

## **PUBLIC COMMENT INDEX**

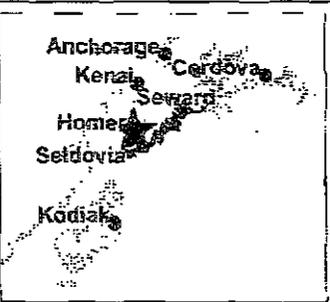
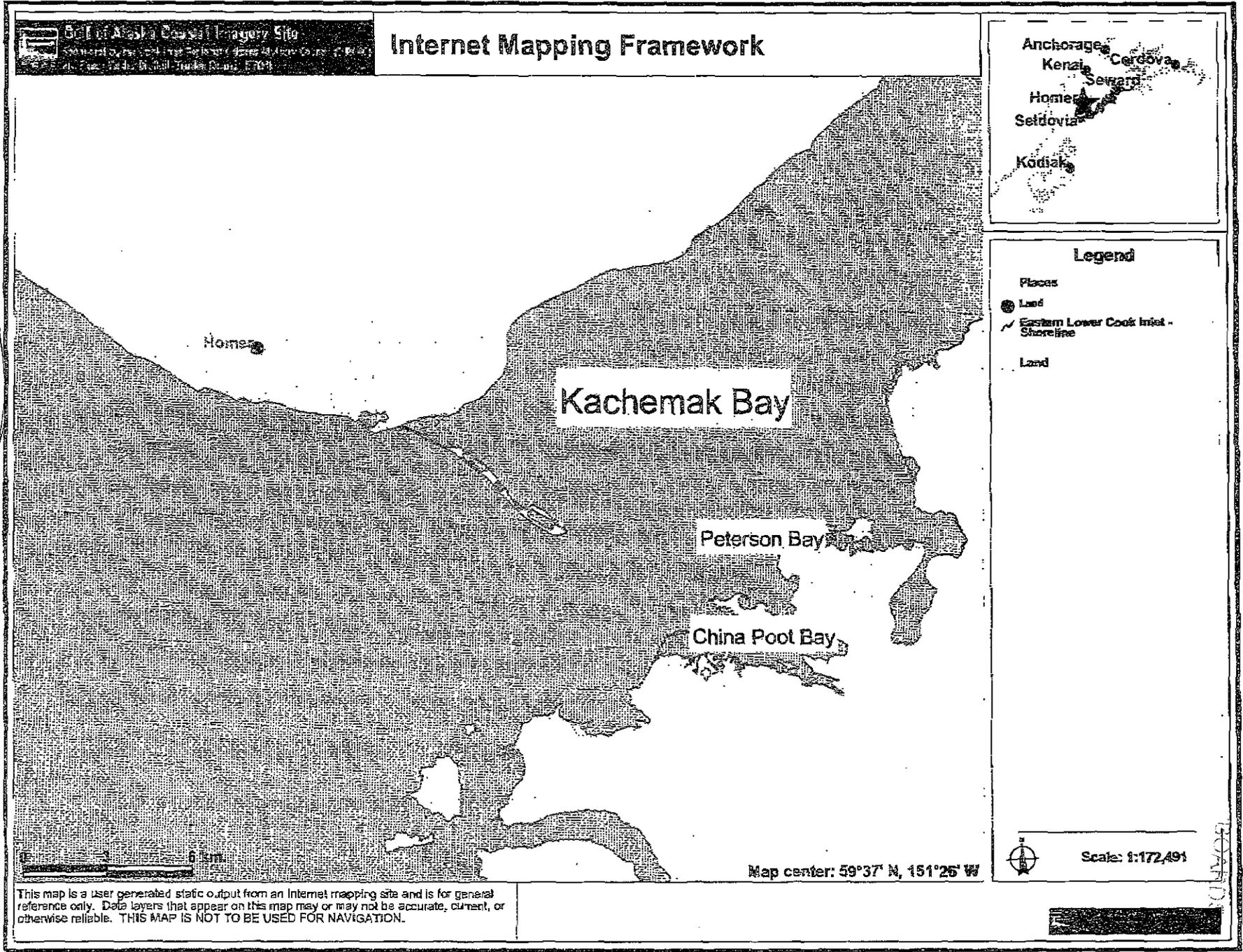
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Area Map

MAPS SUBMITTED WITH PROPOSAL 366

FROTH CENTER FOR ALASKAN COASTAL STUDIES

FOOT



1 of 3

RECEIVED TIME APR. 10. 3:27PM

Public Comment #

1



140  
100  
03



RECEIVED TIME APR. 1

3 of 3



Robert I Jaynes  
P.O. Box 2941  
Valdez, Alaska 99686

ATT: BOF Comments.  
Boards Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526 Juneau, Alaska 99888-5526  
FAX 907-465 6094

December 30, 2008

Dear Sirs,

I am a long time resident of Valdez and I am also a long time member of the Valdez ADF&G Advisory Committee.

I want you to know up front that I am opposed to any proposal for commercial Shrimp Fishing in Prince William Sound other then what has already been established as a limited trawl fishery.

I understand that Proposal 44 5 ACC 31.260 Prince William Sound Pot Shrimp Fishery Management is to establish a management plan. I also understand that the biggest reason the shrimp fishery in PWS was closed was because of commercial over fishing that almost destroyed the shrimp population. I for one do not want that to happen again.

Reading the entire eleven proposals that follow it appears that a lot of folks are under the opinion that the shrimp fishery for commercial fishing will happen and that goes for ADF&G as well.

Everyone has the right to fish, they are a public commodity however any time commercial fishermen have been given the right to fish they automatically think that all of whatever they are fishing for belongs to them and no one else. When their Pots, Lines or nets go in the water dollar signs get in the way of logic and greed takes over. I don't want to see that happen again either.

Prince William Sound is far too fragile to support an open commercial fishery at this point in time. I would hope that you will give this a lot more consideration.

If this does come to pass, I would hope that a lot more teeth are put into the plan than the Federal government did with the halibut fishery.

Totally Opposed to Proposals 44 thou 56, the management plan you have isn't broken so don't try to fix it..

Robert L Jaynes  
Resident City of Valdez

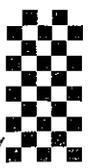
Public Comment # 2

RECEIVED TIME DEC. 30. 6:01PM

I oppose the commercial shrimp pot fishery in PWS #44-56 . The subsistence or sport fishing has been re-opened for only a few years and more and more people are getting involved in personal use shrimping. I have taken part of the fishery and I cannot believe it will support a commercial season. When I first got involved when it first re-opened, only a handful of boats were involved, now there are hundreds involved. I just can't believe a commercial season won't impact the personal use fisherman. Much more study needs to be taken and sample pots should be set in areas frequented by personal use fisherman.

Mike Dehlborn  
49155 Charlie Brown Dr.  
Soldotna AK 99669

Public Comment # 3



P.O. Box 2994  
Homer, AK 99603

February 20, 2009

~~Game~~ <sup>Fisheries</sup>  
Board of ~~Game~~ Comments  
Board Support Section  
Alaska Department of Fish and Game  
P.O. Box 115526  
Juneau, AK 99811-5526

RECEIVED  
FEB 25 2009  
BOARD

Dear Board of Game Members:

We very strongly support **Proposal 366**, THE PROPOSED CLOSURE OF PORTIONS OF PETERSON AND CHINA POOT BAYS TO SHELLFISH HARVEST TO SUSTAIN EDUCATIONAL USE.

The Center for Alaskan Coastal Studies proposal to the Board of Fisheries makes very good sense for many reasons.

First, CACS contributes greatly to marine education. They have been one of the best organizations that hosts school children from all over the state at their field station in Peterson Bay. The proposed beach closure area is their classroom. This section of beach already sustains a lot of impact just from educational uses. It should not have to sustain additional pressure from the public harvesting the animals living there as well. Traditionally, because of access difficulty, this beach did not previously see much harvest by the general public. Changes from erosion have made it more accessible and it is now suffering from too much human use.

Clearly, there is a precedent for closing this beach. Seward closed some of theirs because of over harvest. Some of that use has no doubt migrated to Homer. Many beaches in the Homer area are being over harvested but nothing has been done to address this problem. Because of the importance of this area to educational programs and the increased use, this beach needs to be closed now before all the octopus, chitons, clams, and other marine invertebrates are gone.

While some may say that all of Kachemak Bay is open to educational use and harvest, it is important to think about a trend around the country that is significantly improving marine life abundance, and that is the establishment of marine sanctuaries. This area could be considered a mini intertidal sanctuary that will be carefully managed by CACS. The education that CACS does with students and tourists is very important in teaching people proper behavior when tidepooling. A great deal of damage can be done by large groups visiting intertidal areas if they are not following the carefully designed tidepool etiquette taught by CACS. Because of potential damage to intertidal life, it is much better to encourage school groups to come and work with an

Public Comment # 4

educational non-profit like CACS than to have them just off on their own impacting who knows what intertidal area.

Establishing this educational closure makes good stewardship sense. It will ensure that generations of students will have one of the most incredibly diverse intertidal areas readily accessible through programs presented by a well-established, credible non-profit that has demonstrated remarkable stewardship and leadership in the Kachemak Bay area. Truly it is time to set aside an area where the increasingly difficult to find animals like octopus are protected and will thereby be available to delight and educate the hundreds of students and visitors who come each summer to learn about our rich intertidal life. Please support this proposal. Thank you.

Sincerely,

*Nina Faust*      *Edgar Bailey*  
Nina Faust      Edgar Bailey

Mr. & Mrs. R. L. Lazarus  
1159 Walker Way  
Fairbanks AK 99709  
Pho. (907) 456-3751

RECEIVED  
FEB 8 2006  
BOARDS

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526 Juneau, AK 99811-5526

RE: Commercial shrimp fishery in  
PWS proposal 44 thru 56 and also 135

ADF&G & BOF:

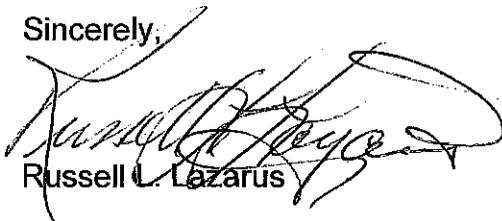
My Wife and I have been sports fishing enjoying in the Prince William Sound (PWS) since 1996. I have spent much time during the summers in Ellamar, Alaska with friends who live there living off the resource of fish and shrimp. **I am writing in opposition** to Proposals # 44 establishing a shrimp pot fishery in PWS. I am concerning that the re-establishment of the commercial Shrimp pot Fishery and also any expansion of the ongoing PWS & Gulf Shrimp Trawl Fishery cannot be supported with existing shrimp stocks.

The shrimp pot fishery was closed by emergency order to commercial pot shrimp fishing in 1992 and due to the slow recovery of the resource the fishery was fully closed in 2000. The recovery process has been extremely slow but steady. The sports shrimp pot harvests have steadily increased to approximately 33,500 lb reported by sports harvest permits in 2005. ADF&G stopped the permit process for some unknown reason and there are no harvest numbers from that source ever since the 2005 harvest season. I strongly suggest the permit process be re-established to allow a sports harvest number to be reported.

A report, "Special Publication No. 06-10, Review of PWS Management Area Dungeness Crab, Shrimp, and Miscellaneous Shellfish Fisheries, A Report to the Alaska Board of Fisheries" produced in Feb. 2006 by Robert Berceli and Charles Trowbridge states that " While ADF&G is encouraged by the recent survey results, index catch rates suggest the resource is only approaching the level observed in the early 1990's, when the commercial fishery was curtailed". They further state "The shrimp population remains below the abundance that supported fisheries for all user groups in the 1980's and ADF&G still considers the PWS spot shrimp resource to be in a rebuilding process."

If a commercial Pot Shrimp Fishery is reopened in PWS, their typical catch practices will once again decimate the shrimp harvest for everyone, as they have demonstrated many times in the past. I would not like to see another cycle take place in the PWS shrimp fishery that would just be a repeat of the past practice that occurred there and in other places in Alaska such as Yakutat.

Sincerely,



Russell L. Lazarus

See attached Public Comment # 5

# **The Constitution of the State of Alaska**

Adopted by the Constitutional Convention February 5, 1956

Ratified by the People of Alaska April 24, 1956

Became Operative with the Formal Proclamation of Statehood January 3, 1959

## **§ 3. Common Use**

**Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.**

## **§ 4. Sustained Yield**

Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

## **§ 5. Facilities and Improvements**

The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

## **§ 14. Access to Navigable Waters**

Free access to the navigable or public waters of the State, as defined by the legislature, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.

## **§ 15. No Exclusive Right of Fishery**

**No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State. [Amended 1972]**

## **17. Uniform Application**

Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.

Faxed to (907) 465-6094

22 FEB 09

Ken L Larson, (907) 488-2960  
1074 Eliz Street, North Pole, Alaska 99705  
Email: [laron\\_ken@hotmail.com](mailto:laron_ken@hotmail.com)  
22 February, 2009  
RE: Proposals #44 thru #56 on PWS Pot  
Shrimp Fishery

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99811-5526

RECEIVED  
FEB 26 2009  
BOARDS

Dear ADF&G & BOF:

I have been fishing and shrimping in Prince William Sound (PWS) since 1984, and own property in Valdez and a Lodge in Eilamar, Alaska. I am a USCG-licensed 50-ton skipper and have run a Sport Fish Charter Business in PWS since the early 1990's, and I started out with nothing and still have most of it left. I am writing in opposition to any and all Proposals # 44 thru # 56, concerning the re-establishment of any COMFish PWS Pot Shrimp Fishery.

As is so aptly stated in BOF's Green Book PROPOSAL 44, PWS Pot Shrimp Fishery Management Plan, under ISSUE: "The ...(PWS) shrimp pot fishery was closed by emergency order from 1992 until 2000 when the Alaska Board of Fisheries adopted a regulation closing the fishery." And it has remained closed since. An examination of ADF&G representative Brian Marston's 2007 Slide Show Report, titled Shrimp in Prince William Sound, and the data therein, comments on abundance: "PWS has productive fisheries but current commercial catches and shrimp surveys by ADF&G are below long term averages." And "Sport catches have steadily increased over time."

An examination of Marston's data slide entitled PWS commercial shrimp pot fishery harvest, 1960 - 1991, indicates that the commercial shrimp pot fishery peaked in 1985 at about 300,000 lbs with 100 COMFish vessels participating. That fishery seriously tanked by 1991, resulting in the closure that's been in effect since 1992, and I can remember how slim my shrimp sport catch was then also. Marston's data slide entitled PERMIT RETURNS (2001-2005), indicates that in 2005, Sport Fishermen were already removing a permit-estimated 33,285 lbs, which was over an 11-fold increase from 2001's 2,731 lbs. My first hand experience in PWS shows the Sport Fish Shrimp harvest has continued to grow and a simple graph extrapolation suggests that the 2008 harvest was at least 50,000 lbs and could easily reach 65,000 lbs in 2009. I reference these numbers to show that the PWS Sport Fish Shrimp Pot take is already about 22% of COMFish's historical high 1985 catch, AND IS GROWING!

Ahhhh...I think I'm seeing that the screw-up fairy is about to visit us again! If a COMFish Pot Shrimp Fishery is reopened in PWS, their typical catch practices will once again decimate the shrimp harvest for everyone, as they have so aptly demonstrated many times in many places. I have long been a participant in the ongoing COMFish Vs. Sportfish Halibut allocation battles, wherein the COMFish lobby effectively gained control of almost 85-90% of the annual Halibut Fishery with their COMFish IFQ's. I do not want to ever see another fishery allocation take place where quantity, season and location controls result in less than 50% of the fishery being dedicated to the Sport and Subsistence users in Alaska! And that includes Shrimp! I vote NO on reopening any COMFish shrimp pot fishery!

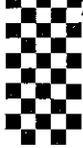
Sincerely,

*Ken L. Larson*

Ken L Larson

Public Comment #

6



RECEIVED  
FEB 26 2009  
BOARDS

Jim Joy  
1045 Lathrop St.  
Fairbanks AK 99701  
Pho. (907) 452-6287  
E-mail jjoy2@gci.net

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99811-5526  
Faxed to (907) 465-6094

RE: Commercial shrimp fishery in PWS  
proposal 44 thru 56 and also 135

ADF&G & BOF:

I have been sports fishing and using shrimp pots in Prince William Sound (PWS) since 1982. I own property in Ellamar, Alaska and spend most summers there living off the resource of fish and shrimp. I am writing in opposition to Proposals # 44 establishing a shrimp pot fishery in PWS. I am concerning that the re-establishment of the commercial Shrimp pot Fishery and also any expansion of the ongoing PWS & Gulf Shrimp Trawl Fishery cannot be supported with existing shrimp stocks.

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If a commercial Pot Shrimp Fishery is reopened in PWS, their typical catch practices will once again decimate the shrimp harvest for everyone, as they have demonstrated many times in the past. I would not like to see another cycle take place in the PWS shrimp fishery that would just be a repeat of the past practice that occurred there and in other places in Alaska such as Yakutat.

Sincerely,

Jim Joy

See attached:

RECEIVED TIME FEB. 25. 4:00PM

Public Comment #

7



# **Center for Alaskan Coastal Studies, Inc.**

PO Box 2225, Homer, AK 99603 • 907/235-6667 • fax 907/235-6668 • e-mail [info@akcoastalstudies.org](mailto:info@akcoastalstudies.org) • [www.akcoastalstudies.org](http://www.akcoastalstudies.org)

February 27, 2009

## **Re: Proposal 366**

Dear Members of the Board of Fisheries,

This proposal would close specific areas within Kachemak Bay to sport, commercial, and personal use of shellfish from April 15 until September 15. It will not affect the designated subsistence clamming area in Kachemak Bay. Thank you for your consideration of the following information in making your decision about the proposal.

- **Alaskan residents may currently harvest an unlimited number of “miscellaneous shellfish,” which includes all marine invertebrates except clams, crabs, and shrimp, for food anywhere in Kachemak Bay. The legal daily/possession limit for butter clams is 700; for littlenecks, 1,000 (with minimum size limits).**
- **The two areas proposed for closure (see attached map locations) are very small (4.46 acres in China Poot Bay and 3.23 acres in Peterson Bay), but uniquely diverse. They have been used for non-profit educational school and public field trips for 25 years.**
- **The closure was requested because significant changes occurred in 2007:**
  - 1) **Changes in harvest patterns.** Beaches in the Seward area were closed to personal and recreational harvest in 2007 because they were completely stripped of seaweed and marine invertebrate communities. An influx of new harvesters to Kachemak Bay and to China Poot Bay was noticeable following the closure. These harvesters first targeted seaweed, then clams, octopus, chitons, and other marine invertebrates. Education about the closure of Kachemak Bay to seaweed harvest reduced, but has not eliminated seaweed harvests in Kachemak Bay.
  - 2) **Changes in access** A beach on the far eastern side of China Poot Bay which had a perennial channel at all tide levels became accessible from other tideflats in China Poot Bay at low tides due to deposition. Clammers and harvesters targeting octopus and other marine invertebrates can now walk to the beach being proposed for closure without wading.

### **Why should these areas be allocated to the non-consumptive use of education and scientific study?**

Unregulated harvest of selected species, such as octopus, chitons, mussels, clams, and snails, is not compatible with experiential education about the natural diversity of a rocky intertidal beach habitat. Harvest methods such as the forcible removal of octopus by destruction of dens alters the habitat and can eliminate denning habitat for years or permanently. Digging for clams perturbs the substrate and can smother or dislodge other marine invertebrates. Juvenile clams are unable to re-seat after being disturbed, so overall abundance is reduced. This proposal seeks to

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8

maintain two small study/educational sites because of their value as areas not subject to harvest or habitat disturbance from harvest practices.

The intertidal areas of China Poot and Peterson Bays are part of a State Critical Habitat Area established to protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and to restrict all other uses not compatible with that use. The beaches being proposed for closure to harvest are among a very small number of rocky intertidal habitats and one of the most diverse and productive within the Critical Habitat Area. One of the goals of the plan is "to maintain or improve opportunities for viewing, photography, education, and the study of fish and wildlife." Allowing harvest to continue in this area would be contrary to maintaining a significant opportunity of this type.

**Who will benefit if the harvest closure occurs?**

Alaska's school children will benefit from the continuation of high-quality educational programs being provided at these sites. Continuation of the unique educational field trip and summer tour will sustain significant economic contributions to the local economic benefits through the purchase of other services such as water taxi transportation, food, lodging, recreational equipment and the availability of five seasonal jobs each year.

The Center for Alaskan Coastal Studies (CACCS) will benefit by being able to continue its high-quality education programs. CACCS is a non-profit organization located in Homer, Alaska, with a mission of fostering responsible interactions with our natural surroundings and generating knowledge of the marine and coastal ecosystems of Kachemak Bay through environmental education, research, and stewardship. Our Peterson Bay Field Station is located across a slough from Otter Rock, the area proposed for closure in Peterson Bay and a short hike away from Shipwreck Cove and adjacent beach, the area proposed for closure in China Poot Bay.

Beach field trips, and particularly the chance to spot an octopus, at low tide are the highlight of our Alaska Coastal Ecology instructional program and our daily guided tour during the summer.

**Who will be harmed by the harvest closure?**

The closure will not significantly reduce the opportunity for recreational or personal use harvests in Kachemak Bay due to its size and the fact that it has only been easily accessible for harvest for two years.

Sincerely,

  
Marilyn Sigman  
Executive Director

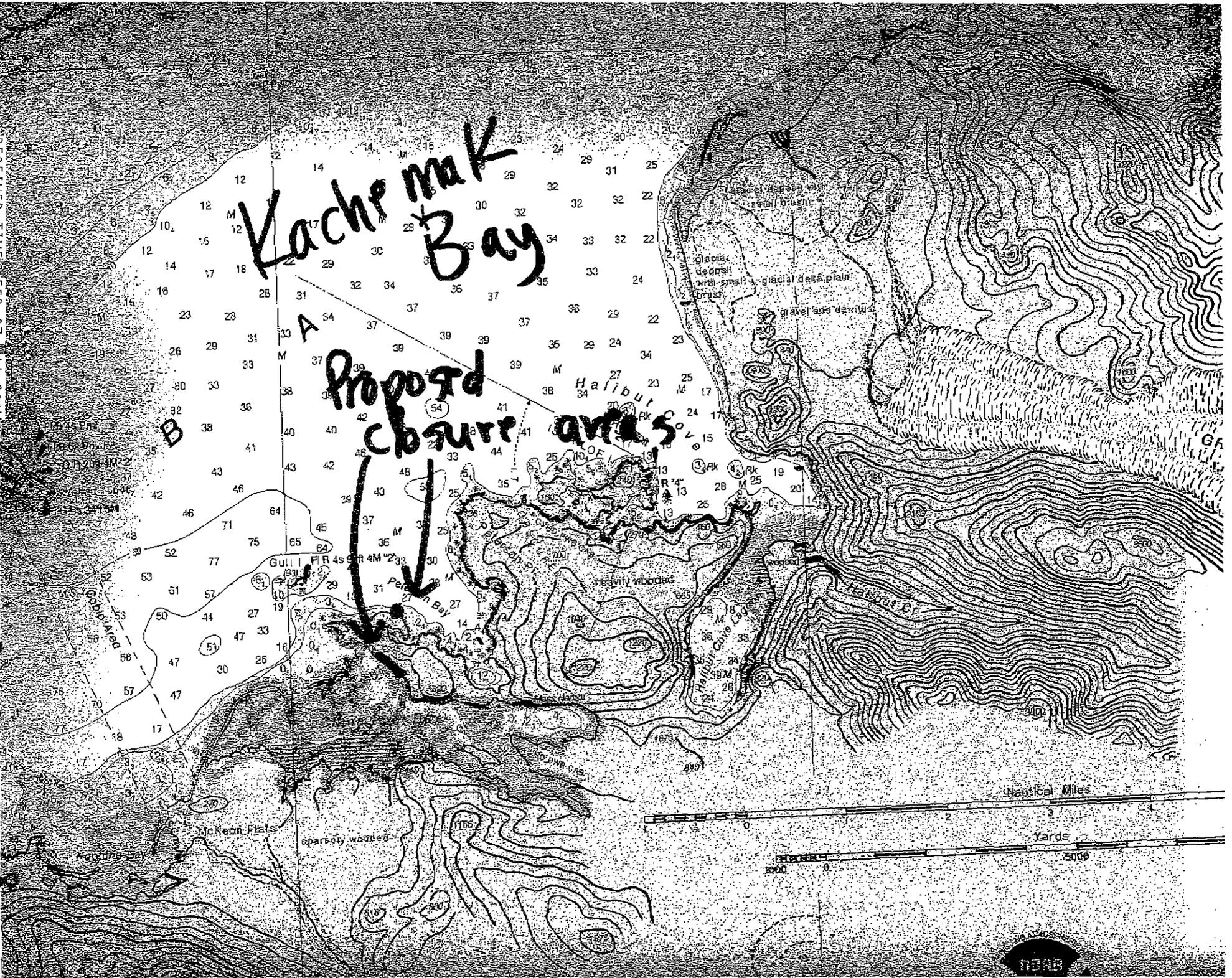


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Public Comment #

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China Poot Bay - School group on beach proposed for harvest closure



Group in Shipwreck Cove

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5/9

Public Comment # 8

DEPT Board of Fisheries,

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FEB 27 2009  
9072356668

Hi we are from McNeil Canyon Elementary school. We like the beaches of China Poot and by Otter Rock in Peterson Bay and want nothing to happen to the intertidal life that lives there. So we are sending this letter to stop harvesting on these beaches. If people will harvest more it will be worse to the different life that lives there. People will step on the other sea creatures and kill a lot and mess up their ecosystem.

When we went on our field trip across the Bay, we learned a lot about ocean creatures and the invertebrates in the intertidal zone. We want those animals to be safe and so they would not go extinct. We had lots of fun when we studied the sea creatures and I want other kids and scientists to study them. On our field trip we went tide pooling and saw a ton of invertebrates. We liked the sea star the best because there were lots of small and big ones. We also saw sea cucumbers.

Sincerely,  
Daniel & Filip  
Sixth Grade Students  
McNeil Canyon Elementry

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Public Comment #

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FEB-27-2009 12:29 PM AKCOASTALSTUDIES  
Feb 05 09 05:33p

9072356668

P. 08

p.3

RECEIVED  
FEB 27 2009

Dear Board of Fisheries.

I think it would be a good idea to have it so that nobody harvests things from China Poot Bay and Otter Rock. Maybe if it was for subsistence people could harvest but commercial harvesters should not harvest. I think it is important to keep are beaches healthy so that generations of children. I myself like to go on field trips to Otter Rock and look at all the different animals.

I think that if any of the species here were to get over fished the ecosystem might fall apart. Studying the marine ecosystem is a lot of fun. I have learned a lot about these underwater areas and like looking under seaweed and rocks to see all the animals under them.

Sincerely, Axel Gillam  
McNeil Canyon School



7/9

Public Comment # 8

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FEB 27 2009  
BOARDS

Dear Board of Fisheries,

We love taking field trips across the bay to study the animals and invertebrates there. We have done this last year and the year before that. Future classes would also like to look at and study all the animal diversity there. So we would love it if you would close the Otter Rock beach and the China Poot beach for harvesting.

We find tons of animals and invertebrates. Just a few of them are chilton, octopi, seaweed, sculpin, sea cucumbers, anemones, sea stars, sea peaches, sea slugs, squid, crab, mussels, barnacles, limpets. We love going on these field trips and we hope to do more. If you allow harvesting, there might not be many things for future classes to study and examine. We ask all this and hope you will respond.

Sincerely,

Brandon Beachy from 6<sup>th</sup> grade McNeil Canyon Elementary School

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8/9

Public Comment # 8

Feb 05 09 06:33p.

2/2/09

RECEIVED

FEB 27 2009

Dear Board of Fisheries,

Me and my 5<sup>th</sup>+6<sup>th</sup> grade <sup>BOARDS</sup> CLASS had a great time at Peterson Bay last year. It was so much fun. Peterson Bay's beach is huge! I found a lot of shells and different invertebrates. I really liked walking around looking at things.

Otter Rock was filled with all sorts of sea creatures. I found a lot of sea stars and urchins. The beach is very clean. I didn't see any garbage at all.

China Foot Bay was fun. I hadn't ever been there before so I was glad I got to see it. I've been in the China Foot Bay water but never the beach. There were a lot of sea creatures there too. I found a little bit of garbage but not much. I had a great time and I hope the beaches will stay clean.

seastar



Sincerely,

Jessica Jones



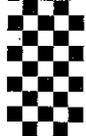
Not really much of a sea urchin.

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9/9

Public Comment #

8



# Board of Fisheries March 2009 BOF meeting

RECEIVED  
MAR 01 2009  
BOARDS

## Proposal #44 (RC 118) – Oppose

**Reason for opposition** – Historically this Fishery has been exploited, abused and mismanaged to the detriment of the resource and all users (including predatory stocks). In fact, currently there is absolutely no real Management of what is actually being harvested, so until the Department of ADF&G has an accurate record of what is being consumed, a Commercial season should not be opened.

**Other options** – Prince William Sound is a World Class Ecosystem that is providing food, jobs and life experiences for Thousands of Alaska families. Noncommercial use of any resource should always have priority; however, there may be room for a limited amount of Commercial Harvest in P.W.S.

**North of 60 40.00' N lat.** (area 1 on draft management plan) No Commercial Harvest of Shrimp.

**Justification** - This area is providing the safest and most economical access for Resident Alaska families to Harvest Shrimp. Would help greatly with conflicts between Commercial and Noncommercial users.

**Who will benefit** – Commercial users.

**Who will suffer** – If not managed properly the resource will suffer. Noncommercial users in area 2 & 3 would have to compete with Commercial operations.

Thank you,

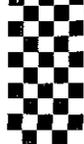
Greg Machacek  
Po box 71123  
Fairbanks, AK. 99707  
(907) 457-1546

March 1<sup>st</sup> 2009

Public Comment # 9

RECEIVED TIME MAR. 1. 1:21PM  $\frac{1}{11}$

PRINT TIME MAR. 1. 1:22PM



### Alaska Scallop Association

7216 Interlaaken Dr. SW  
Lakewood, WA 98499  
(253) 582-2580  
Fax 589-0508  
jstonecrab@aol.com



RECEIVED  
MAR 02 2009  
BOARDS

**March 2, 2009**

Board of Fisheries Staff

Please note I have faxed to you (907-465-6094) a seven page comment for proposal 358 for the March 16<sup>th</sup> meeting in Anchorage.

This has several charts in it that will be very difficult to read if copied in Black and white. I will be in Juneau tomorrow and will hand deliver 20 color copies of this same document to your office. Please put these color copies I supply into the board member notebooks.

I will also email a scanned PDF color copy of this Doc to Shannon Stone and Jim Marcotte. In case any board members are being emailed documents for the upcoming Anchorage meeting.

Thank you for your assistance, Jim Stone

RECEIVED TIME MAR. 2. 10:38AM

1/15

Public Comment #

10

**Alaska Scallop Association****(ASA)**

7216 Interlaaken Dr. SW  
 Lakewood, WA 98499  
 (253) 582-2580  
 Fax 589-0508  
 jstonecrab@aol.com



Alaska Board of Fisheries (BOF)  
 Alaska Department of Fish & Game  
 PO Box 25526  
 Juneau, AK 99802-5526

RE: Proposal 358

Dear Chairman Jensen

Our proposal is to allow the Scallop boats access into some very prolific scallop beds that lie within the Southwest Kodiak Crab Management district.

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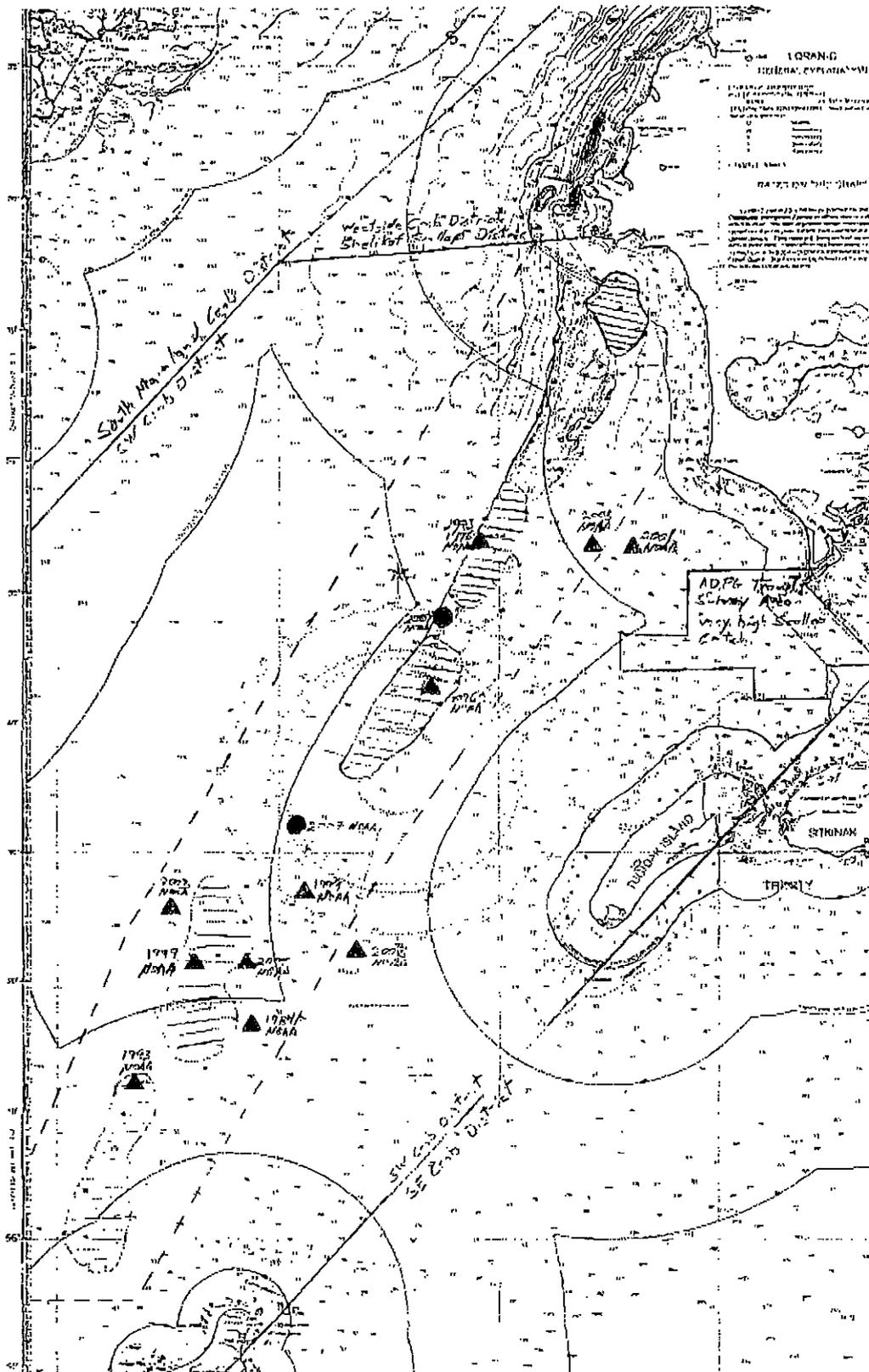
The box outside of Alitak Bay is the area ADFG Surveys every year and it continues every year to have the highest scallop catch rate by far in the entire Westward Region Trawl Survey.

ASA Proposal 358; Page 1 of 7

Public Comment # 10

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Weathered Scallop all NOAA surveys 1984-2006 = A, 2007 = O  
 Cross hatched areas = Scallop beds. Shaded areas = Scallops but not as much as in beds.

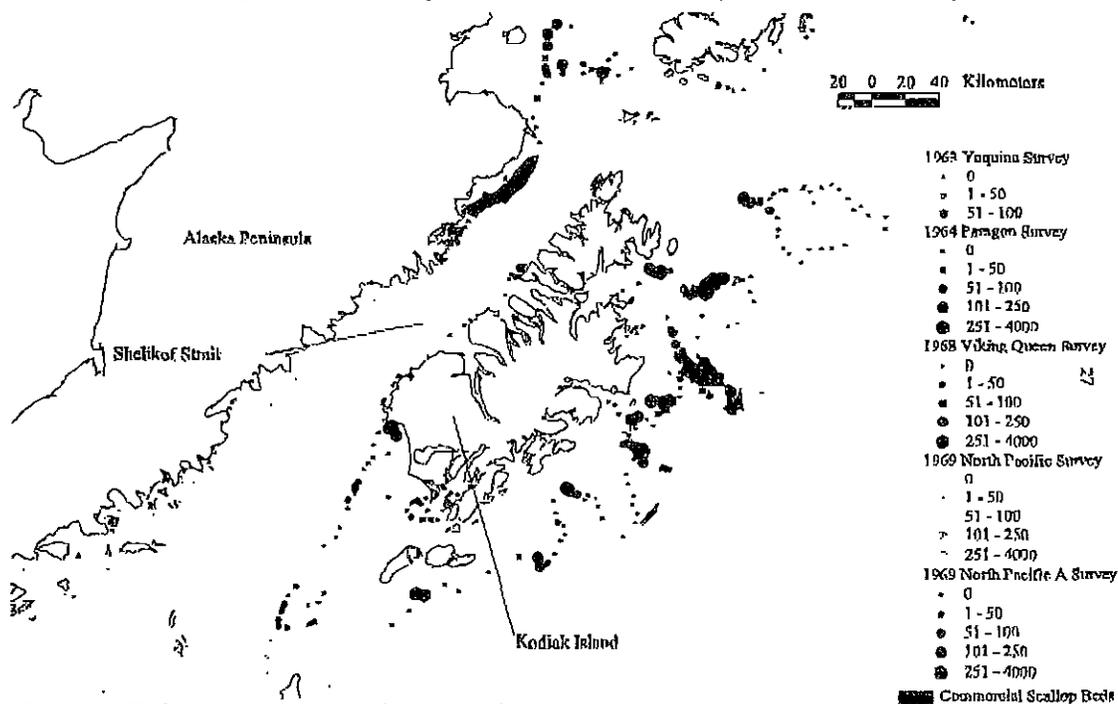
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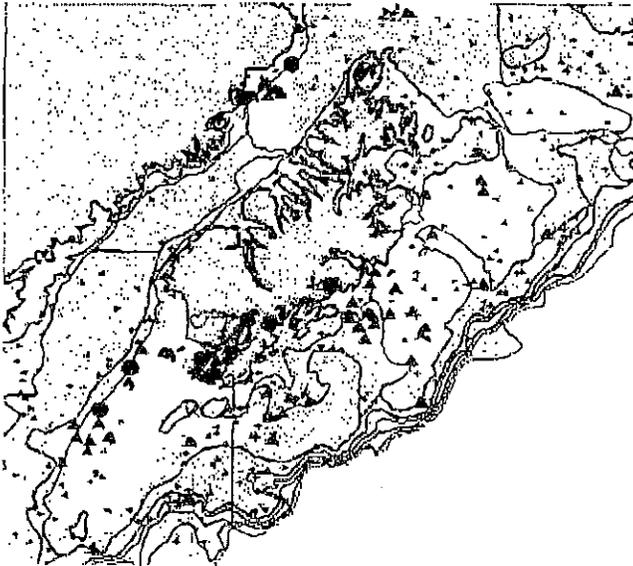
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Table 2. Catch composition of scallop dredge catches in the Chirikof area from samples taken February 28-March 3, 1993 aboard the F/V PROVIDER.

SPECIES	NUMBER	KILOGRAMS	WEIGHT PERCENT	RANK
WV Scallop	3996	1417.6	89.8	1.
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Weathervane Scallop all NOAA surveys 1984-2006 = X, '2007' = A

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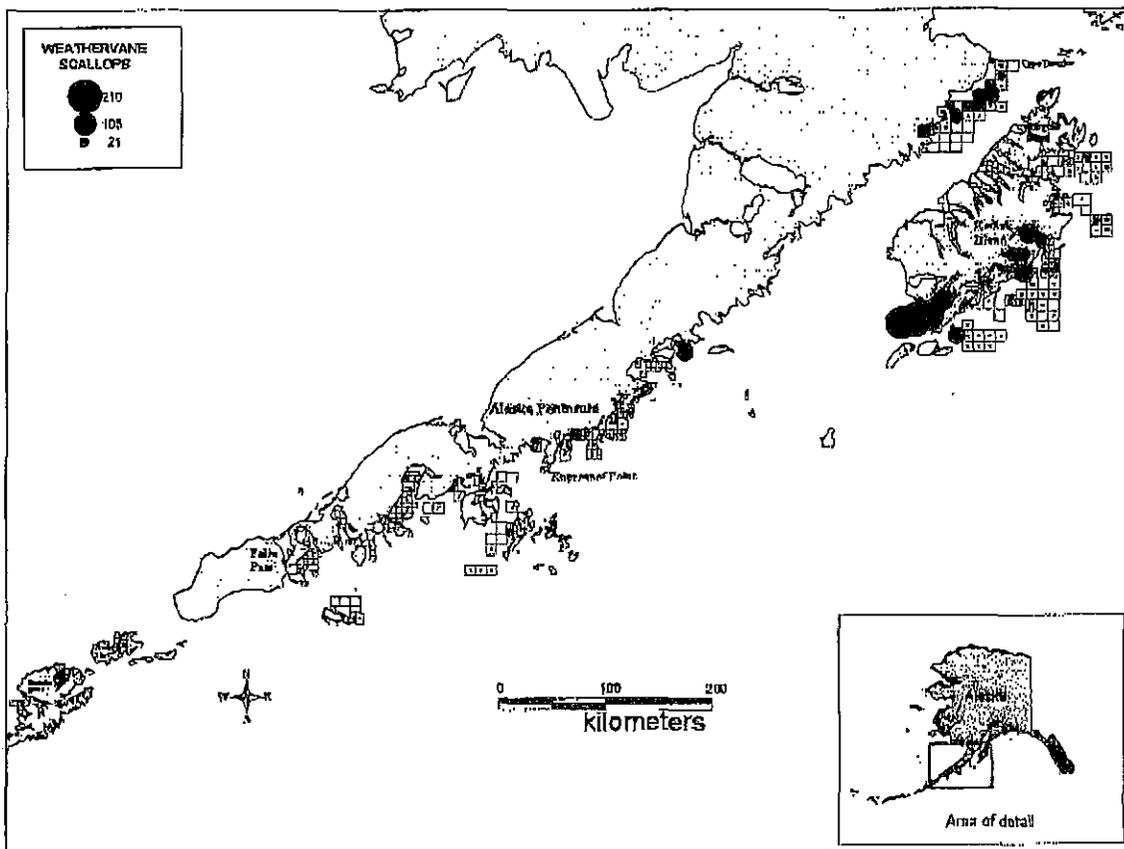


Figure 26.—Catch in kilograms per kilometer towed of weathervane scallops from the 2007 Westward Region trawl survey.

#### Crab Bycatch;

The ASA is very sensitive to crab bycatch. Many of our members are Crab fishermen as well as Scallopers. 100% onboard observers are the only realistic method to accurately measure crab bycatch in a fishery. This same proposed area is fished by several gear types for several non-scallop fisheries with limited observer coverage ranging from 0% to 30%. The scallop boats have 100% observer coverage. This observer coverage is our main argument for opening up a Scallop area that was closed 40 years ago partially due to unknown crab bycatch. Observer coverage tells us exactly what our bycatch is, thus allowing us to keep bycatch within whatever parameters the Department determines appropriate. We do not want any gear conflicts with our Crab friends and would ask that our SW Kodiak Scallop fishery be closed during any crab fishery openings.

ADFG annual Westward Region crab surveys are made public one year after their release. According to the last released crab survey for 2007, the other crab areas that Scallopers operate in have had increased crab populations in spite of our scallop fishing presence. The Eastern district by 2007 reached a record high Tanner crab biomass since ADFG surveys began in 1988. The NE district in 2007 is well above the last twenty year average. In the two crab districts (North mainland & Westside) that we fish in for Shelikof Scallops, the Tanner biomass seems to be down lately but these areas have fluctuated wildly over the last twenty years of surveys. The SW district that we want to open for Scallops has steadily increased its Tanner

6/15

ASA Proposal 187; Page 5 of 7

Public Comment # 10

RECEIVED TIME MAR. 2. 10:38AM

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The below chart taken from a NPFMC Council Staff discussion paper on Bycatch in the Gulf of Alaska, November 2008, section 6.1, page 19, illustrates the estimated mortality of various fisheries on Tanner crab bycatch. Note scallop fishing is not the highest Crab mortality rate. Other fisheries, some with higher crab bycatch mortality rates, known crab bycatch and with little or no observer coverage do actively fish areas such as SW Kodiak that are closed to scallop fishing.

Table 12 Various calculations of mortality rates for harvested crab

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<sup>a</sup> Estimate considered to be conservative because the estimated effects of wind and cold exposure as well as handling injuries were considered separately and not synergistically.

Other fisheries in the district also have no crab bycatch caps whatsoever and can catch as much Crab bycatch as they want to attain their target species. The Scallopers are asking for a crab bycatch cap in SW Kodiak as we have in other districts. If we reach this cap we must stop for the year, as we do in the other scallop/crab districts. No other fishery in Kodiak has these 100% observer requirements and closure triggers based on any crab bycatch caps except for the Scallop fishery.

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The ASA was formed in 2000 as a cooperative group. This was an industry response to the lower and lower Statewide GHLL's, resulting from multiple statewide scallop bed closures, the more conservative harvest levels adopted by ADFG and the over capitalization of too many scallop boats chasing less & less scallops. The ASA members signed civil contracts that bound themselves to agreed amounts of Scallop & Bycatch. The ASA members harvest about 95% of the statewide scallop harvest annually. This agreement has changed our personalities and perceptions of Scallop fishing and of how we deal with each other. We now work together (Captains, crews & owners) avoiding crab bycatch "hot spots", identifying scallop areas of higher Scallop CPUE and refining better gear modifications. There are three scallop permits that have not yet decided to join the ASA. We continue to reach out to these non-members and have had good success working with them on fishing practices and political issues. The ASA has become the one stop place to go for anyone needing to contact the Alaska Scallopers, ASA members or not.

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Our fishery is prosecuted in an entirely different fashion and mind set than the old days of bitter, sometimes violent gear conflicts and the completely unobserved, uncounted crab bycatch that led to the ADFG decision to stop scalloping in the SW district. There have been no Scallop/Crab gear conflicts in other Kodiak or Bering Sea districts since formation of the ASA in '2000' even though both seasons are frequently open at the same time.

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7/15

Please reward the Scallop's responsible recent history by allowing us to return to the SW Kodiak district. We know this area contains a large Harvestable surplus of marketable scallops that currently lies on the bottom with no gain for the State. This Harvestable surplus can be successfully prosecuted in a safe and respectful manner to the existing crab populations. We pay for 100% observers ensuring accurate reporting of both Scallop and bycatch at a huge cost to industry of approximately \$125,000 per year or Two Million dollars since the Observer program's implementation in 1993. The voluntary formation of the ASA in '2000' has formed a nine year old alliance of responsible scallopers who have shown a willingness to work with fishery managers, each other and our neighboring fisheries, again at the Scallop fishermen's own cost.

We will gladly accept any terms the BOF and/or Department wants to put on us to prove the existence of the beds and of our capability to minimize damage to the existing crab stocks, with zero gear conflicts. We believe a small 15,000 to 20,000 pound scallop limit for the first season would be enough to give ADFG the data needed to determine current bed delineation and population compositions. We welcome ADFG personnel anytime to join us for this or any other trip, as we also look forward to ADFG joining the Provider crew this June to collect scallop samples for the Observer Training Center in Anchorage.

We look forward to working with the Board, the Department and committee on this.  
Best regards, Jim Stone



8/15

**Alaska Scallop Association**

**(ASA)**

7216 Interlaaken Dr. SW  
Lakewood, WA 98499  
(253) 582-2580  
Fax 589-0508  
jstonecrab@aol.com



Alaska Board of Fisheries (BOF)  
Alaska Department of Fish & Game  
PO Box 25526  
Juneau, AK 99802-5526

RECEIVED  
MAR 02 2009  
BOARDS

March 2, 2009

RE: Proposal 358

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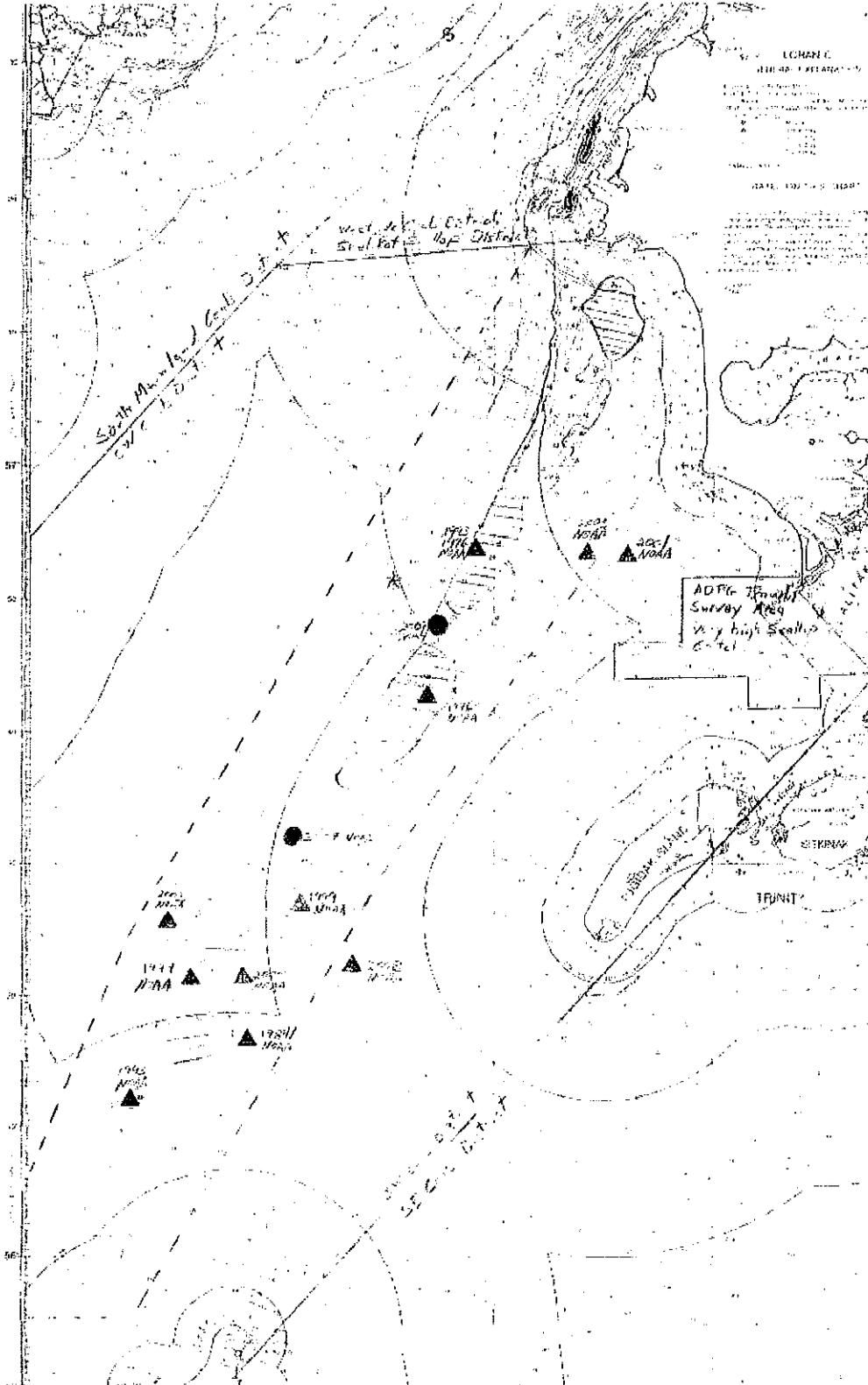
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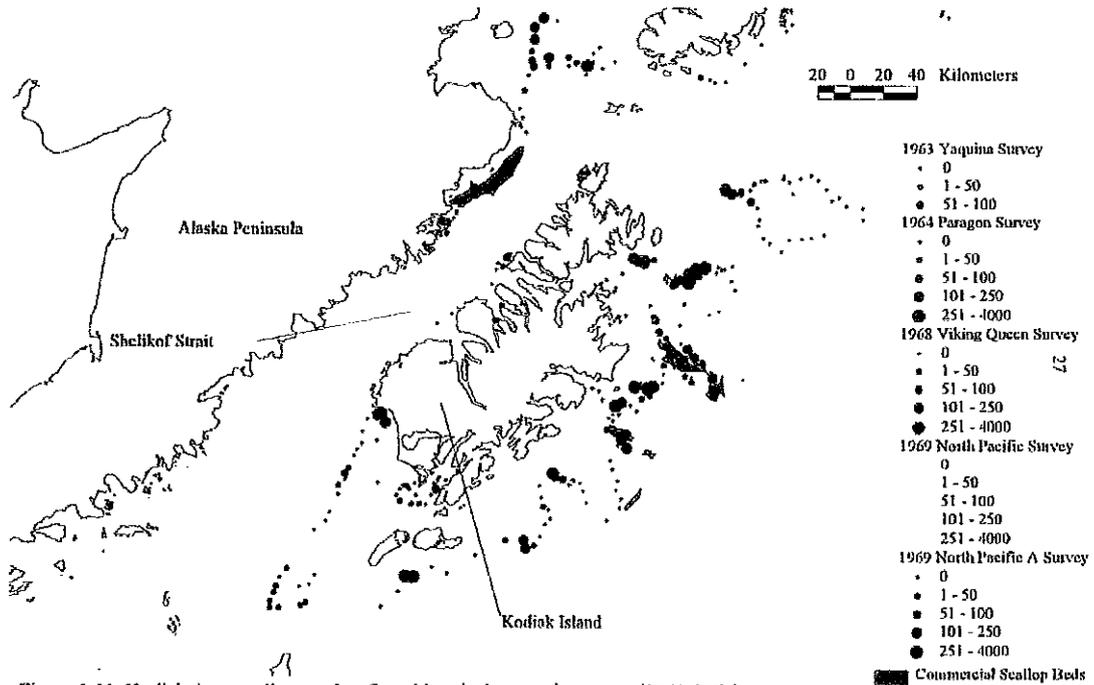


Figure 1.11 Kodiak Area scallop catches from historical research surveys (1963-1969) compared to 1993-1997 commercial scallop beds (red).

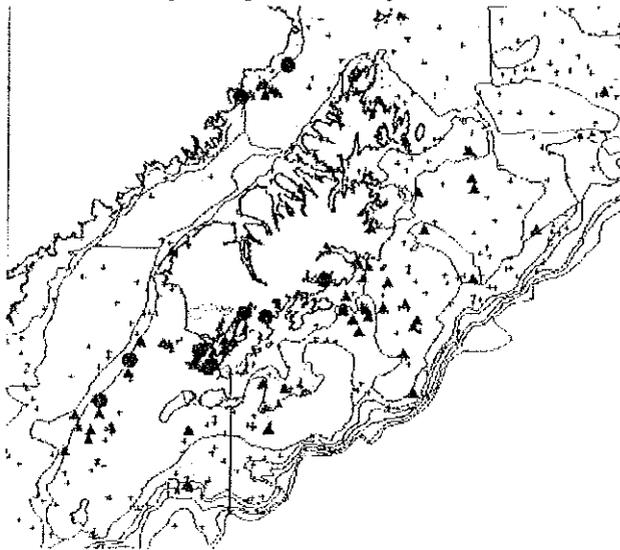
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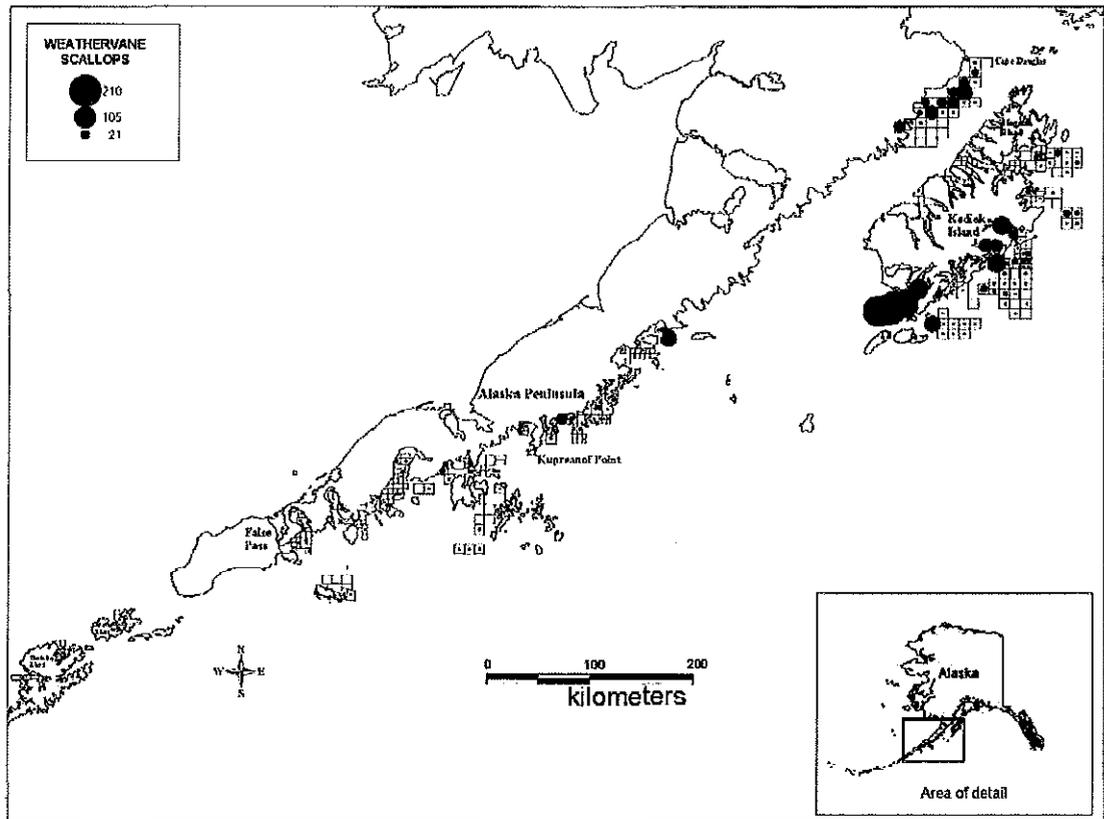


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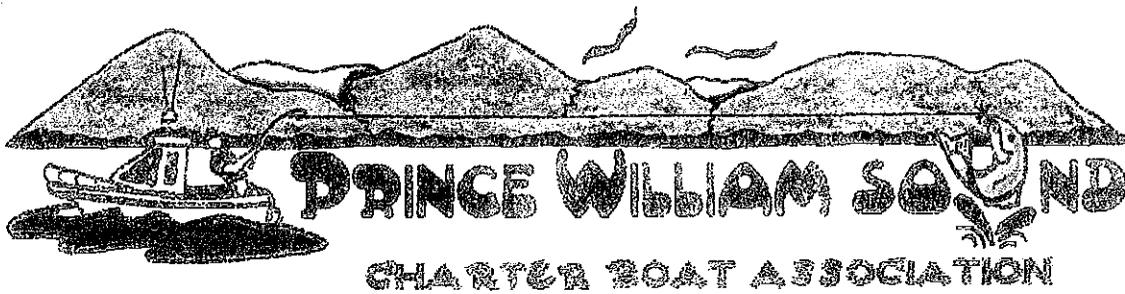
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RECEIVED  
MAR 02 2009  
BOARDS

February 22, 2009

ATTN: BOF COMMENTS  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99811-5526

Faxed to (907) 465-6094

RE: Proposals #44-#56

Dear ADF&G & BOF

I am the current President of the Prince William Sound Charter Boat Association (PWSCBA). I represent 30+ members of the charter fishing and lodge business throughout PWS. As well as many sport fisherman and local residents who have called or e-mailed me over their concerns about the current proposals regarding a commercial pot fishery for shrimp in PWS. Let me first say that a few years ago I would have been favor of a well regulated small commercial pot fishery, if it would remove the environmentally devastating trawl fishery. After reviewing the proposals I see that this is a supplement to the trawl fishery not the elimination of it.

The PWS shrimp pot fishery was closed in 1992. Why was it closed you ask? Poor management of a public resource, ADF&G did not manage the commercial fisherman and it was fished out. It has taken 20 years to return to a fairly stable level for sport and subsistence shrimp fisherman to be able to catch a fair amount of shrimp for their families. I know that personally I depend on shrimp for a good portion of my meat supply since the State and the Federal Government made it impossible for me to catch any fish while I have clients on board my vessel. This requires me to take the boat out by myself, costing far too much in fuel to make the few pounds of fish I would bring home very worthwhile.

Lets take a look back just at the history of PWS and the commercial fishing and the State and Federal management of it.

1. Commercial Pot Shrimp fishing: closed 1992 due to overfishing by commercial fishermen.
2. Crab fishing commercial and sport\*\*: Closed 2000 due to overfishing by commercial fishermen.
3. Herring fishing: Closed 1998 due to overfishing by commercial fishermen, and to disease.
4. Halibut fishing: 1995 – present, poor due to overfishing by commercial fishermen since the implementation of the IFQ's.

In most other states the division of fish between the sport and commercial is divided equally 50/50. In Alaska that is sadly not the case. The commercial fishing interest reach deep into the pockets of our elected officials making it impossible for a fair and equitable allocation of our seafood resources. All around the world the fishing has been controlled by commercial fisherman until such a time as the fishery is wiped out. At that time sport fisherman and responsible fishery management groups have had to step in and attempt to rebuild

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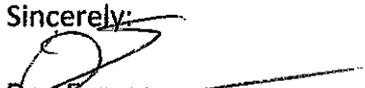
Public Comment #

11

a depleted resource that would allow the resumption of the traditional sport and in many cases charter businesses.

In closing I would remind you to once again look at your history and your current scientific data that clearly shows that if you do in fact open this fishery again it will be short lived and once again wipe out the shrimp for at least another 20 years.

Sincerely:

  
Dan Eames  
President PWSCBA

\*\* Sport crab was reopened in winter of 2008 but in such areas that few if any crab were taken at all. Traditional use areas from before the closure remained closed to us in eastern PWS so it might as well not even be open for all the good it does.

Cc:

U.S. Fish & Wildlife Service

Office of Equal Opportunity, U.S. Department of Interior

2/2

Public Comment # 11

Larry & Jeanne Gonzales  
PO Box 81364  
Fairbanks, AK. 99708  
907-458-8087  
907-378-5388  
907-378-5389

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Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99888-5526  
Fax: 907-465-6094

February 10, 2008

To Whom It May Concern:

We are business owners and residents of Fairbanks for 26 years, as well as owning property and a cabin in Ellamar on Prince William Sound. We also maintain a boat and slip in Valdez for the last 15 years. Within a few years we plan on retiring and will spend the majority of our time in the Valdez and Ellamar communities. We are neither commercial nor charter fisherman, but avid sport fisherman, who care about those communities.

We are concerned and opposed to the proposal (44 5 ACC 31.26), that would allow commercial shrimp fishing in Prince William Sound. At one point in time the shrimp population was nearly destroyed (as a result of commercial shrimp fishing) so we do not understand why one would even consider revisiting commercial shrimp fishing in this area.

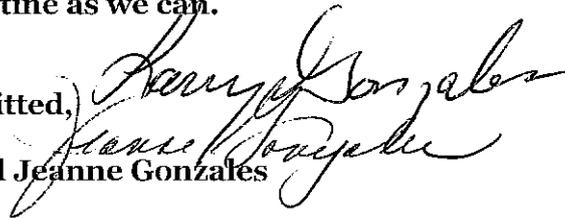
Environmentally we have little control as to what happens and are limited to what we can do to restore that damage when it occurs. We do however have control to what we allow in terms of commercial fishing and the impact over fishing. Let us be proactive and not repeat the depletion of shrimp by commercial fishing.

Even though, as sport fisherman, we do not have the voice of commercial fisherman, we are the ones who live with the impact that is left and we are still there when the commercial boats go elsewhere! We will still be supporting our communities for years to come. Please give more consideration to Proposals 44-56.

We appreciate your time and also your hard work in managing our fisheries and wildlife throughout our great state. Let's work together...all of us to keep Alaska as pristine as we can.

Respectfully Submitted,

Larry Gonzales and Jeanne Gonzales





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March 2, 2009

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

**Board of Fisheries Comments: Proposal #375**

Chairman Jensen and members of the Board,

On behalf of the CDFU Groundfish Division I am submitting these comments on Proposal #375, on the utilization and reporting of groundfish taken in a commercial fishery.

We support the intent of the proposal to strengthen the reporting requirements under the improved utilization and retention regulations in the groundfish fisheries. However, we ask that two clarifications be considered in this proposal.

First, we ask that this proposal specify whether or not groundfish retained in the directed halibut fishery are also included in this proposal. The proposal appears to exclude groundfish retained in the halibut fishery, but it is not clear to us as written. It is important to avoid any confusion because halibut are not legally defined as a groundfish, but the directed halibut fishery is referenced in 5 AAC 28.070.

Second, we ask that the proposal clarify that groundfish species retained for personal use and weighed and reported on a fish ticket or e-landings form be considered legally 'landed', so that they can then be offloaded. As it is written, it's not clear whether a fisherman who retains a few rockfish for personal use, and records them on the fish ticket, has made a 'full delivery' or a 'partial delivery', and whether the fisherman can then take the fish home for personal use. These are fish that will remain on board the vessel after delivery to a processor, and therefore it appears that under the proposed section (c) the delivery is a 'partial delivery'.

Unless this is resolved in another part of the proposal, we suggest revising section (c) to read something like the following (*added text in italics*):

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Public Comment # 13



"A person delivering groundfish to a processor shall notify the processor if any groundfish will remain on board the vessel after the delivery, *and will not be weighed and recorded as landed*. A processor shall report a landing as a partial delivery if any groundfish will remain on board a vessel, *and will not be weighed and recorded as landed*."

Thank you for considering our comments.

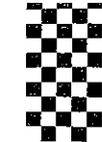
Sincerely,

Dan Hull, Chairman  
CDFU Groundfish Division

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1/2

Public Comment # 13



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

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March 2, 2009

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

**Board of Fisheries Comments: PWS Shrimp Management Proposals #44 and #49**

Chairman Jensen and members of the Board,

On behalf of the CDFU Board of Directors I am writing to express our support for the approval of Proposals #44 and #49, with several recommended changes described below.

It is appropriate for the Board of Fisheries to re-establish a commercial pot shrimp fishery in Prince William Sound for four primary reasons. First, ADF&G survey data since 1998 show a steady increase in the overall abundance of shrimp in PWS, as well as the percentage of shrimp that are of marketable size. Second, the estimated shrimp harvest by other user groups is far below the total available harvest; there is a surplus available for harvest by the commercial sector. Third, the commercial pot shrimp fishery was well established in PWS since 1960 until the stocks began to decline and the fishery was closed in 1992. And fourth, the proposed shrimp management plan, submitted by ADF&G, has been designed to address the shortcomings of the previous management plan so that the resource is sustainably managed for all users.

***The absence of a commercial pot shrimp management plan limits the public's access to the shrimp resources of Prince William Sound.***

I want to emphasize to the Board that the Alaskan public has access to the PWS shrimp resource through a variety of subgroups that includes subsistence, sport, personal use, and commercial pot fishermen. Establishing a shrimp management plan and a commercial GHM provides access to the resource for members of the public who do not own recreational vessels for use in Prince William Sound, or who do not travel the waters of PWS for other commercial activity, such as charter boat fishing, and commercial fishing. It is the responsibility of the Board to balance the needs of all user groups and all members of the public who seek access to shrimp resources for food, livelihood and subsistence.

Serving The Fishermen Of Area E Since 1935

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Public Comment # 14



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

### ***Waters closed to commercial pot shrimp fishing.***

We support the boundaries defining the waters closed to commercial pot shrimp fishing defined on the chart on page 5 or RC118. These boundaries reflect the current and historical areas used most heavily by the recreational and personal use groups. In addition, we would like to point out that while commercial fishing will be confined to one of three commercial areas on annual rotating basis, the personal use, subsistence and recreational shrimpers will have access to all areas of Prince William Sound.

### ***Season Dates***

We recommend starting the season March 15 for both commercial and recreational harvest. There was concern at the December BOF meeting by the recreational sector that if the commercial fishery started March 15 as originally proposed by ADF&G the commercial fleet would have the first opportunity at the resource. March 15 has been identified as the earliest biologically sound date to begin harvest without taking egg bearing females.

There has been general consensus in our discussions that this fishery would be relatively short, even with the conservative pot limits and fishing times. We think it would be in the best interest of all involved to have the commercial season over and out of the way by the time most charter and sport boats launch for the season. This would prevent sport caught shrimp from entering the market and make better accounting for catches of each sector.

### ***Commercial GHL***

We recommend that the commercial GHL be set at 75% of the total allowable harvest, after deducting the estimated level of C&T harvest. We urge the Board to consider the historical catch data for each user group when setting the commercial GHL, rather than base it just on the current level of harvest by the recreational sector as suggested in RC118. We think 40% seems far too low considering commercial harvesters historically caught 90%+ of the total harvest. The commercial fishery has born the complete burden of conservation with no catch since 1991. The road to Whittier has dramatically increased users and improved access for the sport and the "commercial sport" charter boats while the commercial fleet has sat idle waiting for the stock to rebound.

It is also likely, over the next few years the sport/charter harvest is likely to decline as fewer people go out into the Sound due to tough economic times. We as commercial users of Prince William Sound noticed a marked decrease in recreational boat traffic in 2008, especially further distances from Whittier and Valdez. Shrimp abundance is likely to increase

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Public Comment # 14



Cordova District Fishermen United  
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phone: (907) 424 3447 | fax: (907) 424 3430  
web: www.cdfu.org | email: cdfu@ak.net

and there will be a greater percentage left unharvested if the commercial sector isn't allocated a larger share.

If this requires annual or daily harvest limits for the recreational sector at lower levels of total allowable harvest, we recommend the Board take appropriate action based on the data that is available.

**Recreational harvest data.**

We are concerned that SWHS information does not provide accurate or timely recreational harvest data. The SWHS information is always a year behind, and ADF&G must therefore project harvest estimates based on the trend of previous years. In contrast, the reporting requirements for commercial pot shrimp fishermen are very specific and enforceable; the commercial sector will be accountable for annual harvest information as described in the management plan.

We therefore encourage the Board to consider re-establishing a permit and reporting system for the recreational sector in order to get more timely recreational harvest data, and determine the validity of the SWHS data.

**Proposal 49**

We support amending this proposal to establish a two week waiting period for persons or vessels when switching between the commercial and sport fish pot shrimp fisheries. It is prudent to take this action at this early stage of re-establishing the commercial pot shrimp fishery to prevent sport caught shrimp from entering commerce, and to ensure that there is accurate catch accounting in both sectors.

Thank you for taking our comments into consideration.

Sincerely,

Rochelle van den Broek  
Executive Director  
Cordova District Fishermen United

Serving The Fishermen Of Area E Since 1935

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Public Comment # 14

March 2, 2009

To State of Alaska Board of Fisheries

Re: Proposal #44 (RC 118)- Oppose

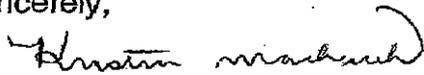
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I have been a resident of Alaska for over 30 years, my husband a resident for over 25 years, and our 3 children were born and raised in Alaska. Our family has been fortunate to be able to enjoy boating, kayaking, fishing and ~~shrimping~~ in Prince William Sound area.

Prince William Sound is an amazing resource for our family and thousands of other families who enjoy the area. Commercial harvesting of shrimp in Prince William Sound would interfere with our ability to enjoy the area and could eliminate one of our main food sources.

If commercial harvesting is allowed in Prince William Sound, it would be preferable to have this take place at a minimum, entirely outside of the northernmost area, Area 1, on the Draft Management Plan. Area 1 is the safest and most economical area for Alaskan families to access. Thousands of Alaskan families should be able to continue enjoying and utilizing the resources of Prince William Sound. This is one of the reasons why our family and many others live here and put up with the long, cold, dark winters.

Sincerely,



Kristin Machacek  
PO Box 71123  
Fairbanks, AK 99707  
(907) 457-1546

Gary Wilken  
2600 Riverview drive  
Fairbanks AK 99701  
Pho. (907) 378-0707

March 2, 2009

ATTN: BOF COMMENTS  
Boards Support Section  
Alaska Department of Fish & Game  
PO Box 115526  
Juneau, AK 99811-5526

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RE: Opposition to Reinstatement of Commercial shrimp fishery in PWS

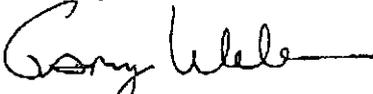
Hello AD & BOF:

I am writing in opposition to Proposals #44 establishing a commercial shrimp pot fishery in Prince William Sound (PWS). I am a layman, but I can tell you that the stock will not support the heavy requirements of a commercial fishery.

My family has owned property in Prince William Sound and have used our cabin at Ellamar every summer. We are an avid fisher family and put our shrimp pots down with varying degree of success. Its obvious, given the history of this fishery over the last two decades, the pressures of a reinstated commercial harvest will severely and negatively impact our family harvest.

Please do not reinstate a commercial shrimp pot fishery in Prince William Sound. Let the stock continue to recover to the benefit of the fishery and the individual and families that enjoy the PWS harvest.

Sincerely,

  
Gary Wilken

garywilken@me.com

fax: 465-6094  
3/2/09

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Public Comment # 16



IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199



FWS/OSM/9031/BOF SWDUNGY

MAR 2 2009

Mr. John Jensen, Chair  
Alaska Board of Fisheries  
Alaska Department of Fish and Game  
P.O. Box 25526  
Juneau, Alaska 99802-5526

Dear Chair Jensen:

The Alaska Board of Fisheries will deliberate 2008/2009 regulatory proposals that address Statewide Dungeness crab, shrimp, and miscellaneous shellfish commercial, sport, personnel use, and subsistence fisheries beginning March 16, 2009. We understand that the Board will be considering approximately 12 proposals at this meeting.

The USFWS, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and do not believe that adoption of any of these proposals will have an impact on Federal subsistence users and fisheries. 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  
Office of Subsistence Management

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

Tina Cunning, ADF&G, Anchorage  
George Pappas, ADF&G, Anchorage  
Jim Marcotte, ADF&G, Juneau  
Interagency Staff Committee



Public Comment #

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