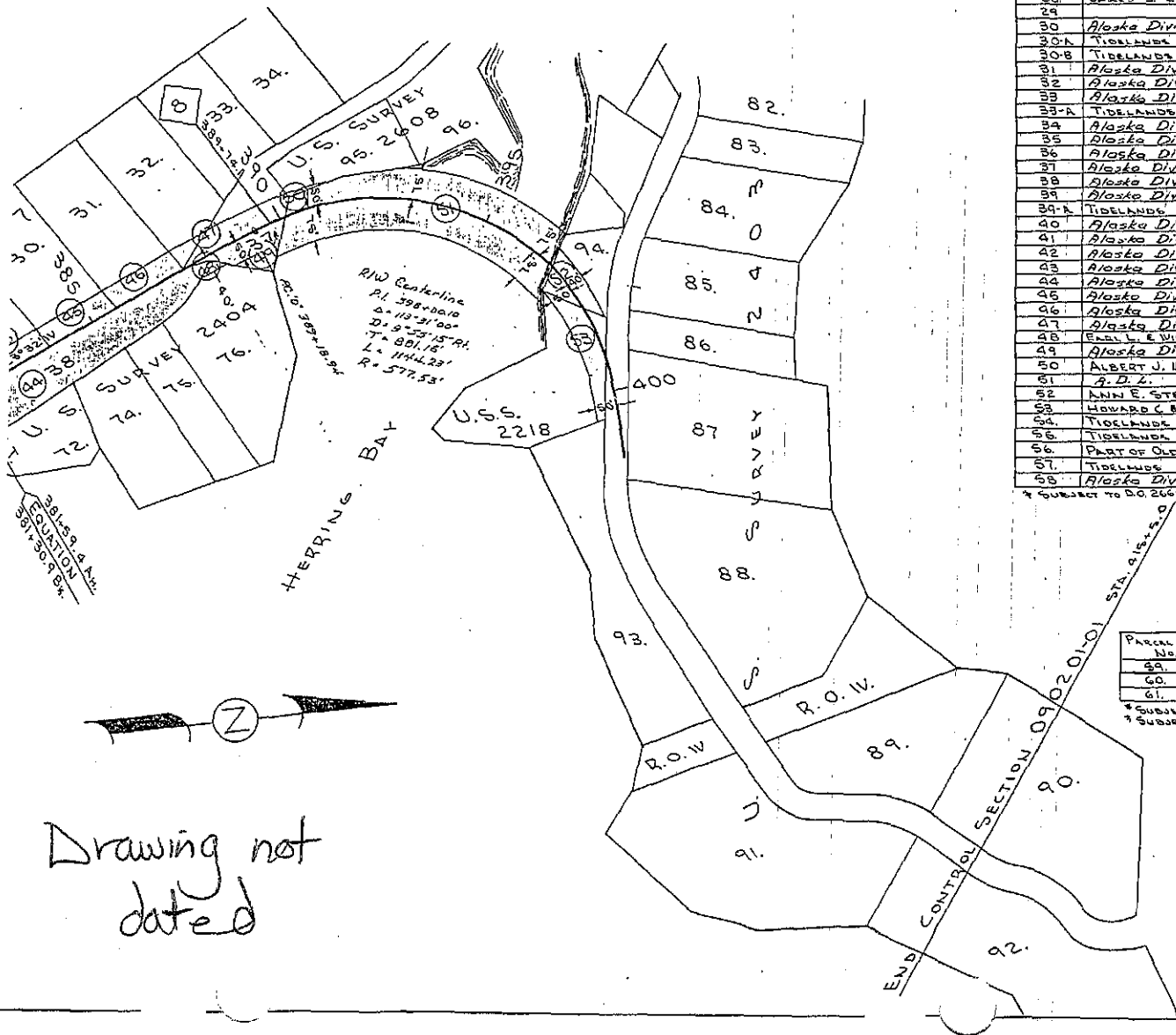
6

S.T. 31746.9  
 10° 8.1  
 10° 6.0  
 10° 15.0

GEORGE INLET

Δ = 19° 51'  
 Δ = 10° RT.  
 Δ = 175.6  
 Δ = 48.9  
 Δ = 7° 30'  
 Δ = 150

Δ = 18° 21'  
 Δ = 4° RT.  
 Δ = 231.4  
 Δ = 458.8



PARCEL No.	NAME	AREA Sq. Ft. Acres	REMARKS
26.	Alaska Division 7 Land		R/W Permit 118 ADL-22393
27.			T No DOCUMENT
28.	JAMES S. & BLANCHE PITCHER	.08	T No DOCUMENT
29.			T No DOCUMENT
30.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
30-A	TIDELANDS		No DOCUMENT
30-B	TIDELANDS		No DOCUMENT
31.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
32.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
33.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
33-A	TIDELANDS		No DOCUMENT
34.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
35.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
36.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
37.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
38.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
39.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
39-A	TIDELANDS		No DOCUMENT
40.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
41.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
42.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
43.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
44.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
45.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
46.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
47.	Alaska Division 9 Land		R/W Permit 118 ADL-22393
48.	ALBERT J. INAYER	.022	R/W Permit 118 ADL-22393
50.	ALBERT J. INAYER	.034	R/W Permit 118 ADL-22393
51.	A. D. L.	2202	A.D.L. 15652
52.	ANN E. STEPHENS	.14	* SUBJECT TO P.L.O. 601
53.	HOWARD C. & ZELMA H. BRAND	.38	* SUBJECT TO P.L.O. 601
54.	TIDELANDS		No DOCUMENT
55.	TIDELANDS		No DOCUMENT
56.	PART OF OLD R/W		No DOCUMENT
57.	TIDELANDS		No DOCUMENT
58.	Alaska Division 9 Land		R/W Permit 118 ADL-22393

\* SUBJECT TO D.O. 2665 & P.L.O. 1514 SUBJECT TO ACT OF JULY 24, 1947

PARCEL No.	NAME	AREA Sq. Ft. Acres	REMARKS
59.			No DOCUMENT
60.			No DOCUMENT
61.			No DOCUMENT

\* SUBJECT TO ACT OF JULY 24, 1947  
 \* SUBJECT TO D.O. 2665 & P.L.O. 1514

**STATE OF ALASKA**  
 DEPARTMENT OF PUBLIC WORKS  
 DIVISION OF HIGHWAYS  
 RIGHT OF WAY MAP  
 ALASKA ROUTE NO.  
**S-902**  
 CONTROL SECTION 090201-01

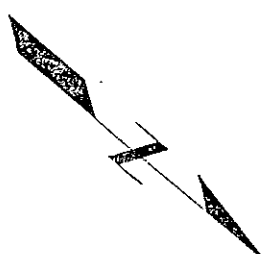
SCALE 1"=200'

SHEET 2 OF 2

PUBLIC COMMENT #

13/24

5/21/64



6

8230 South Tongass Hwy.  
Ketchikan, AK 99901  
July 10, 2006

Mr. Charles Swanton  
State of Alaska  
Fish & Game  
Juneau, Alaska

Subject: Herring Cove Fish Hatchery

Dear Mr. Swanton:

In response to my phone call with you on or about 6-29-06, below is information regarding the Herring Cove angler problem(s).

It seems that we, the residents of Herring Cove, have been ignored long enough. When SSRAA introduced the salmon hatchery to the Herring Cove residents, (a combination of residential and commercial neighbors), we were told that there would be little to **no** impact on property or life as we knew it. To the contrary, we now must police our property from trespassers which includes and is not limited to:

1. endure the trespassers foul language when they are asked to leave our property
2. put out camp fires that are left unattended
3. clean up the garbage they leave behind
4. collect yards and yards of fishing line which by the way the seals and wild birds get caught in
5. neighborhood children can no longer go bare foot on the beach because of the treble hooks in the beach sand and rocks
6. attempt to stop ignorant people from feeding the "cute" bear cub and its mother
7. tend to injured eagles that people try to feed and pet
8. the underside of the Herring Cove bridge seems to be a designated rest room
9. the rocks that line the Cove seem to be another designated rest room area
10. legal parking is really not available; consequently, they park (and block) in and around driveways
11. parking in front of the fire hydrant seems to be okay too

The State of Alaska and SSRAA have basically placed the resident's closet to the Cove in jeopardy. The facts speak for themselves:

Fact 1: We are liable if someone is injured on our properties.

Fact 2: Each year, the angler problem increases and each year, the responses from Wildlife Enforcement and Fish and Game are less and less.

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Fact 3: We have requested over and over that some one take responsibility for this ever increasing problem

Below are some suggested solutions to the Herring Cove fish hatchery problem(s):

Solution No. 1: The State of Alaska has a parcel of land to the south of Herring Cove with ample room for them to set up parking, rest rooms, a dock for fishing and cleaning fish.

Solution No. 2: Allow snagging from the road. Problem! No parking.

Solution No. 3: Move markers out from point to point forcing fishing to State designated land (see diagram attached).

Solution No. 4: Close the Herring Cove fish hatchery; let SSRAA give the fish away.

Solution No. 5: Purchase adjacent property from Ron and Barb Fitzgerald; the State could create shoreline only fishing.

In summary Mr. Swanton, we do not appreciate spending our summers enduring the problems related to the Herring Cove fish hatchery; summer in Ketchikan is too short and too precious to have to spend our time asking anglers to stay off our properties let alone cleaning up their messes after they leave. And making sure they only have what they came with.

I was unable to scan the map but if you have a copy of the original proposal it is alternative #1 the markers would be moved to the point of alt. #3 to alt. #1.

I look forward to meeting you on your visit to Ketchikan.

Sincerely,

Janet A. Brand

Tel (907) 247-8355

16/24

PUBLIC COMMENT # 6



# STATE OF ALASKA

FRANK MURKOWSKI, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### DIVISION OF SPORT FISHERIES

2030 Sea Level Drive, Suite 205  
Ketchikan, AK 99901  
PHONE: (907) 225-2859  
FAX: (907) 225-0497

September 20, 2006

Residents of Herring Cove  
Ketchikan, AK

Dear Residents:

In 1999 the Alaska Department of Fish and Game Sport Fish Division (ADF&G/SF) held several public meetings with the property owners of Herring Cove regarding the increased shoreline sport fishery in Herring Cove. During these meetings, residents expressed numerous concerns including trespassing, parking, garbage, waste, noise, etc..

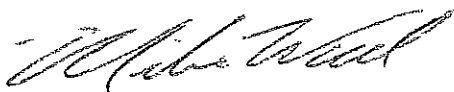
ADF&G/SF proposed several different access projects to address these concerns. However, there was an overwhelming consensus from the residents that there was no need for additional public access in Herring Cove. Therefore, it was decided not to proceed with any of the proposed access projects at that time.

In the past seven fishing seasons since then, there have been many more concerns with this fishery and access to these fish. Every year ADF&G/SF receives numerous complaints from the Herring Cove residents regarding this fishery. This year several property owners have expressed interest in meeting and discussing the issues regarding the access problem in Herring Cove. With that in mind, ADF&G/SF would like to invite all Herring Cove residents to meet with us and discuss any and all issues regarding this fishery. The meeting will be held in the Alaska Department of Fish and Game Conference Room (Suite 209) 2030 Sealevel Dr. Ketchikan, AK on October 5, 2006 at 6:00 p.m.. Please use the north staircase or elevator by the Plaza Port West Mall.

Please inform any Herring Cove residents that may have been missed by this letter, and feel free to call if you have any questions.

Thank you for time and we look forward to hearing your suggestions and concerns.

Sincerely,

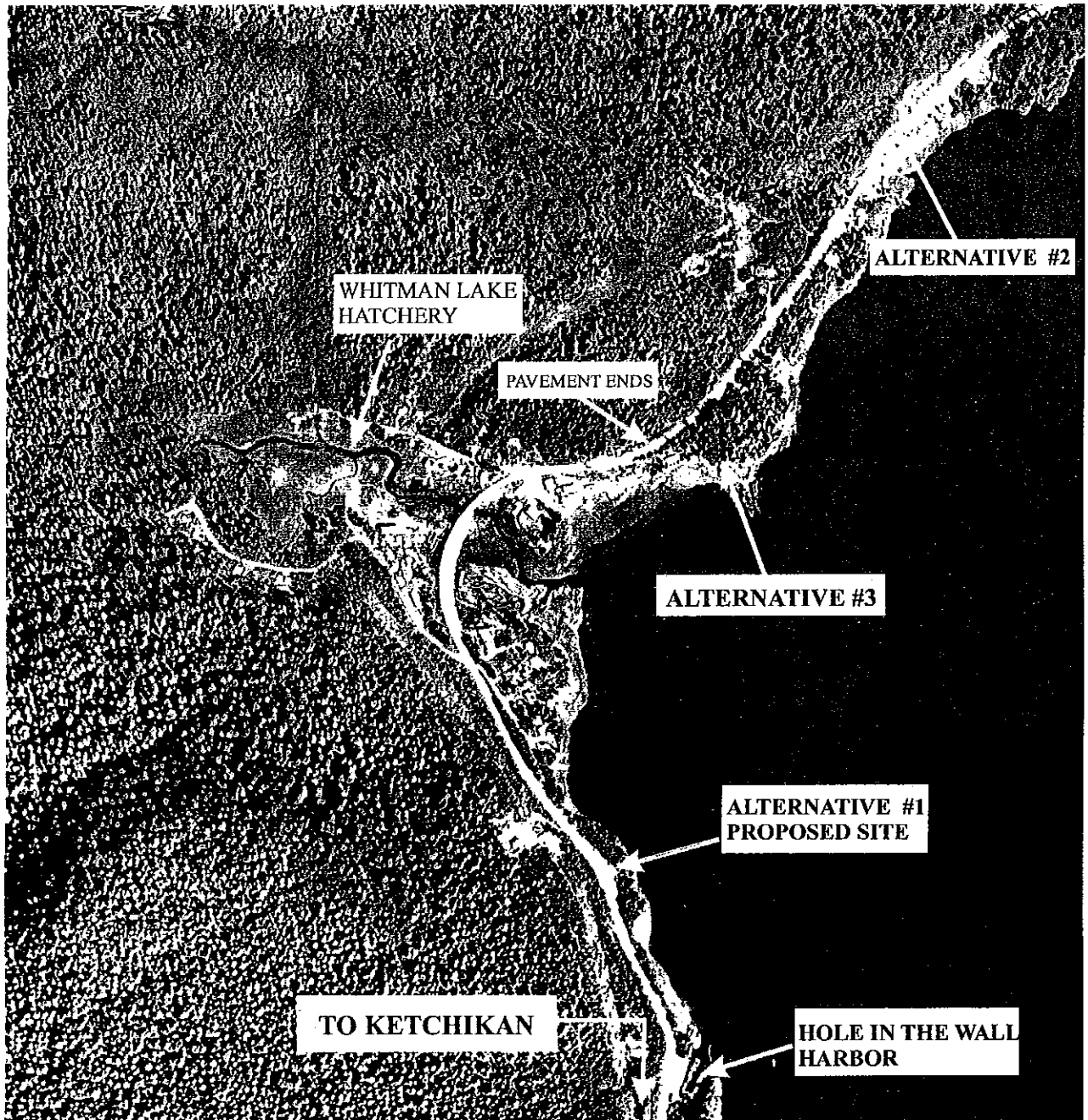


Mike Wood  
ADF&G  
Sport Fish Division

17/24

The Alaska Department of Fish and Game administers all programs and activities free from discrimination on the basis of sex, color, race, religion, national origin, age, marital status, pregnancy, parenthood, or disability. For information on alternative formats available for this and other department publications, contact the Department ADA Coordinator at (voice) 907-465-4120, (telecommunication device for the deaf) 1-800-478-3648, or fax 907-465-6078. Any person who believes she/he has been discriminated against should write to: ADF&G, PO Box 25526, Juneau, AK 99802-5526, or GCO, U.S. Department of the Interior, Washington, DC 20240.

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ATTACHMENT A

18/24

PUBLIC COMMENT # 6

# STATE OF ALASKA

SARAH PALIN, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### SPORT FISH DIVISION

2030 SEALEVEL DR #205  
KETCHIKAN, AK 99901  
PHONE: (907) 225-2859  
FAX: (907) 225-0497

June 4, 2007

Dear Herring Cove Property Owners:


We are rapidly approaching the busy fishing time in Herring Cove and there have been several issues regarding our last proposal we sent you on November 29, 2006.

The Department received several negative comments from Herring Cove residents in regards to our proposed line change in Herring Cove. The Department has also met with the Alaska Bureau of Wildlife Enforcement regarding this issue and they too were also opposed to our proposed line change.

Therefore, we would like to invite and encourage you all to meet again and discuss the 2007 fishing season options as well as long term solutions. The meeting will be held on June 12, 2007 at 6:00 p.m. in the Fish and Game conference room. Please use the north stairway closet to Plaza Mall.

Please call if you have any questions or comments if you are unable to attend this meeting.

Sincerely,



Kelly Piazza  
Ketchikan Asst. Area Management Biologist

19/  
24

PUBLIC COMMENT #

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# STATE OF ALASKA

FRANK MURKOWSKI, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### DIVISION OF SPORT FISH

P.O. Box 240020  
Douglas, AK 99824  
PHONE: (907) 465-4270  
FAX: (907) 465-2034

November 29, 2006

Dear Herring Cove Property Owners:

First off let me express my apologies for the delay in this correspondence especially since recently noting the meeting was on October 5, 2006. I want to thank you again for sacrificing the time to come and speak with us and hopefully you came away with the thought we are sincere in trying to find a workable solution. With that in mind, below are recounted the various options that were proposed at the meeting and our preferred solution for alleviating public trespass, vehicle parking, angler ignorance and human waste disposal.

The options that were offered from the department and discussed with you were:

- 1) Lease land from a private property owner for parking ~15 to 20 spaces, provide dumpsters, portable toilets, and signage. Additionally increased public notification via signage, news releases, and radio announcements.
- 2) Modify fishing times to coincide with tides.
- 3) Land purchase by non state entity and use state funds for vaulted toilet, parking lot and other improvements.
- 4) Move boundary of fishery up to the bridge and allow snagging in the creek-This would be done within our existing E.O. authority.

After additional Sportfish Division internal discussions we have decided to embark on a measured approach that could be accelerated if the desired outcome is not attained. The most workable option is to move the current fishery boundary markers with signage being placed proximate to the down stream right hand corner of the cove and extending out the cove diagonally to a marker on the left hand side of the cove. This change in the fishing area would in essence make the left hand side of the cove and adjacent tidelands closed to fishing. Please find attached a map that will be easier to understand. Our rationale for this choice is that it addresses the largest concern (trespassing) and will still provide ample area for anglers to catch and harvest fish as they have in the past. We decided against modifying the gear (no snagging) and time the fishery is open because of the unique opportunity this fishery affords for roadside angling for king salmon.

In addition to moving the fishing boundary, we will provide signage for the closed area and informational signage at several prominent access points. We are working towards providing off road parking (we are still seeking landowners willing to lease space), portable toilets and bear proof garbage receptacles.

Please recognize that if these changes are not effective at correcting the situation that took place during 2006 and in prior years we will not be reticent about revisiting these proposed changes and instituting more restrictive measures. With this in mind let us reiterate that it is fallacy to think we can, through regulation, impose ethical angler behavior; we can only try and promote it, and you can be assured that is what we intend to do.

Sincerely,

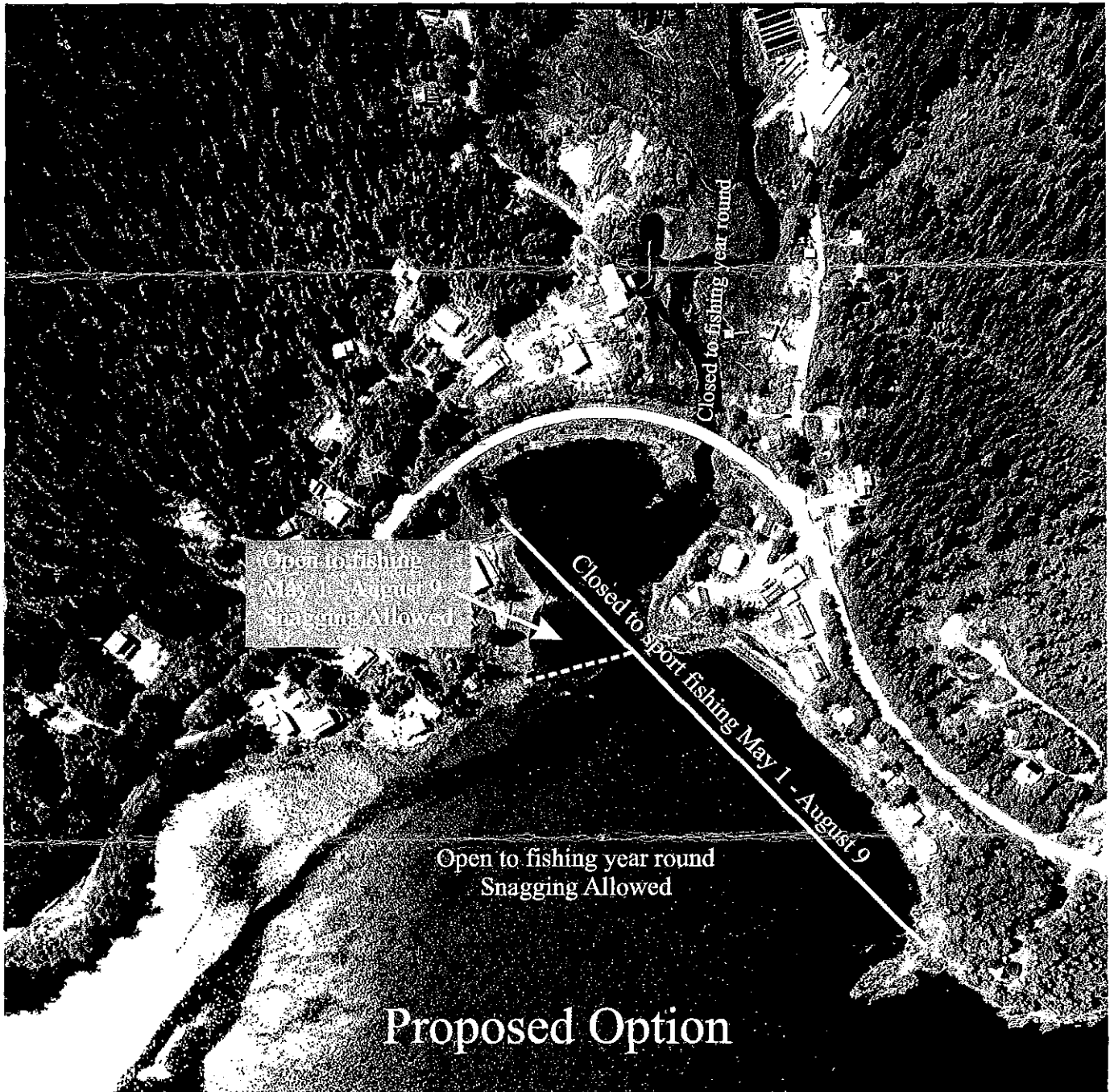


Charles O. Swanton  
Regional Management Supervisor  
Douglas, AK.

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PUBLIC COMMENT # 6

# PERSONAL USE FISHERIES

## NEWS RELEASE

ALASKA DEPARTMENT  
OF FISH & GAME

STATE OF ALASKA  
Department of Fish and Game  
Frank Rue, Commissioner

Kevin J. Delaney  
Director  
Division of Sport Fish

Southeastern Region  
P.O. Box 240020  
Douglas, Alaska 99824-0020

Contact: Stephen Hoffman *A.H.*  
Ketchikan Area Management Biologist  
Ketchikan, Alaska  
907-225-2859

For Immediate Release

June 30, 1999

## HERRING COVE TERMINAL HARVEST AREA PERSONAL USE GILLNET FISHERY OPENING

The Alaska Department of Fish and Game, Division of Sport Fish announced today that saltwater areas of Herring Cove would open to a personal use gill net fishery for surplus king salmon returning to SSRAA's Whitman Lake hatchery located on upper Herring Cove Creek. Open waters for this fishery will be Herring Cove west of a line running from the southern entrance of Hole-In-The-Wall harbor to an un-named creek 1/8 mile north of Whitman Creek to the freshwater/saltwater boundary signs located at the mouth of Herring Cove Creek (see attached map). The fishery will be open by permit only that can be obtained from the Ketchikan office prior to the fishery. The personal use gillnet fishery will be open from 8:00 am until 4:30 pm on the following days:

1. Tuesday, July 6, 1999.
2. Wednesday, July 14, 1999.
3. Wednesday, July 21, 1999.
4. Thursday, July 29, 1999.

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PUBLIC COMMENT #

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Regulations require participating individuals to be State of Alaska residents and to have their sport fishing license in possession while conducting this fishery. Legal gear is limited to drift gillnet 10 fathoms (60 feet) or less in length. There are no restrictions on the size of the gillnet mesh.

The maximum number of other species of salmon that may be incidentally taken is six coho salmon, six sockeye salmon, 100 pink salmon, and 20 chum salmon.

All king salmon caught with a clipped adipose fin must be checked in with department or hatchery staff on site, so that coded wire tags can be recovered.

Fishermen are reminded that sport-taken and personal use taken king salmon may not be possessed on the same day.

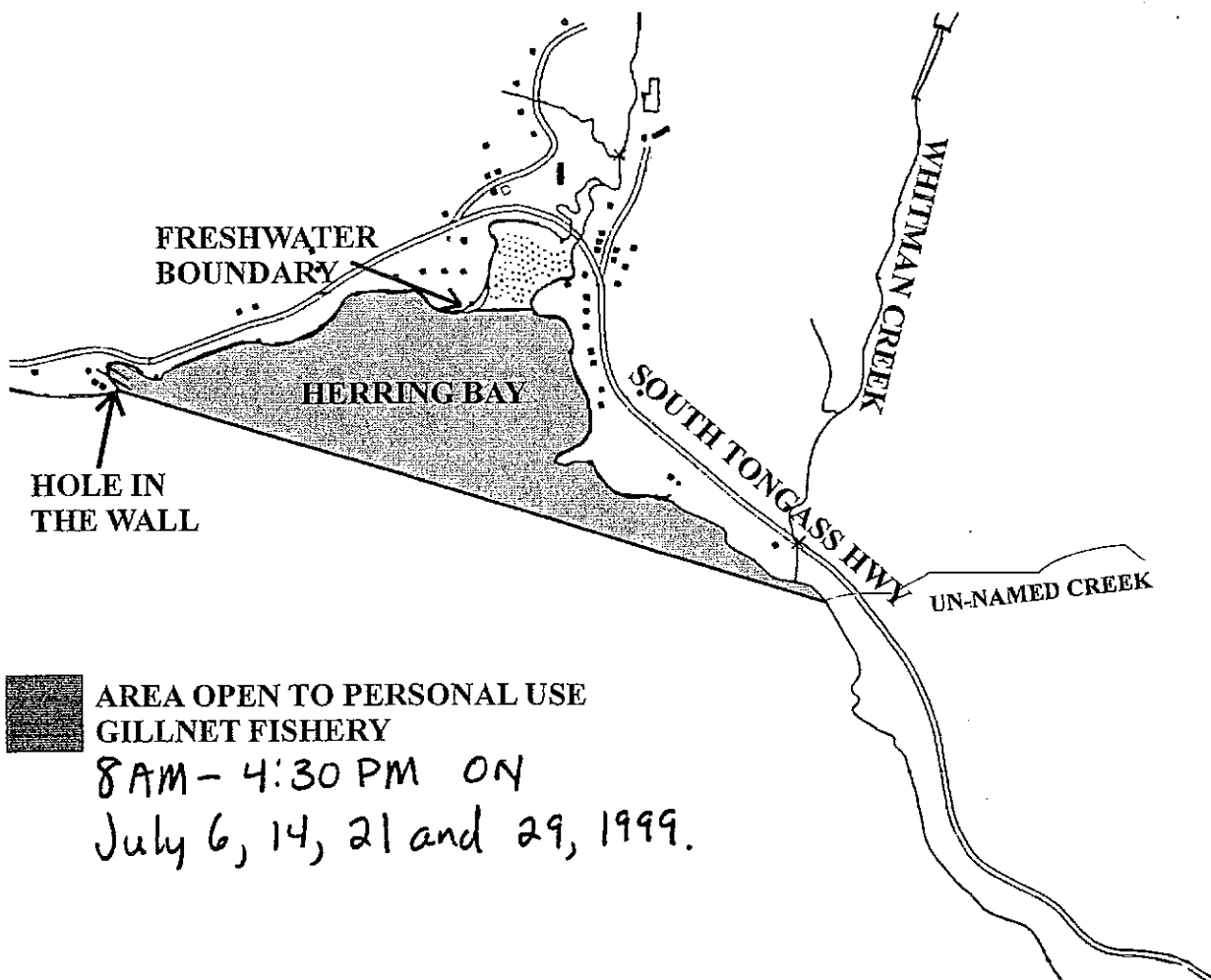
Participants in this fishery are reminded to respect private property in the Herring Cove area. Trespassing on and/or through private property is not allowed and prosecution of trespassers will occur by landowners. Personal use fishermen are also reminded not to use Herring Cove beaches as bathrooms or garbage dumps. Abuse of this area will negatively influence the future of this fishery.

Anyone needing additional information on this subject should call the Ketchikan office at 225-2859.

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AREA OPEN TO PERSONAL USE  
GILLNET FISHERY  
8AM - 4:30 PM ON  
July 6, 14, 21 and 29, 1999.

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RECEIVED

NOV 08 2008

To the Board of Fish:

BOARDS

I am writing in opposition of BOF Proposals 255 and 256 submitted by Mr. Andy Wright and Mr. Bob Martin, respectively, of Petersburg. I have opposed similar proposals in the past and my reasoning now is the same as it was then. I am opposed to any individual similarly situated in a fishery receiving preferential rights over others in that same fishery simply because he or she can afford to buy an extra permit. This is why owning two permits was not allowed until recently in Alaska Law and why it was only then permitted given that extra privileges would not apply by an act of the Legislature and even so the principal of these "permit stacking" schemes runs contrary to the Alaska Constitution. The Board has already determined that these proposals qualify as "Restructuring." I would argue that the Constitution of the State would have to be amended, for these proposals to be legal.

If these proposals are approved, the Board of Fish will be engaging in social engineering to the extent of creating two classes of gillnet fishermen, and make no mistake you will be creating a low class and a high class. The economic ramifications commensurate with this kind of tinkering with the social fabric of our coastal communities would be glaring, even Machievellian, in the way it would enrich a few, not just at the expense of the rest, but; by also marginalizing many who would feel the consequences to the extent of being pushed to the fringe of the fishery where they could no longer support their families and lifestyles, or even maintain their boats.

By reapportioning wealth formerly shared by the entire fleet according to their abilities, ambition and skills to a top-heavy share rationed out to those already in possession of more wealth given their ownership of two permits, the sponsor of these proposals is asking the Board of Fish to partner in an embezzlement of the resource.

The Constitution of the State of Alaska specifically states in Article 8, Section 15, that, "No exclusive right or special privilege shall be created or authorized in the natural waters of the State." Section 15 is the authority by which Limited entry was created and also the Private non profit Aquaculture Associations because it goes on to say, "This section does not restrict the power of the State to limit entry into any fishery for the purpose of resource conservation, to prevent economic distress and those dependant upon them for a livelihood and to promote the efficient development of aquaculture in the State."

The Alaska Constitution continues on in Article 8, Section 16, to protect my rights, as I already own a Limited Entry Permit that allows me to fish in any gillnet area in Southeast Alaska with the same rules applied to me as any other permit owner, saying that, "No person shall be involuntarily divested of his rights to use of the waters, his interest in lands or improvements effecting either. Except for a superior beneficial use or public purpose and then only with just compensation and by operation of law."

Article 8, Section 17 is even more specific in slamming the door on permit stacking schemes like BOF 255 and BOF 256; that aren't buybacks, providing compensation to single permit owners like myself, when it says, "Laws or regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter or purpose to be served by law or regulation."

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PUBLIC COMMENT #

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Without a doubt it could be successfully argued in court, that when I am standing on the deck of my gillnet vessel in Lynn Canal, or Taku Inlet, Clarence Straits or any other gillnet area in Southeast Alaska, fishing for salmon with a Southeast Drift Permit with a 200 fathom net unless it is in Area 6 where I would have a 300 fathom net, that I am "Similarly Situated" to the other gillnet boat fishing next to me.

Without a Doubt, if the guy on the boat next to me is allowed more gear or time to fish than I am, then my constitutional rights are being violated under Article 8, Section 17, because the Laws governing the two of us being similarly situated are no longer being applied equally. Also under Section 16 because I would have been involuntarily divested of my rights to use of the waters without just compensation. And finally under Section 15 because an exclusive privilege will have been created for the fisherman with two permits, which is specifically prohibited.

Another thing that is without a doubt, is that I will continue to fish with as much gear, for as much time, as any boat similarly situated to where I am, and without buying another permit; and I would encourage anyone else to do the same. And if I get busted, when I go to court I will have the constitution in my pocket, and so could anyone else. It's what protects us from greedy schemers like Mr. Wright and Mr. Martin and other promoters of permit stacking cons that would take away the rights to the waters that are ours by ownership of Limited Entry Permits and guaranteed us by the State and it's Laws.

Sincerely yours  
Mike Saunders  
President  
Lynn Canal Gillnetters Assn.

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PUBLIC COMMENT #

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NOV 13 2008

BOARDS

BOF Proposal 273 from RPT should be rejected by the Board of Fish.

First of all because it is not really from the RPT, it is from the Seiners, illustrated by the identical BOF 274 that is directly from the Seiners Assn.

The spring RPT meeting in Juneau which I attended as a representative of Lynn Canal Gillnetters Assn. was high-jacked by a cabal of the seine reps in collusion with one troll rep, Alan Anderson of Sitka, who also owns a seine permit, and the other troll rep from SRRA who went along for the ride. The vote to make this proposal to the BOF with the idea it was from the RPT, caused the ADF&G members of the RPT to throw up their hands and not want any part of it sticking to them. The Vote was 4-2 along gear lines with the two gillnet reps voting against, as it would take away half our fishing time at Deep Inlet, which is established in regulation.

So let's get out of the way any illusion that this proposal comes from any real Regional Planning Team effort in the respect to the way that Regional Planning Teams normally work.

I am going to link it with the identical BOF 274 which is from the Seiners Assn. and which I and Lynn Canal Gillnetters, whom I represent as President, also oppose.

While I am at it, I also oppose proposals, 267, 268, and 271, also proposals from the Seiners Assn. to change rotation time established in regulation for other special harvest areas.

Also; Let me stress that the numbers the Seiners, (SEAS) are using to claim that they are out of their allocation range for the third rolling five year average are preliminary, and haven't even been made public by the Commercial Fisheries Entry Comm.

In this letter, however I want to emphasize the importance of not changing the rotation from Two to one, (gillnet-seine) for the net fleets at Deep Inlet in Sitka, an NSRAA project that all gear groups are supposed to benefit from equally. I.e.; gillnet, troll and seine fleets.

In 1989 when the rotational fishery was set as it is today at two to one, (Gillnet-Seine) the NSRAA board passed a motion adopting a policy that it would make it's best efforts to return to each gear group a Maximum of 40% to a minimum of 20 % in enhanced value to each gear group. The two to one rotation (gillnet-seine) is supposed to facilitate this.

With last spring's (08) NSRAA board meeting, the seiners and trollers on the Board were able to carry a motion, stripping funding away from the only gillnet projects NSRAA is involved off Baranof Island that provide any significant revenue to the gillnet fleet. These are the remote release chum projects at Boat Harbor in Lynn Canal and Limestone Inlet in Taku Inlet. These are projects that, respectively, provide half a million fish and

up to two hundred thousand fish to the gillnet fleet on good years. NSRAA funding for these projects is now zero.

As of this writing. NSRAA budgets less than 1% of its annual operational budget off Baranof Island. What the gillnetters have left out of NSRAA is only our rotational fishery at Deep Inlet.

And now the Seiners are asking with these two proposals, which are the same proposal whether you call it Prop 273 or Prop 274 is for the Board of Fish to help them cut in half that miserly bit of NSRAA production that the Gillnet Fleet still gets to participate in.

In actuality these proposals would take away more than half of the miserly bit of NSRAA production the Gillnet Fleet still gets to harvest because many boats wouldn't go to Sitka just to fish on the diminished rotation. It's moving forward with the SEAS agenda to take all of NSRAA production geared towards net fleets for the seiners.

SEAS is using allocation as their justification for these Board of Fish Proposals to take hatchery production away from the gillnet fleet. This they have already achieved at the board level at NSRAA by the loss of funding at Boat Harbor/Limestone. They have increased their allocation. What they want to do now with these BOF proposals is take even more.

So the question is, do they really deserve more allocation and are they really out on the downside of their range, anyway. And is the allocation process even accurately reflecting realities in hatchery fish harvesting today in respect to how it was set up to do fourteen years ago? I answered some of these questions in my report to the spring 2008 RPT meeting in Juneau entitled, "So Why Is This The Season Of Our Discontent" (see word doc "Season of our Discontent")

One of the glaring realities outlined in my report to the RPT is that the seiners drop in percentage of enhanced fish harvested was precipitated by the downsizing of their fleet. In all the years the seine fleet fielded over 350 boats they caught up over 60% of enhanced fish. When their fleet dropped down in the 230 boat range where it has been since 2003 they could no longer catch more than 39% of the enhanced catch although 230 boats did manage to catch 50% of the fish in 2006. 2007 was their lowest year with 29% caught by 230 boats and at the time of my report last spring 2008 numbers were not available although roughly 225 boats fished.

The interesting thing is that individual seiners are catching as much or more enhanced fish as ever in value as the boat average in 2007 with 237 boats fishing was \$167,000. With the seine fleet catching 29% of enhanced fish. This is opposed to, say their best percentage year, 2000, when they caught 63% with 356 boats fishing and boat average was \$106,000 of enhanced fish.

It seems absurd to me that the Board of Fish would at this time take away from the gillnet fleet what little production we have left at NSRAA to make up for the fact that the seiners

have taken 150 boats out of their fleet. There is a downside to fleet consolidation at some point, for God's sake!

In summarizing, I would like to thank board members for taking the time to read my letter, and I hope that it is as obvious to you as it is to me that these proposals by SEAS are unwarranted at this time as are their other proposals changing the rotational fisheries in the name of allocation at Nakat, Neets Bay, and Anita Bay.

I would also respectfully request the board read my report to the Spring 2008 RPT meeting in Juneau, "So Why Is This The Season Of Our Discontent." Because there are some charts and numbers there that could be useful when considering allocation issues.

Sincerely yours,  
Mike Saunders  
Pres.  
Lynn Canal Gillnetters Assn.

# SO WHY IS THIS THE SEASON OF OUR DISCONTENT?

13 2008

BOARDS

A REPORT BY LYNN CANAL GILLNETTERS PRES.  
MIKE SAUNDERS FOR THE SOUTHEAST  
REGIONAL PLANNING TEAM.

You'd think we'd be happy, (The gillnet fleet) being on the upside of our allocation target Range. By the charts, catching more than our share of Southeast Alaska's enhanced salmon production. The problem being out on the topside means that you're in Somebody's crosshairs.

The seiners are not happy being out on the bottom side of their targeted range on the last five year rolling average, which is why they teamed up at the last NSRAA board meeting with the Trollers to take away two of the top producing gillnet projects to fund an increase in a project that the trollers and also the seiners, to some degree benefit from at Deer Lake. (See: NSRAA Salmon- Commercial Value 1984-2007 "Top 10 Projects in terms of Commercial Value; Individual gear groups "Top 5-7 Projects providing most commercial value to each gear group) On the page showing the gillnet production the graph depicts the "Top 5 gillnet projects" One of those projects is the defunct already, Chilkat Lake Sockeye. With the loss of Boat Harbor and Limestone, if you use 2007 numbers the NSRAA board just cut 40% of it's gillnet production. We only have one NSRAA project left of significant commercial value. The Haines spawning channel projects represent only about 1.5 % of commercial value, although I guess that number is going to look bigger now.

The seiners want more, well they didn't really get more actual fish, but their percentage of NSRAA production is going to go through the roof now with this last board action. Now let's see if they really deserve it. For now we'll ignore the little green book's (Alaska Statutes and Regs for PNP Hatcheries) primary premise that allocation be fixed by increased production rather than by taking away from one gear group.

The seiners; if you look at the graph are below their allocation target range for a couple five year rolling averages (not official) Although they were way above their range from 1994 until 2000 only dropping into their range in 2001 and then below their range in 2002, with between 36% to 40% of all southeast enhanced fish on until 2005; then back up above their range in 2006 with about 52%. The chart doesn't show 2007, but I can tell you that they made more money in 2007 as those numbers are available. \$38 million total, (\$162K boat average) in 2007 as apposed to \$27 million for the fleet in '06 (\$119K Average).

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PUBLIC COMMENT #

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Let's look at the seiners catch versus their participation in the fishery with actual fished permits. (boats) on the water.

## SEINERS BOATS FISHING VS CATCH OF ENHANCED FISH SE WIDE

YEAR	BOATS	% CATCH	\$FLEET	\$AVERAGE
1994	390	50%	\$61million	\$156 thousand
1995	375	61%	\$55 million	\$ 149 thousand
1996	357	62%	\$42million	\$119 thousand
1997	351	62%	\$40 million	\$116 thousand
1998	377	62%	\$45million	\$120 thousand
1999	359	59%	\$56million	\$157 thousand
2000	356	63%	\$38million	\$106 thousand
2001	345	47%	\$48million	\$141 thousand
2002	273	37%	\$20million	\$74 thousand
2003	235	39%	\$26million	\$113thousand
2004	209	39%	\$31million	\$151thousand
2005	232	36%	\$36million	\$155thousand
2006	230	50%	\$27million	\$119 thousand
2007	237	29%	\$38million	\$162 thousand

What do these numbers tell us?

That the seiners drop below their target range was precipitated by the downsizing of their fleet in 2001-2003 where many of their boats lost their markets due to consolidation in the processing sector.

And that when charted against their %of harvest value the two charts mirror one another exactly. Fish in the water had nothing to do with the seiners rapid drop in harvest percentage it was just a reflection of a loss of over a third of their fleet being retired in just two years. Even so their numbers are trending up. The average seiner made more last year than in their hey days in the ninties.

Do they deserve more allocation?

Boy, not looking at these numbers.

How about a buyout?

Boy, that makes you want to laugh. Suppose they get one and there are only A hundred seiners fishing? Do they still deserve almost 50% of the allocation? Could they even catch it on years of high pink abundance? I don't think so.

230 seiners are never going to be able to catch what 370 could. I know that they'd like us to help them to. They's like all of Deep Inlet in which case the gillnetters would have no commercially viable NSRAA project. Period. Given my experience at the last NSRAA board meeting the trollers would only be happy to help in this endeavor. Not that they's really gain anything by it.

We'll take a look at the trollers next. It's an ugly job, because there sure are a lot of them. They're the ones that should probably have a buyout. Maybe that could be the thing to get them in their range. We've tried everything else, including making enough king salmon to fill up the Columbia River. Well, probably not. I've seen pictures of the old horse seining days in Astoria.

The trollers have never achieved the bottom of their range and they never will be in their range. This isn't just my assessment. An unnamed higher Level Aquaculture Association Staffer told me that himself.

In 1994 there were 804 power trollers fishing. There are over a thousand hand troll permits but never more that 300 or so fishing on any given year. Part of the reason for this is that many hand troll permits are displayed on fancy pleasure and sail boats with big HT's on the bow so doctors and lawyers can avoid paying taxes. I am not bothering with the hand trollers in this report. They can do their own.

Year	BOATS	%CATCH	\$FLEET	\$ AVERAGE
1994	804	30%	\$34million	\$42 thousand
1995	818	11%	\$15million	\$18thousand
1996	737	18%	\$14million	\$19thousand
1997	740	18%	\$17million	\$23thousand
1998	732	13%	\$14million	\$19thousand
1999	721	20%	\$19million	\$26thousand
2000	712	13%	\$13million	\$19thousand



2001	701	23%	\$16million	\$23thousand
2002	666	24%	\$12million	\$18thousand
2003	637	27%	\$13million	\$21thousand
2004	688	27%	\$27million	\$39thousand
2005	715	27%	\$25million	\$35thousand
2006	737	14%	\$32million	\$44thousand
2007	740	?	\$26million	\$35thousand

I don't know what one can deduce from these figures other than there are a lot of trollers and they are still able to field a fleet of 740 boats when they feel like it. Their income has been trending up. One thing that is perhaps A consideration is that the troll fleet doesn't target enhanced fish in terminal areas as the other gear groups other than the considerable effort put forth by the chum trollers at Deep Inlet.

The gillnet fleet has been both below for an extended period in our allocation range as in almost all of the 1990's and now in the new century above our range although not as far above it as the seiners were back in the '90's. We too, have gone through a bit of consolidation in our fleet through with our numbers in the mid 400's and now in the mid to high 300's . It doesn't appear to have affected our catch rates either over all or per boat average if you look at the statewide catch. Our targeting of enhanced fish is the most effort of any of the fleets with enhanced value 44% of total fish value as opposed to the other gear groups down in the twenty % to percentages in the teens of total value. This more than anything else could account for our being out of our range.

Here are our catch vs boats statistics

YEAR	BOATS	%CATCH	\$FLEET	\$AVERAGE
1994	446	27%	\$17million	\$38thousand
1995	452	29%	\$16million	\$37thousand
1996	439	23%	\$14million	\$32thousand
1997	423	26%	\$11million	\$26thousand
1998	422	27%	\$11million	\$26thousand
1999	430	24%	\$11million	\$26thousand
2000	422	24%	\$10million	\$25thousand
2001	433	28%	\$11million	\$26thousand
2002	391	38%	\$8million	\$20thousand
2003	375	33%	\$8million	\$23thousand
2004	348	35%	\$11million	\$33thousand
2005	368	37%	\$12million	\$34thousand
2006	358	39%	\$19million	\$55thousand
2007	387	?	\$14million	\$37thousand

These numbers represent in all cases actual numbers of permits/boats fished, percentage of enhanced catch, and overall dollars of all fish caught by fleets and boat averages for all gear groups. I did not include actual dollar value of enhanced fish vs dollar value of all fish .

For the gillnet fleet however with the last NSRAA board action cutting funding for the FY'09 budget for Boat Harbor and Limestone Inlet, dollars are dollars and if, for example the Boat Harbor and Limestone projects would have gone away in 1994 loss to our fleet would have been in the neighborhood of \$6million over those years.'94to2007.

Individually this would have represented losses in enhanced fish to the gillnet fleet of (Just at Boat Harbor) per year of;

\$551K,\$337K,\$53K,\$266K,\$82K,\$153K,\$363K,\$186K,\$137K,\$70K,\$255K,\$147K \$688K, and \$375K.

and for Limestone: \$103K,\$291K,\$122K,\$85K,\$143K,\$206K, \$445K,\$215K,\$101K, \$46K,\$64K, \$53K, \$176K, and \$171K.

Also when looking at numbers vs projects geared to our gear group in the years between 1998 and 2001 the Chilkat Lake sockeye project provided \$724K to our gear group by year starting with 1998; \$378K,\$230K,\$54K,\$40,K and \$20k when it was coming to an end. That project is gone, too.

When the seiners cry for more allocation, my answer is that they have already re done It with the axing of these important gillnet projects at their instigation at the NSRAA Spring Board meeting. I'd say we're back at the bottom of the totem pole.

As things sit now these projects are not funded for FY'09 by anyone. DIPAC could step in and fund them but their board meeting is after this RPT meeting. So there is not any Certainty to that from my standpoint. That is speculation at this moment in time. The money for the two axed projects has not been removed from the NSRAA budget, but; our new Cost Recovery Policy, will take half of that money to put against next year's cost recovery and the other half to reserves,

LIST SUBMITTED WITH PROPOSAL 266  
FROM JONATHAN PAULIK

APR 08, 2008 11:42 YAKUTAT SFDS

000-000-00000

page 3

These Yakutat Residents agree to support the  
gillnet proposal that amends AK administrative  
code # 5 AAC 30.331. (1) (H) and (2) (C)

Jonathan Paulik ~~Jonathan Paulik~~ P.O. Box 293 Yakutat, AK

James C Holcomb ~~James C Holcomb~~ P.O. Box 206 Yakutat, AK

Heather F. Holcomb ~~Heather F. Holcomb~~ P.O. Box 206 Yakutat, AK

Herb Holcomb ~~Herb Holcomb~~ P.O. Box 114 Yakutat, AK

Heidi Holcomb ~~Heidi Holcomb~~ P.O. Box 114 Yakutat, AK

Anthony Schmidt ~~Anthony Schmidt~~ P.O. Box 464 Yakutat, AK

Tom Schmidt ~~Tom Schmidt~~ Box 107 Yakutat, AK

Annie Schmidt ~~Annie Schmidt~~ Box 243 Yakutat, AK

Nick Holcomb ~~Nick Holcomb~~ P.O. Box 105 Yakutat, AK

Ann Holcomb ~~Ann Holcomb~~ P.O. Box 105 Yakutat, AK

Renee Kirkovich ~~Renee Kirkovich~~ P.O. Box 478 Yakutat, AK

Hae Sook Eisenstat ~~Hae Sook Eisenstat~~ P.O. 238 Yakutat, AK

MICHAEL JOHNSON ~~Michael Johnson~~ P.O. Box 374 YAKUTAT, AK

Jay Johnson ~~Jay Johnson~~ P.O. Box 374 Yakutat AK

Rudy Paulik ~~Rudy Paulik~~

Joe Paulik ~~Joe Paulik~~ P.O. Box 11 Yakutat, AK

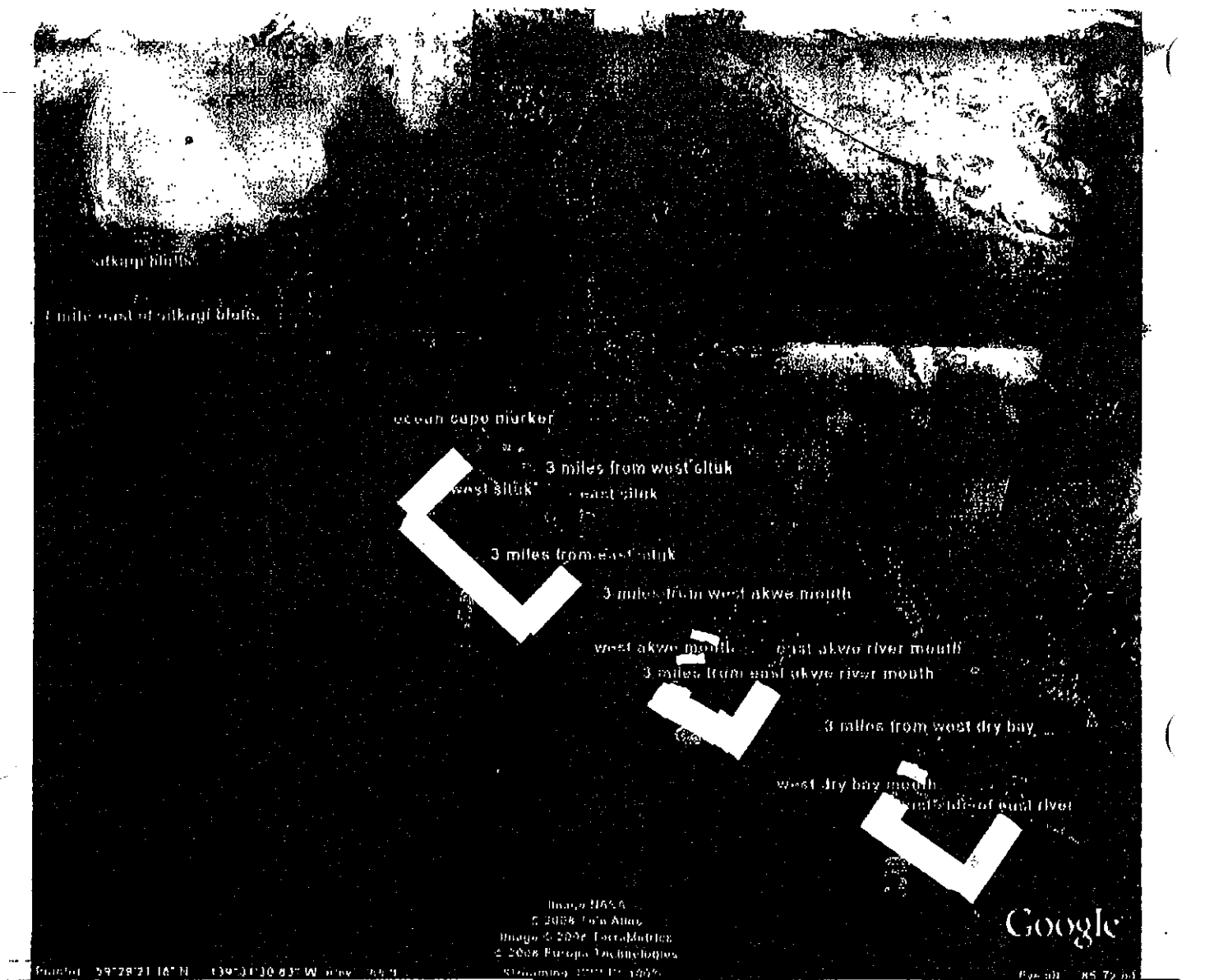
Jeremiah Paulik ~~Jeremiah Paulik~~ P.O. Box 19 Yakutat, AK

RECEIVED TIME - APR. 8, 12:36 PM

1 of 2

PUBLIC COMMENT #

8



We ask that the areas above - from  $N59^{\circ}31.250$   
 on the west side of the Situk River to  $W139^{\circ}49.000$   
 the east side of the Situk River (area 1)

From 3 miles on the west side of the Akwe River  
 to 3 miles on the east side of the Akwe River (area 2)

And from 3 miles on the west side of Dry Bay to  
 3 miles on the east side of the East River (area 3)  
 remain with the current rules. The distances can  
 be changed. RECEIVED TIME APR. 8. 12:36PM

From Mark EDWARDS  
P.O. Box 7482  
AK 99901

RECEIVED  
JAN 09 2009  
04:50 PM

Proposal	Support/Oppose	Comment
225	Support	We agree with this proposal which will allow increased access to hatchery fish for sport fishing for both residents and non residents. This could have significant economic benefits to Ketchikan and outlying areas reliant on sport fishing.
226	Support	We agree with this proposal which will allow increased access to hatchery fish for sport fishing for both residents and non residents. This could have significant economic benefits to Ketchikan and outlying areas reliant on sport fishing.
269	Support	We agree with this proposal which will have a significant positive impact on sport fishing in Ketchikan and the out lying areas by allowing a greater access to the Neets Bay hatchery resource.
286	Oppose	We disagree with this proposal - This is a back door attempt at restricting the guided sport fishing industry by the commercial sector. The proposal also targets non guided non resident fishermen as well who obviously have to process and freeze their catch before taking it home. The proposal will have a significant negative economic effect on communities and businesses reliant on sport fishing. All fish caught by guides and charters is recorded on log book and has to be returned to AK Fish and Game within a certain time frame. Therefore, all the fish in the boxes at the airport caught by fishermen on guided fishing/charter boats at the airport have been counted. Very, very few charter operators/ guides deliberately exceed daily / possession / annual limits. (I am sure that there are a few unscrupulous guides/charter operators in business - every business, including the commercial fishing industry has its bad apples - but these are the exceptions not the rule) If, the writer's true concern is the time it takes for Fish and Game to process sport fishing log book data, then the correct resolution is for Fish and Game to process this data in a timely fashion to allow the data to be used in the same season that the fish are caught in order to preserve and protect the resources for everyone
287	Oppose	This is the basically same proposal as the above and targets out of state/non resident fishermen. My comments are the same. I believe that there is some confusion between the daily limit and in possession limit, but not between these two terms and the annual limit. If the daily limit has not been exceeded, and the annual limit has not been exceeded then there has not been any abuse.... and AK Fish and Game are reasonably aware of the numbers of fish caught and set limits accordingly to preserve and protect the resource for all.
288	Oppose	Yet another attempt at restricting guided/charter businesses with a collection of unscientific observations (e.g: guided fishermen have less success than guided fishermen !!). Also, I would have

		though that the reason that there is currently no annual limit on the number of coho's is that AK Fish and Game do not believe that this is required and Coho's are not under threat. In the Ketchikan area there is more than enough Coho's to go around in part due to the hatcheries in the area. If abundance declines I am sure that AK Fish and Game will respond accordingly and in fact have sufficiently good data collection and models in place to take action before a predicted decline.. One again – if the concern is use of log book data collected by guides/charter operators, then the resolution is for Fish and Game to process guide/charter data in a timely fashion. This proposal would have significant negative economic impact on Ketchikan and outlying areas.
289	Oppose	Basically the same proposal as 288 – and therefore my comments/ response is the same. Bag and possession limits are easy to enforce. The officer counts unprocessed fish and compares this against the regulations in place at the time/location. (AK Fish and Game have also introduced rules to stop on board processing to assist this). Coho's are not endangered, and so there is no need for hostile restrictions on non resident fishermen. This proposal would have significant negative economic impact on Ketchikan and the outlying areas reliant on sport fishing.
290	Support	We support this proposal - The steelhead runs in many southeast Alaska streams are small (typically just 300 – 500 fish per year) We fully support the proposals to preserve and protect these fish. AK Fish and Game should consider catch and release only for these species to avoid total closure of various streams and rivers at a later date.  Can AK Fish and Game also please explain what action is being taken to reduce the by catch of steelhead by the commercial fleet?
291	Support	We support catch and release regulations for steelhead in high use rivers.
294	Oppose	We disagree with this proposal which is yet another attack on the charter industry. So now the commercial fishing fleet claim that they produce and own all the fish in a certain area? It is also interesting to note another proposal later in the document which supports an increased opening in an expanded area for troller's which would allow an increase in catch without paying the local hatchery fees!
307	Oppose	We disagree with this proposal which is yet another attack on the charter/lodge industry - . It is not clear how this regulation protects or preserves fish resources apart from generally making life difficult for people employed in the charter fishing industry

		by preventing them from participating in their own personal use sport fishing. There is already sufficient regulations in place which prevent the crew from catching fish when paying clients are on board. This proposal also implies that all charter operators and lodge owners are using personal caught fish for paying guests. This is not true. (I am sure that there are a few unscrupulous guides/charter/lodge operators in the business – every business, including the commercial fishing industry has its bad apples – but these are the exceptions not the rule). If the writer has specific examples of lodge operators breaking the law he should inform the appropriate authorities. It is highly unlikely that this proposal would withstand a legal challenge on the grounds that this proposal discriminates against some one by nature of their employment
308	Oppose	We disagree with this proposal which is basically the same proposal as 307 and implies all charter operators / lodge operators are breaking the law. The intent is to make life difficult for charter/lodge operators and employees involved with the sport fishing industry.– How exactly will this law be implemented? For example, a small lodge operator catches some fish for personal use but does not eat it prior to the arrival of their guests. Do they then have to throw it away to comply with the law? If the writer has specific knowledge of anyone breaking the law they should inform the appropriate authorities.
309	Oppose	We disagree with this proposal which is yet another attack on the guided/charter industry with little justification. I believe last year the limit for residents and non residents was 6 coho's per day with no annual limit. Hardly a de-facto reallocation of the fish from residents to the charter fishing industry!! The coho's are not threatened, and there are plenty to go around!
310	Oppose	We disagree with this proposal which is yet another attack on the guided/charter industry - There is already a requirement for all guides/charter operators to complete log books. If there is an issue here, the correct resolution is for AK Fish and Game to process data from log books in a more timely fashion – not create another layer of bureaucracy which will cost everyone more money including AK Fish and Game.
311, 312, 313	Oppose	We disagree with this proposal which is yet another attack on the charter/lodge operators and implies everyone involved in the business is breaking the law and are guilty. This proposal contains a number of errors. AK Fish and Game, State Troopers, NOAA etc already have the authority to board any vessel for any reason, and also inspect sport fish catch and compare with log book entries. There are probably more small mom and pop lodge operations in Alaska than large lodges. These small lodges and B&B's are also people's homes. It is highly unlikely that any

		legislation which allows some ones home to be searched without a warrant (backed up by probable cause) will survive a legal challenge. The writers may want to read a document called the Constitution of the United States. If the writers have specific knowledge of abuse then they should inform the appropriate authorities who would then be able to take action under existing laws. Additional rules and regulations are not required
332	Oppose	We disagree with this proposal. The Naha Bay Preservation Coalition does not represent the communities located in and around Naha Bay. The coalition does not have a significant membership from the area, and does not "speak" for the residents of the area. The observations made in this proposal are not based on any rational data collection over the years, and appears to be based on a recent summer vacation in the area by the (non resident) writer who apparently did not have much luck. We live in Naha Bay for over 6 months of each year and directly overlook the Bay. Naha Bay is closed to commercial fishing and does not see any significant sport fishing efforts guided or other wise. This is due primarily to the distance from the road system. In addition, on warm sunny days a prevailing south westerly wind/swell makes station keeping (and therefore bottom fishing) a little difficult. There are plenty of bottom fish of all species in the bay - you just need to know where to look and be patient which is why they call it fishing!

Proposal	Support/Oppose	Comment
368	Oppose	Federal law prohibits applying different regulations to anglers based on state residency. It is surprising that this proposal has reached this stage unless it is the intention of the board to throw it out immediately



Proposal	Support/Oppose	Comment
368	Oppose	Federal law prohibits applying different regulations to anglers based on state residency. It is surprising that this proposal has reached this stage unless it is the intention of the board to throw it out immediately

MARK EDWARDS  
P.O. Box 7482  
AK 99901

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Jim Marcotte  
PO Box 115526  
Juneau, AK 99811-5526

December 25, 2008

RECEIVED

JAN 13 2009

BOARDS

Mr. Marcotte,

The Tsiu River has seen tremendous changes in the last 15 years. Physically, socially and economically.

- The waterway of the fishery has physically changed. (The lake above the F&G marker that was once a safe haven for both fish and sport fishers is gone. Filled in with sand from storms. That means over half of the usable waterway has vanished. So now the scare tactics of harvesting with powered boats are moving the fish out of reach of sport fishers.)
- The state of Alaska opened up the area in 1997 to permitting for long term leases. (before 1997 it was yearly leases and temporary tent camps only. Commercial harvesters were allowed stick frame buildings without permits or leases; sport fish operations were not.)
- The number of users in each user group has changed (Sport fishers have sky rocketed, commercial harvesters have dwindled to almost nothing, and at times, completely disappeared)
- In 2004 the state of Alaska transferred ownership of the land of the Tsiu area to the city of Yakutat.
- The economic value from the different user groups of the fishery has changed.

The fisheries management needs to catch up with what is going on today.

We are interested in:

1. stopping the scare tactics with powered boats that the commercial harvesters use.
2. bring all persons wishing to do business on the Tsiu River up to date with Yakutat's permit and leasing requirements.

We believe that by stopping the powered boat scare tactics, and have all businesses become current with the city of Yakutat regulations, it will virtually eliminate all illegal activity currently taking place as seen on the videos and stop the complaint letters. Plus, make it a much safer and enjoyable environment for all user groups. Look at these laws:

**5 AAC 39.290. Closed waters**

\_(a) Commercial fishing for salmon is prohibited at all times within the streams and rivers of Alaska and within 500 yards of any salmon stream or over the beds or channels of streams and rivers of Alaska at all stages of the tide or as specified in regulations having particular application to designated streams or areas. The restrictions in this subsection do not apply in the Kodiak Area .....(d) The Ugashik, Yukon and Kuskokwim Rivers, the Yakutat Area and any other river where a legal commercial fishery now exists are the only exceptions to this closure.

**5 AAC 75.060. Molesting of fish**

\_(Molesting or impeding spawning or the natural movement of fish contrary to the lawful methods and means of sport fishing is prohibited.

**5 AAC 92.080. Unlawful methods of taking game; exceptions**

\_(The following methods of taking game are prohibited:\_)

\_(5) except as otherwise specified, with the use of a motorized vehicle to harass game or for the purpose of driving, herding, or molesting game;

**5 AAC 39.190. Driving salmon prohibited**

It is unlawful to drive or attempt to drive salmon from waters closed to salmon fishing.

**§ 05.25.060. Prohibited operation**

Public Comment # 10

1/42

A person may not operate a boat on water of the state\_

(1) for a recreational purpose or another purpose, ... in a reckless or negligent manner so as to endanger the life or property of another person

The Ugashik, Yukon, Kuskokwim and Situk rivers are extremely large bodies of waters compared to the Tsiu River. The Tsiu River, with its average depth below 2 feet, is not a suitable river for scare harvesting with any powered boats.

Our argument is:

- The scare tactics used by powered boats: molest, impede spawning or the natural movement of fish, put an undue amount of stress on the fish and scare them out of reach of all user groups by pushing them upriver into unfishable waters.
- The danger factor: people standing in the water in this very narrow river with large, high powered, flat bottom jet boats zig zagging on the edge of being out of control.
- The amount of stress: it puts on consumers trying to sport fish and enjoy the great Alaskan outdoors.

When these laws were made the Tsiu River slipped through the cracks probably because there was no sport fishing going on there at the time. But now the Tsiu River has become a hugely popular, worldwide sport fishing destination and the laws and management should be updated to protect the river and take into account the changes that have happened in the last 15 years.

Because of the devastation that has been done to the sport fishing operations the last three years, we cannot wait another three years for the Board of Fisheries to review our area. There may be nothing left.

One final thought from the Fish and Game code:

Sec. 16.05.092. Fisheries rehabilitation, enhancement, and development.

The department shall

(1) develop and continually maintain a comprehensive, coordinated state plan for the orderly present and long-range rehabilitation, enhancement, and development of all aspects of the state's fisheries for the perpetual use, benefit, and enjoyment of all citizens and revise and update this plan annually;

(2) encourage the investment by private enterprise in the technological development and economic utilization of the fisheries resources;

Thank you for your consideration. Have a great day!

Dan Ernhart

Manager of Alaskan Wilderness Outfitting Company

PO Box 1516

Cordova, Alaska 99574

Office: 907-424-5552

Cell: 218-252-2337

Email: [dan@ernhart.com](mailto:dan@ernhart.com)

Jim Marcotte  
PO Box 115526  
Juneau, AK 99811-5526

December 25, 2008

Mr. Marcotte,

The information contained in this package is in two parts. The complaint letters and the DVD labeled "2007, 2008 Tsiu River Netting" are to illustrate the way commercial harvesting is conducted on the Tsiu River. They will also show how it has been negatively impacting the sport fishing experience and killing local business.

The other DVD labeled "2008 Tsiu Shacks and Junk" is evidence of the way the commercial harvesting operation is allowed to do business with total disregard for environmental damage they are inflicting and the aesthetic value they are ruining

Please keep in mind that the city of Yakutat requires all persons that wish to do business, (except for commercial harvesters), on the Tsiu River to:

- A. have a long term lease with a yearly lease payment
- B. have survey and appraisal
- C. have a substantial bond for clean up or abandonment (which is over \$100,000 for some lease holders)
- D. pay property taxes
- E. have a Yakutat business license

The commercial harvesters are not lease holders. They are allowed to conduct business without any of the above mentioned stipulations, with the exception of possibly a business license. All others were bound to meet the requirements A, B, C and D before a business license would be granted.

As you read the letters and look at the videos and pictures you will probably start to wonder how the city of Yakutat can force one user group (lease holders) to comply with all their demands to operate a business while allowing another user group (commercial harvesters) to come in and do business without any requirements. And, it is that same, noncompliant user group that is hurting the legitimate businesses and degrading the Alaskan experience for everyone else with their 'I don't give a hoot' attitude. It is neither fair nor right.

Thank you for your time in reviewing this matter. I strongly suggest reading through the enclosed state law pages and the letter by Dan Ernhart before the other letters and video. It will help explain what you will be seeing and reading. Please contact me with any questions or comments.

Dan Ernhart email – dan@ernhart.com  
Po Box 1516  
Cordova, AK 99574  
Cell - 218-252-2337 – office - 907-424-5552

3/42

Public Comment # 10

It is illegal to drive fish from closed waters.

**5 AAC 39.190. Driving salmon prohibited.**

It is unlawful to drive or attempt to drive salmon from waters closed to salmon fishing.

\*\*\*\*\*

1. Most rivers are closed to commercial fishing. But Yakutat area is an exception.

**5 AAC 39.290. Closed waters.**

\_(a) Commercial fishing for salmon is prohibited at all times within the streams and rivers of Alaska and within 500 yards of any salmon stream or over the beds or channels of streams and rivers of Alaska at all stages of the tide or as specified in regulations having particular application to designated streams or areas. The restrictions in this subsection do not apply in the Kodiak Area .....(d) The Ugashik, Yukon and Kuskokwim Rivers, the Yakutat Area and any other river where a legal commercial fishery now exists are the only exceptions to this closure.

\*\*\*\*\*

2. The Tsiu is specifically open up to 1/2 mile below Duck Camp Island.

**5 AAC 30.350. Closed waters.**

\_(a) Salmon may not be taken in the following waters: \_

(12) Tsiu River: upstream of ADF&G regulatory markers located approximately one-half mile downstream from Duck Camp Island.

\*\*\*\*\*

3. Gillnets are legal.

**5 AAC 30.331. Gillnet specifications and operations.**

(A) Tsiu River, one net not to exceed 15 fathoms;

\*\*\*\*\*

4. Gillnets may not be less than 75 yards apart or cover more than 1/2 river

**~ 5 AAC 30.335. Minimum distance between units of gear.**

No part of a set gillnet may be set or operated within 100 yards of any part of another set gillnet, except that in the Tsiu and East Rivers, no part of a set gillnet may be set or operated within 75 yards of any part of another gillnet.....

Set gillnets may not obstruct more than two-thirds of any salmon migratory waterway, except in the Tsiu River, where set gillnets may not obstruct more than one-half of the waterway.

\*\*\*\*\*

5. For game, it is illegal to herd

**5 AAC 92.080. Unlawful methods of taking game: exceptions.**

\_(The following methods of taking game are prohibited: \_

\_(5) except as otherwise specified, with the use of a motorized vehicle to harass game or for the purpose of driving, herding, or molesting game;

\*\*\*\*\*

6. And the sportfish regs have a prohibition on molesting fish.

**5 AAC 75.060. Molesting of fish.**

\_(Molesting or impeding spawning or the natural movement of fish contrary to the lawful methods and means of sport fishing is prohibited.

**§ 05.25.060. Prohibited operation**

\_(A person may not operate a boat on water of the state \_

(1) for a recreational purpose or another purpose, .... in a reckless or negligent manner so as to endanger the life or property of another person

LA 1961, ch. 63, § 3; SLA 1976, ch. 60, § 1; SLA 1982, ch. 117, § 3; SLA 2000, ch. 28, § 13.

**Sec. 16.05.790. Obstruction or hindrance of lawful hunting, fishing, trapping, or viewing of fish or game.**

(a) Except as provided in (e) of this section, a person may not intentionally obstruct or hinder another person's lawful hunting, fishing, trapping, or viewing of fish or game by

(1) placing one's self in a location in which human presence may alter the

(A) behavior of the fish or game that another person is attempting to take or view; or

(B) feasibility of taking or viewing fish or game by another person; or

(2) creating a visual, aural, olfactory, or physical stimulus in order to alter the behavior of the fish or game that another person is attempting to take or view.

(b) For purposes of (a) of this section, "lawful" means

(1) in compliance with

(A) this title, regulations adopted under this title, or applicable federal statutes and regulations;

(B) the Marine Mammal Protection Act (P.L. 92-522) or the Endangered Species Act (P.L. 93-205); or

(C) federal regulations adopted under 16 U.S.C. 3111 - 3126 relating to subsistence hunting, fishing, or trapping on federal land; and

(2) with the permission of the private landowner if the hunting, fishing, trapping, or viewing of fish or game occurs on private land.

(c) Notwithstanding AS 12.25, only a peace officer may arrest a person for violating this section. A peace officer who has probable cause to believe that a person has violated this section may arrest or cite the person or order the person to desist.

(d) In a prosecution under this section, it is an affirmative defense that the person was lawfully entitled to obstruct or hinder the hunting, fishing, trapping, or viewing of fish or game.

(e) This section does not apply to

(1) lawful competitive practices among persons engaged in lawful hunting, fishing, or trapping;

(2) actions taken on private property with the consent of the owner; or

(3) the obstruction or hindrance of the viewing of fish or game by a person actively engaged in lawful fishing, hunting, or trapping.

(f) A person who violates this section is guilty of a misdemeanor and is punishable by a fine of not more than \$500 or imprisonment for not more than 30 days, or both.

**Sec. 16.05.791. Civil remedies for violation of AS 16.05.790.**

(a) A person aggrieved by conduct or threatened conduct in violation of AS 16.05.790 may petition a superior court to enjoin the respondent from engaging in the conduct.

(b) A person aggrieved by a violation of AS 16.05.790 is entitled to recover general damages and special damages, including license and permit fees, travel costs, guide-outfitting fees, costs for special equipment and supplies, and other related expenses.

(c) A court may award punitive damages in addition to the damages set out in (b) of this section.

My name is Dan Ernhart. I have managed the lodge on the Tsiu River for Alaskan Wilderness Outfitting Company (AWOC) for the past 14 years. I also conduct tours and provide guide services for sports fishers.

In my experience the majority of the sport fishers who come to the Tsiu are older, affluent guests who have fished all over the world and choose our lodge as among the best. I'm told that we offer the best fishing and outdoor experiences. In fact, some of our best repeat customers say they never go to the same place twice, as there are so many options and new places to see. When customers, new and returning, first come to our lodge they are very excited to see the wildlife, mountains, rivers and to catch fish; in general enjoy and partake in the Alaskan experience.

By contrast, when the commercial harvesting operation is in motion our customers have had to witness and endure the killing of seals, the loss of trumpeter swans, bears and other wildlife as well as abusive behavior. Our customers have had commercial harvesters literally throw nets at their feet, tell them to find other places to fish and run large, noisy, powerful jet boats in circles around them. This behavior is intimidating and intrusive to people who have chosen a vacation which used to offer them breath taking beauty and tranquility.

I have seen clients on their last vacations with friends and family become degraded and demoralized by the behavior of the commercial harvesters. These are hard working folks who have spent thousands of dollars on their trip and spent many days in a journey to have an experience stolen from them that they will never get back. One commercial harvester with a total lack of regard for the law, the environment and human decency has the power to destroy another person's hard earned vacation with no recourse for the victim. All I can encourage my clients to do is move to a different spot; usually above the fish and game marker. These spots get over-crowded fast as the harvesters have intimidated other sport fishers out of their fishing holes. There have even been times when the commercial harvesters go above the marker; on those days my clients literally have nowhere else to go.

There are many laws being broken that, if were upheld, would eliminate the problems between sport fishers and harvesters such as:

- Forcing people out of their fishing holes
- Operating jet boats within 10 feet of people standing waist deep in the river
- Harvesting above the fish and game marker
- Nets stretched more than half way across the river (sometimes all the way across)
- Nets not in a predominantly straight line
- No buoys on the nets to identify them
- No Alaska (AK) numbers on the boats for identification

Commercial harvesters also degrade the environment. They are not required to hold a lease or bond and there is no recourse for the devastation they leave behind. The enclosed videos will show abandoned atv's and trailers, rusted out fuel barrels and dilapidated cabins dotting the sand dunes of the Tsiu River. I have personally witnessed seven shacks and their contents fall into the Tsiu River and the video will show evidence of that as well.

I have tried to call in these violations, but it is difficult when I cannot identify the boats or nets that are not numbered. The representative of the Fish and Game, who is on site during the commercial harvesting season, has historically chosen to not report illegal activities, and in 2008, this individual is the brother of the fisheries manager (Gordy Woods). When I asked Mr. Woods if he takes into consideration the sport fishing element, he said the Tsiu River is only managed for commercial harvesting and that there is no sport fishing management plan in place. Mr. Woods is empowered to open commercial harvesting. In 2008 he announced 31 days of commercial harvesting openers in a 49 day period. That means that there were only seven days out of a 49 day period that were free of commercial harvesters, and fully available to our clients. The openers are from 9 am on the opener to 9 am on the day of the closure. Even though the nets are pulled at 9 am the sport fishing opportunity is very limited due to the fact there are very low numbers of fish below the marker. And all the fish above the marker have been scared to death and are stressed out. They do not bite very well. We have to wait for the next tide to see if more fish will be coming in. Then there is usually an opener the next morning at 9 am. Just when the fish are starting to fill in the emptied out holes the nets go back in and the cycle starts again.

Equally troubling is the fact that the commercial harvesting operation is under the control and management of the city and borough of Yakutat. That is, the cannery, harvesters, pilots, fish and game management, and F&G on site representative all economically tied to the local community.

Look at the numbers:

- the numbers of sport fishers increased between 2000-2004 when there was no commercial harvesting on the Tsiu and then peaked in 2005.
- the number of sport fishers decreased between 2005-2008 when commercial harvesting resumed on the Tsiu.

It's no coincidence. The way commercial harvesting is conducted on a river the size, depth and length of the Tsiu is filthy, obnoxious, dangerous, and causing people to stop coming to the Tsiu. Ultimately hurting someone's vacation, someone's employment, and someone's business. That's not right.



If you look at it from a purely economic standpoint, sport fishing on the Tsiu employs many more people, the revenue base is extremely higher and is potentially even higher, the taxes and lease payments to Yakutat is higher and potentially even higher. And the impact on the environment and the fish resource is extremely lower.

The amount of investment in both time and dollars that the lodges on the Tsiu have put into the infrastructure and building business here is enormous. The lodges all pay sales taxes, property taxes and lease payments every year. The lodges all have a huge bond on their lease sites in case of abandonment or for clean up. The lodges all had to get a survey and appraisal done. The lodges all have business licenses.

The amount of investment in both time and dollars the commercial harvesting operation has put into infrastructure and the area pales in comparison. There are no property or sales taxes, no lease payments to make. No bonds to pay in case of abandonment or for clean up. No survey or appraisals to pay for.

AWOC spends in excess of \$100,000.00 a year on advertising and promotions. We travel all over the country working the streets to get those precious few new groups each year. AWOC has been advertising the Tsiu for 25 years and has many long time guests and employees. AWOC has seen a dramatic decline in the number of guests returning the last 3 seasons. Many long time guests have stated they will never come back as long as there is scare harvesting with motorized vehicles on the Tsiu.

I have had the question asked, "why is there all of a sudden a problem? What is different now that there are so many complaints?" There has always been a problem. 1995 was my first year on the Tsiu and even then I would get run out of my fishing holes by commercial harvesters. Ironically, it was Greg Derrick running me out. He is now a lodge owner on the Tsiu. In the 80's and 90's there was a great big lake above the marker. Plenty of area for fish and anglers to escape the activities going on down stream. Then there was no commercial harvesting between 2000-2004. During the last 14 years the lake was slowly filling in with sand blowing in during the storms. So the area we used to be able to sport fish and get away was gone and was forced to fish the main channel and the mouth of the river which was fine since there was no commercial harvesting conflict. Then when commercial harvesting resumed in 2005, there were new, young faces driving the boats. The price of salmon had fallen off, the price of fuel had risen and these young guns were aggressive. Now that our safe haven for sport fishing was gone, we were left shrugging our shoulders wondering what the heck to do. Then, in the years to follow, the number of sport fishers has dropped off so much so that we are finding our backs against the wall. There are already 2 of the 5 lodges for sale on the Tsiu. And 2 others have turned into ghost towns. It's getting ugly. The Tsiu River employs me year around. This is the way of life I have chosen. I have spent most of my adult life building, developing and turning

this lodge into one of the greatest sport fishing destinations in Alaska. That is becoming endangered. Endangered because of a few boats and a handful of young guys that like to hang out and have fun on the Tsiu? It really is ridiculous when you think of the possibilities and potential this river and area has for tourism. People will simply spend their money somewhere else where they don't feel disgusted and mad when they leave. Tourists should feel welcome and leave here wanting to tell everyone about their adventure, what they did, the animals they saw and feeling a sense of the great Alaska outdoors.

The Tsiu River is not just another river in the middle of nowhere. It really is a world-class, worldwide destination for sport fishing silver salmon. There is nowhere else in the world a person can go and catch the numbers and size of silver salmon day after day, year after year, consistently. This place is as special as it gets. It is one of a kind, and should be treated that way. Not like an empty beer can tossed on the beach.

Dan Ernhart    email - dan@ernhart.com  
PO Box 1516  
Cordova, AK 99574  
218-252-2337

9/42

Public Comment # 10

December 5, 2008

Mr Dan Ernhart  
P.O. Box 1516  
Cordova, Alaska 99574

Dear Dan,

I wanted to take this opportunity to express my thoughts about the commercial harvesting of salmon on the Tsiu River in Alaska.

As you know I have been putting together groups of fly fishermen and taking them to various fishing destinations since the early 1980s. I have been bringing such groups to the Tsiu River since 1987. I have continued to bring groups to the Tsiu because this trip has consistently offered excellent accommodations and food, friendly and helpful service, and excellent salmon fishing. But during the last three years in particular the salmon fishing experience has deteriorated badly, primarily because of the commercial fishing operations allowed to exist on the river.

On my trips north I have been allowed to bring as many as 12 anglers to the AWOC lodge. On some years I have had to turn people away. I have almost always had at least 10 people—mostly repeat customers each of whom spends upward to \$4000 to make this Alaskan trip. Last year I had only 8 people and 4 of them averaged catching only one salmon per day. Two were virtually skunked. A few years ago that would have been unheard of on the Tsiu. These men have all looked upon this trip as an annual get together. Next year none of the four will be returning. For the first time, I am having trouble recruiting anglers to come to Alaska. The current commercial fishing practices on the Tsiu are killing off that river for sport fishermen.

There seem to be more commercial fishermen on the Tsiu than ever before—now occupying virtually every spot where fresh-run salmon hold. These commercial fishermen repeatedly circle boats to herd and harass the salmon with utter disregard for any sport fishermen there. In the photographs I have enclosed, the commercial fishermen circled their boat so closely that my angling friends had to let their lines sink to the bottom to keep them from being cut by the boats.

We are told that nets can only be stretched half way across the river. Yet I have seen places where less than 6 inches of water flowed over a wide sand bar. That shallow area was treated as "half the river", the net being stretched over the entire remaining water—the only water the salmon could move through.

These commercial fishermen are so efficient at harvesting the salmon that we now have trouble catching fish on the day following the harvesting. If there are no fresh fish coming into the river on those days, there are few fresh fish left in the river. It has never before been this bad.

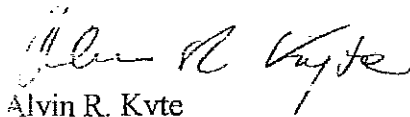
10/42

Public Comment # 10

I have heard rumors that game wardens were alerted and visited the commercial operation last season. If so, I suspect the commercial fishermen were tipped off. Perhaps the wardens were looking out for their commercial-fishing neighbors. At any rate, when we arrived, the wardens had gone and the abuses were, if anything, worse than ever.

As disturbing as this is, I am just as disturbed by the complete disregard these particular commercial fishermen have for the salmon fishery itself. They really have a short-sighted view. Over the last 60 years I have seen the salmon runs in California diminish, and now am beginning to see the same type of events converge on Alaska salmon runs. Over 60 years of fishing has taught me that we can no longer treat salmon runs as if they will always be there. Unlike California, fisheries management people need to step in actively *while* such runs still exist. These commercial practices on the Tsiu need to be seriously monitored and altered and violations emphatically enforced, if not for the balance with sport fishing, at least for the future of the salmon runs.

Sincerely yours.



Alvin R. Kyte  
Fishing Author and Teacher

**James A. Perry  
3385 Country Club Dr. S.  
Salem, OR 97302**

December 3, 2008

Dan Ernhart  
Alaskan Wilderness Outfitting  
P.O. Box 1516  
Cordova, AK 99574

Dear Dan:

I am delighted to provide my comments regarding what I see is an almost total disregard by most of the gill net fishermen of the rights of sport fishermen who are sharing the river with them. First of all, I believe that there is a proper place for commercial fishing, but not in a small confined space such as the Tsiu given the manner in which such commercial fishing seems to be conducted.

I have been fishing the Tsiu for a number of years now and have been planning my trip as late in the year as I can in hopes of avoiding the gill net fishermen. The reason for this is the total disregard most of these guys have for the sports anglers.

Let me give you some examples. I have been fishing a stretch of water and have gill netters who apparently don't have boats wade through my fishing water hitting the water with oars herding the fish down stream into their net. I have had gill net fishermen in motorized dorys speed down stream through water I am fishing doing "donuts" through the hole and around their net to herd fish from the entire river into their net. I have been forced out of the area I am fishing for fear of being swamped by boats speeding in confined areas close to me.

As you know, I am responsible for bringing a number of anglers to Cordova and to the Tsiu. The economic impact which we have, not just to Alaskan Wilderness Outfitters but to the community and state is not insignificant.

If I had my preference, gill net fishing in the river should be outlawed, particularly given the shrinkage in the size of the river over the last several years. If it is not banned entirely, it should be more tightly regulated. Including the regulations which are all ready in effect currently, herding of fish should be banned entirely. A speed limit of 5 MPH maximum should be imposed on all motorized boats. Better yet, motors should be banned entirely.

The Tsiu is a precious resource. The economic benefit to the State of Alaska of this resource is not well served by its exploitation by a few commercial fishermen.

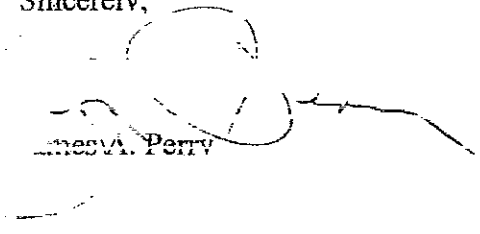
12/42

Public Comment # 10

Frankly, if these conditions do not improve soon, I am no longer interested in coming to the area for my annual salmon fishing trip. I have discussed this with several of my companions who are in agreement. As a matter of fact, there are five individuals who have been with me on prior trips who are so turned off because of their confrontations with gill netters that they are unwilling to return.

I hope this is helpful. If there is anything more I can do to assist, please let me know.

Sincerely,

  
James A. Perry

Nov. 26, 2008

Mr. Dan Ernhart  
Alaskan Wilderness Outfitting Co.  
Box 1516  
Cordova, Alaska 99574

Dear Dan;


Sorry it has taken me this long to get a letter off to you regarding commercial harvesting of salmon on the Tsiu River.

I have fished the Tsiu River twice, once in September 2003 when there was no commercial fishing on the River. It was my first experience fly fishing for silver salmon and I had a wonderful time.

I returned to the Tsiu River in 2007 to learn that there was commercial fishing on the River. The commercial fishermen placed nets out from the bank half way across the river on alternating sides of the river. Thus most of the fish were caught by the nets. Also, the commercial fishermen used boats to herd the fish into the nets. I caught only 3 fish the whole time I was there.

A major reason to go to Alaska is to catch fish. I can fish without catching fish here in California. As long as there are commercial fishermen on the Tsiu River I will be quite reluctant to return.

Regards,

  
James S. Jenks  
72 Corliss Drive  
Moraga, CA 94556

November 11, 2008

Dear Dan:


I am writing this letter in hopes that something can be done about the persistent and increasing problem of the commercial harvesters interfering/endaangering us sport fisherman in the Tsiu river.

As you know, my friends and I have been long time annual customers of the Alaskan Wilderness Outfitting Company in the Tsiu. We date back to the years when we lived in your "tent city" prior to the establishment of your present permanent cabins in your present location. I cannot recall one year when we did not experience unpleasant encounters with the commercial harvesters. Their nets usually (if not always) would stretch across at least 80 to 90% of the width of the river. They would run their noisy high powered boats across our fishing lines and many times come dangerously close to many of us who were already standing in the river even though we were there first prior to their arrival. During this years visit to the Tsiu (2008), our guide spoke to the commercial fisherman who seemed to be in charge of his group reminding him we had been fishing in this location prior to their arrival and that they were running their boat dangerously close to us, and the response our guide received was "I don't care"---as a result, we had to leave that spot and went elsewhere. I might add that the above described encounter this year was not an isolated experience but also repeated in prior years.

I find it increasingly difficult to enjoy my fishing in the Tsiu because of these repetitive unpleasant encounters with the commercial harvesters and would appreciate it if you can forward my comments and experiences to the proper authorities. It seems to me that we should be able to share the river with each other without conflict. It is my hope that I can continue to return to the Tsiu annually to fully enjoy what otherwise is a very fulfilling and enjoyable fishing experience. Anything your company can do to help ensure this goal would be decisive in our returning to the Tsiu.

My personal regards to you, Tom, Katie and the rest of your organization.

Sincerely,

  
Gilbert J. Hum  
1771 Longhill Drive  
Montorey Park, CA 91754



I came to the Alaskan Wilderness Lodge for a fishing trip in summer of 2007. I had taken at least six prior trips with them. I came from Philadelphia on my last fishing trip and it is a grueling series of plane rides to finally arrive at the Lodge on the Tsiu River. There is also a series of expenses involved in lodging expenses in Cordova and Anchorage. I point these items out since fishing at the Tsiu River involves sacrifice and strength to arrive there in addition to saving for the funds to pay for everything.

In 2007 I was exposed to the activities of the commercial fishermen in the Tsiu River. They had large nets, they had aluminum motor boats with strong Horse power motors to herd the salmon into the nets . It had a huge negative effect on my fishing experience. They drove the boats within my casting range from shore trying to herd the salmon into the nets. They moved the nets around so that we were forced to fish around their fishing territory and at times that was a chaotic situation. We worked hard to locate fishing opportunities on the river and often the salmon were a confused and skittery group.

The worst part of the experience was the large amount of noise from the motors as they ran in circles to herd the fish into the nets. How in the world can one have a positive experience with several boats running in circles and coming close to the shore where I was fishing? I would look at these fishermen at work and I felt like leaving and going home. I did not come to Alaska to see noisy boats circling the River and it influenced my decision for the summer of 2008. I did not return in 2008.

At this time I am considering a return to the river for summer of 2009 but I assure everyone that the status of the fishermen will influence my decision on returning. I have spent thousands of dollars to both catch wild salmon and to have a pleasant and enjoyable experience. That is not possible with the actions of the commercial fishermen.

I am concerned about the actions of the commercial fishermen and it will definitely influence my decision on returning for a fishing trip to the Tsiu River.

Dr. Harold Frey  
5720 Olinda Rd.  
El Sobrante, CA 94803

16/42

Public Comment # 10

my wife and family hve been fishing the Tsiu for the past 8 years. Some years have been better than others, but we always have had a good trip.

The past 2 years we have had to put up with the commercial fisherman, they have no respect for the sport fisherman. Two years ago they raced their boat out to the mouth of the river fouling up all the lines in the water.

and last year they took just about all the fishable water with their nets, so on those days the sport fisherman were froze out.

I would like to add that for us to come to Alaska to participate in your wonderful fishing, that we spend almost 5 thousand dollars per guest for air fare, lodging, license, etc.

In closing I can't see Alaska Fish and game making a small stream like the Tsiu a stream for the commercial fisherman.

Arthur and Donna Alger  
3937 Chaboya Road  
San Jose California 95147

17/42

Public Comment # 10

October 30, 2008

I have brought two groups of family and friends to the Tsiu River to experience the fabulous scenery, excellent accommodations and service that AWOC provides as well as the exciting salmon fishing. Our first trip was in late September 2006 and once again in late September 2007. These trips were very special for us and we still talk about the fabulous experiences they were.

During both trips we were surprised at the brazen attitude of the commercial salmon fishermen. I respect their right to have access to the salmon but do not support their actions when they put recreational fishermen in danger. I have spent a good sum of money to take my family and friends to the Tsiu and am extremely disappointed by the unprofessional actions of the commercial fishermen and clear lack of supervision of their daily activities.

There has never been a day of fishing on the Tisu that we did not have to quickly reel in and get to the shore area because some half wit commercial fishermen was blasting directly towards our positions which we had been fishing in for sometime. This would happen several times a day as well know. It was obvious they intentionally came all the way across the river to harass us. I have even had occasions when I could not get to the side of the river fast enough and they would speed up stream between me and the river bank missing me by less than 30 feet! It was clear to me that the commercial fishermen believe this is their river and we recreational fishermen are trespassing.

Alaska affords the fishermen such unforgettable experiences but being run over by an out of control commercial fishermen on the Tsiu is not one I want to remember.

I do hope the authorities can provide some resolution to the Tsiu fishing conflicts between recreational and commercial fishermen before someone is run down or the commercial activities escalate to the point that we recreational fishermen stop coming to such a special part of Alaska.

Sincerely

Bill McKemy  
Reno, NV.

Blog posted on internet

Posted by Jim Mancuso on 2006-09-18 20:19:39

I just returned from a week long trip to the Tsiu in Alaska and was really upset over the amount of commercial fishing that is going on this year. Attached is a letter I sent to the commissioner of Alaska Fish and Game. I urge anyone who has had the pleasure to enjoy this wonderful fishery to contact the Alaska Fish and Game with their comments on this issue. Maybe with enough input, they will do something about the number permits and/or days allowed netting.

To the Commissioner of FishGame@FishGame.state.ak.us

I have just returned from a fishing trip on the Tsiu River, located between Cordova & Yakutat. This was our sixth trip there for silver salmon, for myself & two friends. I would like to plan a fishing trip for six to Diericks Lodge, for 2007, but I am concerned due to the extensive amount of commercial netting I witnessed this year on this magnificent river. Last year there was minimal amount of netting, but this year it seems that the netting has doubled or more. Talking to the owner of the lodge, it is apparent that the netters are allowed twenty-four hours on and twenty-four hours off of salmon netting. This involves blocking off two-thirds of the river, in prime water, with each net. It is almost impossible for any fish to pass and spawn. We tried to go above the nets and fish for salmon, but there wasn't any in the upper reaches of the river due to the extreme salmon netting pressure. It seems that three lodges have to fish in one area near the mouth below the last net. But due to the netters swerving back and forth in their boats to push the fish to the nets, this creates extreme muddiness down below. They didn't even care that we were at a certain stretch of river first, but just implemented their nets right above us and ran boats back and forth to push the salmon into the nets. I'm sure that since this is a four year salmon, that there will be a very small run in 2010.

I hope the Fish and Game will not let this situation continue, as this will certainly ruin the sport fishing possibilities and future runs on this magnificent river. I would like the Alaska Fish and Game to look into this matter and see if anything can be done about the amount of commercial netting or amount of days that will be allowed.

I would appreciate a response to this letter.

Thank you very much,

James Mancuso  
GregorJim@aol.com

19/42

Public Comment # 10

November 19, 2008

Alaska Department of Fish and Wildlife

Dear Sirs:

I have fished the Tsiu River for the past four years as a guest of the Alaskan Wilderness Outfitting Company based in Cordova. Five to six of us come up from Oregon for the wonderful fly fishing for Coho salmon that the Tsiu River has to offer. We have had a great time each year with the exception of having to deal with the commercial fishermen who "work" the river with their nets for the Coho.

Two years ago, we had been fishing a stretch of the river not too far up from the mouth when the commercial fishermen came in and put their nets below us and then proceeded to go round and round with their boat to herd the fish into their nets. They then went up stream from us and proceeded to walk down the middle of the river aslapping the water surface with long poles, thus driving the fish downriver back to their nets. The river at that point is narrow enough that they were only about three rod lengths (about 30 feet) from where we were standing and fishing. We were all disgusted with this and one of our guys yelled to the commercial fisher that he was ruining our "water". And the reply was something to the effect that he had to make a living. We told our guide that we wanted to go somewhere else to fish since our spot had be totally ruined.

This past season (September 2008), we had gotten into a great fishing spot by 8:00am and had been fishing for over an hour when the commercial guys came up on the opposite side of the river, put up their nets just below where we were fishing and then went roaring up the river with their boat coming quite close to several of the fishermen. Needless to say, the upstream movement of the fish to where we were fishing was severely restricted.

We enjoy fishing the Tsiu River because of the relative remoteness of the area, the great fishing and the wonderful hospitality of the Alaskan Wilderness Outfitting Company. We also see fishermen from other guide camps on the river but have never had any conflicts. There is plenty of river for the sportsman fisher. However, it is really distressing to have this serene situation ruined by several commercial fishermen who are bent on getting their harvest regardless of what others are doing.

Sincerely,

Bruce L Wulf  
656 Lamplighter Circle SE  
Salem, Oregon 97302

20/42

Public Comment # 10

C. Allen Pool  
273 San Bernabe Dr.  
Monterey, CA 93940-6123  
831-372-5564

November 1, 2008

To Whom It May Concern:

With the exception of one year, I have, since 1998, had the pleasure of fishing on the Tsiu River as a guest at the camp of the Alaskan Wilderness Outfitters Company in either August or September. Each trip was unique. The setting is beautiful beyond words as has been the abundant supply of incoming Silver salmon.

Only one feature has prevented the experience from being perfect. That has been the bad manners, rudeness, and illegal activities of some of the commercial fishermen. Each time that I have fished on the river at the same time as the commercial fishermen, some of them, not all, have used their boats to interrupt me and others while we were fishing a school of fish. They would run and circle their boats between us and the school of fish so as to herd the school into their nets. Many times, they have done so without regard for our fishing and our safety.

At the times I and others have called out to them, they expressed their rudeness by saying such things as "I'm just making a living", "This is my income", or "F.... you". This past September a woman was fishing about 15 yards to my left. There was a school of fish between her and the opposite bank. A commercial fisherman raced between her and fish and commenced circling in front of her and herding the fish to his net. In doing so, he came dangerously close to her. When she called out to him, he respond hokling up to her his middle finger.

I don't begrudge the commercial fishermen their right to fish or to make a living. However, they should do without infringing upon the rights of others and without violating the law. Greater enforcement of the fishing regulations is needed. Without vigors enforcement, those commercial fishermen who have behaved badly and have violated the law will continue to behave badly and violate the law.

Respectfully,



C. Allen Pool

This past September tenth through the fourteenth completed my fifteenth consecutive trip to the Tsiu River, Alaska. It was my worst fishing experience here or anywhere!

Several years ago was my first experience observing commercial fishing operations on the river. There was a mutual respect between the commercial fishermen and the anglers. During my break period, I had the opportunity to talk to some of the commercial fisherman, some of whom were hard working husbands and wives, trying to make a living. They gained my deepest respect. Some of them apologized to us for their activities but they operated within the law.

However, in recent years there has been an increase in the violations of accepted legal commercial fishing practices.

1. The illegal practice of herding fish into the nets by spinning their boats and forcing the fish into the nets verses the natural captivity of fish swimming into the nets was most disturbing. The bow man was

tauntingly laughing and waving to us. The aural effect of the boat motors were also altering the natural behavior of the fish.

2. Nets were anchored more than halfway across the river. This year some were placed 90% across the river and later reversed to cover the remaining 10%. This was done in front of a line of anglers. A

net anchor was dropped haughtily at the feet of one of our guides.

3. One of the boats circled within ten feet of shore in front of me and ran over my fly line. He continued to harass the anglers by obstructing our casting and herding the salmon into the nets.

4. Miraculously, when peace officers responded to the complaints and visited the river, all conditions changed to an orderly harvest by the commercial fishermen. It was obvious that there had been an internal

"tip off." The following day the few obnoxious commercial fishermen returned to their unlawful practices.

Until these violations are corrected, I would not recommend anyone to fish this river. Unfortunately, the fishing lodges, business in Cordova and the state of Alaska will be negatively impacted.

People from different parts of the world seek to experience the natural beauty of Alaska and their fine people. With proper enforcement, the mutual lawful sharing of the Tsiu River can be returned.

Respectfully,

Donald A. Langrock  
[dslangrock@earthlink.net](mailto:dslangrock@earthlink.net)  
530-632-3561 (Cell)  
P.O. Box 1416  
Williams, CA 95987

Dan, I am writing this to say how much I appreciate your efforts to protect the quality of the sport fishing on the Tsiu River. Before I started coming to the Tsiu two years ago, a group of friends and I had made over 20 annual trips to Yakutat where we fished the local rivers for silvers. We even made a couple of trips up in the summers to try the sockeye runs. We all enjoyed the fishing experience, realizing that some runs were going to be great and some down. However, we started looking for a new destination as the fishing around Yakutat deteriorated and the crowds increased. We found ourselves scheduling day trips just to get away from the commercial nets and the increasing crowds. Fortunately, a friend from my office, Jim Perry, had been traveling to the Tsiu and bringing back tales a great salmon run and wonderful accommodations with your company at the Tsiu Lodge.

Accordingly, two years ago, I coordinated a trip for most of my group to the Tsiu, and this year, after one last trip to the Lost River and Yakutat, we returned to the Tsiu. On my first trip to the Tsiu, I was actually a little disappointed by the number of nets in the lower river. There seemed to be more than on the Lost river. Moreover, the commercial fisherman were even more aggressive. If we were fishing along a cut bank, they would set nets a 30-40 yards above us or below us. Periodically, they would start up their boats and race around the river, occasionally spinning their boats as they moved towards their set nets. It was clear that they were chasing fish. After waiting for a while they would then go pick the fish out of their nets. The cycle was pretty regular: 1. Set nets, wait; 2. Fire up boats and go down or upstream and race back towards the net while doing some spinning; 3. Wait for 10-15 minutes; 4. Pick fish from net. Wait for a while and start process over. Fortunately, the nets were only in the river a portion of our visit.

This year, we arrived later in the season, and the nets really were not an issue for us. However, I understand from a friend who came up earlier and stayed at another lodge on the Tsiu that the same aggressive actions by the commercial fisherman were again being practiced this year. The noise of the boats, the obvious herding of fish, and the "this is our place" aggressive attitude of some of the commercial fisherman are putting a great sport fishery at risk. This year, it was such a joy to not to have to deal with the unnecessary conflict between us as sports fishermen and the commercial fishermen. I feel very fortunate that I do not have to try to make a living in the elements in which they work, but there is really no excuse for their abrasive attitude. As a group, we spend a lot of money in our efforts to find a beautiful and enjoyable environment to spend a few days each year fishing. The accommodations that you provide really add to that experience. However, the noise of the speeding boats, the obvious herding of fish and the aggressive behavior of some of the commercial fisherman will ruin both the quality of sport fishing on the Tsiu and the reputation of the Tsiu as a great place to fish with rod and reel.

Several years ago on the Setuk, I saw a confrontation between a commercial fisherman and a sports fisherman almost end in fist fight on a gravel bar. The commercial fisherman was speeding up river in a boat and got too close to a fly fisherman who was trying to back out of the hole. This is not a good situation when some of the participants are actually carrying firearms. There is room for both types of fisherman on the Tsiu. I encourage those who regulate commercial fishing on the Tsiu to take whatever action is necessary to control the aggressive behavior (e.g., setting nets from opposite banks in an off-setting manner to essentially block the river, racing or spinning of boats, etc.) of some commercial fisherman. The economic impact can be substantial when the sports fishing community believes that they are not a welcome part of the community. The Tsiu is a great river, but there are other places to fish in both Alaska and Canada where sports fisherman do not have deal with the stress of nets, racing motors and angry commercial fisherman setting nets around them.

Dan, keep up your efforts to make the Tsiu a better place for all of us. Give my best to your team. They do a great job.

Regards,

Jim

23/42

Public Comment # 10



October 30, 2008

Our group has been fishing with Alaskan Wilderness on the Tsiu since year 2000. In the past few years, the commercial fishing industry has made our experience rather difficult. It is almost to the point where fishing the Tsiu on commercial days is an experience in being harassed.

Nets are placed right in front of the sport fishermen with us being pushed out of the way from a good fishing hole. When the nets are out, then the boats run at high speed with loud motors herding the fish into the nets. This is not the serene fishing that brings pleasure to us.

This year, 2008 the boats ran at high speed between us on the river where we were 20 feet apart. This included running over our lines with fish on the hook. The wake from the boats almost knocked me into the water. When the boat ran between us, the driver held his index finger aloft to salute us. There was 200 yards of water that he could have used instead of between us.

We have no way to counter the action of the commercial fishermen as we are there on a recreational trip for a few days. The expense of a trip to the Tsiu makes me wonder if I want to continue with the harassment from the commercial fishermen.

As the Tsiu is one of the few clear water streams in Alaska, I believe it should be reserved for recreational fishermen.

Jim Miner  
2871 Tam O'Shanter Drive  
El Dorado Hills, CA 95762

September 28, 2008

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

Gentlemen:

For the past 9 years, several of us fish the Tsiu River for Silver salmon during the month of September. The fishing is great and the lodging in Cordova and with the Alaska Wilderness Outfitting Company on the Tsiu are the top of any fishing and hunting areas we frequent.

The commercial fishermen on the Tsiu River have become aggressive over the years to the point that they push the sport fishermen out of the way when placing their nets. This year they were so aggressive that they would run their boats at high speed between two of us that were 20 feet apart while we are standing in 3 feet of water. There was over 100 yards of water that was available for the boats. The wake of the boats made it difficult not to fall into the river. At the same time the men in the boat waved their index fingers at the sport fishermen.

The Tsiu is one of the few clear water rivers for fly fishing that I know of in Alaska. I ask that you consider the banning of commercial fishing on the Tsiu reserving the clear water fishing for the sport fishermen.

We have made reservations to Fish the Tsiu again in September of 2009. At the age of 81 I hope to make the trip for many more years.

Yours truly

Jim Miner  
2871 Tam O'Shanter Drive  
El Dorado Hills, CA 95762

25/42

Public Comment # 10

I want to comment on my sport fishing experience on the Tsiu. I have lived in Alaska 34 years, and I have fished all over the Alaska Peninsula at various lodges and at the Tsiu for three years (one full week each time).

In all my experience of sport fishing in Alaska, I have never seen anything like the experience on the Tsiu. First, the silver salmon experience is by far the best fishing I have ever had. I love it. Secondly, the commercial fishing on the river is like I have ever experienced anywhere in Alaska. It is hard to believe that our state fishing regulations allow what happens on this incredible river.

The Tsiu is a short, extremely shallow, narrow river. I cannot believe that commercial fishing is allowed on this river because of its shallowness and importance to overall silver salmon health.

However, it is currently allowed, but the commercial fishermen abuse the privilege by:

1. Netting completely across the river--on a daily basis from my experience
2. Driving boats with large, large horsepower to herd fish above and below the nets into the nets.
3. Coming within yards of sport fishermen as they fish in the water. This year, a commercial fisherman came within yards of me at a FULL tilt while I am fishing in the water. Another woman at the lodge was also scared by a commercial fisherman coming fast within yards of her. She was terrified. I personally have been soaked with a wake from a boat while I was fishing.

I am concerned, not only for the sportfishing industry on this river, but most of all for the salmon. The Tsiu is shallow and small. The fish don't have anywhere to go when herded and when scared by the huge motors. The motors dig up the sand and change the flow of the river. This is abuse and poor conservation of the resource.

I believe that the Board of Fisheries needs to take a long, hard look at the way this river is currently managed and the abuse of regulations that take place. It needs to change--not just for the sport fishermen--but for the long term conservation of the resource.

Commercial fishing on this river needs to be phased out, but in the meantime, much more heavily regulated and monitored.

Kate Sandberg  
PO Box 1025  
Girdwood, AK 99587

26/42

Public Comment #

10

I am a guide on the Tsiu River. I have seen years of commercial fishing and sports fishing going on side by side. The Tsiu is a short, shallow and narrow river. When the peak of fishing is underway the river becomes quite crowded. Every year the crowds seem to grow. With all the people standing in the river commercial and sports fishing the use of high-speed boats has become dangerous.

Because the Tsiu is a shallow river a flat bottom boat require a lot of speed to keep from dragging the bottom. Boats running up and down the river weaving through people is asking for an accident. The boats must follow the channel, fisherman fish the channel, not much room for error. I have witnessed numerous close calls. Once an angler actually have to dive out of the way to avoid being run over by a boat sliding out of control around a corner!

There is very little respects given to the angler visiting Alaska's Tsiu River buy the commercial fishing boats. It is bad enough that angles are run out of fishing holes buy nets laid at their feet. It is just not safe or fair to run the angles off the river with a boat run in circle at high speeds in front of them. People come to Alaska for a special fishing experience, not to be run off the river buy dangers that could be regulated. Let me know if I can assist in making the Tsiu a safer place to experience.

Captain Matt Williams

# PHIL ERICKSON



3345 STONE VALLEY ROAD ALAMO, CALIFORNIA 94507  
Phone (925) 837-0278 Fax (707) 922-1465  
Email [PhilErick@sbcbglobal.net](mailto:PhilErick@sbcbglobal.net)

November 4, 2008

To all concerned,

I have fly fished the Tsiu River numerous times and fully enjoyed many of them, however my experiences the last three trips to the Tsiu were so bad that I have quit going to what was once one of my favorite venues.

The sole reason for my discontinuing traveling from California to the Tsiu is the disruption and harassment caused by the commercial fishing elements!

In my earliest encounters with the commercial operators, they appeared to respect us sport fishermen and avoided close encounters, sadly my last few trips that has not been the case. They act as though the river is theirs to do as they please and would like to drive us from the Tsiu by harassing us. When I have asked them to please not get so close, they totally ignore the request!

Their techniques of herding the salmon are not only unbelievably noisy, but also make it impossible for sport fishermen to access very large portions of the river, many being the very best runs for fly fishing. Many times they come right in and place their nets where we are fishing.

Sadly, until changes are made in the commercial fishing practices on the Tsiu, it will no longer be on my list of places to fish!

Sincerely,

Phil Erickson  
The Phishin Phool

28/42

Public Comment # 10

#1  
09-22-2008 01:23 AM

**gregorjim** 

Official Member



 **TSIU River , Alaska**

Join Date: Jun 2008  
Location: Millbrae, Cal  
Posts: 85

Just got back from flyfishing the Tsiu river...located between Cordova & Yakutat , below Anchorage...This was my 6th trip , & probably the last one...This river has probably the best runs of silver salmon in alaska...A lot of nearby rivers have diminished runs in cluding the Situk river at Yakutat... Problem is every commercial fisherman is keying in on the new increased prices they're getting for wild alaska salmon...about \$1 per pound or so?...Of the 5 days we stayed at the lodge, it rained really hard except for two half days...And when we were doing great in areas , the commercials move right in & pull out gill nets & drive the salmon up past us into the nets with their boats...Seems to get worse now the prices have risen..Turns out the lodge has a couple of permits to fish also & i reconized the owners son helping them out... Needless to say , I was pissed & let him know that you can't have it both ways..Too bad , cause we used to get 50-100 fish a day when the weather was good...Now that California & Oregon have closed the salmon fishing, that this will only make things worse..We still did well , until the boats moved in...Wish i had better news to relay to you

about all wanting Alaska salmon fishing reports...Jim 

29/42

Public Comment #

10

November 7, 2008

Alaska Department of Fish and Game  
PO Box 115525  
Juneau, AK 99811

To Whom it May Concern:

Three to four of us have fished Alaska in early September for the last six years. It has been a wonderful experience until this year. We fished at the Alaskan Wilderness Outfitters Tsiu River Lodge. I personally spent over \$10,000 on this trip.

We had fished the Tsiu River in 2005, and had a great experience. This year's trip, however, was less than anticipated. The commercial fishermen on the river created substantial problems for the sport fishermen. It was apparent they were using their boat and outboard motor to move or herd the salmon into their nets.

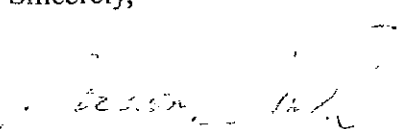
In so doing they had complete disregard for me and two companions who were fly fishing the northern river bank. They (the two commercial fishermen) would point their boat at full throttle directly at us and then just before reaching our location they would make a sharp turn to prevent a collision with us. We had to carefully time our casts to prevent our line from tangling with their boat and motor.

Their actions were very intimidating and dangerous. Carelessness or poor judgement in their maneuvering could have resulted in a serious accident. The wake from their boat rocked us.

It is my conviction they purposely intended to intimidate us and frighten us from fishing the river. Noise from the outboard motor spoiled the opportunity for a true Alaskan wilderness experience. There is abundant room for commercial and sport fishermen on the Tsiu, but each must respect the others rights and territory.

I am convinced those two commercial fishermen were deliberately trying to make our time on the river unpleasant and frightening—they were successful.

Sincerely,

  
Gordon Smith  
PO Box 1933  
Belgrade, MT 59714

30/42

Public Comment #

10

11-14-08

Dan Ernhart

Alaskan Wilderness Outfitting Company,

Dear Dan,

For about the past 10 years our group of 4-5 people has been coming annually to the Tsiu River with Alaskan Wilderness Outfitting Company to fish for silver salmon.

The presence of the commercial fishermen is becoming a greater negative as to whether we return.

The fishing nets often extend near the width of the river, there is no identification on the nets of the permit holder, the jet boats are deafening and have gone directly over my fishing line and severed it, the fish are herded out of our fishing site, and our presence is completely ignored near the point of contempt.

During the 2007 season while we were there, it seemed as if the river was near completely emptied of salmon by the commercial harvesters, resulting in very poor fishing for the sportsmen.

We have all felt that this river and its salmon run have produced many positive memories. The location, scenic beauty, and the quality and class offered to us by Alaskan Wilderness are outstanding.

I think we contribute significantly to the economy and should have our presence recognized so that we do not feel harassed by these people.

I suggest that the Fish and Game force them to conform to the laws of Alaska and be restricted as to frequency of access.

Most Sincerely,



John L. Sorensen, M.D., F.A.C.C.  
219 N. Cimarron Rd.  
Las Vegas, NV 89145

31/42

Public Comment # 10



Edward Rabinowe  
34201 Big Meadow Lane  
Deer Island, OR 97054

---

(503) 366-3565

ERabinowe@juno.com

Alaskan Wilderness outfitting Co.  
PO Box 1516  
Cordova, AK 99574  
Attn: Dan Ernhart, Manager

Dear Dan:

Thank you for continuing your effort to make the fishing experience on the Tsiu River even better. I have been fortunate to have spent vacation time on the Tsiu for the past 20 years. Doubly fortunate to spend time with AWOC for the best in Alaskan wilderness adventure in the business.

In my 40+ years of fishing vacations, the commercial fishing on the Tsiu is unique. Never before or elsewhere have I been run out of my fishing hole by a power boat. I enjoy wading and fly casting to salmon. The commercial fishermen just set their nets near where you stand fishing and run the fish into the nets with power boats running over you lines in the process. A wading fisherman has no choice but to leave the river for safety. It is hard to argue while wearing waders and carrying a fly rod with power boats swerving just feet from you while they clean all the fish out of the river and deprive you of your spot on a stretch of public open water where you were fishing.

Vacation cost on the Tsiu is significant, as is the sportsman's dollar in Alaska, and AWOC excels in giving you what you pay for. The commercial fishermen have no respect for the tourist dollar or the tourist's safety, sport fishing or common decency.

Sport fishermen are always willing to share a river. I have never heard of a sport fisherman asking a commercial fisherman to move his net no less try to run him off. The Tsiu should be as available to me with my current fishing license as it is to anyone else.

Please continue your work to assure that we all have fair access to the Tsiu river. I look forward to fishing there again.

Tight lines,

Ed Rabinowe

32/42

Public Comment #

10

LOUISA A. DEMERS  
DENIS M. DONOVAN

DeMers & Donovan  
ATTORNEYS AT LAW  
725 UNIVERSITY AVENUE  
SACRAMENTO, CALIFORNIA 95825

(916) 929-9680  
FAX NO. (916) 929-9798

November 14, 2008

ALASKAN OUTFITTING COMPANY  
Box 1516  
Cordova, Alaska 99574

Dear Sir or Madam:

I have been fishing and hunting in Alaska since 1971. Most years I make 2-3 trips to Alaska and have fished in many locations. One of my favorite locations is the Tsiu River for silver salmon in late August or the early part of September.

On a number of occasions we have had "problems" with commercial fisherman cutting our lines, driving the fish away, or, in some instances, putting their nets directly into the area of the river where we are fishing. This last season, September, 2008, was a prime example of their conduct.

There were seven of us in our group, we went out to the river early and were fishing in a very nice part of the river opposite of where the commercial fisherman fly their fish out to Yacutat. We had been there for about an hour when two commercial fisherman came by in their boat and after a moment came back and placed their net directly in front of us in the "hole" that we were fishing. At that time we had caught at least one fish per person and were hoping to get additional fish for our limit but that ended right there.

The commercial fisherman then circled their boat on both sides of the net and within about 20 minutes took at least 200 fish out of that hole and our fishing was over.

It is about the most blatant and egregious conduct by a commercial fisherman that I've seen although I have seen some that were almost as bad.

I know that the commercial fishing industry in Alaska is a very important part of their economy and I realize that many fisherman need to do commercial fishing for a livelihood. However, there should be limits as to what they can and cannot do.

33/42

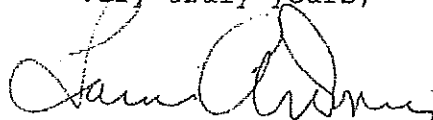
Public Comment # 10

DeMers & Donovan  
A PROFESSIONAL CORPORATION

I have read the "Harassment Law" of the State of Alaska and this last example certainly falls within those parameters.

It is my hope that a more aggressive enforcement of existing laws should enable both the commercial fisherman and the sport fisherman to coexist.

Very truly yours,



Louis A. DeMers

LAD/tlm

cc: John Jackson

November 16, 2008  
8823 Memorial Creek Dr  
Spring, TX 77379

Alaska Wilderness Outfitters Co  
P. O. Box 1516  
Cordova, AK 99574

Dear Tom and Katie:

During my trip to the Tsiu River Lodge with you in September of this year, I experience an unpleasant situation on the river with the commercial fishermen. I think it is important that I relate this to you since it will affect my decision to return in the future. This was discussed with the guides at the lodge, but I thought it would be appropriate to advise you in writing since it will influence my decision to return in the future. Unless something is done to improve their conduct, I will not be returning to fish with you.

I understand the commercial fishermen had the authority to fish the river during the time I was there from September 18 thru 23. However, their action of traversing the river in front of our fishing area, running within less than 30 feet of us, and forcing us to stop fishing for fear of injuring someone in the boat was arrogant and dangerous. They showed no respect for our presence on the river and allowed us very little peace and quiet to fish only a small part of the river. They also set their nets across the river from us and often ran in circles to drive the fish into their gill nets.

I personally watched one group of commercial fishermen load more than 53 fish into a cart for processing while our party of over 6 fishermen tried to harvest our limit of fish. I personally fail to understand the position that the Alaska Game and Fish Department has taken on commercial fishing versus sport fishing. The sport fishing industry clearly brings in more revenue to the state than the commercial fishing industry. A relatively small number of commercial fishermen are awarded the privilege of reaping the greatest amount of the available resource while the sport fishermen are left with less and less. Regrettably, it has affected my decision to return in the future.

Sincerely,



Vernon Broussard

35/42

Public Comment # 10

11/05/08

Dear Dan,

I would guess that my Trouble with The commercial fish people goes back 4 or 5 years. They have yearly become more belligerent each year. At one time there was an "Understanding" between your company and them that each group would get a day to fish and the other would put forth fishing in their turn. This was a pure joke. They could run their speed boat anytime they wished. When they weren't fishing later in those afternoons you could see some fish at the bottom of the Tsiu completely exhausted. They surely were not in the mood to chase a fly. All this was in the "good old days" Our trip in 2008 was really the worst not only because the stormy weather prohibited many of us old gents but we were treated to show off boatsmanship such as running a boat very near the bank with a one finger salute. There was nothing we could do about this

unsportsman like behavior.

My long time fishing partner has gone on record as never returning to the wilderness outfitting Co. I will return only if you Dan or Katy & Tom give me your word this injustice is corrected

Dan, I know you know Gary Loomis, I believe you had a booth next to him at some fishing show. He is a real believer in correcting the unprincipled practices that the commercial fishing industry so often practice. I would like to send him your letter. If he decides to jump into this encroachment of a well run and respectable business it will make a whole of a difference. He organized a club down here in the lower 48. The CCA, Coastal Conservation Association, has thousands of members.

Thank you for allowing me to add my 2¢ to your efforts 371 John Anderson

3

PS

Dan, The incredible number that the commercial fishermen remove from the TSIU are lost for ever. That huge number of the world's best Silver Salmon will never breed and reproduce. It is shocking to see huge cargo aircraft taking their load every day to the processing plant in Anchorage. There is no way that loss of breeding salmon won't diminish the total population of the TSIU. That 1-10% of the fish your guests catch will diminish as the total population drops.

The last thing people like those commercial types have in mind is  
HUSBANDRY

John Anderson, MS DVM

38/42

Public Comment #

10

John M. Jackson, Sr.  
5665 Power Inn Road, Suite 140  
Sacramento, CA 95621  
(916) 381-8113

November 19, 2008

Alaska Outfitting Company  
Box 1516  
Cordova, Alaska 99574

Dear Sir or Madam:

I have been traveling to Alaska since 1971 to hunt and fish. Each year, I make several trips to Alaska, and have fished in many locations. In late August or early September, one of my favorite locations is on the Tsiu River to fish for silver salmon.

Let me first point out, that I know that the commercial fishing industry in Alaska is a very important part of their economy. I also realize that for many people, commercial fishing is their livelihood. However, there should be some limits as to what the commercial fisherman can and cannot do.

My group and I have encountered a few problems with the commercial fisherman on several occasions. Not only have we encountered the commercial fishermen cutting our lines or driving the fish away, they have also dropped their nets directly into the area of the river where we are fishing.

This past season, in September 2008, was a prime example of some of the commercial fishermen's conduct. Our group, there were 7 of us, had gone out on the river early and we were fishing in a nice part of the river opposite of where the commercial fishermen fly their fish out to Yucatat. At this time each of us had caught one fish, and we were hoping to catch our limit, but because of the commercial fishermen's conduct noted below we were unable to catch anymore.

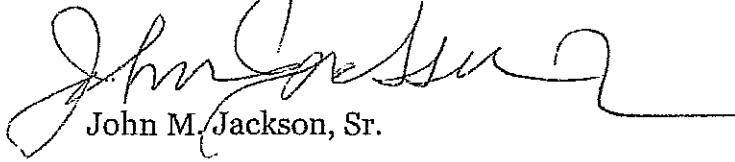
After we had been there for about an hour, two commercial fishermen came by in their boat, and dropped their net into the "hole" that we were fishing. Then they circled their boat on both sides of the net and after about 20 minutes, they had taken about 200 fish out of that hole. Needless to say, our fishing was over at that time. I have seen some bad conduct by commercial fishermen in the past, but this particular instance was the most atrocious behavior by a commercial fisherman that I have encountered.

I have read the Harassment Law of the State of Alaska, and that the example I've given above, definitely falls within those parameters.



I truly believe that with more aggressive enforcement of the existing laws, both the commercial fisherman and the sport fisherman should be able to coexist.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "John M. Jackson, Sr.", written in black ink.

kam

# SUBJECT: SPORT FISHING ON THE TSIU RIVER

Ronald L Ott

7831 Fiftieth Street North  
Lake Elmo MN 55042

Phone 651-777-7527  
E Mail vhfleo@mtn.org

- I HAVE FISHED THE TSIU RIVER FOR SALMON IN EACH OF THE PAST 8 YEARS AND MY EXPERIENCE THERE ON AN GIVEN DAY CAN BE DESCRIBED AS EITHER THE GOOD THE BAD; OR THE UGLY.
- AS SUGGESTED BY MY REGULAR TRIPS HERE GOOD DAYS PREDOMINATE--IN NO SMALL PART BECAUSE OF SERVICE AND ACCOMMODATIONS AFFORDED ME BY ALASKAN WILDERNESS OUTFITTERS AND THE FACT THAT SALMON ARE FREQUENTLY ATTRACTED TO MY FLY. BAD DAYS ARE MOSTLY CAUSED BY UNCONTROLLABLE FACTORS SUCH AS NON-BITING FISH AND WEATHER -- WIND?? OR RAIN AND HIGH, DISCOLORED WATER.
- UNFORTUNATELY, INTERACTIONS BETWEEN COMMERCIAL NETTERS AND SPORT ANGLERS FREQUENTLY CAUSE UGLY?? DAYS THAT MAKE ONE WONDER IF THE COST AND EFFORT NEEDED TO FISH THESE WATERS IS REALLY WORTH WHILE. UGLY EVENTS I HAVE PERSONALLY EXPERIENCED ~~INCLUDE~~ INCLUDE:
  1. SEEING A NET PLACED ENTIRELY ACROSS THE RIVER IN A NARROW SPOT
  2. BEING ROCKED BY THE WAKE FROM SPEEDING BOATS (WHILE STANDING IN THE RIVER)
  3. WATCHED JET BOATS HERD SALMON INTO NETS
  4. WATCHED NETS BEING SET LESS THAN 15 YARDS

4/1/11

Public Comment #

10

FROM WHERE I WAS FISHING

5. REGULARLY SEEING NETS PLACED IN DEEPER CHANNELS ALONG ONE SHORE AND EXTENDED OUT TO VERY SHALLOW AREAS (WITH INSUFFICIENT WATER FOR FISH TO SWIM) EFFECTIVELY BLOCKING ALL MIGRATION UPSTREAM.
6. BEING "BUZZED" BY THE DC3 CARGO PLANE (USED TO TRANSPORT NETTED FISH) WHICH ~~WAS~~ <sup>FLEW</sup> ONLY ABOUT 100 FT ABOVE THE GROUND A LONG DISTANCE FROM TAKE OFF.

ALL SUCH EXPERIENCES ARE INCONSISTENT WITH A PLEASANT "WILDERNESS" FISHING EXPERIENCE!!

- I RECOGNIZE THAT THERE IS MUCH I DON'T KNOW ABOUT THE ECONOMIC AND CONSERVATION CONSIDERATIONS THAT ARE FACTORS IN FORMULATING THE REGULATIONS GOVERNING BOTH SPORT AND COMMERCIAL FISHING ON THE TSIU. I CAN SAY WITH COMPLETE CERTAINTY THAT: (1) THE ECONOMIC VALUE OF A SALMON CAUGHT BY AN ANGLER IS MANY TIMES THAT OF A NETTED FISH AND (2) THE NUMBER OF SALMON KILLED BY ANGLERS IS BUT A FRACTION OF THAT TAKEN BY NETTERS. THESE FACTORS TOGETHER WITH THE ~~SMALL~~ <sup>SUBSTANTIAL</sup> INVESTMENT MADE BY THE FISHING LODGES IN THEIR FACILITIES SHOULD MAKE SUSTAINABILITY OF A ~~HIGH QUALITY~~ QUALITY FISHERY A PRIORITY.

Sincerely

Ronald J. H.

0. I'M NOT SURE BUT I THINK SOME OF THE PROBLEMS BETWEEN NETTERS AND ANGLERS COULD BE REDUCED ~~BY~~ BY CHANGING THE 9:00 A.M. NETS IN/OUT TIME TO NOON. THIS WOULD ENABLE ANGLERS TO FISH ~~AND~~ WITHOUT DISTRACTIONS FOR A FULL  $\frac{1}{2}$  DAY

Attention: BOF Comments  
Board's Support Section  
ADF&G  
PO Box 115526  
Juneau AK 99811-5526

RECEIVED

JAN 15 2009

BOARDS

I am a 33 resident of Southeast Alaska and have been involved in the harvest of food from the sea since I was old enough to walk and hold a pole. I am currently a member of the Sitka F&G Advisory Committee, but I offer these comments as my personal opinion separate from those of the AC.

Proposals 133, 134, 135, 139, 307 & 308: These multiple proposals indicate that there is a widespread feeling that the current regulations governing charter/non-resident (i.e. sport fishing regulations) shellfish harvest are not working at this time. It is quite possible that this would not be an issue if the existing regulations were strictly enforced, however, I understand that the current budgets severely limit the reach of enforcement personnel. Given that, I urge the board to take action that addresses the non-compliance by passing regulations that are enforceable with less effort than those currently in place. Proposals 133 & 134 meet this criteria, (though 133 is arguably excessive). Proposal 135 (which I authored) could probably be improved in this regard if power pullers were prohibited on board a charter boat unless there were clients that were legally allowed to use them. Proposals 307 & 308 meet this enforceability criteria as well.

Proposals 137 & 138: These nearly identical proposals seem to be excessively heavy-handed way to address the recent exploitation of the blackcod stocks by the charter industry. A simpler and better solution would be to provide for a reasonable sport bag limit for blackcod and have the department keep an eye on any other non-traditional stocks that the may be targeted in the future. It is not necessary to preempt these as-of-yet-untapped fisheries with a bag limit for all un-named species, as the 3-year board cycle allows plenty of time for the board to address species of concern before excessive harvest occurs. This would be poor precedent and unduly restrictive. (If a charterfisherman wants to keep 30 starry flounder, is this really a problem?) Note that if while discussing proposals 296, 297 & 298, the board decides to prohibit electric reels, the bag limit for black cod is probably not necessary, as only the recent combination of electric reels and modern spectra fishing line has allowed fishermen an easy means to successfully target blackcod and other extremely deep water fish.

Proposals 164, 165, 166, 167 & 168: Current regulations do not allow for red king crab to be harvested under subsistence authority. The board should correct this mistake / oversight. Additionally, the personal use harvest in much of Southeast is open with a very generous (6/day) limit during years when there is sufficient crab to sustain a commercial fishery, but closed entirely when the stocks are not at a commercially harvestable level. The board ought to give the department the direction and authority to open the personal use (and subsistence) fisheries even when the harvestable population is not at a commercial threshold. A bag limit of 1, 2, 3, 4, 5 or 6 crab may well be in order in these situations.

1/5

Comment # 11

Proposals 169 & 170: These proposals attempt to address two perceived problems. The first being people legally scouting for red king crab in advance of the open season and the second being illegal poaching of king crab during the week or two leading up to the open season.

I see no problems with advance scouting. It has been fully legal in the past and is a time-honored tradition in hunting and fur trapping. Anyone that wants to spend the time and gas money to confirm that the crab are in the same area that they have always been in should feel free to do so. This is not a problem that needs to be fixed.

As for poaching, while getting pots out of the water for a week or two might reduce the poaching during that time frame, shifting the illegal harvest to other times of year is not much of a solution. In short, these proposals are unnecessary.

There is a gray area in the regulations regarding the practice of setting pots before the opening day of the king crab season and pulling the pot as soon as the season opens. If the board feels that this is a problem and wants to address it, I suggest that a better solution would be to specifically allow this practice and shorten the season by a few days to compensate for the additional fishing time.

Proposal 221: This is a poorly written proposal that worsens the problem that it claims to address. I urge the board to reject this proposal.

Proposal 222: This proposal addresses an important concern, but as written will likely have the unintended effect of concentrating the guided sports fishermen in the areas that remain open to chinook retention, and thus concentrating the chinook harvest into these areas. It would be poor practice to focus fishing effort in the areas of lowest abundance (i.e. weakest stocks). Hence I urge the board to modify the proposal to only close the high chinook abundance areas to guided fishermen when the 48" minimum size limit is in effect. (I.e. when chinook retention is not an objective for these fishermen.)

Proposal 223: I support this proposal. Sportfishermen, like commercial trollers place a higher value on winter fish. (They taste better.) Anything that makes winter fishing more attractive will allow more of these high value fish to be taken. The board should note that this proposal may also (slightly) increase the by-catch of other species.

Proposal 224: While the stated intent of this proposal is to allow fuller non-resident participation in the Golden North Salmon Derby, the proposal goes well beyond this. To keep the intent of the original compromise that allowed this exception to the general 48" minimum size limit in the first place, the board should continue to limit the time period to 10 days (changing the specific days as the Territorial Sportsmen, Inc. changes the dates of the derby) rather than expand it to 25 days.

Proposals 286 & 287: These proposals address the loophole in the current regulations that permits frozen fish to be excluded from a fishermen's possession limit. I urge the board to adopt this, or some other *effective* means of closing this loophole. If the board considers the proposal too extreme, as an alternative, I suggest that the board consider a requirement that the fish still be fit for human consumption after 21 days. This would allowed canned, (but not frozen fish in a wet-loc box) to be excluded from the possession limit.

Proposal 290: I *very strongly* urge the board to *reject* this proposal for a several reasons. Firstly, the number of 36"+ steelhead harvested from systems outside of the 16 listed ones is very small both in absolute numbers and as a percentage of the population. Steelhead this large are rare even in the 16 most productive watersheds, but exceeding rare in the unlisted small streams. Furthermore, these fish are ones that could be harvested without adversely affecting the stock. Large fish tend to predominately be males, and furthermore they are nearing the end of their lifespan and have likely spawned several times already ensuring that their genes have been passed on.

While the likelihood of catching a fish large enough to keep is very small, the mere possibility is important to many steelheaders. (If only to be able to freely choose to release such a fish should they catch one.) Thus, by anointing a specific list of streams, this proposal would have the unintended consequence of greatly focusing fishing effort on the 16 drainages listed. These are systems with well-known run timing and as such, a fishermen can quickly learn how to fish them effectively. This focused effort will lead to increased catch and thus increased handling mortality in these systems. This will increase, not decrease the total Southeast steelhead mortality.

The current regulations spread the effort out to many small relatively undocumented streams that an angler has to study for several seasons before learning how/when to fish it effectively. (Since unlike the well-known systems, the fisherman isn't able to obtain run-timing or other information from department personnel or at the local sporting goods store.) Once this hard-earned knowledge has been gained, the fishermen has a great motivation to protect his secret from other fishermen and to protect the resource that makes the secret valuable. Proposal 290 reduces the protection that these small streams have by devaluing their secrets.

Historically, the Board of Fisheries has prudently decided against general area closures paired with specific open areas in favor of liberal general regulations and specific limitation on an as-needed basis. Again, I *most strongly* urge the board to continue this wise tradition and *reject this proposal*, choosing instead to close harvest on specific streams as the department sees the need to do so. (Proposal 317 is an example of a handful of streams that may need such protection.) The great majority of steelhead streams are so isolated and remote that very few fishermen (whether sport or subsistence) utilize them. Hence it is not necessary or prudent to further restrict harvest levels in these little-fished streams.

Proposals 296, 297 & 298: The uncertainty of whether or not electric reels are permissible sport tackle should be addressed by this board at this time. While electric reels don't seem very sporting to me, it is more important that the board make a clear and timely decision than exactly what that decision is. If the board decides to permit the general use of electric reels by able-bodied sport anglers, the board should also implement bag and possession limits for blackcod (see proposals 137 & 138) as electric reels and modern spectra fishing line have recently allowed fishermen to effectively target these fish and other deep water species.

Note that as written, proposal 297 would specify that a fishing rod has guides. There are now fishing rods on the market in which the line is threaded through the hollow blank and do not have traditional external guides. I see no reason to prohibit such a fishing pole, as the only advantage that it gives the fisherman is reduced tangling when several rigged rods are stored together.

Proposal 309: Please pass this proposal to give the guided sport fish industry an incentive to maximize the value of the resource that they already harvest rather than the current incentive to increase their harvest. This proposal will also give other users a predictable future share of the coho resource.

Proposals 311, 312 & 313: These similar proposals aim to make enforcement of existing regulations easier and less time-consuming for enforcement personnel. As enforcement budgets are quite limited, this is a step in the right direction. Uniform frequent enforcement helps to level the playing field between the guides that play by the rules and the competition that chooses not to.

Proposals 320 & 321: Both of these proposals seek to increase the value of the troll-caught chinook resource by increasing the number of fish caught during the time of year that the prices are typically higher. The board should implement these proposals which also permit a greater share of the chinook quota to be caught during the time of year when the highest percentage of Alaskan fishermen are fishing.

Proposals 325 & 326: These proposals seek to alter the coho troll season to coincide with the greatest abundance of the coho on the fishing grounds. I agree with the authors of these proposals that for reasons unknown, the coho run is later than it used to be. That said, other user groups would be unfairly shorted if the troll season was made longer as per proposal 325. On the other hand, it doesn't make sense to prohibit coho retention during the high-effort days of the July chinook opening as proposal 326 desires. I suggest a compromise where coho troll season would open concurrently with chinook season on July 1 (two weeks later than it currently does) and end on September 30 (also two weeks later than current) to maintain the same length of season and better align the troll fishery with the coho abundance.

Proposals 349, 350, 351 & 352: The research that I have seen on decompression devices indicates that they are worth using. The board should be supportive of these proposals in general, but should not require that the rockfish be released "at or near the bottom" as proposals 351 & 352 would. The research that I have seen indicates that the fish merely needs to be released deep enough that it continues down under it's own power. In most cases this would be less than 50' below the surface. There is no need to require that the fish be forced all the way to the bottom.

Thank you for considering my points of view.



Tad Fujioka



RECEIVED  
JAN 16 2009

Whom It May Concern,    **BOARDS**

I come from a family of fishermen, consisting of generations of commercial fishermen peppered with others whom have guide services for sport fishing on Lake Erie. As you can imagine, family gatherings are an intricate balance of joyous celebration and impassioned debates of each group's perspectives. It is a historic competition for fishing rites that is not defined by: a time period, economic status, or geographic location.

Fisheries can appear to be healthy and self-sustaining, yet the ebb and flow of nature can be destroyed in an instant. Many more fisheries are diminished by the actions of man, as has been documented countless times by many state agencies (i.e., Fish and Game Departments or Departments of Natural Resources). The imbalance that man tends to create is the reason these agencies exist, so as to provide state and federal guidelines to protect fisheries for future generations. Many states investigate, document, and revise the laws as well as possession limits for both commercial and sport fishing annually. Thereby, providing resources for all user groups, as well as maintaining the balance of each fishery. At this time the Tsiu River fishery seems to be a location where concern is paramount.

The situation occurring last fall on the Tsiu River seemed quite different from past years during my visits there. I am quite fortunate to say that I have fished many locations: all the Great Lakes, fly-ins in Canada, Mexico, Aruba, Jamaica and many locations in Alaska. It is Alaska's beauty and diversity which brings me back frequently. However, the recent fishing tactics noted on the Tsiu River have me considering spending my vacation monies in some other state. I was appalled by tactics employed by the commercial fisherman on the Tsiu. More difficult for me to grasp was the seeming lack of supervision or monitoring of the abuses that were taking place. I may be naïve. However, I thought that a portion of the monies collected by fishing licenses was to ensure that law enforcement could be employed to regulate the laws that are in existence.

I think the contrast between the regulations I am used to in Ohio versus Alaska may have been the reason my sensibilities were insulted. The Ohio fisheries on Lake Erie are under supervision daily during the summer months. In fact, Wildlife officials from southern counties are temporarily relocated during the summer months to ensure adequate coverage of Lake Erie's fisherman, commercial and sport. It is just a daily happening. Perhaps that is why the abuses I witnessed and heard about enraged me. I stood in shame to admit that I was from a family of commercial fishermen.

The guide staff of my outfitting company attempted to downplay the situation and act as professional as possible to ensure my safety. I assure you that I felt safer fishing among grizzly bears feeding on salmon than I did standing on

the bank of the river in the presence of those commercial fisherman. Those men felt free to blatantly violate the laws of the state, as well as, plunder the balance of nature by overfishing the river, and the killing of wildlife.

Again, not to fault my outfitters, but I did not feel safe when a power boat went shooting down the center of the river while I was standing on the sandy bank with my line in the water. Nor did it seem ecologically plausible when nets were placed across the entire river to collect the fish during their river run. Those men seemed to be trying to prove a point, that they had more of a right to claim the salmon than did any other person or entity. I viewed their actions as an obvious disregard for the future of commercial fishermen.

As a country, we often refer to Alaska as "The Last Frontier," the implication being once the frontier is gone, there cannot be another. Furthermore, without that frontier, there is less of a future for all of us. The implication, perhaps unfairly so, is that some people view Alaska as a state that must work more diligently than any other to protect that frontier, its wildlife, and its resources.

After what I witnessed, I feel the State of Alaska needs to work harder at investigating how other states or federal agencies work to enforce and manage the laws that were created to regulate this balance. Please invest some of your energies into protecting the Tsiu River. It is a beautiful place which can teach so many about nature. This fishery is so much more than two user groups attempting to benefit financially. It is about wildlife, the environment and the future. It is my belief that it is not just Alaska's job to protect its resources. I believe it is everyone's job to protect her resources.

Thank you for taking the time to read this letter. I hope that my words will assist you in taking action about the abuses occurring on the Tsiu River.

Respectfully Yours,  
Kristen Quisno-Witt  
Customer of Alaskan Wilderness Outfitting Co.  
8680 Genzman Rd.  
Oak Harbor, OH. 43449



**FAXED**  
1/24/09

Attn. BOF COMMENTS  
FAX # 907-465-6094

PROPOSAL 199 - 5 ACC 27.035 Closure of registration areas.

Amend proposal of 199 to read as follows:

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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

Public Comment #

13



## Rural Alaska Community Action Program, Inc.

P.O. Box 200908, Anchorage, AK 99520-0908  
(907) 279-2511 ♦ Fax: (907) 278-2309  
www.ruralcap.com

January 2, 2009

BOF Comments  
Boards Support Section  
Alaska Dept. of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526

RECEIVED  
JAN 20 2009  
BOARDS

### RE: Opposition to Proposal #235, Subsistence Fishing Permits

Dear Members of the Board of Fish:

The Rural Alaska Community Action Program, Inc. (RurAL CAP) is a statewide nonprofit organization that has been advocating on behalf of low-income and rural Alaskans since 1965. RurAL CAP is governed by a 24-member Board of Directors with representatives including publicly elected officials and representatives from every region of Alaska.

During its quarterly meeting on December 11, 2008, the RurAL CAP Board of Directors discussed the subsistence harvest of herring eggs. The consensus of the Board is that traditional uses of fish and game continue to be a mainstay of Alaska Native culture and vital to the well-being of rural communities. The subsistence harvest of herring eggs is integral to ensuring that rural and Alaska Natives continue to have access to a resource that has been utilized for thousands of years.

Alaska's indigenous people continue to see erosion in their opportunities to harvest fish and game resources for traditional uses as a result of changing regulations and more competition for resources. Proposal #235 requiring permits and reporting for all harvest of herring spawn in Sitka Sound is one more attempt to discourage traditional uses. There is no consensus on such a requirement and it only serves to place another unnecessary burden on harvesters. The RurAL CAP Board of Directors **opposes** the Sitka Herring Association's Proposal #235.

For more information about this issue, please contact our Deputy Director, Sarah Scanlan, at 907-865-7365.

Sincerely,

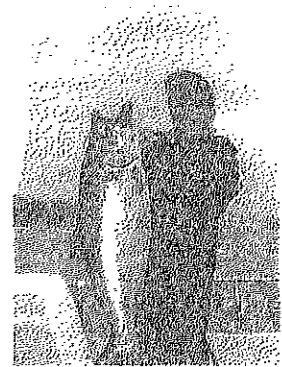
David Hardenbergh, Executive Director  
Rural Alaska Community Action Program, Inc.

Public Comment #

14



RECEIVED  
JAN 19 2009  
BOARDS



ATTN: Board of Fish Comments  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, Alaska 99811-5526  
Fax 907-465-6094

January 16, 2009

Re: Proposals 296, 297, and 298.

I am writing to voice my objection to these proposals, all of which seek to end the use of electric reels for sport fishing. I am a disabled person who lives to fish. I have a progressive neuromuscular disease, as well as other medical conditions, including an arm injury which required a 4 inch metal rod in one arm. The picture above was taken 10 days after I had casts taken off both legs and one arm. I was successful only by using braces on my limbs, and by resting the pole on the tops of the boat rail and laying my upper body over the reel to stabilize it while I reeled for dear life. My husband has 2 electric reels on board, but they are not designed for salmon fishing and it would be near impossible to use them to play a salmon while they run, jump, and dart in all directions. But I simply could not catch a halibut, or any bottom fish, even a small one, without the aid of an electric reel. I cannot reel up 260 foot or more of weighted line, especially while supporting all that weight on the rod trying to pull a halibut off the bottom. It does not help me catch more halibut, it only assists me in reeling up the ones that I do catch.

If these proposals are implemented, it will end my ability to bottom fish entirely, as it will for many other disabled persons. I am sending copies of my letter to the Muscular Dystrophy Association, the Alliance for Disabled Sportsmen Rights, the Charcot-Marie-Tooth Association, Families of the Disabled, and many other disability organizations, and if these proposals are accepted by the board, I will be filing a complaint with the Department of Justice under the ADA.

But these proposals will not just effect disabled persons. When my children were younger, they were only able to bring halibut up with the help of the electric reels, and my husband is a Charter boat operator who has many very elderly and/or infirm clients, as well as children, who also would never be able to enjoy bringing up a halibut with out the aid of an electric reel. If these proposals pass, many sports fishermen will be unable to bottom fish, not just charter clients who are disabled, or very young, or very elderly.

Thank you for your time,

*Lorita A. Leighton*

Lorita Leighton  
PO Box 5175  
Ketchikan, Alaska 99901

Public Comment # 15

RECEIVED  
JAN 21 2009  
BOARDS

I support proposal 220. The guides all have computers. That's how they book their charters. Every day they fish is a delivery. It would only take 5 minutes to punch in number of clients and fish caught.

I support proposal 221. I did not know cruise charters could take 3 kings per client a day. If the cruise client wants 3 fish he can charter in 3 towns.

I support proposal 222. It just makes sense.

I support proposal 286. Southeast Alaska should not be a meat market for non-residents.

I support proposal 287 for the same reason.

I support proposals 288 and 289.

Thank you,

Paul Johnson

P.S. When the sport quota of king salmon is caught the season should close. No catch and release (or fillet).

Board of Fisheries  
Box 115526  
Juneau, AK 99811

January 19, 2009

Board of Fisheries:

I am a SE Alaska troller and here are comments on some of the proposals slated for review in February:

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JAN 22 2009  
BOARDS

#227 – *‘open troll fishery 7 days per week in District 8’* – strongly support; It is appropriate to modify the rules to allow trollers to have a better chance of catching something approaching a historic average based on percentage.

#228 – *‘open portion of Frederick Sound to trolling in May & June’* – support; Trollers should have better access to the stocks that we helped rebuild

#230, #231 – *‘open troll fishery 7 days per week in District 11 when transboundary river fishery is open’* - Currently the troll fleet does not have an opportunity to catch its fair share. One tenth of 1% in 2006 shows just how low the troll share has been. Modifying the rules to allow an increased troll catch makes sense

#286 – *‘amend the definition of possession limit for SE AK to take into account preserved fish as well as unpreserved’* – strongly support. Current wording includes an unintended loophole that allows possession of more fish than is really allowed. Clarification to include preserved fish makes sense. Certainly everyone has at one time or another been shocked at the huge pile of fish boxes you see for one traveler at the airports.

#288 – *require non-resident anglers to have nontransferable harvest records in possession for coho salmon; limits proscribed in #288’* - As king salmon catches are forced to drop due to newly negotiated annual quotas and as halibut stocks in SE continue to decline, we can anticipate a big increase in effort on coho salmon. It makes sense to enact some limits before the coho abundance is hammered further and agitation between gear groups increases.

#289 - *require non-resident anglers to have nontransferable harvest records in possession for coho salmon’* - Agree strongly that monitoring and enforcement of bag and possession limits is very important and it makes sense to have a mechanism in place to enable ADFG to do so.

#301 – *‘require use of barbless hooks for salmon fishing if release is intended’* - strongly support. This is a simple way to reduce mortality when a fisher is intending to release any catch. The greater the number of salmon who survive catch & release, the more salmon for everyone to catch.

#312 – *establish system to monitor and inspect vessels and freezer facilities associated w/ charter fishing* – Strongly support. Commercial catch information is monitored closely and immediately upon landing. Without a regulation allowing ADFG & DPS to inspect private lodges and charter boats, how can enforcement be fairly applied to the charter sector?

Sincerely,



Daniel W Miner  
1406 34<sup>th</sup> St  
Anacortes, WA 98221



RECEIVED  
JAN 22 2009  
BOARDS

Adeline Florschutz  
Box 547  
Wrangell, AK. 99929

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

Proposals 257, 258: I support  
The current regulation of gillnet fisheries is to open on Sunday at noon. The exception to this is the spring King Salmon fishery. I feel that this should be changed so that all fisheries open on Monday. One reason for this is observance of religion. If the fishery opened at noon, those who observe the Sabbath can continue all Sunday without having to compromise to prepare for fishing (though, if someone plans ahead this can be solved) so the fishery could also open at 6 am. If this were established it would allow for religious individuals to observe their worship without the danger of lost fishing time.

My main concern is for religious worship, but changing this would also increase family time. Both of these things will help establish good values in individuals and families.

Also, weekends are primarily a time spent in fun pursuits, such as boating, which puts the gillnetter's nets at risk. Opening on Monday would greatly decrease this risk.

Therefore, I feel that it would be best if the opening time was therefore changed to Monday.

## Support for Proposal 244

RECEIVED  
JAN 16 2009  
BOARDS

I encourage the Board of Fisheries to support Proposal 244. I have been paying a 3% enhancement tax to the Northern Southeast Regional Aquaculture Association (NSRAA); by comparison to other gear groups my return is pretty close to nothing. The overall gillnet portion of the NSRAA budget is around 8%. The fish I catch are predominantly produced by the Douglas Island Pink and Chum hatchery in Juneau and I believe they should not be included in the Southeast Allocation Plan. The Southeast Enhanced Salmon Allocation Plan is allowing us to be both taxed and penalized by our Regional Aquaculture Association.

Name [Signature]

Address 100 Donna Drive Sitka

Name Edward L. Sparks Jr.

Address 100 Donna Dr. Sitka

RECEIVED  
JAN 26 2009  
BOARDS

**Proposal 244**

I have gillnetted Southeast Alaska for 18 years mainly in the Northern areas catching enhanced fish from the Douglas Island Pink and Chum (DIPAC) Hatchery. After 18 years of paying my 3% enhancement tax to the Northern Southeast Regional Aquaculture Association (NSRAA) I feel that the Northern Gillnet fleet is not being represented by NSRAA in fish production. I believe that all the enhanced taxed fish I catch from DIPAC should not be counted towards the Southeast Alaska Enhanced Salmon Allocation plan. I believe paying a Regional Aquaculture tax is essential in prolonging our fisheries but the North end gillnet fleet is getting shafted from paying a tax without any directed gain. We call it "Taxation without Representation". Supporting proposal 244 will eliminate all the salmon allocation proposals before you. Please support proposal 244.

\*Board of Fisheries has set a precedent in May of 2006, #2006-248-FB

Thank You

  
R. Eliason Jr

Sitka

Third Generation Alaskan fisherman 41 years

NSRAA Board of Directors 17 years

RECEIVED  
JAN 27 2009  
BOARDS

## Support for Proposal 244

I encourage the Board of Fisheries to support Proposal 244. I have been paying a 3% enhancement tax to the Northern Southeast Regional Aquaculture Association (NSRAA); by comparison to other gear groups my return is pretty close to nothing. The overall gillnet portion of the NSRAA budget is around 8%. The fish I catch are predominantly produced by the Douglas Island Pink and Chum hatchery in Juneau and I believe they should not be included in the Southeast Allocation Plan. The Southeast Enhanced Salmon Allocation Plan is allowing us to be both taxed and penalized by our Regional Aquaculture Association.

Name



F/V SAGA

Address

PO Box 1357

HAINES ALASKA  
99827

*"The trollers have been out of their range from the start, so we can ask for more money to be spent on our projects. It gives us more political power at the Board level."* **Alan Andersen, Troller, NSRAA Board of Directors**

RECEIVED

JAN 26 2009

This comment is written to address BOF proposals 244 (take out DIPAC production out of the SE allocation plan), 273 and 274 (to make Deep Inlet a 1:1 rotation with the seine fleet). Being both proposal are Allocative driven it's easier to address them as one.

The Southeast Alaska Allocation Task force (SATF) was formed by the Alaska Board of Fish in 1991, there task was to form a southeast wide allocation plan for enhanced salmon\*(1).

The Alaska Board of Fisheries adopted the SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN [5 AAC 33.364] on January 17, 1994\*(1).

At that time the SATF used wild stock catches to produce the allocation model for enhanced fish, this occurring from 1985 to 1990\*(1).

Now some 24 years later our fisheries have changed. History has proven the allocation plan needs to be updated to create equity within the fleets. Some if the issues are as follows:

The southeast Alaska seine fleet is in the middle of a federal funded buyback program. Southeast Revitalization Association (SRA) has finished phase one of the buyout retiring 35 permits (8%) in 2008. The final buyout will occur by 2010 cutting the original fleet of 418 permits by 35-40% (156 permits). During the SATF allocation planning years 1985-1990, the active seine permits were 368, 368, 381, 394, 365 and 360 in 1990 respectively. This is what the Southeast allocation plan was based on\*(2). Now we will be looking at a maximum fleet of about 263 seiners.

The seiners dropping below their allocated range was precipitated by the downsizing of their fleet in 2001-2002. Many boats lost their markets do to processor consolidation and weak markets, this on five years of very large pinks catches of 45-67 million pinks per year.

Even through attrition, the seine fleet has enjoyed high value through low efforts and their numbers are trending up yearly\*(2).

As of this writing NSRAA is actively seeking an agreement with Kake Tribal on a joint enhancement project involving a 65 million chum salmon permit. Their Gunnack Creek hatchery has been in a near failure state and we at NSRAA believe we can bring these paper fish into reality. This as a seine/troll project falling within the SE Allocation Plan \*(1).

The Southeast Troll fleet has been in their allocated range twice since the inception of the Southeast enhanced allocation plan. The troll fleet has not been as successful in targeting enhanced fish like the net groups. Current market reports say: "the troll fleet will suffer

from this global recession; the people cannot afford the high end commodity like King Salmon". This further complicating the SE Allocation Plan.

The hatchery enhancement efforts have been successful in the areas of higher volume, lower cost fish like pinks and chum, this at the cost of about 1 cent per chum fry\*(3). This price per fry enables hatcheries to mass produce these fish, giving chum a higher cost to benefit ratio to the fleet than any other specie. The higher end King and Coho production has not been as successful because they are very expensive to produce at the cost of 10 cents per Coho smolt and twenty-five cents per King smolt.\*(3). These two species are the favored catch of the SE Troll fleet. To date there are only about 24 committed active Chum trollers, and that number can be as high as 100 when market conditions and lack of natural stocks force other trollers to take up the not so desirable fishery.

At a time when the Pacific Salmon treaty was being negotiated a model for Alaska Hatcheries would produce a catch of 100 thousand "Alaska Hatchery Kings", this falling way short and being in the neighborhood of about 20-30 thousand catch per year. Another troll project failure.

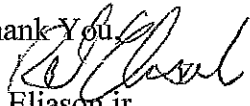
It is well known in the salmon industry that the hatcheries cannot produce enough fish for the troll fleet to stay within their allocated ranges. It would bankrupt the associations. The taking of time and area away from other gear groups is not the answer. The Board of Fisheries needs to resurrect the Southeast Alaska Allocation Task force (SATF).

The Southeast Gillnet fleet has been holding strong fishing 80-85% of their limited permits. In the North end fisheries the gillnet fleet has the benefit of catching fish from the Douglas Island Pink and Chum (DIPAC) hatchery during wild stock fisheries. In the last five years DIPAC hatchery has produced an average yearly gillnet catch of 1.2 million chum salmon\*(4). During years of weak natural runs (Taku, Chilkat and Chilkoot Rivers) in the Northern areas, DIPAC hatchery has been a godsend producing fish for the fleet. The gillnet fleets pays nothing to catch the DIPAC fish, yet we get taxed for our catch, pay the Regional Aquaculture Association (NSRAA) our 3% enhanced salmon tax.

If proposals 274 & 274 pass it will be the last nail in the coffin since NSRAA gillnet projects are only about 4 percent of the current NSRAA operations budget. The North end Gillnet fleet is not being fairly represented by our regional association. The BOF needs to support proposal 244 or reconvene the Southeast Alaska Allocation Task force (SATF) to deal with these issues.

The long term allocation ranges and targets are as follows: Troll 19% target 27-32%, Seine 49% target 44-49%, Gillnet 32% target 24-29%\*(5). As you can see the seine and gillnet fleets are not that far off their targeted goals. From 1994 to 2000 the seine fleet was above their allocative range while the gillnet fleet was bouncing below their allocated range. When this inequity was addressed at the Regional Planning Team it was voted to let the status quo be. Now that the table has turned the gillnet fleet wants fair equity.

Thank You

  
RI Eliason jr  
Sitka Gillnet

- Third Generation Alaskan fisherman 41 years
- NSRAA Board of Directors 17 years

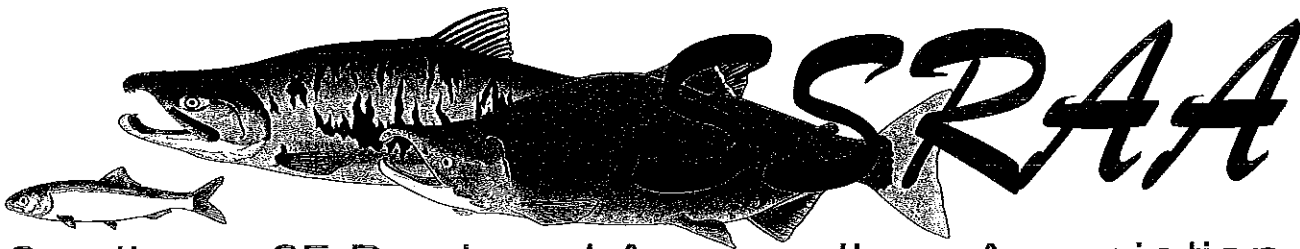
\*1 Board of Fisheries findings 94-148-FB

\*2 [http://www.cfec.state.ak.us/bit/x\\_s01a.htm](http://www.cfec.state.ak.us/bit/x_s01a.htm)

\*3 Northern Southeast Regional Aquaculture Association... Chip Blair, Data Analysts

\*4 <http://www.dipac.net/2008%20SEAK%20Chum%20Gillnet%20Harv.pdf>

\*5 SE Alaska Allocation of Enhanced Fish Nov 2008 update.doc (NSRAA for RPT)



**Southern SE Regional Aquaculture Association**

14 Borch Street, Ketchikan, AK 99901; Phone: 907-225-9605; FAX 907-225-1348

---

22 January 2009

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

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JAN 26 2009  
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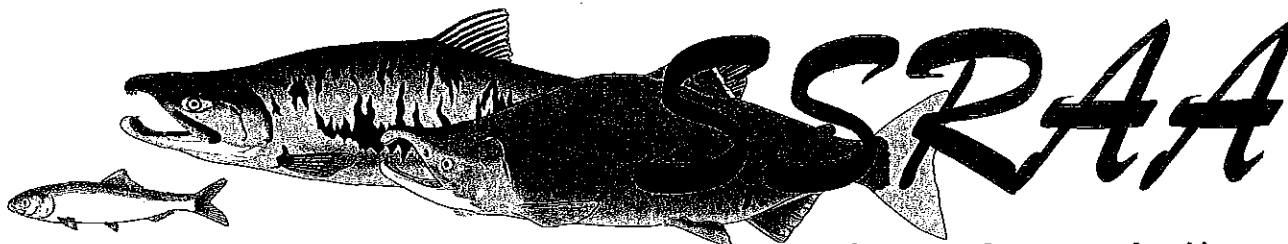
Board Support:

Please include the enclosed written testimony from Southern SE Regional Aquaculture Association with the mail out testimony (to Board Members) for the upcoming Board of Fish meeting in Sitka.

Thank you,

John Burke





Southern SE Regional Aquaculture Association  
14 Borch Street, Ketchikan, AK 99901; Phone: 907-225-9605; FAX 907-225-1348

---

**Written Testimony to the Alaska Board of Fisheries concerning: the Joint RPT recommendations regarding the allocation of enhanced fish; and, proposals 226, 229, 270 and 294.**

The following testimony was written on behalf of the Southern SE Regional Aquaculture Association (SSRAA) Board of Directors as a result of actions taken regarding these proposals at the SSRAA Annual Meeting on 17 January 2009.

**John Burke**  
**General Manager**  
**SSRAA**  
**14 Borch Street**  
**Ketchikan AK 99901**  
**(907) 225-9605**  
[johnb@ssraa.org](mailto:johnb@ssraa.org)

**Written in January 2009**

**Background:**

Southern Southeast Regional Aquaculture Association is a not-for-profit corporation. The SSRAA Board of Directors is comprised of 21 people, 13 of whom are fishermen holding designated gear-group seats. The primary officers of the corporation are chosen from the gear group representatives. The willingness of SE Alaska fishermen to annually tax themselves 3% of the ex-vessel value to fund SSRAA (and NSRAA) was the fiscal cornerstone of the corporation.

SSRAA derives most of its operating revenue from the cost recovery harvest of summer chum salmon in the Neets Bay Special Harvest Area. SSRAA is unique among fisheries enhancement associations in that the organization contracts for the harvest and custom processing of most of the cost recovery harvest and retains the products for later marketing.

SSRAA operates 3 of its own hatcheries as well as one state facility through contract with the Division of Sport Fish. Summer and fall chum, summer and fall coho, and chinook comprise the primary production at the SSRAA facilities. SSRAA also conducts several small sockeye projects. SSRAA does not produce

pink salmon. The Neets Bay program is one of SE Alaska's largest chum projects and also includes the regions largest long-term fall coho project.

SSRAA operates a number of remote release sites (Nakat Inlet, Kendrick Bay, Anita Bay, Neck Lake, and Bakewell Lake) where, depending on the specific site, significant numbers of summer and fall chum, summer and fall coho, and chinook are released. These sites are deliberately situated so that returning fish are primarily harvested in traditional common property fisheries with clean-up fisheries in the terminal areas. Cost recovery harvest occurs only in Neets Bay and at the Neck Lake raceway in Whale Pass; all of the fish returning to the other sites are intended only for common property harvest. In addition, when escapement warrants, SSRAA is/has been involved with sockeye restoration work at Hugh Smith and McDonald Lakes.

The fishermen members of the Southern SE Regional Planning Team (RPT) are members of the SSRAA Board. The Southern SE RPT fishermen members comprise half of the fishermen members on the Joint SE RPT. Related to any imbalance in the allocation of enhanced fish, the Joint RPT is tasked by the original allocation plan with recommending changes that could result in restoring the agreed balance between the gear groups.

### **Summary of SSRAA recommendations:**

#### **1. Support the recommendations of the SE Joint RPT (attached) related to the current imbalance in the allocation of enhanced fish in SE Alaska.**

**Background:** Currently both the trollers and seiners are below their agreed allocation percentage ranges while the 5-year average drift fleet harvest value is above the agreed range. The ranges are based on the percentage of the total ex-vessel value of enhanced fish annually received by each fleet. Though there have been individual years when the troll fleet was in the agreed range, the problem for the troll fleet is chronic; they have never been in their range across any 5-year period. The troll shortfall is in part due to US/Canada Treaty constraints on fishing time and in part due to the difficulty of producing fish for trollers that are not later cleaned up by net fisheries. Because of the nature of hook and line fishing, troll fisheries are not generally effective in the clean up a terminal return. In essence, increasing the value of the troll harvest consequently also increases the value for net fisheries used to "clean up" the terminal areas.

For a number of years the seiners were above their agreed harvest range, but more recently that has not been the case. The drift fleet is now above their target range with the seiners, for the first time, fall under that value for a 5-year average harvest period. There are a number of reasons these two fleets vacillate as you will surely hear during public testimony. Those include the relative successes of different large-scale chum releases that primarily benefit one fleet or the other. Specifically, if the NSRAA release in Hidden Falls does exceptionally well (survival) while DIPAC's releases in Lynn Canal do not do well, the seine fleet may be over the value range. Conversely, in years when the DIPAC releases do well in Lynn Canal and

Hidden Falls does not produce at the same survival range, the drift fleet might exceed their agreed harvest range.

Though the explanation above illustrates how an imbalance can occur, it is far too simplistic; other factors like the increasing value of net-caught chinook and coho have primarily fallen to the drift fleet, while poor pink survival in several recent years has dramatically reduced seine fishing time and area, which can keep them from catching enhanced fish in their normal common property openings.

The "findings" associated with the allocation plan suggests that attempts to correct an imbalance should not alter traditional fisheries. The plan suggests long and short-term means by of adjustment by either adding new production or the management of terminal fisheries in Special Harvest Areas (SHA's) as methods to bring additional harvest to the group(s) below the agreed allocation.

Needless to say, attempts to restore the allocation balance can be as controversial as any issues facing the SE gear groups. An effective proposal involves real compromise, and it is generally true that real compromise does not leave any participant perfectly happy with the outcome.

Over the past five or more years the Joint RPT has worked through a number of meetings trying to understand and refine the process of estimating the harvest and value of enhanced fish. Related to this, in recent years SSRAA has spend an increasing amount of revenue to thermally tag all chum releases as well as take on the task of port sampling and otolith processing, so that harvest and value can be accurately assessed, as funds for this purpose have generally been taken from the ADF&G budget. In addition there have been controversial changes in the management or production in several THA's, that at the time seemed relatively reasonable but currently seem to contradict the present allocation situation.

This past December the SE Joint RPT met for two days in Ketchikan. The first day was an allocation workshop and the second the scheduled fall RPT meeting. The workshop was a public meeting attended by fishermen from across SE. Though the Department does not participate in decision making related to the allocation of enhanced fish, they attended the workshop to technically support the process. A consensus proposal/recommendation to address the imbalance was developed across the two days. The joint RPT recommendation addresses the allocation proposals submitted to the Board for consideration at the February meeting makes several suggestions for changes in production to the enhancement agencies in SE, primarily SSRAA. The recommendation also address all of the proposals submitted to the Board about this process.

**In summary, the SSRAA Board:**

- **Is receptive to the suggestions of SE Joint RPT involving new production.**
- **Supports the proposed management changes of THA's (Deep Inlet, Anita Bay, and Neets Bay) in the SE Joint RPT recommendations.**
- **Consistent with the RPT recommendations, the SSRAA Board does not support the following proposals as they are currently written: 244, 245, 246, 267, 268, 271, 273, and 274.**
- **Supports proposal 327, extension of coho troll season in Behm Canal to 9/30, if there are no significant wild stock concerns associated with this proposal.**

We have comments on four additional proposals:

**Proposal 226: Amend the current regulations to double bag limits in all troll corridors for May and June in the Ketchikan area...**

**The SSRAA Board opposes this proposal.**

**Comment:** Our primary issue with this proposal is enforcement, but the proposal could also prove allocative by increasing the portion of the return for sport harvest. We assume the "corridors" referred to in the proposal are the "experimental" or "hatchery access" spring troll fisheries. These fisheries are conducted in relatively discrete areas where there is a known high percentage of Alaska hatchery fish during the time they are conducted. Since most of the annual harvest of Alaska hatchery chinook is not counted against the treaty quota, trollers are given the opportunity to fish these areas when adult chinook are expected to be returning to SE Alaska hatchery terminal areas. It is important to note that these are the only areas open to troll fisheries during this period, which makes enforcement of the commercial fishery relatively easy. If a troller is fishing elsewhere, the troller is not fishing legally.

This is not true of the concurrent sport fishery, which is open throughout SE waters during the same period. The hatchery access areas create a relatively complex patchwork across SE, and determining whether sport harvest took place in the "corridor" with one bag limit or an adjacent area that was not in that "corridor" with another bag limit in effect would not be possible unless individual fishermen were observed during their entire period of fishing. Fishing bag limits could only be enforced when anglers were confronted while fishing; bag limits could not be enforced at the dock.

**Proposal 269: Amend the current regulations to extend the boundary of the Neets Bay terminal king salmon harvest area.**

**The SSRAA Board opposes this proposal.**

In essence this proposal would extend the Neets Bay Terminal Harvest Area from Neets Bay to the Ketchikan road system. This extended area does not comprise a classic terminal area where by and large only enhanced fish are present. The proposed area is the migration corridor used by naturally produced Behm Canal chinook stocks. These stocks, some of which are significant (Unuk and Chickamin Rivers), have been protected from intensive harvest near the rivers of origin since prior to the US/Canada Salmon Treaty in 1985. While this proposal would probably increase the sport harvest of Neets Bay chinook it would also increase the sport harvest of naturally produced Behm Canal stocks.

**Proposal 270: Close shoreline fishing at Herring Cove and change hatchery release location.**

**The SSRAA Board opposes this proposal.**

SSRAA is reluctant to join this controversy, which we feel is more an issue of trespass and enforcement than the placement of the hatchery. The short of it is that sport anglers sometimes trespass on private property when they are engaged in this fishery. Herring Cove provides the only significant opportunity for a recreational angler to harvest chinook from the bank in the Ketchikan area.

We find the proposal misleading on several points. First, the hatchery was developed and producing chinook for a number of years prior to the development of the specific property in question.

Secondly, and more important to the production of these fish, it is not possible to easily move the release site as the proposal suggests; in fact it is not possible without also moving the hatchery itself. The current release site is the hatchery site. When fish are released directly from where they are reared, straying is minimized and the collection and handling of broodstock is optimized; and, in many instances the actual hatchery site is the only place broodstock can be consistently successfully collected. This is the case at Whitman Lake Hatchery in Herring Cove. The brood we collect at Whitman provides the fish for SSRAA's chinook releases at Neets Bay, Anita Bay and Whitman Lake.

The current project in Herring Cove is precisely what drives the successful Mountain Point marine chinook fishery (comprising thousands of angler hours) at the southern end of the Ketchikan road system. This is the single most intensive chinook fishery in the Ketchikan area and it exists because of the releases from Whitman Lake. Moving the release to Settlers Cove would end this fishery as Settlers Cove is in Behm Canal on the north side of Ketchikan.

**Proposal 294: Close regional aquaculture association Terminal Harvest Areas to guided sport fishing.**

**The SSRAA Board opposes this proposal.**

- While there are certainly controversies over the allocation of returning chinook between commercial, resident sport and guided sport anglers; SSRAA understands and acknowledges the concept of a "common property" resource. SSRAA also acknowledges the respective roles of the Board of Fish, ADF&G, and the association related to allocation and management of that resource both in and outside of THA's. It is a general rule that if a THA is open to troll – or any other commercial gear group – it is also open to sport fishing. When broodstock must be protected, THA's can be closed to all users. This proposal would violate the concept of salmon as a resource available to all legitimate users.

.....  
I began commercial fishing for herring at the age of 16. I fished seiners, hand pulled kelp with roe, and gill netted for herring up until 1972. Fisheries were Carrol Inlet, Ward Cove, Pond Reef, West Beam canal, Egg Island in Craig, Kashaks, & South Lynn canal. Herring there are now depleted. You have stopped all commercial herring fishing in those areas. Please stop the Sitka sound fishery before it gets depleted. I don't believe that Herring need to be named endangered just stop all fishing for herring except for subsistence use by Alaska Natives. thank you very much

Bruce D Rogers  
4166 Aspen Ave  
Juneau, Ak 99801  
907-789-7677  
cell # 907-209-7543

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JAN 27 2009

BOARDS

*Email 4 Soreasters @ WebTV.net*

***Juneau Charter Boat Operators Association***  
***P. O. Box 34522***  
***Juneau, Alaska 99803***

January 27, 2009

**2009 Board  
of Directors**

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*Burchfield*  
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*Rick Bierman*  
Member at  
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*Chris White*  
Member at  
Large

*Chris Conder*  
Member at  
Large

Alaska Board of Fisheries  
Board Support Section  
Alaska Department of Fish and Game  
P.O. Box 15526  
Juneau AK 99811-5526  
Attn: BOF Comments

Dear Board of Fisheries Members:

The Juneau Charter Boat Operator's Association represents 25 independently owned guided recreational fishing businesses located in the Juneau area. Our membership ranges from cruise based charter operators to full service fishing lodges. We are writing to comment on the current finfish proposals for Southeast Alaska. We are directly affected by the proposed regulations.

There are 18 Proposals that are toxic to the charter industry in this years Board of Fisheries green proposal book before you. They are: 137, 138, 286, 287, 288, 289, 294, 296, 301, 302, 307, 308, 309, 310, 311, 312, 313, and 368. We are opposed to all 18 of the above proposals. They range from reducing bag limits on all unspecified fish species, annual limits on Coho, changing the definition of possession limits, to inspection of lodge facilities. The cumulative affect of these proposals would leave no incentive for nonresident anglers to come to the area to enjoy sport fishing and could end the guided recreational fishing industry in Southeast Alaska.

These 18 proposals were submitted by commercial fishing advocacy groups and/or their members. None of these proposals were brought to the Board by ADF&G staff. None of these proposals address conservation concerns. They are an allocation grab. Clearly, there is an attempt by commercial interests to subvert the Alaska Board of Fisheries to their profit. When taken in conjunction with commercial efforts at the federal level regarding halibut, these efforts emerge as an orchestrated assault on the Charter/Lodge industry in Southeast Alaska.

Proposal number 368, submitted as an addendum by the Southeast Fisherman's Alliance, is a typical example of how malicious these Proposals are toward the guided sport fishery. This proposal asks that the possession limit for sport fishing be reduced to one daily bag limit. The justification offered is as follows:

**ISSUE:** Change the regulations for possession limits for non-residents to be one daily bag limit for all species. Too many non-residents determined the validity of their trip on what the commercial value is of the bag limits they are allowed to keep. Alaska does not need to give large amounts of its resources away to non-residents to take home and put in



***Juneau Charter Boat Operators Association***  
***P. O. Box 34522***  
***Juneau, Alaska 99803***

**2009 Board  
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*Edwin Haney*  
Member at  
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*Kevin  
Burchfield*  
Member at  
Large

*Rick Bierman*  
Member at  
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*Chris White*  
Member at  
Large

*Chris Conder*  
Member at  
Large

freezers and eventually be thrown out. A reasonable amount of fish would be provided under this regulation, as processed fish does not count toward their possession limit. This regulation would also prevent the abuse of leaving at 11:59 the night before and therefore claiming it is a two-day trip or alternatively coming in on the second day at 12:01 a.m. This does not harm the Alaskan resident taking a weekend trip.

We find the reasoning behind this proposal flawed throughout. For example, how was it arrived at that non-resident anglers determine the validity of their trip on the commercial value of what they are allowed to keep? Who is it that determines what Alaska's needs are? How is non-resident angling, giving something away? How did information become available that non-resident's caught fish were being thrown out? What is a reasonable amount of fish for a non-resident? Who is taking non-resident anglers fishing at 11:59 PM and or returning at 12:01 AM with two bag limits? Why aren't current regulations adequate to address these issues? This proposal is based on rumor and insinuation with no fact to back up the issue statement. Its very language paints the guided recreational fishing industry as an undesirable element on Alaska's fishery landscape. We feel it is a waste of the Board of Fisheries time and State resources. It is, along with the other 17 proposals, an obvious attempt to harm the Charter/Lodge industry.

The Charter/Lodge industry brings to Alaska the highest value added use of the fisheries resource. Alaskans realize more economic benefit per fish from the Charter/Lodge industry than any other fisheries. Already, guided recreational fishing is allocated the smallest fraction of the resource. This industry brings to coastal communities high paying jobs, not only fishing jobs, but jobs throughout every spectrum of local economies. None of these charter-toxic proposals consider the economic impact on small recreational fishing businesses and local communities should this Board pass them. We request that the Board of Fisheries consider the Alaskan residents living in coastal communities who depend on guided recreational fishing for their livelihood and the support of their families when reviewing these proposals.

Thank you for your consideration in this matter.

Sincerely,



p.p. Todd Wicks  
President

TW/JY

January 28, 2009

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JAN 30 2009  
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Board of Fisheries  
Alaska Dept. of Fish & Game

Dear Sirs:

IN SUPPORT OF PROPOSAL #320

I have had the privilege of commercially trolling for salmon for the past 30 years in SE Alaska. Also, I have also been a dedicated participant in the spring hatchery access fisheries since their inception.

It is well understood that ADF&G has treaty constraints with regard to how the spring troll fishery is conducted. We appreciate the efforts made to continually fine tune openings over the years to maximize our opportunities to catch these valuable hatchery fish which we have helped create.

Proposal #320 represents a continuation of that effort toward fine tuning and maximizing our access. Within the constraints of the Salmon Treaty and good science, there are excellent reasons to "roll over" any uncaught fish from the winter troll fishery into the spring fishery.

--It provides the public with high end salmon when relatively little is available in the market.

--Prices are higher to fishermen than during the summer "glut".

--Continuity of product during these months is important to processors and important to keeping our long term customers.

--Product in May and June keeps our shore workers employed in many plants.

--Opportunities to fish over a longer stretch of time reduces financial risk to fishermen in case of a bad summer season (for whatever reason).

--Spring hatchery fishing is inherently less risky to the participants than either winter or summer fishing due to calmer inside waters and is often located closer to town which makes it more economical as well.

--For many seasons now trollers have been unable to catch their relative "share" of hatchery fish as compared to gillnetters and seiners. Increased access to hatchery king salmon in the spring would help this imbalance.

Thank you for your consideration of this worthwhile proposal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis Parent".

Dennis Parent  
F/V Teaser

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JAN 30 2009 (

**Gregg Bigsby  
Rustler Fish Company  
POBox 157  
Haines, Alaska 99827**

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**COMMENTS**

**Chairman John Jensen and Board of Fish Members,  
RE: SE FINFISH PROPOSALS FEB. '09**

**Support for Proposal 244**

I respectfully encourage the Board of Fisheries to support Proposal 244. We need to gut The SE AK ENHANCED FISH ALLOCATION PLAN.

It is OUT OF DATE, DOES NOT WORK, AND UNCONSTITUTIONAL.

ALSO, by supporting this proposal, we are supporting STATUS QUO, and that should be our current goal, in fairness, and for what is right.

Some say that this (PLAN) was written and agreed upon by consensus, and some say that they have consensus agreements now. NO WAY, we have very different goals as gear groups, different ideas and goals within each gear group, and we have RPT/Allocation Committee (Gear Group) members with a very political agenda. Also I was at that meeting and I didn't agree !! Ha, but I didn't have a vote.

**THE PLAN IS OUT OF DATE;**

It is written that we take the "long term" fixes on allocation, using a rolling 5 year average. This I believe is out of date. On every BOF cycle we will all be back to "fix" our percentages, because in hindsight, a 5 year rolling average is SHORT TERM. Fact of the matter is, since 1990, both the gillnetters and the seiners are both over on their percentages "over the real long term" pretty much at about an even amount. And the trollers don't catch very many Chum Salmon, and the Seinners are into a major fleet reduction which affects their totals. And the gillnetters don't target wild river fish runs much any more, targeting hatchery

Public Comment # 25

SUPPORT FOR PROFOSAL 244, PAGE 2 FROM GREGG BIGSBY

chums mostly because it's a Social-Economic thing. The basic focus of SE Gillnetting is very different in present times, compared to the past.

#### THE PLAN DOES NOT WORK

Nobody wants to shut down net fishing completely to give the trollers more opportunity. Fish Quality would go from good to terrible. The best plan is exactly what we are doing, spending more and more on future projects for trollers. Before the SE AK ALLOCATION PLAN was written, there was a Policy passed at NSRAA to spend 1/3 1/3, 1/3 on each gear group. This was tossed, in favor of THE SE AK ALLOCATION PLAN, to further STATUS QUO. Now again we should prefer status quo.

#### UNCONSTITUTIONAL

I am being taxed 3% of my gross fish tickets. Paying NSRAA to make fish for the other gear groups. And they are additionally wanting to close down some of our opportunities. It would be "housekeeping" to EXCLUDE PRODUCTION, FROM THOSE PRIVATE NON-PROFITS (PNP SALMON HATCHERIES WHO DON'T RECEIVE THE TAX REVENUE), FROM THE "VALUE" CALCULATIONS IN THE PLAN.

And I believe that this proposal has merit. Thank-you very much for your time and consideration.

Gregg Bigsby

January 17, 2009

Alaska Department of Fish and Game  
Board of Fisheries  
RE: Proposals 257-259  
Sunday Gillnet Openings

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JAN 30 2009  
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Proposals 257, 258 and 259 would change the first day of gillnet openings from Sunday to Monday.

These proposals would unnecessarily cause harm to the following groups:

**1. Fishermen who also work other jobs and have invested in boats, permits and gear based on the Sunday opening schedule.**

Many fishermen have other jobs and take time away from work to fish during the peak season, and fish on Sundays during the shoulder season. These fishermen have taken loans and planned their business around the Sunday opening schedule. Changing the opening day from Sunday to Monday would reduce the number of days they have available to fish, causing unnecessary harm to this user-group.

**2. Fishermen whose crew members have other jobs, and would be unable to fish as many days under the proposed schedule.**

Crew members who work other jobs and the fishermen who employ them would be adversely affected by this proposal. Changing the opener from Sunday to Monday would reduce the number of days these crewmembers have to fish. Some crewmembers would be unable to fish (or fish fewer days) and some captains may have to find new crew members as a result.

**3. Fishermen who need to seek supplemental income during poor fishing seasons.**

In bad years (as we experienced in 2000-2003) many fishermen had to find other jobs to supplement their income (especially during the shoulder seasons), and continued to fish on Sundays to support their families. These proposals would limit the ability of fishermen to continue fishing if they have to find other jobs during poor fishing years.

**These proposals have unintended consequences that would cause fishermen to suffer. They would reduce the availability of crew members during the peak season, and they would inhibit fishermen from earning supplemental income during poor fishing seasons.**

**Please reject proposals 257-259.**

Sincerely,



Luke Fanning  
Juneau, Alaska

January 19, 2009

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We the undersigned Sitka residents who hold SO3a gillnet permits do not support Board of Fisheries proposals 273 & 274. Without another gillnet fishery within 100 miles of Sitka we have built our businesses on this fishery over the past 18 years. We believe taking any time and area away from us gillnetters will result in an un-economical fishery. We also believe that we were misrepresented at the December Joint Regional Planning meeting in Ketchikan. We believe the actions of the Joint Regional Planning team does not reflect the majority of the gillnetters views from Northern Southeast Alaska.

Print Name

Sign

Address

Monte D. Young	Monte D. Young	P.O. Box 1365 - Sitka
EVANS SPARKS Sr.	Evans Sparks Sr.	100 Donna Dr. Sitka
Evans SPARKS Jr.	Evans Sparks Jr.	100 Donna Dr. Sitka
Richard Eliason	Richard Eliason	709 SILVADO Sitka
Fabian Grotter	Fabian Grotter	711 Etolin St Sitka
Todd Wyman	Todd Wyman	2160 H.P.R.
Ivan Grotter	Ivan Grotter	Box 2484 Sitka AK
Harry Jimmy	Harry Jimmy	Box 986 Sitka
Jose RIVERA	Jose Rivera	119 Erler Street
MIKE A	Mike Svenson	104 Sharon Dr Sitka

10-ab 11

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JAN 30 2009

BOARDS

William J. Glenovich  
3889 James Street Road  
Bellingham, WA 98226  
(360)733-4672  
WDGlenovich@comcast.net

January 24, 2009

ALASKA DEPARTMENT OF FISH AND GAME  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526

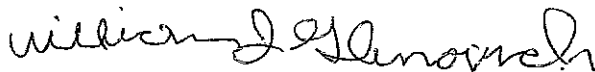
I'm writing to request your assistance to increase fishermen's safety by voting to approve bag limits for the herring fishery in Sitka, AK.

I've been a permit holder in Sitka for over 25 years and I've personally witnessed that the fishery has gotten increasingly dangerous. Within the last two years, a number of fishing boats have collided, personnel aboard a skiff were nearly run over and a number of boats ran directly over nets fouling both the net and the propeller. Not only is this extremely dangerous, but also results in significant additional costs to the fishermen.

Instituting bag limits would not impact the fishery – fishermen still would not exceed the calculated weight of fish to be caught in the fishery.

I greatly appreciate your time reading this letter and would appreciate your support for setting bag limits to increase safety for the fishermen.

Sincerely,



William J. Glenovich



**PAUL G. SOUTHLAND**

January 31, 2009

Board Support Section  
Alaska Department of Fish and Game  
John Jensen, Chair  
1255 West 8<sup>th</sup> Street  
Juneau, AK 99811-5526

Fax 907-465-6094

RE: Comments Proposals #257 - 259 Southeast Finfish

Mr. Chairman and Board Members;

I authored proposal #258 and wish to direct my comments primarily to this proposal. I, apologize that I may not be able to attend this meeting due to a conflict with the Southeast Tanner fishery. This in no way should be seen as a sign that I do not fully support the proposal only that economics dictate my location.

I have held a limited entry permit in the Southeastern gillnet fishery since the inception of limited entry, and have participated in the fishery since 1964.

Frankly, the rationale included in the proposals requires no explanation. In recent years with the advent of commercial charter operations the potential and actual gear conflicts have increased. My sector of the industry should avoid this friction if at all possible and weekend conflicts can be avoided.

A large number of gillnetters have families living in Alaska and wish to participate with their children in weekend activities, especially during the shoulders of the season when school is in session. It is, rarely, the case that during these portions of the season extended weekly fishing periods occur eliminating the chance of starting a week on Monday and ending during the week end.

I and many others attend, or rather wish to attend, religious services on Sunday. If there is no compelling biological, product quality, or economic reason to impose a conflict with religious activity then government should not force participants in a fishery to choose between feeding their families and feeding their souls.

PO Box 257  
114 3<sup>rd</sup> Street  
Wrangell, AK  
99929-0257

PHONE (360) 961-4286  
FAX (907) 874-3525  
E-MAIL paulsouthland@gmail.com

RECEIVED  
JAN 30 2009  
BOARDS


RECEIVED TIME JAN. 30. 11:23AM

Public Comment # 29

While, the gillnet task force did not take action on this proposal they did have extensive discussions of the logistics and timing of the fishery to make best use of resources and develop the best quality product. At least two processors asserted that specifically in District 6 and 8 improved quality would occur, or potentially occur, by opening at 6AM. While this is not a specific proposal I would hope the Board might entertain the option of experimenting in District 8 and 6 with a 6AM Monday opening.

I want to end by thanking each of you for your service to our state and the fishing community.

Sincerely,

  
Paul G. Southland

F/V PACIFIC JOURNEY  
STAN NELSON  
24 SHOREWOOD DRIVE  
BELLINGHAM, WA 98225

January 26, 2009

RECEIVED  
JAN 30 2009  
BOARDS

Alaska Department of Fish and Game  
Boards Support Section  
PO Box 115526  
Juneau, AK

Dear Sirs;

I have been an Alaska purse seine fisherman for 30 plus years. Over these years, I have witnessed many changes in fishing equipment, rules and regulations and the ability to make a living as a fisherman. Many fishermen are having trouble surviving at this time because they do not have the ability to value add to their economy. Presently, the area regulations that are in place that govern the time of fishing and the size of net to accomplish harvest guidelines adequately protect the resource in Southeast Alaska. However, limiting the size of the purse seine vessel no longer serves any real purpose in harvest management and reduces the ability for fishermen to better their economy.

I would like the Alaska Board of Fisheries to consider today's dilemma that many fishermen face as they try to improve their fishing equipment and economy. The 58' limit is forcing fishermen to expand the width of new boats to increase capacity. By doing this they violate basic naval architecture. For a vessel to be efficient (requiring less horsepower, burning less fuel) the length over width ratio needs consideration. To comply with the 58' rule, fishermen are expanding the width of the vessel to nearly half of the length of the boat.

I have not been able to see a down side in eliminating this 58' rule in Southeast Alaska purse seining. The positive benefits for fishermen would be:

1. There would be less horsepower requirements and less fuel burned to accomplish the same harvest numbers.
2. Fishermen would have more flexible choices to expand their economy. If longer vessels were allowed in Southeast Alaska, fishermen could value add their fish by bleeding, heading or gutting and freezing of their more valuable species.
3. Fishermen could realize better prices by delivering more of their catch directly to processors. Less handling of fish equals better quality of product.

F/V PACIFIC JOURNEY  
STAN NELSON  
24 SHOREWOOD DRIVE  
BELLINGHAM, WA 98225

4. The fishing industry would be credited with attempting to make the industry more "green" by reducing the fuel "footprint" for harvesting salmon. Boats with reduced horsepower, packing more quality salmon back to processors equals a progressive movement for the industry in today's political climate.

5. Longer and more efficient vessels would not threaten the sustainability of Southeast Alaska purse seine fishery. Our new president has challenged us to become less fuel dependent and seek change in many areas. This is one small attempt to comply that that in the fishing industry.

Please give this some consideration.



Stan Nelson  
Southeast Alaska Purse Seine Permit Holder

Charles A. Piedra  
619 W. 11<sup>th</sup> St.  
Juneau, Alaska 99801  
January 25, 2009

RECEIVED  
JAN 30 2009  
BOARDS

To the Alaska Board of Fisheries  
RE: Proposal 312

I SUPPORT this proposal, because I want the DPS to be able to enforce the rules and limits for sport fishing in the guided charter fishing industry. I am concerned about some unscrupulous operators who allow catches way beyond the limit, who pack freezers and fish boxes as full as they can, and thumb their noses at enforcement officers who have to ask permission to inspect their vessels or premises. These violators are taking more of the resource than they are legally allowed, and compete unfairly with other law-abiding charter operators and commercial fishermen, as well as sport and subsistence fishers who just want to catch a fish to eat. Enforcement officers need the tools to bring these violators into compliance with the regulations. Voluntary compliance is ineffective among those who intentionally flaunt the regulations. As a law-abiding commercial fisherman, I am subject to random, mandatory inspections and boardings for enforcement purposes. I feel that commercial charter operators who also profit from the harvest of common property fish resources should be brought under the same system of enforcement.

Note: I also support Proposals 311 and 313 which appear to be very similar in intention.

1/3

Public Comment # 31

Charles A. Piedra  
619 W. 11<sup>th</sup> St.  
Juneau, Alaska 99801  
January 25, 2009

To the Alaska Board of Fisheries  
RE: Proposal 286

I SUPPORT this proposal; the definition of possession limit needs to be amended so that preserved fish are included as part of the limit. This is a huge loophole that is currently being exploited by the some in the guided sport-charter industry, particularly an increasing number that have commercial kitchens, walk in freezers, and processing equipment in their shoreside facilities. I have personally witnessed, numerous times in the past decade, certain charter operators running into Elfin Cove and Pelican after fishing in the morning, offloading a full daily limit for each client, taking the fish to a shore-based freezer or custom processor. Then they and their clients return to the fishing grounds to catch a second limit on the same day. Unfortunately, this type of abuse appears to be increasing. In the past forty years I have known several ethical charter operators who allowed their clients to harvest moderate numbers of fish and also offered other activities, such as whale-watching, bird-watching, beachcombing, photography. The goal of this type of charter experience was to have a memorable vacation, experience Alaska, and have a taste of fishing. Now, increasing numbers of charter businesses seem to be nothing but meat-hunting operations, with emphasis on sheer quantity of fish packed in boxes to return to the lower 48. Operators advertise that they guarantee certain numbers of fish per day, as if they had some sort of rights to specific numbers of fish. They allow clients to play catch-and-release until they hook the largest possible fish, leading to wanton waste of the smaller fish they discard. All this adds up to basically unregulated fishing, in an era when commercial fishermen are kept to strict limits and quotas. Furthermore, the excessive catches resulting from the possession limit loophole can promote other illegal uses of the fish such as black-market sales of sport-caught fish once the client returns to their home state, or serving sport-caught fish in a commercial lodge or restaurant. It's high time to close this loophole and make sure possession limits function to regulate sport harvest and maintain fair, sporting limits as intended. ★

★ SEE ATTACHED PAGE

Fish  
ALASKA JAN & FEB 02

FISHING FOR A COMPLIMENT



Longtime fishing friends, Dick and Mary Cabela (Sidney, NE), Lance Howard (Sun City, AZ) and Dan Bryson (Darrington, WA) with a king caught by Lance on the Alagnak River out of the Branch River Lodge in King Salmon, Alaska. Lance, who submitted the photo, said "In July of 1996 we caught and released 52 kings in the 25 to 45-pound range and had 13 triple hookups! What a day; I'll never forget it!" Photo taken by Bob DiVito.

This is AN EXAMPLE OF what  
TAKES place in spots like  
Cape Cross all spring & summer  
inside the 1 mile Fishery

Conservation Zone  
3/2

Public Comment #

31

RECEIVED  
JAN 30 2009

Mark Howey  
221 Lance Dr.  
Sitka Ak. 99835

BOARDS

Dear Sirs.

I'm a commercial salmon fisherman and here are my thoughts on some of the proposals.  
Proposition 221- It is a good idea to restrict the charter harvest of king salmon, since the resource is in decline and they don't keep very good records of what they catch.

Proposition 222- Catch and release by guides and clients is killing king salmon just for fun. Those fish are so wornout they don't have a chance of survival.

Proposition 225- There is no way that sports people need to take our hatchery fish. They already work on them for months while we are tied to the dock. The charter people don't seem to be inclined to contribute money to hatcheries like we do. If those kings aren't caught. They can come back the next year.

Proposition 226- Again the guided sportspeople have very little right to our hatchery fish.

Proposition 227- I think trollers should have a go at the stikine fish.

Proposition 228- I think trollers should have an opportunity to fish more.

Proposition 234- I agree that the subsistence herring spawn harvestors need more.

Proposition 288- Yes. Limit non-resident sports to 12 coho and keep records.

Proposition 289- Yes. Non-residents should be reporting their coho harvest.

Proposition 310- We definitely need a fish ticket system for the guided sport fishery.

Proposition 311, 312, 313,- We need to monitor the charter industry.

Proposition 326- Delaying the coho opening would hurt us trollers.

In conclusion we need careful management to preserve the fish stocks.

Thank you  
Mark Howey

Mark Howey





Shannon Stone/Scott Crass  
Board Support  
Box 115526  
Juneau, Alaska 99811-5526

RECEIVED  
JAN 30 2009  
BOARDS

January 30, 2009

To Members of the Board of Fish:

With all the turmoil and controversy surrounding the commercial and charter boat fleet, it seems to me that a good place to start to alleviate some of the stress, solve most of the problems, and save the fishing resources throughout the State, would be a mandatory system of accountability for the charter boat industry.

As we all know, every fish and or pound of product that the commercial fleet harvests is accounted for, and the same should hold true for the charter boat fleet. Their fish, of all species, should not be processed until they are counted at dockside stations, period.

In the name of greed, the State of Alaska has sacrificed its fisheries resources for the tourists dollars. How this same state, renown throughout the world for its commercial fisheries management, could stand idly by and let another user group run roughshod over the industry, in total disregard for the resource, is beyond belief. In the words of Sir Henry Newbolt in reference to the now extinct Labrador duck, "Ye have robbed... ye have slaughtered and made an end, take your ill-got plunder and bury the dead."

Greed is like a cancer, it grows and it spreads. This fast growing malignant tumor began at the state level and spread through the charter industry like wildfire. The commercial fleet was spared because many years ago we were given a dose of common sense, and became immune from the disease. We became stewards of our industry. Through limited entry, the IFQ program, hatchery enhancement taxes, size restrictions, area closures, and a host of other conservation measures, we were able to protect and preserve a sustainable fisheries resource. Together we sailed the seas, and weathered the political storms, we rode the waves from crest to trough, never losing sight of the horizon and the future it would hold for our kids. But now the horizon is cluttered with little boats for as far as the eye can see, blatantly taking advantage of all we tried so hard to achieve. Just like that, our resource is teetering, and our future bleak. It just sickens me to know that I have witnessed, in just a few short years, one of the worst cases of manmade catastrophe in this country since the market hunting days.

Time is of the essence. It is up to us to demand from the State and its policy makers, from the top to the bottom, to put some common sense and accountability into the equation now, before the situation becomes terminal. If we do nothing, the resource will die and the rest of us will go down with it, no matter what user group we belong to.

Very Sincerely,

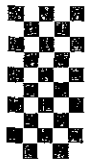
*Martin D. Beam*  
Martin Dennis Beam  
35628 Whitnah Lane  
Richland, OR 97870

Cc: ATA

RECEIVED TIME JAN. 30. 3:04PM

Public Comment #

33



The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

A complete copy of the proposed regulations changes is available from the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526; Phone 907-465-4110.

You may also view them on the internet at: <http://www.boards.adfg.state.ak.us/>

Public testimony is scheduled to start the afternoon of the 17<sup>th</sup>; the sign-up deadline for public testimony is 10:00AM Wednesday February 18<sup>th</sup>. Mail or fax your written comments on individual proposals to the address below. Written comments must be received by the February 3, 2009 ensure inclusion in the board workbook.

When providing written comments on a specific proposals list the proposal number you are commenting on and specifically whether you support or oppose the proposal or include support for amended language. **THE BOARD OF FISH IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.**

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED  
JAN 27 2009  
BOARD

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name:

LEE ASNIN

Date:

1/26/9

Address:

335 LAKEVIEW DRIVE

Signature:

[Signature]

SITKA, AK

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME JAN. 27. 2:02PM

Public Comment #

34

RECEIVED

IAN 29 2009  
The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 9 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS

Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

**Proposal: All Herring Committee A Proposals**

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Name: Victor Littlefield  
Address: 103 Littlebyrd way  
Signature: [Signature]

Date: 1/26/09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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Alaska Department of Fish and Game  
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Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED

JAN 29 2009

BOARDS

#### Proposal: All Herring Committee A Proposals

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Name: Gary A. Perkins

Date: 1.26.09

Address: 1511 Edgelymbe Dr.

Signature: 

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED  
JAN 29 2009  
BOARD

**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**  
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Name: CARL G Lindstrom  
Address: 500 PIERSON ST APT 10  
Signature: CARL G Lindstrom

Date: 1/29/09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment #

34



RECEIVED  
JAN 30 2009

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Herring Committee A Proposals

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Name: Harvey Kitta  
Address: P.O. Box 1144, Sitka, AK  
Signature: Harvey Kitta

Date: 1/28/09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED

JAN 30 2009

BC - - -

#### Proposal: All Herring Committee A Proposals

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Name: GARY C. LANG  
Address: PO BOX 2586 SITKA AK  
Signature: Gary C. Lang 99835

Date: 1-25-09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34



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Public testimony is scheduled to start the afternoon of the 17<sup>th</sup>; the sign-up deadline for public testimony is 10:00AM Wednesday February 18<sup>th</sup>. Mail or fax your written comments on individual proposals to the address below. Written comments must be received by the February 3, 2009 ensure inclusion in the board workbook.

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED  
JAN 30 2009  
BOARDS

**Proposal: All Herring Committee A Proposals**

By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: Allen Hammock  
Address: 2308 Highbush Point Rd Sitka  
Signature: Allen Hammock

Date: 1-28-09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

RECEIVED TIME JAN. 30. 2:28PM

PRINT TIME JAN. 30. 2:30PM





RECEIVED

JAN 30 2009

BOARDS

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

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Name: David D. Elsensohn Date: 1-31-2009  
Address: 1714 Edgelynn Dr. Sitka AK 99835  
Signature: David D. Elsensohn

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

RECEIVED TIME JAN. 31. 10:51AM



RECEIVED

JAN 30 2009

BOARDS

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

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Name: THOMAS M PENNY Date: 1-31-09  
Address: Box 313, Sitka, AK 99835  
Signature: Thomas M Penny

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34



RECEIVED

JAN 30 2009

BOARDS

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS

Boards Support Section

Alaska Department of Fish and Game

P.O. Box 115526

Juneau, AK 99811-5526

Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: JIM STEFFENDate: 1/30/09Address: 1101 HPR SITKA AK 99835Signature: [Signature]

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

RECEIVED TIME JAN. 30. 8:53PM

RECEIVED

JAN 31 2009

BOARDS

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS

Boards Support Section

Alaska Department of Fish and Game

P.O. Box 115526

Juneau, AK 99811-5526

Fax: 907-465-6094

**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**

By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

*Ann DeLill - Johnson*

Name: *Ann DeLill - Johnson*

Date: *31 Jan 2009*

Address: *4313 Salisbury Point Rd #5 Sitka, AK 99835*

Signature: *Ann DeLill - Johnson*

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # *34*

RECEIVED TIME: JAN 31 5:05PM

BOARDS

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

A complete copy of the proposed regulations changes is available from the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526; Phone 907-465-4110.

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RECEIVED

JAN 31 2009

BOARDS

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**

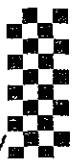
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

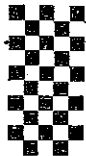
I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: Steve P. J. [Signature] Date: 1/31/09  
Address: P.O. Box 115526 Sitka AK 99835  
Signature: [Signature]

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34





RECEIVED

JAN 31 2009

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

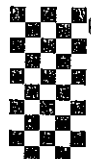
I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: William Paden Date: Jan. 31, 2009  
Address: 610 E. Tolson St. Sitka, AK 99838  
Signature: William Paden

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME JAN. 31. 6:15PM

Public Comment # 34



RECEIVED

JAN 31 2009

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat **BOARDS** (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

A complete copy of the proposed regulations changes is available from the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526; Phone 907-465-4110.

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**

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Name: Gregory Charlton  
Address: 301 ISLANDER DR.  
Signature: Gregory Charlton

Date: 1-31-09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

RECEIVED

FEB 01-2009

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 16, Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) from February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals

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Name: Galadriel Morales  
Address: 303 B. Exler Sitka AK 99835  
Signature: Galadriel Morales

Date: 01/30/09

You may fax the last page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

Public Comment # 34

RECEIVED TIME JAN. 30. 10:01AM



The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED

FEB 02 2009

BOARDS

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
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Name: Cliff T. M. cher  
Address: 139 Wolff Dr. Sitka  
Signature: Cliff T. M. cher

Date: 2/2/9

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME FEB. 2. 9:53AM



The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka.

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED  
FEB 02 2009  
BOARDS

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
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Name: Mary Majeski Date: 1-31-2009  
Address: 12412 HPR Sitka AK  
Signature: Mary Majeski MARY MAJESKI

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME FEB. 2. 9:12AM



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Name: John A. Baciocco Date: 1/30/09  
Address: 316 Wootman Loop, Sitka AK 99835  
Signature: John

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME FEB. 2. 8:52AM

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Name: Ray W. Lewone  
Address: P.O. Box 453  
Signature: Ray W. Lewone

Date: 1/31/09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.



FAX 907-465-6094

BOF Comments.

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Name: Benny B. Mitchell  
Address: 103 Darwin Dr Sitka AK  
Signature: Benny B. Mitchell

Date: 2/2/09

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Comment: ADFG claims there is abundance of herring in Sitka sound and Sac roe fishery is not excessive. I have noted the continuous decline of both beach roe and fish for the past 80 years. This claim is like armating down my collar and telling me I'm not wearing it.





FEB 02 2009

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Name: Sheila Finkenbinder Date: 1/30/09  
Address: 102 Shotgun Alley, Sitka, AK 99835  
Signature: Sheila Finkenbinder

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RECEIVED TIME FEB. 2. 10:12AM



M : HARRY RACE RX

FAX NO. : 9662467

Feb. 02 2009 01:47PM P1

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Name: PATRICIA D. White Date: 2-2-09  
Address: 104 Lincoln St SITKA 99835  
Signature: Patricia White

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RECEIVED TIME FEB. 2. 12:33PM

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Name: Curtis D. Baird Date: 1-31-09  
Address: 111 Finn Aley - Sitka, AK 99835  
Signature: Curtis Baird

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Name: DOLORES FARRELL Date: 1-31-2009  
Address: 3501 HPR SITKA, AK 99835  
Signature: Dolores Farrell

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Name: George C. Phillips  
Address: B 8 Thompson Harbor  
Signature: George C. Phillips

Date: 1/30/09

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Name: Al Riste Date: 1/30/09  
Address: Bx 1411, Sitka, AK 99835  
Signature: Al Riste, 309 Moller  
7478407

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Name: LAWRENCE G Young Date: 1-30-09  
Address: PO BOX 6303 SITKA  
Signature: Lawrence G Young

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

A complete copy of the proposed regulations changes is available from the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526; Phone 907-465-4110.

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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Name: JANE EIDLER  
Address: PO BOX 1673  
Signature: SITKA, AK 99835

Date: 1-31-2009

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Juneau, AK 99811-5526  
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Name: Jim Case Date: 4/31/09  
Address: P.O. Box 1985, Sitka, AK 99835  
Signature: James E. Case

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Juneau, AK 99811-5526  
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Name: DAVID COLEMAN  
Address: BY 713 SITKA AK 99835  
Signature: D Coleman

Date: 1/31/09

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Alaska Department of Fish and Game  
P.O. Box 115526  
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Name: Linda L. Blankenship Date: 1-26-09  
Address: PO Box 2231 Sitka AK 99835  
Signature: Linda L. Blankenship

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Name: Georgina Kitta  
Address: POB 1144  
Signature: Georgina Kitta

Date: 1/30/09

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Name: Ralph JOHNSON  
Address: P.O. Box 2672 Sitka, AK 99835  
Signature: Ralph Johnson

Date: 1-31-09

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Name: JOHN GLEASON  
Address: 141 WOLFE DR, SITKA, AK 99835  
Signature: [Signature]

Date: 2/2/09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME FEB. 2. 8:03AM

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Name: Toby and Norman Campbell Date: 2/2/09  
Address: 106 Rands Drive Sitka AK 99835  
Signature: Toby Campbell Norman Campbell

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

RECEIVED TIME FEB. 2. 2:49PM

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P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

~~MAILED~~  
~~MAY 29 2008~~  
RECEIVED  
FEB 02 2009

Proposal: All Sitka Sound and Salisbury Sound Herring ~~Committee A~~ <sup>BOARDS</sup> Proposals  
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Name: PETER G. KROVINA Date: FEB. 2 09  
Address: P.O. BOX 6027 SITKA 99835  
Signature: [Signature]

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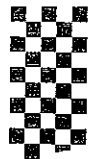
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Name: Ellen Bagley  
Address: BOX 94 SITKA 99835  
Signature: Ellen Bagley

Date: 2-2-09

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RECEIVED TIME FEB. 2. 10:17AM



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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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Name: Sandra Fontaine Date: 1/31/09  
Address: 308 Cascade St. SITKA, AK  
Signature: Sandra Fontaine

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Name: Elliot J. Bruhl Date: 2/1/2009  
Address: 101 Winchester Way, Sitka, AK, 99835  
Signature: [Signature]

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Name: Sheldon Turner Date: 01/29/09  
Address: 200 Flume Cir #3 Sitka AK 99835  
Signature: Sheldon Turner

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Meggan McLain

*[Signature]*

Same address as above

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Name: Nancy Phillips  
Address: 220 Marine St SITKA AK.  
Signature: Nancy Phillips

Date: 2-2-09

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Name: Patty Dick  
Address: P.O. Box 2226, Sitka, AK  
Signature: Patty Dick

Date: 01-29-09

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Name: Kenneth Davis  
Address: 100 Johnson St Sitka  
Signature: Kenneth Davis

Date: 2/2/09

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Name: Rob Esquiviro  
Address: 108 SAND DOLLAR DR.  
Signature: [Signature]

Date: 1-31-09

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Name: Bernard Korthuis  
Address: P.O. Box 1483  
Signature: Bernard Korthuis

Date: Feb 1/09

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Name: Dr. RONALD E. DICK  
Address: PO Box 2226 SITKA, AK  
Signature: [Signature]

Date: 1-30-09

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Name: \_\_\_\_\_

Date: 1-30-09

Address: \_\_\_\_\_

Signature: M. M. Perensovich Jr.

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Mrs. M. Perensovich Jr.  
332 Wachusett St  
Sitka, AK 99835



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Name: QUINN SHAKUFY

Date: 01/30/2009

Address: PO BOX 1835, SITKA, AK 99835

Signature: [Signature]

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

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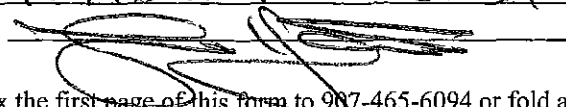
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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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Name: Gregory Huntington  
Address: 104 Haverhill St Sitka, AK  
Signature: 

Date: 2/1/09

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Name: Jim Cushing  
Address: P.O. Box 186  
Sitka, AK 99835  
Signature: \_\_\_\_\_

Date: 1/31/09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

John L. Hildreth 247-6866

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Name: JACK D PHILLIPS  
Address: 220 MARINE STR.  
Signature: JACK D Phillips

Date: Jan 30, 2009

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

P.S. I am a lifetime Commercial Hook and Line fisherman in this Sitka Area J.D.

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Name: David Lubin Date: 2-1-'09  
Address: 215 Shotgun Alley - Sitka  
Signature: [Signature]

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Name: JACK G. ORMEINT  
Address: 2028 HPR, Sitka, AK, 99835  
Signature: [Signature]

Date: 2/2/09

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Name: DUCK DIDRICKSON Date: 2-2-08  
Address: Box 633 SITKA, AK 99835  
Signature: Duck Didrickson

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Name: Terrence C Littlefield Date: 2/3/09  
Address: P.O. Box 2336, Sitka, AK 99835  
Signature: Terrence C Littlefield

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Name: LARRY EDWARDS

Date: 2/3/09

Address: BOX 6404, SITKA

Signature: [Handwritten Signature] (REPRESENTING ONLY MYSELF)

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Name: STEVE ASH  
Address: 4014 HPR SITKA, AK  
Signature: [Signature]

Date: 2/2/09

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Name: Kim Elliot Date: 2/3/09  
Address: 7 Mak South St., Sitka, AK 99835  
Signature: Kim Elliot

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ATTN: BOF COMMENTS

Boards Support Section

Alaska Department of Fish and Game

P.O. Box 115526

Juneau, AK 99811-5526

Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: Ethel Makinen  
Address: 707 BORKA ST. SITKA  
Signature: Ethel Makinen

Date: 1-29-09

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

FEB 03 2009

## BOARDS

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS

Boards Support Section

Alaska Department of Fish and Game

P.O. Box 115526

Juneau, AK 99811-5526

Fax: 907-465-6094

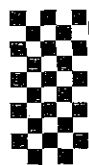
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Name: Patricia Mills  
Address: PO Box 2063  
Signature: Patricia Mills

Date: 1-30-09

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Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
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Name: Frek Johnson

Date: 1-30-09

Address: 100 Peace Ln Sitka AK 99835

Signature: Frek Johnson

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Juneau, AK 99811-5526  
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#### Proposal: All Herring Committee A Proposals

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Name: John L. Finner  
Address: Juneau, AK  
Signature: [Signature]

Date: 2/3/09

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Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**  
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Name:

LUCILLE H. GRAY

Date:

01/20/09

Address:

P.O. BOX 373, 109 E. RIVERSIDE

Signature:

Lucille H. Gray

SITKA, AK 99835

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Name: Agnis F. Johnson  
Address: P.O. Box 3031  
Signature: Agnis F. Johnson

Date: 1/30/09

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Name: PAUL NIELSEN  
Paul Nielsen  
Address: 717 Biorha St.  
Signature: Paul Nielsen

Date: 1/30/09

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Name: Sandra Johnson Date: 1-30-09  
Address: PO Box 2556 Sitka AK 99835  
Signature: Sandra Johnson

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RECEIVED TIME FEB. 3. 5:22PM

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P.O. Box 115526

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**Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals**

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Name: Gilbert Truitt  
Address: 130 Shelika Drive, SITKA  
Signature: GILBERT TRUITT

Date: Feb 30, 2009

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Name: Robi Craig Date: 1/30/2009  
Address: P.O. Box 6052 Sitka, AK  
Signature: Robi M. Craig 95836

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Name: Frank Hope  
Address: 578 1st Avenue  
Signature: Frank Hope

Date: Jan 30 09

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The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
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Name: Rachel Moreno  
Address: 1710 Edgemoor Dr.  
Signature: Rachel Moreno

Date: 1-30-09

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Name: Dale S. Williams  
Address: P.O. Box 2885, Sitka, AK  
Signature: Dale S. Williams

Date: 1-30-2009

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Name: Michael Miyasato  
Address: 405 B DeGrate St.  
Signature: Michael Miyasato

Date: 1-30-09

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Name: Chester J. Miyasato Jr Date: 1-30-09  
Address: 215 KIM SHAM ST SITKA, AK 99835  
Signature: Chester J. Miyasato Jr

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Name: Kendall Jackson  
Address: 207 Lance Dr #2  
Signature: Kendall Jackson

Date: 1/30/09

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Name: Margaret A. Hope

Date: 1-30-09

Address: \_\_\_\_\_

Signature: Margaret A. Hope

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Name: Gertrude Shayer  
Address: P.O. Box 1596  
Signature: Gertrude Shayer

Date: 4/30/09

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Name: Jay DETERPICE Date: 1-30-09  
Address: Box 2104 SITKA AK 99835  
Signature: Jay Deterpice

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Name: Bill Sharpen  
Address: P.O. Box 1595 Sitka  
Signature: Bill Sharpen

Date: 1/30/09

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Name: Pearchie A Wolff  
Address: 521 MONASTERY ST #12  
Signature: Pearchie A. Wolff

Date: 01-30-09

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RECEIVED  
FEB 03 2009  
BOARDS

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### Proposal: All Herring Committee A Proposals

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Name: DAN LUTKEMOORE  
Address: 115526  
Signature: [Signature]

Date: 2/3/09

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The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

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ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED

FEB 03 2009

BOARDS

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals

By signing this proposal I support the development of a sustainable Sitka Sound

Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form

does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

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Name: Martina Kurzer Date: 2/3/2009  
Address: P.O. Box 6484, Sitka 99835  
Signature: Martina Kurzer

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Besides a revision of the biomass models to allow a higher margin for error, I urge you to accept anecdotal evidence about the decline of herring stocks in Sitka Sound as valid. Thanks,

RECEIVED TIME FEB. 3. 10:33AM

Martina Kurzer

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Name: Willis Osbakken  
Address: 1719 Sakmish Creek Rd SITKA, AK 99835  
Signature: Willis Osbakken

Date: 2-1-09

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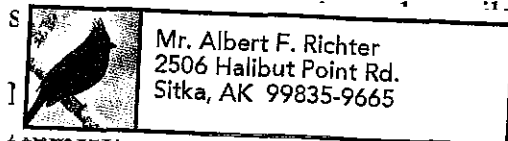
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able and used.

Date: 1-30-09

Signature: Albert F. Richter

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Name: William Jolley Date: 1-30-09  
Address: PO Box 282 Sitka AK 99835  
Signature: William E Jolley

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Name: Pat Martin Date: 1/31/09  
Address: PO Box 1026 Sitka 99835  
Signature: Pat Martin

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Name: ROBERT A NIELSEN Date: 1-31-2009  
Address: P.O. BOX 2025, SITKA, AK 99835  
Signature: Robert A Nielsen

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Name: Harriet C. Kimberg  
Address: 1960 H.P.R. Sitka AK 99835  
Signature: Harriet C. Kimberg

Date: Jan 31, 2009

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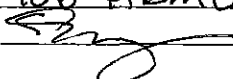
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Name: ALTON I CRUPLEY Date: 1/30/09  
Address: 406 HEMLOCK, SITKA AK 99835  
Signature: 

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Name: Michael & Klaudia Leccese Date: Jan 31, 2009  
Address: 118 Cascade Creek Rd, Sitka, Alaska 99835  
Signature: Michael Leccese Klaudia Leccese 1/31/09

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Name: Ryan Ackerman Date: 1-31-09  
Address: 712 Lake St. Sitka AK 99835  
Signature: [Signature]

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By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: MEGAN L. Cropley Date: 1/31/09  
Address: 236 LINCOLN ST STE 103 SITKA ALASKA 99835  
Signature: Megan L. Cropley

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26<sup>th</sup>, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

A complete copy of the proposed regulations changes is available from the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526; Phone 907-465-4110.

You may also view them on the internet at: <http://www.boards.adfg.state.ak.us/>

Public testimony is scheduled to start the afternoon of the 17<sup>th</sup>, the sign-up deadline for public testimony is 10:00AM Wednesday February 18<sup>th</sup>. Mail or fax your written comments on individual proposals to the address below. Written comments must be received by the February 3, 2009 ensure inclusion in the board workbook. When providing written comments on a specific proposals list the proposal number you are commenting on and specifically whether you support or oppose the proposal or include support for amended language. **THE BOARD OF FISH IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.**

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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Name: Grace Brooks Date: 2/1/09  
Address: 9 B Maksonoff St Sitka AK 99803  
Signature: Grace Brooks

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3<sup>rd</sup>.

February 2, 2009, 1900-2145 hrs      The Petersburg Advisory Committee held a meeting in the PFI cookhouse covering the last of the finfish proposals. Members present included Kurt Marsh, Ralph Strickland, Mike Neuneker, Justin Peeler, Joel Randrup, Arnold Enge, Cole Rhoden, Stan Malcom, Dave Benitz, Wes Malcom, Bill Davidson, Skip Behrey, and Joe Short. Amber Behrey took notes.

Audience: Ed Wood, Rick Hansen, Kent Wagner, Andy Wright, Lee Gilpin, Andy Knight, Brad Byrer, Rob Cummings, Bill Johnston, Eric Lewis, Scott Sands-FWP: Staff: Troy Thynes, Doug Fleming, Brian Lynch, and William

We started at the proposal 321 and went in sequence, skipping the ones that they had previously been voted upon.

All the motions were made in the affirmative to pass each proposal with the all in favor being the first number and the all against being the second number.

321 0-13

322 0-13 considerable discussion around removing the winter troll closure around the Stikine River. Most of the audience and AC that spoke wanted an area for sports only and an area where kings could build up without trollers fishing on them

323 0-13

324 No Action out of Petersburg area

325 0-13 consensus was to keep it as is being done by E.O.

326 0-13

327 No Action out of Petersburg area

328 0-13

329 0-13

330 13-0

333 0-12

334 3-10

335 0-13

336 13-0

337 3-10

338 No Action out of Petersburg area

340 No Action out of Petersburg area

341 1-12

342 13-0

343 0-13



344 0-13  
345 12-1  
346 No Action based upon action on 345  
347 0-13  
348 13-0  
349 0-13  
350 No Action based upon action on 345  
351 No Action based upon action on 345  
352 No Action based upon action on 345  
353 0-13  
354 13-0  
355 0-13 Cleo & Bill: In Table 1: Department positions on proposals for the finfish meeting; this proposal is listed that we support but the Department written comments oppose the proposal.  
357 13-0 I wasn't sure what the Dept position was but said it made sense to have a heavier cotton twine which would last through the season without having to be replaced (on shellfish and bottom fish pots).  
241 0-13 Game proposal for a bonus point system for bison. Generally many of the comments seem to favor a point system if it gave the resident a preference like 75% of the permits.

William

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Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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Name: Brett Zaenglein  
Address: 403 Mills St Sitka AK 99835  
Signature: Brett Zaenglein

Date: Feb 1, 2009

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Alaska Department of Fish and Game  
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Juneau, AK 99811-5526  
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Name: JAKOB HEMNES.

Date: 1-30-09.

Address: Box 1053, Sitka, AK 99835

Signature: Jakob Hemnes

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JAN 31 2009

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Board Support Section  
ADFG  
PO Box 11526  
Juneau, AK 99811-6094

**Comments on 2009 Groundfish Proposals**

Dear Members of the Board,

I hope the Board will recognize that many proposals address the conflict between the charter industry and local fishermen (which includes local sport, personal use, and commercial). Most groundfish stocks in SE are in a state of decline right now and it is important for the Board to address these issues with the understanding that the charter industry and outfitters are commercial and must have appropriate controls tied to sustainable fishing practices and managed separate from the local sport fishery. It is not good to have the same regulations apply to both local sport and the charter industry as this hurts the local sport fisherman. Please define separate fishing regulations for the charter industry and outfitters. Because of the effect of fishing from the hundreds of thousands of non-resident charter and outfitter clients there needs to be additional protection for local Alaska residents to harvest food in their local area.

Every other state has had to develop regulations to protect local fishermen because of the big business of tourism related fishing industries. Alaska has taken too long to address this issue through regulation and the Board has the opportunity at this meeting to start making these urgent changes.

**Proposal 138: Support with amendment**

This is one of the most critical groundfish proposals on the table at this meeting. I request that the BOF adopt a 2 fish daily bag limit for sablefish. Sablefish are in strong decline in both Chatham Strait and in Federal waters in the Eastern Gulf. As more restrictions are put on Halibut the charter industry is aggressively moving to market other fish. Don't let a new fishery develop on top of a fully utilized subsistence and commercial fishery. This could be the next "halibut" problem if you don't act on it now. Two sablefish per day for sport opportunity is plenty.

I also would support a regulation that said that all other finfish not already limited in regulations (except herring, capelin, smelt, and eulachon) are limited to a 10 fish aggregate limit.

**Proposal 294: Amend proposal**

The charter industry should be paying for the right to access hatchery fish and the charter industry should be in the rotation with other commercial fishery gear groups. I am on the local Fish and Game advisory Committee and we heard public comments about how local families are displaced from catching terminal area hatchery fish by aggressive charter operations.

**Proposal 296: Support with Amendment**

I strongly support this prohibition. This is another tool to keep the charter industry within their GHL for halibut and rockfish. Use of electric reels greatly increases the efficiency of fishing (it's a commercial gear) and this should not be allowed given the fact that ADF&G can not seem to keep the charter sector within their GHLs. Sport fishing is about the opportunity to fish, not about production fishing. This regulation would not limit sport opportunity. I support an exemption for the handicapped angler. In order for a charter vessel to have an electronic reel on board they must have a handicapped person fishing on board the vessel.

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Public Comment #

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**Proposal 310: Support**

This seems like a simple way to get at better reporting and by having a fish ticket copy signed by the angler it helps with independent verification similar to the commercial fisherman/processor relationship. It also allows timely reporting which is a huge problem currently. The staff report says that the creel survey reported 7 sablefish total in 2008! Obviously the current system is not only slow but also highly inaccurate! Every one of the charter industry participants at the Sitka AC supported this regulation. It is disappointing to see the Department opposes this proposal .. they have had more than 10 years to design a more timely and accurate reporting system for halibut charter and they have done nothing constructive in a decade, the BOF should lead on this issue.

**Proposals 311, 312 and 313: Support**

Many of the lodges production equals commercial production – some SE lodges process 1 million pounds of fish annually. Having no oversight or inspection of these facilities is irresponsible. Enforcement is allowed to board commercial vessels or cold storages at will .. charter is commercial and they operate shoreside as well as on their vessels. The BOF should implement this regulation for SF at this meeting then move to make it a statewide regulation at the earliest opportunity.

**Proposal 336: Support with Amendment**

The bycatch of lingcod in the longline fishery should be managed on a sliding scale set by the ADF&G preseason through EO.

**Proposal 341: Oppose**

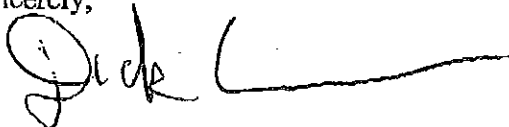
I attended the last cycle meeting of the BOF in Ketchikan. The BOF intent was that the sport quota of DSR was for bycatch only associated with the halibut fishery. Mr. Morris and Mr. Jensen both served on that committee and can inform you of the conservation decision to have this be bycatch only in the charter industry. I oppose directed fisheries for DSR both commercial and charter. The fact that the Department has not managed the sport fishery for the GHL is not a reason to increase the allocation.

**Proposal 346: Support**

I believe that DSR should be bycatch only for both charter and commercial fisheries.

Thank you for consideration of my comments. The BOF has the opportunity at this meeting to diffuse the local situation created by the inappropriate regulation of the charter fishery as a sport fishery. I look forward to your leadership on this issue.

Sincerely,



Dick Curran  
Sitka, Alaska



# Alaska Longline

## FISHERMEN'S ASSOCIATION

Post Office Box 1229 / Sitka, Alaska 99835 907.747.3400 / FAX 907.747.3462

January 31, 2009

Board Support Section  
ADFG  
PO Box 11526  
Juneau, AK 99811-6094

### Comments on 2009 Groundfish Proposals

Dear Members of the Board,

I am submitting these comments on behalf of the Alaska Longline Fishermen's Association (ALFA). ALFA's membership includes vessel owners and deckhands who own, operate or crew on setline halibut boats that target halibut and sablefish off Alaska. Our membership is committed to the sustainable harvest of marine fisheries and the sustained participation of community based hook and line fishermen in local fisheries. We have reviewed the 2009 Southeast proposals submitted to the Board of Fisheries and appreciate the opportunity to provide our recommendations. Before focusing on specific proposals, I would like to provide the Board with a more general overview on stock and fishery status in Southeast.

#### General

As the Board may be aware, many Southeast marine resources are in a downward trend, and catch limits for commercial fishermen have been reduced accordingly. For example, the 2009 2C longline catch limit has been reduced 19%, after dropping 42% over the previous two years. The Chatham sablefish quota is down 31% over the past 5 years, and is expected to decline again next year due to lack of recruitment. King salmon quotas are also expected to be reduced in 2009, again following a reduction between 2007 and 2008. While these are challenging times for Southeast fishermen, commercial fishing organizations have accepted conservation limits and are doing their part to maintain long-term resource health.

ALFA members recognize that rebuilding Southeast stocks demands that all sectors share in conserving the resource and respect established allocations. We are extremely disappointed to see proposal after proposal from the charter sector requesting increased harvest by their industry of salmon, lingcod and rockfish. Existing allocations were set with the full participation of all sectors and after careful evaluation by the Board of historic participation, economic dependence and resource impacts. Charter fisheries for halibut, lingcod and rockfish have repeatedly exceeded those allocations in the past three years, and charter organizations are now using these excesses as the basis for demanding more fish. If Alaska had managed fisheries on the basis of giving more to fisheries that

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Public Comment # 36

ALFA Comments

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exceed allocations, marine resources would have collapsed long ago. That mentality has no place in Alaska. All sectors need to share the burden of conserving the resource, and living within conservation limits is part of that burden.

Finally, ALFA would like to underline for the Board the critical importance of managing the guided sport and outfitters separate from the resident subsistence, sport and personal use fishermen. **ALFA members remain committed to protecting harvesting opportunities for community members providing food for their families.** What we can not support is the reallocation of fishing opportunity from the community-based longline, troll and seine fishermen who comprise our membership to the non-resident clients of the commercial charter fleet. It is time to recognize the guided sport and outfitter industry as a high impact sector that must be controlled separately from sport and personal use fisheries. In formulating management plans, we ask that the Board take steps, where appropriate, to develop separate management plans for subsistence/personal use fishermen and the guided/assisted unguided industry.

Below are ALFA's comments on specific proposals. ALFA representatives will also attend and testify at the February Board meeting in Sitka.

**Proposal 137: Support with amendment**

ALFA recommends the Board replace the proposed language with a two sablefish bag limit for sport fishermen. With the exception of forage fish (herring, capelin and smelt), all other currently unregulated sport species could be managed under an aggregate bag limit established in consultation with Department staff. For a number of reasons, restricting harvest of sablefish demands immediate and specific action.

Sablefish are a long-lived species. Sablefish stocks are currently at low levels of abundance both in the Southeast Outside area and the inside waters of Chatham and Clarence Straits. The commercial longline fisheries for sablefish are fully allocated and tightly managed with individual quotas in federal waters and an equal share system in State waters. The sablefish fishery is one of the most valuable State fisheries and access privileges are extremely expensive. Sport, and particularly guided sport fisheries for sablefish should be tightly controlled to prevent undermining the health of the resource and the investments of sablefish fishermen. Charter websites and anecdotal evidence indicate a growing interest in conducting commercial sport harvest of sablefish using electric deployment and retrieval devices. ALFA urges the Board to address power assisted sport fishing (see comments on proposal 296) and to establish a two sablefish daily limit.

**Proposal 286: Support**

ALFA supports revision of the possession limit definition for Southeast Alaska to include preserved fish. The increased use of onboard freezers and the high freezer capacity of most lodges have completely compromised the effectiveness of existing possession limits. Given the minimal enforcement of guided sport fisheries, regulations need to unambiguously define bag and possession limits to include all fish, in any condition, until the angler returns to their domicile. In addition, ALFA urges the Board to provide enforcement officers access to the grounds and freezers of charter vessels and lodges. Enforcement officers who board commercial longline or troll vessels have free access to freezers. Clearly such access is needed in the

ALFA Comments

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commercial charter fishery as well to ensure bag and possession limits are adhered to and that resource removals are fully counted.

**Proposal 294: Amend**

ALFA supports assessing a fee from charter operators who fish in terminal harvest areas (THA) and supports including them in the management rotation (i.e, when closed to commercial gear these areas should be closed to charter fishing). Again, ALFA urges the Board to create a separate management plan for guides/outfitters to prevent preemption of resident subsistence, sport and personal use fishermen by the commercial and largely non-resident charter sector.

**Proposal 296: Support with Amendment**

The growing use by guided sport and outfitters of electric or hydraulic reels to retrieve deep water species such as sablefish and slope rockfish is creating a conservation problem. Although the creel census indicates only 8 sablefish were taken in the 2008 sport fishery, the Board should remember that enforcement officers currently do not creel census remote lodges. Website pictures and advertising document a substantial harvest of sablefish and slope rockfish by guides based from remote lodges bordering Chatham Strait. Both species are fully allocated. They are also relatively slow growing and vulnerable to over-fishing. Because they spend most of their lives in deep water, sablefish have only become vulnerable to guided sport fishermen with the installation of electric or hydraulic reels. Power-assisted gear takes the sport out of sport fishing. ALFA recommends that the Board amend the proposal to prohibit the use of hydraulic or electric assist during gear retrieval. In addition, ALFA recommends the Board establish a 2 fish bag limit for sport sablefish.

Proposal 297 and 298 Oppose (see comments on proposal 296 above)

**Proposal 308: Support**

Personal use and subsistence fishing is a privilege afforded qualified Alaskan residents with the intent that the harvested resources will be consumed by Alaskan residents. Exploiting subsistence resources as part of a commercial enterprise is leading to overharvest and local depletion. Regularly serving subsistence harvested resources at charter lodges to non-resident paying clients violates the intent of subsistence/personal use provisions and should be prohibited.

**Proposal 310: Support**

ALFA supports the design and implementation of a harvest or fish ticket system in the guided sport fishery. Current accounting for finfish removals by the guided sport sector is neither timely nor accurate. The guided sport sector has a significant effect on the resource and should be managed with corresponding gravity. A harvest tag or fish ticket system will provide a more timely and accurate accounting of resource removals and facilitate more effective management. Independent verification of catch data is needed for this industry.

**Proposals 311, 312 and 313: Support**

ALFA supports the proposal to grant representatives of ADFG and the Department of Public Safety free and unobstructed access to charter fishing vessels, lodges and other land based or floating processing establishments to inspect catch and ensure compliance with applicable regulations. Again, such access is essential to ensure compliance with bag and possession limits



## ALFA Comments

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and to facilitate accurate accounting for resource removals. Southeast lodges are accounting for substantial removals of halibut, rockfish, lingcod and salmon. Existing regulations do not provide adequate access to ensure the achievement of management objectives. Enforcement personnel need ready access to facilities, including freezers, to improve the timeliness and accuracy of data collection in the guide sport sector.

**Proposal 333-335: Oppose**

ALFA opposes increasing the lingcod GHIL for the guided sport fishery. The lingcod catch sharing plan was established through lengthy meetings that involved all sectors. In Sitka, all sectors worked together and most made compromises. The longline sector agreed to an allocation that was less than its historic share of the catch to provide increased opportunity for the directed dinglebar fishery. The dinglebar fishermen generally operate small, community-based vessels and deliver a high quality product that commands a premium market price. For several years, dinglebar vessels have been required to carry Vessel Monitoring Systems (VMS), which imposed new costs and, for many, unacceptably intrusive monitoring. Effective February 20, 2009, the VMS requirement on dinglebar vessels will be revoked. Halibut stocks are at low levels in Southeast, hence lingcod bycatch has also dropped. In 2009, salmon prices are expected to decline, along with sablefish and halibut prices. As a result, a number of local fishermen will turn to the lingcod fishery to offset losses in other fisheries. It is likely that the commercial allocation will be fully utilized in 2009, providing essential revenue to commercial fishermen and processors, and a highly valued product to consumers. There is no justification for reallocating lingcod away from the commercial longline, dinglebar and troll fisheries to the commercial charter fishery. Quota excesses SHOULD NOT lead to additional quota.

**Proposal 336: Support with Amendment**

ALFA agrees with the intent of the proposal, which is to provide longline fishermen the opportunity to fully harvest their lingcod allocation. While halibut stocks are at low levels, lingcod bycatch is reduced accordingly and existing rates are inappropriately low. ALFA supports providing ADFG with the authority to adjust lingcod directed fishing standards in the halibut fishery to provide the longline fleet with greater opportunity to fully harvest the sector's allocation.

**Proposal 337: Oppose**

ALFA does not support making "surplus" lingcod quota available to the troll fleet. Managers have no method for determining lingcod "surplus" prior to the end of the troll season.

**Proposal 339: Oppose**

ALFA opposes increasing the recreational harvest of lingcod beyond limits established to prevent GHIL overages. There is no justification for liberalizing bag limits when recreational harvest, driven largely by guided harvest, regularly exceeds the GHIL.

**Proposal 340: Oppose**

The sport fish allocation has been exceeded in both the NSEO and IBS. There is no justification to liberalize bag limits or combine areas.

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ALFA Comments

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**Proposal 341: Oppose**

The Board spent considerable time deliberating the appropriate Demersal Shelf Rockfish (DSR) catch sharing plan for longline and sport/guided sport fisheries only three years ago. Charter operators testifying before the Board at that time made clear that rockfish were a bycatch species taken primarily while targeting halibut. In making its decision, the Board clarified that it did not want to create a new or target guided sport fishery for DSR. Given existing declines in Southeast halibut abundance have triggered reductions in the guided sport halibut GHL, the guided sport sector should need less, rather more of a DSR allocation.

Again, the sector that has exceeded its allocation SHOULD NOT be rewarded with increased allocation. Such an action sends the wrong message to the industry. And again, the Board needs to create separate management measures for the sport and guided sport fisheries.

**Proposal 345: Support**

As per the lingcod comments under Proposal 336, ALFA supports vesting ADFG with the authority to set directed fishing standards (or bycatch rates) at appropriate levels to guard against allocation overages while providing the longline sector with the opportunity to fully harvest its DSR allocation. Because halibut catch limits in Southeast have been reduced 53% over the past three years, saleable rockfish associated with the halibut fishery has been dramatically reduced as well. Since Southeast longliners are required to retain ALL harvested DSR, no additional DSR will be harvested if this proposal is implemented, but additional DSR will be sold with the revenues benefiting coastal fishermen and their communities. Because the directed fishery occurs in the winter, when allowed, ADFG will be able to establish appropriate directed fishing standards without reducing the amount of DSR available to the directed fishery.

**Proposal 351: Oppose**

There is no conservation basis for this proposal. The longline fleet is well below their allocation of DSR. The Department requires full retention of DSR in the longline fisheries so they have an accurate accounting of DSR mortality in these fisheries. Scientific research clearly establishes that immediate decompression release is necessary for high survival of captured rockfish, something that is impossible when fish are caught on longline gear. The only effect of this proposal would be to diminish the accuracy of DSR mortality in the longline fishery.

Three years ago, the BOF directed both the charter sector and the longline sector to work towards reduction of DSR bycatch. ALFA has been proactive, securing grant money to implement a Fishery Conservation Network (FCN). The Network will assist fishermen in avoiding areas of high rockfish bycatch identified in stock assessments as well as through a fleet bycatch rate information sharing system. The FCN will provide measurable conservation benefits scaled to meet the characteristics of the longline fishery. The SEAGO proposal will undermine conservation and confound DSR accounting.

**Summary**

In sum, ALFA members support proposals that conserve the resource and prevent sectors from exceeding assigned catch limits. During this time of low abundance, all sectors should share in conserving the resource. Claiming that past excesses justify bigger allocations defies conservation objectives and sends a poor message to harvesters. Because the charter or guided

ALFA Comments

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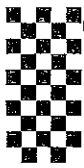
sport sector accounts for substantial resource removals and has demonstrated a remarkable unwillingness to conserve the resource or respect the interests of other harvesters, ALFA urges the Board to establish management measures designed specifically for this sector.

Thank you for the opportunity to comment. We will provide additional comment during the Board's meetings in Sitka.

Sincerely,



Linda Behnken  
Executive Director



1/30/2009

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FEB 01 2009

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BOARD OF FISHERIES:

I WOULD LIKE YOU TO SUPPORT PROPOSAL # 244. I LIVE IN SKAGWAY ALASKA AND SELDOMLY LEAVE LYNN CANAL. I MOSTLY CATCH CHUM SALMON PRODUCED BY DIPAC. I RARELY GO TO SITKA (DEEP INLET)

I DON'T BELIEVE IT IS FAIR THAT I PAY 3% ENHANCEMENT TAX WHEN ALTHOUGH I CATCH SO FEW NSRMA FISH. THE DIPAC FISH SHOULDN'T BE INCLUDED IN FISHING ALLOCATION ISSUES. IN FACT, ~~THE~~ SO MUCH HAS CHANGED IN THE FISHERIES (PRICE & VOLUMES) THAT THE ALLOCATION PERCENTAGES SHOULD BE REVISED.

I FEEL I'M BEING TAXED WITH VERY LITTLE RETURN TO MY BANK ACCOUNT.

THANK YOU FOR THIS OPPORTUNITY TO COMMENT.

MARK SALOI

NORTHERN SE GILNETTER

Box 287

SKAGWAY AK 99840

Public Comment #

37

RECEIVED TIME FEB. 1. 7:58AM

**Darrell Kapp**

338 Bayside Rd, Bellingham, WA. 98225

Phone: (360) 733-5455, Fax (360) 671-0209, e-mail [kapp\\_d@msn.com](mailto:kapp_d@msn.com)

February 2, 2009

Alaska Board of Fisheries  
P. O. Box 115526  
Juneau, Alaska 99811-5526  
Fax Number (907) 465-6094

RECEIVED  
FEB 02 2009  
BOARDS

Dear Chairman Jensen and Board Members:

I support proposals 209 and 210, proposing a different management scheme, to the Sitka roe herring fishery.

I am a roe herring permit holder and have fished in Sitka for the last 14 years. Others have fish Sitka much longer and I am sure they will agree, there have been many changes to the fishery.

One major change to the Sitka fishery: the fishery has attracted the most competitive Alaska purse seiners. We use to fish on a basic individual basis. Now there are few of us that still do. There are groups formed. They pool their outcome of catch between the members. These groups try to catch the most fish by tactics that may violate the Rico Act. They have some in their group "block" others or ram others to intimidate them and drive them from the fish on the opening. If successful, someone in their group tries to catch the fish. Sometimes two groups go at each other and the outcome is smashed boats and run over nets.

It's not a fishery for the faint of heart. Last year there were three collisions that I know of and one is costing my insurance pool about \$75,000. In the past there have been people thrown in the water because they were run over on the opening. Crew members have been injured because of the frantic setting of gear at high speed. Fights have occurred because of boats setting inside other boats nets. The fishery is just a "plum" waiting for the injury lawyers.

I have two suggestions for you when you're evaluating the fishery. Ask those not supporting change if they are in a "racketeer" group. If they are, ask if they get an average payment from the catch of the group. If so, they get the average of that group and it would not be much different then an equal split of the whole fishery.

The second suggestion concerns "language" When we investigated the alternative method of open platform gear in the Sitka herring fishery, presented to the Board December 23, 1996; we consulted with John G Gissberg, PhD. John was the "Board" Attorney for ten

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1/2


Public Comment #

38

years and worked for the Alaska State Attorney General for 10 years. He was also a professor at the University of Washington. (He may still be.) John thought the idea of an equal split may have legal questions. If the idea were to use the language "bag limit", then the idea would progress. "Bag Limit" does not give anything to anybody. It means the person cannot catch more than a certain amount. It is used today, in lots of fish and game management plans.

Thanks for this opportunity to express my concerns. Please change the management plan for the Sitka roe herring fishery.

Best regards,  
Darrell Kapp





KETCHIKAN HERRING ACTION GROUP  
C/O 7942 S. TONGASS HWY.  
KETCHIKAN, ALASKA 99901  
Ph: (907) 225-3697  
Fax: (907) 247-3697

RECEIVED  
FEB 02 2009  
BOARDS

**Re: Opposition to Proposal 217: Inclusion of Salisbury Sound in Sac Roe  
Management Plan**

February 2, 2009

Attention: B.O.F. COMMENTS  
Board Support Section  
Alaska Dept. of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Fax: (907) 465-6094

Dear Members of the Board of Fish,

The Ketchikan Herring Action Group **STRONGLY OPPOSES** this proposal, as well as ADF&G being allowed to continue to harvest herring in Salisbury Sound on an emergency order basis. We also call into question the department's assertion that no herring spawned in Salisbury Sound (50 miles North of Sitka Sound) prior to 1975. This assertion contradicts observations by local fishermen, retired area biologists and enforcement officers, pilots, and natives that have reported spawning aggregations there since and prior to the 1930s as well as extensive spawning activity as far north as Lisianski Strait and as far south as Big Branch Bay near Cape Ohmaney. ADF&G started conduction spawning surveys in 1975 in preparation for the sac roe fishery which may explain the assertion. Prior to that time, an occasional fly by is not an accurate measure of herring abundance. Furthermore, initial trace element studies on the Salisbury stock indicate a strong likelihood of a separate distinct stock from the Sitka spawning biomass.

If this proposal is accepted by the board, it will be a **COLOSSAL MISTAKE**, and a repeat of *the exact same mistake that ADF&G made at Kah Shakes/Cat Island in 1995*. By combining these spawning aggregations, the department has the authority to conduct a fishery even when both stocks are below minimum threshold if the combined total makes up the difference. In 1996, ADF&G combined Kah Shakes and Cat Island biomass in order to come up with a 6000 ton minimum threshold and justify opening the fishery. When the fleet was unable to fill the quota at Cat Island, 63 boats returned to Kah Shakes and fished for three days on a small, ½ mile spawn in Foggy Bay. The harvest at Kah Shakes totaled 257 tons, 180% of the previous year's total estimated biomass. Since that time, no herring have been

observed spawning anywhere along the 20 miles of historic spawning grounds. If left alone, there would have been a chance for the Kah Shakes stock to rebuild.

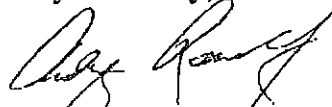
**THIS PROPOSAL RAISES A HUGE RED FLAG** for the following reasons:

1. Is ADF&G already combining these biomasses in order to justify the current record levels of harvest?
2. Is the stock in Sitka Sound already in a state of decline, as many locals are reporting?
3. Is the department seeking to do this in order to *mask* what may truly be happening from showing up on paper at present or in the future?
4. ADF&Gs excuse that the herring are "just moving" is no longer acceptable to the public as a scientific method to describe herring declines, **ESPECIALLY MOVING FIFTY MILES!!!**
5. History has already proven that this approach leads to disastrous consequences.

In very real terms this proposal can lead to the total collapse of herring stocks in Sitka Sound in the near future.

In the best interest of CONSERVATION of BOTH stocks, Salisbury Sound MUST be managed as a separate stock.

Very Sincerely,



Andy Rauwolf  
Ketchikan Area Herring Action Committee





KETCHIKAN HERRING ACTION GROUP  
C/O 7942 S. TONGASS HWY.  
KETCHIKAN, ALASKA 99901  
Phone (907) 225-3697  
Fax (907) 247-3697

RECEIVED  
FEB 02 2009  
BOARDS

Re: Proposal 199: Supporting Closure of Registration Areas

Attention: B.O.F. COMMENTS  
Board Support Section  
Alaska Dept. of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Fax: (907) 465-6094

January 31, 2009

Dear Members of the Board of Fish,

Members of the Ketchikan Herring Action Group have been actively involved in monitoring and tracking herring stocks in Southeast Alaska over the last two decades when we first took notice of declining herring abundance in many areas of the region. We are comprised of sport and commercial fishermen, pilots, scientists, ferry and tug boat operators, native groups, civic leaders and even people once involved in the herring sac roe fisheries. We have reached out to residents in the remotest parts of Southeast Alaska as well as people in the more populated villages and communities. We have collected an extensive amount of data, and have spoken with and collected affidavits from numerous citizens, and can safely say that we represent the concerns of thousands of people who reside in this region. Aside from writing letters and signing petitions, most people shy away from controversies, and herring has always been one of the biggest controversies around when it comes to fisheries.

Since 1993, we have been actively involved in the board process. It has been our unfortunate experience during this time to find that *politics* most often interferes with decision making to the detriment of the herring resource. Previous boards, under pressure, rely heavily on staff, who are also under pressure when making recommendations and decisions. The public, with 3 minutes to speak, cannot adequately address the issues, much less address any legitimate concerns with management practices. Therefore, no conservative proposals presented by the public have ever been adopted, and we have had to watch while one herring stock after another has either collapsed or been depleted to the point that it does not

recover. This is not uncommon in that it has happened practically everywhere throughout the world due to the once high value of herring roe and the heavy pressure by commercial interests.

Because the legislature continues to cut ADF&Gs budgets, it is impossible for the department to undertake the badly needed research that is necessary to effectively and safely manage this resource. We are strong advocates for more funding for research and restructuring of herring management to further this goal. In the words of several ADF&G herring biologists, "A lot more is unknown about herring than that which is known." Staff biologists today are given the daunting task of attempting to manage the herring stocks from a purely commercial standpoint, and are directed to maximize the harvest to the fullest extent while still sustaining the resource. There is no available science to factor in other major events that can and do negatively influence herring stocks, and as a result mistakes have often been made, and most herring stocks that once existed in Southeast Alaska are either fragmented populations or no longer exist.

At present NOAA and the National Marine Fisheries Service are conducting studies to consider listing all herring stocks in Southeast Alaska as threatened or endangered. We can not afford to have the federal government take control of our fisheries! This would be a disaster of unimaginable proportions. And yet, in the case of our last major herring sac roe fishery in Sitka, we are but *one mistake away* from this happening.

There is NO DOUBT that our herring stocks are at a fraction of historic levels. Ongoing scientific research from other sources supports local observations of thousands of individuals throughout Southeast Alaska and Prince William Sound that herring populations are at all time low levels. The 'old tired' excuse that the herring are just moving around flies in the face of reality. If this were true, you would think that on at least one occasion in the last twenty years herring would have returned to spawn in mass at any of the long since abandoned historic spawning sites. On the contrary, it has been our observation that when herring begin to move away from traditional spawning grounds, this is a symptom of stress within the stock, and is an indicator of a major negative event in progress. The Sitka Sound stock is now showing these signs, but instead of caution ADF&G plans on a second consecutive record harvest. We can no longer afford to use the same approach to managing herring. Unlike the predator species that ADF&G manages, herring are a prey species and are under pressure from *many* sources. Unlike salmon that we can rear in hatcheries, there is NO KNOWN scientific way to replenish herring stocks once they are depleted. When a stock falls below a certain level of abundance, it can not recover from natural predation, disease, pollution, and other factors that influence mortality.

In recent years, a serious situation has arisen with regard to herring mortality. Based on data taken from the National Marine Fisheries Service, there were likely fewer than 100 humpback whales feeding in Southeast Alaska's waters at the

beginning of the sac roe fishery in 1976. The same data suggests that these whales reproduce at a rate of 7 to 10% annually. Humpback whales feed predominately on a staple of krill, but also feed on euphasids (candle fish), and *herring* whenever available. A recent study by the University of Alaska estimated that the population of humpback whales from Canada to Prince William Sound was around 4,000. Each adult humpback whale consumes about 3 tons of forage per day. Compared to about 600,000 pounds of forage per day in 1976, last year humpbacks consumed around 24 million pounds of forage per day in our waters. If the population continues to grow as expected, 25 million pounds of forage will be consumed this year.

Herring feed on copepods and other small marine invertebrates and in turn are preyed upon by salmon, halibut, ling cod, several species of Pacific cod, dogfish, seals, sea lions, humpback whales, eagles, and numerous species of sea birds. No other species in Alaskan waters occupies the same position in the food web. As a result, the Alaskan marine ecosystem is dependant on the health of local herring stocks. Studies from the Department of Fisheries and Occans in Canada reveal the percentage that herring comprise in the diets of the following species:

Chinook Salmon	62%
Halibut	53%
Ling Cod	71%
Pacific Cod	42%
Harbor Seals	32%

It is alarming to note that the four species in this study most heavily dependent on herring are all in decline in Alaskan waters. Chinook salmon and halibut have declined in both abundance and in body weight in several consecutive years. From a scientific perspective, this is a sign of stress related to problems with forage. In addition, local subsistence harvesters have reported a decrease in body fat in seals taken in the last ten years.

Ongoing research indicates a correlation between the inability of our herring stocks to rebuild and the feeding patterns of the humpback whales. The stocks in Prince William Sound have been documented to rebuild almost to a healthy level only to be driven back by humpback predation. The same is suspected of Lynn Canal and is currently being researched there as well. This was also observed in West Behm Canal, when an estimated 9,000 ton herring biomass was reduced to less than 500 tons by 13 feeding humpbacks in a few months. At present there are an estimated 50 humpback whales that have wintered over to feed in Sitka Sound. Sitka has the last major herring spawning stock remaining in the thousands of square miles of Southeast Alaska's waters from the Canadian Border to Prince William Sound that once teemed with herring before the sac roe and unregulated bait fisheries began in the 1970s. Our faltering king salmon and halibut stocks are the last major runs left on the West Coast of the United States. As in every other part of the world, the odds

are that if our herring stocks are depleted, there will be severe consequences to the salmon, halibut, and other species that *we all* rely heavily on.

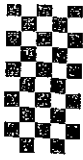
Why are we taking this risk for such a small fraction of the ex-vessel value of Alaska's combined fisheries? The herring sac roe fishery is a small fraction in terms of value compared to our other fisheries, and it is important only as a *supplementary income* for participants in these other fisheries. In human terms, as traditional native subsistence, it has been extremely important for centuries, and must always be considered for this purpose.

When Governor Palin appointed the newest member to the Board of Fisheries last December, she reminded us all of the mission statement of the board: "To CONSERVE and DEVELOP the fisheries resources of the state."

We ask that you please follow the mission you were appointed to uphold and vote to "conserve" what remains of the one prey stock so crucial to our marine ecosystem, in order to "develop" our faltering predator stocks, which far exceed the ex-vessel value of herring in terms of real dollars.

Respectfully Submitted,

Andy Rauwolf  
KETCHIKAN HERRING ACTION GROUP



**KETCHIKAN HERRING ACTION GROUP  
C/O 7942 S. TONGASS HWY.  
KETCHIKAN, ALASKA 99901  
Ph: (907) 225-3697, Fax: (907) 247-3697**

RECEIVED  
FEB 03 2009  
BOARDS

**Re: SUPPORT of Proposals 203 and 204**

**February 3, 2009**

**Attention: B.O.F. COMMENTS  
Board Support Section  
Alaska Dept. of Fish and Game  
P.O. Box 115526  
Juneau, Ak. 99811-5526  
Fax: (907) 465-6094**

**Dear Members of the Board of Fish,**

**The Ketchikan Herring Action Group SUPPORTS Proposal 203 raising the CONSERVATION LEVEL by limiting the harvest rate to 10% and placing a cap of 10,000 tons on the herring harvest in Sitka Sound. Sitka Sound herring stocks have shown definitive signs of stress in the last 4 years with historically low levels of juveniles to replace the adults. Poor recruitment spells disaster in herring stocks. What is wrong with our management? How dare they raise the quota at this critical time! Because of commercial pressures and bad management, Sitka Sound is the last major herring biomass left in Southeast Alaska and may be on the brink of collapse.**

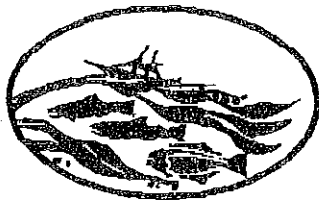
**It is a SCIENTIFIC FACT that salmon returning to Southeast Alaska's waters spend considerable time feeding on the Sitka herring stock to build up their fat reserves before continuing their migration to the spawning grounds. WE RELY HEAVILY ON OUR SALMON. OUR SALMON RELY HEAVILY ON SITKA HERRING. Your role is to CONSERVE and DEVELOP fisheries, not risk destruction of the ecosystem!**

**STOP THIS SENSELESS GENOCIDE!**

**We also support proposal 204 that quantifies the large amount of herring killed in the test fisheries. These herring MUST be counted against the GHL in order to conservatively manage this fishery.**

**Very Sincerely,**

**Andy Rauwolf  
Ketchikan Area Herring Action Committee**



Petersburg Charter Boat Association  
P.O. Box 1507  
Petersburg, Alaska 99833

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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FEB 02 2009

BOARDS

Chairman Jensen, Board Members,

The Petersburg Charterboat Association (PCBA), made up of 17 sportfishing service businesses representing 21 active charter vessels, would like to offer the following comments on proposals to be considered during the February Southeast Finfish meeting.

Proposal 137; Oppose. This proposal seeking to establish sportfish bag limits on all species not currently having a bag limit is too broad. Establishing bag limits on species such as Herring, Arrowtooth flounder, Tomcod, Pacific cod, Pollock, Hake and others would prevent these species being used as bait as is commonly done. If there is a concern regarding harvest by recreational fishers of a particular specie, that harvest should be quantified through creel census, statewide harvest survey or logbook prior to an arbitrary bag limit being imposed. Unsubstantiated allegations of large scale harvest by sportfishers brought forth by commercial fishers who might be impacted by such harvest should not be considered as justification for a regulation.

Proposal 223; Support. This proposal was generated by PCBA as a tool the Dept. could use to increase harvest opportunity primarily for resident sportfishers during the winter season. The current King Salmon management plan allows for the use of two rods during this same time frame, but only during years of high abundance. Adoption of this proposal would allow two rods to be used (Oct. through Mar.) in all years unless there was a conservation concern. Sportfishers have been harvesting less than their allocation in most years under the current management plan. Any increase in harvest because of this proposal being adopted would not cause the sportfishery to exceed its' allocation.

Proposal 227; Oppose. This proposal to allow commercial trolling 7 days per week in District 8 regardless of run strength is inappropriate. Trollers are currently allowed to fish up to 5 days per week when this fishery is open. The District 8 management plan, when adopted 3 years ago, specifically restricted gillnetting and trolling on the weekends to avoid conflict with sportfishers.

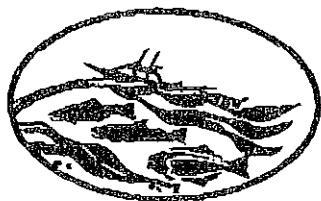
Proposal 228; Oppose. Opening this portion of Frederick Sound would be in conflict with the Crystal Lake Hatchery Management Plan and effectively reallocate fish away from an established sport and commercial hand troll fishery to the power troll fishery.

Proposal 229; Support. Adoption of this proposal would increase the District 8 annual limit for king salmon to a multiple of 4 daily bag limits. The agreement reached with Canada through the Pacific Salmon Commission process to allow this new directed king salmon fishery to occur was supposed to benefit all user groups through increased harvest opportunity. The recreational fishers have seen little benefit and non-resident sportfishers even less. The current annual limit for District 8 is no more than is allowed for under region wide regulations in some years. The current District 8 annual limit is 5 with a daily bag limit of 2. The annual limit should be a

Public Comment # 40

RECEIVED TIME FEB. 2. 9:25AM

13



**Petersburg Charter Boat Association**  
**P.O. Box 1507**  
**Petersburg, Alaska 99835**

multiple of the daily bag limit, example; 3 days fishing equals a 6 fish annual limit or 4 days fishing equals an 8 fish annual limit. Adoption of this proposal is expected to increase harvest by 35 to 70 fish per year.

Proposal 259; Support. Adoption of this proposal changing from a Sunday noon gillnet opening to a Monday morning gillnet opening during June, as amended and supported by the Petersburg Advisory committee, will benefit both gillnetters and sportfishers by reducing conflicts between the two user groups.

Proposals 286, 287; Oppose. These proposals seeking to change the definition of possession would have severe economic impacts on the charter and lodge industry. Adoption of this proposal would require a complete rewrite of bag and possession limit regulations for almost all species of sport caught fish in SE Alaska to provide a reasonable harvest opportunity for non-residents.

Proposals 288, 289; Oppose. These proposals establishing an annual limit on coho and requiring some type of harvest card are not justified. There are no biological or resource concerns with coho. There are no allocative concerns. There is no explosive growth in coho harvest by non-resident sportfishers. The harvest of coho by both guided and non-guided sportfishers tracks very well with other users of the resource in that it goes up when abundance is up and it goes down when abundance is down. The average harvest by guided and non-guided sportfishers is about 10% of total harvest, the percentage by non-resident sportfishers is considerably less. The annual limit portion of proposal 288 is nothing more than an attempt to restrict non-resident access to benefit commercial fishers. The harvest record requirement is cumbersome to sportfishers, expensive to implement for the Department and is redundant data gathering.

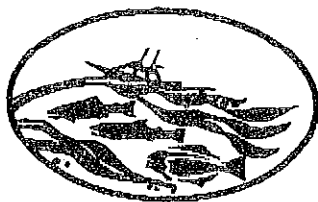
Regulations should be adopted based on biological or management needs and not on unsubstantiated fear and greed of another user group.

Proposal 296; Oppose. Proposals 297, 298; Support. We support these proposals defining electric reels and hand held rods as legal sportfishing gear.

Proposals 307, 308; Oppose. Proposal 307 disallowing use of a charter vessel for personal use fishing for a period of time before and after the charter season seems to be nothing more than a punitive action directed at everyone owning a Charterboat. Proposal 308 restricting personal use or subsistence fishing by charter operator or lodge owners when clients are present is already addressed by current regulations. It is also currently illegal to furnish subsistence or personal use products to clients.

Proposals 309, 310; Oppose. These proposals seeking to establish an allocation and harvest ticket for the guided sector on coho is not based on any biological or resource concerns. Our comments on proposals 288 and 289 apply.

Proposals 311, 312, 313; Oppose as written. We agree that enforcement or creel census personnel should have access to vessels and landing facilities where sport caught fish are being harvested or offloaded. Enforcement currently has the authority to board and check vessels and gear engaged in charter fishing. The portions of these proposals that grant authority to inspect freezers, homes, hotels or B&Bs associated with charter fishermen seems to be extreme and would facilitate little if any enforcement concerns while unnecessarily infringing on personal rights.



Petersburg Charter Boat Association  
P.O. Box 1507  
Petersburg, Alaska 99833

Proposal 322; Oppose. This proposal seeks to reopen waters closed to commercial trolling October through March. These waters have been closed for over 30 years. While there may no longer be a biological reason for keeping these waters closed, reopening this area would reallocate fish away from the resident recreational sector to the troll fishery. In the years this area has been closed, a significant sport fishery has developed within its' boundary. A boat ramp has been constructed in this area with sportfish funding to provide access. This is a popular fall and spring fishery for local residents with small boats who would be displaced by the intense effort of the troll fishery that has developed over the past 7 or 8 years due to extremely high prices paid for winter fish.

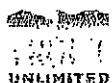
Proposal 368; Oppose. This proposal seeks to reduce the possession limit on all species to one daily bag limit for non-residents. The possession limit on species of concern is currently one daily bag limit for non-residents and two daily bag limits for other species. There are no biological or resource concerns to justify this proposal. There is no verification of the charges of widespread abuse of current possession limits or of non-residents taking home large amounts of fish just to "eventually be thrown out". Alaska does not give away large amounts of fishery resources to non-residents. Non-residents pay dearly to come to Alaska and harvest relatively small amounts of fish for their personal consumption. The state and local economies benefit greatly from this harvest opportunity provided to non-residents and it should be encouraged by policy makers seeking to maximize economic benefits to Alaska through prudent use of it's resources.

Thank you for your consideration of our comments.

Sincerely,

Stan Malcom  
President  
Petersburg Charter Boat Association  
907-772-9255



*Trout Unlimited Alaska*

January 30, 2009

BOF COMMENTS  
Boards Support Section  
ADFG  
PO Box 115526  
Juneau, AK 99811-5526  
Fax- 907-465-6094

RECEIVED  
FEB 02 2009  
BOARD

Dear Board of Fish Members:

As a group working to promote sustainable wild fish populations and conservation of the habitat which produces them, the Alaska Office of Trout Unlimited (TU) support the proposals noted below.

Before addressing those however, we would like to encourage the Board to focus their attention and energy on proposals and actions which further the long-term goal of ensuring healthy, sustainable fish stocks for all users rather than arbitrating the allocative and punitive proposals which pervade the current booklet. It is apparent to us that whether it be through changing ocean and climate regimes or greater numbers of potential harvesters; the fish resources of Alaska will continue to be under greater pressure and that the need to effectively manage their cumulative use will grow commensurately.

Proposal 219: Listing of Bradfield Canal king salmon as a stock of concern.

Proposal 262: Amendments to northern Chatham area seine openings and boundaries to better protect sockeye stocks in Kanalku, Basket, Sitkoh and Neva Creeks.

Proposal 265: Change commercial salmon fishing opening/season in Klawock Area to July 15-august 15.

TU supports these three proposals provided that ADFG data indicates these actions represent a precautionary and sound approach to management of the stocks involved. Given the critical importance of sockeye stocks, should ADFG not possess sufficient data for these decisions, the BOF should direct that the resources and steps necessary to obtain it be carried out immediately.

1/3

*Trout Unlimited: America's Leading Coldwater Fisheries Conservation Organization*

Alaska Office: 419 Sixth Street, Suite 200, Juneau, AK 99801 • (907) 321-3725

RECEIVED TIME FEB. 2. 10:31AM [avebristolbay.org](http://avebristolbay.org) • [www.tu.org](http://www.tu.org)

Public Comment #

41

**Proposal 287: Establish an enforceable fish possession limit.**

TU supports enforceable possession limits for all species. The current system does not provide enforceability.

**Proposal 290: No retention of steelhead in all SE waters except 16 identified systems where fish could be retained.**

**Proposal 291: Catch and release for high use steelhead systems**

TU supports greater restrictions on steelhead harvest in sport fisheries and looks forward to committee discussion of reconciling these two proposals to achieve that.

**Proposal 292: Reduction of Dolly Varden bag limit to 4 fish (from 10) with one over 20" daily.**

TU believes a daily bag of 10 Dolly Varden is excessive and supports the better protection of large, spawning Dolly Varden that would be afforded through this measure.

**Proposal 295: Catch and release practices advisory to increase undersize king survival.**

TU agrees with the intent of this proposal.

**Proposal 305: Prohibit felt soles.**

TU wholeheartedly supports this proposal but would like to see a phase out date of Jan. 1 2011 adopted for it. Doing so will provide manufacturers, retailers and consumers time to transition away from the use of felt.

**Proposal 314: Reduce Situk Sockeye bag and possession to 3 and 6.**

TU supports this precautionary approach to Situk sockeye management provided the limit will be liberalized through EO in years of sufficient sockeye abundance.

**Proposal 304: Illegal to remove steelhead under 36 inches from the water**

The Alaska Office of TU does not support this proposal as written. We would however support a regulation requiring that steelhead less than 36 inches not be moved above the waterline of the waters from which they are taken.


**Proposal 317: Catch and release for all steelhead on Juneau road system.**

Due to declining returns of these stocks in recent years and the great and growing, amount of angling pressure they are subjected to, we believe passage of this proposal is critical to the health of steelhead on the

Juneau road system. Passage of Proposal 209 would also address this problem.

Thank you for the opportunity to comment on these proposals. We will make every effort to have representatives present for committee formation in Sitka, however if that is not the case we request that TU staff members, Mark Kaelke be appointed to the Sport Fisheries Committee and Tim Bristol be appointed to the Commercial Troll Committee.

Sincerely,



Tim Bristol  
Director



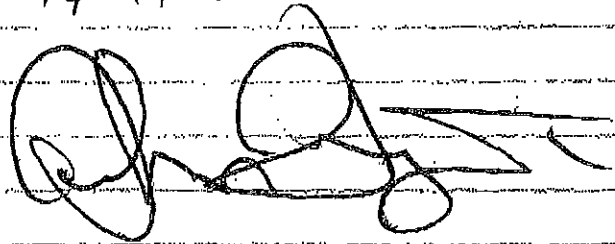
Mark Kaelke  
SE Alaska Project Director

Jan 31 2009  
P.O. Box 982 Hachos AK  
John Winger Zip 991 /

Dear Sirs,

I am opposed to proposal  
255 option #1 and option #2  
Consolidation is not necessary there  
are people lacking for permits  
proposal # 236 also opposed to  
large packets will end up with all permits  
In currently trying to raise money  
for permit OBL. permits is just  
wrong I and my son whole family  
oppose and regret even causing  
such permits


John Winger  
Small tracks Hachos AK  
Zip 99827 P.O. Box 982



RECEIVED TIME FEB. 2. 2:03PM

Public Comment #

42



John Hagen F/V Krista C # 49293  
P.O. Box 224  
Haines, AK 99827

I am opposed to proposal #5  
255 & 256. It will not give equal  
access to this fishery. I will  
also make entry level fisherman  
close to impossible.

John D. Hagen

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FEB 02 2009

BOARD

RECEIVED TIME FEB. 2. 2:02PM

Public Comment # 43



RECEIVED  
FEB 02 2009  
BOARDS

Yngve Olson, F/V Shari Marie  
P.O. Box 605  
Haines, AK. 99827

I am opposed to proposal #13  
255 & 256. It will not give  
equal access to this fishery,  
then making access for entry  
level fishermen close to impossible.

Yngve Olson

Public Comment #

44

RECEIVED TIME FEB. 2. 12:54PM

*ATT: Board of Fish Comments*

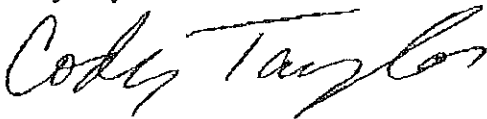
February 2, 2009

To Whom It May Concern:

My name is Cody Taylor, I am 27 years old and have been gillnetting since I was five years old with my father. I obtained my fishing vessel and gillnet permit ten years ago. I strongly disagree with proposal 255 and 256. It is just another way for the rich to get richer and the poor to get poorer. It is already too hard for young people to get into fishing. If these proposals pass it will be even harder. I think that gillnetting is perfect the way it is, everyone has an equal fishing opportunity. Why change it? I don't think there would be any benefits at all. I only have bad feelings towards these proposals.

Sincerely,

Cody Taylor



Public Comment #

45

I Gerald Albecker I have been a permit holder since 1981, and have fished since 1959 with my father I am 110% against these proposals 255 & 256 !!

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FEB 02 2009  
BOARDS

Gerald F. Albecker  
F/V Minnie A  
S.E. Gillnetter

Page 1

Public Comment #

46





RECEIVED TIME FEB. 2, 11:18AM

I am a Southeast Gillnetter and have been for 40 yrs.  
These proposals 256-255 are ridiculous, why should a  
few guys benefit at the expense of others. It  
also cause a lot of tension among the fleet  
and back on the dock, there is no reason why  
a few people can take away the livelihood of  
most of the fleet. If these guys want to pay my  
bills fine. But I doubt it, anyway this is a bunch of  
crap.

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FEB 02 2009  
BOARDS

Thanks  
Joel Pasquon  
F/V Sea Dawn  
S.E. Gillnetter

Public Comment # 47

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FEB 02 2009

BOARDS

Members, BoF:

Here are my comments on some of the proposals before you in Sitka. Thank you for your consideration.

Jim Zuanich  
F/V Marshal Tito

#### Proposal 244 oppose

Let me get this straight; in terms of allocation, it matters whether or not a hatchery is funded by aquaculture assessment. But at the same time, there is no need to consider making enhanced allocation in any way proportional to aquaculture assessment. I'd like to have my cake and eat it too, too. As an adult however, I realize that fairness doesn't always work to my exclusive advantage, that other people have rights too.

This proposal would create an even more lopsided return to investment disparity, in enhanced fish, between gillnet and seine fleets than already exists. It also fails to address what allocation policy should be applied to PNP hatcheries. If PNPs are not to be part of the enhanced fish allocation formula, then they must be part of the non-enhanced guidelines. That would require a significant seine fishery on DIPAC fish directly; say, on the back side of Douglas Island; or a compensatory seine/gillnet adjustment elsewhere. I doubt the framers of this proposal would be very happy with that outcome.

This gets sillier all the time. Proposal 244 should be rejected with little discussion.

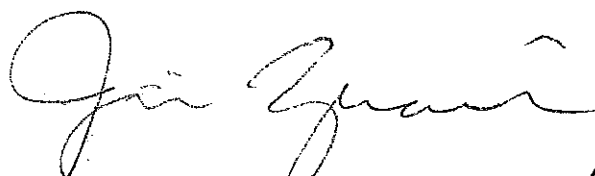
#### Proposal 245 oppose

Just when I thought proposals couldn't get any sillier, along comes proposal 245.

The enhanced fish allocation was not easily arrived at. Fair or not, an agreement was reached. As you certainly know, for some time seiners were above our allocation guideline. The (our) response was to change fishing regimes and redirect allocation funds in a way that has returned seiners to our agreed upon allocation. Now the gillnet fleet has been above its range for some time. 245's solution: change the allocation guidelines. If this is to be the way to deal with enhanced allocation issues, there is no point in having enhanced allocation guidelines (or any allocation guidelines) in the first place.

#### Proposal 262 oppose

I recognize that there are sometimes problems with the abundance of subsistence resources in customary subsistence fishing areas. There are several points that should be made on this issue, however. First, there already are compromises to seine management, particularly around Basket Bay, addressing this issue. The cost to the seine fleet of 262 is disproportionate to the benefit to subsistence users. There are many places to take subsistence fish and it has not been the case that they have all been weak at the same time. Finally, other win/win solutions have not necessarily been tried. In particular, the most pressing subsistence problem seems to be Kanalku creek. There is considerable evidence that a fish ladder could better address this problem, at significantly lower cost (relative to lost opportunity and lower quality in the seine fishery).



Public Comment #

40

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FEB 02 2009

BOARDS

January 28, 2009

ALASKA DEPARTMENT OF FISH AND GAME  
Boards Support Section  
P.O. Box 115526  
Juneau, AK. 99811-5526

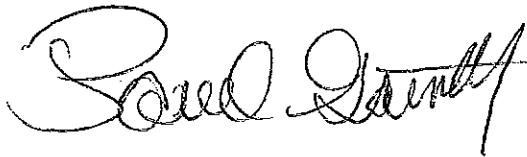
Re: I support Proposal # 86. Get rid of the 58 ft length limit

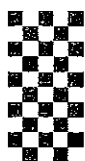
Dear Chairman Jensen and Board members:

I crew aboard a 58 ft salmon seiner that fishes in SE Alaska. I have talked with my fellow crew members and we agree the 58 ft rule is meaningless. It seems to us, the boats we take turns with at the hook offs are all different sizes. The length restriction doesn't give the longer boats or the wider boats any advantage. My Captain catches more fish because he has a better crew, a better fishing net and knows the tides better.

I have read some people believe a longer length would allow the boat to fish in worse weather. It's the crew that catches the fish in bad weather. Some Captains have better crew and we know what the dangers are. Some Captains put their crews at risk because they have old, bad equipment, bad inexperienced crew and should go in, but don't. Usually someone gets hurt or they turn their skiff over. Bad weather takes more than boat size to be successful. Some of the most successful are the smaller boats with good crew.

Regards,  
Paul Garrett  
Blaine, WA.





February 1, 2009

Board Support Section  
Box 11526  
Juneau, AK 99811-6094

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FEB 02 2009

BOARDS

**Comments on 2009 SE Finfish Proposals**

Dear Chairman Jenson and Members of the Board,

Thank you for the opportunity to comment on the proposals submitted regarding SE finfish. Before I comment on specific proposals I ask that for future meetings the Board of Fisheries request the Sport Fisheries Division provide the same level of detail in the RIR staff comments as is provided by the Commercial Fisheries Division. There are no maps, tables, or figures provided with any of the Sport fish proposals. Clearly the Department has information with which to base staff comments: that information should be made available to the public in advance of the public comment deadline. Staff comments for this meeting were released to the public on January 30, public comments are due by February 2. The lack of sport fish support data makes it difficult for the public to evaluate the staff comments or the merits of sport fish proposals.

**Proposal 137: Support with amendment:**

5 AAC 47.020. General provisions for seasons and bag, possession, annual and size limits for the salt waters of the Southeast Alaska Area.

(17) herring, smelt, eulachon, and capelin and shellfish species not specified in this section, may be taken from January 1 – December 31, no bag, possession, annual or size limits;

(18) sablefish may be taken from January 1 – December 31; 2 fish bag limit, 1 daily bag limit in possession and no annual limits.

(19) other saltwater finfish not specified in this section, may be taken from January 1 – December 31; 10 fish aggregate bag limit, 1 daily bag limit in possession and no annual limits.

I appreciate the improvement to the Department's comments made regarding this proposal since the February meeting. Sablefish support an important commercial and subsistence. This fishery is intensively managed by the Department and has still been in a significant downward trend in recent years. Some charter lodges have been actively promoting opportunity to take unlimited quantities of "butterfish" (i.e. sablefish). These fish are not captured in the creel survey and it is unlikely that the mail out survey is adequately estimating this catch. I also suggest that the mail out survey include sablefish as a listed species.

Sport fisheries should provide an opportunity to fish, provide recreation, and reasonable retention opportunities. With this amendment the daily bag limit for salmon, halibut, and groundfish in Southeast is 41 fish DAILY. Commercial and personal use regulations do not allow for fishing unless specified by regulation – the sport fish regulations allow for unlimited fishing unless

O'Connell comments

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specified by regulation. This is an archaic management approach and it is time for a change.

**Proposal 286: Support**

The Department comments related to this proposal are inappropriate. Their comments seem intended to drive policy. As with proposal 311 the Department suggests waiting to act on this until a statewide meeting. There is no reason not to act on this proposal now for SE, where there is a legitimate concern about accuracy and enforcement of charter catch reporting. Once enacted in SE the Department can submit this proposal statewide for consistency. If there is enough conservation concern to have possession limits at all then there is justification that the possession limits include preserved fish. The majority of charter and nonresident fish harvested is now vacuumed packed and frozen daily. Management and regulators need to consider adapting the regulatory environment to account for these changes. For the sport fish division staff to claim they are "unable to determine how such a regulation could be successfully monitored and enforced" is absolutely unacceptable.

**Proposal 296: Support (and therefore Oppose 297 and 298)**

Electric and hydraulic reels are commercial gear and should not be allowed in recreational fishery with the exception of use by handicapped anglers. These power gears allow access to waters and areas generally protected from recreational anglers (in effect a natural refugia) allowing for the catch of larger, older halibut and rockfish as well as the take of deepwater fishes not commonly associated with sport fish (sablefish, slope rockfish, shortspine thornyheads). If you are going to allow "sport" anglers the use of commercial jigging gear to increase their efficiency why not allow them to use trawls or seines? This is not sporting. Residents of SE Alaska have the opportunity to harvest sablefish and other groundfish through subsistence fishing.

**Proposal 308: Support**

I have personally witnessed lodges setting shellfish pots in advance of client arrival. Almost every time I was on an Alaska Airlines flight this summer I heard charter clients talk about subsistence fishing and how this supplemented their take. They clearly believe this is legal, which means the charter operators they hired are in violation. Clearly some charter operations are circumventing the spirit of the personal use and subsistence laws by supplementing their clients catch with subsistence fish. Because this is a difficult thing to enforce I believe not only should the laws be strengthened but the Department should include a notice in the Sport Fishing Regulation Booklet alerting non-residents to the restriction. This notice will help ethical charter operators. The regulations in 5 AAC 02.199 and 5 AAC 77.699 also need to be amended.

**Proposal 310: Support**

Independent catch verification and timely and accurate catch accounting is imperative. I serve on the Sitka Fish and Game advisory committee and all three of the charter operators on that committee supported this proposal. The Department has had years to resolve the reporting crisis in the halibut fishery and has not moved forward. By requiring a fish ticket the angler, in addition to the charter operator, is also responsible for the accuracy of catch information. This will help with veracity, similar to the relationship between commercial processors and fishermen. Effort data is also critical to fisheries management: this requirement should be in addition to the logbook requirement unless effort information is also detailed on the fishticket.

O'Connell comments

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**Proposals 311, 312, and 313: Support**

I have read the Department comments on this proposal and suggest an alternative approach. Pass this regulation for SE and use that as the catalyst to implement this statewide. The Department of Law will be able to craft regulation that does not give rise to constitutional issues. I see no difference between the rights of a commercial processor and the rights of a commercial charter lodge – local Sitka lodges process huge amounts of product. Charter operators make their living harvesting common property resources – they must be open to the same level of enforcement and oversight as other commercial fishery businesses.

**Proposal 333: Oppose**

SCBOA has decided an increase in GHR is warranted because they are overharvesting their allocation. This is the reaction they have to the halibut GHL as well.

There is no evidence that the lingcod population can sustain a higher GHR. In recent years because of changes in the directed fishery the total allocation of lingcod has not been taken. There is not reason to assume this situation will continue and in fact catch data shows an increase in directed lingcod catch in 2008.

**Proposal 334, 335, 337: Oppose**

The current complex allocations for lingcod was a consensus agreement made by a BOF appointed taskforce with representatives of all sectors sitting at the table.

**Proposal 337: Support with amendment****28.173 Lingcod possession and landing requirements for Eastern Gulf Of Alaska Area.**

(a) In the Southeast District, a vessel fishing for

(1) halibut with longline gear may not land or have onboard lingcod in excess of the bycatch percentage as set by the Department by Emergency Order prior to the start of the halibut fishery, of all halibut on board the vessel. This bycatch rate may not exceed 20%;

The longline fleet has been unable to harvest their historic allocation of lingcod because of the closure of the directed DSR fishery and because average 2C halibut shares are now so low as to make a 5% bycatch too low in poundage to accurately assess on board, hence longliners are choosing to release lingcod rather than risk a violation. Lingcod are taken as bycatch in the longline fishery and this regulation will allow the Department to adapt to changes in other directed fisheries while allowing longliners to maintain their historic allocation of the resource.

**Proposal 338: Oppose**

The reason the directed, troll and sport fishery season is closed in April is to protect nest guarding males from harvest during a time when they are territorial and vulnerable. This proposal would allow fishermen to target nest guarding males.

**Proposal 339: Oppose**Public Comment # 50

RECEIVED TIME FEB. 2. 8:04AM

3/A

O'Connell comments

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Once again SCBOA is promoting fishing without a conservation ethic. Given the tiny number of lingcod in excess of the proposed size limit this proposal effectively promotes catch and release harvesting of lingcod. Lingcod are a terrible candidate for catch and release as they are large, strong fish with a mouth full of teeth – pretty hard to imagine “careful” release occurring on a regular basis, especially with larger specimens. The Department does not address catch and release mortality in their comments. The charter fleet has been over their allocation of lingcod in many years so allowing the harvest of big fish will make management even more difficult.

It is also disappointing to see the Department comments that they would like the regulations amended to combine guided with resident sport fishing. The public has clearly been asking for regulations separating the guided industry from sport fishing yet the Department is asking for the opposite.

**Proposal 340: Oppose**

The allocations of lingcod by area and gear group were made by consensus by an industry working group and were based on the most recent 5 year average catch. The sport fish allocations, driven largely by charter catch, have been exceeded in most areas in many years. Table 335-3 shows that the sport allocation of lingcod was exceeded in 2008 in the NSEO area by 5%, in IBS by 31%, in NSEI by 36%, and in SSEIW by 23%. This proposal is essentially asking for more liberal regulations even though they exceeded their allocation in both areas. I had to look in a commercial fishery proposal (335) to find the data to evaluate this sport proposal (340).

**Proposal 341: Oppose but suggest a change in language in the current regulation**

I was the Groundfish Project Leader when the current allocation of DSR was adopted. This was the topic of intense conversations 3 years ago with the very clear message from the BOF that DSR in the charter industry was a bycatch in the halibut fishery and that there was no room for growth in DSR catch. Yet, in a year with historic low halibut quotas the SEAGO is asking for more DSR. Exceeding allocations is not a justification for an increased allocation. **I suggest that the BOF make the current allocation (14%) specific to the charter industry and nonresident anglers and let the resident catch of DSR be subtracted off the top before allocations for the commercial industries (longline and charter) are set, similar to subsistence catch.**

**Proposal 343: Oppose**

The reason the current DSR season does not overlap the IFQ fishery is that the catch of DSR would be significantly greater and much more difficult to manage if it was being prosecuted by the halibut fleet in addition to directed longline fisheries. There is no legal way to prevent halibut longliners from fishing for DSR when the halibut season is open and in fact they are required to retain all halibut when they have remaining IFQ. Over half of the 2C halibut quota is harvested in inside waters. I am unclear how the Department could be neutral on this proposal as it would make management of DSR virtually impossible and would greatly increase the chances of overharvest of the commercial allocation of DSR.

**Proposal 346: Support**

I support DSR as bycatch only in ALL fisheries, including charter, sport, and commercial. These fish are extremely longlived and are difficult to manage. Although there is a stock assessment for

O'Connell comments

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DSR in SEO, there is no assessment for these fish in SSEI and NSEI and the funding for assessment in outside waters has been sporadic and uncertain. They occur as natural bycatch in all fisheries for halibut and in other longline fisheries as well. The directed DSR fishery used to provide a platform for entry level fishermen to get involved in the longline fishery. The current composition of the DSR fleet is more experienced fishermen who also have opportunity in other fisheries. The current "entry level" longline fishery in Southeast is now the halibut fishery where a vessel owner takes an IFQ holder onboard and fishes their halibut for a percentage. Given the vulnerability of DSR and the limited budget for assessment I support moving this fishery, like the other slope rockfish fishery, into bycatch only management.

**Proposal 347: Oppose**

The BOF has ruled on this proposal at least 3 times in the past. In each case the BOF has found that it is appropriate to manage slope rockfish as bycatch only. ALFA supports bycatch only for slope rockfish in conjunction with the full retention requirement.

**Proposal 349/350/352: Support with sunset provision**

I am disappointed in the Department comments that they believe this will result in higher mortality than the 100% already attributed to released rockfish in the sport fish fishery.

Two researchers were brought to Sitka to discuss their research results regarding decompression release of rockfish. Their travel to Alaska was through a grant from the Alaska Conservation Foundation. These independent research studies show conclusively that there is significant survival of rockfish that are quickly released back to the water from depth, even for fish that have barotrauma injuries. Survival can be as high as 86% if released within 2 minutes of catch; long term holding studies have shown survival through 31 days (the limit of the study). The Sitka Fish and Game Advisory Committee submitted this proposal after hearing the results of this research. The charter industry (SEAGO) submitted a similar proposal.

[https://www.coastalaska.org/kfsk/modules/local\\_news/index.php?op=se&page=24](https://www.coastalaska.org/kfsk/modules/local_news/index.php?op=se&page=24)

<http://www.dfw.state.or.us/MRP/research/>

Although this regulation does involve extra time, most sport angler should be invested enough in the resource to support careful release. The release mechanism can be as simple as an inverted barbless hook with weight. Other release devices being used locally include inverted milk crates that are weighted and attached to a line. I will provide Board members with brochures detailing this catch and release method.

The DSR allocation for sport fish has been exceeded every year since implemented. I fail to see how anglers will be motivated to fish for more rockfish than they currently are catching if they must release the fish using a special technique. Currently they are allowed to discard the fish simply by removing them from the hooks. Given that the Department has no real knowledge of sport fish discards their statements can only be based on conjecture.

I recommend having a sunset provision on this regulation so that its utility can be reevaluated at the next SE Board cycle and regulations refined based on experience.

**Proposal 351: Oppose**



O'Connell comments

6 of 6

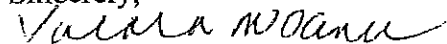
SEAGO has submitted a proposal that is frivolous at best. It was clear from the research results presented in Sitka that the biggest factor in increasing survival rate of rockfish when released at depth was time between capture and release. Catching fish individually lends itself to quick and careful release. Catching fish on a longline does not lend itself to timely release. Mortality would not be decreased if this regulation were to be adopted. Further, the Department requires full retention of rockfish as part of its conservative approach to management because catch accounting is critical to this management. At the last SE BOF Finfish meeting the BOF directed each sector to work towards reduction of DSR bycatch. The longline fishermen have been well under their allocation and so additional release is not required to meet management goals. Even so, the Alaska Longline Fishermen's Association has obtained money to start a pilot project involving a bycatch reduction network with inseason reporting of areas of high rockfish bycatch in the halibut fishery in an effort to reduce bycatch.

**Proposal 353: Support with amendment**

I support requiring retention of yelloweye caught in the sport fishery up to the bag limit and support **decompression release** of rockfish beyond the bag limit. The Department comments are incorrect when they imply puncturing of the swim bladder can increase survival of rockfish -- recent published scientific studies dispute this. Current science supports release of fish at depth **WITHOUT** puncturing the swim bladder. <http://www.dfg.ca.gov/marine/pdfs/release.pdf> The Department is opposed to the proposal, partly because they don't think it is enforceable. This regulation is as enforceable as any other bag limit proposal and as is the full retention requirement for commercial rockfish catch. An amendment to the proposal that would make it more enforceable would be to require retention of all rockfish up to the bag limit then to require fishermen to stop fishing for the day once the bag limit is taken. It seems unlikely the Department would support this approach but might be asked to compare the relative enforceability.

Thank you for the opportunity to comment on these proposals. I will be in Sitka for the entire meeting and look forward to public testimony and participation in committee.

Sincerely,



Victoria O'Connell

Sitka, Alaska



## Lofoten Fish



Company

Wild Alaska Salmon

P.O. Box 2028, Petersburg, Alaska 99833  
**907-772-2680**; 360-201-7287 (cell)  
www.eatalaskasalmon.com  
cynthia@eatalaskasalmon.com

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FEB 02 2009

BOARDS

January 31, 2009

Board of Fisheries  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

Re: Finfish Proposals #257, #258, #259 (Fishing seasons and periods for net gear)

Dear Chairman and Board of Fisheries Members:

Proposals 257-259 request that area gillnet openings be changed to start on Monday instead of Sunday at noon. We gillnet for salmon in Districts 6 and 8 and have been direct marketing for the last 8 years; we oppose this change. The following table lists issues that were brought forward in these 3 proposals and our comments to each:

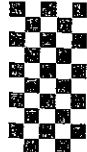
Issues addressed in Proposals #257-259	Our Comments
Sunday openings require fishermen, processors, ADF&G staff and others to work on the weekends.	Fishing is not a Monday thru Friday kind of industry and those working in it realize the often unusual hours.
Conflicts between sport and gillnet fishers	We have seen very little conflict between the two user groups. The majority of the gillnet fleet does not fish for sockeye in the same areas as king salmon are caught.
Increases the risk of damage to gillnets due to weekend boaters.	With current gillnet openings starting at noon on Sundays, most of the weekend is already over. Every type of boat has hit a net at one time or another; weekend boaters don't do a significant amount of damage. Information is available for recreational boaters to understand how to avoid gillnets. Large, illustrative signs explaining gillnetting and other local fisheries inform recreational boaters in Wrangell (and other southeast towns) what to look out for when on the water. In Petersburg, the Alaska Sea Grant Marine Advisory Program hosted a class last spring for recreational boaters that included teaching how to boat around fishing gear and vessels.
Possibly limits direct marketing sales efforts.	This is simply untrue. Proposals would negatively impact direct marketing vessels and other businesses supplying fresh salmon. Fresh salmon sales would be greatly reduced due to the inability to get fresh salmon to markets before weekend sales. (Please see below for more explanation.)

page 1 of 2

Public Comment # 51

RECEIVED TIME FEB. 1. 4:56PM

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The fresh Alaska salmon market is very strong. Much of this is due to the persistent marketing efforts of ASMI (Alaska Seafood Marketing Institute), large processors and direct marketers. Getting fresh fish to buyers, such as restaurants, in time for weekend sales is critical to sustain the demand for fresh Alaska salmon.

If these proposals are accepted by the Board of Fisheries and gillnet openings begin Mondays instead of Sundays, the day to ship fresh salmon would be pushed ahead one extra day in the week. If this becomes the case, our boat, for example, would finish up the newly scheduled opening and arrive back to port Wednesday evening and be available to ship fresh fish on Thursday. Our customers would then be due to receive their fresh fish Friday afternoon. Arriving on Friday is simply too late for restaurants to receive fresh fish and then be able to serve it to their weekend guests. The result would be that our restaurant customers would simply not buy fresh fish from us and we would lose those customers.

We value this public process the Board of Fisheries works thru to ensure our fisheries are sustainable for all users. Unfortunately we will not be available to publicly testify about these proposals nor to further serve on the gillnet committee but do appreciate participating with this written comment.

Please oppose proposals #257, #258 and #259 to ensure direct marketers and other processors can get their fresh salmon to market for weekend consumption.

Thank you for your consideration,

Cynthia Wallesz and George Meintel  
Owners



February 2, 2009

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FEB 2 2009  
BOARDS

I, Ronald L. Martin, FV Red Witch, am a permit holder in Haines, Alaska.  
I strongly oppose proposal 255 & 256.

Thank you

Ronald L. Martin



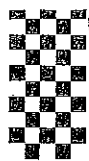
February 2, 2009

RECEIVED  
FEB 02 2009  
BOARDS

I, Shane Martin, FV The Warrior, am a permit holder in Haines, Alaska. I strongly oppose proposal 255 & 256.

Thank you

Shane Martin



February 2, 2009

RECEIVED  
FEB 02 2009  
SOAFLS

I, Travis Eugene Stuart, FV Genevieve, am a permit holder in Haines going on my 23<sup>rd</sup> season. I strongly oppose proposal 255 & 256.

Thank you

Travis Stuart



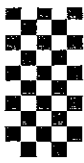
February 2, 2009

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FEB 03 2009  
BOARDS

I, Russ Walton, FV Selah, am a permit holder in Haines, Alaska. I strongly oppose proposal 255 & 256.

Thank you

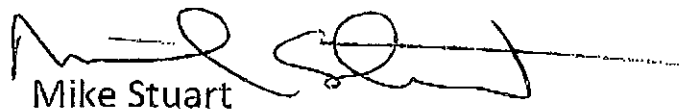
Russ Walton



February 2, 2009

I, Mike Stuart, FV The Keta, am a permit holder in Haines, Alaska. I strongly oppose proposal 255 & 256.

Thank you

  
Mike Stuart



February 3, 2009

RECEIVED

ATTN: BOF COMMENTS  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

FEB 03 2009

BOARDS

**RE: Southeast Alaska Finfish Board of Fisheries Proposals – Proposal 305**

To reduce cost to anglers and guide and lodge operations that provide footgear to anglers, **I suggest that the Board modify the proposal to implement a ban on felt soles over three years.** Felt soles normally wear out over just a few seasons of use so a phase in period should eliminate or reduce any additional cost burden on anglers.

It is also worth noting, felt soles offer poor traction on slick rock, silt and tidal mud, as well as snow and ice that are commonly encountered in Southeast. Felt soles wear very poorly on coastal barnacle-encrusted rocks, compared to traditional rubber or neoprene boots. A large number of resident anglers may not have to replace footgear because many already do not use felt soles.

Since I submitted proposal 305 a few noteworthy things have happened:

- New Zealand voted to ban felt soled waders as of October 2008 to stop the spread of Didymo (rock snot algae) that has impaired trout habitat.
- Trout Unlimited has urged manufacturers to discontinue manufacture of felt sole waders and footgear by 2011.
- Didymo has spread to noted fly fishing waters in Vermont, New York, West Virginia, Maryland, New Hampshire and other states.
- ADF&G has noted in comments on this proposal that Didymo has been found in Haines, Juneau, and Sitka, yet has done nothing to alert local anglers of the risks of them transmitting these to other locations we may travel to.
- To date, ADF&G has not included information to anglers to help avoid infecting waters in the regulations booklet, and has reduced the outreach efforts of its invasive species program – which does not even list Didymo.

Wading with felt sole footgear is identified as a primary (though not the only) vector that has transmitted aquatic nuisance species (ANS) to sport fishing streams. A recent study at fishing access sites in Montana showed that anglers were transporting in aggregate tons

of sediment that can carry invasive and nuisance species, and commonly fish in many different locations. According to Gates (University of Montana 2007):

*"Lightweight waders and felt soled boots were the most prominent types of wading equipment materials used by anglers and myxospores adhered to felt more than rubber and the glass control.. Integration of angler movement patterns and mean sediment quantities transported with angler numbers suggests that anglers in southwestern Montana are potentially moving tons of sediment among fishing access sites every year, thereby making transport of ANS likely... "*

The list of very noteworthy flyfishing destinations streams that have become infected with whirling disease and Didymo is empirical evidence that these problems were likely caused by fly fishers and felt soles are the most likely culprit. The very same anglers who fish these famous waters (Madison River in Montana, Delaware River in Maryland, Battenkill in Vermont to name a few) are likely to travel to fish in Alaska as well. With whirling disease now found in 25 states within the U.S., and Didymo in at least sixteen states, it is likely that many visiting anglers will be bringing microscopic ANS with them and bringing them in contact with our waters – at GRAVE RISK to Alaskans.

Recent economic reports show what we've known all along – that Alaska's sport and commercial fisheries represent billions of dollars to Alaska's economy – likely far more than New Zealand and Montana. Didymo has severely impacted New Zealand's sport fishing tourism just as whirling disease disrupted Montana's famed rainbow trout fishing in the Madison River in the 1990s. With our level of risk much greater and at little or no cost for this preventative measure, it will behoove us to learn from their lessons rather than wait until damage is done. Aquatic nuisance species are nearly impossible to eradicate once they invade a stream.

While banning felt soles will not necessarily prevent spread of whirling disease, didymo and other ANS, it will reduce one primary vector and will result in dramatically improved awareness of these threats and safer fishing practices. I believe that enacting a delayed ban on felt soles is the most proactive and effective measure that Alaska can do to help prevent future problems with whirling disease, didymo, and other ANS, and at the same time help spread awareness of the damage that wading anglers can do.

I urge you to help protect Southeast Alaska waters and help Southeast Alaska anglers avoid irresponsible damage elsewhere where we travel – by amending and passing Proposal 305 to ban felt sole waders in Southeast Alaska by 2011.

Thank you for consideration,



Mark Vinsel  
8750 North Douglas Highway  
Juneau, AK 99801

February 3, 2009

ATTN: BOF COMMENTS  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED  
FEB 03 2009  
BOARDS

**RE: Southeast Alaska Finfish Board of Fisheries - Support for Proposal 316**

Dear Chairman Jensen and Board members,

This letter is in support of Proposal 316, which will restore a no-snag zone on the city dock that was built to replace the former McCauley dock, and in the waters between the dock and DIPAC hatchery. Raincountry Flyfishers members enjoyed the opportunity to catch coho, chum and king salmon from this area before 2002. The no-snag zone that had been in effect since a 1993 Board of Fisheries action was eliminated in 2003 - not through a Board of Fisheries action but through an absence of action to adjust the definition of the no snagging zone to the new city dock. Through this oversight and the conduct of the snagging participants, Juneau fly and lure anglers and families effectively lost access to some of our most productive opportunity.

In the last few years this area degenerated into a situation where many did not feel safe fishing. Concerns were raised in a series of letters to the editor in the Juneau Empire following coho season in 2007:

*"...I have also noticed the so-called "sportsman-like" behavior that seems to prevail in this fishing area. Several times this fall, I've watched as a couple of teenage boys caught a nice salmon, brought it up on the beach, smashed it's head with a rock then kick the fish back into the water. I've seen fish laying on the dock for over a week. There is blood, guts, eggs and gore all over the sidewalk where people have cleaned fish and not bothered to clean up after themselves. When I see people killing fish and then not even bothering to clean them and take them home for use, I begin to wonder if there are any true sportsman left..." (Juneau Empire Letters, October 1, 2007)*

*"...Fishing is pretty much centered on the ramp. A sign clearly says no fishing from ramp citing a city ordinance, yet nobody enforces it. Who is responsible for policing the area? The Alaska Department of Fish and Game? The Juneau Department of Parks and Recreation? Dock and harbor officials? They all claim it's the responsibility of the others. The result is what you see there. A perfectly great harvest area for us without boats has been ruined by poor design to begin with and lack of oversight today..." (Juneau Empire Letters, October 3, 2007)*

*"...DIPAC is no longer a place where community members can come down to enjoy some recreational sport fishing, harvest a few "hatchery fish," take their children, and do so in a safe and friendly environment. In contrast, DIPAC today - due in part to the complete lack of any form of law enforcement - has grown into a full-on snagging war zone that has been taken over by snag anglers. This particular user group shows absolutely no regard to regulations, safety for others, or the respect for the resource that they are ripping out of the water in barbaric fashion with snagging hooks, many times just to kick back into the water. This extreme behavior and form of fish harvesting, complete lack of acknowledgment to laws and regulations, unfortunately has now displaced the opportunities of others in the community to engage in safe and enjoyable recreational fishing opportunities which should be available to "everyone" and not just a select group of irresponsible and negligent snag harvesters ..." (Juneau Empire Letters, October 4, 2007)*



Much of the snag fishing takes place from the gangplank, in blatant disregard of posted signage. More than 100,000 visitors tour DIPAC hatchery during the summer tourist season. The activities described above jeopardize the safety of these visitors and present a poor perception of fishing in Alaska. The City and Borough of Juneau noted the safety and wanton waste concerns in drafting the proposal.

Raincountry Flyfishers does not intend to deny snaggers opportunity – we support that snagging continue to be allowed in area beyond the dock, about five times the area of the proposed no-snag zone, with an elevated walkway from which to sight fish along the parking area. This area has been an effective area for snag fishing and offers ample opportunity.

To restore opportunity to fish for DIPAC fish to anglers that do not snag, Raincountry Flyfishers asks that you approve Proposal 316. Raincountry Flyfishers is a Juneau based recreational club of fly fishers who fish on the Juneau road system and beyond.

We appreciate your consideration of our comments.

Sincerely,

Mark Vinsel  
Vice President  
Raincountry Flyfishers  
Juneau



# SEAFOOD PRODUCERS COOPERATIVE

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

February 3, 2009

Board Support Section  
Alaska Dept. of Fish and Game  
John Jensen, Chair  
1255 West 8<sup>th</sup> Street  
Juneau, AK 998011-5526

Fax: 907-465-6094

RECEIVED  
FEB 03 2009  
BOARDS

RE: SE Finfish Proposals – Feb. '09

Chairman Jensen and Board of Fish Members,

The over 500 fishermen owner members of the Seafood Producers Cooperative (SPC) are each part of an Alaskan commercial fishermen's trade association and has been a vital part of seafood production in our state since 1944. Alaskan trollers make up over 350 of our members and we offer our full support to the positions and the efforts of Alaska Trollers Association. Our members will be at your upcoming meeting in Sitka to blend our effort with Alaska trollers to achieve our mutually desirable, beneficial, and essential goals. Our co-operative has been a tireless ally of many Alaskan Fisheries Associations, on a broad array of fisheries issues and challenges for the last 75 years.

SPC submitted and supports #296 to define sportfish gear. We will have members at the meeting able to speak to this issue in depth.

Specifically we support proposals 227, 228, 230 and 231. The troll catch to date of surplus Taku and Stikine River Chinook salmon falls behind the Alaskan agreement we worked with during treaty negotiations to redevelop those fisheries (gillnet and troll) together. Troller's time and area is currently insufficient to effectively and meaningfully return to our historic and traditional harvest.

Alaska's recreational fish possession limit is meaningless as interpreted today in Alaska. Processed fish cannot be identified in an individuals possession limit. An enforceable possession limit is essential, and the need to resolve the issue of this monster loophole is not new! Numeral accountability and reasonable enforceable bag and possession limits are vital since we sell over 80,000 non resident sport fish licenses in Southeast now. We support proposals 286, 288, 289, 308 and 310-313.

We oppose proposal 334 and 335 or any other changes to the lingcod management plan.

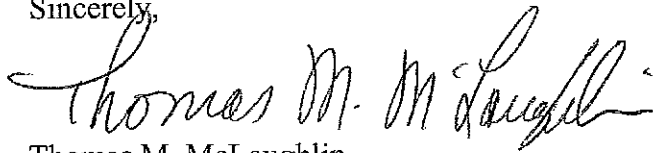
We oppose any change in the existing enhancement and the Southeast Enhanced Allocation Plan: particularly we oppose proposals 244, 245, 246 and 269.

Public Comment # 55

We will convey our positions on other proposals in oral testimony and in assigned committee work.

Our owner/members will attend the Sitka meeting and provide information and experience in their testimony and serve on established committees.

Sincerely,

A handwritten signature in cursive script that reads "Thomas M. McLaughlin".

Thomas M. McLaughlin  
President/CEO  
Seafood Producers Cooperative

January, 17 2009

Max Worhatch IV  
12923 117<sup>th</sup> St. E.  
Puyallup, WA 98374

John Jensen, Chair  
Board of Fisheries  
P.O. Box 115526  
Juneau, AK. 99811-5526

RECEIVED  
FEB 03 2009  
BOARDS

Dear Mr. Jensen:

My name is Max Worhatch IV. I have been a permit holder and vessel owner in the southeast Alaska gillnet fishery since 1982. I am also involved with Dungeness crab, and halibut, on a regular basis, and occasionally other fisheries as opportunities arise. I hold the Seattle seat on the United Southeast Alaska Gill-netters board. It should be noted that the views expressed here are my own and not USAG's. I would like to thank the board for allowing me this opportunity to express my opinions on this proposal, 256.

Proposal 256 addresses an issue I have been concerned with for some time. There are at this time, 475 limited entry permits in our fishery. In 2008, 395 were active. Active in this case means making one or more deliveries. A fair number of these active permits are really very inactive in the actual gillnet fishery. Many are involved in the Dungeness fishery, and only fish salmon a small number of openings a season. A poor Dungeness season due to either market or poor fishing, will increase the activity of these permits. It is also important to note that the population of sea otters is growing an estimated rate of 20% a year. Dungeness fishermen have already lost large areas of production due to sea otter predation. We expect to lose more. Another chunk of these permits are taking off from gillnetting to pursue halibut for good stretches of the salmon season. With our decreased quota in are 2c, these permit holders will catch their quota faster, or before or after the gillnet season to maximize their income potential. Many gill-netters are also trollers who also take time out of the gillnet season to pursue king and Coho salmon. A lower king salmon allocation and a poor Coho run, could lead to these vessels spending more time with a net on their drum. If any or all of these scenarios played out in a single season, the 395 "active" permits seen in 08 would cause increased congestion on the grounds and a decrease in the average gross stock of the fishery. One of my concerns regarding these active permits is the number is growing every year. Market conditions have improved immensely the last few seasons and as a result, more permits are becoming active.

The driving force in the gillnet fishery is chum salmon. The increased value of these fish, and the opportunity to harvest volume is why more permits are becoming active. The gillnet fleet is targeting enhanced chum salmon at an unprecedented rate. That is where the money is at, and being economic opportunist, that is where we go. Unfortunately, the gillnet fleets chum obsession has helped create an imbalance in the enhanced fish allocation. As more permits become active, coupled with the seine fleets buy back program and decreasing fleet, the imbalance could become even more severe.

There is no question that this proposal will make the fishery more viable. If you buy a permit and fish more gear, you will catch more fish than you did before, thus increasing your bottom line. Vessels fishing two permits will more than likely hire an additional deck hand. Being a deckhand on a gillnet boat is and has been an entry level job into the industry of commercial fishing for years. As businesses mature, profits will be put back into the business, improving efficiency, and quality of the product. This also allows a permit holder to grow his business within a fishery in which he is already invested. With an additional permit and a small amount of gear, he can improve his productivity and thus his bottom line. I have heard in the course of conversations of something called the "graying of the fleet." what is really graying in our fleet are the vessels. The cost of building a new vessel has increased beyond what most fisheries can justify. As a result, the boats that make up our fleet are faced with expensive rebuilding projects, requiring capital.

Public Comment # 56

RECEIVED TIME FEB. 3. 7:35AM

PRINT TIME FEB. 3. 7:38AM

When a business is profitable, money is spent to maintain or improve a vessel. With refrigeration incentives available from most processors, fishermen will upgrade to RSW systems, thereby improving quality. The high price of fuel will be incentive to buy more fuel efficient engines. This proposal will take some vessels out of the fishery, but the vessels that remain, will be viable. It seems that it would be better to have less boats in a fishery that are viable, than more boats that are merely marginal.

I think that implementing this proposal would be a boon for processors also. Viable businesses invest in equipment. With financial incentives for refrigeration, profitable permit holders will invest in it, producing a more uniform, higher quality product. Less #2's means more #1's, which of course means more money. As the fleet size decreases over time, less tenders will be needed, and as refrigeration becomes more prevalent, less ice. This will reduce the processors overhead significantly, and will increase both processor and fishermen's profits.

At the gillnet task force meeting in Juneau this fall, ADF&G officially came out against this proposal. While there will be some impacts on the department, I would think they would be minimal. The CUPE would be somewhat affected, but adjustments could be made for any additional gear. CUPE would have to be formulated in 100 fathom increments, or some such thing. I assume they would be able to adjust as they don't have any problem managing the seine fleet with all its different depths of nets. One ADF&G employee mentioned that it could cause a large actual increase of gear than what is being fished now. I suppose that is true, assuming that all the idle permits were bought up immediately and put into the fishery as dual permits. It would lead to a net increase. The only problem with that line of reasoning is that the possibility exist right now for even more gear if all 475 permits became active on separate vessels. This same employee also said that it probably would drive up permit prices, making it harder for people to buy in. I don't know when F&G became social engineers, but most people realize that the price of a permit is somewhat indicative to what a fishery is worth. If somebody has to pay more to get in, it probably means there is some opportunity to make money. In any case, it isn't the business of ADF&G to worry about who is fishing and why. They are just supposed to manage our fishery on the fish end. I would think that with a smaller amount of gear and a smaller fleet, it would be easier to manage. Since we are gillnetting, and have to pick the fish out one at a time, we aren't going to make ourselves much more efficient than we are now.

In the course of my gillnetting career, I have always felt there were too many boats. I suppose that is a natural reaction when you have to compete for fish. The great thing about this proposal is that it is an alternative to a buy back program. It uses no public money. The people who buy the extra permits will be rewarded financially through their ability to harvest more fish. The people who choose not to invest, will also gain financially, though not as much, through a reduction in the fleet size and the amount of gear being fished. Both the investor and non-investor will benefit through higher permit values. It has been argued that higher permit values will make it harder for prospective investors. Since a permits value is somewhat indicative of the value of a fishery, I don't see how this argument is relevant. People won't be able to sell their permits if nobody can afford to buy them. It is that simple. I have also heard mentioned "entry level fishery." This phrase gets thrown around with different fisheries all the time. Since there seems to be no official designating agency for categorizing such fisheries, I think it is best to recognize that all fisheries are "entry level" to some degree. If the fleet were studied closely, I think the finding would be that most permit holders are not just in it to launch a career, but have held and plan to hold their permits for some time.

Another benefit of this proposal would be that it could help reduce interactions with sea mammals and other wildlife. It should also reduce conflicts with sport and other traffic, such as tugs with tows, cruise ships and state ferries.

If this proposal were to be adopted as written, there are some things to keep in mind. The first that comes to my mind is that these permits that are stacked should remain separable. If gill-netter Bob buys another permit to take advantage of this, those permits should be combined as one with a special designation indicating that it is a dual permit. Bob would pay two renewal fees, as he is using two permits. When Bob gets old and wants to retire, he should be able to sell one or both as he sees fit. I think this is important, as it will keep a steady flow of permits available to both new investors and investors who wish to up-grade to two permits. This will also allow the fishery to develop in a natural way based on economics. If we go



through another salmon recession like we did in the early part of this decade, permit prices will drop. The fishermen who stay in will buy up the cheap permits to make themselves more efficient. If the fishery becomes profitable again, and people retire, they will only be able to sell their permits as the market dictates. If the prices are high, some permits that were tied up as dual, could become single again. One of the arguments against this proposal is that it would create two classes of gill-netters. While this is true to a certain extent, it is also true that any gill-netter can up-grade, and by leaving the permits separable, gives more opportunities for this to occur.

Proposal 256 has been designated a re-structuring proposal for good reason. I think as it is written, with the permits left separable, has real benefits to fishermen and just about everybody else I can see in the big picture, with very little, if any negative impact. While there may be some perceived pain on some peoples part, I think that in the long term, this proposal is a flexible tool that will allow this fishery to evolve in an efficient and market driven manner. Again, thank you for allowing me this opportunity to comment on this proposal.

Respectfully your,

Max Worhatch IV

3/3  
RECEIVED TIME FEB. 3. 7:35AM

Public Comment # 56  
PRINT TIME FEB. 3. 7:38AM

Ryan D. Kapp  
955 Colony Ct. Bellingham, WA 98229  
(360)714-0882 (360)671-0209fax

February 2, 2009

To: Alaska Board of Fisheries  
Mr. John Jensen, Chair  
PO Box 25526  
Juneau, AK 99802-5526

RECEIVED  
FEB 03 2009  
BOARDS

Re: Support of Proposal 86  
5 AAC 33.xxx. Maximum Length of Salmon Seine Vessel.

Dear Mr. Chairman and Board Members,

I have fished salmon and herring all over the State of Alaska and have fished many other species up and down the West Coast for the last 22 years. I would like to encourage the Board to support proposal 86 which would eliminate the 58 foot length limit on salmon seine vessels in Southeast Alaska.

The Salmon Industry Restructuring Panel submitted a report and recommendations to both the Alaska Board of Fisheries and the Alaska State Legislature (Jan. 2006). The "Goal Statement" (sec. 3.1) contains the following text:

"Within various salmon fisheries, the cost of doing business is not always supported by the market value of the production using current management approaches to harvesting. As a result, the status quo may provide and inadequate return on investments and may not provide enough capital to renew the equipment, vessels, and processing facilities needed for the commercial enterprise. In some fisheries the current management approaches to harvesting salmon may not provide the desired level of management flexibility and effectiveness. Therefore, new processes and procedures may be needed to entertain restructuring options for Alaska's commercial salmon fisheries."

Currently, the status quo salmon seine fishery in Southeast Alaska is not providing an adequate return on investment. This is evidenced by the aging of the current fleet and equipment presently used in the fishery. The salmon business is nowhere near maximizing its potential. This industry stagnation is evident in a lot of ways:

- There has been little to no innovations on product quality since RSW.
- There have been few rule changes in prosecution of the fishery.
- Average gross vessel revenue is down while expenses are up and increasing.
- It is harder to find good experienced crew members for the salmon fishery.
- Many long time participants have left the fishery.

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Public Comment #

57

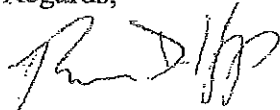
- There have been no vessels built solely for seining in Southeast for over a decade. New construction costs have increased so much that the salmon fishery alone does not produce enough revenue to encourage investment. Other fisheries such as longlining and emerging pot cod fisheries are now the economic driver of new vessel construction.

In the interest of improving profitability and economics of the salmon fishery the limitation on seine vessel length must be removed. Doing so would improve the pool of vessels available to the fishery as now there are extremely limited options available for upgrade. Additionally, it would allow for vessels to be modified by adding length to improve the vessels efficiency and safety. Allowing longer vessels allows for new ideas and exploring areas of marketing that are not possible with the current length limit.

One of the biggest obstacles to repealing this regulation is individual perceptions of what will happen if "big boats" are allowed into the fishery. Some are fearful of change in a fishery that has stayed the same for decades. They feel the change will affect them in a negative way instead of seeing the positives. Some don't want to take part and would hold others to their level instead of realizing what the change would open up for them. In discussing an issue of this nature, education is paramount. The following documents will show Proposal 86 is necessary by demonstrating the decrease in the salmon seine fishery and examining and diminishing the negative views of this proposal. The cons ADF&G states in their comments will also be addressed.

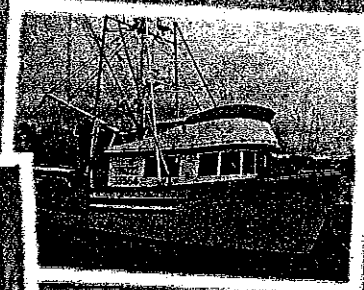
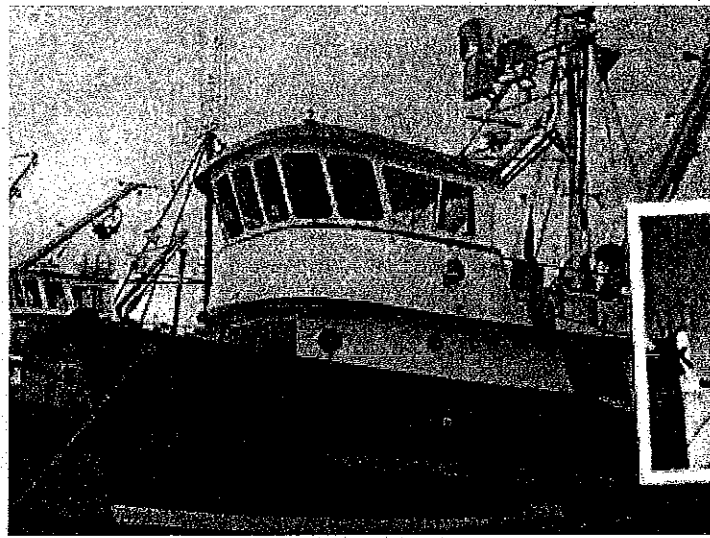
The 58 foot limit on seine vessels is unnecessary in today's Southeast salmon fishery. Thank you for your time in consideration of this important matter.

Regards,



Ryan Kapp

# How is Vessel Value Determined?



*Seiners all have different characteristics that give them different values*

## Boats will not lose value if the 58 foot limit is lifted.

Before assuming repeal of the 58' limit will make your boat lose value first determine what it is that makes your boat have value to begin with and why that value makes sense.

Fishing vessels are all unique.

In order to determine somewhat accurate vessel value some of these questions have to be answered: What fisheries does the boat participate in and what others could it participate in? How old is the boat? How has the boat been maintained in recent years? Has anything been upgraded on the boat to add more value? What condition is the engine in? What does the boat pack? Is the electronics package modern or basic? What kind of accommodations does the boat have? Is there anything extra included with the vessel to add value such as a skiff, net, gear, or permit? Where does the boat rank among

others of similar, more, or less age and function?

The above questions are what determine a vessels value not the prospect of bigger boats entering a fishery because who knows what the answers to these questions would be for those vessels. Allowing vessels greater than 58 feet into the SE salmon seine fishery has no bearing or influence over values of currently participating vessels.

Having the ability to use a vessel over 58 feet does not mean vessels over 58 feet will be better than status quo.

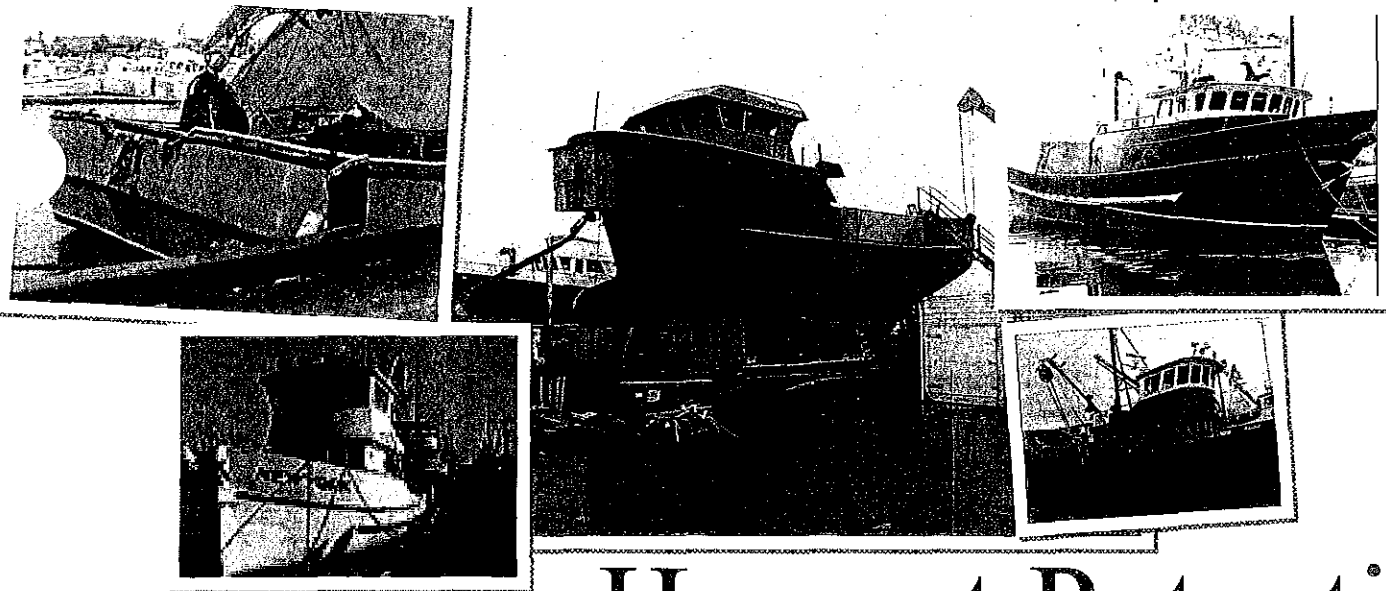
Lots of Alaska fishermen use boats that are less than 58 feet. Every salmon seine fishery in the state contains vessels that are different sizes. Fishermen will still buy and sell boats based on their current needs and, in turn, vessels will have different values based on those specifications.

Boats are simply a tool that is used to do a job.

Fishing, like other businesses, has individuals that require certain tools to do the job each wants to do. Some fishermen wish to fish shorelines that require boats of shallower draft. Some want more maneuverable boats to fish in tight areas. Others want more horsepower and speed in order to beat their competition and get the best set when the fishery opens.

**The restriction on vessel length alone does not determine value. Other criteria are much more significant.**

If it were the case that allowing larger length vessels into the salmon seine fishery would drive down values on the smaller 58 foot and less length boats, it would have already been taken place with the sponsoning and construction of vessels today.



# Harvest Potential

Length really doesn't mean much.

*If Proposal 86 were adopted, permit holders who could take advantage of the new length allowances may have greater harvesting potential than permit holders using shorter vessels.*

## **Harvesting potential = Vessel Capacity**

**Capacity was never part of the 58 foot limitation on length.**

The present day 58 foot regulation is the out growth of past regulation. It was never a constriction on capacity. If it were, the regulation would have also applied to the width and depth of the vessel. Salmon vessels have been held to 58 feet but have grown in both width and depth. Today vessels are being constructed with widths of 25 to 29 feet and depths of 11 to 13 feet. This is a far cry from the seiners of fifty years ago. Capacity is a function of length, width, and depth. The few 58 foot vessels being built today actually have more capacity than many older vessels of greater length due to the longer vessels lesser width and depth. If length of a vessel equals harvesting potential then the shorter vessels now fishing would have a history of lesser catch. They don't.

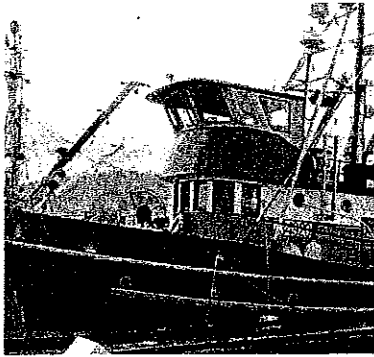
## **Everyone has the same net in the same area for the same amount of time.**

ADF&G manages the fishery with tools such as net restrictions, area restrictions, and time restrictions. Every fisherman, regardless of vessel length, would still be required to operate within the same set of rules. The Department noted in past meetings that they could still effectively manage the fishery if the limit was repealed.

## **Larger vessels do not have an advantage fishing in rough weather.**

At their 2006 meeting the Board of Fisheries stated concern that a larger vessel had potential to fish in more inclement weather in District 4. For a seine to be fished effectively it requires a little finesse. The net catches the fish, not the boat. Larger boats may be safer in rough seas but they still have the same difficulties operating a seine when weather is not cooperative. Larger boats catch more wind and are harder for a skiff to assist when weather conditions worsen. The boat drifts faster which causes the purse line to "fly" greatly reducing the nets ability to catch fish. If anything a bigger boat is more likely to break things in these conditions than a smaller, more agile, vessel.

The following vessel comparisons are done using the simplified method for calculating capacity:  $\text{Length} \times \text{Width} \times \text{Depth} \times 0.0067 = \text{Vessel Tonnage}$ .

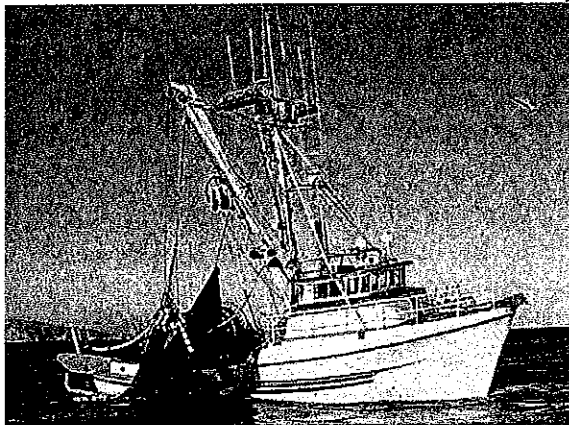


Vessel built: Pre - 1940  
 $58 \times 14.5 \times 6.4 = 5382$   
 $5382 \times 0.0067 = 36$

36 tons

Vessel Built 1966  
 $58 \times 17 \times 7.5 = 7395$   
 $7395 \times 0.0067 = 50$

50 tons

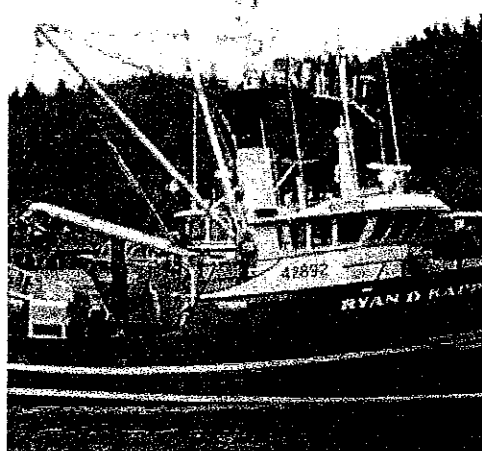


Vessel Built 1979  
 $58 \times 19 \times 9 = 9918$   
 $9918 \times 0.0067 = 66$

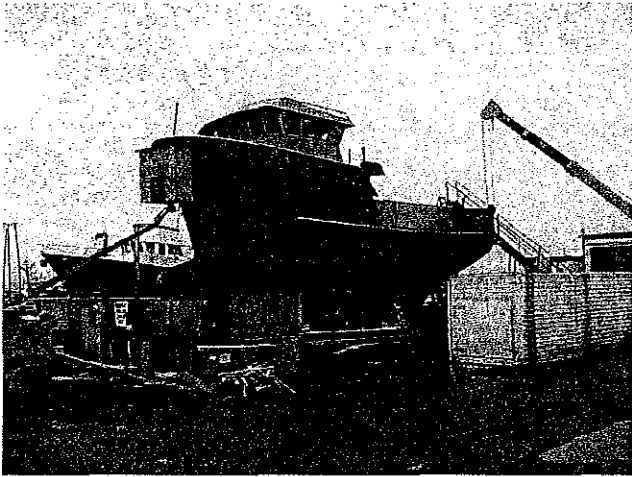
66 tons

Vessel Built 1981  
 $58 \times 22 \times 10.5 = 13398$   
 $13398 \times 0.0067 = 90$

90 tons



COMPARISON OF VESSEL CAPACITIES - Sheet #2

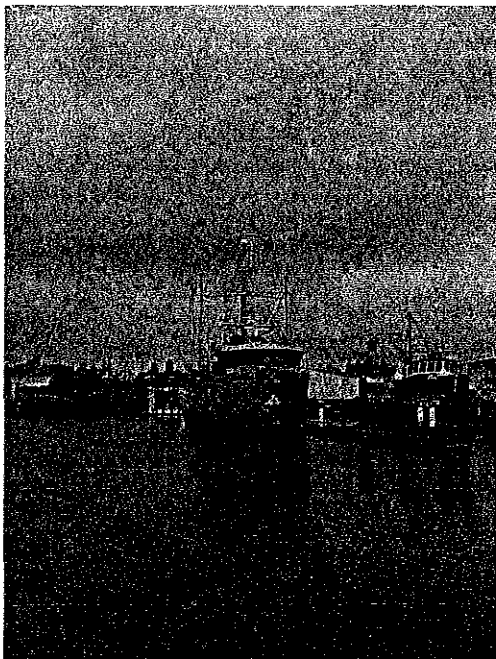
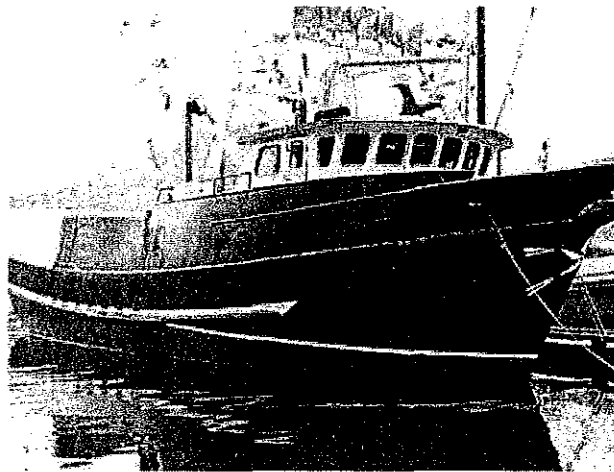


Vessel Built 2008  
 $58 \times 25 \times 12.5 = 18125$   
 $18125 \times 0.0067 = 121$

← 121 tons

Vessel Built 1981  
 $65 \times 22 \times 10.5 = 15015$   
 $15015 \times 0.0067 = 101$

101 tons →

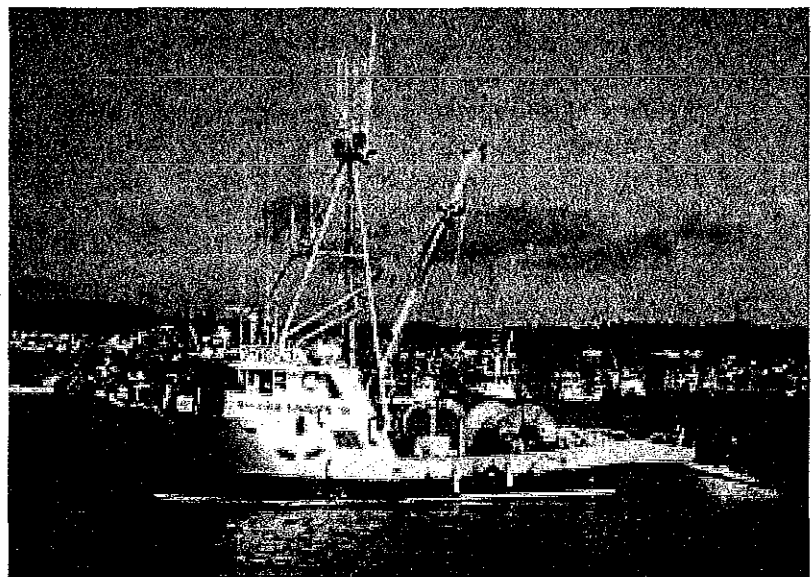


Vessel Built 1976 / 1989  
 $65 \times 21.5 \times 8.9 = 12438$   
 $12438 \times 0.0067 = 83$

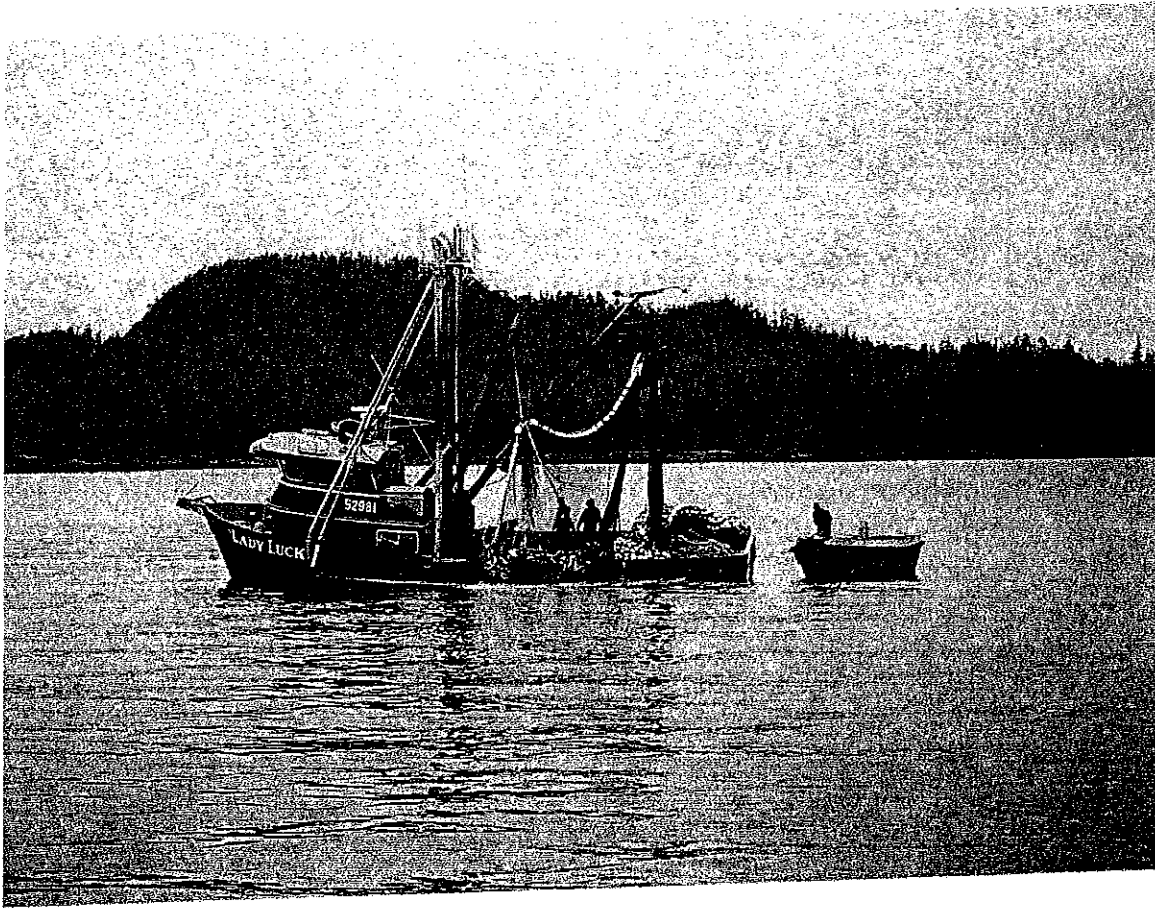
83 tons →

Vessel Built 1989  
 $73 \times 23 \times 9.8 = 16454$   
 $16454 \times 0.0067 = 110$

← 110 tons



# PROCESSORS NEED BOATS



**“Longer boats with greater capacity may result in processors using fewer boats to catch and tender the same amount of fish.”**

If the 58 foot limit is removed there will not be an immediate change in the fleet make up.

The current regulation has been in place for well over half a century. It is irrational to think that the fishery will be “overrun” with large capacity vessels taking fish from the smaller vessels at the pleasure of the processor. Processors will always need boats to catch fish for them. In fact, many processors in Southeast Alaska are looking to expand their fleets. There will be a need for many vessels,

regardless of size, well into the foreseeable future.

Processors can only handle so much volume regardless of the amount of vessels they employ.

Processors, when determining fleet size, typically would employ more fleet capacity than what they are able to process. In years of low run size processors need as much fish as possible to process. More vessels means more nets in the water and a better chance of getting more fish. When the run comes strong the fleet is put on limits to match the daily ability of the

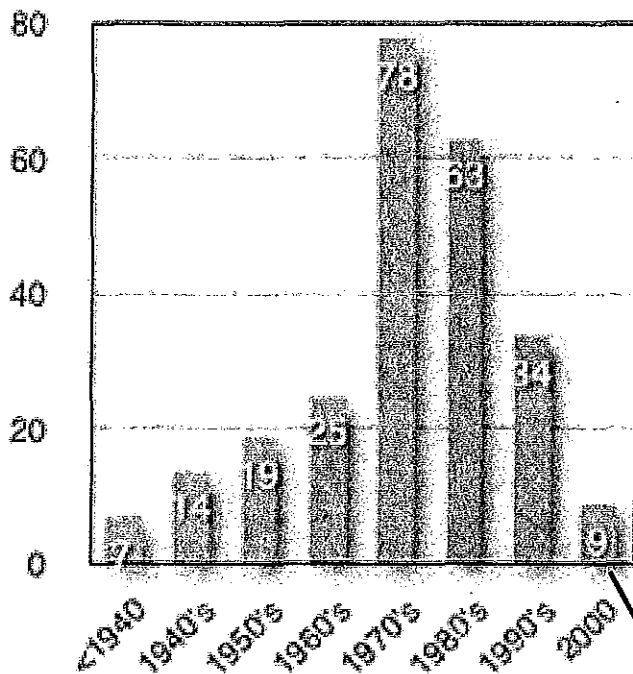
company. The size of boat bringing fish to them is irrelevant as the limits are the same.

The long term health of the tender fleet is a separate issue but the trend is obvious.

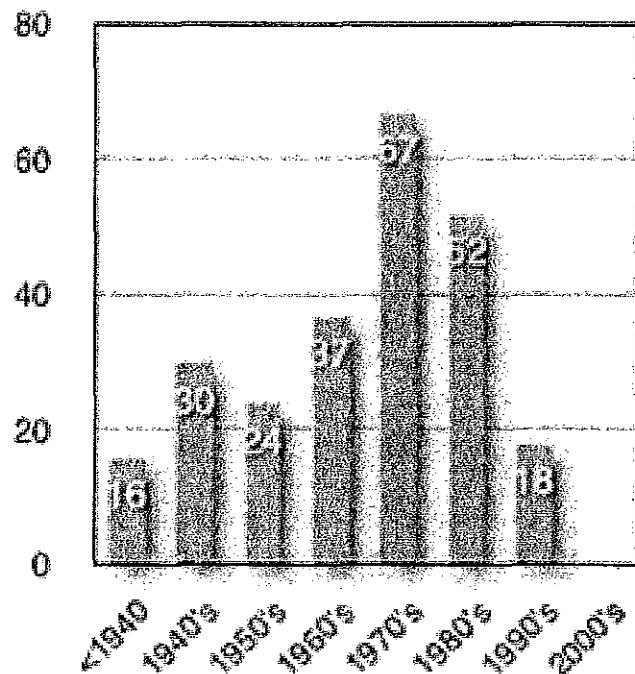
Tender fleets are declining and no vessels brought in to replace them. Rationalization and buy back programs took a lot of tenders out. Accidents and age are taking the rest. Buyers are competing aggressively for tenders every year. In the last decade tender coverage has noticeably decreased. Many companies



■ 58' Vessels Statewide



■ 49 - 58' Vessels Southeast



Vessel Construction is Declining

The charts above show that there has been a severe decline in 58' vessel construction as well as vessels in the 49 - 58 foot range that seine in Southeast Alaska.

Vessel construction peaked in the 1970's and 80's and has been falling since then.

So far in the last decade only nine 58' vessels have been built. The table at right shows them. Only 2 of the 9 are registered to fish for salmon and neither one is in Southeast.

Although one vessel is under construction and anticipated to fish Southeast, there have been no vessels in the 49 to 58 foot range constructed in this decade to fish salmon in Southeastern Alaska.

Source: CFEC Spreadsheet of 2008 commercial vessel licenses available on internet.

Year Built	Sal. Reg. Area	Seine	Longline	Pots
2008	N/A	NO	YES	YES
2008	N/A	NO	YES	YES
2008	AK PEN	YES	YES	YES
2007	N/A	NO	YES	YES
2006	N/A	NO	YES	YES
2003	N/A	NO	YES	YES
2002	PWS	YES	YES	YES
2001	N/A	NO	YES	YES
2001	N/A	NO	NO	YES

### Southeast Fishery Value, Inflation, and Purchasing Power

The Alaska Department of Fish and Game staff comments report (No. 1J08-24) presents two charts on page 159. These charts show seine harvest and effort along with Southeast purse seine fishery value. In looking at these charts it is easily seen that effort has declined by approximately 35% since around the year 2000. Earnings per vessel peaked in 1989 and bottomed in 2002. Vessel earnings have been increasing since 2002 until lessening in 2008.

Has the value of Southeast's average earnings per vessel really been improving?  
When the chart is adjusted for inflation what do the values represent?  
Is the revenue derived from the fishery keeping up with the cost of equipment?

#### Average Earnings:

In 1986 and 2008 the average earnings per vessel were about \$150,000.00.

The Consumer Price Index (CPI) in 1986 was 109.6 and in 2008 it was 215.30 or roughly double the amount in 1986. Consequently when measuring the purchasing power of those dollars the \$150,000.00 value in 1986 equates to \$294,666.51 in today's dollars.

Note: It is understood that the business of fishing doesn't get cost of living increases or any other inflationary bonuses or compensations that are associated with many other businesses and their employees but the fact remains that when inflation is calculated into the fishery value the fishery is not growing like it should be.

Understanding inflation and purchasing power can also help us understand why no new vessels are being constructed for the salmon fishery:

In 1979 a fisherman could get a 58' vessel that was really well equipped for around \$550,000. The average vessel earnings in Southeast that year were around \$70,000.

In 2008 that same boat would cost \$1,631,757 and the average vessel earnings are around \$160,000. Unfortunately, the increase in the vessel price only calculating inflation is not entirely accurate because the costs of vessel construction have increased even more than the CPI. New construction on a 58' vessel today that would be comparable to one in 1986 would easily be over 2 million dollars.

The cost associated with acquiring a new vessel has greatly outpaced the value derived from the fishery.

Where will the fishery be in another 30 years????



# Sitka Sportsman's Association

P.O. BOX 3030 • SITKA, ALASKA 99835

January 31, 2009

Alaska Department of Fish and Game  
Boards Support Section  
Attention: BOF Comments  
PO Box 115526  
Juneau, AK 99811-5526

RECEIVED

FEB 03 2009

BOARDS

Re: Support for Proposal 203 – Board of Fisheries

While Sitka Sportsman's Association recognizes the Sitka community economic impact of the annual spring herring harvest in this area, our Board of Directors and members attending our Annual Meeting on January 19, 2009 have discussed and voted to express to the Board of Fisheries our concern about levels of herring stocks in this area.

Although we are not experts in fishery biology or economics, we can testify to personal observations of diminishing herring abundance in the Sitka area.

This is of special concern to Sitka Sportsman's Association as the sponsor of the annual Sitka Salmon Derby—our 54<sup>th</sup> Derby is scheduled May 23-25 and May 30-31, 2009. We depend on a substantial return of king salmon of good size to promote interest in the derby and provide funds for attractive prizes through the sale of salmon entered by participants. Our success each year is restricted by king salmon bag limits imposed by Alaska Department of Fish and Game regulations.

We believe there is a direct relation between the abundance of herring in the Sitka area and the quantity and size of king salmon and other valuable fish in these waters. Sustainable herring stocks are impacted by the quantity of herring harvested before spawning. We know that other communities have lost their herring stocks because of over-harvest.

We therefore urge the Board of Fisheries to review scientific evidence and take such measures which can restore herring abundance in the Sitka area. Capping the guideline harvest level at 10,000 tons would seem to be a good step in that effort.

Foy J. Nevers  
President

Public Comment #

58



## Comments On Proposals 255 and 256 (Gillnet Specifications and Operations)

Board of Fisheries:

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FEB 03 2009  
BOARDS

I do not believe that either of these proposals have any merit and should not be implemented for the following reasons:

1. The limited entry system was created to give every fisherman equal access to the resource. By establishing this equal access, the maximum number of fisherman and families benefit from the resource all over the state instead of a few fat cats whose greed is obvious from the way the proposals are written. They want longer nets and more time then the average fisherman at the expense of the resource and other fishermen.

2. More fishing time than single permit holders is simply poor resource management to start with and will be more complicated to manage and enforce. You do not create a more viable and low impact fishery by increasing net lengths and fishing time for the rich.

Lowell Ellis  
FV Peggy IV  
Permit # SO3A 55793 M  
Box 1402  
Haines, Alaska 99827  
(907) 766-3160



Attn: BOF Comments

Board support section  
Alaska Dept of fish & game  
PO BOX 11526 JUN 99811-5526

RECEIVED

FEB 04 2009

BOARDS

Views on proposals 255 - 256  
oppose

- 1 The proposal would be detrimental to smaller fishing vessels
- 2 net length should be left to F&G in terminal areas
- 3 as for fuel saving with fewer boats you probly find there would be larger boat useing more fuel than the savings by loss of ~~smaller~~ smaller boats

Views on 258 Support

- 1 We operated for years on Mon openings. The changes were to help the processors. Many hoped their prices would show this change but I have never seen indication of it.
- 2 personally I would like Mon openings.

RECEIVED TIME FEB. 2. 6:54PM

Public Comment #

60



February 2, 2009

Board of Fisheries  
Box 115526  
Juneau, AK 99811

RECEIVED

FEB 03 2009

BOARDS

Dear Board of Fisheries Members:

I am writing to endorse some of this year's Southeast Finfish proposals and ask for your support. As a lifelong troller/longliner, I have a tremendous personal and professional interest in protecting our resources and industries. I've been proud to provide the highest quality hook-and-line caught wild seafood to consumers, proud to contribute to our local and national economy, and proud that Alaska has demonstrated such careful management of our salmon stocks. I am incredibly thankful to have the job that I do.

Fishing out of Sitka for the past 24 years, I have observed the growth of the animosity between the commercial and charter fisheries. This rift has been a disappointment: we are all businesses dependent on the health and bounty of the sea, and our communities suffer as a result of this division. To ensure equanimity in our catch monitoring and enforcement practices, the charter fishery must be regulated to the same extent and standards as the commercial industry has been.

To that end, I respectfully urge the Board of Fisheries to vote **YES** on these proposals:

**Proposal 222:** Amend regulation to close guided sport fishery in areas of high Chinook abundance during years of low overall abundance – **YES**.

**Proposal 286:** Amend definition of Southeast possession limits – **YES**.

**Proposal 288 and 289:** Require non-resident anglers to have a non-transferable harvest record in possession when angling for coho salmon – **YES**.

**Proposal 296:** Amend the regulation to define allowable sport fishing gear – **YES**.

**Proposal 311 and 312:** Allow enforcement access to vessels, lodges and processing facilities to effectively monitor charter catch in Southeast – **YES**.

Additionally, I urge the Board of Fisheries to please vote **NO** on **Proposal 225**, which seeks to double the sport bag limit for king salmon in all hatchery troll access corridors. Commercial king salmon quotas have experienced significant cuts in recent years. In a time in which our king salmon stocks necessitate such protections, no group should be eligible for doubling their take. Please vote **NO** on **Proposal 225**.

RECEIVED TIME FEB. 3. 8:55AM

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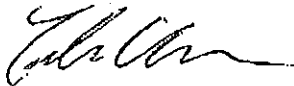
Public Comment #

61

Regretfully, I will be unable to represent these views in person at the meetings this month, as my father-in-law will undergo open heart surgery on February 18. I am grateful that the Board of Fisheries is open to letters and testimony on these issues, which will determine the economic well-being of so many of us – commercial and charter business alike.

We are all equally responsible to protect the future of our livelihood, and equal management mandates are a necessity to ensure that we are all serving as the best stewards possible for our shared resources. I thank the Board of Fisheries for remembering this during this year's decision-making process.

Sincerely,



Tele Aadsen, F/V Nerka  
507 Katlian  
Sitka, AK 99835  
tele\_aadsen@yahoo.com



3 February 2009

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

VIA FAX: 907.465.6094

RECEIVED  
FEB 03 2009

BOARDS

Re: **Finfish Proposals 223 and 322**

I originally came to Alaska in 1954, and moved to Petersburg in 1961.

I first entered the commercial Salmon trolling fishery at the age of 12 in 1964, nearly 45 years ago, and have been a power troll permit holder since 1976.

I support **Proposal 223** which would enable resident sport fishermen to use two sport rods during the winter months. Short days and inclement weather can cause residents to have limited potential to harvest King Salmon. Harvest rates would be controlled by the daily bag limit.

I am opposed to **Proposal 322**. The present closed area was originally imposed by ADF&G as a conservation closure in 1964. This proposal will re-open the terminus of the Stikine River to commercial hand trollers using four sport rods, and to power trollers, both without a bag limit.

Resident sport fishermen are allowed one sport rod with a one fish bag limit this winter.

This proposal will reallocate winter King Salmon away from resident sport fishermen in favor of commercial fishermen, and is not justified.

The Petersburg Vessel Owners Association (PVOA) is against this proposal, and the Petersburg Fish & Game Advisory Committee voted unanimously (0-13) against Proposal 322.

I urge the Board of Fish to support local resident sport fishermen by voting in support of **Proposal 223**, and against **Proposal 322**.

Respectfully,

Charles E. Wood, Captain  
F/V Talon  
P.O. Box 383  
Petersburg, AK 99833-0383  
907.772.3480

Public Comment # 62

RECEIVED TIME FEB. 3. 9:03AM



Paul Joseph Menish  
PO Box 33  
Petersburg, AK 99833  
907-518-0777  
February 2, 2009

RECEIVED  
FEB 03 2009  
BOARDS

ALASKA DEPARTMENT OF FISH AND GAME  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
(907) 465-4110  
(907) 465-6094 FAX

Dear Board Members:

The purpose of this letter is to state my opposition to proposals 255 and 256.

In regard to proposals 255 and 256; these proposals if passed will create a disadvantage to permit holders whom are unable to purchase a second permit, which are currently valued at \$56,900.00. The unequal access to resource stocks and fishing grounds will create division among permit holders by consolidating the wealth and control of the industry into fewer hands. With less permits on the market we will most likely see a rise in the price of a S.E. drift permit thus discouraging new individuals from investing in an entry level fishery at a time when there are already concerns with the "graying of the fleet".

In regard to proposal 256; there are currently 475 total S.E. drift permits, 21-25% of these have been inactive since 1980. If this proposal was to pass we would most likely see these inactive permits purchased for stacking purposes. This would increase the amount of gear in the water in districts 11 and 15, place strain on fragile stocks, increase the need for additional enforcement, and require revamped management.

In regard to proposals 255 and 256; the language regarding environmental impact and financial benefits is quite disingenuous. I am fairly certain that having more time or gear by reason of permit stacking will not positively impact ocean acidification as implied in proposal 255, nevertheless it may have a negative impact on future escapement goals. With unpredictable oil markets there is just no way to foresee fuel costs from season to season, proposal 256 states fuel will approach 25% of gross income and that S.E. drift fishermen will be forced to expand. To spite fuel prices, expansion is common practice in the fishing industry.

Thank you for taking my opposition to both of these proposals into consideration.

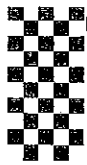
Sincerely,



Paul Menish  
Salmon Drift Net Fisherman  
Permit# S03A56136Z-71781  
F/V Hi Nikki

Public Comment # 63

RECEIVED TIME FEB. 3. 9:24AM



RECEIVED  
FEB 03 2009  
BOAF

Feb 2, 2009

ATTN: Board of Fish & Game comments.

I am totally against Proposal 255 & 256. I started gillnetting in the early 70's with my Dad. I got my own permit in the early 80's. Things have worked well and I see no reason for a change. If these Proposals pass it will cause a lot of problems that are not needed.

Sincerely,

Coy A Taylor  
Southeast Gillnet Permit Holder  
F/V Kyra Dawn

RECEIVED TIME FEB. 3. 10:05AM

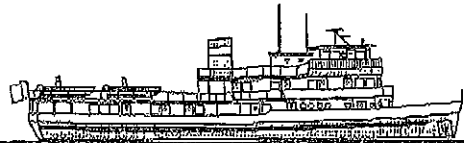
Public Comment #

64



# THE BOAT COMPANY

Captain Joel Hanson, Alaska Conservation and Vessel Support  
417 Arrowhead Street, Sitka, AK 99835 Tel/Fax: (907) 747-9834 Cell: (907) 738-1033



Wilderness Adventure Tours

February 1, 2009

Attn: BoF Comments  
Boards Support Section  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau AK 99811-5526

By FAX: 907-465-6094

RE: Southeast and Yakutat finfish proposal comments

RECEIVED

FEB 03 2009

BOARDS

Dear Chairman Jensen and members of the Board of Fisheries,

The Boat Company (TBC) was incorporated in Juneau in 1979 and has been operating one or more small overnight cruise vessels in Southeast Alaska every season since the summer of 1980. We are an IRS recognized 501(c)(3) non-profit by virtue of our onboard natural history education program and our public interest conservation advocacy efforts, and we are a 509(a)(2) public charity by virtue of our philanthropic outreach. We currently operate two 150 foot long vessels, each with overnight accommodations for approximately 22 passengers and 12 crew members. Even though we are first and foremost a not-for-profit, our marine operations can best be characterized as: *mother vessel-based multiple overnight, multiple activity charter.*

Each of our two mother vessels carries 4 or 5 outboard equipped welded aluminum open skiffs which we use for shore excursions, whale watching and guided sport fishing. We have discovered during our 28 years of operations that one of the most effective ways to develop a constituency for the conservation of Southeast Alaska's forests, fish and wildlife is to guide visitors into the wilderness and introduce them to our region's relative abundance of fish and wildlife, conditions largely absent in the lower 48. There are few educational tools more effective for engendering a sense of appreciation for nature's bounty than sport fishing. Through the act of catching a few fish—no more than necessary to allow for a same-day meal plus a modest number of extra portions to take home—visitors learn several indispensable lessons, not the least of which is the importance of careful conservation management.

The Boat Company offers seven-day cruises, each providing a wide variety of activities including three or four opportunities for guided salmon or halibut sport fishing. About 50% of our clients choose to take advantage of every fishing opportunity available, while the rest are content to participate once, twice, or not at all. Our clients are not interested in large daily salt water bag limits, and they observe catch-and-release only practices in fresh water. Our sport fishing logbooks indicate that the average angler on one of our cruises catches and keeps at most only a couple fish. For example, TBC hosted 560 clients over a period of about four months during the 2008 season. About 500

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Public Comment #

65

of these clients purchased sport fishing licenses and collectively harvested 155 coho, 117 halibut, 5 king salmon and a handful of rockfish during the season. This amounts to less than one fish per angling client during a week-long cruise. Admittedly, it was a slow year for coho along the inside passage between Sitka and Juneau, our normal cruise route. But it is common for anglers on TBC cruises to catch fewer fish than anglers who book holidays at sport fishing lodges or take trips on sport fishing day-boat charters.

Hopefully, this description of TBC operations shows how important a role sport fishing plays in our overall program. But it fails to show how supportive we are of other organizations that also strive to protect and conserve fisheries resources, such as commercial fishing groups and PNP hatcheries. TBC, for example, has been a long-time donor to Alaska Trollers Association, Southeast Alaska Seiners Association, and Northern Southeast Regional Aquaculture Association. NSRAA alone has received over \$120,000 in charitable contributions from us over the last 15 years.

TBC feels that our long-standing history of support for responsible fisheries management strategies (including reasonable controls on sport anglers, commercial fishers and salmon hatchery operators) gives us a special kind of aerial view of the field-of-play (or should we say 'beachhead') where the increasingly combative proponents of each interest group is now busily drawing lines in the sand to defend their positions before the BoF meeting in Sitka. We believe that, clearly, not everyone is going to win in the upcoming skirmishes, and some painful negotiations may be required to help minimize casualties. For our part, we just hope TBC will not be among the seriously wounded. We will have a representative at the BoF meeting in February and look forward to providing oral testimony plus any additional assistance in committees.

Please consider our position on the following proposals:

### King Salmon Management Plans

#### Southeast King Salmon Management Plan

222 Oppose	Close guided sport fishery in areas of high abundance in years of low overall abundance. <i>Explanation: While we support the commendable idea of trying to reduce catch-and-release mortality of king salmon in marine waters, we feel that this proposal is far too harsh a remedy, especially for communities like Elfin Cove and Pelican where charter operators rely extensively on areas of high king salmon abundance for harvesting other species. Guides and clients both need to be educated on the importance of avoiding the practice of targeting king salmon once a fisherman's bag limit of king salmon has been met. See comments on proposal 295, which we support.</i>
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### Sport Fisheries

#### General Provisions for Seasons and Bag, Possession, and Annual Limits

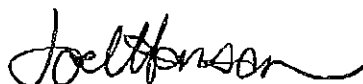
286, 287 Support w/amend	Define possession limit as the maximum number of fish a person may have in possession until returning to their domicile. <i>Explanation: Initially, we were inclined to support this proposal without amendment because of its potential to address most of the concerns expressed by many resident sport and commercial fishermen without affecting the harvest expectations of visiting anglers like those we host on TBC cruises. But conversations with lodge operators and others have convinced us that this would create extreme economic hardship</i> -Continued-
--------------------------------	---

	<i>unless the current possession limit were to be raised from two daily bag limits to some higher amount. What, exactly, that amount would need to be in order to satisfy the majority is not up to TBC. It will require input from all concerned parties, including ADF&amp;G and enforcement. Recognizing that the Task Force endorsed by BoF three years ago was never formed, we believe it has now become imperative that such a group be created. Therefore, we would <u>amend this proposal to require the establishment of a Task Force to provide a forum for a negotiated settlement on possession limits as well as the development of specific regulatory language that could be fully implemented by this time next year.</u></i>
137 Oppose	Establish a sport fish bag and possession limit for all species. <i>Explanation: There is no reasonable rationale for establishing bag and possession limits for all species including some small, abundant and desirable food fishes such as sanddabs and sole. Numerous little-utilized species are harvested in varying amounts throughout Southeast Alaska without the need for bag limits.</i>
138 Oppose	Establish possession limit for nonresidents at one daily bag limit for all species. <i>Explanation: This proposal is overly restrictive and unjustified. Certainly, no reliable data exists to support the proposer's contention that nonresident sport harvest of black cod in Chatham Strait is singularly responsible for a decline in commercial catch. To the contrary, ADF&amp;G's creel survey only observed 7 sport caught black cod during the 2008 season. Compared to a Northern Southeast Inside commercial harvest during the same period of over 1.5 million pounds, the effects of 700 black cod removals by sport fishermen (much less 7) could only have, at best, a minute effect on commercial catch rates.</i>
288 Oppose	Establish an annual limit of 12 coho for nonresidents and require a harvest record. <i>Explanation: Adoption of this proposal would create serious economic hardship for some individuals and businesses and would result in little benefit accruing to either the resource or supporters of this proposal. Currently, harvest records for king salmon, yelloweye and ling cod require a sport fisherman to immediately stop all fishing effort and jot down some information, in ink, on the back of a flimsy sport fishing license. This proposal would impose a similar inconvenience on sport fishermen who harvest coho, despite the fact that coho are much more abundant and harvest is managed under a much higher daily bag limit than king salmon, yelloweye and ling cod.</i>
289 Oppose	Amend harvest reporting requirements for nonresidents to include coho Salmon. <i>Explanation: As described in 288 above, harvest records are a justifiable requirement for some species, but not for coho. Should stock conservation become a concern and managers feel a need to lower daily bag limits and institute an annual harvest limit, harvest records for coho may become an appropriate requirement</i>
294 Oppose	Close regional aquaculture association terminal harvest areas to guided sport harvest of salmon species not financed by state. <i>Explanation: The Boat Company regularly guides sport fishermen within NSRAA terminal harvest areas at Hidden Falls and Mist Cove on Baranof Island. Often times, we coordinate with NSRAA in arranging informal tours of their facilities for our clients, which often leads to great impromptu informational presentations by hatchery staff. Terminal harvest areas are excellent educational resources, and can provide exciting fishing when coho are present late in the summer. Closing THAs and SHAs to guided sport fishing would run counter to PNP hatchery objectives of seeking to maximize the public benefit of hatchery production. As mentioned previously, TBC has contributed over \$120,000 in charitable donations to NSRAA over the last 15 years.</i>
Methods, Means and General Provisions	
295 Support	Develop plan to address catch and release mortality. <i>Explanation: Catch and release mortality of king salmon in marine waters is a problem. This problem can be addressed, to some extent, if sport fishermen are educated on the high mortality rates resulting from targeting king salmon for</i> -Continued-

	<p><i>catch and release after an angler's daily bag limit has been harvested. While it may not be common practice for sport fishing guides to actively encourage this practice on board their vessels, TBC believes that the promotion of good sportfishing ethics is always worthwhile. It is important to note, nonetheless, that catch and release mortality rates are not a significant concern for all species in all areas. TBC does not see any reason to object to directed catch and release fishing for coho or pink salmon in shallow near shore waters or in terminal harvest areas where our experience tells us that nearly all carefully handled fish appear to survive. Fish caught and released in fresh water also appear to have reasonably good survival rates, and TBC actively encourages our clients to catch and release all species of fish in fresh waters.</i></p>
Charter	
307 Oppose	<p>Prohibit charter vessel use in subsistence or personal use fisheries within 30 days of use in guided sport fishery.</p> <p><i>Explanation: TBC mother vessels are equipped with multiple skiffs, each of which is licensed for use in the guided sport fishery. This proposal would prohibit all resident Alaskan employees working for TBC from using one of our company skiffs within 30 days of the end of our normal charter season in order to harvest personal use or subsistence resources. Often, this is the only practical opportunity available to many employees. After four or more months of uninterrupted hard work, TBC is glad to provide our resident Alaska employees with a few perks largely denied to them during our operating season—guides, after all, cannot catch and retain ANY fish while clients are on board—so we are happy to let them use our company equipment for their own recreational enjoyment or personal use/subsistence needs for a few days after the end of the charter season before the boats are winterized. This proposal would impose an unnecessary hardship specifically on those of our employees who are resident Alaskans.</i></p>
311, 312 313 Oppose	<p>Establish regulation to allow enforcement access to vessels, lodges and processing facilities.</p> <p><i>Explanation: Though not identical, these three proposals are similar in that they all encroach on Fourth Amendment rights of citizen protection from unreasonable search and seizure. Proposal 313 actually goes as far as to lament that, "Current law requires probable cause for inspections by protection officers." TBC recognizes that our vessels are subject to unannounced inspection at any time by US Coast Guard and numerous other Federal and State agencies charged with public safety. We appreciate the need for such precautionary kinds of measures. But random inspections of B&amp;B establishments on shore to discover fisheries violations in the absence of 'probable cause' go far beyond the protection of public safety. Such measures clearly depart from the realm of 'precautionary' and enter the realm of 'punitive'.</i></p>

We appreciate the opportunity to submit comments for your consideration. Thank you.

Sincerely,



Captain Joel Hanson,  
Alaska Conservation and Vessel Support

FV Chippewa Gal  
PO Box 1278  
Haines, AK 99827  
907-766-2702

February 3, 2009

To Whom It May Concern:

My name is Lee Taylor and I have been fishing halibut, shrimp and salmon in Southeast Alaska as the captain of my own vessel.

I'm vehemently opposed to Proposal 255 and 256.

Proposal 255 limits opportunity for young fisherman to compete with larger more established fisherman holding 2 permits. Extra fishing time for dual permit holders simply will not work. Instead of increasing time for dual permit holders, it will cut time for single permit holders causing conflict between the two groups.


Proposal 256 gives larger vessels and dual permit holders an unfair advantage of holding prime areas of fishing grounds with their larger nets.

On a final note, we here in Southeast Alaska enjoy a non-confrontational fishery. If the proposals are passed, it could create a hostile environment, which would be bad for everyone involved.

A buy back program would be more productive and fair.

Thank you for taking this into consideration.

Sincerely,



Lee Taylor

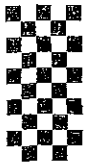
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FEB 13 2009

BOARD

Public Comment #

66

RECEIVED TIME FEB. 3. 9:35AM



FEB. 3. 2009 10:37AM

MEDICAL SERVICES

NO. 905 P. 1

OPTIONAL FORM 99 (7-80)

## FAX TRANSMITTAL

# of pages 1

To	BOF	From	Harvey Kitka
Dept./Agency		Phone #	
Fax #	907-465-6094	Fax #	
NSN 7540-01-345-7388		5099-101 GENERAL SERVICES ADMINISTRATION	

ATTN; BOF COMMENTS  
BOARDS SUPPORT SECTION  
ADF7G

RECEIVED

FEB 03 2009

February 3, 2009

Chairman Jensen and Members of the Board,

My name is Harvey Kitka, I am 67 years old and have lived in Sitka for most of these years. I was raised in a subsistence lifestyle and for as long as I can remember, we as a family have harvested herring eggs.

I am writing to support proposals 199, 203, 204, 234 and to oppose proposal 235.

I support proposal 199 because this will ensure that the herring will have a chance to recover to their normal numbers and the Board of Fish can err on the side of conservation.

I support proposal 203 because this proposal is one means of conservation of the herring stock which most fish, birds and mammals use for food. As you all know, the herring has all the proper omega oils for all that eat the herring.

I support proposal 204 because test fishing before the herring spawn causes the herring to falsely spawn and to move from the areas where they were going to spawn and because this causes a number of the herring to die. I would think that the better way to get the best percentage of eggs for the fishery is to go back to waiting for the herring to start spawning naturally, would cost less to do, be easier on the herring, and herring fishermen would be assured the highest quality eggs. If not that, then a different way of catching the test fish, such as trawl hoop, of such a size as to not disturb the herring and to still get the proper amount of herring. I believe the Fish Board can amend this proposal to improve the test fishery for all concerned.

I support 234 because the amount necessary for subsistence is too low. We pretty much supply other communities who no longer get herring eggs in their communities.

I oppose proposal 235. This proposal is not necessary since the Sitka Tribe does an in-house survey and it would cost the State more money. Permits would not only cost the subsistence person more money, by way of having to go back to the Fish & Game Office to get additional permits; the cost of fuel is excessive; and the herring spawn is so different now that there is a commercial fishery.

Sincerely,

Harvey Kitka  
POB 1144  
Sitka, Alaska 99835

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03 February 2009

Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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BOARDS

RE: BOF COMMENTS

Dear Chairman Jensen, Board Members,

The Southeast Alaska Guides Organization, SEAGO, represents Southeast Alaska charter fishing and lodge operations in Alaska and their supporters. Our mission is to promote the tradition of sport fishing in Southeast Alaska through reasonable regulations that ensure the long-term sustainability of our businesses and fish resources.

In preparing for the February Board of Fisheries meetings, SEAGO developed a committee process and involved a number of our members. The comments enclosed are based on many hours of conferencing and consideration of the proposals made to the Board of Fisheries. We've also had many long conversations with representatives of the Alaska Department of Fish and Game and put in a number of data requests. Our approach is founded on respect for the Board of Fisheries and its role in conserving and developing Alaska's fishery resources. Therefore we assure the Board we will not burden it with frivolous or unfounded proposals. Our comments will assess proposals on their merits and their impacts.

SEAGO considers conservation and sustainability of the resource the overriding concern in supporting or opposing any proposal. We are commenting on proposals that either directly affect our industry or the overall health of the resource. Since some proposals relate to fisheries or areas in which we have limited understanding and/or involvement, we've decided to withhold comment in those cases until we've heard public testimony and participated in your committee process.

Also in regard to our desire that fisheries management decisions be as well-informed as possible, we support ADF&G's efforts to collect meaningful and timely data for the proper regulation of all user groups, including charter. SEAGO stands ready to assist the ADF&G in collection of meaningful data and enforcement of regulations. We welcome the opportunity to increase communications between ADF&G and our industry.

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As to the agenda at hand, SEAGO would like to express the deep concern of our members over the large number of proposals that seem to have a single goal – penalizing sport fishermen who choose to hire the services of a guide. In our highly competitive and challenging global market, more than a few proposals before the Alaska Board of Fisheries – all authored by commercial fishing interests – would have disastrous effects on our businesses.

Given that these proposals also share in common a lack of biological, enforcement, or data collecting purpose, we urge the Board of Fisheries to avoid setting policy on no more than unsubstantiated rumors, anecdotal information, and prejudice. We would sincerely appreciate your help in giving fair and balanced guidance to the ADF&G mission by making our fisheries available to the tens of thousands of sport and guided sport anglers who contribute billions of dollars to our economy and have traditionally been good stewards of the resource.

As the Board knows, we have endured a steady progression of decreased bag limits and/or annual limits to the species most important to our customers and prospective customers. We accept these regulatory changes when conservation is the rationale, as evidenced by the lack of outcry in the 2008 season over extremely challenging king salmon regulations. Some of the most egregious proposals before you now have no such basis, and in fact denigrate the Board process.

Finally, we would like to call attention to the new study prepared for ADF&G documenting the profound economic importance of sportfishing, including charter fishing. The study notes that fully half of the Alaska tourism industry is based on non-resident sportfishing. It also notes that here, in Southeast Alaska, some 3,000 jobs and nearly \$300 million in economic activity is derived from sport fishing.

Considering the dire state of the world's economy, great caution must be given to adopting any proposal that creates additional burdens or weakens any Alaskan industry. Rather, it is a time to carefully understand the economic values and the business models that distinguish each industry and to craft policies that optimize the value of Alaska's resources for the greater good. The Board of Fisheries has SEAGO's pledge to work constructively to that end.

Thank you for taking our comments into consideration.

Tom Ohaus

/s/

President  
Southeast Alaska Guides Organization

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## SEAGO Summary Comments on BOF proposals February 2009

SEAGO offers the following summary comments below. We plan to provide additional information via public testimony and Recorded Comments during the BOF meeting. In addition, we may comment on additional proposals.

### ***Proposal Recommendation***

**137 & 138**      **OPPOSE.**

This is a sweeping regulation across many species, with no documentation or evidence of need for conservation measures such as bag and possession limits.

**220**      **OPPOSE.**

SEAGO is opposed to the implementation of king salmon overages and underages carrying forward from year to year. The sport fleet has successfully been managed to within their 20% allocation under the current King Salmon Management Plan (average is about 18% per year). There is no conservation or science based reason to approve this measure.

**221**      **OPPOSE.**

As the current limit for non-resident anglers is already one Chinook per day, this proposal appears to be speaking to terminal harvest areas accessed in certain southeast regions by resident and non-resident anglers. The issue outlined as part of this proposal is false. There are no areas where non-resident anglers have more liberal limits than residents.

**222**      **OPPOSE.**

Implementation of this policy would signal a shift by the State of Alaska to manage its fisheries based on total mortality, something that both Alaska's commercial and sport fishermen have long opposed. The current King Salmon Management Plan has successfully managed the sport fishery within its Chinook allocation, in both years of high abundance and years of low abundance. Although trollers have provided anecdotal evidence to the Board of Fish regarding charter Chinook mortality, no sound scientific data demonstrates that the charter fleet is either targeting kings outside of its allocation or having a significant impact on the king salmon population in

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years of low abundance. SEAGO supports education efforts targeted at reducing incidental mortality but opposes the closure of waters that are also fertile grounds for other salmon species without scientific data that supports the closure.

**223 SUPPORT.**

Sport fishermen have been harvesting less than their allocation in most years under the current management plan. SEAGO supports the addition of language allowing two rods to be used during the winter months. There is little guided charter business conducted in the winter. Winter anglers are primarily residents who take advantage of the winter king fishing. The Department has stated that no evidence exists to show that two rods significantly increases harvest. SEAGO supports resident access to the resource and sees a two-rod rule effective during the winter months as one way to give residents more opportunity to harvest Chinook salmon.

**224 SUPPORT (with modifications).**

SEAGO supports the concept of relaxing the non-resident Chinook limits during the Golden North King Salmon Derby. However, it appears that this proposal was written to accommodate a change in the derby dates. SEAGO supports the continued 10-day window for the Golden North Salmon Derby but does not support the requested 25 day change.

**225 OPPOSE.**

*Comments to follow at BOF meeting*

**226 SUPPORT.**

*Comments to follow at BOF meeting*

**227 OPPOSE.**

This proposal to allow commercial trolling 7 days per week in District 8 regardless of run strength is inappropriate. Trollers are currently allowed to fish up to 5 days per week when this fishery is open. The District 8 management plan when adopted 3 years ago specifically restricting gillnetting and trolling on the weekends to avoid conflict with sport fishermen.

**228 OPPOSE.**

Opening this portion of Frederick Sound would be in conflict with the

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Crystal Lake Hatchery Management Plan and effectively reallocate fish away from an established sport and commercial hand troll fishery to the power troll fishery.

**229 SUPPORT.**

Adoption of this proposal would increase the District 8 annual limit for king salmon to a multiple of 4 daily bag limits. The agreement reached with Canada through the Pacific Salmon Commission process to allow this new directed king salmon fishery was supposed to benefit all user groups through increased harvest opportunity. The recreational fishers have seen little benefit and non-resident sportfishers even less. The current annual limit for District 8 is no more than is allowed for under region wide regulations in some years. The current District 8 annual limit is 5 with a daily bag limit of 2. The annual limit needs to be a multiple of the daily bag limit, example; 3 days fishing equals a 6 fish annual limit or 4 days fishing equals an 8 fish annual limit.

**230** *Comments to follow at BOF meeting*

**231** *Comments to follow at BOF meeting.*

**259 SUPPORT.**

Adoption of this proposal changing from a Sunday noon gillnet opening to a Monday morning gillnet opening during June, as amended and supported by the Petersburg Advisory committee, will benefit both gillnetters and sportfishers by reducing conflicts between the two user groups.

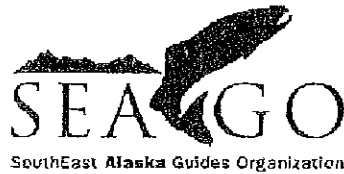
**269** *Comments to follow at BOF meeting*

**270 OPPOSE.**

SEAGO is opposed to the closure of Herring Bay to sport fishermen and the changing of the release site to Settler's Cove. Problems regarding trash receptacles and parking are ones that should be addressed by the Ketchikan Gateway Borough, and not by the Board of Fish. Herring Cove is a popular recreation site, which provides sustenance to a bear population that subsists on Chinook salmon, and is home to a successful tour business that depends on both the Chinook and bear population.

The relocation of the release site would be unnecessarily costly. Additionally, over-escapement could be problematic as a stream that currently supports one species would now be supporting three.

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286 &amp;

OPPOSE.

287

ATA's proposal to change the definition of possession is long on innuendo and short on facts. ATA would like the Board of Fisheries to believe that the preservation of a guided client's fish is something that has seen a rapid increase recently, necessitating this change. Guides, lodges, and sport processing plants have always processed their customers' fish for transport back to their home. This is not a new phenomenon, nor has it caused a recent increase in coho harvest by non-resident anglers.

Possession limits were implemented as a way to prevent wanton waste. The current definition of possession ensures that fish are preserved in a timely fashion and accomplishes the purpose behind the law. ATA has argued that with the current definition of possession Alaska's possession laws are completely meaningless. To the contrary, the possession laws ensure that anglers will make necessary arrangement for the care and preservation of their catch and prevents Alaska's valuable resource from being wasted.

ATA's proposal states that the current regulations allow "large numbers of sport-caught fish to be transported out of the region." What they fail to mention is that sport fishermen in Southeast Alaska catch only 11% of the total coho harvest. The commercial fleet, on the other hand, catches 89% of the total coho harvest. Would they have us believe that their 89% aren't being transported out of the region as well?

ATA's proposal also states that sport fish data is not collected, tabulated, or reported in season in the same manner as commercial fisheries data. Although ADF&G may not tabulate the information provided them, guides are required to fill out a verifiable log book entry for each day fished, which accurately represents their catch, the number of anglers on their boat, and the areas in which they fished and the name and license number of each client. Log books are due every two weeks, similar to the weekly requirement for fish ticket reporting on the commercial side.

SEAGO shares ATA's concern over coho harvest in years of low abundance. However, years of low abundance bring a reduction in the number of coho available and consequently, a reduction in the sport catch using the department's available tools. In addition, a non-resident's opportunity is finite. Unlike the commercial fishermen that continue to fish until their quota is met, a sport fishermen will go home at the end of their fishing trip, regardless of whether or not they caught their daily bag limit each day they fished.

ATA also makes a categorically false statement when they claim that self-

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guided anglers don't process their fish during their trip and that current regulations give priority access to guided anglers. With the occasional exception of an angler's last day's catch, all self-guided fishermen process their catch, whether they do it themselves or hire a processing company to provide the service for them.

ATA lists three groups of people that will benefit by the implementation of this proposal.

- First, they state that ADF&G and enforcement will have a more straightforward way of counting fish in possession. How will this be accomplished? Right now all an enforcement officer would need to do is check to see whether or not a person's catch was preserved. A change in the possession definition would now require an enforcement officer to count each fish inside a box and determine whether or not a person had gone over their possession. Enforcement of a new possession definition would cause significant trouble for enforcement officers and for clients.
- Second, ATA cites that harvesters that abide by the limit will benefit. What benefit is accrued to the harvester that was previously able to catch up to his daily bag limit, have his catch processed, and bring it home for his friends and family? Under this definition change, this angler would only able to take twelve fish.
- Third, ATA states that the resource will be protected by an increased ability to monitor harvest amounts being transported. How would this be accomplished? A change in the possession limit definition would do nothing to provide additional information on the number of coho being either harvested or transported out of the state. It would categorically reduce the number of coho being harvested by sport anglers but ATA has failed indentify a scientifically-sound conservation argument.

Since the proposal to change the definition of possession accomplished almost none of the issues outlined as part of this proposal, SEAGO sees proposals 286 & 287 as attempts by the troll fleet to move coho from the sport guided recreational fishery into the commercial fishery. Current ADF&G coho management practices manage the fishery for escapement. Since coho stocks in Southeast are currently strong and meeting escapement, a reduction in the sport guided recreational fleet would likely result in more harvest opportunity for the commercial fleet. There is no basis or biological justification for the approval of this proposal and its implementation would be punitive to the sport guided recreational fleet and its customers.

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288 &amp;

OPPOSE.

289

SEAGO opposes the implementation of harvest records for coho salmon. Harvest records have traditionally been used to log the catch of a species that is either facing conservation concerns or is managed under an international treaty, such as Chinook and the Pacific Salmon Treaty. The current version of the Pacific Salmon Treaty does not contain a coho annex. Additionally, there is no biological basis for a harvest record. Significant numbers of non-resident anglers use the services of guides that are required to log and report their catch in their log books. The implementation of a harvest record would be one extra layer of red tape placed on the non-resident angler with no justification. If conservation issues are scientifically-supported basis for coho harvest records, SEAGO believes that all sport anglers, including local residents, should be required to use them.

Sport Coho Take is 11 Percent - Commercial fishermen have a vested interest in how much fish recreational anglers take home. Over the past five years they have caught on average more than 2,500,000 Coho annually representing 89 percent of the total catch (see chart below). Non-resident sport fishermen take fewer than 6% of the total Coho catch.

Number of Salmon Caught In Southeast Region								
	Sport			Commercial			Percent Comm	
	Coho <sup>1</sup>	King <sup>1</sup>	Total	Coho <sup>2</sup>	King <sup>2</sup>	Total	Coho	King
2000	192,951	83,173	256,124	1,974,427	232,536	2,206,963	91%	79%
2001	321,106	72,291	393,397	3,300,932	243,225	3,544,157	91%	77%
2002	277,150	69,537	346,687	3,242,516	386,384	3,628,900	92%	85%
2003	322,882	69,370	392,252	2,498,375	416,684	2,915,059	89%	86%
2004	330,651	80,572	411,223	3,084,663	483,330	3,567,993	90%	86%
2005	409,303	86,575	495,878	3,002,784	441,363	3,444,147	88%	84%
2006	209,577	85,794	295,371	2,091,875	366,862	2,458,737	91%	81%
2007	261,445	82,648	344,293	2,062,603	353,997	2,416,600	89%	81%

1 - Data Provided by ADFG, Robert Chadwick

2 - Fishery Management Report No. 03-34, ADFG, June 03

Enforcement - Reporting of catch in the guided recreational fishing sector is already accounted for in verifiable log books, creel surveys, and the statewide harvest survey. There is no evidence to support the claim that law enforcement is unable to enforce charter/non-resident daily bag limits and possession limits. A change in the definition of possession limit will not accomplish increased data for management.

There is no gain for enforcement given that officers can already board boats, check boats at the dock, and, in the case of guided anglers, check the observed catch against the catch reported in the logbooks. This regulation would place an addition burden on ADFG in creating, distributing, and

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collecting harvest records from anglers.

Economic Impact - This proposal would have a negative impact on the Alaska economy by reducing the number of tourists visiting our State and add further stress the charter industry which is already struggling under the weight of the current economic recession and other bag limit reductions in halibut, Ling cod, rock fish and King salmon. Enactment of this proposal could be devastating for many sport fishing-related businesses in Southeast Alaska because it represents one more deterrent to booking a trip for prospective customers and one that NO ONE can justify on the grounds of sound, sustainable management of the resource.

290

**SUPPORT.**

SEAGO supports the release of all steelhead unharmed regardless of how they are caught (commercial or sport). Steelhead mitigation equipment must be installed and used in all gill net boats to maximize survivability of caught fish. Gillnet operators should be required to count and to keep a log of number of all steelhead caught and number of those fish killed. Sale of steelhead should be prohibited. The steelhead population decline is affected more by gill net fishery than the sport fishery. Sport fishermen took the hit last time while gillnet caught steelhead are still available in stores

292

**SUPPORT.**

We support this proposal because it contributes to the general health of the Dolly Varden fishery

293

**SUPPORT.**

Dog fish have been inadvertently included in harvest limitations for other less abundant shark species. Dogfish are abundant to the point of nuisance in many marine waters in Southeast Alaska. Keeping the current bag limits will deprive anglers who want to retain dogfish while allowing the dogfish population to continue increasing reducing the abundance of more desirable species.

294

**OPPOSE.**

SEAGO opposes this proposal as being selectively punitive towards anglers that choose to use the services of a guide. Sport anglers would be restricted from accessing non-hatchery stock in that area as well as the hatchery stocks raised by regional aquiculture associations. The concept that each entity that funds a hatchery can create an exclusive zone around that hatchery flies in the

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face of public access to marine waters.

For the five year period ending in 2007, sport fishermen have paid more than \$84 Million in license and salmon tag fees. By comparison, commercial fishermen have paid only \$9.7 Million in license fees. Furthermore, sportfishing interests support multiple hatcheries throughout Southeast as follows: Sport Fish Division currently funds the production of king salmon by SSRAA at Whitman Lake Hatchery (75%), Neets Bay Hatchery (41.2%), and Crystal Lake Hatchery and Anita Bay (67% each). In 2008, 100% funding is also provided to NSRAA for a remote king salmon release in Lutak Inlet near Haines.

Either sport fishing should be allowed in the regional aquaculture association's terminal harvest areas or it shouldn't. There should be no distinction between anglers who choose to use the services of a guide and those that do not. Although not used by all anglers, some residents and guides do take advantage of fishing in the association's terminal harvest area. In addition, terminal harvest areas generally extend beyond the immediate hatchery area and include components of other fisheries.

We feel a better approach would be to work cooperatively with regional aquaculture associations to better enhance fishing opportunities for our common benefit. We would like to see more cooperation between these sport and commercial funding mechanizes and hatcheries to benefit all users. This proposal works to alienate user groups when cooperation is so much more beneficial to all.

295

**OPPOSE (as written).**

While release techniques could potentially be improved in the charter industry, this problem is not unique to the sport fleet. Commercial trollers also have mortality associated with the release of juvenile fish. As mentioned in the proposal, many charter operators already practice sound techniques, (e.g. barbless hooks, circle hooks, fish handling techniques, right sized fishing gear, etc.) to reduce fish mortality as their sport fishing clients demand ethical treatment principles.

We support sound fishing practices and recommend that fish mortality be addressed as an education issue rather than as a regulation. Advocacy will have more success than regulation here because it is almost impossible to enforce specific regulations.

If incidental mortality can be reduced by better educated fishermen, both the sport and the commercial troll fleet should participate in any program designed to make us all better stewards of the resource. Regulating a small

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group of sportfishermen in the name of conservation while allowing the largest group of harvesters a pass on participation in that same regulation would be nothing short of self-defeating.

**296****OPPOSE.**

There is no biological or sustainability issue solved by this proposal. Denying use of electric reels would discriminate against fishermen with physical handicaps and may be illegal. Restricting use of electrically powered downriggers is an abusive attempt by the commercial sponsors of this proposal to harm charter and sport fishermen when they use more heavy duty equipment routinely in their own businesses. Bag limits are already in place to serve as conservation tools.

**297&****SUPPORT.****298**

Place electric reels into law. The elderly and the physically challenged need this gear to fish deep water. If there is an issue with the harvest of deep water species, deal with it directly via bag limits rather than adding more layers of regulation and red tape.

**299****SUPPORT.**

Allow herring capture for charter boats. This would allow an efficient and cost saving means of obtaining bait rather than purchasing from costly out of state resources.

**301****OPPOSE.**

This regulation would require enforcement personnel to determine the intent of an angler or the possible outcome of a day's fishing prior to the fact. Again there is no resource issue involved here as sport fishing is only a small fraction of the harvest. Far more fish mortality occurs from commercial release simply on the basis that they catch and release nearly nine times more fish. If damage to the resource is occurring from releasing fish it would then be logical that to ban barbs in commercial fishing where release is possible and would be nine times more successful in decreasing mortality. Release is always a consideration when fishing in Southeast. An undersized king Salmon may bite anywhere, anytime even while targeting bottom fish. This proposal would require barbless hooks at all times.

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**302 OPPOSE.**

The US/Canada Treaty counts only landed mortality in both the sport and commercial fishery. Adding a projected hooking mortality number to the treaty will likely lower harvestable numbers of salmon to both sectors. Sport fishers land only a small percentage of the salmon harvest – less than 20% of the kings and roughly 11% of the coho. If the State of Alaska grows concerned about release mortality, a study of the impacts of release mortality in both the commercial and sport fisheries would be step one. Management needs to be science based.

**303 SUPPORT.**

We support unguided anglers use of herring jigs and consistency in regulations for the guided and unguided angler.

**307 & OPPOSE.****308**

Proposal 307 disallowing use of a charter vessel for personal use fishing for a period of time before and after the charter season seems to be nothing more than a punitive action directed at everyone owning a charter boat. Proposal 308 restricting personal use or subsistence fishing by charter operator or lodge owners when clients are present is already addressed by current regulations. It is also currently illegal to furnish subsistence or personal use products to clients. This proposal seems to be nothing more than a punitive action directed at everyone owning a charter boat.

**309 OPPOSE.**

Coho are managed on a sustained yield basis without in-season management to any gear group. There is no preseason forecast or target harvest number for the commercial or sport harvesters. The sport fishery currently catches about 10% of the overall harvest. There are no resource concerns with overharvest or under escapement of coho in Southeast Alaska other than specific jeopardized stocks that are protected by specific management measures, not an overall reduction in harvest.

SEAGO opposes the implementation of a coho allocation for the guided sportfishing sector. The premise that the guided fleet has caused lost opportunity for resident anglers, subsistence fishermen, and the commercial fleet is unsubstantiated. There is no biological basis for this proposal, making it appear punitive to guides and their customers. In addition, ADF&G manages Alaska's sport fishery salmon catch with no distinction

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between the guided fleet and non-guided fleet.

310 OPPOSE.

This proposal would add a costly, cumbersome, and redundant layer of bureaucracy for ADF&G with no benefit to the resource.

Proposals seeking to establish an allocation and harvest ticket for the guided sector on Coho is not based on any biological or resource concerns. We already have the tools in place to track and regulate the charter industry. No benefit would be realized by adding more paperwork and reporting requirements. This would just increase bureaucracy and administrative costs. Money would be better spent on streamlining or modernizing the data entry system of log books for more timely information.

311 OPPOSE as written.

312 Enforcement currently has the authority to board and check vessels and gear  
313 engaged in charter fishing. We agree that enforcement or creel census personnel should have access to vessels and landing facilities where sport caught fish are being harvested or offloaded. The portions of these proposals that grant authority to inspect freezers, homes, hotels or B&Bs associated with charter fishermen seems to be extreme and would facilitate little if any enforcement concerns while infringing on personal rights. Reporting of catch in the guided recreational fishing sector is already accounted for in verifiable log books, creel surveys, and the statewide harvest survey.

315 *Comments to follow at BOF meeting*

319 *Comments to follow at BOF meeting*

322 OPPOSE.

This proposal seeks to reopen waters closed to commercial trolling October through March. These waters have been closed for over 30 years. In the years this area has been closed, a significant sport fishery has developed within its' boundary. A boat ramp has been constructed in this area with sportfish funding to provide access. This is a popular fall and spring fishery for local residents with small boats who would be displaced by the intense effort of the troll fishery that has developed over the past 7 or 8 years due to extremely high prices paid for winter fish.

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**333 SUPPORT.**

Evidence on the fishing grounds points to an over-abundance of lingcod. SEAGO is concerned that the current GHL on lingcod in the SEO is leading to excessive numbers of lingcod, which may have negative impacts on other bottom feeding fish. Raising the GHL would benefit all user groups and possibly other groundfish competing for food.

**334 SUPPORT.**

In the CSEO and SSEO subdistricts between 2004 and 2007, the directed and longline bycatch allocations of lingcod have been consistently underutilized. These unharvested lingcod would represent a huge benefit to the guided sport fishery, which currently operates under onerous restrictions (1 lingcod per year limit with a 30-35" slot limit, completely closed June 16-August 15 for CSEO and NSEO sections).

**335 SUPPORT.**

For reasons stated under proposal 334.

**336 OPPOSE.**

This proposal may encourage targeting lingcod and topping off in the halibut fishery. The longline bycatch allocation has been consistently underharvested in the past 4 years, so the bycatch allowance appears to be more than sufficient.

**337 OPPOSE.**

SEAGO believes that the lingcod which are consistently underutilized by the directed dinglebar fishery should be allocated where the greatest economic benefit can accrue to Southeast communities: the sport fishery. Guided sport anglers consider lingcod a highly prized game fish, and allowing a reasonable harvest opportunity (ie: 1 lingcod per year, open all season) will help guided sport operators market their trips.

**338 OPPOSE.**

Same rationale as for 337.

**339 SUPPORT.**

Allowing guided anglers to have a chance to take a state record lingcod would

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provide a benefit for guided sport operators in marketing their trips, and would result in a negligible increase in harvest.

**340 SUPPORT.**

Greater sport harvest should be allowed where there is a harvestable surplus. It should be noted that Elfin Cove fishery is more similar to that in 3A than it is to the fishery in Sitka.

**341 SUPPORT.**

Inadequate sport DSR allocation will likely result in time and area closures for halibut and/or all sport fishing in coming years. The sport DSR limits have already been ratcheted down as much as possible (1 Yellow Eye per day, 2 per year for guided anglers). Since most released DSR won't survive, the only tool left for managers will likely be closures. This is unnecessary in light of the fact that the halibut fishery has not needed anywhere near the 84% commercial allocation in the past 8 years. Two high-value fisheries need enough DSR bycatch to operate normally: these are the halibut longline fishery and the halibut sport fishery. Fortunately this can be accomplished by adjusting the allocation so both fisheries will have an adequate DSR allocation. No directed DSR fishery should be allowed until the bycatch needs of the halibut longline and halibut sport fisheries are met.

**343 OPPOSE.**

**344** As stated in our response to 341, DSR need to be utilized as bycatch for the commercial longline halibut fishery and the sport halibut fishery before contemplating any directed DSR fishing.

**345 OPPOSE.**

**346** These proposals would encourage "topping off" with DSR after halibut fishing and could result in a de-facto directed DSR fishery. Again, SEAGO believes that DSR should be utilized first and foremost as necessary bycatch in the halibut longline and sport fisheries. This proposal would encourage targeting DSR instead of taking them incidentally.

**349 SUPPORT.**

**350** Even though many DSR released at depth will likely not survive long-term,  
**352** and ADF&G will still assign a mortality rate of 100% to released DSR, SEAGO still believes this is a good idea. Some DSR released at depth likely

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15/16

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will survive, and that alone warrants our support.

**351 SUPPORT.**

If requiring release of DSR at depth in the sport fisheries makes sense, then it also makes sense to practice this in all other fisheries as well. All fishermen should share in this innovative conservation practice, especially those where the volumes involved, and therefore the potential benefits, would be greatest.

**353 SUPPORT.**

Quilback and other small DSR caught in shallow water should be allowed to be released if they are not injured. This would reflect the intent of the current regulations.

**368 OPPOSE.**

This proposal seeks to reduce the possession limit on all species to one daily bag limit for non-residents. The possession limit on species of concern is currently one daily bag limit for non-residents and two daily bag limits for other species. There are no biological or resource concerns to justify this proposal. There is no verification of the charges of widespread abuse of current possession limits or of non-residents taking home large amounts of fish just to "eventually be thrown out". Alaska does not give away large amounts of fishery resources to non-residents. Non-residents pay dearly to come to Alaska and harvest relatively small amounts of fish for their personal consumption. The state and local economies benefit greatly from this harvest opportunity provided to non-residents.

This proposal would effectively bankrupt all lodge and charter operators that cater to multi-day clients without any biological justification. It would have a crippling effect on the economies towns and villages across Southeast Alaska and cost countless jobs in diverse industries including hotel, restaurant, retail, air travel, and fish processing to name just a few. This would be done despite providing no gain to the resource or law enforcement. This type of proposal only furthers acrimony and distrust between user groups.

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Hello my name is Ryan L Cook, I  
own a single Southeast Drift  
Gillnet Permit. I have read proposals  
255 and 256, and I'm opposed to  
These proposals. This is not equal  
To all fisherman.

Ryan Cook

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FEB 03 2009  
BOARDS



/03/09

12:18PM

The UPS Store 5062

7603292939

p.01

Comments by Captain Lee Clayton, F/V Saga.  
P.O. Box 1357, Haines Alaska 99827  
907-303-7477

I am in OPPOSITION to both proposal number 255-5 aac 33.331 and proposal number 256-5 aac 33.31. Gillnet specifications and operations.

This will only create a privileged class of permit holders: pitting large vessel fishers against small.

Those of us who chose to become more efficient fishers in order to remain profitable will be penalized. Since we do not own a large vessel we would not be able to stack and therefore not able to fish in the designated special area- which as proposed puts them first on the fish.

This proposal will only increase pressure on stocks and activate permits that are currently dormant; therefor not accomplishing the intended benefit.

Production will not be slowed down, fisherman instinctively catch as much as possible when fish are hitting.

I am especially concerned that in Lynn Canal this proposal would further jeopardize the already diminished wild stocks by increasing interception in proposed areas.

It will only serve to reduce quality of fish caught by extending the time fish are in the net. Poor quality will drive down prices for all.

Extending time allowed for fishing is unnecessary, we can already fish seven days a week in parts of southeast.

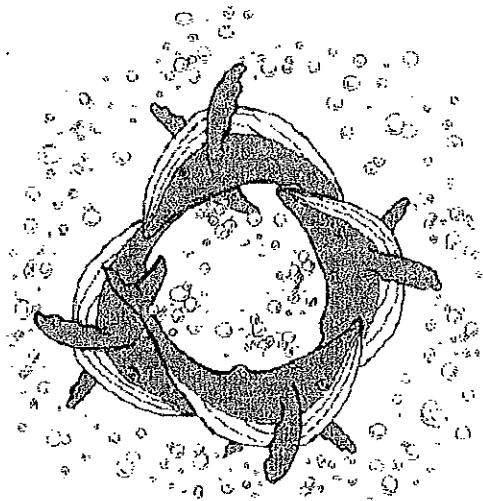
Enforcement and management have limited resources, by increasing the fishing area, it would create a further burden on them; requiring more manpower and resources.

I would rather see southeast gillnetters participate in a self funded buy back program in which all permit holders would benefit.

2-3-09

Public Comment #

70



## The Whale's Eye Lodge

PO Box 210166

Auke Bay, Alaska

99821

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E-mail [whaleseye@starband.net](mailto:whaleseye@starband.net)

[www.JuneauAlaskaFishing.com](http://www.JuneauAlaskaFishing.com)

Feb. 2, 2009

Alaska Dept. of Fish and Game  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526

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FEB 03 2009

BOARDS

Attn: BOF COMMENTS  
RE: Proposal 309, Opposed  
Dear Members of the Board of Fisheries,

My wife, son and I own and operate a small fishing lodge on Shelter Island near Juneau. We cater to 2 to 6 guests and employ 4 people including my wife, my son and myself. We started building our lodge in 1987 and opened for business in 1994. Our families derive 100% of our income from our lodge business. We pride ourselves on our principles of sustainability and stewardship of the land we occupy and the fish resources we share with our neighbors and guests.

I would like to urge that no annual bag limit be established at this meeting for Coho. I strongly feel that even a large annual limit would be detrimental to my business. Bag limits on Coho, no matter how generous, will drive my clients to other areas to spend their fishing dollars. I offer a few reasons for my objection to an annual limit for Coho as follows:

1. An annual limit will create an even greater discrepancy between Southeast Alaska and other areas of the state. We in Southeast are already losing business to other areas of Alaska at an alarming rate due to the halibut bag limit discrepancy. This has been well documented in technical reports and testimony at the North Pacific Fisheries Management Council.



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The one halibut limit alone is estimated by the National Marine Fisheries Service to reduce overall guided angler demand in Southeast by 30%. A Coho annual limit, combined with this halibut restriction and the recent reduction in crab and shrimp bag limits approved by this board a few weeks ago, will make the discrepancy between Southeast and South Central even worse, driving more of our regular clients north. Even if the annual limit is generous, it is a limit that is not in effect elsewhere in the state. With no resource issues or allocation conflict at this time and with guided recreational Coho harvest at about 6% of the total catch, the harm to the guided recreational fishing industry done by this regulation is unjustified.

2. Recording of catch is problematic. Should this proposal be adopted into regulation, we will be required by law to record the catch *immediately* upon landing it. Alaska Wildlife Enforcement uses a strict interpretation of the word immediately and holds both the client and the guide responsible. A violation requires the client to return to Alaska for a mandatory court appearance and the guide faces a fine of over a thousand dollars, jail time and the loss of his guide license.

Coho are a schooling fish. We often fish for hours without a bite and then several lines go off at once. We have frequent doubles and triples on a good year. With only one captain on board, perhaps six guests, and three fish on, this requirement forces an impossible situation for the guide. When a fish hits, he has to pull in the down riggers, put the other rods aside, teach the clients and make ready to land the fish. The fish may come up to the boat all at once, or come up and run again, or run into the prop, or tangle the lines. It is an exciting and chaotic time on the boat. Once the first fish is landed, the guide must be ready for the next one or two. If this proposal passes, the guide will not be able to properly supervise the recording of the first fish and the catching of the other fish at the same time. He will either have to make sure that the client has properly recorded the first fish and ignore the second and third fish still fighting in the water, or he will have to tend to the catching of fish and risk a violation until all the fish have been landed and he can see that the catch is properly recorded. He can not do both at once. The clients cannot be expected to remember to record the catch by themselves, as they will be involved in the excitement of the fishing, which is the reason they pay big dollars and plan for years to come to Alaska.

The recording requirement that accompanies an annual limits presents an impossible situation for the guide and degrades the experience for the client to the point of not wanting to return. On King salmon it is easier to comply with recording regulations because Kings do not often hit in triples and doubles; for Coho it is unworkable with one guide and will create an enforcement issue where no issues need exist.

3. Return clients are the foundation of any recreational angling business. An annual limit discourages guests from returning. Repeat guests come on good and bad Coho years. Many times they do less than expected due to weather, off seasons and poor runs. It is the good years that keep them coming back. The Department has the management tools to deal with needed reductions in years of low abundance. If annual limits on Coho are implemented, on years of plenty my clients will now be faced with arbitrary catch restrictions that do not reflect biological or allocation basis. They will share the pain in bad years and be denied the gain in good years. Regular returning clients will be forced out of Southeast. The guided recreational

fishery in Southeast will change from a premium pay sport fishing destination to a low end cruise ship client base as the higher spending lodge and multi-day anglers go where they are treated well.

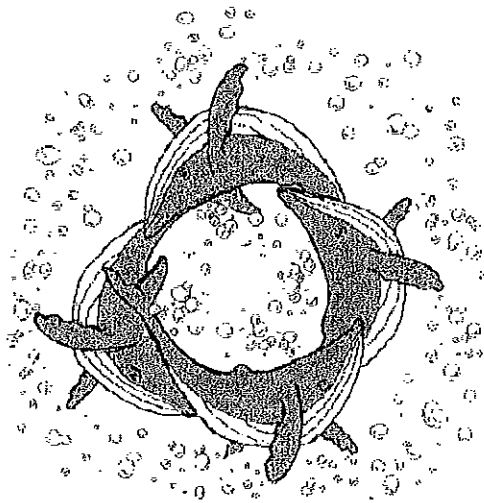
Over the last two decades the Lodge and charter industry has filled the economic void left by the collapse of the timber industry in Southeast. The economies of Prince of Wales Island, Sitka, Ketchikan and Hoonah, to name a few, were devastated by the closure of mills. Sport fishing and tourism have invigorated these communities and provided living wages for local citizens. There are simply no grounds to place annual sport limits on Coho, other than to permanently lock sport anglers out of the resource and set the stage for future reductions.

Were it implemented, this proposal would diminish the client experience and expectation in Southeast and chase sport fishing clients to other areas of the state and Canada. Should annual limits on Coho be adopted, this board will be doing a disservice to Alaskan families like mine who have worked hard to build and now depend on the clearly established guided recreational angling economy. Placing another arbitrary limit on nonresident anglers who, according to the recently released Southwick, study spend 175 million dollars annually in Southeast Alaska is not justified at this time when economic circumstances and other regulatory agencies have already placed the guided recreational fishing industry in financial turmoil.

Thank you for your attention in this matter,

Sincerely,

Rick Bierman



## The Whale's Eye Lodge

PO Box 210166

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[www.JuneauAlaskaFishing.com](http://www.JuneauAlaskaFishing.com)

Feb. 2, 2009

*2nd Set of Comments*

Alaska Dept. of Fish and Game  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
Attn: BOF COMMENTS  
RE: Proposal 368, 137, Opposed

Dear Members of the Board of Fisheries,

My wife, son and I own and operate a small fishing lodge on Shelter Island near Juneau. We cater to 2 to 6 guests and employ 4 people including my wife, my son and myself. We started building our lodge in 1987 and opened for business in 1994. Our families derive 100% of our income from our lodge business. We pride ourselves on our principles of sustainability and stewardship of the land we occupy and the fish resources we share with our neighbors and guests.

Bag limits are an important tool for resource managers. When used properly, they promote conservation and even distribution of resources. They allow precise adjustment of harvest to insure escapements and account for unexpected fluctuations in wildlife stocks. They also give the resource user a goal, and a reward of a job well done. When used improperly, bag limits can lock user groups out of a resource, create monopolies and serve to privatize public resources. Therefore, it is important to use the bag limit tool sparingly and wisely.

The Board recently considered bag limits to be a measure of the reasonable amount of crab a client will take home from a five day fishing trip. I feel this is an inappropriate use of bag limits, not only because it falls short of the Board of Fisheries constitutional charge of equal access, but because it sets an



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4/5

Public Comment #

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unrealistic precedent to the use of bag limits. Though I use the crab example, I make my case to emphasize the importance of the Board not making the same mistake with these proposals before you at this meeting restricting the public's access to fin fish.

In the recent Board of Fisheries meeting in Petersburg, sport Dungeness and tanner crab bag limits were reduced with no resource or allocation justification. With sport crab harvest at less than 2% of the total, it would have been more appropriate if the Board would have increased the bag limits to allow more sport access, rather than reducing them. It seems that the very existence of a bag limit creates the need to reduce it. Bag limits always tend to drop as if influenced by gravity whether a need exists or not.

This recent bag limit reduction will have a negative impact on guided recreational operators who target crab. My clients enjoy fishing Dungeness crab. In my case, I put out only two pots for safety, time restraints and conservation reasons. Crab pots are considered a personal fishing device. Only one client can deploy and retain crab in any one pot. It takes an hour to an hour and a half of fishing time to set and retrieve the two pots I use, and I burn about 30 minutes to an hour of fuel.

I often catch in only one of my pots, and they are frequently illegally "picked" by others during the day so we get no crabs at all. The benefit of a five crab limit is that even if only one pot produces, that client can share his crab around the table that evening with his friends or family. Everyone having a crab to eat at dinner is the bottom line for a marketable client expectation.

With a three crab limit, the marketable client expectation of a crab for dinner is diminished to the point of being not worth the effort. Seldom do my clients catch enough crab to take home. If I increase the number of pots, I burn more time and fuel and crowd my deck with hazardous gear which reduces the quality of the experience. This also encourages a competitive spirit between guests placing more pressure on the resource. Instead of a three crab daily bag limit producing enough product for my clients to take home as the Board envisioned, crabbing is no longer a viable client experience, and I am forced to stop offering crabbing to my guests.

I urge the Board not place unnecessary and arbitrary bag limits on Coho, Black Cod, and all unspecified fish as the many proposals before you now recommend. I feel that unless there is a biological or an allocation conflict, bag limits should be avoided. The current fin fish bag limit reduction proposals before the Board suggest the use of bag limits as a "preemptive strike" to protect commercial fishing special interests, similar to our nation's current involvement in parts of the Middle East. Like that analogy, the consequences are far reaching and economically harmful. They decrease my ability to bring the economic benefits of recreational fishing to Southeast Alaska. They serve to lock out the non-resident angler, create a monopoly for commercial interest groups and privatize the resource. They initiate a gravitational effect of diminishing opportunities for recreational anglers that is unjustified and that is harmful to the Southeast Alaskan economy. They are contrary to the constitutional charge of equal access. They are a preemptive strike on the guided recreational fishing industry with no allocation or biological justification.

Thank you for your consideration,

Sincerely,

Rick Bierman



## UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110  
Juneau, Alaska 99801-1172  
(907) 586-2820  
(907) 463-2545 Fax  
E-Mail: ufa@uta-fish.org  
www.ufa-fish.org

February 3, 2008

ATTN: BOF COMMENTS  
Alaska Department of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

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FEB 03 2009  
BOARD

**RE: Southeast Alaska Finfish Board of Fisheries Proposals**

Dear Chairman Jensen and Board of Fisheries members,

UFA **OPPOSES** Proposals #297 and 298 to define sport fishing gear to include electric powered reels.

5 AAC 75.038 already provides the necessary exemption for handicapped individuals that would need the use of power or power assisted reels.

- The use of power or deep drop reels allows the sport fishermen to access depths that were never envisioned by the Board of Fisheries as a sport fish opportunity and the impact on many species and fully utilized resources is not being considered in the management of the fisheries (i.e. sablefish, idiots, shortrakers, etc) as these are not considered sport fish.
- We are also concerned about the conservation of many of the deeper species that are impacted by this type of gear. Many of these species are long-lived, and slow growing. The adoption of electric powered tools will allow sport access to these fish without accurate estimates of the effects on the stocks, and at the expense of the current harvesters and public consumers of the commercial fisheries.
- Electric reels would not be allowed in commercial hand troll fisheries.

We recommend that the Board make electric reels illegal through clear language such as:

1. *The use of an electric, hydraulic or power assisted reel to deploy or retrieve the FISHING LINE is prohibited; or*
2. *The use of power to retrieve sport fish (or sport fish line) is prohibited.*

UFA represents 37 Alaska commercial fishing associations from fisheries throughout the state and its offshore waters. Thank you for your consideration of these comments.

Sincerely,

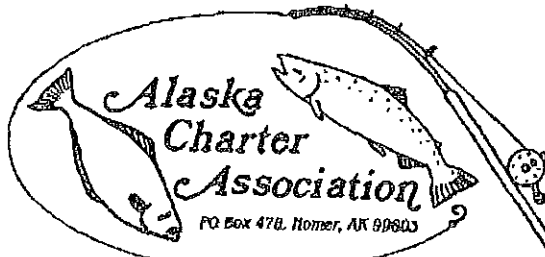
Mark Vinsel  
Executive Director

Public Comment #

72

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To preserve and protect the rights and resources of Alaska's Sport Fishermen.

**President**  
Bob Howard  
Homer

**Vice President**  
Bryan Bondioli  
Homer

**Treasurer**  
Greg Sutter  
Homer

**Secretary**  
Richard Yamada  
Juneau

**Board Members**

Chris Fiala  
Kodiak

Theresa Weiser  
Sitka

Rick Bierman  
Juneau

John Baker  
Deep Creek  
Ninilchik

Hill Norvell  
Seward

Feb. 3, 2009

Alaska Dept. of Fish and Game  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax: 907-465-6094

RECEIVED  
FEB 03 2009  
BOARDS

Attn: BOF COMMENTS

Dear Alaska Board of Fisheries,

The Alaska Charter Association is a statewide organization representing over 200 members and associate members. Our mission- **"to preserve and protect those fishing rights and resources necessary for the Alaska charter fleet to best serve the recreational fishery."** We would like to thank the Alaska Board of Fisheries for this opportunity to comment on the Southeast Finfish Proposals.

To begin, we would like to mention that there seems to be an abundance of proposals submitted by commercial fishing advocacy organizations aimed at the sport fish regulations, which directly and adversely affect our members. Should these proposals be adopted in mass, they would strangle the lodge and multi-day charter industry in Southeast leaving only the cruise based day charter sector intact. Taken individually some of these proposals change the entire 50 year history of sport bag limits in Alaska; remove constitutional guarantees of common use, equal access and privacy in our homes; and eliminate charter operators from participating or even the possession of fish caught in personal use fisheries for the entire charter season. It appears that some commercial advocacy organizations are using the board process in a malicious manner to cause harm to the guided recreational fishery. None of these malicious proposals are being brought to the board by citizens uninvolved in commercial fishing or the Department of Fish and Game. They are not based on resource concerns. We ask the Board of Fisheries to consider the source of some of these proposals and weigh the livelihoods of Alaskan families who depend on guided recreational fishing against the self-serving interests of the commercial fishermen.

**Alaska Charter Association P.O. Box 478, Homer AK 99603**

Following are proposals we wish to comment on:

**Proposal: 137/ 138 OPPOSE****Sponsor:** Southeast Alaska Fishermen's Alliance**Purpose:** 2 fish bag/possession limit on all species not currently regulated.**Response:** Bag and possession limits are resource management tools used by fisheries to control harvest levels. These levels are set based on scientific information provided on a targeted species of concern to prevent overharvesting. This is a sweeping regulation across many species, with no documentation or evidence of need for conservation measures such as bag and possession limits.**Proposal: 286, 287 OPPOSE****Sponsor:** Alaska Trollers Association / Mitchell & Jordan**Purpose:** To change the definition of "possession limit" in Southeast Alaska to include the maximum number of any fish (preserved or unpreserved) a person may have until they return to their domicile.**Response:** This would in effect place a two day bag limit, as an annual limit, on all species of fish for nonresident anglers. There is no scientific evidence to support the need for such a discriminatory measure. Reporting of catch in the guided recreational fishing sector is already accounted for in verifiable log books, creel surveys, and the statewide harvest survey. Enforcement of the proposal would be impossible because anglers would not be prevented from processing and freezing fish in chunks and thereby making it impossible to count fish. This proposal submitted under 5 ACC 75.995, a Statewide Chapter, by inference does not provide for definitions specific to Southeast Alaska alone.**Proposal: 288 / 289 OPPOSE****Sponsor:** Alaska Trollers Association**Purpose:** Nonresident limit/annual limit on Coho, Nontransferable harvest record, hold sport anglers to possession limit.**Response:** There are no conservation concerns with Coho salmon in Southeast Alaska. Why should there be an annual limit imposed on one specific user group, when all guided anglers, non-resident and resident, have taken only 5% of the total harvest by all gear groups, over the past 10 years? Commercial fishermen have a vested interest in how much fish recreational anglers take home; the more anglers take home, the less they buy at the market. Why should commercial fishermen determine what is reasonable for recreational anglers to take home and how they should acquire the food they place on their tables? A non-resident recreational angler's allowable catch is taken home for personal consumption and used as calling cards to attract other people to visit Alaska, when used at parties and circulated amongst friends and family as treasured gifts. For the betterment of our Alaskan economy, we should be encouraging this, not discouraging it. This proposal would accomplish nothing for the long term conservation of Coho while at the same time adding layers of expense and bureaucracy for Alaska Department of Fish and Game. Reporting of catch in the guided recreational fishing sector is already accounted for in verifiable log books, creel surveys, and the statewide harvest survey. There is no evidence to support the claim that law enforcement is unable to enforce charter/non-resident daily bag limits and possession limits.

Alaska Charter Association P.O. Box 478, Homer AK 99603

**Proposal:** 290 **OPPOSE**

**Sponsor:** ADF&G

**Purpose:** Reduce sport and personal use steelhead harvest.

**Response:** Sport and personal use of steelhead is not the cause in the reduction of number of steelhead available to catch. The Board should enact regulations that prohibit the retention of Steelhead in the gill net fishery, require steelhead mitigation equipment on board all gill net boats, and prohibit the sale of steelhead. Only then will you see fish returning to our rivers instead of on the shelves of supermarkets.

**Proposal:** 293 **SUPPORT**

**Sponsor:** Tad Fujioka

**Purpose:** Reduce dog fish population by increasing bag limits.

**Response:** Dog fish have been inadvertently included in harvest limitations for other less abundant shark species. Dogfish are abundant to the point of nuisance in many marine waters in Southeast Alaska. Keeping the current bag limits will deprive anglers who want to retain dogfish while allowing the dogfish population to continue increasing reducing the abundance of more desirable species.

**Proposal:** 294 **OPPOSE**

**Sponsor:** Walt Pasternak

**Purpose:** Close regional terminal harvest areas financed by aquaculture associations to guided sport fishing because sport fishing anglers don't pay aquaculture fees.

**Response:** Sport Fish Division through Dingle Johnson and other federal mechanisms funds many sport fish enhancement programs around SE including regional aquaculture hatcheries. Only two hatcheries are 100% funded by 3% salmon enhancement tax. Commercial fishermen benefit from those sport enhancement fish as well as the recreational angler. The concept that each entity that funds a hatchery can create an exclusive zone around that hatchery flies in the face of public access to marine waters.

**Proposal:** 296 **OPPOSE**

**Sponsor:** Seafood Producers Coop.

**Purpose:** Ban electric reels

**Response:** Elderly people and handicapped people need this equipment in order to access the fish. Able bodied people fishing in SE waters which are characteristically deep, many places (up to a quarter mile) also benefit from the use of electric reels. Bag limits are already in place to serve as a conservation tool. We see no conservation reasons for this proposal. All user groups have equal access to all fisheries as stated in Alaska's constitution. This gear restriction proposal is an attempt to limit access to fisheries predominantly fished by commercial fishermen and is in complete disregard for rights of other user groups to this fishery.

**Proposal:** 297, 298 **SUPPORT**

**Sponsor:** Mike Bethers

**Purpose:** Officially add electric reels as legal fishing gear in regulations.

**Response:** The elderly and the physically challenged need this gear to fish deep water. This will clarify to law enforcement that electric reels are legal sport fishing gear.

Alaska Charter Association P.O. Box 478, Homer AK 99603

**Proposal:** 299 **SUPPORT**

**Sponsor:** Mike and Linda Slifer

**Purpose:** Allow herring netting from charter boats.

**Response:** This would allow an efficient and cost saving means of obtaining bait rather than purchasing from costly out of state resources.

**Proposal:** 301 **OPPOSE**

**Sponsor:** Theo Grutter

**Purpose:** Require barbless hooks whenever release is a possibility or is contemplated.

**Response:** This regulation would require enforcement personnel to determine the intent of an angler or the possible outcome of a day's fishing prior to the fact. Again there is no resource issue involved here as sport fishing is only a small fraction of the harvest. Far more fish mortality occurs from commercial release simply on the basis that they catch and release nearly nine times more fish. If damage to the resource is occurring from releasing fish it would then be logical that to ban barbs in commercial fishing where release is possible and would be nine times more successful in decreasing mortality.

**Proposal:** 302 **OPPOSE**

**Sponsor:** Ralph Guthrie

**Purpose:** No hook and release fishing

**Response:** The US/Canada Treaty counts only landed mortality in both the sport and commercial fishery. Adding a projected hooking mortality number to the treaty will likely lower harvestable numbers of salmon to both sectors.

Recreational anglers land only a small percentage of the salmon harvest – less than 20% of the kings and roughly 5% of the Coho. If the State of Alaska is concerned about release mortality, a study of the impacts of release mortality in both the commercial and sport fisheries would be step one. Management needs to be science based.

**Proposal:** 303 **SUPPORT**

**Sponsor:** Larry Edfelt

**Purpose:** Unguided anglers use of herring jig,

**Response:** We support this proposal and consistency in regulations for the guided and unguided angler.

**Proposal:** 307 / 308 **OPPOSE**

**Sponsor:** Walt Pasternak / Southeast Alaska Fishermen's Alliance

**Purpose:** No personal use or subsistence fishing 30 days prior, during or after season or possess personal use or subsistence caught fish while clients present on vessels or at facility.

**Response:** This proposal disenfranchises tax paying American citizens from equal access to a public resource guaranteed by state and federal law. Charter operators would not even be allowed to keep canned salmon or frozen fish from a previous year on their property during the summer. With no biological or conservation reason involved, this proposal is absurdly discriminatory.

Alaska Charter Association P.O. Box 478, Homer AK 99603

**Proposal:** 309 OPPOSE

**Sponsor:** Walt Pasternak

**Purpose:** Allocate Coho

**Response:** There is no need to allocate Coho in the guided sport fishery if historic bag and possession limits have never over stressed the fishery to conservation levels. If there was an allocation problem or conservation problem, the appropriate fisheries staff would be making recommendations to the Board to change the status quo. Coho taken by guided anglers have resulted in only 5% of all Coho taken in the Coho hook fishery over the past ten years.

**Proposal:** 310 OPPOSE

**Sponsor:** Walt Pasternak

**Purpose:** In season fish ticket system to regulate guided recreational anglers in a timely manner.

**Response:** We already have the tools in place to track and regulate the charter industry. No benefit would be realized by adding more paperwork and reporting requirements. This would just increase bureaucracy and administrative costs. Money would be better spent on streamlining or modernizing the data entry system of log books for more timely information.

**Proposal:** 311,312 and 313 OPPOSE

**Sponsor:** ALFA, ATA, Signid Rutter

**Purpose:** This proposal would allow enforcement officers free and unobstructed access to inspect all charter boats, lodges, and lodge facilities even lodges that "do not charge clients."

**Response:** The Issue statements suggest that this regulation is necessary because it is done in commercial fishing industry (311); sport fishing guides do not allow enforcement officers to speak with their clients (312); and there is no regulation that allows for inspection of charter boats and lodges and that parts of the industry are uncooperative (313).

These proposals are not being brought to the BOF by the Department or by Enforcement. They are being proposed by commercial fishing advocacy organizations and a commercial fisherman. They would suspend the civil rights of charter captains, lodge owners, and guided recreational fishermen from all over the world who come to Alaska, contributing over a billion dollars a year into the state economy.

As a matter of fact, law enforcement officers are already allowed access to premises without warrant:

AS 16.05.180. Power to Search Without Warrant.

Each peace officer designated in AS 16.05.150 may without a warrant search any thing or place if the search is reasonable or is not protected from searches and seizures without warrant within the meaning of art. I, Sec. 14, Alaska State Constitution, which specifically enumerates "persons, houses and other property, papers and effects."

Alaska peace officers already have the right to stop and inspect our vessels on the water for fisheries and safety purposes. Should an officer desire, this officer can ask to see what ever he/she wishes and if the officer has probable cause to believe there may

**Alaska Charter Association P.O. Box 478, Homer AK 99603**

be a violation he/she can bring to bear the weight of the entire State of Alaska justice system.

These proposals also suggest that these draconian measures are necessary to count fish and catalog the guided sport fishing industry's catch. We submit that the new verifiable log book with the name and fishing license number of the client, signed by the client is designed specifically to accurately document our client's catch. Enforcement officers can board our vessels at any time and verify compliance using the log book. We feel this is a better tool than random freezer inspections for documenting catch as frozen fish are chunked and vacuum sealed and not recognizable as single fish. Additionally, many small lodge facilities are operated from family homes. We feel these proposals would suspend the constitutional guaranteed rights to privacy and protection from illegal search in our homes.

**Proposal: 368 OPPOSE**

**Sponsor:** Southeast Alaska Fishermen's Alliance

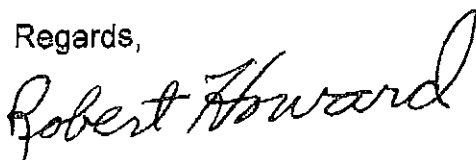
**Purpose:** Non-resident sport bag possession limits reduced to one daily bag limit.

**Response:** We see no fishery conservation or enforcement concerns needing the reduction of possession limits to one bag limit. The two bag possession limit is intended to accommodate live-a-board vessels who travel between port facilities and allows them to carry aboard two days catch before processing. The proposal contradicts itself by verifying the fact that once fish are processed and frozen, they are no longer considered part of one's possession limit. Most lodges process their guest fish daily and thus this proposal would not affect the number of fish guests are allowed to take home.

May we remind you that the purpose of the Board of Fisheries is to conserve and develop the fishery resources of Alaska and in making regulations, given direction by AS 16.05.251 (17) Promoting fishing and preserving the heritage of fishing in the state and (d) Regulations adopted under (a) of this section must, consistent with sustained yield and the provisions of AS 16.05.258, provide a fair and reasonable opportunity for the taking of fishery resources by personal use, sport, and commercial fishermen. We argue that the above proposals, which we have indicated opposition to, go against your directives and purpose as stated above.

Thank you for allowing us to comment and we look forward to further discussions at the upcoming Board of Fisheries meeting in Sitka.

Regards,



Bob Howard  
President

To:  
Fish & Game Board Chairman

From:  
Thomas Williams Jr. (Gillnetter Fisherman)  
PO Box 141  
Haines, Alaska 99827

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FEB 03 2009  
BOARDS

I OPPOSE these proposals.  
255 and 256 – 5AAC 33.331 – Gillnet Specifications and Operations  
Proposed by Andy Wright – 255. Bob Martin – 256.

I OPPOSE these proposals.  
261 – 5AAC33.366.NSE. Seine Salmon Fishery Management Plan.  
Proposed by Southeast Alaska Seiners Association.

I OPPOSE proposal 273 – 5AAC 33.376 (b) (1) (b).  
District 13: Deep Inlet Terminal Harvest Area. Salmon Fishery Management Plan.  
Proposed by: Southeast Joint Regional Planning Team.

I OPPOSE proposal 274 – 5AAC 33.376.  
District 13: Deep Inlet Terminal Area Salmon Management Plan.

*Georgiana Stotch*  
*for Thomas Williams Jr.*

Public Comment #

74



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FEB 03 2009  
BOARDS

Otto Florschutz  
Box 547  
Wrangell, AK, 99929

BOF Comments  
Board Support Section  
Alaska Dept of Fish and Game  
PO Box 115526  
Juneau, AK 99811-5526

**Proposal 220:** I support  
Overages and underage should be contained or used within that gear group.  
This proposal would lead to better stewardship among all users.

**Proposal 221:** I support  
Non-residents should not have more fishing opportunity than residents.

**Proposal 223:** I oppose  
This proposal is re-allocative in nature, it would double the effort by the guided sport industry which would greatly expand this fishery, this would trigger harvest reductions during summer months to meet allocation goals resulting in needless fish killed due too the destructive practiced hook and release fishery.

**Proposal 225, 226:** I oppose  
Hatchery access areas are designed to allow commercial harvest by those who sacrifices too grow and raise those fish. The terminal areas are small and restrictive in nature, trolling methods do not meet well with hoards of sport fish boats crowding these areas. Commercial boats with lines in the water are not able to dodge sport boats that customarily stop right in front of them when they catch fish. Allowing for this increase would greatly increase sport fish effort, likely displacing the commercial troll fishery.

**Proposal 227:** I support  
Trollers have had a hard time sharing in the rewards for their efforts in the rebuilding of these fish stocks. This would give them more opportunity.



**Proposal 229:** I oppose

Annual limits should never be attached to marketability. Of course 8 fish is more marketable than 4 but would also upset the Tran boundary river allocation plan and would present management problems.

**Proposal 244:** I support

SSARAA and NSARAA have done a good job of managing release of salmon to provide harvest sharing between seiners and gill-netters. Non-profits have not followed this method and their fish have upset this balance. Since they are not party to the plan their fish should not count.

**Proposal 251:** I support

Many fishermen participate in multiple fisheries. This proposal simply makes it easier to transit from one fishery to another and clearly defines how gear should be stored.

**Proposal 255, 256:** I oppose

All fishermen should have the same opportunity with no special privileges.

**Proposals 257, 258:** I support

Gillnet fisheries start 12:00 pm Sunday. Fishers must currently choose between earning a livelihood or the valued family building and structuring activity of Sabbath worship. It's important to instill good core values and ethics in today's youth. This places us at odds when we teach one thing but are forced to do another.

Historically some areas in SE opened noon Sunday while others opened noon Monday. Evidently this caused higher speculative fishing pressure in the areas that opened first. To solve this problem managers sought uniformity in opening times, unfortunately they moved all areas to Sunday opening instead of Monday.

A good compromise action would be to open the fishery at 6:00 am Monday. Having plenty of daylight in the summer months an early start Monday morning should not be debilitating to participants.

**Proposal 266:** I oppose

Re-allocation. This proposal would allow expansion of fishing into areas where fish stocks are already fully utilized by other gear groups.

**Proposal 286:** I support

As an 8-year employee of Alaska Airlines I have seen many blatant abuses of Alaska's bag and possession laws. Quite simply put there are more people in the U.S. than there are fish so harvest limits must be established. Alaska's possession limits are very old and do not take into account updated transportation access and opportunity. While being somewhat liberal and allowing ample opportunity this proposal ensures Alaska's precious resources are not wasted or squandered.

**Proposal 289:** I support

This proposal would allow for ample harvest opportunity while ensuring against waste and allow for better management.

**Proposal 294:** I support

Terminal harvest areas were established to allow commercial harvest of hatchery fish by gear groups who paid to rear those fish. Most commercial fishing methods do not blend well with sport fishing and this leads to gear conflicts. Commercial fishers paid for those fish and should be allowed to fish unencumbered. Sport fishers have ample opportunity in the common property areas, there should be a distinction between fishing and harvesting.

**Proposal 296:** I support

Electric reels and electric jigging machines cannot be defined as fair fishing methods the same a gillnets and seines would not. They allow fishing in much deeper water which would lead to excess mortality as deep water species are exploited.

**Proposal 307:** I support

While 30 days might be too long, subsistence and personal use seafood is being consumed and exported by nonresident guided fishers. Shrimp and crab pots are routinely set and fished by lodge personnel using guide boats. While this practice is illegal it is hardly enforced. Until such times as a better management plan evolves local resources must be protected from over exploitation.

**Proposal 308:** I support

Countless crab and shrimp pots are deployed by lodge personnel for use client use and export. Local shrimp stocks are extremely impacted when shrimp pots stay in the water all summer.

**Proposal 309:** I support

An allocation needs to be established because of the increased growth of this fishery with no management plan in place to ensure over-harvest in years of low abundance. An allocation is also necessary because of over-harvest of Coho Salmon by a user group (charter) who have taken no pains or money's to raise these fish.

**Proposal 310:** I support

It takes 2 years to compile sport fish catch data. While that might be fine for the relatively small harvest of the unguided industry, managers need more real-time data to monitor and manage the guided industry. This proposal simply gives managers access to this data without much burden on the guided industry.

**Proposals 312 and 313:** I support

As an employee of Alaska Airlines I have seen many abuses of our precious fish resource by charter fishermen. Most Charter guides have no empathy for resource management; they are only concerned about client management. Please give enforcement all the tool they need to adequately protect our resources. This only ensures we have plenty for future sport fishermen.



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FEB 03 2009  
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Board of Fish Members,

Proposal 255

I oppose both options in this proposal.

As a gillnetter that fishes mainly in Dist. 6 and 8, I stand to lose 100 fathoms of net and fishing time. Also fishing 300 fathoms in the remaining areas will only cause problems in the fleet. I also feel that there is not an over crowded issue here in Dist 6 or 8.

Proposal 256

I oppose this proposal, I can't imagine fishing 400 Fathom in a heavy traffic area, as in tour ships, tug boats, recreational boats and seine boats. Then throw in the many days that Dist 6 & 8 is heavy fog. I ask you to leave the existing rules as is.

owner/operator

Terry J. Hasbrouck  
F/V Striso

Gillnetter



Public Comment #

76

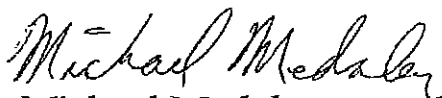
RECEIVED  
FEB 03 2009*In Reference to Proposals 255 & 256* BOARDS

February 1, 2009

As a SE gillnetter I am opposed to any proposal that allocates more time and gear to any individuals for any reason. The reason for salmon limited entry was to limit the fishing effort for management purposes. There is no biological basis for this proposal and it may put some fishermen at an economic disadvantage.

It is not a good idea. There are already numerous ways for fishermen to invest further in their operations without doing so to the detriment of others in a given gear group.

Sincerely,



Michael Medalen

F/V Vixen

Box 969

Petersburg, AK 99833

Public Comment #



RECEIVED TIME FEB. 3. 1:59PM

February 1, 2009

RECEIVED  
FEB 03 2009

BOARDS

Dear Board of Fish Members,

As a SE Alaska Gillnetter and boat owner, I am strongly opposed to both proposals 255 and 256. I fish Districts 6,8 and 11, and believe overcrowding is a non-issue. Allowing one person to own and operate 2 gillnet permits will encourage fleet monopolization and create more animosity and competition in an already highly competitive fishery. It will also immediately activate all inactive permits, by putting a high demand on those unused permits. This will likely cause the price for the permits to skyrocket, making it almost impossible for a young person such as myself to enter into and compete in the gillnet fishery. If passed, I think these proposals will benefit the minority who already own or are capable of purchasing a second permit, while hurting the majority who may not be able to afford the second permit.

Thank you for your time,

*Sara M. Stoner*

Sara Stoner  
F/V Harbor Mist  
P.O. Box 394  
Petersburg, AK 99833

Public Comment # 78

RECEIVED TIME FEB. 3. 1:59PM

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FEB 03 2009

BOARDS

2-3-2009

To Whom It May Concern,

**We are opposed to Propositions 255 and 256** coming before the Board this Spring. Having worked in the fisheries business in Petersburg for over 30 years, we feel this would not be a good thing for the fisheries.

Sincerely,

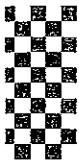
*Dennis L. Jones*  
*Kellie M. Jones*

Dennis and Kellie Jones  
PO Box 1528  
Petersburg, Alaska 99833  
(907) 772-4759

Public Comment #

79

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ATTN: BOF COMMENTS

Boards Support Section

Alaska Department of Fish and Game

Fax: 907-465-6097

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FEB 03 2009

BOARDS

To members of the Board.

I am a commercial fisherman and have been for over 30 years. Most of my fishing has been in Southeast Alaska from Dixon Entrance to Cape Suckling though I have fished in the Bering Sea and the Western Gulf. I have commercially longlined, trolled and dinglebared. I am also a sport fisherman and have been since arriving in Alaska in the winter of 1973. The following are my Comments on BOF Proposals for Southeast Alaska and Yakutat 2009.

## Proposal #333

I am opposed to an increase in GHL in any area except East Yakutat. The population in East Yakutat appears to be on the increase. I believe Staff can verify that. That is not the case in the rest of the Southeast region. I fish in all Southeast districts.

## Proposal #334

I am opposed to this proposal. There are no surveys of lingcod populations and the commercial harvest may reflect the true availability of lingcod. Demand for these fish by one user group is not reason enough to overturn the work of the Lingcod Task Force commissioned by this board nor is demand reason enough to reallocate resource. Furthermore sport catch experienced a significant decline of lingcod in area SSEOC. Table 333-1 pg 361 of Department Comments shows a 15,000 lb decline in catch by sport from 2007 to 2008. I don't believe that there was any management change in that year. Further complicating this issue is that buyers in Southern Southeast have been paying half of what Northern buyers have been paying for the directed fishery while the price of fuel has doubled and quadrupled in recent years. That I believe is changing. Prices on the Southern end are improving while the price of fuel is half of what it was last summer.

One final point. The only good lingcod fishing in recent years has been in EYAK where there is no sport effort.



## Proposal #335

I oppose #335. I think that the author of this proposal would probably withdraw it if he could. The net effect of 335 would be to reallocate fish from sport to the directed fishery.

## Proposal #337

I oppose 337. It's hard to ask for more fish when one hasn't caught one's own by-catch. When and why would you implement this? The directed lingcod fishery ends on November 30. At what time do you decide there is a surplus?

## Proposal #339

I am opposed. Large ground fish are female. If we want to protect the ground fish resource we've got to stop targeting spawning females. It has been shown that the larger females are more successful spawners than less mature fish. This Proposal would create a hook and release fishery targeting large females.

## Proposal #340

I oppose this proposal. I don't understand #340. It is quite a reach to say that rockfish populations and habitat will be reduced if nothing is done.

Matthew Donohoe  
P.O. Box 3114  
Sitka Ak., 99835



**Ron Skip Sparks**

From: "Ron Skip Sparks" <skip@theoregonshore.com>  
To: <SKIP@theoregonshore.com>  
Sent: Tuesday, February 03, 2009 10:31 AM  
Subject: PROPOSAL 255- 5 AAC 33.331 & PROPOSAL 256 - 5 aac 33.31.

**PROPOSAL 255- 5 AAC 33.331 & PROPOSAL 256 - 5 aac 33.31.**

I HAVE GILLNETTED SINCE 1977 AND I SEE ABSOLUTELY NO REASON ON EARTH FOR A PERSON TO STACK PERMITS!!! TO START WITH MOST OF THE PEOPLE THAT WANT TO START THIS ALREADY OWN 2 PERMITS AND ARE JUST OUT RIGHT GREEDY, I DON'T WANT SOMEONE NEXT TO ME FISHING WITH A NET 100 FATHOMS LONGER THERE ARE ALREADY TO MANY PROBLEM TRYING TO FIT NETS IN THE AREAS WE FISH!!!! THEN THERE ARE ALL THE HATCHERY AREAS WHERE WE ALREADY HAVE OPENINGS THAT CAN GO AS MUCH AS 7 DAYS A WEEK SO I DON'T SEE WHERE EXTRA TIME IS NEEDED FOR ANYBODY, WHAT ARE THEY GOING TO WANT US TO TIE UP SO THEY CAN GO OUT AND FISH BY THEMSELVES???

I KNOW A FEW PEOPLE IN BRISTOL BAY THAT ARE DEALING WITH THIS ISSUE AND THEY ABSOLUTELY HATE HOW THAT HAS TURNED OUT!!! SOME REALLY GOOD FRIENDSHIPS HAVE BEEN RUINED OVER THIS LAW!!! WE HAVE DONE JUST FINE THE WAY THINGS ARE RIGHT NOW IT KEEPS EVERYTHING ON A NICE EVEN KEEL AND GIVES NO ONE THE UPPER HAND, THE PERSON THAT PUTS IN THE TIME AND EFFORT MAKES THE MOST!!! SO IF YOU THINK YOU NEED A LONGER NET OR MORE TIME WHY DON'T YOU TRY WORKING A LITTLE HARDER AND SEE HOW THAT WORKS!!!! I CAN'T EVEN IMAGINE HOW SCREWED UP LINE FISHING WOULD BECOME WITH DIFFERENT LENGTH NETS OR BIG SETS IN THE HATCHERY AREAS WHERE SOMETIMES 200 FATHOMS CAN BE A PROBLEM TO MANAGE!!!

ANOTHER ISSUE IN SOUTHEAST WITH A 300 FATHOM NET IS ALL OF THE FERRY AND CRUISE SHIP TRAFFIC IN ALREADY TIGHT AREAS WOULD BE A NIGHTMARE!!! I THINK THE SHIP CAPTAINS WOULD TELL YOU THIS IS A DUMB IDEA IF THEY WERE TO READ THE PROPOSALS WHICH THEY WILL PROBABLY NEVER SEE!!!

THIS IDEA IS JUST PLAIN STUPID AND SHOULD ABSOLUTELY BE VOTED DOWN!!!

THANKS  
RON SPARKS JR  
F/V GROWLER

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Public Comment #

81



st-it® Fax Note	7671	Date	2-3-09	# of pages	3
BOARD Support		From JOHN C MURRAY			
Co./Dept. Section					
ID # 907 465 4110					
FAX # 907 465 6694					

## Comments to Board of Fish--February 2009

FEB 03 2009

BOARDS

**Proposal 200 - SUPPORT**

The Board of Fish in 2003 passed a proposal to include area 13A to be part of the Sitka Sound sac roe fishery. ADFG believing that 13A herring are part of the aggregate stock composition of 13B herring.

I ask the following, to the Board and ADF&G staff:

- 1) How does ADF&G know the 13A Salisbury Sound herring are part of the Sitka Sound herring aggregate?
- 2) By fishing on a stock of herring which could be a separate stock (i.e. 13A herring), could ADF&G be endangering the health of that stock?

I beleive by using the 13A herring as a cushion or buffer to take pressure off the Sitka Sound stocks we could be endangering a potantial separate stock of herring. 13A was fished 4 years, 1989, 1999, 2002, & 2006.

I suggest to the Board to direct ADF&G to initiate studies in order to determine stock assessment and composition on 13A herring. The funding could come from proceeds which are generated from the winter bait harvest that goes toward managing the sac roe fishery. If more herring is needed to create funding for such a project it could be considered an investment toward better management decisions.

John Murray, 224 Observatory St. Sitka, AK

**Proposal 204 - Support.**

I support the direction of this proposal. In the Sitka Sound sac roe fishery. There are many, many test sets before and during the fishery. It is thought by many Sitkans that the test fishing is excessive and unaccountable. Dead loss takes place. It causes added stress and distrust between ADF&G staff and local Sitkans.

I would suggest to the Board of Fish that one way to alleviate this would be for the ADF&G staff to initiate thorough monitoring of the test fishing. This would include on sight staff above and below the water to monitor the dead loss. Some method of viewing the area under the test fishing vessels would be advantageous, to see if test fishery is actually causing undue and unaccountable mortality on the herring as many allege.

If funding is needed, this could be accommodated via the winter bait harvest in Sitka Sound which take place to help fund management of the sac roe fishery.

Lets work this issue out to see once and for all to see if a problem exist, so it can be managed or put to rest.

John Murray 224 Observatory St. Sitka AK

**Proposal 217 - Opposed**

The Board of Fish in 2003 passed a proposal to include area 13A to be part of the Sitka Sound sac roe fishery. ADFG believing that 13A herring are part of the aggregate stock composition of 13B herring.

I ask the following, to the Board and ADF&G staff:

1) How does ADF&G know the 13A Salsbury Sound herring are part of the Sitka Sound herring aggregate?

2) By fishing on a stock of herring which could be a separate stock (i.e. 13A herring), could ADF&G be endangering the health of that stock?

I beleive by using the 13A herring as a cushion or buffer to take pressure off the Sitka Sound stocks we could be endangering a potential separate stock of herring. 13A was fished 4 years, 1989, 1999, 2002, & 2006

I suggest to the Board to direct ADF&G to initiate studies in order to determine stock assessment and composition on 13A herring. The funding could come from proceeds which are generated from the winter bait harvest that goes toward managing the sac roe fishery. If more herring is needed to create funding for such a project it could be considered an investment toward better management decisions

Please see proposal 217, Will the quality of of the resource harvested or products produced be improved? I believe ADF&G's logic stated here could be a danger to the area 13A herring especcially if 13A herring prove to be a separate stock from 13B.

John Murray, 224 Observatory st. Sitka AK

*John Murray*

**Proposal 244--Oppose**

I support 5ACC 33.364, its original intent is still good. Gear groups are currently working out allocation percentages at the Board of Fish, Regional Planning Team levels. If you look at the reasons for including PNP aquaculture association that don't receive enhancement tax revenue historically the rational still hold true. Pulling DIPAC out of the allocation formula will form a private club/hatchery for the gillnet fleet.

I would like the Board of Fish to reiterate their support for the S.E. Enhanced Salmon Allocation Plan and state their support for the Industry Consensus statement of Dec. 9 2008.

John Murray 224 Observatory St. Sitka, AK

*John Murray*

---

**Proposal 245 - Oppose**

Modifying the enhanced salmon allocation plan comes with an array of problems. Allocation being foremost, this proposal will cause unneeded division between gear groups and increased workloads to sort the reallocation out. This a snake in the grass proposal which is suppose to benifit all gear types. Its really a fish grab.

John Murray 224 Observatory St. Sitka AK *John Murray*

---

**Proposal 289-Support**

This is a proposal which will help enforcement of bag and possession limits. Details would need to be worked out in committee with affected gear groups.

John Murray 224 Observatory St, Sitka AK *John Murray*

**My Proposal 295** is not meant to become a regulation and is not meant to harass or hinder the sport charter operators. I look at it as advisory in nature. My hopeful outcome would be to have a workgroup formed or have the Board of Fish charge the ADF&G sport staff to come up with a plan to work on issues surrounding catch and release in the sport charter industry.

My reasons for writing this proposal are:

- 1) first and foremost is the conservation of our Chinook and Silver salmon stocks, the two species most sought after and highly utilized in Southeast Alaska's hook and line sport and troll fisheries.
- 2) to reduce mortality in order to move more spawners up their natal rivers or streams with the potential of more salmon in the future. This could ease allocation issues.
- 3) to reduce conflict between the charter and commercial fleets. Creating more salmon and opportunity should reduce conflict.
- 4) to "raise the bar." There are charter fishermen who currently use techniques which reduce handling and undue catch and release mortality. What needs to be done is to make these techniques the common practice for the sport charter industry.
- 5) to urge the ADF&G staff and the charter industry to take a more proactive role on this issue. If catch and release is to be a legal and common practice, the managers and users should look at being progressive in the way sport fishing is done.

FYI: There are four proposal's dealing with catch and release and mortality (222,295,301,302) mine being the only one that doesn't call for regulatory action.

Lastly Alaska's management of it's fish resources is looked upon as some of the best in the world because of the Board of Fish process, Fish & Game Advisory Committees, ADF&G staff and the many users who work to keep our stocks healthy and abundant. To my way of thinking this proposal is a step in that tradition, a wise use of the resource and a good management decision.

John Murray, F/V Loran, 224 Observatory Street, Sitka AK 99835 *John Murray*

---

**Proposal-310-Support**

This proposal is the direction ADF&G sport division needs to go. It will have benefits such as accountability, timeliness and enforceability.

John Murray 224 Observatory st. Sitka.

*John Murray*

---

**Proposal 320 -support**

Supporting this proposal would have little affect on the Summer chinook fishery because the number of chinook caught in the Spring troll fishery would not result in significant additional catch. The benefits of this proposal are: 1) supplying the markets when prices are generally higher 2) helping the full time troller make a living (mostly Alaska residents).

I see this as a good investment in our usage of chinook salmon. If this somehow gets out of hand, in three years the Board of Fish could reverse this action.

John Murray 224 Observatory St., Sitka, AK

*John Murray*

## Comments on Southeast and Yakutat Finfish Proposals Before the Board of Fish

Submitted by Lance Preston

PO BOX 6416 Sitka, AK 99835

YES on Propositions 286/ 287, 288, 289, 310, and 311/312

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FEB 03 2009  
BOARD

As a salmon troller I am proud to be involved in what I have long hoped and believed to be a well managed and sustainable fishery, and for this I realize I have many old-time fishermen to thank for having been worthy stewards of the resource, as well as the Alaska Department of Fish and Game which has for decades skillfully managed and protected perhaps the greatest fisheries resources on the planet. I grew up on the East Coast where over-fishing and poor management led to the near or complete collapse of many once prolific fisheries, and I submit my comments on these proposals out of the sincerest wish never to see anything remotely similar occur here in Southeast Alaska where I live and where I've fished for the last 15 years.

I believe in the continued commitment of the commercial fleet in general, and the troll fleet in particular, to work with ADFG and the Board of Fish to maintain the health and sustainability of the fisheries resource, and believe it is a merit of the fleet's commitment and the Department's well executed science that Alaska salmon has been certified by the internationally recognized Marine Stewardship Council. In keeping with this well earned distinction, and with Alaska's deserved reputation for well managed fisheries (a reputation crucial to Alaska's *number one source of income outside of oil*) not only should the commercial fleet maintain its long-standing commitment to conservation, but so too must the guided sport fishing sector, the relative new kid on the block, which consistently exceeds its guide harvest levels and works under comparatively flimsy regulations while growing rapidly as an industry. Their harvests should be accurately counted so the Department can incorporate the data into their carefully calculated management plans. Also, just as enforcement is and has been necessary to keep the commercial sector honest, so too is it plainly necessary to impose equally stringent enforcement policies upon the guided sector. Unlike the Department and the commercial fleet which have been responsible for the resource since statehood, the charter fleet, being relatively new, has done little or nothing to earn Alaska its reputation for sustainability. Under-regulated as it currently is, it may now actually compromise that reputation. If the Board of Fish adopts either proposal 286 or 287, as well as proposals 288, 289, 310, and either 311 or 312, the sooner those in the guided sector can realize and fulfill their own responsibilities as stewards.

Props. 286 and 287 seek to redefine possession limit definitions for sport caught fish. Props. 288 and 289 would require nonresident anglers to have non-transferable harvest records in possession while fishing for coho, and amend language concerning bag limits. Prop. 310 seeks to develop a fish ticketing system to track guided sport caught harvests. Props. 311 and 12 would allow enforcement to access vessels, lodges and processing facilities to effectively monitor charter catches.

## Comment on BOF Proposal 225 and 294

NO on 225 and YES on 294

Submitted by Lance Preston

PO Box 6416

Sitka, AK 99835

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FEB 03 2009  
BOARDS

I've been a troll skipper since the summer of 2001. That means that for every \$100 I've earned trolling for salmon since 2001, \$3 went toward salmon enhancement. It has been a very substantial sum of money I've contributed thus far. I and my fellow commercial salmon fishermen pay for the hatcheries and the salmon those hatcheries produce. The guided sport sector does not contribute to the hatcheries, but nonetheless catches a good deal of hatchery fish. Now one of their representatives, apparently not satisfied with this arrangement highly tilted in their favor, has made a proposal, 225, to have their king salmon bag limits doubled in hatchery areas. I am opposed to this proposal, unless perhaps the guided sport sector wants to finally begin contributing an equitable portion of their earnings to the hatcheries for a change. In the meantime, I'm more inclined to put my support behind proposal 294, which would quite reasonably bar the charter sector from fishing in designated hatchery zones for fish the commercial sector pays for.

I would have likely been silent about my support for prop. 294 were it not for the outrageous audacity of prop. 225.



Comment on Proposal 320 before the Board of Fish  
YES on Prop. 320  
Submitted by Lance Preston  
PO BOX 6416  
Sitka, AK 99835

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FEB 03 2000  
BOG

As a troller and an Alaska resident, I am in favor of Prop. 320. Evenly distributing king quotas throughout the year will maintain higher prices for the product, allowing more to go out fresh. Extending winter king quota overages into the spring fisheries makes good economic sense for the troll fleet.

Comment on all proposals concerning conservation and the sustainability  
of the sac roe herring fishery : Props. 199, 200, 203, and 204  
Submitted by Lance Preston

I am concerned that the sac roe herring fishery may not be managed conservatively enough. I am happy that the fishery exists and that those participating are quite successful. But the herring fishery is special because it targets a feed-fish, low in the food chain, that nearly all commercial and subsistence finfish species rely upon. Therefore commercial salmon fishermen, longliners, the guided sport sector, recreational anglers, and local subsistence fishermen all have a crucial stake in the herring fishery being exceedingly carefully managed. Old timers of this region talk about the days when the herring spawn colored most of the Baranof and Chichagof coasts. Obviously those days are over. Please be diligent in protecting the future of the sac roe herring fishery and the continued health of the herring stocks by considering Proposals 199, 200, 203, and 204.

## KETCHIKAN GUIDED SPORTFISH ASSOCIATION

PO Box 7334 - Ketchikan, AK 999010

Saturday, January 31, 2009

Attn: BOF Comments  
ADF&G  
PO Box 115526  
Juneau, AK 99811-5526

Fax: 907-465-6094

RE: BOF Finfish Proposals  
Comments by KGSA

RECEIVED

FEB 03 2009

BOARDS

Dear Board Members:

The Ketchikan Guided Sportfish Association (KGSA) is a Ketchikan organization comprised of local Alaskan resident sport fishing guides. We have approximately 40 members in our organization. The following comments were made by our members concerning local area proposals that will affect our community.

Proposal 220 -- Adjust allocation to guided sport fishery by amount over or under previous year's allocation.

Oppose.

Current in season management is based on commercial catches which give a very good indication of what sport fishermen are catching. Guided sport fishermen submit daily log books to ADFG weekly. The log book data provides very detailed information on the areas fished, effort, and catch & release numbers by species. If this information is needed for in-season management it already exists and could be compiled as needed.

Proposal 222 -- Close guided sport fishery in areas of high king abundance during years of low overall abundance.

Oppose.

This proposal is discriminatory against guided sport fisherman vs. non-guided. The example article of a huge day of catch & release is a very isolated and uncommon occurrence, which does not authorize such drastic measures.

Proposal 226 -- Double bag limits in hatchery troll access corridors in the Ketchikan area.

Support

This proposal would give all southern southeast inside sport fisherman a chance to harvest hatchery kings for which they finance approximately 50% through the sales of fishing licenses and king stamps. According to ADF&G, the hatchery troll access corridors support 50% to 75% hatchery fish vs. treaty fish from late May through the end of June, however sport fishermen are unable to harvest these fish due to stringent bag limits designed for areas of higher proportions of treaty fish.

Proposal 286/287 -- Define possession limit as the maximum number of preserved fish a person may have until returning to domicile.

Oppose.

This proposal is purposely designed to redefine the possession limit as an annual limit for non-resident sport fishermen at the detriment of lodges and charter fishermen. The

1/5

Public Comment #

84

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**KETCHIKAN GUIDED SPORTFISH ASSOCIATION**

PO Box 7334 – Ketchikan, AK 999010

authors claim that there is a loop hole in the current definition, however it is clear that the possession limit was never intended to be an annual limit. These proposals also claim that recent technology has made it possible for fishermen to preserve more fish to take home but we are not sure what this means as freezers have been around for decades.

ATA claims that there is a problem with large numbers of sport caught fish being transported out of the region. Are we not to believe that the 90% allowable resource harvest taken by commercial fishermen is not transported out of the region?

ATA claims that ADFG & enforcement will benefit from this proposal; however this proposal if adopted would make it extremely difficult for enforcement officers to determine how many pieces of frozen steaks make up a single fish to determine if an angler was transporting a legal possession limit.

ATA also claims that the resource would benefit, however since there is not a conservation issue with these fish the reduced catch by guided sport fishermen would typically be allocated to the troll fleet because ADFG manages at 100% of allowable harvest. When there are true conservation issues ADFG has tools to deal with this by decreased daily bag limits.

ATA claims that there is a problem with no in season management for guided sport fish. ADFG manages in season with commercial harvest numbers. Since the commercial catch is 90% why would ADFG waste their time tabulating catch statistics from 5% of the effort? What timely and important new information could this possibly provide them? Guide log books with detailed catch information are turned into ADFG weekly but aren't tabulated until end of season because data from such a small percentage of the total harvest is not useful for in season management.

The actual intent of this proposal is to reallocate guided angler fish to the troll fleet as we can see no other purpose for this toxic proposal.

Proposal 290 – Reduce retention of Steelhead.  
Support

Proposal 294 – Close regional aquaculture assoc. terminal harvest areas to guided sport harvest of salmon species not financed by state.

Oppose.

This punitive proposal seeks to alienate a single user group from participating in a fishery based on funding allocations. Sport fishermen finance approximately 67% of the king salmon production in southern southeast hatcheries and take less than 20% of the fish. So to be fair should the commercial troller's hatchery king salmon catch be reduced to 33%? It is important that all user groups work together to support enhancement of the resource and in the end it will benefit us all.

Proposal 296 – modify definition of sport fishing gear for Southeast Alaska area.  
Oppose

Electric reels are used by handicap and the elderly as a means to exercise there right to sport fish for species such as halibut. Fishing for slope fish is just another opportunity and it is time spent not fishing for other species. If there is a conservation concern ADFG can address it with daily limits like all other species, not by making more gear regulations that would harm other sport fishermen not even targeting these species.

**KETCHIKAN GUIDED SPORTFISH ASSOCIATION**

PO Box 7334 – Ketchikan, AK 999010

It is frustrating to listen to commercial gear groups claim they own a species because they have an IFQ. This is simply unconstitutional.

Proposal 297,298 – Definition of sport fishing rods and reels.

Support

Electric reels are currently allowed in the sport fishery however there needs to be a clear definition for enforcement purposes.

Proposal 301 – Require barbless hooks for salmon catch and release fishing.

Oppose

This would require an enforcement officer to determine the intention of a fishermen and release of a fish is always a possibility. This may actually encourage people to release a bleeding fish instead of counting it against their limit because a swallowed hook could more easily be removed from the gills.

If the intent of this proposal is to reduce catch and release mortality than it should also include commercial trollers as they release 8 times as many salmon as sport fishermen.

Proposal 302 – No catch and release fishing.

Oppose

Catch and release fishing has its place and is practiced all over the world. Many people off of cruise ships want to spend the day fishing but don't want to spend \$300 to send home two fish so they release their catch which would have otherwise been killed. Which scenario has more mortality?

Proposal 304 – Prohibit removing from water, steelhead under 36".

Oppose

Sometimes it is necessary to remove a fish from the water to more safely unhook it.

Proposal 307 – Prohibit charter vessel use in personal use fisheries within 30 days of use in a guided sport charter.

Oppose

This would eliminate the ability of a lifelong Alaskan to use his boat to take his family fishing or to put up food for winter because of a career choice. Most guides would have to buy a separate boat to subsistence or personal use fish. This is purely punitive and serves no other purpose than to harass guides.

Proposal 308 – Restrict subsistence and personal use fishing by lodge or charter operators when paying clients are present.

Oppose

Many sport fishing operators have B&B's or live within their lodge. This would make it illegal for many life long Alaskans to harvest or even store food for their families as traditionally done in the past.

It is already currently illegal to furnish subsistence or personal use fish & shell fish to paying customers. It is also illegal to stab or shoot a person so should we surrender all our knives and guns as well?

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Public Comment #

84

**KETCHIKAN GUIDED SPORTFISH ASSOCIATION**

PO Box 7334 – Ketchikan, AK 999010

Proposal 309 – Establish allocation of coho salmon for guided sport fishery based on last 10 years harvest.

Oppose

Sport fishermen currently catch about 10% of the coho. If there is a conservation issue it can be addressed by ADFG with reduced daily bag limits.

Proposal 310 – Develop fish ticket system to monitor in season harvest within guided sport fishery.

Oppose

ADFG manages in season with commercial harvest numbers. Since the commercial catch is 90% why would ADFG waste their time tabulating catch statistics from 5% of the effort? What timely and important new information could this possibly provide them? Guide log books with detailed catch information are turned into ADFG weekly but aren't tabulated until end of season because data from such a small percentage of the total harvest is not useful for in season management.

This would add to the ADFG budget to hire more people to tabulate data for no apparent reason. We are unsure why the author claims that the resource is suffering because the log book data isn't immediately tabulated.

Proposal 311,312,313 – Establish regulation to allow inspection of private facilities.

Oppose

Enforcement currently has authority to board vessels and inspect gear and catch. We agree that access should be provided to vessels, docks and floats where sport caught fish are landed. However we oppose that a remote lodge should have to give up revenue and rooms to enforcement officers.

We adamantly oppose regulation giving enforcement a full time search warrant to go through our private accommodations, freezers, cupboards etc. any time they want with no evidence of any wrong doing. These proposals are unconstitutional; drug dealers have more rights than this.

The authors claim that estimates of guided sport catches are poor and lacking in data. The daily log books give detailed information on the exact number of each species caught, anglers name and license number, location fished and hours of effort. These log books are verified by creel census and the state wide harvest survey. How is looking in peoples freezers at frozen fillets going to provide more detailed information?

Proposal 332 – Close area around Naha Bay to all bottom fishing.

Oppose

There is no scientific data to support this proposal; however near shore depletion around communities is not uncommon. Closing micro areas would lead to enforcement problems. This is a protected area that many fishermen use during foul weather. The authors also mention absence of halibut, however halibut are migratory and do not always hang out in the same locations year after year. Just because someone went fishing and didn't catch any fish is no reason to close down an area. There has to be more scientific data to support this claim. If ADFG had a true conservation issue with this area then we would support this proposal however ADFG admitted that they had no conservation concerns here.

## KETCHIKAN GUIDED SPORTFISH ASSOCIATION

PO Box 7334 - Ketchikan, AK 999010

Proposal 341 - increase sport allocation of DSR to 25%Support

Directed DSR fisheries around the Ketchikan area all but wiped out DSR and the last several years there has not been a directed DSR fishery in the Ketchikan vicinity. This proposal would allow the commercial by catch to continue and would give a few more of these fish to the sport fishermen vs. potentially opening back up a devastating fishery. We feel these fish have a much greater value as a sport fish than when commercially caught.

Proposal 343 - Open summer season for DSR fishery.Oppose

This fishery would cause much grief between sport and DSR fishermen. Halibut by-catch could be very substantial. These are very long lived sensitive fish and it takes years to reestablish them.

Proposal 368 - Establish possession limits for non-resident fishers at one daily bag limit for all speciesOppose

SAFA claims that we are giving away Alaska's fish to non resident anglers; however these people pay good money to catch a few fish and also spend millions at local restaurants, hotels and car rentals. We are not sure how this is any different than shipping out commercial caught fish for sale to non residents in stores and restaurants. The one exception is that when non-residents pay to catch their own Alaskan fish more money is injected into the local economy per fish.

This proposal would directly damage outfitters who offer overnight excursions for no apparent reason other than a group claims that non-resident anglers are catching too many fish. SAFA also claims that fish caught by non residents is being thrown out of freezers and wasted. This is an unsubstantiated claim which amounts to a miniscule portion of the total harvest; has no scientific basis and should not be used as evidence to support a proposal. If the authors are so concerned about wastage, they should pay more attention to their own by-catch mortality instead of worrying about a few pieces of fish lying in the bottom of someone's freezer.

We can't identify any conservation or biological concerns that would warrant this proposal, it seems punitive.

Sincerely,

*Jeff Wedekind* for Clay Stanakey, PRESIDENT.  
Ketchikan Guided Sportfish Association

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Public Comment #

84



*Kingfisher Charters and Lodge*

P.O. Box 1043

Craig, AK 99921

(907) 826-3350

[www.alaskakingfisherlodge.com](http://www.alaskakingfisherlodge.com)

February 3, 2009

Board Support Section

Alaska Department of Fish and Game

P.O. Box 115526

Juneau, Alaska 99811

Fax: 907-465-6094

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FEB 03 2009  
BOARDS

My family and I have been in the charter industry since 1989 in Klawock, and in Craig (area 2C) from 1993 to present. We run a full service lodge that we have built slowly over the years as our 5 children and their abilities have grown. Our family is now adults going to the Universities here in Alaska with 2 Alaska graduates and a third completing this spring. They have learned to work and earn money here in Alaska in the charter industry with one of them graduating with a degree in Hospitality and Hotel Management.

Since 1989 our business has grown with a steady increase from approximately 60 guests to 200 in 2008, all of our customers flew Alaska Airlines and from Ketchikan flew with Pacific Airlines or took the Inter Island Ferry. A typical year our bookings will be 90% by mid January with many return customers, 2009 is proving to be a much different year. Over and over I am hearing from our customers that the state is cutting so much on the limits that it is becoming less desirable to spend the money to fish in Alaska. A non resident pays over \$35/pound for the fish he catches, over half of that money gets put back into the communities, this does not include the cost of travel to the state. By reducing the daily bag and possession limits you will increase that price per pound enough to stop many people coming to the state to sportfish.

We normally employ 4 of our family members and one non family member guide, but unfortunately we will not be able to bring them all home for the summer due to these proposed cuts that has many of our customers waiting to see the outcome.

We have invested close to a million dollars in infrastructure these past 21 years, an investment that supports us and our community. Some of the proposals if accepted by the board will greatly jeopardize the future of our business and our community that we help support.

Thank you for your consideration on these issues.

Sincerely yours,

Charles Haydu

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Public Comment #

85

Charles Haydu  
P.O. Box 1043  
Craig, Alaska 99921  
(907) 826-3350

Please note my comments to on the following proposed changes.  
Thank you,  
Charles Haydu

**Proposal 220-** Oppose. Log books already keep track of number of Chinook and Halibut harvested by the guided sector.

**Proposal 238-** Oppose. Using a seine boat with power block and seine skiff is not a traditional subsistence practice and takes away from community involvement of subsistence lifestyle. Who determines which family or persons get what fish, (will one family or person get the less desirable or damaged fish).

**Proposal 253-** Oppose. 58' boats and gear are very productive with record catches.

**Proposal 288-** Oppose. Typical guided trips sold to the majority of lodges are 3 day trips. An 18 fish limit has worked well for selling trips; to cut the Coho to 12 when all other species have also been cut will drastically reduce the number of people willing to spend the money to come to the state and support the small communities and families that depend on the income.

**Proposal 289-** Guided anglers typically fish 3 days bringing home 18 silvers or less, these fish are recorded daily in log books with angler's name, license number, and number of fish caught and signed by the angler. This mechanism for information is delivered weekly to the state and reviewed so the numbers are very accurate.

**Proposal 294-** Oppose. The Craig area has a new terminal Chinook program highly supported by the local charter industry, support businesses, and non resident and resident sport fishermen who raise dollars through the local fishing derby, and donations. Without their support the hatchery would be struggling even more, this proposal would negatively affect the people who have supported this non profit hatchery which is not supported by the state or Alaska Trollers Association.

**Proposal 302-** Oppose. A fisherman should be able to release a fish if it is hooked in the jaw area and is a marginal length fish, (barely legal).

**Proposal 307-** Oppose. Although I do not subsistence fish for halibut I do like to take my family out fishing when guests are not at our home. This proposal will prevent my family to sport fish in summer months and supply our much needed fish for winter. Regulations prevent a charter captain from retaining fish while paying guests are on board of any kind even though required to possess a sport fishing license and king stamp. To have to purchase another boat for the purpose of being able to bring family members out on a day off would be cost prohibitive.

**Proposal 308-** Oppose. No frozen or processed fish (unless purchased from a store or fish processor) can be legally used for meals at lodges, only fresh fish of the day can be used (the anglers personal catch). This proposal would again make it impossible for families to supply their homes with their winter food.



**Proposal 310-Oppose.** The fish are recorded daily in log books with anglers name, license number, number of fish caught and signed by the angler. This mechanism for information is delivered weekly to the state and already established.

**Proposal 333-Support.** Evidence on the fishing grounds shows an abundance of lingcod.

**Proposal 334 - Support.** Consistently under-utilized bycatch would greatly benefit the guided sport fishery and their communities which is currently hamstrung with restrictions of one annual lingcod within 30-35" slot limit.

**Proposal 335-support.** Same reasons for proposal 334.

**Proposal 336- Oppose.** The longline bycatch allocation has been consistently under harvested in the past 4 years, so the by catch allowance appears to be more than sufficient.

**Proposal 337- Oppose.** I believe that the guided sport fishery and its communities would by far monetarily benefit with this highly prized sport fish as it is very marketable to non resident anglers.

**Proposal 338- Oppose.** Same reasons as for 337.

**Proposal 339- Support.** Allowing guided anglers to have a chance to take a state record lingcod would provide a marketing tool and would result in minor impact on an already strong fishery.

**Proposal 340- Support.** Where there is a surplus not being harvested it should be available.

**Proposal 341- Support.** For reasons that the Southeast Alaska Guides Organization has stated.

**Proposal 343,344- Oppose.** For same reasons as in 341.

**Proposal 345,346- Oppose.** This proposal would encourage targeting DSR instead of taking them incidentally.

**Proposal 347- Oppose.** This might encourage targeting of slope rock fish instead of taking them incidentally as bycatch.

**Proposal 351- Support.** If required in the sport fishery as making sense then all fisheries should adopt this practice.



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ATTN: BOF COMMENTS

Boards Support Section

Alaska Department of Fish and Game

P.O. Box 115526

Juneau, AK 99811-5526

Dear Chairman Jensen and Members of the Board

RE: BOF proposal 200/217 -- Salisbury Sound

There is a distinct possibility of that there is a separate stock of Pacific herring in Salisbury Sound. With preliminary data we identified two distinct otolith core chemical signatures, one in Salisbury and the other in Sitka Sound. This data along with some anecdotal data about the time of spawn differences lead us to believe that there is a possibility of a distinct stock. We will not have any conclusive data for at least two to three years. If Salisbury Sound stock is distinct it is definitely a possibility that it is small and could be harmed by a commercial harvest.

Sincerely Dr. Nate Bickford

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FEB 03 2009  
BOARDS

University of Great Falls  
Division of Biology  
1301 20th Street S.  
Great Falls, MT 59405

1301 20<sup>th</sup> Street South | Great Falls, MT 59405 | 409-791-5302

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Public Comment # 

1/30/2009

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FEB 03 2009

BOARDS

BOARD OF FISHERIES:

I WOULD LIKE YOU TO SUPPORT PROPOSAL # 244. I LIVE IN SKAGWAY ALASKA AND SELDOMLY LEAVE LYNN CANAL. I MOSTLY CATCH CHUM SALMON PRODUCED BY DIPAC. I RARELY GO TO SITKA (DEEP INLET)

I DON'T BELIEVE IT IS FAIR THAT I PAY 3% ENHANCEMENT TAX WHEN ~~ALSO~~ I CATCH SO FEW NERRA FISH. THE DIPAC FISH SHOULDN'T BE INCLUDED IN FIGURING ALLOCATION ISSUES. IN FACT, ~~THE~~ SO MUCH HAS CHANGED IN THE FISHERIES (PRICE & VOLUMES) THAT THE ALLOCATION PERCENTAGES SHOULD BE REVISITED.

I FEEL I'M BEING TAXED WITH VERY LITTLE RETURN TO MY BANK ACCOUNT.

THANK YOU FOR THIS OPPORTUNITY TO COMMENT.

*Mark Salvi*

MARK SALVI

NORTHERN SE GILNETTER

Box 287

SKAGWAY AK 99840

COMPLETE SHARPENING SERVICE



S.O.B & THINGS

MOBILE  
SHOP

404 Lake Street, #2E • Box 186  
Sitka, Alaska 99835  
907-747-3844/Jim Cushing

ANSWERING  
MACHINE

Comments

Jan. 31, 2009

A. D. Fish & Game  
Tuneau, Alaska

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Sirs:

I've lived here in  
Sitka all of my life! I  
<sup>58 years</sup>  
remember when I was  
a teenager I'd go down  
to the Boat Harbor  
when the herring were

**COMPLETE SHARPENING SERVICE**



S.O.B & THINGS

MOBILE  
SHOP

404 Lake Street, #2E • Box 186  
Sitka, Alaska 99835  
907-747-3844/Jim Cushing

ANSWERING  
MACHINE

Funing and I thought you  
could Sam near walk ac-  
cross the Channel to  
Tuposhki Island the har-  
vins were so thick in the  
Channel!

But, no more! Fishing  
them out!

At the rate you r going,  
there won't be anymore

**COMPLETE SHARPENING SERVICE**



S.O.B & THINGS

MOBILE  
SHOP

404 Lake Street, #2E • Box 186  
Sitka, Alaska 99835  
907-747-3844/Jim Cushing

ANSWERING  
MACHINE

*herring!*

*It's Crazy!*

*Wake up!*

*Jim Cushing*

**Southeast Alaska Fishermen's Alliance**

9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

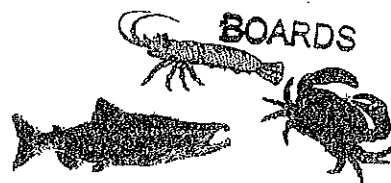
Fax 907-523-1168

Website: <http://www.seafa.org>E-mail: [seafa@pci.net](mailto:seafa@pci.net)

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FEB 03 2009

BOARDS



February 3, 2009

Board Support Section  
Alaska Dept of Fish and Game  
John Jensen, Chair  
1255 West 8<sup>th</sup> Street  
Juneau, AK 99811-5526

Fax: 907-465-6094

Dear Chairman Jensen and Board of Fish Members,

RE: SE Finfish Proposals - Feb. '09

Southeast Alaska Fishermen's Alliance (SEAFa) is a multi-gear, non-profit, membership based association representing our members involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska. Since we have all gear groups, gillnet, troll and seine represented in our association, we have not at this time commented on some proposals that are allocative between commercial gear groups or within a group where we have members on both sides of the issue. As we stated in our oral testimony in Petersburg, we strongly believe that the most important consideration is to maintain sustainable fisheries and that accurate accounting for all species by all sectors including recreational is necessary in order to maintain sustainable fisheries. Thank you for your consideration of the information provided and our opinions.

Our comments on the proposals are listed by numerical order.

Proposal #137: Support - SEAFa submitted and supports this proposal. This proposal does not have to be complicated and list multiple species but can be written as specified. We believe that this is precautionary management at best in that you protect the species prior to problems occurring. Creel samplers don't always notice an increase of harvest on a particular species since they aren't stationed at remote lodges and locations. The Statewide harvest survey also doesn't pick up an increase in a harvest of species since anything not specifically

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listed is lumped together under "other". The word bucket should not be considered as the measurement for herring but instead it should read 5 gallons or a similar measurement such as used in shrimp which is measured by pounds or quarts. In addition to a two fish daily bag limit for other species, the Board of Fish may wish to take and specify a daily bag, possession limit and annual limit for blackcod as a separate action from the other species.

Proposal #138/368: Support - SEAFA submitted and supports this proposal but after listening to the discussion at the Petersburg shellfish meeting would suggest amending the proposal. We would request that instead of implementing a one daily bag limit for non-residents the Board of Fish consider annual limits for all finfish species for non-residents if no action is to be taken on proposal #286. The current possession law is meaningless as currently written.

Proposal #199: Oppose - SEAFA opposes the closure of all commercial herring fisheries. The data we reviewed does not show the need to close the fisheries. The stocks are carefully managed by ADFG with a dive survey assessment method. ADFG has assured us that the stocks are stable and that in the areas where a fishery is conducted that there is a harvestable surplus and the stocks are healthy. The Whale population continues to grow which is a sign that there is sufficient resource available. In regards to the comments made in the proposal, less salmon can also as easily be explained by a huge increase in the sport fishery (guided and assisted unguided) that is not being fully accounted for. It's true that the halibut are growing slower than they used to in previous years but IPHC and other management agencies have yet to determine why this is occurring but possibilities include competition by arrowtooth flounder, weather/climate changes or other possibilities.

Proposal #200: Oppose - This proposal requests that Area 13 A Salisbury sound herring fishery be closed. We oppose the closure of commercial fisheries. ADFG currently does stock assessments for herring and determines the harvestable surplus. The information from the petition for an ESA listing of Lynn Canal herring considered all stocks in Southeast Alaska to be one population stock (discrete population segment) and that individual areas of Southeast Alaska did not qualify as individual populations. The Commercial herring fishery in Southeast Alaska was worth more than \$16 million in 2008 according to the staff comments in figure 199-1.

Proposal #219: Oppose - SEAFA opposes the listing of Bradfield Canal King salmon as a stock of concern. The Dept would have brought this to the attention of the Board of Fish if they thought it should be listed or qualified as a stock of concern



during the October work-session. The Dept has stated in their staff comments that the Bradfield Canal King salmon do not meet the criteria as a stock of concern.

Proposal # 221: Oppose - SEAFA believes that it is very appropriate to manage non-resident sport fisheries differently than the limits for Alaskan residents. In addition the non-resident bag limit has always been smaller than the resident limit so the premise of this proposal does not make sense to us.

Proposal #222: Support - SEAFA supports closing the areas of high king salmon abundance to the guided sport fishery during years of low king salmon abundance as a conservation measure to prevent additional mortality associated with catch and release when stocks are already at low levels. The commercial troll fishery is closed to the taking of all salmon in the high abundance areas to minimize the mortality associated with release of salmon. This same attitude in times of low abundance for the guided sport fisheries should be considered to reduce the amount of mortality when fish stocks are at low abundance levels.

Proposal #224: Amend - SEAFA could support this proposal to allow an exemption during the Golden North King Salmon Derby if an amendment was adopted with conceptual wording that the "exemption was for during the 3 days of the Golden North King Salmon Derby in August". Exempting the whole month because the dates of the derby aren't known is too significant of a change when trying to manage within an allocation during years of low abundance. We would caution that the number of treaty salmon caught in this area would likely increase substantially if there was a different bag limit in this area for the whole month versus a couple of days.

Proposal #225: Oppose - SEAFA opposes this proposal to double the bag limits for king salmon in all hatchery troll access corridors for sport fishermen. These hatchery troll access areas were developed to provide the trollers access to the king salmon that are raised for this gear group and paid for with salmon enhancement tax. The trollers are significantly below their allocation of hatchery fish according to 5AAC 33.364. Increasing recreational harvest of hatchery raised king salmon for the troll fleet is a factor in the inability of the troll fleet to reach their allocation share of enhanced fish. Industry is starting to question whether these fish should even be raised. King salmon are incredibly expensive to raise and why should we support these programs when the gear group meant to benefit is prevented from accessing the fish and the recreational sector is benefiting by higher bag limits. We acknowledge that ADFG sport fish division does contribute to some of the king salmon projects but there are many that they don't contribute to and the funding received from ADFG does not fully pay for the programs they do contribute towards.

Proposal #226: Oppose - SEAFA opposes doubling the bag limits in all troll access corridors for May and June in the Ketchikan area. Our reasons are similar to some of the ones stated above. Some of the Ketchikan king releases are jointly paid for by the hatchery (commercial enhancement tax and cost recovery) and ADFG sport fish funds and both groups are currently benefiting from the releases.

Proposal #234: Oppose - SEAFA opposes the request to change the amount necessary for subsistence use. A higher ANS does not match the harvest amounts currently being taken as shown in Table 235-1 of staff comments.

Proposal #235: Support Concept/Amend - SEAFA supports the need for accurate accounting of all harvests in order to maintain sustainable fishery resources. A commissioner's permit should not be used for the registration and reporting of harvests but a system should be developed for accurate accounting. A harvest record should be required as part of a permitting system as currently occurs with salmon subsistence fisheries.

Proposal #238: Oppose - SEAFA opposes the idea of having a purse seine vessel harvest the subsistence needs of the community especially if the area is not strictly confined to the Klawock River area. With a seine vessel it would be difficult to harvest strictly sockeye salmon only and in numbers small enough. For example the community harvest permit for Redoubt (5 AAC 01.760 (d) and (e)) has a daily possession limit of 500 salmon or the daily limit per household whichever is less. That fishery does not allow a seine vessel to harvest under the community harvest permit. Nor does it seem that a seine vessel would be very cost effective for harvesting 500 salmon or less.

Proposal #239: Oppose - SEAFA opposes the closure of subsistence fishing at Falls Lake and Gut Bay. According to the staff comments, the Dept does not have a concern and believes that the subsistence fishery is sustainable with the current flexible management available under current law.

Proposal #243: Support - SEAFA supports allowing the use of rod and reel for subsistence fishing for rockfish and lingcod. It is very possible as stated in the proposal that less harvest or fish will be wasted because they will quit fishing when they reach the quantity needed and not harvest more than is desired by setting longline gear. If enforcement has objections due to determining whether they are a subsistence fisherman or sport fishermen is pretty simple - look at their sport fish license and if they are an Alaskan resident, they are subsistence with the subsistence bag limit and if they are a non-resident it is a sport fish bag limit or

you could require a subsistence fisherman wishing to use rod and reel instead of longline gear for ling cod and rockfish they need to register with the Department.

Proposal #244 - 246: SEAFA supports the Joint RPT consensus on hatchery allocation proposals. See Attachment A. In regards to Proposal #246 we would make the additional comment that throughout the permitting process for this enhancement project it was clarified that management of the traditional common property fisheries would not be modified numerous times. We have the RPT minutes where this is stated for several of the meetings when Coffman Cove permits were discussed with us at the meeting if you would like to view them.

Proposal #247: Support - SEAFA supports this proposal that ADFG submitted as housekeeping to update the closed water section for trolling so that emergency orders do not have to be written every year.

Proposal #249 - 252: Support - SEAFA supports all these proposals that deal with the issue of dually licensed vessels and gear requirements. SEAFA submitted proposal #251 and feel that our explanation in this proposal explains the issue and we do not need to expand upon our comments in this testimony. The Board needs to provide direction and clarification on this issue.

Proposal #255-256: Oppose - SEAFA has heard from enough members opposed to the use of additional incentives by dual gillnet permit holders that we do not believe that this proposal has enough support to proceed at this time. We agree with ADFG that dual permit holders using a different amount of gear could be problematic for management purposes with the long time data series that is used to manage the fishery.

Proposal #257 - 259: Oppose - SEAFA opposes these proposals to change the gillnet start time to Mondays. Changing the start time was discussed once again at the gillnet task force meetings and the conclusion was that there are not enough fishermen that wish to have the opening day or time changed right now. Some of our members who direct market have stated that a Monday opening would impact their ability to get fresh product on the market in time for weekend sales

Proposal # 260: No Action - SEAFA recommends that the Board take no action on this proposal to open portions of District 7A for seining when District 8 is open to gillnetting to access Anita Bay salmon based on the consensus developed at the Joint RPT meeting (See end of comments for consensus position). While the current Anita Bay management plan tries for a 50/50 split between the gillnet and seine fleet, we believe that the overall arching SE enhanced allocation plan 5 AAC 33.364 takes priority over the clause to try for a 50/50 split within the terminal

harvest area. We would recommend that the Board actually delete the clause in the terminal harvest plan for a 50/50% split as it is not compatible with the SE enhanced allocation plan.

Proposal #261: Oppose - SEAFA opposes this proposal to develop a seine management plan for district 11, 12 & 14. The seine fleet is above their historical allocation of pink salmon in 5AAC 33.363 and the gillnet fleet is below. At the gillnet and seine task force meetings in December of 2008 the data provided by ADFG showed the seine fleet to be averaging 97% of the pink salmon in Southeast and the gillnet fleet to only be accessing 3%. The chum salmon allocations under this regulation are less than 1% different than the historical average. In addition, seine fishing in these areas greatly impacts the gillnet fleet in Districts 11 and 15. Allowing for additional seining in Districts 11, 12 & 14 above what ADFG currently schedules would have an impact on more than just pink salmon, you would also be intercepting Chilkoot, Chilkat, Berner's Bay, Taku and Snettisham sockeye, and DIPAC hatchery chum salmon bound for districts 11 & 15. The gillnet fleet is currently expecting gillnet mesh restrictions in District 11 & 15 to protect sockeye salmon while accessing hatchery chum salmon in these districts. Redeveloping seine fisheries where they currently aren't occurring would be impacting stocks where stock conservations measures are already being implemented on the gillnet fleet.

Proposal #262: Oppose - SEAFA opposes the proposal to amend the Northern Southeast seine salmon fishery management plan by starting after July 9<sup>th</sup> only. This type of management plan is inflexible for the Dept., would allow for missed harvest by the Seine fleet when there are large northern bound pink salmon early in the season with the lost income to the seine fleet. The Dept is already mandated to manage the fishery in accordance with the Constitution for sustainable management and for subsistence needs. The suggested management plan would prevent the use of the Point Augusta index fishery in which is an important component of the Northern end management of fish stocks. Based on all the information that we have seen to date from the yearly seine task force meetings and staff comments, we don't believe that there would be much difference in the escapement of Chatham Strait sockeye as most of these fish have passed before the seine fishery is open.

Proposal #264-265: Oppose - SEAFA opposes changing the opening and closing date of the seine fishery in the Klawock area. District 4 the closest fishery to Klawock is managed based on Pacific Salmon Treaty. We also do not wish to change the successful and flexible management of the seine fishery currently in existence.

Proposal #267-268: See Joint RPT Consensus - Attachment A

Proposal #269: Oppose - SEAFA opposes expanding the boundary of the terminal harvest king salmon area for sport fishing where relaxed bag limits apply. This is an enhancement project that is intended for both commercial and sport fisheries to participate in. Currently the troll fleet is below their allocation of enhanced fish and reducing their opportunities just compounds this situation. Also, see comments on proposals 225-226.

Proposal #270: Oppose - SEAFA opposes moving the permitted release location of enhanced king and coho from Herring Cove.

Proposal #271: See Joint RPT Consensus - Attachment A

Proposal #273-274: See Joint RPT Consensus - Attachment A

Proposal #275 - 285: Support - SEAFA supports these ADFG proposals for clarifying THA regulations and reducing the need to issue Emergency Orders every year and sometimes every week.

Proposal #286 - 287: Support - SEAFA supports a definition of possession limits that will actually have some meaning. Allowing preserved fish to not count towards the possession limit seems to undermine the intent of a possession limit. If you wish to allow preserved fish to not count towards a possession limit then an alternative is to consider implementing annual limits on the species that are targeted by the sports fishery. At the Petersburg meeting, Enforcement stated that they did not support changing the definition and they did not have the ability to determine the number of fish harvested once processed but states along the West Coast have found a way to enforce similar regulations as proposed. See attachment B.

Proposal #288 - 289: Support - SEAFA supports an annual limit of coho and a non-transferable harvest record for non-residents. Annual limits are another option to changing the possession limit. We support a new recreational accounting system that would be timelier, more accurate and could be verified. The Statewide harvest survey which is one of the main tools used for recreational accounting was only developed as a mechanism to determine the TREND not for use as an accounting system as it is currently being used. The statewide harvest survey trend was acceptable in the past when it was first developed and there was a very small resident sport fishery not hundred-thousand people fishing in Alaska. Accurate accounting for all removals is the only way to protect and maintain sustainable fisheries into the future, without accurate accounting for the recreational sector we go the way of California and Washington fishery resources.

Proposal #293: Support - SEAFA supports liberal limits of dogfish by the sport fishery.

Proposal #294: Support - SEAFA supports the concept of closing the Regional Aquaculture Associations terminal harvest areas to guided sport harvest of species/projects not financed by state funding. At a minimum ADFG with consultation with the hatchery associations whether financed by the state or not should be allowed to close an area within the terminal harvest area to sport fishing for the protection of broodstock. We have watched a string of charter vessels tie up to the barrier net at Hidden Falls and cast into the broodstock or even when a barrier net isn't used going up to the raceways. No one benefits from the hatchery program when the broodstock that is trying to be protected is harvested by the sport sector. AS 16.10.440 (a) states *Fish released into the natural waters of the state by a hatchery operated under AS 16.10.400-16.10.470 are available to the people for common use and are subject to regulation under applicable law in the same way as fish occurring in their natural state until they return to the specific location designated by the department for harvest by the hatchery operator.*(emphasis added) We believe that this provides the Board or ADFG the authority to protect fish in the SHA/THA for broodstock, cost recovery, and also the commercial fleets that the fish are raised for.

Proposal #296 - 298: Support - SEAFA supports the need for the Board of Fish to define sport fishing gear. The main questions are should commercial fishing gear be legal for recreational sport fishing? Would having sport fish gear defined help enforcement? How should sport fishing gear be defined? Sport fishing is meant to be a recreational activity that provides enjoyment along with a meal or two. Sport fishing is not meant to be a commercial activity, trying to maximize your bag limits in the quickest time possible in order to move on to the next species and bag limit. See attachment C for more information on regulations in different states regarding sport fish gear definitions. We will have copies of the regulations with us at the Board meeting if you wish more information.

Proposal #299: Oppose - SEAFA opposes the use of beach seines, cast nets, purse seine, and gillnets for the unlimited harvest of herring for sport. It is not legal for any longliner to fish herring by any means as this proposal implies.

Proposal #303: Oppose - SEAFA opposes this proposal to allow a sport fisherman the use of two rods one for herring when sport fishing but would also request that the Board of Fish consider amending the regulation to prohibit charter operators from deploying an extra rod or line for jigging herring while clients are salmon fishing.

Proposal #306: Support - SEAFSA supports this proposal to put all regulations regarding sport fishing services in one section as housekeeping.

Proposal #308: Support - SEAFSA supports and submitted this proposal to restrict subsistence and personal use fishing by commercial lodge or charter operators when paying clients are present. We based this proposal on regulations already in effect for Bristol Bay. It provides for clearer enforcement that food furnished to lodge guests aren't personal use and subsistence harvested resources, or that subsistence or personal use harvested resources aren't stored on the lodge premises and given to clients as they leave. ADFG comments state that "The amount of fish or shellfish that are harvested in subsistence or personal use fisheries and then transferred to nonresidents is unknown." It appears from this statement that the Dept. believes that some subsistence or personal use fish or shellfish is leaving with clients.

Proposal #310: Support - SEAFSA supports a new recreational accounting system that would be timelier, more accurate and could be verified. The Statewide harvest survey which is one of the main tools used for recreational accounting was only developed as a mechanism to determine the TREND not for use as an accounting system as it is currently being used. The statewide harvest survey trend was acceptable in the past when it was first developed and there was a very small resident sport fishery not hundred-thousand people fishing in Alaska. Accurate accounting for all removals is the only way to protect and maintain sustainable fisheries into the future, without accurate accounting for the recreational sector we go the way of California and Washington fishery resources. ADFG sport fish division is developing a new point of sale licensing system. With this new system they could also develop a harvest ticket system for all species that could be entered online or mailed timely. Washington State uses harvest records and online reporting.

Proposal #311 - 313: Support - SEAFSA supports the ability for enforcement and ADFG creel samplers access to all points of landing.

Proposal #323-324: Support - SEAFSA supports this proposal to repeal the Cross Sound Pink and Chum Fishery as housekeeping. The area will remain open for the harvest of pink, chum and king salmon up to the 500 cap of king salmon in this area.

Proposal #326: Oppose - SEAFSA opposes delaying the start date of the summer coho troll fishery.

Proposal #327: See Joint RPT Consensus - Attachment A

Proposal #328: Oppose - SEAFA opposes allowing holders of transferable hand troll permits the use of two powered troll gurdys. A hand troll permit was meant to be a hand troll permit, if the hand troll permit holder wishes to use power they can purchase a power troll permit just as other hand troll permits have converted when they wished.

Proposal #332: Oppose - SEAFA opposes the closure around Naha Bay to bottom fishing.

Proposal #333: Oppose - SEAFA opposes at this time an increase in the GHL allocation at this time. While fishermen are seeing more lingcod than in past years, there is not enough evidence that the quota could be safely raised at this point. We would support instead a sliding scale of bycatch allowances that would allow the commercial fleet a better opportunity to fully utilize our share of the allocation in times of lower halibut abundance and no directed DSR fishery. The NPFMC has recently recommended changes to their requirement that the dinglebar fishery have VMS which will in the long run have more fishermen participating in this fishery since the additional cost of VMS hampered some participation in the fishery.

Proposal #334: Oppose - SEAFA opposes changing the allocation guidelines between sport and commercial fisheries for lingcod. These allocations were negotiated through a process using the advisory committees based on historical harvest patterns. The sport fleet should not be awarded for exceeding their allocations and for their continued growth. Also see comments on proposal #333.

Proposal #335: Oppose - SEAFA opposes this proposal that provides an allocation of 50% to the sport fishery and the dinglebar fishery. A task force worked on all the different area allocations in 2000. The effect of this proposal would be quite different from district to district and there are districts where the sport fishery would lose allocation. This proposal would not work as envisioned by the author.

Proposal #336: Support - SEAFA support this proposal that would allow the Dept flexibility in managing the commercial allocation of lingcod.

Proposal #339: Oppose - SEAFA opposes changing the current management for sport caught lingcod. Only the last couple of years has the sport fishery started to be close their allocation in the majority of the management regions and changes to the regulations that relax management restrictions is not acceptable. Instead the Dept and Board of Fish should be looking at the districts where the sport industry is still exceeding their allocation and determine what additional management measures that should be considered.



Proposal #340: Oppose - SEAFA opposes changing the boundary lines that currently exists. See Dept comments.

Proposal #341: Oppose - SEAFA opposes changing the allocation of demersal shelf rockfish between commercial and sport fisheries. This allocation was developed in 2006 based on the historical by-catch catch of each gear group to halibut fishing. International Pacific Halibut Commission (IPHC) has reduced the quota for the commercial sector based on the available biomass and the charter halibut GHL has been reduced but through court maneuvers the one halibut daily bag limit was not implemented.

Proposal #342: Support - SEAFA supports ADFG's housekeeping proposal regarding the Southeast District demersal shelf rockfish fishery.

Proposal #343: Oppose - SEAFA opposes a summer season for demersal shelf rockfish. There would be conflict with the commercial halibut and sablefish fisheries and the likely effect of a summer season would be a large increase of harvest of demersal shelf rockfish and enforcement difficulties between determining when a fishermen is targeting rockfish and keeping halibut because they are required to or halibut fishing and they have gone over their bycatch limits.

Proposal #344: Oppose - SEAFA opposes changing the allocation between the longline and jig fisheries. As the halibut quota increases in the future, the allocation will be needed in longline fishery.

Proposal #345-346: Support - SEAFA supports both of these proposals that address the commercial allocation of demersal shelf rockfish bycatch allowances based on the halibut quota set for the year.

Proposal #347: Oppose - SEAFA opposes profiting from full retention of slope rockfish species. Currently the regulations require full retention but allow a fisherman to profit up to a bycatch limit with the remainder being forfeited to the State. This provides for a balance to allow some to be caught and sold as occurs in the prosecution of the longline fisheries but also encourages the fishermen to move if they are landing on heavy concentrations of slope rockfish since they are required to keep and surrender the fish in excess of the allowable amount. This proposal takes away the balance that a past board of fisheries successfully achieved to help protect and conserve a species that is long-lived that usually die when brought to the surface.

Proposal #348: Support - SEAFA supports ADFG's proposal to clarify that all demersal shelf rockfish must be kept when longlining for halibut or groundfish.

Proposal #349-350 & 352: Support - SEAFA supports efforts to reduce the mortality of fish rockfish in the sport fishery. Requiring a recompression device at depth for rockfish harvested but not retained while not having a high success rate is better than releasing the rockfish on the surface where there is full mortality. Some attempt at conservation is better than releasing fish to die on the surface. The alternative is to require full retention as is required in the commercial fleet and all rockfish in excess of the bag limit must be surrendered to the State. This would likely be an unworkable proposition in the sport fishery.

Proposal #351: Oppose - SEAFA opposes this measure as the recompression devices only work when used shortly after capture such as when sport fishing. There has been no success in using recompression devices on rockfish that are caught commercially where they are not brought to the surface immediately and in short order. Currently in the commercial fisheries full retention of rockfish is required.

Proposal #354: Support - SEAFA supports this Dept's proposal that allows the same bycatch allowance for black rockfish in all areas. The current regulations are difficult to determine where legal bycatch of blackrock was allowed especially when a portion of the set is on one side of the closed area and a portion is on the other side where bycatch allowance existed.

Proposal #355: Oppose - SEAFA opposes this proposal to allow a directed fishery for black rockfish. Over time, precautionary regulations have been developed to protect all the rockfish species whether demersal, shelf or slope due to their longevity, and what is known about their life history and just as importantly how much is not known about their life history. We support the current regulations and the conservative principals used to manage these rockfish species.

Thank you for reading and considering the information and positions presented. We look forward to discussing these issues with you in Sitka.

Sincerely,

Kathy Hansen

## ATTACHMENT A

### Joint RPT Adopted Motion (Commercial Industry Members) Industry Consensus Position 12/9/08

The troll fleet continues to be out of their target range, the seiners and gillnetters are out of their ranges. Seinners are on the low end and Gillnetters are on the high end. No extraordinary events outside of association or management control seem to account for these imbalances, therefore they should be addressed.

The recommendations below are considered a package deal.

In recognition of the current imbalance and the long-term trends in the distribution of enhanced fish the JRPT recommends to the commissioner:

- 1) Encourage facility operators to try to increase production in a way that will provide additional opportunities to harvest fish by the seine fleet and troll fleet (This would include the additional production that might become available because of the increased capacity at Burnett Inlet, if practicable 10 million additional summer chum fry would be released at Kendrick Bay and 1.25 million coho smolts released)
- 2) Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho and Chinook could be harvested by trollers without affecting wild stocks.
- 3) Request regional associations to look at the possibility of otolith marking of all Coho and Chinook towards the goal of getting additional information about migration patterns and run timing.
- 4) RPT ask Gunnuk Creek and AKI give a presentation that outlines their current situation, financial picture, long term plans, cost recovery plans and impediments to getting to full production permitted for.
- 5) Recommend to SSRAA that Neets Bay be open in the fall after brood stock and cost recovery goals are met.
- 6) In recognition of the current imbalance and the long-term trends in the distribution of enhanced fish the JRPT recommends to the Board of Fisheries to:
  - A) Change the opportunities in several SHA's where there are or have been net fishery rotations. These changes will likely result in a substantial higher percentage of the harvest in these SHA's going to seiners. These changes would remain in place until at least 2011. If at that time the seine fleet and gillnet fleets are still out of their range these changes would remain in place, unless the Joint RPT agrees to other remedies. Although it appears that changes in all SHA's might not correct the present imbalance the joint RPT is cautious in requesting too many changes at once, knowing that unusual survival or market conditions could occur, and wants to avoid any over steering of the balance. These SHA changes would be:

- a) A time ratio of one to one for gillnet openings to seine openings in Deep Inlet after the third Sunday in June for 2009, 2010 and 2011 and sunset after the 2011 season. (Proposal #273 RPT)
- b) A time ratio of one to one for gillnet openings to seine openings in Anita Bay for 2009, 2010 and 2011 and sunset after the 2011 season. (Proposal #271)
- c) RPT recommends when SSRAA determines that a rotational fishery is to be conducted in Neets Bay have the time ratio between the gillnet and seine fleet be 1 to 1 after June 20. (Proposal #268)

B) RPT makes the following recommendations regarding Board of fisheries proposals

- a) Proposal #244 (exclude PNP's from allocation plan) The RPT recommends no action be taken based on the recommendations above and the belief that they are inconsistent with the Comprehensive Plan, SE Enhanced Allocation plan and the duties of the RPT.
- b) Proposal #245 (removes NSRAA from overall plan) The RPT recommends no action be taken based on the recommendations above and the belief that they are inconsistent with the Comprehensive Plan, SE Enhanced Allocation plan and the duties of the RPT.
- c) Proposal #246 (excludes commercial fishing from Coffman Cove) The RPT recommends the Board of Fish opposes this proposal based on that the RPT has consistently as the permits were approved commented that this production would not change the management of the commercial fisheries to protect these fish for sport fish terminal use (RPT minutes April 12, 2006 and Dec 7, 2005)
- d) Proposal #267 (Nakat rotation 1to1) oppose and recommend that Nakat Inlet remain closed to commercial seining for at least the next three years as other short and long term remedial measures are put into effect
- e) Proposal #268 (Neets Bay rotations) opposed as written. See recommendation above A (c).
- f) Proposal #271 (Anita Bay) oppose as written. See recommendation above A (b).
- g) Proposal #273 Deep Inlet 1 to 1 Amend as recommended above in A (a)
- h) Proposal #274 Recommend no action based on amended action taken on Proposal #273.
- i) Proposal #327 (extend coho season to 9/30 in Behm Canal) The RPT recommends support for this proposal if there are no wild stock concerns. The RPT believes that if wild stock concerns can be addressed this would provide additional opportunity for the troll fleet which is below their allocation range.
- j) Proposal #269 (extend SHA for sport fishery) The RPT is making no recommendation on this proposal but would like to comment that this proposal will further impact the troll fleet within the allocation plan of enhanced fish.

The Industry members of the RPT would like to state that this is the first time since 1994 where both net fleets are significantly out of their ranges in opposite directions. It is the first time the joint RPT has needed to consider recommending changes in SHA rotations. The JRPT recognizes that there may be a better and more timely alternative than the Board of Fish process continually readjusting the management of the rotational fisheries. The joint RPT will consider alternatives and may have a recommendation by the 2012 board meeting that will allow significant adjustments in SHA's without requiring board of Fisheries action. These adjustments would be conducted within the current Southeast Enhanced Allocation Plan and would not make any changes to the allocation ranges. If the RPT can not come up with a plan the RPT will submit Board of Fish proposal as appropriate for the gear groups based on the current situation within the allocation plan.

## ATTACHMENT B

### Proposal #286 Possession Limit Definition

#### Washington State:

Definitions from WA State Sport fishing regulation booklet

**Annual Limit:** the number of fish that may be taken statewide, during the license year April 1 - March 31.

**Daily Limit:** The maximum number of pounds of fish, shellfish, or seaweed of a given species and size which a person may legally keep in a single day

**Frozen:** Fish or shellfish that are hard frozen throughout

**Fresh:** Fish or shellfish that are refrigerated, iced, salted or surface glazed.

**Possession Limit:** The number of daily limits allowed to be kept in the field or in transit.

**Processed:** Fish or Shellfish that have been subjected to heat (including kippering, smoking, canning and boiling)

#### Harvest and Possession Rules:

**You May Not:** (not all rules provided, kept to the ones dealing with possession limits)

- Harvest any part of another person's daily limit, except for person's who possess a Designated Harvester card
- Possess fish or shellfish that do not meet the minimum and maximum size limit, weight limits, or sex restrictions, or that are in excess of the daily or possession limit.
- Possess salmon or sturgeon eggs in the field without having retained the intact carcass of the fish from which the eggs were removed.
- Possess another person's game fish unless it is accompanied by a statement showing the name, address, license number, date, county and area where it was taken, and the signature of the angler who harvested it.
- Hold recreationally-caught fish or shellfish in storage by a custom canner, hotel or restaurant without tags listing the name and address of it's owner.
- You may not offer any recreationally-caught fish or shellfish for sale or barter.

#### Marine Area Possession Limits:

- Marine Areas 1-6: Anglers aboard a boat may only possess one daily limit of fish or Shellfish in fresh form.
- Salmon - Two daily limit of fresh salmon. An additional 40 pounds of salmon may be possessed in a frozen or processed form.
- Trout - Two daily limits of hatchery steelhead

- Sturgeon - Two daily limits in any form. Statewide annual limit of 5
- Bottomfish - two daily limits in any form
- Halibut - Two daily limits in any form, except only one limit while aboard the fishing vessel.
- Tuna and Mackerel - no possession limit or daily limit
- Shellfish - one daily limit of fresh. Additional shellfish may be possessed in a frozen or processed form.
- Forage Fish - (Herring, anchovies, sardines, sand lance and smelt) Two daily limits in fresh form. Additional forage fish may be possessed in frozen or processed form.
- Other Marine fish - one daily limit in any form

**You May:**

- Clean or portion fish or shellfish while in the field with the following exceptions: It is unlawful for an angler to fail to retain proof of compliance with species, size, number, weight, sex or wild or hatchery origin restriction, if such restrictions apply, until the angler is ashore and has finished fishing for the day. For all rockfish species and for fish with a length restriction, anglers must retain the fish carcass until coming ashore to comply with the above rule. This does not apply if the catch is in the process of being prepared for immediate consumption.

**Oregon State:**

**Definitions:**

- **In the Field, Forest or Transit:** Anywhere other than a permanent residence
- **Permanent Residence:** A residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account etc.

**General Statewide Regulations:**

- **Catch and Possession Limits:** apply to all waters and across Zone boundaries and apply to all fish and shellfish in possession regardless of condition. This includes fish and shellfish which are fresh, and when lawful, frozen, canned smoked or otherwise processed.
- **Daily Limit:** Maximum number of fish or shellfish which may be legally caught and reduced to possession in one day. An angler may take daily limits of several types of fish per day.
- **Annual Limit:** applies to abalone, Pacific halibut, salmon, steelhead and sturgeon only. The annual catch limits are: abalone 5; sturgeon f; Pacific Halibut 6; and 20 for salmon and steelhead, in any combination, when recorded on the Combined Angling Tag. Adipose or otherwise fin-clipped

salmon or adipose fin-clipped steelhead legally recorded on a Hatchery Harvest tag do not count toward this annual limit.

- **Possession Limit:** Maximum number or amount of a type of fish or shellfish that a person may lawfully possess in the field or forest, or in transit to the place of permanent residence. The possession limit is: 2 daily limit for all species, including jack salmon except 1 daily limit for abalone, 1 daily limit on the vessel or three daily limits on land for Pacific Halibut, and no possession limit for adult salmon, steelhead or sturgeon. Anglers are restricted to 1 daily catch limit and 1 annual catch limit for all fish species from the Columbia River, even if licensed in Oregon and Washington.

### California State:

**Chapter 1.17 Bag and Possession Limit.** No more than one daily bag limit of each kind of fish, amphibian, reptile, mollusk or crustacean named in these regulations may be taken or possessed by any one person unless otherwise authorized; regardless of whether they are fresh, frozen or otherwise preserved. Exceptions: See sections 7.00, 7.50(a); 27.60 (c ); and 195, Title 14, CCR

**Section 7.00 . . .** Daily bag and possession limits, unless otherwise provided, mean the total number of trout and salmon in combination. Unless otherwise provided, no more than one daily bag limit may be possessed. Silver (coho) salmon may not be taken in any of the waters of the State, except in Lake Oroville. Incidentally hooked Silver (coho) salmon, except those in Lake Oroville, must be immediately released unharmed to the waters where they are hooked. In waters where the bag limit for trout or salmon is zero, fish for which the bag limit is zero must be released unharmed, and should not be removed from the water.

**Section 27.60** The general bag and possession limit of section 27.60 states that no more than 20 finfish in combination of all species with not more than 10 of any one species, may be taken or possessed by any one person. Within this general bag limit of 20 fish with not more than 1- of any one species, special sub-limits apply to many species. There are also many species that have no bag or possession limit.

### Canada:

- It is illegal to possess any fish caught while sport fishing that is dressed or packed in a manner so that the species cannot be easily identified. This includes removing the carapace, or shell from any crab.
- It is illegal to field can any fish outside of a person's ordinary residence, other than at a registered licensed facility.
- **Possession Limit definition** - the number of fish of any species that an angler may have in his/her possession at any given time, except at place of ordinary

residence. In most instances, the possession limit is two times the daily limit for that species, however there are exceptions.

- Canada publishes a sport fish packaging guidelines to assist angler in complying with the law while transporting sport caught fish. Basically the fish must be left on the skin but the fillet can be sliced up to the skin with wax paper between the sections before being frozen to allow for portions. (This bullet point summarized)

## Montana:

**Daily Limit:** The number of fish that may be legally taken during a calendar day. A fish when landed and not immediately released becomes part of the bag limit of the person originally hooking the fish even if the fish is donated to another person. If you receive fish from another angler, those fish also become part of your daily limit.

**Possession limit:** The number of fish that may be possessed at any time in any form: fresh, stored in freezers or lockers, slated, smoked, dried, canned or preserved.

## Minnesota:

**Definition Daily and Possession limits (bags) -** For most species of fish, the daily and possession limit is the same. One exception would be the inland limit on yellow perch, which is 20 per day and 40 in possession. The daily and possession limits include fish possessed by the person at all locations including such places a livewell, cold storage, at home, or at a resort. Daily limit is the number of fish an angler can take in one calendar day. Eating those fish or gifting them away on the same day does not allow an angler to possess an additional fish taken in the same calendar day.

### Possessing Fish

- Daily and possession limits are the same unless otherwise noted. Fish are in an angler's possession whether on hand, in cold storage, in transport, or elsewhere.
- Once a daily or possession limit of fish has been reached, no culling or live-well sorting is allowed.
- While on or fishing waters with size restrictions, all fish for which the size restriction applies must have their heads, tails, fins and skin intact and be measurable. A person may prepare and use the fish for a meal while docked or moored to shore, or while on the ice. Fish prepared and used for a meal still count towards the daily possession limit.

**Fish prepared for Transportation, shipment, or storage are defined as follows:** Undressed fish must have heads, tails, fins and skin intact. Entrails, gills and scales may be removed.



**Dressed Fish** may have heads and scales or skin removed, in addition to gills and entrails.

**Fillets** are fish flesh, excluding cheeks, that have been removed from a fish. Scales or skin may be removed or intact. A fish may not be reduced to more than two fillets.

- Fish must be packaged or transported in such a way that they can be readily unwrapped, separated, identified and counted.
- All dressed fish and fillets must have a 1-square-inch patch of skin with scales intact from a portion of the body other than the belly.

#### Shipment

- Licensed angler may make three shipments of fish per year. A permit issued by a conservation officer is required for each shipment. A shipment cannot contain more than a possession limit of one species.

#### Storage

- A person who stores fish for another must plainly mark the package, in ink, with the name, address, and fishing license number of the owner, and number of fish in the package, the waterbody where taken, and total length of each fish with a size limit.

### Mexico:

In ocean waters and estuaries the limit is a total of ten fish per person per day, with no more than 5 catches of a single specie, except of the species of Marlin, Sailfish, Swordfish and Shark, of which only one specimen from this group is allowed per day, and which counts a five toward the overall 10 fish limit or Dorado, Roosterfish, Shad or Tarpon, of which only two samples from this group are allowed, and which count as five toward the overall 10 fish limit.

Limit on inland bodies of water (rivers, lakes, dams, etc) is five fish per day, whether of a single specie or in combination.

Underwater fishing is limited to five fish per day, using rubber band or spring type harpoons, and only while skindiving.

There is no limit to the practice of "catch and release", as long as the fish that exceed the bag limit be returned to their environment in good survival condition. When sportfishing is conducted from boats out at sea for longer than three days, the bag limit will be the equivalent of three times the amounts mentioned above.

### Australia

Frequently Asked Questions:

Is there a limit to the number of fish I'm allowed to catch?

- It depends on the species of fish. If the experts decide that the fish is abundant, there is no limit.
- Other species may be regulated by number, known informally as a "bag limit". This limit varies from species to species. The aim is to conserve fish populations and spread the catch more fairly among all fishers.
- The limit means that you are not allowed to catch and keep more than a set number of the particular type of fish at any one time. It doesn't matter when the fish were caught, so if five (say) is the limit, you cannot take five today, put them in your esky or your fridge and take another one or two tomorrow. You can only catch more when the supply in your fridge falls below the official limit.

SEAFA will have copies of all the various area regulations if you would like more information and some states that we didn't provide.

## ATTACHMENT C

### West Coast Regulations on Electric Reels

- Mexico - The use of electric reels is restricted to disabled fishermen only, after written authorization for the Ministry before use
- California - You can not use weights over four pounds unless the weight is attached to a downrigger and the fishing line releases automatically from the downrigger when a fish is hooked
- Oregon - The following activities are unlawful: use of gurdies, winches or reels affixed to a boat to land fish (rod or line must be held in hand) except when used for retrieving crab rings or pots.
- Washington - All fishing gear must be kept in immediate control, and gear may not be left unattended while fishing; Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish; Rodholders may be used; the rod must be easily removed without delay; rod may be left in the holder while playing the fish; and Electric reels may be used if designed for sport fishing and attached to a fishing rod.
- Canada - fish with a fixed weight (sinker) greater than 1 kg except on a downrigger line, in which case the fishing line must be attached to the downrigger by means of an automatic release clip.



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FEB 03 2009

BOARDS

To the Members of the Board of Fish,

I am strongly opposed to Proposals 255 and 256. I do not see any fact-based information in these proposals. I have read the Alaska Department of Fish and Game staff reports, and hope that the facts will guide the board in their decisions, not the *opinions* of the people proposing 255 and 256.

There are a few **facts** I can give you as a gillnet fisherman:

- I am an entry level fisherman.
- I started five years ago with \$3,000 and a lot of guts.
- At this point in my career, I cannot afford to re-invest in the same fishery.
- I would like to invest in other fisheries to round out my income-producing ability.
- I fish areas 6, 8 and 11. If an area is too crowded, I go somewhere else.
- If there is no area producing as well, I stay in the area and deal with what I can get.
- I own a small 30' gillnet boat.
- I leased a permit for three years before I was able to purchase one in my own name. In that time I paid over \$24,000 in leasing fees.
- In order to finance my operation I have to sacrifice a lot and find ways to do the maintenance work myself.
- I do not have the capital to just buy into a second permit immediately, I would have to borrow money from the state again.
- I live solely on my salmon fishing income, which comes from gillnetting and hand trolling.

This is just a small list of facts of who I am and how I make my living. I hope the board will regard these facts as it reads the rest of this letter, which consists of my **opinions** based on the facts of who I am.

- Passing proposals 255 and 256 would make it harder for entry level fishermen like myself to get into this business.
- I also believe that this would take away the current ability that I have to compete or produce income in this fishery.
- The hardships this may put on people in my level of this fishery may cause me not to be able to continue in this business. I will not be able to afford the overall added expenses of these proposals (gear, etc.) if I choose to stay competitive in my fishery.
- The increased management costs to the state do not compensate for the added profit that a few fishermen might gain from owning

Public Comment # 90

1 of 2

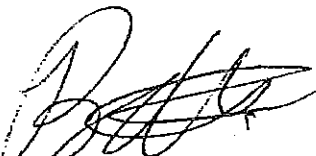


two permits.

- I do not believe that re-investing in gillnetting secures the same opportunities as investing in other fisheries.
- Having more gear will pose more concern to high traffic areas, affecting barges, cruise ships, ferries and recreational boaters.
- The added gear or added fishing time will create greater conflict in an already highly conflicted and competitive fishery.
- Dividing this gear group into single and dual permit holders will make future decisions in this fishery much harder.
- I also believe this type of division in a gear group takes away from the larger management and future resource conservation issues that we should be concerning ourselves with *now*.
- We are fishing less wild runs and more hatchery areas and are not taking into consideration the broader picture of our failing hatchery programs that are consolidating more fishermen into smaller areas, causing a false "pressure" to be felt.
- I believe our concerns as a gillnet fleet should not be how to increase our individual monetary gains, but increasing the responsibilities we have to the futures of the generations of fishermen hoping to have equal access.

In closing, I hope the board will regard my facts and my opinions in making decisions for our future as gillnetters in keeping this fishery accessible and fair. With more research and understanding these fisheries as they are can sustain and profit for those fishing and for those managing for the future.

Thanks for your time and concern,



Ray W. Stoner III  
F/V Harbor Mist  
PO Box 394  
Petersburg, AK 99833  
907-123-0135

Public Comment #

90

2 of 2

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BOARDS

Opposition to proposal 257, 258, and 259 Finfish Southeast Alaska and Yakutat

Proposal states changing the Sunday gillnet openings to Monday.

We oppose these proposals because of the following effects it would have on our activities.

#1. Direct marketers would be adversely affected. Most direct marketers must have their fish to the markets by Fridays in order to meet the market demand. Fish arriving to markets after Saturday usually won't be sold until the following weekend. This lowers the quality of the fresh, direct marketed fish. Any opening longer than 48 hours starting on a Monday would make it so the direct marketer meeting the weekend deadline would have to quit fishing early. This loss of fishing time would be cost prohibitive for the direct marketer.

Thank you for your time,

*Shannon Vandervest*

*Chelsea Berg*

Direct Marketers Shannon Vandervest and Chelsea Berg Feb. 3 2009

**Opposition to Proposal # 255 Finfish Southeast Alaska.**

Proposal states dual permit holders for salmon gillnet southeast be allowed extra fishing time or to shorten the length of a single permits holders net in order to allow the dual permit holder a longer net. This proposal is in place to allow the dual permit holder to collect on his permit investment and to decrease the number of boats fishing.

We oppose this proposal because of the following effects it would have on our activities.

#1. Extended fishing time. When would this  $\frac{1}{4}$ - $\frac{1}{2}$  extended time be given, at the end of an opening or at the beginning of the opening? If the time is extended at the end of the regular opening how and who would monitor the single permit holder's closer? This set up may encourage some single permit holders to steal extra fishing time. If the time was given at the beginning of the opening this would be an unfair advantage because the dual permit holders would have a pop at the fish that have had time to school up, leaving us single permit holders with the clean-up. If the opening was closed for everyone at the same time and then reopened for the dual permit holder we would have conflicts with the mid-week openings in district 8. And there would be less time for the fish to reach escapement or to school up for the next openings in other areas.

#2. Gear Length. District 6 & 8 have wide open channels where 300 fathoms of net is perfect. Taking away 100 fathoms from single permit holders in this area would be cutting into our potential income and our ability to pay off our previous investments for this fishery. Districts 11 & 15 have a majority of narrower channels than 6 & 8 especially the Taku river area. Allowing 300 fathoms in these areas could be devastating to the fishing stocks, resulting in reduced fishing time in the future.

In crowded areas, allowing some boats to have longer gear than others would make it hard to maneuver through the fleet, especially in the fog. One would be wondering if the other fisherman's net end was 200-400 fathoms from their boat. Also, how much distance between sets would you have to give the guy with the longer net, the 200 fathoms your fishing or the 300 fathoms he's fishing?

#3. Additional Expenses. The State would spend more money through law enforcement and administrative expenses if this proposal passes. It would be more expensive for fish processors to operate a tender and to run fish through their plant just for the small percentage of dual permit holders. These expenses could affect the single permit holder through an increase in fish taxes, license fees, and a drop in fish prices.

The buy back program would be less expensive in the long run than the states continual expense in monitoring the dual permit holder's fishery. The buy back program would eliminate the permit, which would truly be the answer to a less crowded and a fairer fishery for all.

Thanks,

*Shannon Vandervest* *Chelsea Berg*  
Shannon Vandervest and Chelsea Berg

Feb. 3, 2009

Opposition to Proposal 256 Finfish Southeast Alaska and Yakutat

Proposal states for an incentive to own dual permits and be allowed to fish an extra 100 fathoms of gear as a dual permit holder.

We propose this proposal because of the following effects it would have on our activities.

#1 Gear Length. In most gillnet areas the beach set is the best set because the fish run the beaches. Allowing dual permit holders the right to claim a set an a half from the beach off would be unfair to the single permit holder.

Districts 11 & 15 have a majority of narrower channels than 6&8, especially the Taku river area. Allowing 300 fathoms in these areas could be devastating to the fishing stocks, resulting in reduced fishing time in the future.

In crowded areas, allowing some boats to have longer gear than others would make it hard to maneuver through the fleet, especially in the fog. One would be wondering if the other fisherman's end was 200 - 400 fathoms from their boat. The radar won't tell you if the boat is specially marked. Also, how much distance between sets would you have to give the guy with the longer net, the 200-300fathoms your fishing or the 300-400 fathoms the dual permit holder is fishing?

#2. Additional Expenses. The State would spend more money through law enforcement and administrative expenses if this proposal passes. These expenses could affect the single permit holder through an increase in fish taxes and an increase in license fees.

The Buy Back program would be less expensive in the long run than the states continual expense in monitoring the dual permit holder's fishery. The Buy Back program would eliminate the permit, which would truly be the answer to a less crowded and a fairer fishery for all.

Thanks,

*Shannon Vandervest*

Shannon Vandervest and Chelsea Berg

*Chelsea Berg*



Board of Fisheries Members  
C/O Shannon Stone/Scott Crass  
Board Support  
Box 115526  
Juneau, AK 99811

RECEIVED  
FEB 03 2009  
BOARDS

Dear Board of Fisheries Members,

Thank you for the opportunity to comment on the Southeast/Yakutat 2009 finfish proposals before you. I am commercial salmon troller based out of Juneau. Please consider my comments on the following proposals.

**Proposal 224.** I oppose this proposal. Golden North Salmon Derby participants should never be exempt from the possession/bag limits. This sets a dangerous precedent and undermines the intent of the regulations. The exception dates should not be changed and the exception for the Derby should be revisited.

**Proposal 225.** I oppose this proposal. This proposal would greatly increase the number of Chinook salmon taken by sport fishermen. In addition to hatchery Chinook, treaty salmon would also be incidentally caught. Sport fishermen would likely exceed their king salmon quota. Furthermore, I pay salmon enhancement tax that is in turn spent on producing hatchery kings.

**Proposal 226.** I oppose this proposal. This proposal would greatly increase the number of Chinook salmon taken by sport fishermen. In addition to hatchery Chinook, treaty salmon would also be incidentally caught. Sport fishermen would likely exceed their king salmon quota. Furthermore, I pay salmon enhancement tax that is in turn spent on producing hatchery kings.

**Proposal 227.** I support this proposal. Trollers deserve fair access to Stikine River Chinook salmon in District 8 when the transboundary river fishery is open. Catch records show that the current three day openings do not allow trollers fair access to the resource in comparison with the gillnetters. Seven day openings will help equalize the catch rates between the two gear groups.

**Proposal 228.** I support this proposal. This proposal will help allow fair access Stikine River Chinook salmon by allowing trollers an opportunity to fish in an area that is not open to gillnetters.

**Proposal 229.** I oppose this proposal. Increasing the daily bag limit by four times for nonresident fishermen is a huge, unsustainable increase. The charter industry is notorious for exceeding their set quota and this is a step in the wrong direction. Not only will it set a dangerous precedent it will put increased pressure on the limited Stikine River Chinook Salmon stocks.

**Proposal 230.** I support this proposal. Trollers deserve fair access to the Taku River transboundary fishery when it is open. Allowing seven day a week access to the fishery for trollers will help equalize the Chinook salmon catch between the trollers and gillnetters. In 2006 when the fishery was open trollers they were given limited time to fish, and they only caught one tenth of one percent of the king salmon harvested. This is not fair.

**Proposal 231.** I support this proposal. Trollers deserve fair access to the Taku River transboundary fishery when it is open. Allowing trollers to fish throughout district 11 will help equalize catch rates between gillnetters and trollers. In 2006 when the fishery was open trollers were limit to a small portion of District 11 and they only caught one tenth of one percent of the Chinook salmon harvested.

**Proposal 244.** I oppose this proposal. Private nonprofit associations should not be excluded from the hatchery allocation plan.

**Proposal 245.** I oppose this proposal.

**Proposal 246.** I oppose this proposal. Coffman Cove should not be closed to commercial fishing during anytime of the year. Commercial fishermen have the same right to fish in Coffman Cove as a sport and charter fishermen do. Closing waters to commercial fishermen is a dangerous and unjust precedent to set.

**Proposal 248.** I support this proposal. I makes sense to uncouple the troll and set gillnet openings in Yakutat so area trollers will not continue to lose fishing time during the second summer king salmon opening.

**Proposal 252.** I support this proposal. Vessels participating in both troll and gillnet fisheries should be required to offload fish prior to changing fisheries. If not required to offload these vessels would affect allocation of fish and fish quality. Gillnet fish should not be sold as troll caught as they are not caught or cared for in the same way.

**Proposal 266.** I oppose this proposal. Allowing a longer gillnet in Yakutat will greatly increase the pressure on the area fisheries and will upset the current balance.

**Proposal 269.** I oppose this proposal. Greatly expanding the Neets Bay Hatchery fishery for sport fishermen is unnecessary. In addition to impacting the hatchery returns it will increase the treaty catch of Chinook salmon.

**Proposal 286.** I support this proposal. It is extremely important that all fish in possession, including preserved fish, are counted towards possession and bag limits. The way the current regulation is written provides a loop hole for non-resident sport anglers that lodges with sophisticated processing facilities cater to. The regulation needs to be amended so Fish and Game can more accurately monitor sport fish catch rates and effectively enforce bag and possession limits.

**Proposal 288.** I support this proposal. As pressure on Coho stocks by guided non-resident anglers increases it is necessary to require a nontransferable harvest record with a daily bag limit and an annual possession limit. As it stands there is no way to be certain how many Coho are harvested by sport fishermen each year.

**Proposal 289.** I support this proposal for the reasons outlined above. As pressure on Coho stocks by guided non-resident anglers increases it is necessary to require a nontransferable harvest record with. As it stands there is no way to be certain how many Coho are harvested by sport fishermen each year.

**Proposal 295.** I support this proposal. It is important to study the catch and release issue and minimize the mortality of the fish released, especially in light of the increased pressure on Chinook salmon by sport fishermen who catch and release large numbers.

**Proposal 296.** I support this proposal. The use of hydraulic and electrical sport fishing gear will greatly increase the pressure on the fisheries.

**Proposal 297.** I oppose this proposal. An electric reel should not be used in sport fishing. This will increase the pressure on fisheries in an unintended way.

**Proposal 298.** I oppose this proposal for the reasons described above. An electric reel should not be used in sport fishing. This will increase the pressure on fisheries in an unintended way.

**Proposal 299.** I oppose this proposal. Allowing charter operators to use nets to catch herring in 2C would significantly impact the resource.

**Proposal 305.** I support this proposal. It is important to prohibit the use of felt soles for wadding in our pristine streams and rivers. Invasive species are a very real concern and it is extremely important that the Department of Fish and Game does all it can to reduce invasive species impact on Alaska.

**Proposal 308.** I support this proposal. Subsistence and personal fishing by lodge and charter operators when paying clients are present should be prohibited. Feeding or giving these resources to paying clients is to the intent of the subsistence and personal use fisheries.

**Proposal 310.** I support this proposal. The guided sport fish harvest must be monitored in a timely manner. This will allow managers to more effectively regulate all fisheries. A fish ticket system is a logical way to monitor the guided sport fish harvest.

**Proposal 311.** I support this proposal. ADF&G and DPS personnel should have free access to lodges and charter operations just as they have access to commercial processing plants and commercial fishing vessels. This is necessary to effectively monitor catch and enforce regulations equitably.



**Proposal 312.** I support this proposal. ADF&G and DPS personnel should have free access to lodges and charter operations just as they have access to commercial processing plants and commercial fishing vessels. This is necessary to effectively monitor catch and enforce regulations equitably.

**Proposal 313.** I support this proposal. Facilities associated with charter fishing must be monitored just as commercial facilities and vessels currently are. This will help facilitate more accurate management of all fisheries.

**Proposal 320.** I support this proposal. It makes sense to transfer the uncaught winter Chinook quota to the spring fishery when Chinook are worth more than they are during the summer months.

**Proposal 321.** I support this proposal. Fishing opportunities should be greatest when the fish are worth the most. Chinook salmon are worth more in the winter than they are in the summer and for this reason the number of hatchery salmon estimated to be caught (in the winter) should be added to the guideline harvest of treat salmon.

**Proposal 322.** I support this proposal. As long as the District 8 closure does not serve any conservation purposes it should be reversed so that fishing is allowed until March 31<sup>st</sup>.

**Proposal 324.** I support this proposal. This proposal will not affect the Chinook salmon quota, but it will allow area trollers greater fishing opportunities.

**Proposal 325.** I support this proposal. Trollers and processors will benefit from having a fixed end date of September 30<sup>th</sup>. ADF&G will still have the opportunity to cut the season short by emergency order.

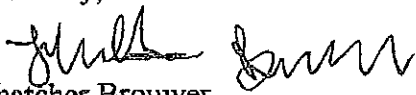
**Proposal 326.** I oppose this proposal. Trollers catch significant numbers of Cohos between June 15 and July 10 and while they are smaller they are still a very valuable product to trollers. Furthermore, during some years, such as 2008, the fish are bigger during this time.

**Proposal 327.** I support this proposal. Trollers deserve fair access to Neets Bay Hatchery Coho that often return after the troll season has closed. Extending the closure date in Behm Canal and Clarence Straight to September 30 will help allow trollers to catch fish they pay to have produced.

**Proposal 328.** I oppose this proposal. This proposal would greatly increase the catch rate of hand trollers. It would increase competition on the fishing grounds and hand troll permit prices would significantly rise. I have made a living hand trolling. If you want to power troll, buy a power troll permit.

Thank you for considering my comments.

Sincerely,

  
Thatcher Brouwer  
F/V Whale Bird  
PO Box 22927  
Juneau, AK 99802

RECEIVED TIME FEB. 3. 2:41PM

5/5

Public Comment #

92



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.  
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

FWS/OSM/9009/BOF PWS

FEB 3 2009

Mr. John Jensen, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
P.O. Box 25526  
Juneau, Alaska 99802-5526

RECEIVED  
FEB 03 2009  
BOARDS

Dear Chair Jensen:

The Alaska Board of Fisheries will deliberate 2008/2009 regulatory proposals that address Southeast and Yakutat groundfish, herring, shellfish, commercial, sport, personal use, and subsistence finfish fisheries beginning February 17, 2009. We understand that the Board will be considering approximately 156 proposals at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and developed preliminary comments on the proposals, which may have an impact on Federally qualified subsistence users and Federal subsistence fisheries in these areas. The enclosed comments address proposals 236, and 290. We may wish to comment on other specific proposals if issues arise during the meeting which may have an impact on Federal subsistence users and fisheries.

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

Sincerely,

Peter J. Probasco  
Assistant Regional Director

cc: Denby S. Lloyd, ADF&G  
Michael Fleagle, Chair FSB  
John Hilsinger, ADF&G, Anchorage  
Craig Fleener, ADF&G, Juneau  
Charles Swanton, ADF&G, Juneau  
Rob Bentz, ADF&G, Juneau  
Sue Aspelund, ADF&G, Juneau  
Scott Kelley, ADF&G, Juneau

Marianne See ADF&G, Anchorage  
Brian Frenette ADF&G, Juneau  
Mike Turek, ADF&G, Juneau  
Tina Cuning, ADF&G, Anchorage  
Nancy Hendrickson, ADF&G, Anchorage  
George Pappas, ADF&G, Anchorage  
Jim Marcotte, ADF&G, Juneau  
Interagency Staff Committee

Public Comment #

93

1/9

**FEDERAL STAFF COMMENTS ON  
ALASKA BOARD OF FISHERIES PROPOSALS  
for the  
SOUTHEAST and YAKUTAT MANAGEMENT AREAS**

**State of Alaska  
Board of Fisheries Meeting  
February 17-26, 2009  
Sitka, Alaska**

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Proposal 290	3

### Federal Comments

The following comments address these proposals only as they affect Federally qualified subsistence users and resource conservation.

**Proposal 236** requests the Alaska Board of Fisheries set the amounts necessary for subsistence for salmon in Southeast Alaska by stock (location) rather than by "management area."

#### **Existing State Regulation:**

**5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.**

*c) The board finds that the following numbers of salmon are reasonably necessary for subsistence uses in the Southeastern Alaska Area:*

- (1) Districts 1 - 4: 9,068 - 17,503;*
- (2) Districts 5 - 8, District 10, and Section 9-B: 4,120 - 7,345;*
- (3) Section 9-A and District 13: 10,487 - 20,225;*
- (4) Districts 11, 12, 14, and 16: 4,178 - 10,133;*
- (5) District 15: 7,174 - 10,414.*

**Existing Federal regulations:** The Federal Subsistence Management Program does not have a definition of Amounts Necessary for Subsistence (ANS) in regulation nor are there Federal regulations related to ANS.

**Is a similar issue being addressed by the Federal Subsistence Board?** No.

**Impact to Federal subsistence users/fisheries:** Adopting this proposal could have a positive impact on Federally qualified subsistence users. This proposal would guide State sport and commercial fisheries managers to achieve appropriate escapement levels and provide for subsistence needs. Federal subsistence users directly benefit when the State manages fisheries to achieve returns to Federal subsistence fishing locations. State regulations that use broad geographic management areas can be inconsistent with the need to provide for local subsistence uses.



**Federal Position/Recommended Action:** Neutral. If adopted, this proposal would require the State to calculate its ANS determinations for salmon in the Southeastern Alaska Area by fish stock or populations (species and location) rather than by each of the five broad management areas. The Federal Program supports more local orientated management as it is important for conservation of the resource and to help meet subsistence harvest requirements in Federal public waters.

As an example, recent low sockeye salmon runs to some Southeast Alaska systems have made it increasingly difficult for some rural residents to obtain sufficient salmon to provide for their subsistence uses under both State and Federal regulations. This is especially true for Kanalku Lake sockeye which are an important subsistence resource for the residents of Angoon.

We support the State using the best available information (e.g. harvest permits, household surveys etc.), but are neutral on what the ANS numbers should be or how they are derived.

**Proposal 290** requests restrictions on the retention of sport caught steelhead in the fresh and salt waters of the Southeast Alaska Area. The published issue statement for this proposal states that the reason for this proposed regulation is because of the expansion and liberalization of the Federal subsistence steelhead fishery in Southeast Alaska.

**Existing State Regulations:**

**5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area**

4) steelhead: may be taken from January 1 - December 31; bag limit of one fish; possession limit of two fish; must be 36 inches or greater in length; annual limit of two fish; a harvest record is required as specified in 5 AAC 47.024(c);

**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;**

**5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area**

(b) In the fresh waters east of the longitude of Cape Fairweather:

(4) steelhead: may be taken from January 1 - December 31; bag limit of one fish; possession limit of two fish; must be 36 inches or greater in length; annual limit of two fish; a harvest record is required as specified in 5 AAC 47.024(c);

(c) In the fresh waters between the longitude of Cape Suckling and the longitude of Cape Fairweather:

(4) steelhead: may be taken from January 1 - December 31; bag limit of one fish; possession limit of two fish; must be 36 inches or greater in length; annual limit of two fish; a harvest record is required as specified in 5 AAC 47.024(c);

**5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.**

**Existing Federal Regulations:**

*§ \_\_.27(i)(13) Southeastern Alaska Area*

*(ii) You must possess a subsistence fishing permit to take salmon, trout, grayling, and char.*

*(iii) In the Southeastern Alaska Area, a rainbow trout is defined as a fish of the species *Oncorhynchus mykiss* less than 22 inches in overall length. A steelhead is defined as a rainbow trout with an overall length of 22 inches or larger. § \_\_.27(i)(13)(iv) In areas where the use of rod and reel is allowed, you may use artificial fly, lure, or bait when fishing with rod and reel, unless restricted by Federal permit. If you use bait, you must retain all Federally-regulated fish species caught, and they apply to your applicable daily, seasonal, and annual limits for that species.*

*(A) For streams with steelhead, once your daily, seasonal, or annual limit of steelhead is harvested, you may no longer fish with bait for that species.*

*(B) Unless otherwise specified in this § \_\_.27(i)(13), allowable gear for salmon or steelhead is restricted to gaffs, spears, gillnets, seines, dip nets, cast nets, handlines, or rod and reel.*

*(v) Unless otherwise specified in this § \_\_.27(i)(13), you may use a handline for snagging salmon or steelhead.*

*(xviii) Unless otherwise specified in this § 100.27(i)(13), you may take steelhead under the terms of a subsistence fishing permit. The open season is January 1 through May 31. The daily household harvest and possession limit is one with an annual household limit of two. You may only use a dip net, gaff, handline, spear, or rod and reel. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

*(xix) You may take steelhead trout on Prince of Wales and Kosciusko Islands under the terms of Federal subsistence fishing permits. You must obtain a separate permit for the winter and spring seasons.*

*(A) The winter season is December 1 through the last day of February, with a harvest limit of two fish per household. You may use only a dip net, handline, spear, or rod and reel. The winter season may be closed when the harvest level cap of 100 steelhead for Prince of Wales/Kosciusko Islands has been reached. You must return your winter season permit within 15 days of the close of the season and before receiving another permit for a Prince of Wales/Kosciusko steelhead subsistence fishery. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

*(B) The spring season is March 1 through May 31, with a harvest limit of five fish per household. You may use only a dip net, handline, spear, or rod and reel. The spring season may be closed prior to May 31 if the harvest quota of 600 fish minus the number of steelhead harvested in the winter subsistence steelhead fishery is reached. You must return your spring season permit within 15 days of the close of the season and before receiving another permit for a Prince of Wales/Kosciusko steelhead*

*subsistence fishery. The permit conditions and systems to receive special protection will be determined by the local Federal fisheries manager in consultation with ADF&G.*

**Is a similar issue being addressed by the Federal Subsistence Board?** Yes, FP09-03 submitted by the Alaska Department of Fish and Game (ADF&G) requested that the Federal Subsistence Board (FSB) alter various management components of the Prince of Wales/Kosciusko Islands and Southeastern Alaska Federal subsistence fisheries, including allowing subsistence fishing for steelhead only where ADF&G and the Office of Subsistence Management (OSM) agree there is a harvestable surplus and adequate monitoring is in place.

Prior to its January 2009 meeting, the FSB was provided with written copies of Federal staff analyses, public comments, ADF&G comments, and Interagency Staff Committee (ISC) comments. During its January 2009 meeting, the FSB heard Federal staff reports and comments, public testimony, ADF&G comments, Southeast Alaska Subsistence Regional Advisory Council (Council) comments, and ISC comments before deliberating on FP09-03. Before taking action on this proposal, the FSB used this information as well as additional information requested from Council members, Federal staff, and ADF&G staff, in considering potential effects of the proposal on the health of fish populations, the subsistence priority being provided, and potential effects upon other fisheries and uses.

The FSB unanimously rejected FP09-03. Some justifications provided for not adopting the proposal included: 1) low harvest in Federal subsistence fishery, 2) ability of inseason managers to monitor the fishery, 3) permit stipulations that address known conservation concerns, 4) increased burden on Federal users without a demonstrated need, 5) no reported enforcement issues, and 6) required harvest reporting. The FSB continued to voice concerns about the number of unreported steelhead caught in commercial salmon net fisheries and recommends that a method be established where this information can be obtained.

The FSB and the Commissioner (ADF&G) support increased cooperation between Federal and State staffs concerning steelhead populations in Southeast Alaska. The Federal staff will develop a charge statement outlining a joint effort by OSM and US Forest Service staffs and ADF&G staff to address steelhead management issues.

**Impact to Federal subsistence users/fisheries:** No. Adoption of this proposal would not affect Federally qualified subsistence users fishing under Federal regulations. It would only affect people fishing under State sport fishing regulations.

The total reported Federal subsistence harvest of steelhead in Southeast Alaska (excluding Yakutat) has ranged from 25 to 48 fish annually from 2003 to 2008, and all permits issued were returned. **Table 1** (FWS 2005, 2009) lists steelhead harvest reports by fishery since 1969.

The Fisheries Resource Monitoring Program (administered by OSM) funded a joint Federal, State, and Tribal agency three year steelhead assessment project (05-604) that began in 2005 on Prince of Wales Island (POW). Investigators placed weirs on two streams each year. The goal was to study both a "small" (thought to contain <150 adult steelhead) and a "large" (>150) population each year. Road access and identified harvest were factors in choosing the study sites. Weirs were placed in the Harris River and Big Ratz Creek during 2005, Cable Creek and Eagle Creek in 2006, and Natuzhini Creek and Big Ratz Creek during 2007.

Steelhead were counted as they passed through the weirs. Length measurements were taken, gender recorded, scales collected for aging, and fish were marked with either a caudal clip or punch. Preliminary length data from this project suggests that 1.4 % of the 1,229 steelhead sampled met the minimum sport size limit.

Data from these projects has been used to manage the POW fishery. For example, data from the 2005 project was used to change the management of the Harris River steelhead fishery. The Harris River was thought to be a "large" system, but the weir count was lower than expected. Accordingly, in 2006, the Harris River was placed on the list of small, road accessible streams requiring extra conservation measures. Big Ratz Creek, on the other hand, was originally thought to be a "small" system but, weir counts indicated otherwise, and this creek was removed from the list of small, road accessible streams with extra conservation measures.

**Federal position/recommended action:** Neutral. Adoption of this proposal would not affect Federally qualified subsistence users fishing under Federal regulations. This proposal is unnecessary for the conservation of steelhead populations in Southeast Alaska at this time. We do not agree with the proponent's characterization that the Federal subsistence steelhead fishery requires the actions proposed. With a mandatory 36-inch minimum size limit, the current sport fishery is essentially a catch and release fishery. Allowing a very limited sport harvest will not make a noticeable difference since catch and release mortality will remain the same whether or not this proposed regulation is adopted. Since the more restrictive sport fishing regulations went into effect in 1994 the reported harvest of steelhead in the sport fishery has been relatively small in Southeast Alaska. The average State sport steelhead harvest from streams in Southeast Alaska from 1995 to 2004 was 138 fish per year, which is nearly 5 times higher than the average annual Federal subsistence harvest. From 2004 to 2006 the average reported sport harvest in Southeast Alaska was 170 steelhead per year. The average reported sport catch during that time was 3,903 steelhead per year, resulting in an additional "harvest" of steelhead of 117 assuming 3% catch and release mortality. Recent increases in average sport harvest and reported catch seem to indicate that steelhead stocks have improved since regulatory action was taken in 1994.

**Table 1-** Comparison of steelhead harvests by fishery, 1969-2008 (FWS 2005, 2009)

Year	State Commercial Harvest <sup>1,2,3</sup>	State Sport Harvest <sup>3</sup>	State Subsistence/PU Harvest	Federal Subsistence Harvest <sup>4</sup>
1969	2,414			
1970	2,401			
1971	1,802			

Table 1 Continued

Year	State Commercial Harvest <sup>1,2,3,4</sup>	State Sport Harvest <sup>3</sup>	State Subsistence/PU Harvest	Federal Subsistence Harvest <sup>5</sup>
1972	1,653			
1973	1,836			
1974	1,940			
1975	533			
1976	1,027			
1977	963	1,750		
1978	1,610	1,618		
1979	1,031	1,424		
1980	1,412	2,769		
1981	934	1,537		
1982	1,989	2,368		
1983	4,074	3,469		
1984	5,390	4,160		
1985	7,112	3,088		
1986	11,540	4,722		
1987	3,621	4,677		
1988	4,339	4,309		
1989	3,209	5,409		
1990	3,309	4,274		
1991		4,632		
1992		2,439		
1993		1,249		
1994		685		
1995		233		
1996		105		
1997		142		
1998		108		
1999		199		
2000		180		
2001		206		
2002	3	72		
2003	4	95	3	26
2004	108	169	3	31
2005	57	143	1	37
2006	24	198		48
2007	22	113	1	25
2008				27

<sup>1</sup> 1969-1990 commercial fishing by-catch of steelhead for all of Southeast Alaska. These values were reported by fish buyers and do not include steelhead caught but not sold or misidentified and sold as other species.

<sup>2</sup> 2002-2005 steelhead harvest in commercial troll fishery.

<sup>3</sup> Beginning 1994 State regulations required sport caught steelhead to be 36 inches or larger and steelhead taken in commercial net fisheries were no longer required to be reported. Since 2006, when the commissioner was given authority to institute mandatory reporting of net taken steelhead, this requirement has only been required in the Stikine Chinook gillnet fishery.

<sup>4</sup> 2006-2007 includes commercial troll fishery, and District 8 Stikine Chinook gillnet fishery harvests.

<sup>5</sup> The first Federal subsistence steelhead fishery began in 2003 on Prince of Wales Island. The remainder of Southeast Alaska was included beginning 2005.

## LITERATURE CITED

FWS. 2005. Staff Analysis FP05-29. Pages 278-287 in Federal Subsistence Meeting Materials January 11-13, 2005. Office of Subsistence Management, FWS. Anchorage, AK. 472 pages.

FWS. 2009. Staff Analysis FP09-03. Pages 32-62 in Federal Subsistence Meeting Materials January 13-15, 2009. Office of Subsistence Management, FWS. Anchorage, AK. 265 pages.

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February 2, 2009

John Jensen, Chair  
Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526 hand delivered

Dear Mr. Jensen:

The United Southeast Alaska Gillnetters (USAG) is an association of about 150 small business owners who catch salmon by drift gillnetting in Southeast Alaska and market salmon throughout the United States. USAG is a southeast, district-wide organization, representing all 475 drift gillnet permits in existence. Please find our positions on the respective proposals below as listed along with many of our concerns. In advance we appreciate the time and concern put forth by you and members of the board to carefully consider each proposal.

Proposal 236: Oppose

This proposal would require numeration of the numbers of fish in various systems required for subsistence purposes. The proposal is using the concept of "weak stock management", but instead of applying the concept to escapement requirements, it applies it to subsistence needs. The concept is no more valid when applied to subsistence than it is when applied to escapement. We see the following problems with this proposal:

1. It is not possible to tell what portion of the subsistence eligible population in an area would take fish from and from which system. Therefore, it is impossible to say with any degree of precision how many fish are necessary for subsistence in a specific stream. The only way this would be even remotely possible is if the subsistence user had their permit for only one system and could take fish from only that system. If such a system was put into place, it would lead to overharvest during years of low escapement.
2. The Department of Fish and Game (Department) does not have the budget or manpower to monitor the number of streams involved to determine that the specific number of fish specified were present in excess of escapement needs.
3. The Department would have to restrict commercial and sport fishing until the numbers of fish were assured to be in the system as required rather than managing on a catch per unit effort, a management technique that has proven to be successful over the years. By the time the target numbers were reached, it would be too late to fish on those fish that are surplus to escapement and subsistence needs.

4. The quality of the commercial catch would be severely reduced as most commercial fishing would have to be conducted in inside waters only and near targeted systems.

Proposal 238: Oppose

Using a seine boat to catch subsistence fish is not using traditional means for harvest. This would also extend the federal subsistence criteria out into the off shore areas and perhaps extend their jurisdiction. No area is specified, so fish could be taken from any population that was nearby. We find it interesting that in proposal 236 they want a specific number of fish in each system, but in # 238 fish will take from any population that is available in the common property fishery. Who would oversee and regulate this program?

Proposal 240: Oppose

We believe it is necessary and appropriate that a permit holder must be present when their net is in the water fishing. How else would law enforcement determine that the net actually belonged to a specific permit holder? How else could the permit holder determine how many fish were being caught and adjust the gear accordingly? This proposal is plagued by enforcement issues and likely will be abused in some manner.

Proposals 244, 245, 246, 267, 268, 271, 273, and 274: USAG Supports recommendations in RPT report. These proposals are part of the Industry Consensus Report (RPT) dated 12/9/08. USAG at this time believes that adoption of the RPT report is in the best interest of the gillnet fleet when considering long term sustainability of the gillnet fisheries on the north end and on the south end. Adoption of the RPT report with associated recommendations on the above referenced proposals is the best alternative for gillnetters without giving up additional time or allocation in other areas. USAG understands the significant costs and lost opportunities associated with adoption of the RPT report; however until enhanced allocation is increased for other gear groups the gillnet fleet will continue to be outside of its enhanced allocation, thus potentially putting at risk fishing time and fishing areas in both the Northern and Southern gillnet districts of Southeast Alaska.

Proposal 246: Oppose as Part of the Industry Consensus Report(RPT) 12/9/08

When the folks of Coffman Cove were working to get the permits approved by the Department and the Regional Planning Team, they promised there would be no adverse impact on our existing commercial fisheries and now right out of the chute they want to close water that has traditionally been open to us. This is a betrayal of faith. If they wanted Coffman closed they should have included it in the original permitting documents so the issue could have been dealt with then.

Proposal 253 & 254: Oppose

These two proposals do effectively the same thing and will be addressed with one statement. Permitting seine boats larger than the existing 58 foot limit will probably upset the efficiency balance between the present salmon fleets. Larger boats will allow seiners to hold more fish and therefore catch more fish between deliveries. It will allow boats to stay on the grounds longer thus increasing their fishing efficiency. We are also concerned that larger boats will eventually lead to requests for larger seines to make the larger boat more economically feasible and efficient. The initial reason for the length limit on seiners and on gillnetters in Bristol Bay was to limit their efficiency and make local fishermen or disadvantaged permit holder at least partially competitive with the generally more economically advantaged



Each salmon fleet knows how to increase its efficiency and catch more fish for each hour spent fishing or each gallon of diesel consumed. For troll fleets it would be to add additional gurdy lines. For the gillnet fleet it would be to increase gillnet depth or length. Just because these things could be done, does not mean they should be done.

Proposal 255 & 256: Oppose

These two proposals would grant additional privileges to gillnet fishermen who hold two (stacked) permits. While there is a wide range of opinion on these types of proposals, we are opposing them because we believe a large majority of the gillnet fleet is opposed. The most significant argument in support of the proposal is that it would provide an incentive for fishermen to purchase an additional permit, thereby reducing the size of the fleet and providing more opportunity for the fishermen remaining in the fishery. The major argument against the proposal is that it would create two classes of gillnetters. This would force current fishermen to recapitalize their fishery in order to remain competitive with those holding additional privileges. One often overlooked issue is that implementation of this concept would drive up the cost of entering the fishery making it harder for younger fishermen to enter the fishery. The State of Alaska through its various agencies has held seminars on the "graying of the fleet" and what can and should be done to promote younger people getting into the fishery. By driving up the cost of entry, acceptance of this proposal would aggravate an already widely acknowledged problem.

Proposal 257 & 258: Oppose

Proposal 257 and 258 address the same issue and this comment applies equally to both. This proposal would change the starting day for gillnet openings to Monday from Sunday. We do not support a requirement to change the opening day to Monday. We do support changing the language of the current regulation to make it similar to the purse seine regulation and say that openings will "generally" begin on Sunday. The requirement to begin on Sunday has been overridden by the special case of the management plan for the directed king salmon fishery on the Stikine and Taku rivers which requires an 8:00 AM Monday start for the fishing week. The addition of the word "generally" would remove this minor conflict and allow the Department to begin a fishery on another day by Emergency Order (EO) if warranted by circumstances.

Proposal 259: Oppose

This proposal would shift the gillnet sockeye openings from beginning on Sunday to a Monday beginning. The author indicates that because this was done in the king salmon management plan for the Stikine it should be done for the District 8 sockeye fishery. We do not agree that because this was done for the directed king fishery it should also be applied to our directed sockeye fishery.

Proposal 260: Oppose

This proposal would open a portion of District 7 to seining when gillnetting is open in District 8. We oppose this proposal for the following reasons:

1. To conserve wild stocks in the area, the area has not been open in the past.
2. The gillnet openings that take place in District 8 are a directed sockeye fishery and are predicated on the strength of the sockeye return to the Stikine River and other local systems. The hatchery chums caught in this fishery are incidental to the sockeye fishery.
3. To open this area for the exclusive purpose of harvesting hatchery stocks would violate the principle of not adjusting wild stock fishery patterns to harvest hatchery fish.
4. Gillnetters proposed at the 03 and 06 BoF meetings that a portion of District 8 be opened to common property fishing based on the strength of the return of hatchery fish to Anita Bay.

The BoF did not approve these proposals during those meetings which represented the same situation being proposed here.

5. The sharing balance referred to in the proposal applies to the fish that are harvested in Anita Bay. It does not include the fish caught in common property fisheries as they make their way to Anita Bay.
6. The rotation between the seine and gillnet fleets in the Anita Bay terminal harvest area has demonstrated the capacity to harvest all the fish that return to Anita Bay.

Proposal 262: Oppose

This proposal would arbitrarily restrict the Northern Southeast Seine Salmon Management Plan regardless of the abundance of the specific salmon addressed by the specific proposed changes. This proposal is a good example of the federal subsistence fishery regime attempting to reach out into State of Alaska controlled waters and its common property fisheries to adjust those fisheries bases on unsubstantiated subsistence needs. It also attempts to force the Department into weak stock management for our salmon fisheries which would reduce the economic vitality and overall quality of the salmon harvest in Southeast Alaska.

Proposal 264 & 265: Oppose

This proposal would arbitrarily restrict the Southern Southeast Seine Salmon Management Plan and accordingly the District 4 seine season regardless of the abundance of salmon stocks or the strength of in-season returns. Like Proposal 262, this is another example of the federal subsistence fishery regime attempting to reach out into State of Alaska controlled waters and its common property fisheries to adjust those fisheries bases on unsubstantiated subsistence needs. It also attempts to force the Department into weak stock management for our salmon fisheries which would reduce the economic vitality and overall quality of the salmon harvest in Southeast Alaska.

Proposal 270: Oppose

This proposal requests that Herring Cove no longer be used as a salmon release site. The commercial fishing community and the sport fishing community in Ketchikan in conjunction with the Department wanted the king salmon production from the Whitman Lake Hatchery moved from the remote release site in Carol Inlet to Herring Cove. Prior to that action, the number of fish released from Herring Cove was tailored to return enough fish for brood stock only. No other release site provides the protection from straying that the Herring Cove site provides. The Herring Cove release point also provides the best opportunity for local sport and sport charters to access a significant number of king salmon on a consistent basis. There is an acknowledged problem with folks who want to fish using private lands without permission. In part, the fact that this problem exists demonstrates how popular the area is as a sport fishing location. Facilities should be improved in the area to accommodate public use and we would encourage the state to take the initiative and develop such facilities. However, the number of people in the community who benefit from the fish returning to Herring Cove, both financially and recreationally suggests the location should not be moved.

Proposal 275: Support

We support the changes in operation and boundaries outlined in this proposal. The boundaries have been used the past two years and provide for improved terminal area harvest with very minimal impact on wild stocks in the area.

Proposal 284: Support

The Boat Harbor management plan as proposed by the Department in this proposal is consistent with prior year's management and we support its adoption.

Proposal 305: Support

This proposal would prohibit the use of felt soled shoes in Alaska's fresh water streams. If it is true that the use of felt soled shoes contributes to the spread of invasive species and diseases then we support this proposal.

Proposal 306: Support

This proposal prohibits operators or crew on charter boats from fishing while paying customers are on board. This corrects an area of long standing abuse where lines purportedly being fished by operators or crew were actually being fished by charter customers. It also prevents the operator or crew from "giving their fish" to paying charter customers such that they obtained more fish than they could catch under bag and possession limits. We strongly believe this should be approved into regulation.

Proposal 307: Support

This would prohibit charter boats from being used for subsistence or personal use within 30 days of being used for charter fishing. We support the concept of this proposal but believe charter boats should be subject to the same restrictions as other commercial boats. The time required between a break in activities between uses of commercial boats changing from one fishery to another is 14 days and with king crab it is one month. If the 14 day restriction is in fact the standard break required when changing from personal use to a commercial fishery then we believe that similar requirement should be applicable to the charter fleet.

Proposal 308: Support

This proposal will restrict a lodge or charter boat from having subsistence or personal use resources on site while paying customers are present. This corrects a long standing abuse by lodges and charter boats and should be adopted.

Proposal 325: Oppose

This proposal would extend the troll season from September 20 to September 30 with a closure by EO if warranted. We much prefer the present language that closes the season September 20 unless abundance permits a longer season by EO. This requires the Department to make an active assessment of the fishery to determine if an extension is appropriate rather than just extending the season without proper assessment. 10 of the past 13 years one or both districts were extended for additional Trolling time. Why change the system if it already works when there is high Coho abundance? It will likely be more difficult to close the fishery early under low-abundance years as trollers would like put additional pressure on area wide biologists. We believe the current regulation language best protects the coho resource.

Proposal 327: Oppose

This proposal would open a portion of Behm Canal and Clarence Straight to September 30 to access coho. We oppose this change for the following reasons:

1. It modifies a wild stock fishery with the sole purpose of accessing hatchery fish. This is the same principal under which the BoF and the Department has refused to approve changes for wild stock fisheries to access hatchery fish for other commercial fleets in the past.
2. There are numerous wild stocks of coho in the area of the proposal that could be adversely impacted by the adoption of this proposal.

3. The Department can extend fishing in the area by EO if the abundance of coho warrants such an extension.
4. There would be no review of the potential impact on the cost recovery needs of SSRAA caused by increased interception of these coho.

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February 2, 2009

John Jensen, Chair  
Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526 hand delivered

Dear Mr. Jensen:

The United Southeast Alaska Gillnetters (USAG) is an association of about 150 small business owners who catch salmon by drift gillnetting in Southeast Alaska and market salmon throughout the United States. USAG is a southeast, district-wide organization, representing all 475 drift gillnet permits in existence. Please find our positions on the respective proposals below as listed along with many of our concerns. In advance, we appreciate the time and concern put forth by you and members of the board to carefully consider each proposal.

Proposal 261: Oppose-

1. 261 advocates development of a management plan that will increase purse seine access to pink salmon stocks bound north from District 12. This proposal is just the latest effort at increasing purse seine harvest of all salmon species that spawn in Districts 11B and 15 and that sustain the drift gillnet fisheries in those districts. The proposal is unnecessary and it poses a number of negative considerations. It should be rejected.
2. 261 is unnecessary because existing regulations already cover the issue in detail. These regulations include test-fishing procedures for monitoring the relative abundance of pink, sockeye, and chum salmon in determining whether purse seine harvests can be allowed and established limits on the harvest of sockeye when purse seine fishing is permitted. The current proposal makes no reference to these regulations, suggests nothing that is deficient in the existing management scheme, and offers no specific rationale for considering its adoption as a justifiable or even reasonable change in regulations. In truth, this area of District 12 presents such a great mixture of species and stocks bound for widespread spawning areas that a far better argument can be made that the appropriate fishery management approach to the area is to allow no fishing at all.

3. Adoption of 261 should be denied based on several serious considerations beyond the fact that it seeks direct, uncompensated reallocation from another gear type in its established fishing areas.
4. The stocks in the mixing area of northern District 12 involve runs that are bound both to the north and south. The vast majority of pink salmon that enter this area are southbound into Chatham Strait where the purse seine fishery has exclusive access to those stocks after they have segregated from northbound stocks of all species.
5. Proponents of 261 suggest that unharvested surpluses of pink salmon occur in some years in Districts 11B and 15. That is true as is the fact that significant unharvested surpluses occur in Districts 12 and 14. In fact, in the few years that extra pink salmon return to Districts 11B and 15, District 12 shows even greater levels of unharvested pinks. In addition, such surpluses occur in District 12 in many years when few pink salmon return to the more inside districts.
6. Small Chatham Strait sockeye stocks, and the effect of the northern District 12 purse seine fishery, previously have been the focus of concern for subsistence users. Those sockeye generally are exhibiting returns below optimal levels and should not be subjected to unnecessary harvest before they have moved toward their spawning streams and begun to segregate from harvestable pink and/or chum salmon.
7. Pink salmon that reach Districts 11B and 15 are harvested in the gillnet fisheries there. Those fisheries are regulated by the abundance of wild sockeye salmon, not pinks. In years of low sockeye abundance, pink salmon in excess of escapement need may go unharvested. However, when in northern District 12, those pink salmon are mixed with the same weak sockeye stocks and thus cannot be harvested without catching more of the sockeye that already are causing restrictions on the gillnet fisheries.
8. Regarding the various sockeye populations returning to Districts 11B and 15, the gillnet fisheries can be managed to protect individual weak sockeye stocks while harvesting stronger sockeye returns as well as pink salmon migrating with those sockeye. As noted above, the northern District 12 purse seine fishery cannot be controlled in this manner. Fishery management that can respond to specific stock needs is more consistent with Board of Fisheries mixed stock and sustainable fishery policies than is the indiscriminate mixed stock purse seine harvest in northern District 12.
9. Recent returns of sockeye salmon to Chilkat Lake in District 15 have been so poor that the gillnet fishery is unlikely to be permitted any directed harvest in 2009 or quite possibly in subsequent years as well. Chilkat sockeye mix with pink salmon throughout the Hawk Inlet shore area of northern District 12. No incidental harvest of these sockeye should be allowed in District 12 when the more terminal District 15 gillnet fishery is restricted based on the status of this stock. In addition, provided that Chilkoot Lake sockeye are not a serious management concern, the most significant run of pink salmon in District 15 can be harvested in the gillnet fishery without impacting Chilkat sockeye.
10. Wild Speel Lake sockeye mix extensively with the other salmon stocks that enter through northern District 15. The escapement level of those wild sockeye governs the ability of the District 11B gillnet fishery to harvest returns to the Snettisham hatchery, especially within Port Snettisham itself. In 2008, the minimum escapement goal was not attained and thus no terminal area harvest by the fleet was allowed. The wild Speel sockeye population is always quite small in numbers, so any harvest in District 12 may delay and possibly prevent gillnet access to the terminal area of a major production hatchery.

11. 261 looks to create a plan that will increase purse seine harvest of pink salmon. It needs to be understood, however, as an effort to increase access to the other salmon species that sustain the gillnet fisheries. Districts 11B and 15 do not support major pink salmon production, accounting for only small percentage of the cumulative pink salmon escapement goal index for northern southeast Alaska (Districts 9-15). The pinks that do return to the gillnet districts are utilized by those fisheries. The purse seine fishery typically foregoes more pinks in its traditional fishing districts than return in total to Districts 11B and 15. In sum, the advocates of 261 do not propose a legitimate or even plausible reason for requesting more of the salmon on which another gear group has depended for decades. Proposal #261 should be rejected by the Board.

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February 2, 2009

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Board of Fisheries  
P.O. Box 115526  
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Proposal 227: Oppose

This proposal would open District 8 to trolling 7 days a week during any week that gillnetting is permitted. The management of the District 8 directed King salmon fishery was a major issue of focus during the 2006 Board of Fisheries (BoF) meeting. We believe it is inappropriate to return to the board for more time and opportunity for additional troll time and area so soon after the BoF enacted the Stikine Chinook management plan at its last meeting. The proposal inaccurately suggests that the trollers are not catching their "historic" volume of fish.

1. The "historic" figures cited by the troll fleet are questionable at best and incorrect at worst. The Department has never done a systematic review or study of the "historic" fishery that was available for industry review. We believe such a study should be done before more opportunity is made available to the trollers based on any "historic" sharing argument. While historical anecdotal data is often thrown around between differing gear groups, systematic changes were made during implementation of the limited entry program. Whereas occasioned usage was factored in to create long-term sustainable and usable district areas for each type of gear. Reversing this trend and overlapping, stacking, granting additional time and advantaging one gear group over another will likely set a precedent for all gear groups to aggressively expand and seek area and time in other areas not currently available to a particular gear group.

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USAG



2. There has been a low participation by trollers fishing in District 8 in the last two years since the BoF decision to allow expanded trolling opportunities. If current area and time is under utilized, then why give even more time for a disinterested fleet that chooses to focus more on the spring troll openings and hatchery production areas?
3. The spring access fisheries for the trollers provide nearly constant access to Stikine bound chinook. These spring time troll openings provide an opportunity for the trollers to harvest Stikine chinook regardless of whether there is a joint US-Canada Transboundary fishery. In other words, when the transboundary fishery is not occurring (no gillnetting) trollers still have ample opportunity to catch Stikine bound Chinook in many of the spring time troll areas. Most of these areas are open for most if not all of May and June when 98% of Stikine chinook pass through these troll areas to return to the river.
4. Under the current regulations for District 8, trollers are allowed to fish 3 days for each day of gillnetting and 5 days when the gillnetters receive 1 hour more than 1 day. These directed District 8 openings do not preclude any spring troll king fishery from occurring. Those spring king troll fisheries are unaffected by any District 8 openings. Expanding to seven days a week is not only unwarranted, but places all conservation efforts onto the gillnet fishery as they are the only group with any closure time on Stikine bound chinook.

Public Comment # 94

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Proposal 230 & 231: Oppose

Since District 11 has been open for directed Chinook salmon harvest in only one season since the current regulations were enacted at the 2006 Board meeting, no credible claim about catch patterns relative to some prior era is possible. At the least, it is premature, and really inappropriate, to return to the Board requesting more time and opportunity in District 11 on the basis on one season's experience, one in which very little troll effort was recorded despite successful sport and gillnet harvests of Taku River Chinook. However, basic issues regarding Chinook salmon fisheries in southeast Alaska, especially relating to the salmon treaty with Canada, are raised by this proposal. Hence, it is necessary to review important factors that argue, on the merits, against expanded, or any, troll fishing in this area.

1. The proposal requests 7-day-per-week access to this Chinook resource that is fully utilized in the terminal areas (District 11) by the extensive sport and gillnet user groups.
2. There is currently adequate troll time directly in front of the transboundary fishery utilizing large swaths of area in District 11. This newly designed troll area was negotiated by an advisory fisheries task force for the Taku in response to the troller's request for additional chinook harvest opportunities. The agreement was put into

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regulation in 2006 specifying that for every day of a transboundary fishery (gillnetting), there would be 3 days of trolling directly in front which encompasses the south and north corridors of the Taku. For every day, plus one hour of gillnetting, there would be five days of trolling. Saturday and Sunday fishing for both groups was removed as an alternative in order to not interfere with local sport fisheries primarily utilizing the weekends.

3. There is no history of significant troll harvest of Taku River Chinook salmon in the spring time in District 11. At best the troll fleet can point to anecdotal evidence meant to reverse limited entry implementation of gear group areas. Only data available on District 11 troll, points to harvest opportunities on chinook well past the May and June currently directed fisheries. This limited data suggests a limited troll take after Statistical week 26 or later. Troll harvests of Chinook involved an undocumented mix of stocks that could have contained at most a trace of Taku-origin fish as 98% of the Taku run would have already escaped up the river by this time. Virtually all troll effort and catch occurred in more southern portions of Stephens Passage, particularly in the vicinities of Pt. Hugh and Holkham Bay.
4. The assertion that trolling interests contributed substantially to the rebuilding of Taku River Chinook is essentially empty. The directed gillnet Chinook fishery in Taku Inlet was closed for 30 years. However, following ratification of the Pacific Salmon Treaty with Canada in 1985, an extensive effort was undertaken to increase Chinook salmon abundance throughout southeast Alaska using existing enhancement facilities. In order to harvest production from these new enhancement projects, 31 "hatchery access" areas were created exclusively for spring troll fishing around the region. Five of those areas are in the migration corridor for returning Taku River Chinook. Estimates by ADFG staff indicate that roughly 1,600 Taku-origin fish are taken in these areas annually. The troll fishery has not sacrificed much of anything as part of the successful rebuilding of Taku River Chinook. The spring fisheries occur every year regardless of whether there are substantial numbers to warrant a transboundary (US or Canadian gillnet) fishery.
5. Any troll fishery in District 11, certainly if on a 7-day-per-week basis, would cause significant conflict with other user groups. Juneau area population roughly has tripled since the "historic" 1960's-1970's period. Sport fishing in the area arguably has increased even more with more capable vessels and the development of a charter fishery. Superimposing a troll fishery that would compete for salmon and for prime fishing locations with this active, established sport fishery is an obvious formula for resentment and confrontation. Since the gillnet fishery for Chinook is confined to the vicinity of Taku Inlet and occurs in glacially influenced waters, there is very little conflict with the sport fishery. It is unlikely that much troll effort would be directed into the limited gillnet area, but any mixing of the commercial gear types while actively fishing would generate serious conflict and likely spur violent interactions.
6. Trolling in District 11 undoubtedly would capture Chinook salmon. However, experience indicates that the sport and sport charter fisheries encounter large numbers of immature Chinook, a large proportion of which are below legal retention length. (Taku River Chinook rear in distant offshore waters and are not encountered in District 11 prior returning in their spawning run.) Increased trolling in an area with known concentrations of rearing Chinook means that significant incidental mortalities

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of sub-legal fish would occur. Under the Treaty, accounting for total mortalities of Chinook in a fishery, not simply for total harvest, is required. Especially in a fishery that would not provide net benefit in harvest to the regional troll fishery and would affect other user groups negatively, increased incidental mortalities cannot be justified.

John Peckham  
7825 South Tongass  
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Alaska Board of Fisheries  
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BOARDS

Mr. Chairman and Board Members,

Proposal 271 Anita Bay. I purse seine for salmon in southeast. I support this proposal. However, if the board chooses to support the JRPT agreement and adopt it's special harvest area management suggestions, then I support the recommendation to make the rotations at Anita Bay a 1 to 1 ratio between gillnet and seine for the next three years, and would oppose 271 as written.

I support the JRPT consensus agreement recommendations because, when possible, fishermen should try to agree on how to allocate enhanced fish and how to reach those allocations. The JRPT is the body most able to look at enhanced allocation region wide and best able to help coordinate a balance between short term and long term adjustments, and between SHIA changes and production changes to attempt to meet allocation percentage goals.

If the board accepts the JRPT recommendation then I would suggest the following proposal be adopted:

**PROPOSAL 271 (amended) -5AAC33.383 (d) (3). District 7: Anita Bay Terminal Harvest Area Salmon Management Plan. Amend the regulation to modify the ratio of seine and gillnet openings for Anita Bay area as follows.**

**In establishing emergency order season openings for the seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet to seine openings of 2 to 1, for 2009, 2010, and 2011 the ratio is one to one. The department, in yearly consultation with SSRAA, will determine the exact times and dates of fisheries [HOWEVER, IF APPROXIMATELY EQUAL NUMBERS OF SALMON ARE NOT BEING HARVESTED BY THE TWO GEAR GROUPS, THE RATIO AND TIMING OF OPENINGS MAY BE ALTERED.]**

My understanding of the JRPT agreement (I am on the RPT and participated in the agreement) is that this amended proposal is appropriate. I support it.

A part of this amended proposal language (also in Proposal 271) adds into regulation the notion that SSRAA and ADF&G consult over the dates and times of fisheries. (There are many different ways to conduct 1 to 1 or 2 to 1 ratio fisheries.) This consultation is the

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current practice. It is important for fishermen to understand how the process actually works.

Another part of this amended proposal language (also in Proposal 271) deletes the notion that ADF&G be responsible to set fisheries that result in equal sharing of the SHA fish. This "equal sharing" provision is a vestige of the regulation that was put in place to harvest surplus fish returning to Anita Bay from releases by the bankrupt Alaska Aquaculture Association. It has never been discussed by the Board of Fisheries accept in relation to mopping up the remaining fish that were not taken for cost recovery (to pay off debts) in Anita Bay. In fact, any inseason management for allocation goes against finding #12 of the Alaska Board of Fisheries, Southeastern Alaska Area Enhanced Salmon Allocation Management Plan (no 94-02-FB). "There should be no inseason changes in management of enhanced salmon in or out of the special harvest area to achieve the allocation percentage goals."

If the Board does not support the JRPT agreement package then I support proposal 271 because Anita Bay would be the second best place (after Nakat) to shift opportunities to help meet allocation goals and because the opportunities provided in the proposal would be related to and enhance the opportunities in the common property fisheries.

It is a good SHA to shift opportunities because most of the fish are harvested outside of the SHA in common property fisheries, therefore a change in SHA opportunities would not radically change fishermen's seasonal behavior patterns.

It makes sense to try to have terminal opportunities available when the fleets can best take advantage of them. June and July for seiners. August and September for gillnetters.

Thank you for considering my comments.

John Peckham  
7825 South Tongass  
Ketchikan, Alaska 99901

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

Mr. Chairman and Board Members,

Proposal 267 Nakat Inlet. I have been a southeast purse seiner since 1975. I support this proposal. However, if the Board chooses to support the JRPT consensus agreement and adopts the SHA management suggestions, then I would oppose this proposal and support no change in the Nakat management schedule for the next three years.

The enhanced allocation management plan calls for short term changes while long term changes are made. If the board does not act on the JRPT agreement, then the Nakat SHA would be the best place for short term changes to address the current imbalance in the distribution of the value of enhanced fish between seiners and gillnetters. It is the best SHA because it has a long history of being shared by gillnetters and seiners. Up through 2007 and 2008 it was shared on rotational fisheries schedules of 2 gillnet to 1 seine. Therefore, changing Nakat back to a shared SHA would cause the least disruption in fishermen's historical patterns of fishing.

I have been a purse seine representative on the SSRAA board of directors for twelve years. I have been on the RPT for ten. Last year I wrote the following letter to the SSRAA board requesting that SSRAA submit a proposal to the Board of Fisheries that would reinstate seiners into the Nakat SHA. I am enclosing this letter to help you understand why Nakat became gillnet only, to show you that the enhanced allocation plan has continued to be a consideration in SSRAA production plans and SHA management, and to help explain why I think, if the JRPT agreement is not accepted, seiners should be returned to Nakat.

"Board Members,

Five years ago SSRAA decided to invest money in increased chum production and to release more fish at Anita, Kendrik, and Neets Bay, and to remove seiners from Nakat.

The seiners on the board very reluctantly agreed to this decision. We did not think it was a fair deal in the context of the current and future benefit of common property harvests from SSRAA production. However, we were hamstrung to argue for a fair deal because, at the time, the seine fleet was above and had been above their range in the overall southeast enhanced allocation plan.

Most seiners we're flabbergasted that we would even consider agreeing to leave Nakat. The rotational fishery at Nakat had provided a good opportunity for seiners, diversifying and increasing our enhanced fish opportunities in summer and fall.

Seiners on the board agreed because the gillnetters on the board made it clear they were not going to be in favor of increased chum production unless seiners left Nakat. I have been telling seiners that we agreed because the overall chum production increase was going to increase chum common property harvest for all fishermen, and that the seine fleet would likely catch more chums than we had without the increased production. We recognized that gillnetters were going to benefit far more than seiners, but we couldn't successfully argue for a fairer deal because of the overall southeast wide enhanced allocation distribution at the time. Some would say seiners on the board blinked.

In retrospect seiners on the board probably should have waited a year or two before agreeing to the chum production increase to begin. The enhanced allocation situation started to change radically and it started to become clear that gillnetters were going to benefit the most from Anita Bay releases. Removing seiners from Nakat would not have been part of the deal.

At the time we made the decisions it was less clear who would benefit most from Anita Bay production. I think both seiners and gillnetters suspected that gillnetters would benefit substantially more than seiners from this production, but the little tag data we had from Alaska Aquaculture association releases showed otherwise. Our odolith tag information is also showing a better than we would have predicted harvest of Kendrick Bay chums in the 101 and 106 gillnet fisheries.

Gillnetters are now above their southeastwide allocation range, seiners below. I would like the SSRAA board to consider submitting a proposal to the board of fisheries that would reinstate the rotational fishery at Nakat. This would be the easiest place to adjust the allocation situation. The Gillnetters will have only had it to themselves for two summers and one fall.

If the you do not decide to accept the JRPT package I hope you will consider passing a regulation that reestablishes a net rotational fishery in Nakat.

Thank you for your consideration.



John Peckham  
7825 South Tongass  
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Alaska Board of Fisheries  
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Mr. Chairman and Board Members,

Proposal 268 Neets Bay. I support the concept of the proposal. A number of details would need to be worked out to establish when the imbalances are determined, when the changes are to be implemented and what happens when one group is barely outside of their range and the other is barely within their range. However, if the Board of Fisheries chooses to support the JRPT consensus agreement and adopt an amended proposal that would establish a 1 to 1 gillnet to seine ratio in the Neets Bay Special Harvest Area, then I would support the JRPT agreement and oppose proposal 268.

I would suggest the following proposal to implement a 1 to 1 ratio fishery in the Neets Bay SHA between seine and gillnet.

**PROPOSAL 269 --(amended) 5AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan. Amend the regulation to modify allocation of seine and gillnet time for Neets Bay Special Harvest Area as follows:**

a) The intent of the Board of Fisheries in adopting this plan is to distribute the harvest of hatchery produced fall chum, summer chum, chinook and coho salmon in Neets Bay between the purse seine, troll and drift gillnet fleets. In addition to that goal the Board and the public would like to have a fishery in Neets Bay that produces a quality product that will allow the Southern Southeast Regional Aquaculture Association (SSRAA) to reach its corporate escapement goal with the least number of fish and provide the highest possible price to fishermen.

(b) (2) (A) when SSRAA determines that a surplus is available for a net rotational fishery the time ratio for gillnet openings to seine openings will be one to one after June 20th. [OPENINGS FOR SEINE AND GILLNETS MUST BE ROTATED BETWEEN NET GEAR GROUPS WITH A CLOSURE OF AT LEAST 24 HOURS BETWEEN OPENINGS; THE FIRST OPENING MUST BE FOR GILLNETS.]

(b) (2) [(B) A GILLNET OPENING MUST BE NO LESS THAT 24 HOURS IN DURATION AND A SEINE OPENING MUST BE NO LESS THAN 12 HOURS IN DURATION]

I believe the above amended proposal has language that fits the JRPT recommendations on Neets Bay and is appropriate. (I was a participant in the JRPT meeting where the agreement was hashed out.) I support it.

The intent of the current Neets Bay regulation is regarding fall chum and coho. This needs to be changed. SSRAA already conducts rotational fisheries in Neets Bay on chinook through June 20<sup>th</sup> and has, when the run is exceptionally large, conducted rotational fisheries on summer chum. Also, SSRAA may have increased opportunities to conduct Chinook and summer chum net fisheries in Neets Bay in late June and July.

I am a SSRAA board member. You should know that opportunities for net fisheries in Neets Bay have been relatively minor and intermittent. SSRAA currently uses the Neets Bay SHA mostly for cost recovery and to provide opportunities in the summer for a troll summer chum harvest. More net opportunities in the future are possible, depending on SSRAA's financial condition and prices and survivals of salmon. These opportunities will be limited by cost recovery needs and the need to try to provide opportunities for trollers to harvest 200,000 summer chum.

Thank you for considering my comments.

John Peckham  
7825 South Tongass  
Ketchikan, Alaska 99901

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

Mr. Chairman and Board Members,

Proposal 244. I have purse seined in SE Alaska since 1975. I am opposed to this proposal.

Though far from perfect, the enhanced allocation plan, put together by a consensus of fisherman, and adopted by the Board of Fisheries is what SSRAA, NSRAA, the RPTs, the JRPT, advisory committees, and the Board of Fisheries have relied on in making decisions related to allocation of enhanced fish since 1994.

This plan includes all countable enhanced fish, not just NSRAA's and SSRAA's. If this proposal were adopted all SHA management and all production would have to be reconsidered. The percentage shares established in the enhanced allocation plan would have to be renegotiated and changed.

Because one PNP association has produced substantial numbers of fish in recent years, benefiting one gear group more than others is not a reason to radically change the plan.

If the PNP's were taken out of the equation, a new separate allocation plan would have to be adopted to cover PNP fish.

For these reasons I oppose this proposal.

Thank you for considering my comments.



George Meintel  
PO Box 2028  
Petersburg, AK 99833

Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

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FEB 03 2009  
BOARDS

RE: Finfish proposals #255, 256 --Gillnet specifications and operations

Dear Board of Fisheries Chairman and Members:

I am a SE Gillnetter and direct marketer fishing out of Petersburg for over 15 years.

Issues addressed in proposals:

Fishing extra 100 fathoms of gear. This would be a logistical nightmare in Sumner Strait. The velocity of current make fishing 300 fathoms a chore and 400 a danger. Enforcement would have a hard time with the extra gear.

Gillnetters must participate in other fisheries. There are very few people depending on a gillnet income alone to support themselves. An extra 100 fathoms of gear would not offset the need to participate in other fisheries.

Will the quality of the resource be improved? No. Catching more fish and having more fishing time will probably do the opposite.

Who will benefit. Those with extra gear who will monopolize the fishery.

Who will suffer. The remainder of the single permit fleet.

Conclusion: These proposals (#255 and #256) will not consolidate the fleet. It will likely put more gear in the water with more moth-balled permits being fished. The State has done a good job of making sure the permit system does not get monopolized by the wealthy and these proposals are counter active to this.

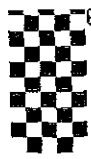
Thank you for your consideration,



George Meintel

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February 3, 2009

Board Support Section

Alaska Dept. of Fish and Game

John Jensen, Chair  
1255 West 8<sup>th</sup> Street  
Juneau, Alaska 9811-5526

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BOARDS

Dear Chairman Jensen and Board of Fish Members,

RE: SE Finfish Proposals-February 2009

My name is Scott File. I am a fisherman of 40 years and I am representing myself. I hold a SE Seine permit and IFQ. Thank you for this chance to weigh in on these proposals.

Proposal#86,253 & 254-OPPOSE-I would oppose any proposal that would allow vessels larger than 58' to seine. As a state, individuals and small businesses we have spent decades and millions of dollars to build the SE Seine fleet into what it is today. Allowing larger vessels in, would create an economic hardship on the smaller vessels, and eventually would cause the current fleet to be obsolete. Larger vessels would have a competitive edge over smaller vessels. Tenders could become seiners and because of tank holding capacity, processors might opt to dump smaller boats. This could lead to a buy-out program or most of the fleet putting up their boats and permits for sale with processors buying them up and owning the boats and permits. This would have effectively "taken out the middle-man"-the commercial fishermen. This would create economic devastation for many fishermen and coastal communities.

Proposal#224 & 226,-OPPOSE-There should be no exception for non-residents when it comes to salmon bag limits. Residents should take priority.

Proposal#225-OPPOSE-Sport fishers DO NOT pay AQUA Culture tax. They should not be allowed to harvest hatchery fish. No stake, No take.

Proposal#261-SUPPORT-Seiners have been locked out of areas 12B & 14 for decades. These areas are traditional seine areas. The gillnet fleet does not traditionally target pink salmon. I support seiners being allowed to fish these areas in years of pink salmon abundance, especially when north migrating sockeye and hatchery chums have all passed through. This would also allow the fleet to spread out a bit and relieve pressure from other areas.

Proposal#262-OPPOSES-This would further devastate the northern seine fleet. As it was this year, I only fished for 10 days the entire seine season. Six of those days were spent fishing at a terminal hatchery harvest area. Area 12 & 14 were closed all summer. This would put more pressure on other areas and would have impact on the southern seine fleet. I have fished the northern end for the last 15 years, to say that I have to go somewhere else and fish would create a hardship for me, my processor and other boats in other areas. ADF&G already protects migrating sockeye salmon in areas 12 & 14.

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Proposal#310,311,312&313-SUPPORT-This would create real-time reporting of fish caught. Log books are not verifiable and it takes too long to compile the information. This is no small problem as there are currently 700 charter vessels in SE alone.

Proposal#334,335,339,340,341&343-OPPOSE-I am against ANY increase, in ANY species by the sport fish industry, until there is real enforcement put in place by ADF&G to replace logbooks with a real-time system of reporting. We need to accrue some history of the charter catch BEFORE any talk, of any increases, of any species can take place.

Thank you for reading and considering my point of view.

Sincerely,

Scott File

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Public Comment # 97

TO: Board of Fish

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FEB 03 2009  
BOARDS

From: Harvey Goodell

Kodiak Herring Gillnet Permit Holder

Concerning: ACR#6  
Kodiak S&R Herring

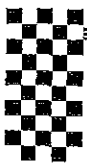
During the last Board cycle for Kodiak S&R Herring January 2008, I had hoped the issues in ACR#6 had been dealt with. I testified to the board at that time, but was unable to partake in the work group because of a conflict with the Kodiak Tanner Crab fishery.

After a Kodiak Fish & Game Advisory meeting in early December 2008... A Herring work group met to discuss ACR#6. I feel the tools that came out of that meeting, should allow the Department to manage the Kodiak Herring fishery.

In the past couple years the herring price has come up some. With fuel prices down from 2008 high, I feel you will see more interest by the Gillnet fleet.

Harvey Goodell

Kodiak Alaska



# Petersburg Vessel Owners Association

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Petersburg, AK 99833

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FEB 03 2009

BOARDS.

February 2, 2009

Alaska Department of Fish and Game  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
Via Fax: (907) 465-6094

## RE: SOUTHEAST FINFISH BOARD OF FISHERIES PROPOSALS

Dear Chairman Jensen and Board Members,

Petersburg Vessel Owners Association (PVOA) is a diverse group of commercial fishermen based in Alaska operating primarily in Southeast. Our members participate in a variety of fisheries statewide including halibut, cod, salmon, herring, crab, and shrimp. PVOA appreciates the opportunity to comment on the following Southeast finfish Board of Fisheries proposals:

### HERRING

**PROPOSAL #199 PVOA OPPOSES** the closure of registration areas 1A through 16 for commercial herring fisheries for bait, spawn-on-kelp, and roe without any significant biological reasoning. The Alaska Department of Fish and Game (ADF&G or Department) successfully manages to **5AAC 27.190. Herring Management Plan for Southeast Alaska Area** that provides for sustainable commercial uses of herring populations through stock assessment programs, threshold levels, and harvest rate policy.

**PROPOSAL #200 PVOA OPPOSES** establishing minimum threshold levels for Sitka Sound herring stocks and temporarily restricting all harvest in Salisbury Sound as the Department adequately manages this important fishery (see proposal #199).

**PROPOSAL #201 PVOA OPPOSES** amending regulation to allow a gillnet sac roe harvest in District 3 and reallocate herring from the bait and pound fisheries as herring in this district are currently fully allocated and properly managed.

**PROPOSAL #202 PVOA OPPOSES** increasing the guideline harvest level (GHL) in the District 10 gillnet fishery as this would reallocate 100% of the available harvest from

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the winter food and bait fishery to the gillnet fishery. Herring are a fully allocated species in Southeast with many different user groups who are dependent on the resource for livelihood, any reallocation to the gillnet fishery would disadvantage other users such as the seine and pound fleets.

**PROPOSAL #203 PVOA OPPOSES** changing the harvest level and harvest rate for herring sac roe fishery in Section 13-A and 13-B to not exceed 10,000 tons, lower the maximum harvest rate from 20% to 10% of the forecasted mature biomass when it is greater than the threshold, and change the threshold from 20,000 tons to an undetermined value given that the Department successfully manages to **5AAC 27.190. Herring Management Plan for Southeast Alaska Area** that provides for sustainable commercial uses of herring populations through stock assessment programs, threshold levels, and harvest rate policy. The biomass in the Sitka Sound area is the highest on record, which would indicate that the Department is managing the herring fishery correctly and conservatively.

**PROPOSAL #204 PVOA OPPOSES** including herring taken in test fishery in the GHL. With this proposal, deducting all test sets from the GHL would assume a 100% mortality rate and although the Department acknowledges that there is likely some mortality resulting from test sets, that level is assumed to be relatively low. The current harvest rate policy is considered to be conservative and careful release of test sets is practiced.

**PROPOSALS #205 PVOA OPPOSES** setting an allocation target of 25% of herring to the gillnet fishery (see proposal #202).

**PROPOSALS #206 PVOA** is unclear as to what this proposal is referencing but would reference our comments made on proposal #202.

**PROPOSALS #207 PVOA OPPOSES** reallocating the GHL in District 10 to herring gillnet (see proposal #202).

**PROPOSALS #208 PVOA OPPOSES** restricting fishing and tendering in the Southeast herring fisheries as this would unnecessarily disrupt the historic utilization of fishing vessels as tenders, especially in the Sitka Sound sac roe fishery. Fishing vessels that do not catch fish in a given opening would be restricted from assisting other vessels in transporting catch as they have traditionally done throughout the fishery.

**PROPOSAL #212 PVOA SUPPORTS** allowing the use of multiple permits and aggregating units of gear in the herring roe on kelp fishery to join legal units of gear to make larger single pens without increasing their legal kelp allocation. This would not result in an increased harvest, but would rather allow the opportunity to increase roe quality while reducing stress on spawning herring.

**PROPOSAL #217 PVOA SUPPORTS** this housekeeping proposal.

**SALMON**

**PROPOSAL #219 PVOA OPPOSES** listing Bradfield Canal king salmon as a stock of concern. 5 AAC 39.222 Policy for the Management of Sustainable Salmon Fisheries (Sustainable Salmon Fisheries Policy) directs the Department to provide the BOF with reports on the status of salmon stocks and identify any salmon stocks that present a concern related to yield, management, or conservation. We defer to Department comments that maintain these stocks do not meet the criteria in 5 AAC 39.222 to be considered stock of concern.

**PROPOSAL #221 PVOA OPPOSES** actions that would limit anglers to one king salmon over 28 inches per day as this proposal is too restrictive on resident anglers, although we fully believe that resident and non-resident anglers can be managed with different bag limits to protect resident anglers.

**PROPOSAL #223 PVOA SUPPORTS** allowing the use of two rods for sport anglers in the winter king salmon fishery (from October to March) given that around 2% of the Southeast harvest occurs in this time frame and resident anglers would be the primary beneficiaries.

**PROPOSAL #225 & #226 PVOA OPPOSES** amending the regulation to double the sport bag limit in all hatchery troll access corridors in the Ketchikan area as this reallocation would create inequity among user groups and the Department continues to manage the sport fishery in terminal hatchery areas (THAs) on emergency order basis. The Department effectively manages the harvest of excess hatchery-produced king salmon in THAs on an annual basis with in-season emergency orders as opposed to options fixed in regulation.

**PROPOSAL #227 PVOA OPPOSES** opening the troll fishery seven days per week in District 8 when the transboundary river fishery is open as this fishery is already fully allocated and may cause possible gear conflicts.

**PROPOSAL #229 PVOA OPPOSES** increasing the nonresident annual limit for king salmon to a multiple of 4 daily bag limits in district 8 as this treaty fishery is currently fully allocated and we are disagree with actions taken to increase non-resident opportunity when the current opportunity is more than sufficient. The current annual bag limit for nonresidents is 5 king salmon (greater than 28 inches) per angler which equates to 10 fillets.

**CUSTOMARY & TRADITIONAL**

**PROPOSAL #234 PVOA OPPOSES** increasing the amount necessary for subsistence of herring spawn in Area 13A and 13B as a C&T finding has already been established in 5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. (b) The board finds that 105,000–158,000 pounds of

herring spawn are reasonably necessary for subsistence uses in Section 13-A, and Section 13-B north of the latitude of Aspid Cape.

**PROPOSAL #235 PVOA SUPPORTS** expanding the permit and reporting requirements for all herring harvest in Sitka Sound to include permits for subsistence harvest to increase accurate and timely information gathered by the Department to aid in the protection of sustainable stocks.

**PROPOSAL #236, #237, #238, #239, #240 & #243 PVOA OPPOSES** additional/expanded C&T findings or subsistence modifications for Southeast due to Department comments "In 1989, the Alaska Board of Fisheries (board) made Customary and Traditional (C&T) determinations covering all of Southeast Alaska communities for all fisheries. In 1993 the board made an administrative ANS finding of 21,000 to 34,000 salmon for all Southeastern Alaska that was not adopted in regulations. In 2006, the board established the current ANS findings for all salmon in the Southeastern Alaska area. Subsistence harvest data collected over an eight year period (1996-2003) were considered in setting these amounts or ranges." We feel that the Department adequately manages subsistence harvests and means of harvest, and areas open to subsistence.

#### **ALLOCATION**

**PROPOSALS #244, #245, #246, #267, #268, #269, #271, #273, #274, #327 PVOA REFERS TO THE REGIONAL PLAN TEAM (RPT) INDUSTRY CONSENSUS AND SUPPORTS THE AGREEMENT REACHED BY THE RPT.**

#### **SALMON CONTINUED**

**PROPOSAL #247 PVOA SUPPORTS** allowing the waters of District 8 to be open consistent with the commercial drift gillnet fishery beginning July 1<sup>st</sup> as this housekeeping proposal would put into regulation what is currently open by emergency order.

**PROPOSAL #249 & #252 PVOA SUPPORTS** allowing gillnet and troll gear on board a vessel while participating in either fishery as long as this proposal is specific to Southeast, gear not being fished is properly stowed (in a non-fishing capacity) and fish are fully offloaded between switching fisheries to fully account for catch by gear type.

**PROPOSAL #253 PVOA OPPOSES** amending the length limit for Southeast salmon seine vessels. We view these proposals as restructuring, and although this proposal may have some merit in the future, at this time significant investments have been made to comply with the current limit and allowing for additional length would severely disadvantage current vessel owners.

**PROPOSAL #259 PVOA SUPPORTS** changing the regulation to open the Southeast gillnet fishery on Mondays during June to allow for weekends off for the gillnet fleet.

**PROPOSAL #260 PVOA OPPOSES** amending regulation to open a portion of District 7 outside of Anita Bay Terminal Harvest Area to seining whenever gillnetting is open in the adjacent area of District 8 as this increases the potential to intercept non-THA salmon.

**PROPOSAL #261 PVOA SUPPORTS** development of a pink salmon management plan in Districts 11, 12, and 14 to incorporate seine openings as this would allow access to the seine fleet.

**PROPOSAL #262 PVOA OPPOSES** amending Northern Southeast seine salmon fishery management plan to open the area only after July and address subsistence necessary as the Department adequately manages and monitors the seine harvests and stock strength. We are opposed to reducing commercial harvest where conservation concerns do not exist.

**PROPOSAL #263 PVOA OPPOSES** amending the regulation to allow purse seine vessels to carry an extra net onboard as it would allow for the use of two nets and would alter fishing behavior with unforeseen effects.

**PROPOSAL #264 & #265 PVOA OPPOSES** closing commercial salmon fishing in Klawock as the Department manages this area effectively and provides ample protection of subsistence stocks.

**PROPOSAL #270 PVOA OPPOSES** closing shoreline fishing in herring Cove and change the hatchery release location as there are no biological or conservation concerns in this area.

**PROPOSAL #275, #276, #277, #279, #280, #281, #282, #283, #284, #285 PVOA SUPPORTS** these housekeeping proposals and is **NEUTRAL** on #278 pending further discussion at the Sitka meeting to gather additional information.

### **SPORT FISHING**

**PROPOSAL #286, #287, #288, & #289 PVOA SUPPORTS** establishing reasonable bag and possession limits and accurate and timely data collection including harvest records. It is imperative that sport fishing is established as an opportunity to harvest fish and meat hunting for resources is strongly discouraged. In order to maintain sustainable fisheries, extraordinary measures must be taken to accurately account for harvest of all species as the commercial fleet has demonstrated is possible. All data collected must be reported quickly and accurately to provide better catch accounting.

**PROPOSAL #290 PVOA OPPOSES** this proposal that would severely limit streams available for steelhead as it is viewed as too restrictive.

**PROPOSAL #292 PVOA OPPOSES** amending the size and bag limits for Dolly Varden as there is no conservation concern and the proposal affects all of Southeast.

**PROPOSAL #293 PVOA OPPOSES** increase limits for harvest of dogfish and change reporting requirements as the Department maintains these are long-living and slow-growing species.

**PROPOSAL #294 PVOA SUPPORTS** this proposal that would limit guided sport harvest for all salmon species for production not funded by the department to protect broodstock and cost recovery fish.

**PROPOSAL #295 PVOA** is reluctant to support catch and release proposals until proper data concerning catch and release mortality rates on king salmon is provided. We are supportive of catch and release fisheries if mortality rates are low, proper steps are taken to ensure the highest possible survival rate, and education programs put in place to reduce cycling through fish unnecessarily.

**PROPOSAL #297, #298 & #298 PVOA** maintains that sport fishing is considered an opportunity to catch fish and defining sport fishing gear is **IMPERATIVE TO MAINTAINING** sustainable and reasonable fisheries. Sport finfish gear should not include electric or power assisted devices such as downriggers and electric reels that encourage meat hunting and discourage the 'sport' in sport fishing. Southeast has seen an alarming growth in the number of lodges catering to guided clients who target blackcod using power assisted gear.

**PROPOSAL #299 PVOA OPPOSES** allowing the use of nets to harvest herring by charter operators as this would result in higher harvest rates than traditional sport fishing gear currently provides and could cause conflicts with other user groups and could possibly increase bycatch of other species.

**PROPOSAL #302 PVOA OPPOSES** prohibiting all catch and release in guided sport fishing as this would contain all species to a two fish bag limit.

**PROPOSAL #303 PVOA OPPOSES** *allowing guided and unguided* anglers from deploying an extra line for jigging herring while salmon fishing as this regulation would be difficult to enforce given the extra line could be used to fish for any species while claiming the line is used for herring.

**PROPOSAL #304 PVOA OPPOSES** this proposal that would prohibit removing steelhead under 36 inches from the water as it would be extremely difficult to enforce.

**PROPOSAL #305 PVOA** is reluctant to support this proposal that would prohibit the use of felt sole waders in fresh water and would suggest that extensive outreach and education efforts be made to inform fishermen on the potential for invasive species transfer and disinfection protocol.

**PROPOSAL #306 PVOA SUPPORTS** this housekeeping proposal.

**PROPOSAL #308 PVOA SUPPORTS** restricting subsistence and personal use fishing by lodges or charter operators while clients are present as this would begin to address the current practice of guided operations harvesting subsistence and personal use fish to feed to clients and is already in place in the Bristol Bay area.

**PROPOSAL #310 TO #313 PVOA SUPPORTS** these proposals that would allow access to sport lodges, freezers, and vessels to further monitor sport harvest similar to regulations already in effect for commercial vessels and processing facilities. This action is necessary to gather accurate and timely data regarding sport harvest. The harvest of state resources should be accessible to the Department and enforcement, and opposition could be considered as harvesters having something to hide and possible illegal activity.

**PROPOSAL #319 PVOA OPPOSES** closing areas where no conservation concern exists.

**LINGCOD & DEMERSHAL SHELF ROCKFISH (DSR)**

**PROPOSAL #333, #334 & #335 PVOA OPPOSES** increasing lingcod allocations to the sport fishery as this species is currently fully allocated and fully utilized. A directed commercial fishery exists and current sport bag limits provide ample opportunity for resource harvest. Increased bag limits could also increase bycatch of other long living and slow growing species.

**PROPOSAL #339 PVOA OPPOSES** this action that could allow for additional cycling through fish in order to get a trophy-sized lingcod. Lingcod is a fully allocated and fully utilized species with a directed fishery and is long living and slow growing. Extra steps should be taken to ensure resource health.

**PROPOSAL #340 PVOA OPPOSES** amending the boundary for lingcod sport fishery near Cross Sound and Yakobi Island as action to modify lingcod management areas would require further information on lingcod abundance and this species has been managed with the current boundaries for over 20 years.

**PROPOSAL #341 PVOA OPPOSES** modifying the allocation of DSR as this resource and we reference our comments from similar proposals (see proposal #333).

**PROPOSAL #342 PVOA SUPPORTS** this housekeeping proposal.

**PROPOSAL #343 PVOA OPPOSES** amending the regulation to open a summer season for directed fishing of DSR as that could possibly cause an increase in catch of halibut and cycling through fish. The directed winter fishery provides ample opportunity to target DSR.

**PROPOSAL #345 & #346 PVOA SUPPORTS** adjusting bycatch allowances for DSR as this would allow the longline fleet to harvest and fully utilize their historic allocation. The department would also have more flexibility in adjusting bycatch of DSR in

commercial fisheries by taking into consideration the annual effect of halibut quota, DSR ABC, and gives the Department an option to increase the bycatch allowance of DSR in season so that the commercial TAC could be fully utilized. This proposal additionally allows for the possibility of a directed fishery.

**PROPOSAL #348 PVOA SUPPORTS** this housekeeping proposal.

**PROPOSAL #349, #350, #351 #353 PVOA** is reluctant to support proposals requiring the use of a recompression device for rockfish without significant scientific data to substantiate mortality rates and whether survival rates are high enough to offset potential mortality associated with increased release fishing. We look forward to staff presentations and further discussions on this issue.

**PROPOSAL #354 PVOA SUPPORTS** the Departments proposal to allow fishermen to sell the black rockfish caught in the closure areas, up to their legal bycatch allowance, as is allowed in the non-closure areas.

Thank you for consideration of our comments on these proposals. We look forward to discussing these proposals in further detail at the February meeting in Sitka. If we can answer any questions or provide any additional information please feel free to contact us.

Sincerely,

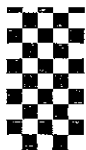
*Julianne Curry* via fax

Julianne Curry  
Director

Public Comment # 99

RECEIVED TIME FEB. 3. 4:04PM

8/8



February 3, 2009

Steve Stumpf  
PO Box 1240  
Craig, AK 99921

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FEB 03 2009

BOARDS

**Attn: BOF COMMENTS**

Dear Board of Fish,

I would like to introduce myself and offer you a brief glimpse into my experience before I comment on a few proposals.

I have been a charter boat captain, fishing guide, and sport fisherman in Southeast Alaska continuously since 1988. I currently own a three-boat sport fishing operation in Craig, AK. I am a long time year-round Alaskan resident with a family of six.

We (charter fishermen and our non-resident anglers) have endured cutbacks in the harvest of many of Alaska game fish over the past two decades. These include reduced king salmon limits, season closures and reductions in the harvest of lingcod, rockfish and halibut. All of which have negatively impacted our industry.

As you know, our customers are not from Alaska. Each lodge and charter operator spends a considerable amount of time, money and resources recruiting their customers. It is by far the hardest part of the business. I can testify that each time a restriction has been imposed we (the charter industry) have lost clients. It is human nature for them to think about what they can't catch, get discouraged and cancel their trip. I have dealt with this many times.

With the limits currently in place for king salmon, ling cod, rockfish, and halibut I strongly believe that a 6 fish per person daily, 12 fish possession limit on silver salmon will put most charter boats and fishing lodges out of business by 2010. We already face serious challenges with a downturn in our nation's economy. The loss of the charter fleet on our coastal communities would be catastrophic.

With that being said, I believe there is common ground that can be reached. I am aware of the abuses that some anglers commit. There is no reason for a person to fish for a week or more and keep a daily limit each day. So I would support a possession limit that eliminates the abuse and promotes sustainability for the charter fleet. Region wide, the majority of our clients fish 3 to 4 days. In an effort to eliminate greed and promote a sustainable charter industry I would propose either 6 silvers per person daily 18 in possession or 5 silvers per person daily 20 in possession.

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Public Comment #

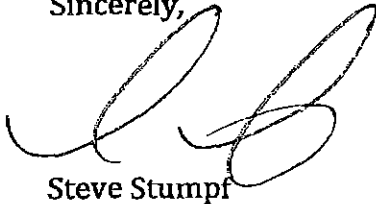
100



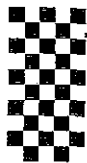
**For the above reasons I will support Proposal 286**  
**For the above reasons I oppose Proposal 288 and Proposal 289**

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Steve Stumpf', written over the printed name.

Steve Stumpf

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FEB 03 2009  
BOARDS

## Support for Proposal 244

I encourage the Board of Fisheries to support Proposal 244. I have been paying a 3% enhancement tax to the Northern Southeast Regional Aquaculture Association (NSRAA); by comparison to other gear groups my return is pretty close to nothing. The overall gillnet portion of the NSRAA budget is around 8%. The fish I catch are predominantly produced by the Douglas Island Pink and Chum hatchery in Juneau and I believe they should not be included in the Southeast Allocation Plan. The Southeast Enhanced Salmon Allocation Plan is allowing us to be both taxed and penalized by our Regional Aquaculture Association.

Name Cesar Alvarado + Colleen Hogan - F/V Alyeska  
Address 1421 E. 17th Ave. #6, Anchorage, AK 99501  
(907) 258-6388

*Cesar Alvarado*

*Colleen Hogan*

Public Comment # 101

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Board of Fish members:

February 2, 2009

FEB 03 2009

BOARDS

My name is Stephen Rhoads. I am the President of the Chum Trollers Association, a loosely knit group of between 12 and 20 members who have contributed to the Association for the cost of correspondence protecting and promoting chum troll interests. We have worked over the last 10 years to negotiate agreements with NSRAA, Southeast Seiners, and the Alaska Trollers Association to both enhance chum troll opportunities, and collaborate on harvest sharing proposals to the Board of Fisheries. As noted in our comments on proposals 244 & 245 the SE Alaska Enhanced Salmon Plan has been critical to successful negotiations to protect and enhance chum troll opportunity.

A representative of our group had planned to attend the December 9, 2008 Industry and JRPT meetings in Ketchikan. Unfortunately he was weathered out in Wrangell. We are confident that if he had attended the meeting at least some of the following recommended changes to the Industry Consensus would have been included.

As chum trollers we know better than anyone how important troll chum harvest is to returning trollers to their allocated % of the value of SE enhanced salmon harvest. Troll chums were worth \$0.83 cents per pound to our group last year. It looks like the Seafood Producers Co-operative is likely to settle at over \$1.00 per pound for last years round troll chums. At these prices or even the overall relatively lower prices expected next year, but better comparative prices for troll chums, the way for trollers to harvest within their allocated range of SE enhanced salmon is by improved chum troll opportunity.

Unfortunately I will be unable to attend the meeting in Sitka, even though I live there, because I will be running my new chum troll/freezer troller up from Canada that week. Eric Jordan, secretary of our Chum Trollers Association, will be representing us. We fully endorse the following comments.

Sincerely,

Stephen Rhoads, President  
Chum Trollers Association

Proposal # 244 and 245 page 184 & 185 (Exclude PNP's from SE Enhanced Salmon Allocation Plan) are the most important proposals for chum trollers before the BOF this year. We strongly oppose these proposals. The SE enhanced salmon allocation plan, 5AAC 33.364, adopted by the Board of Fisheries in 1994, allocates trollers, gillnetters, and seiners a % range of the value of SE enhanced salmon. It was recommended by consensus agreement by a task force of the commercial gear groups and adopted unanimously by the Board of Fisheries.

As noted by the Joint Regional Planning Team and the Industry Consensus statement of December 9, 2008 trollers are out of their target range. While we have been allocated 27-32% of the value of SE enhanced salmon over the last 14 years we

1/4

Public Comment # 102

have actually harvested 19% of the value according to JRPT and NSRAA figures. This is a difference of \$25 million dollars from the low end (27%) of our allocation and \$41 million from the high (32%) of our allocation over the 14 years of the plan. Here are the exact figures:

- The Problem:
- Since 1994 the total commercial value of SE enhanced salmon is \$306,475,385.
- Trollers have harvested \$56,928,851 or 19%.
- Their minimum share is \$82,748,354 @ 27%
- The difference is **\$25,819,503!**
- The trollers share at 29.5% midpoint of their allocation range would be \$90,410,239.
- The difference is **\$33,481,388.**
- The trollers share at 32% would be \$98,072,123.
- The difference is **\$41,143,272.**

Removing the PNP hatcheries, particularly DIPAC, which contributes practically nothing to the seine fleet, very little to the troll fleet, and millions of dollars to the gillnet fleet would fracture the allocation plan. It would also seriously compromise the process of collaboration and consensus the SE commercial fleets have developed through creation and adherence to this plan over the years.

**Chum trollers would like the Board of Fisheries to reiterate their support for the SE Enhanced Salmon Allocation Plan and state their support for the Industry Consensus statement of December 9, 2008.**

And while we believe these statements, the rest of the consensus, and the existing allocation plan give facility operators plenty of incentive to improve hatchery salmon harvest opportunity for trollers we would prefer stronger, more concise, and more detailed language from the Board of Fisheries by rolling the 3 points

- 1) *Encourage facility operators to try to increase production in a way that will provide additional opportunities to harvest fish by the seine fleet and troll fleet.*
- 2) *Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho and Chinook could be harvested by trollers without affecting wild stocks.*

- 3) *Request regional associations to look at the possibility of otolith marking of all Coho and Chinook towards the goal of getting additional information about migration patterns and run timing.*

**into one statement such as:**

**1) Direct SE facility operators to work together to develop a regional plan to provide the gear group(s) below their allocation range additional opportunities to harvest SE enhanced salmon without affecting wild stocks toward the goal of each gear group achieving enhanced salmon harvest values within their allocated range as soon as possible.**

The reason we prefer the stronger language is that encouraging facilities to try and **increase production** to benefit the group(s) out of their allocation means years of waiting while increased production is planned, permitted, brood stock is developed, and the salmon mature. Meanwhile the salmon already produced and returning are not adequately targeted for the group(s) below their allocation.

This language is why trollers are still below their allocated range after 14 years. We lose over two million dollars a year that has been allocated to us. Furthermore this language does not recognize the realities of our SE enhancement program which is that our Chinook programs have largely failed to produce troll Chinook harvest goals, our coho enhancement programs, while successful, provide little foreseeable additional opportunity for trollers, and that our chum hatchery programs are one of the greatest salmon hatchery success stories in history.

The hard truth is that if you look into the models developed by Chip Blair and Steve Reifentstahl of NSRAA for the JRPT for trying to move trollers within their allocated range the only way to do it in the near term is to include chums. For the Industry task force to leave out chums in statements 2) and 3) is baffling to chum trollers.

While we believe the best way to improve the industry consensus statement by the Board of Fisheries is to adopt the single statement we suggest above we also see that an alternative would be to add chums to statements 2 and 3 as listed below.

- 2) *Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho, **chum**, and Chinook could be harvested by trollers without affecting wild stocks.*
- 3) *Request regional associations to look at the possibility of otolith marking of all coho, **chum**, and Chinook towards the goal of getting additional information about migration patterns and run timing.*

Chum trollers believe it is important for the Board of Fisheries to leave as much latitude as possible for the facility operators to figure out their own best way to provide those additional harvest opportunities. These opportunities are going to vary from facility to facility, from species to species, and from return to return. Our association has had good luck working with both NSRAA and SRAA over the years. We don't recommend that the

Board step in and adjust fisheries as specified in © of 5 AAC 33.364; (c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.

With the amended language suggested above, facility operators will have clear direction from the Board of Fisheries to get the job accomplished.

Chum trollers are confident that if the Board of Fisheries provides clear **direction** to facility operators in SE that they want the trollers given better opportunity to move within their allocated share as soon as possible we could do it. Please provide this direction.

Support Proposal 199  
Closure of Registration Areas

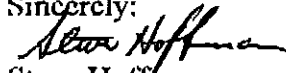
February 3, 2009

To Who It May Concern:

I am writing this letter to express my concern about the dramatic downturn in the abundance of herring within SE Alaska. I have lived in SE Alaska since 1973 and during this period I have witnessed a dramatic decline in herring stocks from the Kah Shakes area near Ketchikan to Auke Bay in Juneau to all areas within SE Alaska. I have also noticed a dramatic increase in whale populations through out SE Alaska which appears to correspond with the decline in herring stocks through out the region. I am concerned that the decline in herring populations will impact the survival of salmon from all sections of SE Alaska ( including the Ketchikan Area) as they migrate through their feeding grounds from the outside waters of SE Alaska ( i.e. Sitka, etc.) through to the inside waters of SE Alaska as they return to spawn.

In addition, I am concerned that the downturn in herring stocks will force predators such as seals, sea lions, etc to become more aggressive in feeding on out migrating juvenile salmon and steelhead as well as adults of these species as they return to their natal streams.

Sincerely:



Steve Hoffman

Retired Sport Fish biologist

PO Box 7064

Ketchikan, Alaska 99901

Public Comment #

103

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FEB 03 2009

BOARDS

To : Alaska Department of Fish and Game

I moved to Sitka, Alaska in 1939 when I was 22 years old. I have now lived here in Sitka for 73 years 45 of them right on the water and I can **"Clearly"** remember when the **"Herring stocks where healthy"**. After they spawned the roe was over 12" deep on the beaches everywhere. Did you know that Silver Bay got it's name from the herring! It's been **"several years"** since there has been any herring or spawn in Silver Bay, Jamestown Bay, Redoubt Bay, Gotterd Bay, Whale Bay just to name a few. Based on Historical facts and over 73 years of personal observation I would say that our S.E. Herring stocks are in **"Great Danger of Collapse"**. The herring stocks in Alaska are the foundation/heart of or resource and it is very critical to properly manage them and do not allow **"Over Harvest"** to the point of **no return** like Lynn Cannell, Hoonah, Auke Bay, Tenakee, Ketchikan, Craig Etc.. Just take a good look at history the farther back you go the more healthy our herring stocks where. Do you think there is a connection that the fact that our herring stocks are at **very low** levels and the salmon and halibut fishing is on the decline? for the past several years. The king salmon stocks where so low this past 2008 season ADF&G closed the king salmon fishing right in the middle of the season. The silver salmon and halibut fishing in and around the Sitka area has "clearly" dropped off in the past several years and the low herring stocks would play a big factor. Even if the salmon and halibut stocks where healthy ....**how would they survive with no-herring/feed?**

It is a well known that **"Commercial Over Harvest"** is the main reason that Lynn Cannell, Kake, Ketchikan, West Beam Cannell, Hoonah, Auke Bay, Tennakee, Silver Bay, Jamestown Bay have never recovered and it has been several years since there has been any spawn there at all.

***I am deeply concerned that if you do not allow our "Herring Stocks to Recover" we will not have a resource at all!***

Albert F Richter



Having lived in Sitka about seventy years I have seen a lot of change - especially in herring. Years ago you used to see herring spawn a foot thick on lots of beaches but now no more. There used to be several herring fertilizer reduction plants in Chatham - now there are not enough herring for one reduction plant. Every thing feeds on herring and if you do not stop this herring fishing or at least cut it way down you are going to see lots less salmon and halibut.

It's time to wake up

Al Richter - Sitka

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Sitka Conservation Society  
P.O. Box 6533  
201 Lincoln, Suite 4  
Sitka, AK 99835  
(907) 747 - 7509 (ph.)  
(907) 747 - 6105 (fax)

February 3, 2009

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BOARDS

Attn: BOF Comments  
Boards Support Section  
Alaska Dept. of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
(907) 465 - 6094

Alaska Board of Fisheries:

The Sitka Conservation Society (SCS) is a membership organization that has participated in land and coastal management activities since 1967. Our members use marine resources in Southeast Alaska and particularly in the coastal areas near Sitka for commercial, sport, recreational and subsistence activities. The long-term sustainability of the herring resource is important to the SCS membership because of the various community uses of the resource and because of the importance of this resource to the marine ecosystem.

The Sitka Conservation Society has reviewed the proposals pertaining to herring and does not specifically support or oppose any of the specific proposals. Instead, we write to support and encourage the development of a sustainable Sitka Sound management plan for the purpose of providing guidance for future herring harvests in Sitka Sound based on updated scientific research and community participation.

We encourage the Board of Fish to work with the Governor, Legislature and the Alaska Department of Fish and Game to develop the legal and/or regulatory mechanisms necessary to authorize and fully fund at least one full time biologist/biometrician position based in Sitka for the purpose of evaluating, improving and updating herring research in the Sitka Sound Herring Management Area.

Marine resource productivity is changing rapidly with ocean current conditions and temperature changes associated with climate change. There is some indication that dynamics in Sitka Sound may be changing with significant implications for the herring resource. We support science-based management of fishery resources and believe that a full-time staff person dedicated solely to herring will help to ensure that this important resource is managed in a way that best ensures its availability for future generations of commercial fishermen, subsistence resource users, the general public and marine species dependent on herring for forage.

*Paul C. Olson*  
Paul Olson  
Contractor  
Sitka Conservation Society  
(907) 747 - 7509

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Public Comment #

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FEB 03 2009

I am 74 years old. I was born and raised in Sitka, Alaska. I began subsistence herring ~~egg~~ **BOARDS** fishing in 1975. I would lay branches in front of Big Gavanski, Little Gavanski, Middle Island, all the way on to the other end of town by Pirate's Cove and Samsing Cove. I would do well laying branches in these areas. Since 1975 I have noticed a steady decline of herring, and in some places the herring are no longer returning; just as they have quit returning to Goddard Hot Springs and even Redoubt Bay due to over fishing of the herring stock. Furthermore, since the commercial fishing boats have been allowed to come into inside waters, there is hardly any herring spawn along Halibut Point Road, or into Thompson Harbor, as there used to be.

The Fish and Game tell us that the herring biomass is just moving around, but they're not. They're being fished out. I believe that even when the test sets are made, to monitor the herring fishing that, when released, roughly one third of the herring in the test set go straight to the bottom of the ocean, wasted, every test set.

I believe there is a need to reduce the allowed tonnage of herring fishing caught commercially, or possibly even stop the commercial herring fishing for a few years. We also need to include the herring caught in the test sets into the total tonnage caught thus giving us a more accurate depiction of the remaining uncaught herring in the biomass. We need to do this if we want to save the tradition of herring fishing for future generations, and protect the marine ecosystem.

Glenn G. Howard Sr.

*Glenn G. Howard Sr.*

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Public Comment #

106

**BY SIGNING THIS YOU/WE ARE IN FULL SUPPORT/AGREEMENT OF THE FOLLOWING PROPOSAL- 199- 5AAC 27.035 CLOSURE OF REGISTRATION AREAS. CLOSE COMMERCIAL HERRING FISHERIES IN AREA 1-A THRU 16 AS FOLLOWS. ALL HERRING FISHERIES IN S.E. ALASKA: AREA 1-A THRU 16 SHALL BE CLOSED UNTIL FURTHER NOTICE. EXCEPTION: SUBSISTENCE PERSONAL USE AT CURRENT LEVELS.**

**PROPOSAL-203 CHANGING THE QUOTAS AND GUIDELINE HARVEST LEVEL (GHL) TO CAP THE HARVEST RATE PERCENTAGE AT 10% RAISE THE CONSERVATION THRESHOLD ,AND CAP THE (GHL) AT 10,000 TONS.**

**PROPOSAL-204 INCLUDE HERRING TAKEN IN TEST FISHERY IN THE GUIDLINE HARVEST LIMIT**

**PROPOSAL-234 INCREASE THE AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE (ANS) OF HERRING EGGS FROM 265,000 TO 325,000 LBS (FROM 105,000 TO 158,000)**

	James P. Howard	Sitka Alaska 602 MERRILL ST
	Clarence B Dill	112 Ocean View Rd 99835
	Shirley & Benjamin	1613 SMC Sitka 99835
	Karl F. Buskirk	1613 SMC Rd Sitka 99835
	Robert S. Bame	P.O. Box 821 Sitka AK 99835
	Theresa Dora Price	610 Merrill St Sitka, Ak 99835
	John H. Littlefield	4102 HPR Sitka AK 99835
	Cheryl B. Price	2506 HPR Sitka AK 99835
	Al Richter	2506 Nahibut Point Rd Sitka Ak 99835
1-20-09	Norman K Davis Jr	Box 395 SITKA AK 99835
1-20-09	Michael E. Zoon	BOX 395 SITKA AK 99835
1-20-09	Wanda S. Davis	Box 395-Sitka
1-20-09	Mark F. Davis	Box 6438 Sitka AK 99835
1-20-09	Norman Davis Jr	Box 395 SITKA AK 99835
	Elizabeth A. Howard	602 Merrill - Sitka AK 99835
1-21-2009	Donna M. Jr	406 Hirst St A Sitka, AK 99835
1-21-09	Aden Steward	2000 Anna Cir Sitka, AK 99835
1-22-09	CARL ANSELM, JR	1311 SMC Sitka, AK 99835
1-22-09	EMILY ANSELM	1311 SMC Sitka AK 99835
1-22-09	Myron Wheeler	404 LACE STB Sitka AK 99835-966-372
1-22-09	Bruce Howard	4108 Kathleen St Sitka AK 99835
1-22-09	Darryl Howard	328 CASCADIA ST SITKA 99835
1-22-09	Edith	190 Rice St Sitka AK 99835
1-22-09		401 HPR Sitka AK 99835
1-23-09	John M. Shennett	1209 H. P.R. Sitka AK 99835
1-23-09	Many Season	504 HPR SITKA AK 99835
1-25-09	Randy T. Jr	612 Merrill St Sitka, AK 99835
1-25-09	P.O. Box	2716 HPR SITKA AK 99835



BY SIGNING THIS YOU/WE ARE IN FULL SUPPORT/AGREEMENT OF THE FOLLOWING  
**PROPOSAL- 199- 5AAC 27.035 CLOSURE OF REGISTRATION AREAS. CLOSE COMMERCIAL  
 HERRING FISHERIES IN AREA 1-A THRU 16 AS FOLLOWS. ALL HERRING FISHERIES IN S.E.  
 LASKA: AREA 1-A THRU 16 SHALL BE CLOSED UNTIL FURTHER NOTICE. EXCEPTION:  
 JBSISTENCE PERSONAL USE AT CURRENT LEVELS.**

**PROPOSAL-203 CHANGING THE QUOTAS AND GUIDELINE HARVEST LEVEL (GHL) TO CAP  
 THE HARVEST RATE PERCENTAGE AT 10% RAISE THE CONSERVATION THRESHOULD ,AND  
 CAP THE (GHL) AT 10,000 TONS.**

**PROPOSAL-204 INCLUDE HERRING TAKEN IN TEST FISHERY IN THE GUIDLINE HARVEST  
 LIMIT**

**PROPOSAL-234 INCREASE THE AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE  
 (ANS) OF HERRING EGGS FROM 265,000 TO 325,000 LBS (FROM 105,000 TO 158,000)**

	phone	address
1-23-09	Paul O'Brien	
1-23-09	John M. (Jane Brizgaloff)	
1-23-09	Anna Winters	
	John E. Howard Jr. - Box 2294 - Sitka	
	Anta Wright	Box 2392 - Sitka
1/23/09	Frank Wright	Box 1060 - Sitka
	Allen Arnold	209 Seward St
1-24-09	Margaret H. Hope	747-8851 - 518 Monastery, Sitka
1-24-09	Fred H. Hope	7-8851 - 518 Monastery, Sitka, AK
1-24/09	Patricia Alexander	310 JARVIS Sitka, AK.
1-24-09	Sharon M. Eldred	316 Old St. Sitka, AK
1/24/09	Dorene M. Paul	705 S. 1st St. Sitka, AK
1/24/09	Muriel Muriel John	752-0643 Box 6012 Sitka, AK
01/24/09	Wally M. Woff	
1/26/09	John Arnold	7-4512 P.O. Box 535 Sitka
1/26/09	Kathy Hope Erickson	747-6479 203 Crabapple Dr
1-27-09	Brenda Stinson	7-8824 Box 1636
1-27/09	Ben & Cicco	747-2833
1-29-09	Anta Wright	747-5074 Box 2392 Sitka
21	John E. Howard Jr.	747-8220 Box 2294 Sitka, AK
01/29/09	John J. Owens	747-3583 415 Monastery Apt X
1/29/09	Florence B. Schulte	747-8426 - 1250-HPR Sitka
1-29-09	Eleora Flemming	747-2909 P.O. Box 1755 Sitka
1-29-09	Bob Stinson	747-9388 P.O. Box 6049 Sitka
1-29-09	Don M. Olson	747-9388 P.O. Box 6049 Sitka
1/29/09	Ron M. Ballinger	747-6174 606 454 St
1-29-09	John Stinson	74-8136 - Baranof St. Sitka
1-29-09	Darlene Dekin	747-4522 - P.O. Box 6311 - Sitka
1-29-09	John J. Owens	747-6960 - 3332
1-29-09	John J. Owens	747-5058 - 309 Wachuset St
1-29-09	John J. Owens	738-2683 - 405-B DeBrock



BY SIGNING THIS YOU/WE ARE IN FULL SUPPORT/AGREEMENT OF THE FOLLOWING  
**PROPOSAL- 199- 5AAC 27.035 CLOSURE OF REGISTRATION AREAS. CLOSE COMMERCIAL HERRING FISHERIES IN AREA 1-A THRU 16 AS FOLLOWS. ALL HERRING FISHERIES IN S.E. ALASKA: AREA 1-A THRU 16 SHALL BE CLOSED UNTIL FURTHER NOTICE. EXCEPTION: SUBSISTENCE PERSONAL USE AT CURRENT LEVELS.**

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1/15/09	George C. Puller	PO Box 6452 Sitka, AK 99835
1/15/09	Wesley Dyer	PO Box 1592 Sitka AK 99835
1/13	Wesley Dyer	2318 HPR Sitka AK
1/15/09	Gay Krause	PO box 951 Sitka AK 99835
1/15/09	Wesley Dyer	909 HPR #35 Sitka, AK 99835
1/15/09	GARY McMASTER	PO Box 1191 Sitka AK 99835
1/15/09	Wesley Dyer	PO Box 22 Pelican AK 99835
1/15/09	Wesley Dyer	Box 10250 Sitka AK 99835
1-15-09	Eric vanVeen	Eric vanVeen 2309 HPR #23
1-15-2009	Wesley Dyer	PO Box 31-TKE, AK 99841
1-15-2009	Anke Wagner	Anke Wagner PO Box 631-TKE AK 99841
1-15-09	Wesley Dyer	PO Box 631 Sitka AK 99835
1-15-09	Wesley Dyer	Box 2 Sitka, AK 99835
1-15-09	Mike Horneman	Mike Horneman Box 1235 SITKA AK 99835
1-16-09	Lucas McConnell	Lucas McConnell 3510 HPR Sitka AK 99835
1-16-09	Wayne Richter	2500 H.P.R. SITKA
1-16-09	Wesley Dyer	J. SPENCER SEVERSON 412 DeArmond St. 99835
1-16-09	Eric Holmlund	ERIK Holmlund 4416 HPR Sitka 99835
1-16-09	Anna Bradley	Anna Bradley 431 Andrews St Sitka
1-18-09	Andrew H. Scorzelli	Andrew H. Scorzelli PO Box 6416 Sitka, AK 99835



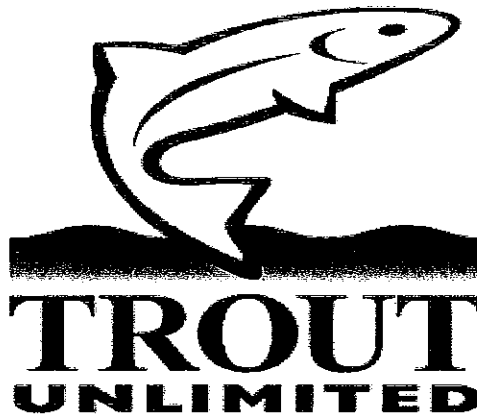
BY SIGNING THIS YOU/WE ARE IN FULL SUPPORT/AGREEMENT OF THE FOLLOWING  
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1-22-09 JUDITH LEONARD 400 KATHIAN ST JUDITH LEONARD  
 01/22/09 JUDITH LEONARD 450 KATHIAN ST JUDITH LEONARD  
 01/22/09 Bruce Peterson 212 Kathian St Apt B Bruce Peterson  
 1/22/09 Jeff Stewart 306 Nicole St SITKA AK  
 1/22/09 James Penrose 110-A CHRIKOV DR SITKA AK  
 1-22-09 HOLLY TRUDEAU 13027 75th Rd  
 -22-09 MIGNON BEARDON 1701 HPR #8A  
 -22-09 Rachel E. Brundage P.O. Box 6148 SITKA  
 1-22-09 Rachel E. Brundage P.O. Box 1745 SITKA  
 1-7-09 UNCLE AL JONES AK 99801  
 1-7-09 CARLOS MARTIN WRG, AK 99929



February 3, 2009

Attn: Board of Fish comment  
Alaska Department of Fish and Game  
Board Support  
PO Box 115526  
Juneau, AK 99811-5526

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BOARDS

Dear Board of Fish:

The Juneau Chapter of Trout Unlimited and our membership of about 100 anglers wish to thank you for this opportunity to submit comments for the upcoming Board of Fish meeting in Sitka. We urge you to support the following proposals:

**--Proposal 290 to reduce sport harvest of steelhead in Southeast Alaska:**

Reductions in the overall harvest of steelhead are needed to protect the resource and to maintain fishing opportunity into the future. This proposal would accomplish our goal of halting the harvest of steelhead on the Juneau road system (see proposal 317 below) and would restrict harvest in all of Southeast Alaska.

**--Proposal 292 to reduce the sport harvest of dolly varden and to protect larger dolly varden:**

The current region-wide regulation allowing the daily harvest of 10 dolly varden with no size restrictions is too high and does not include size restrictions which protect the opportunity to catch large Dolly Varden. We propose a reduction in the daily bag limit from 10 to 4, of which only one may exceed 20 inches.

**--Proposal 305 to ban the use of felt soles in freshwater in Southeast:**

We support this proposal with the addition of a 2011 or 2012 phase-in date and a program to educate anglers and guides about the new regulation and the reasons behind it. This will allow the industry to develop more non-felt sole waders and wading boots. Simms is already phasing out the use of felt, while Patagonia and Orvis are moving toward rubber soles. Although invasive species are a state wide issue and this proposal only addresses one vector for their



spread, we have to start somewhere to address this issue in Alaska. It is vital that Alaska head off invasive species as soon as possible, rather than waiting until we are certain they are here.

**--Proposal 316 to ban snagging from the Macaulay Salmon Hatchery fish ladder to the fishing dock:**

The current situation at the Macaulay Hatchery is unsafe and is causing wanton waste and abuse of fish. The current situation is also contrary to the original intent at Macaulay, which was to create a zone for snagging and a zone for other anglers who wanted to fish with lures, bait or flies. This proposal will significantly reduce the potential for injuries and wanton waste and abuse. This proposal will also create a fishing opportunity for gear and fly anglers at DIPAC.

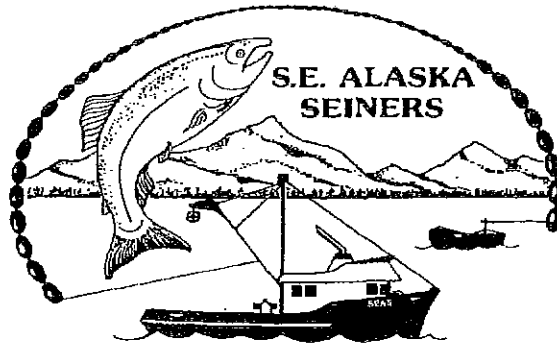
**--Proposal 317 to ban sport harvest of steelhead on the Juneau road system:**

Fishing pressure on the Juneau road system has increased dramatically in the last five or so years. Continued harvest on these small streams with small populations of steelhead could reduce populations below sustainable levels and could lead to pressure to close these streams entirely. Establishing catch and release for steelhead on the Juneau road system will help maintain accessible steelhead fisheries on the road system.

We appreciate your attention to these proposals. Please feel free to contact me at 586-2166 or via email at [info@tujuneau.org](mailto:info@tujuneau.org).

Sincerely,

Chris Zimmer  
President, Juneau Trout Unlimited Chapter



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February 3, 2009

Board Support Section  
ADFG  
John Jensen, Chair  
1255 West 8<sup>th</sup> Street  
Juneau, AK 99811-5526

Dear Chairman Jensen and Board of Fisheries Members,

RE: SE Finfish Proposals- February, 2009, Sitka

Southeast Alaska Seiners Association (SEAS) was incorporated in 1968 in Ketchikan. Our membership has 131 purse seiners along with 500 crew members. We also have 58 local business members in Southeast Alaska. We represent and support the entire commercial industry infrastructure and support industries in Southeast Alaska with a goal of having a healthy resource is perpetuated for future salmon run strength and harvest. We also work very hard to cover state and federal issues that impact Alaska commercial fishing in general.

While we have comments on several proposals, the major overriding issue we believe the board needs to decide in the affirmative is to support the "RPT Consensus Agreement", a durable arrangement crafted after intense negotiations by the industry members of the Southeast Regional Planning Team: two gillnetters, two seiners and two trollers who are assigned to representation by their different gear groups. The RPT agreement was signed and agreed to by all of the major commercial fishing interests represented throughout all of SE Alaska: ATA, USAG, SEAFA and SEAS. Now the Petersburg ADFG Advisory Committee, Petersburg Vessel Owners Association and the Southern SE Regional Aquaculture Association have signed on as will several other groups by the time you read this.

Public Comment # 1/3

✧ PO Box 23081, Juneau, AK 99802 ✧ 907-463-5030 ✧ Fax: 907-463-5083 ✧

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PROPOSALS COVERED UNDER THE JOINT RPT CONSENSUS AGREEMENT  
INCLUDE:

**Proposals 244-6** SEAS Opposes 244,245, and 246.

**Proposals 267** Follow recommendation of RPT Consensus Agreement.

**Proposal 268** Follow SE RPT Consensus Agreement of 1-1 seine to gillnet time at Neets Bay beginning June 20.

**Proposal 271** Follow SE RPT Consensus Agreement of 1-1 seine to gillnet time at Anita Bay.

**Proposals 273-4** Follow SE RPT Consensus Agreement of 1-1 seine to gillnet time at Deep Inlet.

**Proposal 327** Follow SE RPT Consensus Agreement

COMMENTS ON PROPOSALS NOT DIRECTLY ADDRESSED BY THE  
JOINT REGIONAL PLANNING TEAM CONSENSUS AGREEMENT

**Proposal 219 - Oppose**

The Bradfield system is not a good candidate for a stock-of-concern status. During the early season seine fishery, when Bradfield kings may be present, Seiners are already operating under non-retention rules. ADF&G has little specific information on king salmon stocks and their composition in adjacent fisheries. A listing would be premature, at best. More likely, any analysis will show that this system suffers from extreme habitat degradation - siltation, lack of woody debris, excessive velocity and scouring. It's unclear whether there is any "fix" to this system, but curtailing fisheries is not the right place to start.

**Proposal 260 - Oppose**

While SEAS supports the JRPT agreement and as the proponent noted under the solutions the timing ratio was/is a possible solution we there for believe that this proposal does not warrant support. However the question of the amount of Anita Bay chum production that is currently being harvested in the Gillnet sub district 108-10, and the Department's management intent for that sub-district during those stat weeks of highest take is still a matter of interest. Without changes in the take outside of the Anita Bay THA the time adjustments in Anita Bay are significantly reduced. It seems the proposal while not supported because of the whole of the pending JRPT proposal still asks a valid

2/3

Public Comment #

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✧ PO Box 23081, Juneau, AK 99802 ✧ 907-463-5030 ✧ Fax: 907-463-5083 ✧

question of contribution and management intent which the JRPT proposal does not address.

**Proposal 262 – Oppose**

This proposal would place additional regulatory restrictions on the Chatham Strait purse seine with a presumed goal of moving additional sockeye to various streams within the district 12 management area, at the expense of the seine fleet. First the ability to foresee how a particular season will develop is not easy, in fact not realistically possible. So the concept of regulatory, as opposed to E.O. management makes this an ineffective procedure and something that SEAS opposes on principal. Regardless that, the proponents solution from a management does not seem to be supported by the ADF&G data, particularly in years of high pink salmon abundance (2004 & 2005). While any take is a reduction in some degree, the amounts of sockeye that can be allocated to these small stocks are minimal and there are currently in season management actions which are aimed at minimizing that take and by the data it seems to be working. If there are changes that should be done it would be best done by in season management and reflect best current available data, not by regulation which at best is speculative.

**Proposal 275 – Oppose/support**

SEAS is supporting the JRPT consensus agreement which, for at least the next three years, does not allow for seine opportunities in the Nakat THA. Given that there is concern in the seine fleet for any future possibility of access we oppose the extraction of part (b)(2)(A)(B) of the Nakat Inlet Terminal Harvest Plan. We can support the other housekeeping measures and the extension of the southern boundary line to the Surprise Point line.

3/3

Public Comment #

108

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Proposal # 322

Support as Wrangell Amended

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To the Board of Fisheries,

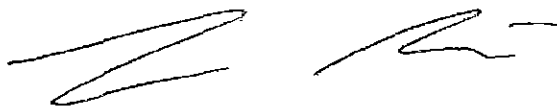
I live in Petersburg and handroll in the winter. I have fished here both commercially and sport for the past 30 years.

- 1) There is no biological reason for the current closed area around the mouth of the Stikine.
- 2) There is an average of a little over 4 troll permits working per week in areas 6, 8, and 10 during the winter, - the areas most likely to have people move into the current closed areas from.
- 3) It is difficult to enforce the current regulation and abuses do occur at times.

Finally I found it very odd that the A.C. was pro-commercial on almost every other proposal yet this one did not get a single vote in support here in Petersburg.

Thank you for your time.

Lee Gilpin



Public Comment #

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BOARDS

February 3, 2009

Board of Fisheries Comments  
Alaska Dept of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
Fax 907-465-6094

SE finfish proposals

Dear Chairman Jensen and Board of Fish Members,

I oppose proposals **255-5 AAC 33.331. Gillnet specifications and operation.** Provide incentive for dual permit use by allowing additional fishing time or gear in drift gillnet fishery, and **256-5 AAC 33.331. Gillnet specifications and operations.** Allow dual permit use and use of additional 100 fathoms of gillnet.

These proposals would cause financial hardship for my family because we have leveraged everything to get into the Southeast drift gillnet fishery last year under the existing regulations. We would not be able to compete against longer nets and less fishing time which would prohibit us from earning the money to buy an additional permit. This would force out the active single permit holder and not be the attrition goal that the proposals suggest. Idle permits would immediately enter the fishery and add to instead of removing gear in the water. ADFG has stated, "Depending upon how many double permit holders were active in the fisheries the department would be more conservative in providing fishing time on an area specific basis." Staff Comments on Regulatory Proposals for Southeast Alaska and Yakutat Area Finfish, Herring, and Groundfish For The Board of Fisheries Meeting, February 17-26, 2009, pp. 162. If the time allowed to fish is also restricted this would negatively impact the single permit holder that just entered the fishery and/or does not have the financial means to purchase another permit. The single permit holder would have to enter other fisheries in order to support a living which contradicts the proposals.

Several of the older Southeast drift gillnet fisherman told me the fleet did very well in the late 80's and early 90's. There were over 400 permits fished per year from 1975 to 2001 than in 2008 which had only 382 permits fished and was also a good year, data from Staff Comments on Regulatory Proposals for Southeast Alaska and Yakutat Area Finfish, Herring, and Groundfish For The Board of Fisheries Meeting, February 17-26, 2009, pp. 165. There are fluctuations in fishing income and we cannot blame this entirely on the proposed idea that the fleet is currently saturated with boats. There is currently incentive to own two Southeast drift gillnet permits because the owner of the permits will have the knowledge they have reduced the fishery by a boat and all its gear. Dual permit holders know they have compensated themselves as well as the entire fleet by this reduction.

The small boat fishing fleets are a part of the economic well-being of the Southeast Alaska communities. If the fleet is reduced as the proposals suggest this could negatively

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impact those communities. With a reduced fleet the operational and maintenance costs for the small boats would likely increase due to less services being used. There would be no incentive to purchase boat and permit packages because the buyer would only want the permit. The prices of vessels that retiring fisherman have maintained would drop and they would be unfairly denied a fair market price for their premium vessel and permit package they had counted on selling.

The proposals do not permanently remove the permits from the fishery and they may only temporarily contract it. Under these proposals the Southeast drift gillnet permits could later be sold individually for any number of reasons and the fishery would expand to its current number of single permit holders.

If the Southeast drift gillnet fleet reaches a consensus that permit reduction is our goal then we as a group should pool our resources and develop a real buyback program or a fair solution for all permit holders.

Thank you,



Joel Randrup  
F/V Moriah

John H. Littlefield III  
4102 Halibut Point Road  
Sitka, AK 99835

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2/3/2009

FEB 03 2009

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

BOARDS

Dear Chairman Jensen and members of the Board of Fish (BOF),

My name is John Littlefield. I have lived in Sitka for 62 years and like my grandfathers and grandchildren, I was born here.

I plan to testify on three separate concerns I have with Sitka Sound Herring. No specific proposal speaks to exactly what I think is best but it is fair to say I generally support the positions of the Sitka Tribe of Alaska (STA). We differ only on some targets and language but overall, I fully support their positions and proposals. I will comment on all of the proposals effecting Sitka Sound Herring.

Many of the herring proposals I support and some I oppose. I could support some of them if the language was amended. The ultimate resolutions agreed on by the BOF have far reaching implications on all local residents, many statewide residents, and other US residents. Other nation's residents are affected as well.

Herring is a keystone species and your decisions could impact all predators higher on the food chain. Keystone species proposals warrant comprehensive consideration by this BOF.

Wikipedia's definition is on the internet at: [http://en.wikipedia.org/wiki/Keystone\\_species](http://en.wikipedia.org/wiki/Keystone_species)

*A **keystone species** is a species that has a disproportionate effect on its environment relative to its abundance<sup>[1]</sup>. Such species affect many other organisms in an ecosystem and help to determine the types and numbers of various others species in a community.*

*Such an organism plays a role in its ecosystem that is analogous to the role of a keystone in an arch. While the keystone feels the least pressure of any of the stones in an arch, the arch still collapses without it. Similarly, an ecosystem may experience a dramatic shift if a keystone species is removed, even though that species was a small part of the ecosystem by measures of biomass or productivity. It has become a very popular concept in conservation biology.<sup>[2]</sup>*

*A keystone species is a species that plays a critical role in maintaining the structure of an ecological community and whose impact on the community is greater than would be expected based on its relative abundance or total biomass.*

Public Comment #

111

STA



Lastly, but certainly no less important is the affect your decisions will have on the subsistence users. I will address that comment in additional testimony.

All three issues are interrelated but for clarity I'm trying to address each issue separately.

Concerns I have are:

1. The need for using the best available science and methodology to manage the Sitka Sound Herring stock. (The form below) Although that need may presumably be present in other areas, I'll leave that to others. This point also affects the next two issues.
2. Conservation of the Sitka Sound herring stock based on a series of events that have occurred since around 1997.
3. The inability of subsistence users to harvest the amounts of subsistence roe products that we need.

### Concern 1: Better Science

I am the author of this form which I have distributed to residents to fax or mail in. This section of my testimony provides the rationale for why these steps should be taken. Testimony on concerns 2 and 3 above will be submitted in writing and orally at the meeting in Sitka on February 27<sup>th</sup>.

#### The mail or fax in form:

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulations contained in Title 5 of the Alaska Administrative Code dealing with fish and aquatic products for: Southeast and Yakutat Finfish (including salmon, herring, and groundfish) From February 17-26th, 2009 at the Harrington Centennial Hall, 330 Harbor Drive, Sitka

A complete copy of the proposed regulations changes is available from the Alaska Department of Fish and Game, Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526; Phone 907-465-4110.

You may also view them on the internet at: <http://www.boards.adfg.state.ak.us/>

Public testimony is scheduled to start the afternoon of the 17<sup>th</sup>; the sign-up deadline for public testimony is 10:00AM Wednesday February 18<sup>th</sup>. Mail or fax your written comments on individual proposals to the address below. Written comments must be received by the February 3, 2009 ensure inclusion in the board workbook.

When providing written comments on a specific proposals list the proposal number you are commenting on and specifically whether you support or oppose the proposal or include support for amended language. **THE BOARD OF FISH IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR STAFF.**

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526

Public Comment # 111

Juneau, AK 99811-5526  
Fax: 907-465-6094

Proposal: All Sitka Sound and Salisbury Sound Herring Committee A Proposals  
By signing this proposal I support the development of a sustainable Sitka Sound Management Plan for the commercial sac roe harvest in Sitka Sound. This comment form does not support or oppose any specific herring proposal under consideration in this Board cycle. The Board of Fish and Department of Fish and Game presently develop the Sitka Sound Commercial Sac Roe Management Plan based very heavily on the herring forecast biomass that is provided annually by the department. The present methodology used to predict the biomass does not include sufficient scientific information to respond to the changing dynamics of the fishery in Sitka Sound.

I support the efforts of the Board of Fish (BOF) to work with the Governor, Legislature, Department, and others to develop the required regulations, rule changes, and language that are necessary to fund sufficient (at least one full time biometrician) biologist position(s) to be based in the Sitka Fish and Game Office for the purpose of improving herring research in the Sitka Sound Herring Management Area and developing a new prediction methodology that includes all of the best available science. Funding should be sufficient to fund any reasonable requests by the Department to ensure the best available scientific information is made available and used.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

You may fax the first page of this form to 907-465-6094 or fold and mail in this form to the address on the back page. A stamp is required and it must be received by February 3rd.

I hope you have received many of these forms because most people I've talked to recognize the need for using the best available science for managing any species. They also recognize the need for additional research and seek the Board's endorsement of these concepts for presentation to the Legislature for funding methods. I realize form letters by the hundreds rarely have meaning to Boards but I will offer this rationale in support of the form letter contents.

State of Alaska regulation number 5AAC 27.160 (g) defines the method used by the Alaska Department of Fish and Game (Department) to manage the herring sac roe fishery in Sitka Sound.

*(g) The guideline harvest level for the herring sac roe fishery in Section 13-B shall be established by the department and will be a harvest rate percentage that is not less than 10 percent, not more than 20 percent, and within that range shall be determined by the following formula:*

*Harvest Rate Percentage = 2 + 8 (Spawning Biomass (in tons) / 20,000)*

*The fishery will not be conducted if the spawning biomass is less than 20,000 tons.*

The board may change any part of this section and completely alter or eliminate the formula but any calculation using the Spawning Biomass (BM) is determined by the Department. The

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3/11  
STA

Department selects the BM based upon the use of an Age Structured Analysis (ASA) model that has been used for many years to predict the BM. This model in some form has commonly been used throughout California, Canada, and Alaska for decades.

The existing ASA model used in the sac roe fishery was developed by using observations after many years of collecting dive survey and weight at age data. Divers count the present year's spawn deposition along a random transect in measured squares, then apply cast net samples of weight at age factors and thence predict the next years forecast biomass. There are some weighting factors which are also used.

Using a model that is based on observations of a long period of time is an empirical model, not scientific experiments so a discussion of empirical methods is in order. Empirical models have prove quite accurate when the input data remains constant, the rule is reviewed by peers, and adjusts to feed back from the users. The grading scores on a test can make good use of the Bell curve as any teacher knows.

[http://en.wikipedia.org/wiki/Empirical\\_methods](http://en.wikipedia.org/wiki/Empirical_methods)

***Empirical method** is generally taken to mean the collection of data on which to base a theory or derive a conclusion in science. It is part of the scientific method, but is often mistakenly assumed to be synonymous with the experimental method.*

*The empirical method is not sharply defined and is often contrasted with the precision of the experimental method, where data are derived from the systematic manipulation of variables in an experiment.*

The empirical ASA rule used by the Department should resemble a normal distribution or what is also called a Bell curve. As used by the Department, their normal distribution (Bell curve) would imply that 68% percent of forecast biomass will be within one standard deviation from the forecast. 95% will be within two standard deviations, and 99.7% of the forecast predictions would be within three standard deviations. That would be a perfect example of the expected results if all the observations remained constant. I don't know what standard deviation the department uses but I will use one threshold level of Sitka Sound, or 20,000 tons, for this illustration.

Assume a 100,000 ton BM.

At one standard deviation 68% of the time the prediction could be anywhere within the range of 120,000 tons to 80,000 tons.

At two standard deviations 95% of the time the prediction could be anywhere within the range of 140,000 tons to 60,000 tons.

At three standard deviations 99.7% of the time the prediction could be anywhere within the range of 160,000 to 40,000 tons.

Predictions within one standard deviation is the hoped for result. At a 20% harvest rate of the BM the GHL should be within +/- 20,000 tons. At plus three standard deviations the 20,000 ton

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STA

GHL would actually be only 12.5% of the 160,000 tons of fish that actually showed up. That would be very good. However, at minus three standard deviations the 20,000 ton GHL would be a staggering 50% of the actual 40,000 tons of fish returning. As long as the biomass is increasing we'll be OK with this model. But if the returning biomass significantly decreases even for a year we will be in serious trouble, perhaps even have a catastrophic collapse.

There have been three years in the last 32 years in which the BM was over 200% different from the prediction. Luckily they were underestimates. As long as the BM is really increasing we'll may be safe with the existing model. But if the returning biomass significantly decreases even for one year we will be in serious trouble, perhaps even have a catastrophic collapse.

Use of an empirical rule demands good data identification and the value of the mean (BM) and the standard deviation. It also requires good empirical data collection done by repeatable scientific research methods (every diver will count eggs in each square differently than the next diver will). I think the department believes that their years of counting egg deposition on random transects established a sound empirical empire and gave them a standard deviation they felt they could live with. And in the past it has somewhat successfully predicted the next years forecast with some success and minor adjustments.

What has been neglected since the department has been using the ASA model is peer review of the model by independent institutions to verify the model and make suggestions on how the accuracy can be improved. This action should take place immediately. Independent institution such as the U of A, other university, or the ISER could easily conduct a peer review.

The Department presently has one part time biometrician assigned to the Sitka office. They need one full time assigned to the Sitka office. Much more for studying of a keystone species like herring is needed.

The Department has also incorrectly neglected traditional knowledge of the affected users. Peer review and input from users must be included to verify an empirical rule and make it an accurate and useful predictor of the herring BM. Presently the ASA model is a best guess and low returns and high BM forecasts could spell disaster for the commercial sac roe fishery.

The Department (Dave Gordon, et. al) chose a 16.8% harvest rate in 2008 on a BM of 87,715 tons. 20% was required by SAAC 27.160 (g) but it was indeed the correct decision for conservation purposes. In 2008 the spawn deposition plus catch did not equal or exceed the BM prediction. They still harvested over 20% of the actual return. At the higher 20% harvest rate there would have been another 3,157 tons of herring harvested with the corresponding further decrease in spawn deposition. This was a good decision and I for one appreciate that small step on the side of conservation. I do not want to demonize the Department but at last year's pre-fishery meeting on March 24<sup>th</sup> this discussion was part of the recorded meeting with STA and is used with their permission. 'However he did state that the Department is finding slower growth and maturation rates for age-3 and age-4 herring, and that there are age-5 and age-6 herring that are not mature, which is very different than what has been observed. Mr. Gordon stated "No other populations are experiencing this trend," and for forecasting biomass, the Department "doesn't know what this means."'

This year at the preseason announcement meeting required to be held with the Tribe on December 4<sup>th</sup> 2008 I was finally able to get Bill Davidson to admit that by using the old ASA

model, the initial 2009 BM prediction for Sitka Sound was 150,000 tons and the harvest GHL at a 20% harvest rate would produced a GHL of 30,000 tons. They didn't like that number so they "tweaked" the model and came to us with an official number of 76,542 tons of biomass and at a harvest rate of 20% set the GHL at 15,308 tons. This was a massive 73,458 ton difference! The Department took issue with the word tweaking and said that the changes were accomplished by PHDs and they had confidence in the new numbers so the approved the 20% harvest rate set in regulations. I don't know what changes in mortality or fecundity or other factors gave them the confidence in this figure. I have none. Every good fisherman I knew who spent significant time on the water said there appears to be more herring than ever and the Department was saying some of the best spawn deposition they've ever seen was in 2008. I had expected a larger number than last year but the number was smaller but the GHL at 20% is the largest harvest on record since 1978. I know of no one that would bet their house or even their bike on what the true BM is. No one knows what's going on. The Department has admitted this in the past so a complete or partial closure or some set limit makes sense until we can figure it out. We must err on the side of conservation.

I want to insert some graphs that illustrate the changing dynamics of this fishery that have become especially evident since the BOF action in 1997 that changed the threshold level (TL) and the harvest rate percentage that was previously was a strategy was changed and made a regulation (160 (g)) that established the harvest rate for Sitka Sound ONLY in regulation. All other areas use the existing formula as far as I know.

The harvest dynamics (input data) have changed and the old ASA model can not be trusted to predict the BM with any accuracy approaching what we need. If the BOF changes the harvest dynamics for conservation purposes I can still support some forms of a sac roe fishery which the merchants here will demand as well as the permit holders. This fishery is economically important to Sitka residents. It belonged to Sitka since time immemorial and lately has become the property of the permit holders. A sustainable sac roe fishery with changed dynamics is desired forever.

The Chart below shows the younger fish; age-3, age-4, and age-5 class of fish are combined and plotted as the dotted lines. The older fish; age-6, age-7, and age-8+ are combined and plotted as the solid line. From 1978 to 1997/9 the fishery shows the variation in age class composition that is common in herring stocks. The changes started becoming evident about 2001 with this graph. That is also the time when the STA asked for an ACR to try to solve the horrible subsistence returns. By 2007 it looks like the age classes have reversed. Now the older fish are predominant which has not happened here before. It has happened in Prince Rupert and the results were a crash.

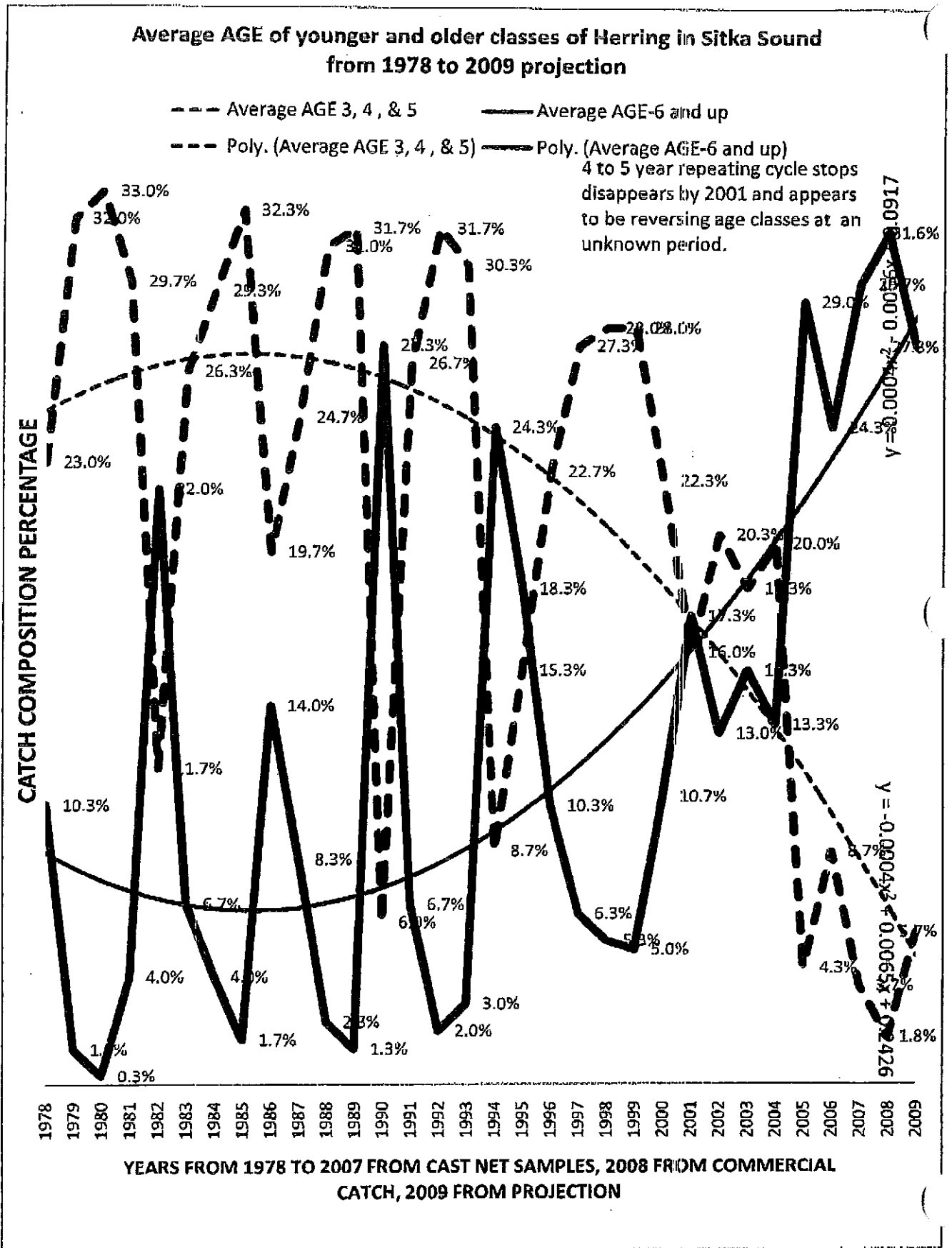
Citation: DFO, 2005. Stock Assessment Report on Prince Rupert District Pacific Herring, DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2005/066

#### DESCRIPTION OF THE ISSUE

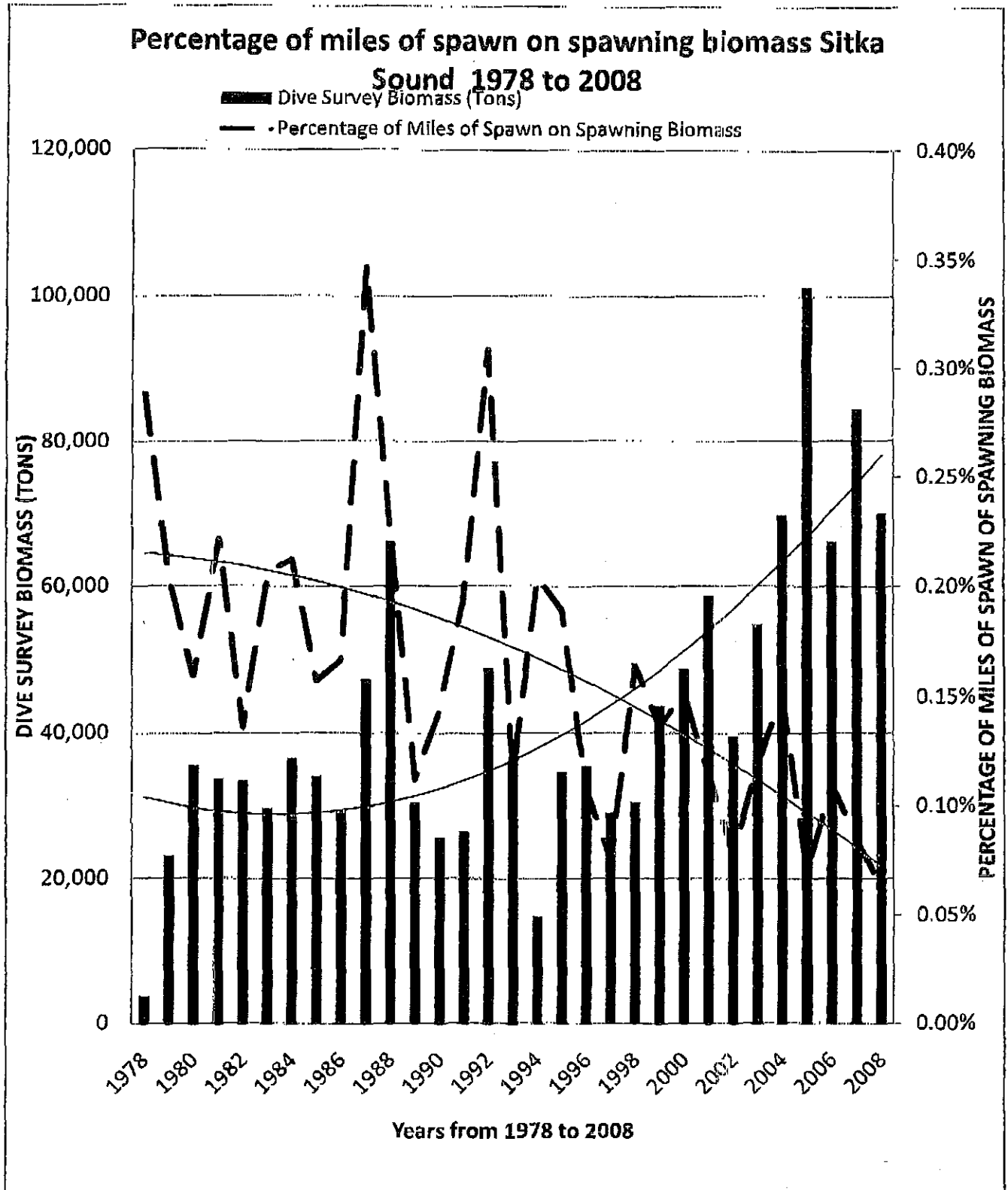
From the mid-1940s until the late 1960s, herring were harvested and processed (reduced) into relatively low value products such as fishmeal and oil. The largest catch was taken in the PRD in 1952 and the fishery was closed in 1953 and 1958 due to industrial disputes. Catches increased dramatically in the early 1960s but were unsustainable. By 1965, most of the older fish had been removed from the spawning population by a combination of overfishing, and a sequence of weak year-classes, attributed to unfavorable environmental conditions and a low spawning biomass. As a result, the commercial fishery collapsed (Fig. 1), and was closed by the federal government in 1967 to rebuild the stock.

I don't know what this chart means but it looks like it should be investigated and lower limits on harvest be put in place to prevent a crash.

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The next chart shows the percentage of miles of spawn on the spawning biomass in Sitka Sound from 1978 to 2008.



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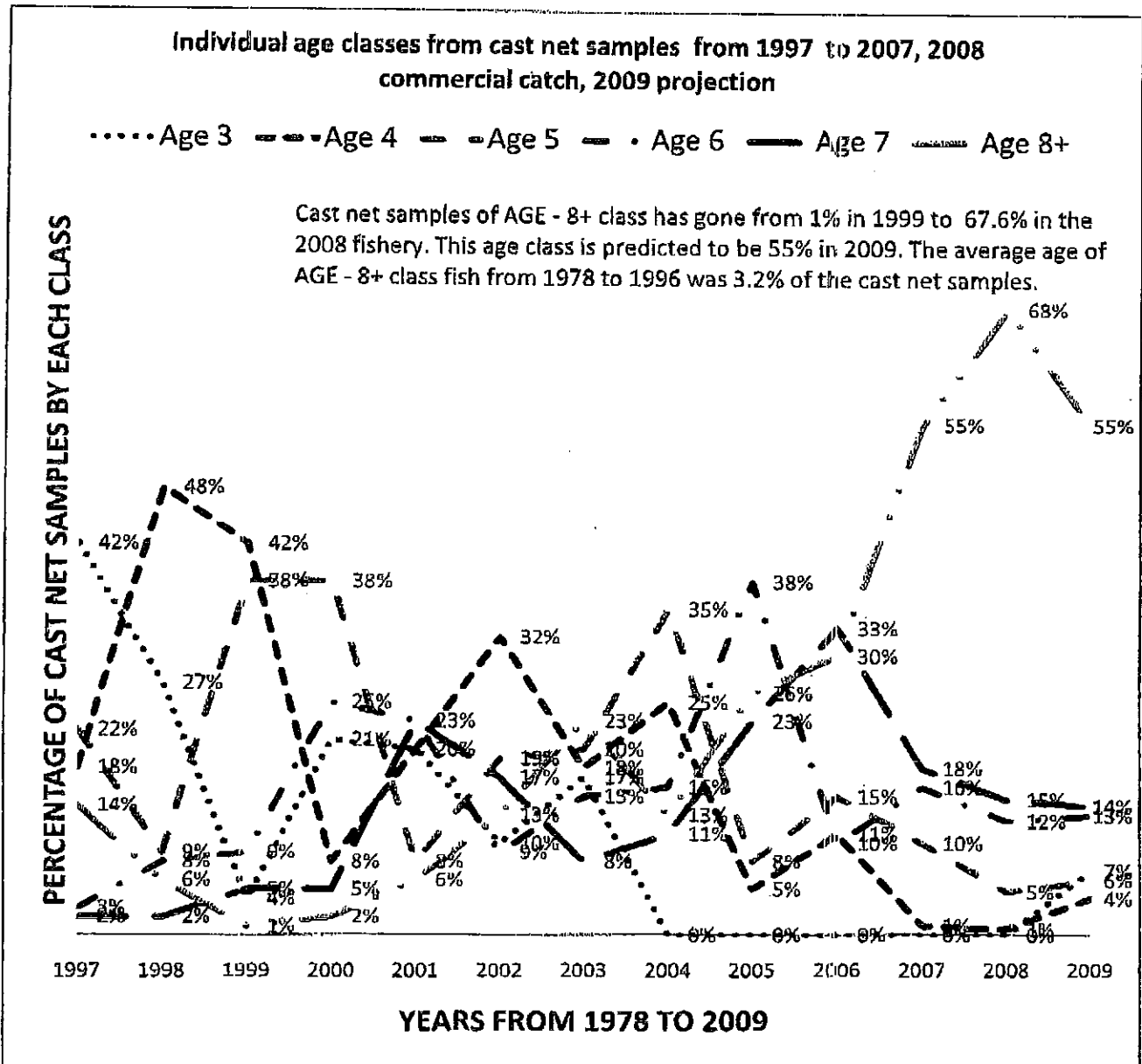
8/11

This chart shows the spawning biomass in tons in chart view. The amounts of tons are shown on the left. The percentage of the miles of spawn on the spawning biomass is plotted as a dashed line. The Percentage values are on the right of the graph. Trend lines show the spawning biomass is trending upward steadily (at least until 2008). The trend line of the % of miles of spawn on spawning biomass is steadily trending down. This defies common sense and deserves answers. Most people would think that with increasing biomass we should see corresponding increase in miles of spawn. That has not been the case. The trend lines cross in 1998. The BOF harvest rate changes occurred in 1997. The STA reported harvest that did not meet needs and were below the Amount Necessary for Subsistence (ANS) in 2002, 2005, 2007, and 2008. We met the existing ANS amounts in 2003, 2004, and 2006. That is also clearly indicated by the dashed trend line. When it was above the dashed trend line since records were started in 2002, we met our ANS amounts. When it was below we did not. Again I don't know why this is happening but it gives me more reason to suspect changes in 1997. Looking only at the dotted trend line, we may have been overharvesting for a while and that needs to be studied.

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I only have sufficient time before I fax this to insert one more graph. I have many more that illustrate the problems in the last 13 years and will present them at the BOF meeting.



This graph shows the changes in age classes that have occurred from 1997 to 2008 and includes the BM prediction for 2009. The age - 3 classes have disappeared since 2004. The Department projects 7% to return in 2009. The age - 4 classes have also decreased to a 2008 commercial catch of 0.6% which was predicted to be 6% pre-fishery in 2008. The Department projection for 2009 is 6% Lets hope they are right. The age-8 classes have increased the most dramatically,

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comprising 67.6% of the 2008 commercial catch. 57% had been predicted in 2008 and 55% is predicted for 2009. These age class changes when using a cast net sample of weight at age as one-half of the ASA model observations do not lend great credence to the projections of BM without significant tweaking. The ASA model appears to be looking backward and is not a confident forward predictor when the data changes so much.

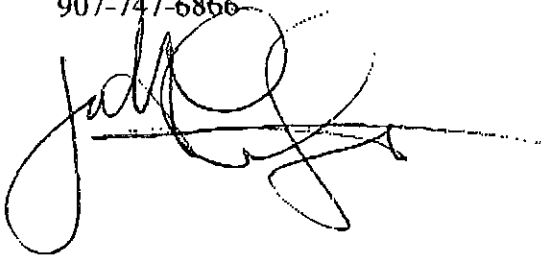
There is additional dynamics in fishing dynamics that have also occurred since 1997. The sac roe fishery is almost always taken before major spawning (escapement) has occurred. Prior to 1997 the fleet normally fished much closer to a multiple day spawning event and in one year fished 11 days after a major spawning event.

These changes in dynamics or input data to the ASA model demand peer review and a modest harvest until the Department can fully grasp what is happening.

I will be willing to serve on the herring committee.

Thank You,

John H. Littlefield  
907-747-6866



Public Comment # 111



## SURE-STRIKE CHARTERS INC.

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surestrikecharters@ahtalaska.net

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FEB 03 2009  
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Board Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811

I grew up working on a seine boat in southern California fishing for squid and anchovies. The boat ran almost every night year around. I loved the job and worked on the boat all through high school, by the time I was 20 I had accumulated over 1,000 fishing days and decided to obtain a captains license (100 ton near coastal).

The next three years I continued working the seine boat along with running sport fishing vessels. The main boat was an 85 foot overnight boat running to the Channel Islands along with fishing tuna offshore. This is when I found I had a knack with people and though a lot of our passengers had little to no fishing skills, I found it a rewarding challenge to work with people and children who don't get a chance to catch a fish very often because of there financial status or because of where they live.

In 1987 I met a boat operator who worked in Alaska, I always wanted to go to Alaska to work in the seine industry, I never thought I would be heading there to run a sport boat.

I instantly fell in love with Prince of Wales Island. I worked in the Alaska charter industry the next seven years, finding jobs on tug boats, commercial fishing, or sport boats in the off season. I also upgraded my license to (500 ton near coastal) during this time.

In 1993 I decided to move to Craig Alaska and start my own charter business, I had no money, my charter boat was a 21 ft. glass ply that was old and in desperate need of some TLC. After rebuilding and repowering my little vessel I embarked on my new journey, investing my skills and my youth into building a small business with the hope of having my own fishing lodge with several boats one day. By 2001 after putting everything I made back into my business and the local community my dream had finally become a reality I turned nothing into a small fishing lodge with 5 boats and 11 employees. I was living the American dream.

Since then I have endured the winter after 9/11 when I thought I would be going out of business do to no bookings for 2002, to a mud slide that almost wiped me out in 2005.

Now I am faced with one of my most difficult challenges. Over the last few years the Alaska sport fishing industry has taken substantial limit cuts starting with king salmon, then lingcod, Rock fish, halibut and now Coho along with additional proposals. The halibut issue alone along with last years king salmon closure has impacted my business with a 40% drop. If some of the current proposals go through I fear of cancelations for this coming season. Many of my guest have concerns that the state of Alaska doesn't want them to spend there vacations in Alaska any more. Over the years when we have settled for less I convinced people it was for the good of the fisheries but now im having a hard time convincing myself.

A little help would be much appreciated.

Sincerely,

Capt. Kirk Agnitoon

Public Comment #

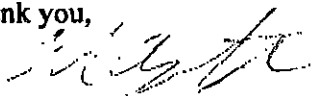
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Please note my comments to on the following proposed changes.

Thank you,



**Proposal 220-** Oppose. Log books already keep track of number of Chinook and Halibut harvested by the guided sector.

**Proposal 238-** Oppose. Using a seine boat with power block and seine skiff is not a traditional subsistence practice and takes away from community involvement of subsistence lifestyle. Who determines which family or persons get what fish, (will one family or person get the less desirable or damaged fish).

**Proposal 253-** Oppose. 58' boats and gear are very productive with record catches.

**Proposal 288-** Oppose. Typical guided trips sold to the majority of lodges are 3 day trips. An 18 fish limit has worked well for selling trips; to cut the Coho to 12 when all other species have also been cut will drastically reduce the number of people willing to spend the money to come to the state and support the small communities and families that depend on the income.

**Proposal 289-** Guided anglers typically fish 3 days bringing home 18 silvers or less, these fish are recorded daily in log books with angler's name, license number, and number of fish caught and signed by the angler. This mechanism for information is delivered weekly to the state and reviewed so the numbers are very accurate.

**Proposal 294-** Oppose. The Craig area has a new terminal Chinook program highly supported by the local charter industry, support businesses, and non resident and resident sport fishermen who raise dollars through the local fishing derby, and donations. Without their support the hatchery would be struggling even more, this proposal would negatively affect the people who have supported this non profit hatchery which is not supported by the state or Alaska Trollers Association.

**Proposal 302-** Oppose. A fisherman should be able to release a fish if it is hooked in the jaw area and is a marginal length fish, (barely legal).

**Proposal 307-** Oppose. Although I do not subsistence fish for halibut I do like to take my family out fishing when guests are not at our home. This proposal will prevent my family to sport fish in summer months and supply our much needed fish for winter. Regulations prevent a charter captain from retaining fish while paying guests are on board of any kind even though required to possess a sport fishing license and king stamp. To have to purchase another boat for the purpose of being able to bring family members out on a day off would be cost prohibitive.

**Proposal 308-** Oppose. No frozen or processed fish can be legally used for meals at lodges only fresh fish of the day can be used (the anglers personal catch). This proposal would again make it impossible for families to supply their homes with their winter food.

2 of 3

**Proposal 310-Oppose.** The fish are recorded daily in log books with anglers name, license number, number of fish caught and signed by the angler. This mechanism for information is delivered weekly to the state and already established.

**Proposal 333-Support.** Evidence on the fishing grounds shows an abundance of lingcod.

**Proposal 334 – Support.** Consistently under-utilized by catch would greatly benefit the guided sport fishery and their communities which is currently hamstrung with restrictions of one annual lingcod within 30-35" slot limit.

**Proposal 335-support.** Same reasons for proposal 334.

**Proposal 336- Oppose.** The longline by catch allocation has been consistently under harvested in the past 4 years, so the by catch allowance appears to be more than sufficient.

**Proposal 337- Oppose.** I believe that the guided sport fishery and its communities would by far monetarily benefit with this highly prized sport fish as it is very marketable to non resident anglers.

**Proposal 338- Oppose.** Same reasons as for 337.

**Proposal 339- Support.** Allowing guided anglers to have a chance to take a state record lingcod would provide a marketing tool and would result in minor impact on an already strong fishery.

**Proposal 340- Support.** Where there is a surplus not being harvested it should be available.

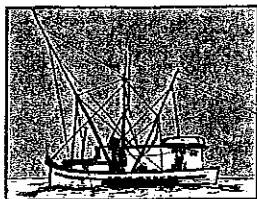
**Proposal 341- Support.** For reasons that the Southeast Alaska Guides Organization has stated.

**Proposal 343,344- Oppose.** For same reasons as in 341.

**Proposal 345,346- Oppose.** This proposal would encourage targeting DSR instead of taking them incidentally.

**Proposal 347- Oppose.** This might encourage targeting of slope rock fish instead of taking them incidentally as by catch.

**Proposal 351- Support.** If required in the sport fishery as making sense then all fisheries should adopt this practice.



# Alaska Trollers Association

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February 3, 2009

John Jensen, Chairman  
Alaska Board of Fisheries  
Box 115526  
Juneau, AK 99811-5526

Dear Chairman Jensen:

You should find attached ATA's initial comments on the Southeast Finfish meeting proposals. If I can answer questions that you and other board members might have in advance of the meeting, please don't hesitate to contact me.

Best regards,

Executive Director

PROPOSAL	ISSUE	ATA POSITION
137	Groundfish bag limits	S
138	Groundfish bag limits	S
224	Exception to chinook bag limit during Golden North Derby	S – w/amend at (h)
225	Double bag limit in hatchery access areas - all areas	O
226	Double bag limit in hatchery access areas - Ketchikan only	O
227	District 8 Transboundary Rivers Fishery 7d/wk for troll	S
228	Open part of Fredrick Sound to troll M-W only in May/June	S
229	Increase Non-resident annual limit - Stikine River Mgmt Plan	O
230	District 11 Transboundary Rivers Fishery 7d/wk for troll	S
231	District 11 Transboundary Rivers Fishery open district-wide	S
244	Exclude PNPs from hatchery allocation plan	O
245	NSRAA and hatchery allocation	O
246	Close Coffmann Cove to commercial fishing	O
247	Re-opened District 8 waters can be managed for any fishery	S
248	Uncouple troll and set gillnet openings in Yakutat	S
250	Allow gillnet and troll gear onboard simultaneously.	S – only with #252
252	Offload from one fishery before participating in another	S
266	Increase allowable set gillnet length for Yakutat area	O
269	Expand Neets Bay harvest area / increase sport king limits	O
286	Define possession limit as maximum number fish taken home	S
288	Annual limit of 12 coho for non-residents & harvest record	S
289	Amend harvest reporting for non-residents to include coho	S
295	Develop a plan to address sport catch and release mortality	Support concept
296	Modify the definition of sportfishing gear in SE Alaska	S – w/ amend
297	Modify the definition of a fishing rod in Southeast AK	O
298	Allow the use of electric reels for sportfishing	O
299	Allow beach seine, cast net, purse seine, gillnet for herring	O
303	Allow unguided angler an additional rod/line to jig herring	S
305	Prohibit use of felt soles for wading in freshwater	S
308	Restrict subsistence and personal use fishing when guiding	S
310	Develop fish ticket system for guided sportfishery	S
311	Allow monitoring of guided sport vessels, lodges, facilities	S

PROPOSAL	ISSUE	ATA POSITION
312	Allow monitoring of guided sport vessels, lodges, facilities	S
313	Allow monitoring of guided sport vessels, lodges, facilities	S
320	Allow unharvested winter chinook to be caught in spring fishery	O
321	Don't count hatchery fish against winter guideline harvest	O
322	Remove the Stikine River winter troll closure in District 8	Position pending
324	Allow fishing 7 days per week in Cross Sound in June	S
325	Extend troll fishery closure date to September 30th	S
326	Delay coho fishery opening date to July 10 <sup>th</sup>	O
327	Extend troll closure date in Behm Canal to September 30th	S
328	Allow transferrable HT permit holders to use 2 power gurdies	O
329	Increase number of HT gurdies to 4 West of Cape Spencer	O
333	Raise lingcod guideline harvest in Central Outside SEAK	O
334	Increase sport allocation of lingcod	O
335	Equal shares lingcod allocation for commercial and sport	O
337	Make any surplus dinglebar quota available to troll fleet	S
341	Increase sport allocation of DSR rockfish to 25 percent	O



<b>PROPOSAL</b>	<b>ISSUE</b>	<b>POSITION</b>	<b>ATA</b>
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<b>137 &amp; 138</b>	<b>Groundfish bag limits</b>	<b>S</b>	
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ATA supports establishing bag and possession limits for all game fish species, to both meet the goals of conservation and avoid future gear conflicts. Many of the fish species without bag limits are considered fully utilized and in some cases, such as blackcod, are constrained by quotas that have been cut and are likely to be at the low end of the abundance cycle for the next few years. Enforceable bag and possession limits could assist managers evaluate stocks and develop appropriate management plans, particularly if conservation concerns arise for sensitive groundfish species that appear to be experiencing increasing levels of sport exploitation.

<b>224</b>	<b>Exception to chinook bag limit during Golden North Derby</b>	<b>S – w/amend at (h)</b>	
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The Golden North Derby is held later in the year than most sport derbies in SE and provides many positive benefits for the community of Juneau. ATA supports the exception requested, for the specific time and area proposed, which will allow chinook to be retained by derby participants in years of lower chinook abundance. However, we suggest reviewing the text of the proposal, as it appears the proper cite may actually be: 5 AAC 47.055 (h) (3) – not (e) (3) as written.

<b>225</b>	<b>Double bag limit in hatchery access areas - all areas</b>	<b>O</b>	
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<b>226</b>	<b>Double bag limit in hatchery access areas - Ketchikan only</b>	<b>O</b>	
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ATA has no problem with sport anglers harvesting common property hatchery fish paid for, in large part, with monies secured from a direct tax on commercial fishermen. However, we do oppose providing expanded access to anglers in hatchery access corridors beyond current suite of regulations governing bag/possession and gear.

Hatchery Spring Fishery harvest areas were established specifically to help trollers harvest hatchery fish and serve two purposes: 1) to mitigate harvest losses incurred by the troll fleet since Pacific Salmon Treaty signing in 1985; and, 2) to assist trollers in getting a fair proportion of the hatchery fish they help pay for, as mandated by the Board of Fisheries enhanced salmon allocation plan.

Trollers continue to trail behind in the Board of Fisheries hatchery allocation mandate, so should be given priority access to any species being raised on their behalf.

Additional concerns about increased angler access in the relatively small hatchery corridors include the potential for gear conflicts and the questionable ability to enforce variable bag/possession limits around the region.

<b>227</b>	<b>District 8 Transboundary Rivers Fishery 7d/wk for troll</b>	<b>S</b>	<b>✓</b>
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<b>228</b>	<b>Open part of Fredrick Sound to troll M-W only in May/June</b>	<b>S</b>	<b>✓</b>
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From Statehood until the Stikine River chinook fishery was closed (1977), the troll fleet averaged 31% of the harvest share. The percentage was higher than that pre-statehood. ADFG has stated that in past years the troll harvest was half that of gillnet. Since the directed chinook fishery was re-opened in 2006, trollers have taken an average of 9% (1,421) of the all gear harvest (15,733) of Stikine River Chinook.

It would be difficult to achieve a fixed allocated number or percent without unduly disrupting other users, but trollers still want an opportunity to harvest a fair harvest share. To do that, the troll fleet needs additional time and area.

Typical gillnet harvest rates are many times that of the troll fishery. In 2005, gillnetters in District 8 harvested at a rate 4.5 times that of the trollers. CPUE in District 8 averaged 2.4 for troll and 10.6 for gillnetters in 2006 08 - or 5 gillnet fish for every 1 fish caught by trollers. In 2008 alone, that ratio was 7:1. Trollers need more fishing time and area to achieve parity with the gillnet fleet.

ATA has a revised proposal that we will discuss at the Board of Fisheries meeting and looks forward to working in committee with Board members and other user groups.

<b>229</b>	<b>Increase non-resident annual limit - Stikine River Mgmt Plan</b>	<b>O</b>	
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Concerned about accounting and enforcement issues surrounding variable daily bag and possession/annual limits.

- |     |   |   |   |
|-----|---|---|---|
| 230 | District 11 Transboundary Rivers Fishery 7d/wk for troll    | S | ✓ |
| 231 | District 11 Transboundary Rivers Fishery open district-wide | S | ✓ |

From Statehood until the chinook fishery was closed (1977), the troll fleet averaged 35% of the Taku River harvest share. Considering the modification and improvement of gillnet gear in the 60s and 70s, it's likely that the troll proportion of harvest was even higher than 35% pre-statehood.

ATA recognizes that achieving a fixed allocation or percentage would be unduly disruptive for other users. However, trollers still want an opportunity to harvest a fair share of the salmon runs they helped to rebuild.

Trollers need more fishing time and area to achieve a level of parity with the gillnet fleet. ATA is not asking to open 11-C or 11-D and supports ADFG's remarks on those portions of the district. In fact, ATA is requesting modest increases in time/area in 11-A & B, to help accomplish the goal of improved access. Differences in gear efficiency in terminal areas makes it unlikely that increased time and area would significantly impact the balance of harvest, but it could do a lot to provide opportunity for a few boats in the local fleet during a slow time of year.

Under the current Taku River King Salmon Management Plan, troll openings are based on a ratio of days open to drift gillnet gear vs. days open to troll gear. Trollers averaged just 16 fish (0.001%) of the average commercial harvest in 2005 and 2006 (15,404). ADFG estimates that if trollers had fished 7 days a week throughout District 11 they would only have averaged 34 fish per year. It would take a massive increase in effort to push troll numbers to any significant level. Such an increase is highly unlikely given the terminal nature of the fishery, Juneau's significant harbor costs, and current processor focus and capacity.

Gillnet harvest rates are usually many times that of the troll fishery. In 2005-06, troll and gillnet CPUE in the District 11 fishery was 0.2 and 4.3 respectively. To compare, CPUE in District 8 averaged 2.4 for troll and 10.6 for gillnetters in 2006-08 - or 5 gillnet fish for every 1 fish caught by trollers. In 2008 alone, that ratio was 7:1. It is also possible that gillnet efficiency will go up as more fishermen move to larger mesh gear.

ATA will present an alternate proposal at the Board of Fisheries, which will clarify what we seek. It is a phased-in approach based on the annual allowable catch, with slight line modifications that, as a practical matter, are unlikely to create user conflict. We look forward to working in committee towards a compromise solution.

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| 244 | Exclude PNPs from hatchery allocation plan | O |
|-----|--|---|

Adoption of this proposal would result in the removing roughly one half of the enhanced fish production in Southeast Alaska from consideration when determining enhanced fish allocation benefits. This will create conflicts and problems for fishermen, aquaculture associations, and ADF&G.

- |     |                               |   |
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| 245 | NSRAA and hatchery allocation | O |
|-----|-------------------------------|---|

ATA appreciates recent efforts by a number of industry representatives to develop a compromise on hatchery allocation. ATA is reviewing this proposal and will speak to it during the Board of Fisheries meeting.

- |     |  |                           |
|-----|--|---------------------------|
| 246 | Close Coffmann Cove to commercial fishing                  | O                         |
| 247 | Re-opened District 8 waters can be managed for any fishery | S                         |
| 248 | Uncouple troll and set gillnet openings in Yakutat         | S                         |
| 250 | Allow gillnet and troll gear onboard simultaneously.       | S – only <u>with</u> #252 |
| 252 | Offload from one fishery before participating in another   | S                         |

266	Increase allowable set gillnet length for Yakutat area	O	
269	Expand Neets Bay harvest area / increase sport king limits	O	
286	Define possession limit as maximum number fish taken home	S	✓

For many years ATA and other groups pursued a statewide change to the possession limit definition, which currently allows processed fish to be removed from the possession limit tally. This issue has been exacerbated by a guided industry that almost universally offers processing options as a convenience for its clients.

Fishermen and other residents have long expressed concern about the large quantities of sportfish that leave the state, region, or local area each year. Given the proximity of the sport fishery to local spawning streams and ocean rearing habitat, many people have grown increasingly concerned about conservation and local area depletion, particularly in years of low abundance. That is not to say there are conservation problems now, but how do we know, when data for the sport fishery is unavailable for over a year? It makes very little sense that ADFG provides timely inseason and annual estimates of harvest from every commercial fishery under its jurisdiction, but not the sportfishery.

At minimum, there is a public perception problem that stems from what are essentially unenforceable possession limits. There appear to be fish transported - both in and out of state - well in excess of the possession limits currently on the books. In most cases this is completely legal, because the possession limit definition provides the means to take whatever you want under the existing law. Some enforcement officials have even expressed concerns about their ability to enforce possession limits, because of the law as written. ATA suggests that our state needs a few new laws to clarify possession rules, and there are many models in other states and nations to use as a template. Attached is a grid of regulations submitted with ATA's 2006 testimony. We have similar information gathered from even more states and countries, which will be available at the Sitka meeting.

After years of no Board of Fish action on the statewide possession limit definition and related issues, ATA tried limiting its request for a changed definition to the Southeast Region, in hopes the Board would start the ball rolling by addressing the concerns of our membership in a region known for high volumes of sport product leaving the state each year. The Board authorized a task force and assigned two co-chairmen, to work with ATA, the guided industry, and sport anglers on issues related to possession and transport of sport caught fish. ATA was hopeful that this group would gather information, identify the issues, develop and submit consensus proposals in time for the 2008 meeting. While several meetings were held between Board members, ADFG staff, and ATA the chairmen never appointed the Task Force members. This has been a great disappointment to many people in the region, and, we believe, a disservice to both the guided industry and agency, both which might have benefited from accurate information coming to light as opposed to perception and hearsay.

Because there was no Task Force product, ATA offered several proposals and ideas, in hopes of attaining our goals of: a) creating enforceable possession limits; b) improving data gathering and securing in-season tabulation of sport caught data; improved monitoring of sportfish fish transport; and, c) enforcement of both existing and new regulations. We believe these goals are in the best interest of the state, as they will help to provide better information to accurately catalogue harvest information, track use patterns, and evaluate conservation and allocation concerns in a rational manner.

And, while sport harvest is only a portion of the total exploitation of our resources, it should still be considered part of the whole in our state's sustainable management program. All fishery managers should have as much information available to them inseason as possible. At the present time, sportfishing guides complete a logbook and must submit data in a timely fashion. It seems unreasonable to ask the public to go to that kind of added hassle if the state does not input this valuable data in a timely manner and have it available for fishery managers and the public to review during and after the fishing season. The creel census and, in some cases, a punch card system may be the best fit for quickly estimating the harvest of unguided anglers, but it would appear that even that data needs to be tabulated in a more timely fashion. Again, we had hoped the Task Force would flesh out many of these issues.

It is our hope that this Board of Fisheries will provide the necessary leadership and put people to work at the Southeast finfish meeting, and possibly the statewide, to work through these issues this cycle. It is critical to secure timely, accurate data and enforceable possession limits. An added benefit is that doing so should help

tone down the significant and needless acrimony that we have seen erupt between the guided sport and commercial fishing sectors. ATA looks forward to working in committee on this issue in Sitka and, if necessary, at the Statewide meeting in Anchorage.

288	Annual limit of 12 coho for non-residents & harvest record	S	✓
289	Amend harvest reporting for non-residents to include coho	S	✓

It should be noted that sportfish data for this meeting was unavailable for review until just days before these comments were written. When proposals were submitted last year, many data were still preliminary or unavailable. We acknowledge that a few of our comments about coho harvest may not be borne out in the data before you. One of our concerns about growing harvest had to do with preliminary data from 2005, which suggested the sport harvest of coho had reached nearly 500,000. In fact, the number turned out to be quite a bit lower. This is frustrating and puts a point on why it is so important to have timely data so that the public can be well informed.

Please also see comments at proposal 286. Again, ATA offered a few ideas so enforceable possession limits could be addressed in lieu of a Task Force proposal.

The annual limit concept seemed to make the most sense when we spoke to enforcement, and works very well for chinook. Since we were not after a direct allocation, we simply used the existing possession limit. In Southeast that is 12 for all salmon species other than chinook, which has an annual limit that varies with the Treaty quota.

To our way of thinking, the only people who would consider this an allocative proposal are those who are currently going over the possession limit of 12 fish. It's unclear to us how many people that might be. Some guided operators tell us it's rare for people to take home more than 12 fish - others tell us this is part of their operational plan and their clients have come to expect significant quantities to take home.

To further complicate things, bareboat charters have become much more widespread, which begs the question of what quantities are being transported not only out of state, but within the state.

This issue merits serious discussion, but the goal of ATA's proposal was not to reduce the current 12 in possession limit. Meaningful enforcement of the current limits might allow the state and Board of Fisheries to gain a better understanding of how many fish are being caught, and how/where they are ultimately transported.

For the record, many of our members question the ethics of taking more fish than a person's immediate family can reasonably expect to consume. They do not think that a person needs to take enough fish home to feed the entire clan and neighborhood. Obviously, possession limits can be set to achieve a variety of purposes, including avoidance of wanton waste. However, ATA felt it best when submitting its proposals to set aside the debate about what the appropriate number is and instead find the means to secure the goals of accurate/timely data and enforceable possession limits.

Transport to a person's permanent domicile is required by a number of other states (Oregon) and provinces/countries (Ontario, CAN), often with a number of additional regulations to make it easier for both anglers to prove, and enforcement officials to check, what's in the fish box or on private property. A harvest record that follows the angler and fish, with timely tabulation system is an essential part of the equation. We don't want to see anglers harassed, nor do we anticipate significant increases in enforcement's time. With the right system in place, it might be quicker to do random checks, since officers would have clear rules to enforce.

295	Develop a plan to address sport catch and release mortality	Support concept
296	Modify the definition of sportfishing gear in SE Alaska	S - w/ amend

ATA is concerned about what appears to be a growing use of power assisted gear to retrieve sport caught fish. The Departments of Law and Public Safety both analyzed the issue and indicated that the law is broad enough that there are no prohibitions on types of reels or power assists. This proposal seeks to rectify the situation, but as written would jeopardize the use of downriggers and gurdies to set and retrieve sport gear. We recommend modifying this proposal by adding the following: *Use of power to retrieve sport fish is prohibited.*

297	Modify the definition of a fishing rod in Southeast AK to include	O
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**the use of powered reels to retrieve gear.**

**298 Allow the use of electric reels for sportfishing**

**O**

We note that if these regulations were implemented, it might come at a cost to anglers. If effort grew as a result of allowing powered reels, ADFG might ultimately be forced to impose more restrictions on the fishery in order to meet regulatory goals and conservation mandates.

**299 Allow beach seine, cast net, purse seine, gillnet for herring**

**O**

This The proposer's wish to have the same one ton herring allowance as a commercial longliner and also claim that it takes a half ton of bait herring per year to, "*operate a charter for the season*". That's a lot of bait! In fact, with that much bait, a longliner can catch more than 15,000 pounds of blackcod, so at the absolute minimum, half a ton of herring might catch the equivalent of 1,000 15 pound king salmon (e.g. top of the line highline troller annual catch), or about 1,800 coho. Put another way, it's like 200 clients fishing to the uppermost 5 fish annual king limit, and/or 150 clients fishing to the 12 in possession coho limit. In fact, thinking of sport trips gone by and a package of 12 herring for four people, much of it typically left unused, it's just hard to fathom. This proposal essentially makes beach seines sport gear, which is obviously more efficient, but just seems like a bad precedent to set. The proposers say this provides a way to allow Alaskans to use local bait, which they also remark is already happening with the use of hand jig. They also claim it helps the local economy – how? This method of making bait appears to cut out the local economy entirely, since you aren't buying from the local herring fleets or pounders. If you aren't buying herring, are you perhaps angling to sell it? If so, commercial fishermen aren't allowed to do that, so the proposer's might want to take another look at the regulations.

**303 Allow unguided angler an additional rod/line to jig herring**

**S**

ATA does not object to resident anglers having an additional line for jigging bait herring.

**305 Prohibit use of felt soles for wading in freshwater**

**S**

This is a forward thinking proposal that attempts to protect local salmonids and other species that might be impacted by diseases carried in on felt soled waders. ATA supports this idea. However, we understand that several sport organizations and gear suppliers are requesting a short phase-in period to allow anglers time to find out about the regulation and get new boots. This seems reasonable and if ADFG

**308 Restrict subsistence and personal use fishing when guiding**

**S**

**310 Develop fish ticket system for guided sportfishery**

**S**

Commercial fishermen are held to a very high standard of accountability when it comes to their landed harvest. Each troll caught fish is recorded on a fish ticket, which helps with timely data collection, tracking of fish, and enforcement of laws. ADFG must tabulate fish tickets upon receipt and uses the information inseason to monitor and enforce a variety of harvest rules. Post-season, this data is compiled and used to analyze stock health and abundance, which in turn is used to make some projections pre-season. It is also used for comparison during the next fishing year.

While a similar reporting system has been developing for sportfish, the data is not entered in a timely way. ATA has suggested fish tickets as an alternative, but realizes there is also an existing logbook program that could be used to accomplish data gathering and inseason reporting goals. ATA is not endorsing a complex system of reporting or added layers of regulatory requirement or expense. We are supporting one tool, or a set of tools accommodating a diverse user group, that will better catalogue and track sport harvest.

In addition to timely entry of data collected from sportfish guides, monitoring and enforcement would have to be enhanced to mirror the commercial fisheries system. Something different may have to be developed for bareboat charters and other semi-guided operations than more 'traditional' charterboats and lodges. And, maintaining/improving creel census for resident angler's, is essential to better document and record inseason catches. We are confident that the state and user groups working together can come up with an appropriate set of

tools to provide valuable in-season data and better track the transport caught fish.

- |     |  |   |   |
|-----|--|---|---|
| 311 | Allow monitoring of guided sport vessels, lodges, facilities | S | ( |
| 312 | Allow monitoring of guided sport vessels, lodges, facilities | S | ✓ |
| 313 | Allow monitoring of guided sport vessels, lodges, facilities | S |   |

Our understanding is that the laws need to be amended in order for guided sportfishing facilities to be inspected by protection officers in the same way as commercial fishing vessels, processing plants, and other associated property. Apparently there is some question about whether or not these types of regulations can only be implemented in one region of the state. If need be, ATA supports this discussion being moved to the statewide and/or other appropriate meeting forum, post-haste, so that all fishing businesses are treated equally with respect to accountability and enforcement. It is also important that the processed fish definition be re-tooled, so that every fish caught is counted against the possession limit. The Board of Fisheries ensuring that information is generated about constitutional laws that might effect inspection regulations, as well as a draft proposal that outlines a clear process for recordkeeping, storage, and marking requirements for processed fish would be helpful to inform 2009 statewide meeting participants.

- |     |   |   |  |
|-----|---|---|--|
| 320 | Allow unharvested winter chinook to be caught in spring fishery | O |  |
|-----|---|---|--|

ATA's position has long been to save as many Chinook as possible for the summer fishery, in order to reduce incidental mortality, while recognizing the importance of providing winter and spring opportunity for trollers. For these reasons, our organization supported the mid-1990s Chinook Task Force Proposal that underpins much of our management system. Given that our issues have remained mostly unchanged and recent Treaty reductions in Alaska's upcoming chinook harvests, ATA can't support this proposal which seeks to take more Chinook earlier in the year.

We also question whether or not this proposal would work as suggested. The proposal seems to suggest a level of management precision that would be, at best, difficult to achieve.

The proposal incorrectly states that fish not caught in the winter are automatically moved to the summer fishery. That is not the case. In fact, they transfer to the 'general pool', which includes the spring, July, and August chinook openings.

The proposer also suggests that August chinook often bring lower exvessel prices than April or June fish. However, price does vary and sometimes August fish are extremely valuable. And, the loss of coho fishing time through the potential lengthening of the summer closure or other management methods must also be accounted for when determining the dollar value to the fleet.

- |     |  |   |  |
|-----|--|---|--|
| 321 | Don't count hatchery fish against winter guideline harvest | O |  |
|-----|--|---|--|

In 1994, the Board of Fisheries set the winter fishery harvest range at about twice its historic average to ensure opportunity for small communities. This proposal has the potential to allow more fish in the winter, while potentially reducing the chinook available in the spring and summer. This could negatively impact our coho fishery and all Southeast/Yakutat communities through increased incidental mortality estimates, which may lead to reduced fishing time. Trollers can't risk the potential loss of any coho fishing time, particularly when the fleet can fish for all available Chinook salmon during the summer fishery. ATA opposes.

- |     |   |                  |   |
|-----|---|------------------|---|
| 322 | Remove the Stikine River winter troll closure in District 8 | Position pending | ✓ |
| 324 | Allow fishing 7 days per week in Cross Sound in June        | S                |   |
| 325 | Extend troll fishery closure date to September 30th         | S                | ✓ |

The troll coho fishery is managed on abundance yet closes on a fix date, unless ADFG extends the fishery on Emergency Order. While fishery extensions under this provision are appreciated, they come at the end of the season on short notice, which has led to confusion and logistical difficulties for the fleet and processors.

Recent years have seen increasing numbers of coho arriving late in the season, so it seems to make more sense to

change the coho closure date to September 30. ADFG could manage according to the actual stock timing and abundance and has full EO authority to close the fishery before Sept. 30 if conservation and/or other regulatory goals dictate.

- |     |  |   |   |
|-----|--|---|---|
| 326 | Delay coho fishery opening date to July 10 <sup>th</sup>     | O |   |
| 327 | Extend troll closure date in Behm Canal to September 30th    | S | ✓ |
| 328 | Allow transferrable HT permit holders to use 2 power gurdies | O |   |
| 329 | Increase number of HT gurdies to 4 West of Cape Spencer      | O |   |
| 333 | Raise lingcod guideline harvest in Central Outside SEAK      | O |   |

General statement about most of this cycle's lingcod proposals: In 2000 the Board of Fish implemented a task force consisting of all gear groups, to make recommendations to concerning lingcod. Once this difficult task was accomplished the Board adopted the recommendations of this bipartisan group. We find no good reason to review any of the task force work at this time.

Specific to this proposal, the data does not support the claim that the stocks are healthy enough to raise GHL.

- |     |                                      |   |  |
|-----|--------------------------------------|---|--|
| 334 | Increase sport allocation of lingcod | O |  |
|-----|--------------------------------------|---|--|

The decline in sport caught lingcod in 2007 was 15,046 lbs compared to 2008. That's with no change in management from 2007. The sport harvest was 102% of its GHL in SSEO in 2007, and in 2008 caught only 68% of the GHL. Changes in harvest occurred without any associated change in fishery management. There is no reason to micro manage this fishery year to year. Sometimes you catch, sometimes you don't.

- |     |   |   |   |
|-----|---|---|---|
| 335 | Equal shares lingcod allocation for commercial and sport  | O |   |
| 337 | Make any surplus dinglebar quota available to troll fleet | S | ✓ |

Some of the allocation of lingcod to the dinglebar fleet is not being harvested, due to new vessel monitoring system requirements that have deterred the fleet from fishing. When troll harvest caps are reached in the various lingcod areas, trollers must release lingcod caught incidental to the salmon troll fishery. We would like the Board to make surplus dinglebar quota available to the troll fleet. Note that we are not requesting that the dinglebar quota be reallocated to the troll fleet, but simply that trollers be allowed to catch any remaining harvestable surplus.

- |     |   |   |  |
|-----|---|---|--|
| 341 | Increase sport allocation of DSR rockfish to 25 percent | O |  |
|-----|---|---|--|

	Possession Limit Definition	Examples of Quantities Allowed	Includes Processed Fish	To Place of Residence	Related Rules
<b>SE Alaska</b>	Maximum number of <i>unpreserved</i> fish that a person may have in possession.	2 daily bag limits of unprocessed salmon (12 fish most species); non-resident annual king limit.	No	No	Most SEAK FW closed to the taking of chinook. Emergency Order authority for conservation. Preserved fish must be fit for human consumption 15 days or more.
<b>Washington</b>	The number of daily limits allowed to be kept in the field, or in transit.	Marine: 2 daily limits fresh plus 40# proc/frzn; while on boat, one daily limit plus 40# proc/frzn. FW: Same, plus no size or daily limit on Atlantics.	Yes	Yes	Marine waters subject to inseason management. In freshwater, can't fish after adult daily limit is reached. Catch record cards required.
<b>Oregon</b>	Maximum number or amount of a type of fish or shellfish that a person may lawfully possess in the field or forest, or in transit to the place of permanent residence.	1 daily limit on vessel and 2 on land for P.Halibut. Anglers limited to 1 daily and 1 annual catch limit from the Columbia River - even if they hold both OR and WA licenses.	Yes	Yes	Permanent residence = a residential dwelling where a person normally lives, with associated features such as an address, telephone number, utility account, etc.
<b>California</b>	A sport angler may not possess more than the individual daily bag and possession limits as defined.	10 fish all species rockfish - no more than 2 Bocaccio.	Yes	Yes	May fish only until passenger boat limit reached. Trip completed when person disembarks from vessel and individual possession limits apply.
<b>British Columbia</b>	The possession limit is the number of fish (all species) that an angler may have in possession, at any given time, except at place of ordinary residence.	2 daily limits of aggregate salmon-limit 2 chinook. Tidal waters all species daily limit is 4 fish w/30 annual chinook limit. FW annual limit 10 chinook. Tidal/FW combined daily limit all species = 4/day.	Yes	Yes	Head/tail of finfish and carapace of any crab should be retained until fish consumed. The amount of fish a person is preparing to consume cannot exceed the possession limit.
<b>Atlantic Canada</b>	Persons fishing and staying overnight before returning home can have more than one day's catch in their possession, provided the catch limit on any day has not been exceeded, the fish are properly logged, and all Atlantic cod are tagged per license.	10 fish all species combined - no exceeding total daily bag limit for each day fished.	Yes	Yes	Public noticed that rules may change inseason. All groundfish caught must be retained. Boat limits - catch only your own - issued unique tags and must keep with cod until eaten.
<b>Western Australia</b>	The possession limit is a key conservation measure that prevents the accumulation of excessive quantities of fish by individuals on a fishing trip and sets a clear ceiling for socially acceptable catch levels.	20 kilos fillets or pieces of fish; or 10kilos plus one daily limit whole fish; or, two daily limits whole fish equiv. to 60kilos whole fish or 100 individual servings of fish.	Yes	Yes	To enable enforcement of bag/possession limits, two fillets or pieces of fish are counted as one whole fish on day trips; fish can be filleted at sea if > 30cm. Fillets must be measured, with skin/scales attached.

11/11

Public Comment # 113



*Attn: Board of Fish***Sitka Charter Boat Operators Association**

PO Box 2422 Sitka Alaska 99835

February 3, 2009

ATTN: BOF COMMENTS  
Alaska Dept. of Fish and Game  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Fax: 907-465-6094

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FEB 03 2009  
BOARDS

Chairman Jensen, and Board Members:

I'm writing to provide comments on Board of Fisheries proposals to be considered during the Southeast Finfish meeting in Sitka.

The Sitka Charterboat Operators Association (SCBOA) represents about 50 charter and lodge operations in and near Sitka. We appreciate the opportunity to provide written comments in this process.

We believe the fishery resources of southeast Alaska are world class and require active and sustainable management. Our livelihoods depend on providing our clients with an opportunity and reasonable expectation to catch fish. In addition, most clients prefer to retain their catch for transport and consumption at their homes.

We totally understand that there are only "so many fish in the sea". We also understand and support that regulation and allocation are necessary to maintain sustainable stocks. We, and our clients will be the first to accept conservation-oriented measures to protect diminished stocks. We support many of the current restrictions, such as the six-line limit for charterboats, and daily bag limits of one or two fish of various species.

In general, some of the proposals that you will be considering, if implemented, will have devastating effects on the charter/lodge industry. Most would be highly allocative, with no conservation benefit to the resource. We ask and trust that you will act responsibly based on facts, providing reasonable and fair access for all users of valuable public resources. Specific comments follow:

**Proposals 137/138**

**Purpose:** Place 2 fish bag limit on all species not having bag limits.

**Response: OPPOSE.** These proposals are too broad and wide-ranging. We would support these restrictions species if the science shows a conservation problem that can be addressed.

**Proposal 286/287**

**Purpose:** To change the definition of Possession limit for sport anglers.

**Response: OPPOSE.** We support the comments made by other charterboat organizations and add the following. The intent of the proposals obviously is targeting nonresident anglers on charterboats. Alaska is a fish exporting state. In 2007, the most recent year with statistics, there were over 7 billion pounds of fish caught in Alaska. We believe a reasonable person would conclude that over 95% of nonresidents exported fish for consumption. In fact, many of the processors are owned not only by nonresidents, but foreign entities. If the intent is to restrict or eliminate the export of fish, why are nonresident charter clients singled out, when they harvest such a small portion of the fish?

**Proposals 288/289**

**Purpose:** Adopt possession/annual limit on coho salmon

**Response: OPPOSE.** Once again these proposals are highly discriminatory and serve no conservation purpose, targeting nonresident anglers on charterboats. Sport anglers account, on average, for less than 10% of the coho harvest in southeast Alaska. Nonresidents can purchase as much commercially caught coho as they want. To be fair, shouldn't an annual or possession limit apply to everyone?

**Proposal 290**

**Purpose:** Reduce sport and personal use steelhead harvest.

**Response:** We could support this concept with documentation that it will achieve a positive impact on steelhead. We feel the impact of the gillnet fishery is far more devastating on steelhead, and issues there must also be addressed.

**Proposal 293**

**Purpose:** Provide separate regulations for spiny dogfish.

**Response: SUPPORT.** Dogfish have been inadvertently included in harvest limitations for other less abundant shark species. Dogfish are abundant to the point of nuisance in many marine waters in Southeast Alaska. Keeping the current bag limits will deprive anglers who want to retain dogfish while allowing the dogfish population to continue increasing reducing the abundance of more desirable species.

**Proposal 294 - See Attached Detailed Documentation of funding for Hatcheries**

**Purpose:** Close regional aquaculture areas to guided sport fishing, allegedly because we don't pay.

**Response: OPPOSE.** The allegation is totally false, as shown in the attached table and supporting information.

**Proposal: 296**

**Purpose:** Ban electric reels

**Response: OPPOSE.** Elderly people and handicapped people need this equipment in order to access the fish. Able-bodied people fishing in SE waters which are characteristically deep, many places (up to a quarter mile) also benefit from the use of electric reels. Bag limits are already in place to serve as a conservation tool. We see no conservation reasons for this proposal. All user groups have equal access to all fisheries as stated in Alaska's constitution. This gear restriction proposal is an attempt to limit access to fisheries predominantly fished by commercial fishermen and is in complete disregard for rights of other user groups to this fishery.

**Proposal: 297, 298**

**Purpose:** Officially add electric reels as legal fishing gear in regulations.

**Response: SUPPORT.** The elderly and the physically challenged need this gear to fish deep water. This will clarify to law enforcement that electric reels are legal sport fishing gear.

**Proposal: 299**

**Purpose:** Allow broader harvest methods of bait herring for use by charter operations.

**Response: SUPPORT.** This would allow charter operators more efficient access to a local resource.

**Proposal: 301**

**Purpose:** Require barb less hooks whenever release is a possibility or is contemplated.

**Response: OPPOSE.** This regulation would require enforcement personnel to determine the intent of an angler or the possible outcome of a day's fishing prior to the fact. Again there is no resource issue

involved here as sport fishing is only a small fraction of the harvest. Far more fish mortality occurs from commercial release simply on the basis that they catch and release nearly nine times more fish. If damage to the resource were occurring from releasing fish it would then be logical that to ban barbs in commercial fishing where release is possible and would be nine times more successful in decreasing mortality.

**Proposal: 302**

**Purpose:** No hook and release fishing

**Response:** The US/Canada Treaty counts only landed mortality in both the sport and commercial fishery. Adding a projected hooking mortality number to the treaty will likely lower harvestable numbers of salmon to both sectors. Sport fishers land only a small percentage of the salmon harvest – less than 20% of the kings and roughly 10% of the coho. If the State of Alaska grows concerned about release mortality, a study of the impacts of release mortality in both the commercial and sport fisheries would be step one. Management needs to be science based.

**Proposal: 303**

**Purpose:** Unguided anglers' use of herring jig.

**Response:** **SUPPORT.** We support this proposal and consistency in regulations for the guided and unguided angler.

**Proposal: 307**

**Purpose:** No personal use or subsistence 30 days prior during or after season

**Response:** **OPPOSE.** There is no biological reason or any other quantifiable support for this proposal. Charter operators would not be able to access personal use resource without buying a second boat exclusively for that purpose. This proposal seems to be nothing more than a punitive action directed at everyone owning a charter boat.

**Proposal: 308**

**Purpose:** No personal use fish while paying guests are present or gear in water.

**Response:** **OPPOSE.** Many of us live at our small lodges and B&Bs. We are Alaska residents with personal use and subsistence rights. This regulation would suspend much of our harvesting rights. There are ample laws on the books regarding legal use of personal and subsistence fish and shellfish. The concerns of this proposal are already addressed by current regulations. It is also currently illegal to furnish subsistence or personal use products to clients.

**Proposal: 309**

**Purpose:** Allocate Coho

**Response:** **OPPOSE.** Coho are managed on a sustained yield basis without in-season management to any gear group. There is no preseason forecast or target harvest number for the commercial or sport harvesters. The sport fishery currently catches about 10% of the overall harvest. There are no resource concerns with over harvest or under escapement of coho in Southeast Alaska other than specific jeopardized stocks that are protected by specific management measures, not an overall reduction in harvest.

SCBOA opposes the implementation of a coho allocation for the guided sportfishing sector. The premise that the guided fleet has caused lost opportunity for resident anglers, subsistence fishermen, and the commercial fleet is unsubstantiated. Resident coho limits have stayed the same for the past many years. There is no biological basis for this proposal, making it appear punitive to guides and their customers. In addition, ADF&G manages Alaska's sport fishery salmon catch with no distinction between the guided fleet and non-guided fleet.

**Proposal: 310**

**Purpose:** In season fish ticket system to regulate guided recreational anglers.

**Response: OPPOSE.** This proposal would add a costly, cumbersome, and redundant layer of bureaucracy for ADF&G with no benefit to the resource.

**Proposal: 311, 312, 313**

**Purpose:** Suspend the constitutional protection from illegal search and seizure of lodge owners.

**Response: OPPOSE.** Enforcement currently has the authority to board and check vessels and gear engaged in charter fishing. We agree that enforcement or creel census personnel should have access to vessels and landing facilities where sport caught fish are being harvested or offloaded. The portions of these proposals that grant authority to inspect freezers, homes, hotels or B&Bs associated with charter fishermen seems to be extreme and would facilitate little if any enforcement concerns while infringing on personal rights. Reporting of catch in the guided recreational fishing sector is already accounted for in verifiable logbooks, creel surveys, and the statewide harvest survey.

**Proposal: 368**

**Purpose:** Non-resident sport bag possession limits reduced to one daily bag limit.

**Response: OPPOSE.** This proposal seeks to reduce the possession limit on all species to one daily bag limit for non-residents. The possession limit on species of concern is currently one daily bag limit for non-residents and two daily bag limits for other species. There are no biological or resource concerns to justify this proposal. There is no verification of the charges of widespread abuse of current possession limits or of non-residents taking home large amounts of fish just to "eventually be thrown out". Alaska does not give away large amounts of fishery resources to non-residents. Non-residents pay dearly to come to Alaska and harvest relatively small amounts of fish for their personal consumption. The state and local economies benefit greatly from this harvest opportunity provided to non-residents.

This proposal would effectively bankrupt all lodge and charter operators that cater to multi-day clients without any biological justification. It would have a crippling effect on the economies towns and villages across Southeast Alaska and cost countless jobs in diverse industries including hotel, restaurant, retail, air travel, and fish processing to name just a few. This would be done despite providing no gain to the resource or law enforcement. This type of proposal only serves to further acrimony and distrust between user groups.

Thank you for your consideration of our comments,

Sincerely,



Theresa Weiser  
President  
Sitka Charterboat Operators Association (SCBOA)  
907-747-322

## Response to Proposal 294

**Brief Background:** With respect to proposal 294, it is relevant to mention that all of the hatcheries in southeast Alaska were constructed with federal taxpayer money, to provide and enhance salmon stocks for the "common property". Part of the intent of the 3% Salmon Enhancement Tax that commercial fishermen are assessed when they sell salmon, is to pay off the loans. To date the only statewide hatchery operation that is current in paying off their loan is, to their credit, the Northern Southeast Regional Aquaculture Association (NSRAA). Most of the hatcheries in southeast Alaska are solvent and productive, only because Sport Fish Division is contributing sport angler dollars.

Six of the hatcheries are operated by the Southern (SSRAA-4) and Northern (NSRAA-2) Southeast Aquaculture Associations.

Only the NSRAA hatcheries at Medvejie and Hidden Falls are 100% funded by the 3% Salmon Enhancement tax.

The two DIPAC (Douglas Island) hatcheries are 100% funded from sport fishing sources.

The remaining six operations receive from 33 to 75 % of their funding from sport fish sources.

**HARVEST INFORMATION:** From 1999 through 2007, a total of 520,143 king salmon were harvested that were contributed by these operations. Of the total, 397,811 were harvested by the commercial seine, gillnet and troll fisheries. Sport anglers harvested 122,332 of the southeast hatchery kings. Guided sport anglers harvested about 60% of the 122,332 or 73,339 kings.

Funding/Harvest Comparison Examples (see attached table)

Medvejie Hatchery near Sitka, is funded 100% by 3% Salmon Enhancement money. From 1999 through 2007, a total of 115,993 Medvejie produced kings were caught. Of the total 97,607 (84.1%) were caught by commercial fishermen, and 18,386 (15.9%) kings were caught by sport anglers.

For the same years, the Whitman Lake operation produced 65,919 kings that were caught in "the common property". Sport funding was 75%, but sport harvest was only 35% (23,082).

For all southeast hatcheries, these overages and underages are summarized in the following statements.

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Public Comment # 114

From 1999 through 2007, sport anglers harvested 122,332 kings, of which 24,795 kings originated from hatcheries funded by the commercial fishing 3% Salmon Enhancement tax, and commercial fishermen harvested 397,811 kings of which 100,240 kings can be attributed to hatchery funding by sport anglers.

So, sport angler funding is actually contributing more kings to commercial fishing, than the 3% Commercial Enhancement funding is contributing to sport catch, by 75,445 kings.

**FUNDING SOURCES:** Commercial fishing funding is relatively simple compared to sport fishing funding. Commercial fishermen pay a 3% Salmon Enhancement tax on gross value at the time of sale of salmon.

Sport anglers contribute in a number of different ways. For Fiscal years 2005 through 2009 the ADF&G Sport Fish Division provided \$5,526,600 to fund southeast Alaska hatcheries. This money came from 5 separate accounts as follows.

6/9  
1) Federal Aid In Sport Fish Restoration (Dingell/Johnson - Wallop/Breaux) - \$3,286,600. This money is collected and distributed by the federal government. It is derived in 2 ways. a) - A tax on recreational motorboat fuel and b) A 10% excise tax "Imposed on the sale of any article of sport fishing equipment by the manufacturer, producer or importer". Equipment listed as subject to the tax include rods, reels, downriggers, nets, line less than 130-pound test, tackle box, vests and rod holders.

Nationwide, these taxes are expected to generate about \$570 million in 2009. It will be distributed to all 50 states using a formula that is based on license sales and shoreline. No state may receive more than 5% nor less than 1% of the amount collected. Alaska receives the full 5%, which has averaged around \$20 million for the past 5 years. Over \$4 million per year has been allocated to southeast Alaska, for the past 4 years.

In addition to providing funding to hatcheries, this money has funded the Starrigavin ramp, paving and float, Herring Cove ramp, Thomson Harbor fish cleaning stations and Heart Lake fishing pier, all near Sitka.

2) Fish and Game Fund - \$557,300 - All money from the sale of sport fishing licenses and stamps is deposited in this account. It includes sport fishing guide and operator license fees.

3) Sport Fish Enterprise Account - \$1,350,000 - Derived from the surcharge on sport fishing licenses legislatively established to pay for improvements to hatcheries.

4) Sport Fish Construction Account - \$140,000 - This account was established by law after the sale of State of Alaska Sport Fishing Revenue Bonds in April of 2006. This would allow the Division of Sport Fish to utilize investment earnings of the Alaska Sport Fishing Construction Account for construction of new hatchery facilities in the Anchorage and Fairbanks areas, as well as increase king salmon production in Southeast Alaska.

5) Southeast Sustainable Salmon fund - \$192,700 - The Alaska Sustainable Salmon Fund (AKSSF) is comprised of Alaska's allocation of funds from the federal Pacific Coastal Salmon Recovery Fund (PCSRF) appropriated by Congress through the National Marine Fisheries Service (NMFS). The AKSSF was established in 2000 to provide grants to the states and tribes to assist state, tribal, and local salmon conservation and recovery efforts. It supports important programs and projects for implementation of the 1999 Pacific Salmon Treaty agreement, as well as programs and projects to help ensure that the salmon stocks, salmon habitat, and a vibrant salmon related economy in Alaska are sustained. There is a 33.3% non-federal match requirement for funds received under the current award.

In summary, anyone who pays federal tax or purchased a sport fishing license or sport fishing equipment is contributing to salmon enhancement in Alaska hatcheries. And contrary to the charge made in Proposal 294, this information proves that sport anglers are more than paying for their share of salmon harvest in southeast Alaska.

The table below provides harvest of king salmon produced by hatcheries partially funded by Sport Fish and Commercial Fisheries Enhancement Tax in 1999-2007. Shaded area indicates release area not currently funded by Sport Fish Division. Some of the release sites not currently funded were funded in the past.

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Public Comment #

114

Regional Aqua. Assoc.	Location	Seine Harvest	Gillnet Harvest	Troll Harvest	Commercial Total	Sport Harvest	Total Common Property	Commercial Harvest	Sport Harvest	Sport Funding	Assoc. Funding
SSRAA	Whitman Lake	1,509	3,519	37,809	42,837	23,082	65,919	65.0%	35.0%	75.0%	25.0%
	Earl West Cove <sup>d</sup>	8,658	28,372	2,793	39,823	1,048	40,871	97.4%	2.6%	33.0%	33.0%
	Neets Bay/Long Lk.	7,644	4,014	23,932	35,590	9,403	44,993	79.1%	20.9%	41.2%	58.8%
	Carroll Inlet <sup>c</sup>	0	0	108	108	184	292	37.0%	63.0%	0.0%	100.0%
ADF&G	Crystal Lake	444	3,474	13,928	17,846	33,863	51,709	34.5%	65.5%	67.0%	33.0%
	Anita Bay	9,220	18,940	9,300	37,460	1,730	39,190	95.6%	4.4%	67.0%	33.0%
NSRAA <sup>a</sup>	Medvejie	7,818	10,141	79,648	97,607	18,386	115,993	84.1%	15.9%	0.0%	100.0%
	Hidden Falls	63,833	2,056	47,547	113,436	6,219	119,655	94.8%	5.2%	0.0%	100.0%
DIPAC <sup>b</sup>	Macaulay	853	5,231	6,320	12,404	27,112	39,516	31.4%	68.6%	100.0%	0.0%
	Skagway	221	353	126	700	1,305	2,005	34.9%	65.1%	100.0%	0.0%
Total		100,200	76,100	221,511	397,811	122,332	520,143	76.5%	23.5%		

<sup>a</sup>Remote release at Lutak Inlet by NSRAA is funded 100% by SFD. Not shown here because 2008 was the first release and there are no returns as yet.

<sup>b</sup>Chinook salmon releases in the Juneau area are 100% funded by SFD. DIPAC is not one of the Regional Aquaculture Associations.

<sup>c</sup>Chinook salmon releases in Carroll Inlet ended in 1995.

<sup>d</sup>Last Chinook salmon returns at Earl West Cove ended on 2003. Funding changed during the duration of the project. Recorded in the table is the current funding split for 2003.



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FEB 03 2009

BOARDS

To: Alaska Board of Fisheries

From: Jan Sande  
Tokeen Cove  
P.O. Box NKI  
Naukatik Bay, AK 99950

Date: 26 February 2009

Re: Herring Fisheries, proposals concerning herring stocks

PROPOSAL 199

The question is, what to do about the herring fishery?

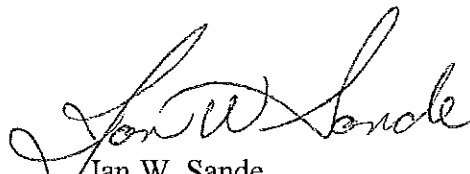
I will explain a little history of myself. I was raised in Ketchikan, fished with my father on a troller, beginning at 11 years of age in 1951, sailing off shore at age 18 and retired as Master for the Alaska Marine Highway in 1999. I am now retired, live on Marble Island in Davidson Inlet on the west coast of Prince of Wales Island.

In my youth I would watch herring seiners fishing in lower Chatham Strait, supplying the needs of the reduction plants such as Washington Bay and many others. In the winter the F/V Pirat took all the bait herring from in front of the Ketchikan Cold Storage plant. These fish are no more.

In 50+ years we have seen total annihilation of the herring stocks, the low end of the food chain.

Humpback whales are becoming more and more numerous and wintering here.

I propose a total moratorium of the herring fishery.

  
Jan W. Sande

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FEB 03 2009

BOARDS

Robert Anderson  
PO Box 2674  
Everett, WA 998213

Alaska Board of Fisheries:

This comment is written to address BOF proposals #244 (take out DIPAC production out of the SE allocation plan), #273 and #274 (to make Deep Inlet a 1:1 rotation with the seine fleet).

Being both proposals are Allocative driven it's easier to address them as one.

I urge the Board to vote against re-allocating the hatchery catches based on the following facts.

The long term catch statistics and targets are as follows:

Troll: 19%, target 27% to 32%.

Seine: 49%, target 44% to 49%.

Gillnet: 32%, target 24% to 29%.

As you can see the seine and gillnet fleets are NOT that far off of their targeted goals. From 1994 to 2000, the seine fleet was above their allocative range, while the gillnet fleet was below their allocated range.

It has only been the last four or five years that the seine fleet has dropped below their allocated range. The most obvious factor for this change is likely to be because of the seine fleet reduction that has occurred in recent years.

Recent numbers were published stating how many permits were fished in 2008.

Seine permits fished: 213 out of 415 minus 35 eliminated through buyback program. This is 51% the original fleet. (The Southeast Revitalization Association, SRA, plans to retire 35%-45% of the fleet by 2010).

The gillnetters continue to fish the majority of their permits.

Gillnet permits fished: 395 out of 475. This is 83% of the fleet.

Because of the small percentage of seine permits that are currently fished, I believe this is the logical reason for the catches to have fallen slightly below their target range.

Any allocation proposal to The Board of Fisheries to reduce fishing time to the gillnetters, and increase the seine fleet's fishing time, (Hatchery Terminal Harvest areas only), does not seem to be the solution.

This decision needs very careful consideration. For example if the other gear groups had a major fleet reduction, would the Board be considering proposals to reduce the seine effort to try and keep the catch percentages consistent with the past?

I urge the Board to vote against any proposals to re-allocate HATCHERY fish catches at this time.

This subject needs much more careful analysis before any changes are made. Currently there is a small, mostly, local gillnet fleet that almost exclusively fishes Deep Inlet. Much of the fishery is presently 2 days per week gillnet, one day per week seine. The proposal to change this to a 1:1 ratio, (one day gillnet one day seine), would make the fishery NOT economically feasible for the gillnetters. There are no other gillnet openings in close proximity to Sitka, like there is for the seiners. I believe a 1:1 fishery will force the local gillnetters to relocate and sadly unable to participate in much of this fishery.

Thank You for your careful consideration.

Robert Anderson

Alaska Gillnet Fisherman for 36 years.



Public Comment #

116

MURAT B. ARITAN, OWNER F/V SUNSET ADF# G 12430

2942 ALMOND STREET

PHILADELPHIA, PA 19134

PHONE: 267-303-2650

captainaritan@yahoo.com

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FEB 03 2009

BOARDS

JANUARY 30, 2009

Alaska Dept. of Fish and Game  
Board Support Section

P.O. Box 115526

Juneau, Ak 99811-5526

fax: 907-465-6094

Attn: BDF Comments

RE: Prop. 341, DISAGREE; Prop. 343, DISAGREE; Prop. 344, AGREE; Prop. 345+346 DISAGREE

To whom it may concern:

Maintaining open access fisheries is an essential element for the continuation of a diverse fleet of harvesters. A diverse fleet protects the stability of Alaska's fisheries for all seafood industry professionals impacted by the complex relationships which exist between factors that contribute to our industries change, factors such as increased technology, climate change, resource availability, effectiveness of management, regulatory change, and rising costs.

Diversity appears to be a vital characteristic

of all healthy systems. For our industry to thrive in face of complex challenges it must remain diverse across many key industry elements.

For my own experience, I can attest that significant financial investment, numerous years of experience as a fisherman and vessel owner and continued access to affordable labor is not enough for an individual to create a position of increasing value within the commercial fishing industry. The self-motivation I derive as a result of my potential to increase my value within my industry has been critical to the development of my ambitions which concern combining the increasing demands of a well networked informed market for the purpose of promoting and advocating exclusively sustainable seafood.

The open access fisheries for Aleutian c.s. Blackcod and Fairweather Demersal Shelf Rockfish have allowed me to continue my career and responsibilities to my industry. I look forward to them again soon. I can also foresee that with increased financial stability my access to open fisheries shall

become less integral to my operations) therefore, more accessible to the generations of individuals who shall replace me.

Referring to Prop. 344, What will happen...?, it seems indefinite that the use of the word "underutilized" is correct with regard to the existing management of Eastern Gulf of Alaska Yellow Eye rockfish.

Referring to Prop. 343, What will happen..., it seems unlikely the GHL will continue to go uncaught, and it appears the request for change to the regulation is proposed by a less than accurate representation of commercial fisherman with a direct interest in Eastern Gulf of Alaska Demersal Shelf Rockfish (EGOA DSR). There are a host of reasons which could plausibly explain a lowered interest in fishing for EGOA DSR and many of them including my own are unrelated to the weather and tides of the past two year's seasons.

Referring to Prop. 346, Who is likely to benefit, it is unclear to me as an Alaskan seafood resource provider how the market or halibut longline fishing can benefit from this change.

in the long run. There is a tremendous need for many improvements across the industry in order to realize the goal of sustainability. These improvements present not only a financial challenge to our industry but also a strategic challenge as to how to prioritize the effort. Improvements directly related to the continued success of Alaska's well managed renewable seafood resource may shift further from the priority yet another generation if our fishing management strives to pursue change which has little more than short-term reward. Furthermore, it is not entirely established which sacrifices and compromises shall be necessary for a successful sustainable halibut or DSR fishery. At present DSR market value is on the rise. Conservative and responsible management of DSR is supportive of a future which offers greater returns of price/lb. for our valuable resource and continues to allow for the possibility of changes to increase DSR landings in the future at better prices.

The value of DSR <sup>YellowEye</sup> is clear and evident. Its value as a factor of its relationship to other species has been determined with slight

variability. The extent of its continued sustainable resource stability is debateable. More information is necessary before making intelligent changes to the existing regulations which govern DSR within Alaska's renewable sustainable seafood resource within the EGOA.

Sincerely,

Murat Arutan

MURAT B. ARUTAN



# REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

State Capital  
Juneau, AK 99801-11

(907) 465-3732

(888) 461-3732

FAX (907) 465-2652

February 3, 2009

Board Support Section  
Alaska Dept of Fish and Game  
John Jensen, Chair  
1255 West 8<sup>th</sup> Street  
Juneau, AK 99811-5526

RECEIVED  
FEB 03 2009  
BOARDS

Fax: 907-465-6094

RE: Proposal #296 – 298: Support

Dear Chairman Jensen and Board of Fish Members,

I am the Representative for District 5, covering rural Southeast Alaska, Yakutat and Prince William Sound and am an Alaskan Native born and raised in Klukwan, Alaska. I am currently a resident of the City of Haines.

I would like to comment and support on Proposals #296 – 298. I believe that it is important to clarify and define sport fish gear such that it is a fishing pole/rod that is held in the hand and does not extend into commercial fishing gear such as electric jigging machines that bolt onto the bulwarks of a boat.

I firmly believe that the Legislature has in the enactment of HB 26 in 2005 and 2006 made clear that they wanted separation between commercial and recreational gear when they did not allow the use of "rod and reel" for short term crew licenses "dude license". On Feb 9, 2005 at 8:38AM, as co-chair of the fisheries committee, I asked a question regarding section 3 of HB 26 which read as follows:

*"During the period for which the license is valid, a person who holds a one-day crewmember fishing license or a three day crewmember fishing license may not engage in fishing with a rod and reel while present on a commercial fishing vessel."*

*Mr Berg [Staff to Representative Carl Moses] responded, "I don't know all the details of this." He explained that [this sentence] is geared toward the hand troll fleet in Southeast. He said "Charter operators were really worried about people going out on a hand-troller where you can fish with rods. They were worried about people trying to get around king salmon stamps. They were worried about allocations between commercial and sport on the king and coho fishing"*

On April 25, 2005 at 2:18:27PM in the House Finance Committee "Representative Hawker opined that this legislation is not creating a new competitor for the charter

email: Representative.Bill.Thomas@legis.state.ak.us

webpage: www.akrepublicans.org/thomasPublic Comment #

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*industry because the existing language in the bill, as amended, prohibits rod and reel fishing while on a commercial fishing vessel. Mr. Berg said that's the way he sees it.*

HB 26 passed the legislature with the rod and reel clause passed although they did extend the crew license to a seven day license rather than a one day or three day license before passage.

I believe that this legislation and record surrounding it clearly shows the desire of the legislature to maintain separation between commercial fishing and recreational fishing. Therefore I support the Board of Fish clarifying and defining sport fish gear for Southeast Alaska as a rod and reel that is held in the hand. Power reels as part of a machine that bolts onto the vessel where fishing consists of pushing a button should be outlawed for the retrieval of the fishing line and fish.

Other West Coast States have already enacted similar laws as to what is being proposed in these proposals. The regulations are as follows:

Washington: All fishing gear must be kept in immediate control, and gear may not be left unattended while fishing; Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish; Rod holders may be used; the rod must be easily removed without delay; rod may be left in the holder while playing the fish; and **Electric reels** may be used if designed for sport fishing and attached to a fishing rod.

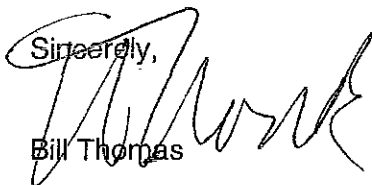
Oregon: The following activities are unlawful: use of gurdies, winches or reels affixed to a boat to land fish (rod or line must be held in hand) except when used for retrieving crab rings or pots.

Slowing down the recreational harvest by the outlaw of power operated fishing gear is a conservation measure used to slow down the recreational harvest. Sport fishing should not be a race for catching all the allowable bag limits in the shortest time possible. Just as the law to require a plug to prevent more than 3 shots in your shot gun was enacted to slow down the harvest of the daily bag limit of ducks so should this regulation be adopted for sport fishing.

Please enact a Board of Fish regulation such as Washington State has to define sport fish gear. Please contact our office if you have any questions or would like additional information.

Sincerely,

Bill Thomas





## City of Coffman Cove

PO Box 18135

102 Denali

Coffman Cove, AK. 99918

Phone: (907) 329-2233 Fax: (907) 329-2212

Email: [coffmancove@msn.com](mailto:coffmancove@msn.com)

2-6-09

RECEIVED  
FEB 03 2009  
BOARDS

Alaska Board of Fisheries  
Shannon Stone/Scott Crass  
Southeast Region  
PO Box 115526  
Juneau, AK 99811-5526

Dear Sirs:

The City of Coffman Cove submitted a Regulation Proposal Form on 3-21-08 requesting the Board of Fisheries to close Coffman Cove to commercial fishing. Due to some misunderstanding among the commercial fishermen the City would like to withdraw our request.

We are very sorry for the inconvenience. We did not anticipate the problems this proposal created.

Sincerely,

Elaine Price  
Projects Manager

Public Comment #

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# Native Village of Kotzebue Kotzebue IRA

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FEB 03 2009  
BOARDS

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526  
FAX: 907-465-6094

*Knowledge of Language*

*Knowledge of Family Tree*

*Sharing*

*Humility*

*Respect for Others*

*Love for Children*

*Cooperation*

*Hard Work*

*Respect for Elders*

*Respect for Nature*

*Avoid Conflict*

*Family Roles*

*Humor*

*Spirituality*

*Domestic Skills*

*Hunter Success*

*Responsibility to Tribe*

Dear Board of Fisheries Members:

The Native Village of Kotzebue writes in support of proposals that address Sitka Sound subsistence and commercial herring fisheries. The members of our Tribe have benefited from the subsistence herring spawn fisheries occurring in Sitka Sound for decades and continue to have strong connections with this area and harvest. More broadly, the Tribe believes that the need to provide food for the people of Alaska is the best use of wild resources, which are held in common by all Alaskans under the Constitution. **Proposal 234 – 5AAC 01.716(b)** speaks directly to this issue, by requesting adjustments in the Amount Necessary for Subsistence from an outdated, and for some time inadequate, amount of herring spawn allocated to subsistence use. The Sitka Tribe has taken the initiative to survey its members since 2002 on the amount of herring spawn necessary to meet basic subsistence needs and consistently found the current level of need significantly higher than current allocation levels. The State and Federal governments have for many years encouraged the development of harvest survey programs and involvement by all Alaska Tribes in the management regimes they believe are necessary to promote conservation over the long term in Alaska. Increased information that can be brought to bear on management issues is desirable by all parties and one way to promote this is by taking action based on survey efforts carried out by Tribes. Ignoring, or minimizing the worthiness of such efforts, by not acting on what they document, will discourage such future proactive efforts and risk creating an adversarial environment that will not serve the resource, or the people of Alaska, well.

Herring fisheries, and for that matter all baitfish fisheries, are notoriously difficult to manage effectively over time and there are many examples of management failures. Frequently, this occurred because of overconfidence by managers on the sufficiency of data and/or their ability to interpret, or fully understand the data. Unaccounted for environmental changes and limited and/or incorrect data also has contributed to the collapse of many baitfish fisheries. No one can deny that changes have been occurring in the North Pacific that raise large and justifiable concern over the future health of the entire ecosystem sustained there (e.g. warmer temperatures, northern movement of new fish and predators such as large squid, increase in acidity of ocean water, increase in large whale populations). In this context of a very dynamic system, static management levels are at a high risk of becoming quickly obsolete and incompatible with long-term management goals, and extra attention and scrutiny, with a large err on the cautious side, should be the rule. **Proposal 203 – 5AAC 27.160(g)** requesting a reduction in harvest levels in the herring sac roe fishery sec. 13-A and 13-B addresses this very valid concern. Not only is it hard to imagine that all the ecosystem changes documented since the time current harvest levels were put in place 11 years ago have had no impact on underlying assumptions used to set this level, but the recent lack of strong age class cohorts and the number of proposals addressing concerns with the status of Southeast Alaska herring should be seen as prima facie evidence that harvest levels are inadequate to address the conservation of a healthy and abundant herring population.

The Department of Fish and Game should also reassess the way they carry out their test fishery. The Sitka Tribe points out that the current methodology is disruptive to their harvest of herring spawn and the Department should strive to have the least impact on resources and users when implementing test fisheries. It is also reasonable to request that when test fisheries remove an amount of herring that impact overall stock allocations that these should be included in the Guideline Harvest Limits, which **Proposal 204 – 5AAC 27.195** addresses. Anytime management methods raise concerns of negative impacts to users, the Department should be required to defend such an approach, including lower impact methods that have been considered and why they were rejected, or not implemented.

Also, one of the best defenses available to protect wild resources Alaskans depend on in this continuously changing environment, is a diverse genetic pool that provides adaptive benefits, most of which are unknowable, to allow for resiliency and continued survival of wild species, whether they are harvested, or not. **Proposal 200- 5AAC 27.195** at least raises the question of whether a mischaracterization of stocks has, or continues to occur, and that additional research should be encouraged and carried out to reaffirm a major premise of Sitka Sound herring management – accurate stock identification.

The Ketchikan Herring Action Group through their **Proposal 199 – 5AAC 27.053** does a good job of discussing many of the public benefits and uses that are supported through healthy herring stocks in Southeast Alaska. While the Native Village of Kotzebue lacks the necessary information to take a position on whether all commercial fishing for herring should be closed in areas 1A through 16, this proposal should remind the Board that all the people of Alaska have a right to benefit from Alaska's wild resources and that in the case of herring, more weight needs to be given to the ecosystem benefits that derive from abundant and healthy herring populations. These fish drive a major part of the Southeast Alaska ecosystem; their beneficial influence and ecosystem contributions even extends beyond the waters themselves, to include healthy watersheds, forests, and the flora and fauna that are part of these systems, and the people that benefit from same. The Tribe also believes that it is the duty of the State of Alaska, through the Department of Fish and Game, to protect this resource for all Alaskans and that commercial use of wild resources only be allowed when populations are sufficient to accommodate all users and a healthy ecosystem.

The Native Village of Kotzebue encourages the Board of Fisheries to adopt **Proposals 203, 204, and 234**, during their spring 2009 meeting.

Thank you for your consideration.



Alex Whiting  
Environmental Specialist



Linda Joule  
Executive Director

Public Comment #

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