

Public Comments Index

Mark Wagner. PC1
John Rantz PC2
USFWS PC3
Don Bumpus PC4
Gabriel McKilly PC5

Mark J. Wagner
P.O. Box 326
Sand Point, AK 99661

RECEIVED
DEC 16 2010
BOARDS

December 7, 2010

Board Support Section/ADF&G
P.O. Box 115526
Juneau, AK. 99811

Dear Board Members,

My name is Mark Wagner and I'm a resident of Sand Point. I have commercially fished in Area M since 1979. In 1983, I purchased a Area M set net salmon permit and currently set net salmon, jig cod, and longline halibut out of Sand Point. I'm including two tagging studies from 1949 and 1952, a chart showing the distribution of sockeye tagged in the North Pacific and later recovered at Chignik, along with written comments concerning proposals 97 and 98 that will be addressed at the Chignik BOF January 16-19, 2011.

Proposal 97, if adopted, would permanently establish two 48 hour fish openings in the Western District of the Chignik Management Area when fishing occurs during June. The two 48 hour fish openings were initially established at the 2008 Chignik BOF. The original proposal before the 2008 Board requested that the Western and Perryville Districts be opened during June when Chignik Bay and the Eastern District were open. The Board voted it down 4-3 and recessed Friday evening. On Saturday morning, one Board member requested that the proposal be taken back up for deliberations. This time it passed on a 4-3 vote to allow two 48 hour openings only in the Western District with a sunset date of January 1, 2011.

This was a highly contested issue between Chignik and Area M fishermen, and also between Chignik Lagoon and the Chignik Cape fishermen. Area M fishermen stated that it would increase interception of local sockeye returning to Orzinski Lake in the South Eastern District Section (SEDM) of Area M.

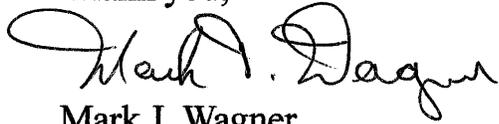
In 1995, I provided Sand Point ADF&G with two salmon tagging studies indicating some of the sockeye salmon caught in the Chignik area are traveling to systems outside of the Chignik Management Area. The 1949 study had 4 tagging locations. Two locations were inside the Chignik Lagoon, one just outside the Lagoon, and the remaining location 5 miles west of the Lagoon. There were 498 red salmon tagged on June 27-28. Commercial fishing occurred one week later with 14 commercial recoveries and 187 salmon observed passing through the Chignik weir. Of the 14 commercial recoveries, 10 were recovered west of Chignik. In the 1952 study, 399 red salmon were tagged June 22 just outside Chignik Lagoon with 248 recaptured in the commercial fishery, which opened the next day. Of the 248 recaptured, 5 were from outside the Chignik District, 2 from the east and 3 from the west. Both the 1949 and 1952 tagging studies show that when fishing occurs near Chignik Lagoon, sockeye traveling west to Bristol Bay and east to Kodiak are being intercepted.

The author of proposal 97 implies that over escapement to the Chignik lakes may occur if no fishing occurs west of Chignik Bay during the month of June. There were high seas tagging studies conducted by the International North Pacific Fisheries Commission (INPFC) from 1956-1967 that indicates that 98% of mature sockeye returning to the Chignik Lake systems return from east of Chignik. If 98% of Chignik sockeye return from the east, opening up the Western District in June will have minimal effect controlling escapement to Chignik. I don't believe there has ever been an over escapement issue, unless the Chignik seine fleet was on strike. I do believe the June Chignik fishery is well managed and doesn't need this additional district opened to control escapement. When fishing occurs in Chignik's Western District during July, some fishermen in Area M's local sockeye fishery have noticed a 20-30 % decline in their catch. Opening up the Western District in June would increase the interception of west bound fish and increase the risk to Area M sockeye systems.

Proposal 98, if adopted, would increase the length of a purse seine from 225 to 275 fathoms. When the Chignik fishermen are fishing the capes, they are intercepting migrating fish traveling east to Kodiak and beyond, and west to Bristol Bay. By lengthening the net 300 feet, increased interception occurs, and likely will result in Area M and Area K also requesting an increase in their net size.

In conclusion, I strongly oppose proposals 97 and 98. Both of these proposals, if adopted, will increase interception of migrating salmon and cause further discord between Area M and Chignik. At present, ADF&G is conducting an extensive research project on the origin of fish from Chignik to the AYK region. This data is being collected and analyzed, with the final report available to the public prior to the 2013 Area M Board of Fish meeting. I believe the best course to follow, is to let the two 48 hour openers in June expire until more is known.

Thank you,

A handwritten signature in black ink that reads "Mark J. Wagner". The signature is written in a cursive style with a large initial "M" and a long, sweeping tail.

Mark J. Wagner

University of Washington
FISHERIES RESEARCH INSTITUTE
W. F. Thompson, Director

RED SALMON TAGGING EXPERIMENTS AT CHIGNIK, ALASKA

by

Fredrik V. Thorsteinson

Circular No. 83
(Peninsula Memo No. 5)

Seattle

January, 1956

Fisheries Research Institute
Approved

WFT
Project Leader

W.F. Thompson

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RED SALMON TAGGING EXPERIMENTS AT CHIGNIK, ALASKA

Two tagging experiments have been performed by the Fisheries Research Institute at Chignik, Alaska. The first was carried out in 1949, the second in 1952. Neither tagging experiment was extensive, comparatively few salmon were tagged and the tagging periods were only of one and two days. These are the only tagging experiments ever done at Chignik.

The two experiments, while performed at approximately the same time of the season, June 27-28, 1949, and June 22, 1952, are not comparable. The chief reason is that in 1949 there was no fishing carried on at Chignik until July 4, one week after the fish were tagged. The character of the runs of the two years differ sharply in time of occurrence and magnitude. The total run of 1952 was about one-fourth as large as that of 1949, and in June of 1952 there were considerably less fish in the area than in June of 1949.

Each tagging experiment has produced different information and the data from each adds to our knowledge of the red salmon runs and fishery at Chignik.

1949 TAGGING EXPERIMENT

On June 27 and 28, 1949, a total of 495 red salmon were tagged from Chignik traps as summarized below:¹

Table I

Chignik Tagging Experiments, 1949

Date of Tagging	Location of Tagging	Number of Reds Tagged
June 27	APA Waterfall Trap	196
June 27	APA Sands Trap	189
June 28	APA Main Island Trap	59
June 28	PAF Humes Point Trap	51

¹The salmon were tagged by Dr. W. F. Thompson and W. H. Noerenberg. The tagging data were compiled by W. H. Noerenberg.

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The Waterfall Trap is located at the western entrance to Anchorage Bay, about five miles from the entrance to Chignik Lagoon. The Sands Trap is situated on the spit just outside of the lagoon. Both Main Island and Humes Point trap sites are within the lagoon.

Three tagged red salmon were recaptured in the Sands and Waterfall traps and were released again on June 28, the day after tagging.

Since there was no commercial fishery at Chignik until one week after the red salmon were tagged, the number of tags recovered in the fishery was very low. Four tagged salmon were taken in the fishery which commenced operations on July 4. This would indicate that the great majority of Chignik reds passed through the lagoon rather quickly and were available to the fishery for a period of less than one week.

Ten additional tags were recovered outside of the district, three in the Shumagin Islands-False Pass area, and seven in Bristol Bay. These recoveries, 2% of the total number tagged, are of great interest because they indicate that:

1. All of the red salmon taken in the Chignik fishery cannot be considered as bound for the Chignik spawning grounds, but the number of "outside" fish is small and could have little effect on the total catch at Chignik or elsewhere.
2. Marginal portions of the red salmon runs migrating along the south side of the Alaska Peninsula can be intercepted as far to the eastward as Chignik.

No commercial recoveries were made of the 110 red salmon which were tagged from the two traps located within the lagoon. This may be of some significance, although there is not enough evidence for proof, since it suggests that once the red salmon had entered the lagoon, they can be

INFORMATION AT WASHINGTON FIELD

considered as bound for the Chignik spawning grounds and that the fishery operating within the lagoon would be taking only Chignik red salmon.

Table II

Recoveries of Red Salmon Tagged at the Alaska Packers' Association Waterfall and Sands Traps on June 27, 1949

Recovery Location	Number of Recoveries	Date of Recovery	Number of Days Out
Chignik	1	July 5	8
	1	July 6	9
	1	July 7	10
	1	July 12	15
Shumagin Islands	1	July 6	9
	1	July 7	10
East Anchor Cove	1	July 13	16
Ugashik	1	Aug. 2	36
Egegik	1	July 15	18
	1	July 16	19
Kvichak	1	July 12	15
	1	July 14	17
	1	July 16	19
	1	before July 21	--

Mr. Charles Petri, then Fisheries Management Agent of the Chignik area, kindly cooperated in this experiment by keeping a daily record of the tagged salmon as they were observed passing through the weir on the Chignik River. The rapidity with which the red salmon pass through the fishery at this time of the season is well illustrated by these observations. Because tagged fish from the experiments of the two days could not be separated at the weir, June 28, the last tagging day, has been chosen as the base day for demonstrating this rate of passage. Since

the tagging locations of the June 28 experiments were within the lagoon and because more than three-fourths (78%) of the red salmon were tagged on June 27, the number of elapsed days between the time of tagging and the time of passage through the weir can be considered as a minimum.

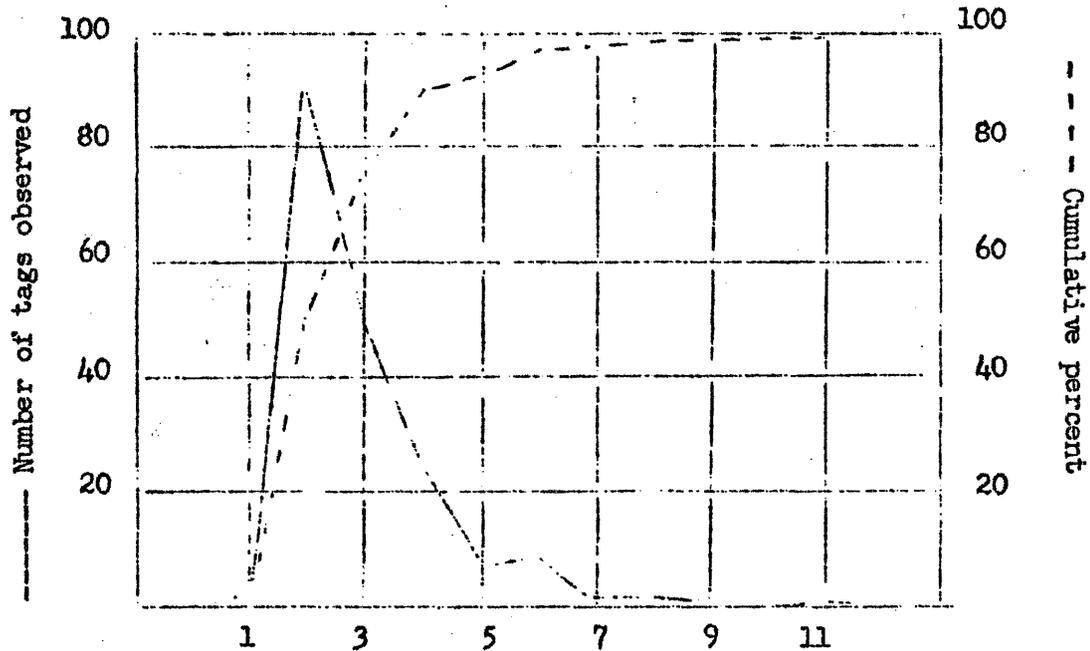
Judging by records of fish passing the weir, if the fishery had been operating from the time of the experiment, the red salmon tagged on June 27 and 28, 1949, would have been subjected to capture over a comparatively short span of time. Fifty per cent of the total number of tagged red salmon counted through the weir passed through by the second day after tagging; 90% by the fourth day.

Table III

Tagged Red Salmon Observed Passing the Chignik Weir, 1949

Date	Number of Tags Observed	Number of Days Out ¹	Cumulative per cent
June 28	0	0	0.0
29	2	1	1.1
30	92	2	50.3
July 1	49	3	76.5
2	24	4	89.3
3	8	5	93.6
4	9	6	98.4
5	1	7	98.9
6	1	8	99.4
7	0	9	99.4
8	0	10	99.4
9	1	11	99.9
Total	187		99.9

¹Base date is June 28



Number of days between tagging and passage through weir.

Figure 1. Rate of passage between tagging sites and weir.

Of the 498 tagged red salmon (495 originally tagged plus the three released tagged reds), 201 can be accounted for: 14 recoveries in the fishery and 187 observed passing through the Chignik weir. Some of the 297 tagged fish not accounted for may have moved out of the district and were not recaptured, as evidenced by the 10 recoveries outside of the Chignik area. There may have been some mortalities due to tagging procedures, or some tags lost by sloughing. But it seems most likely that many of the tagged fish could have been counted through the weir with the tags overlooked and therefore not tallied as tagged reds. The behavior of the fish in going through the weir gates, moving rapidly in spurts of five and six or more fish at a time and sometimes darting to the side off the flashboards, coupled with conditions of reflected sunlight and deep and off-color water, makes it quite understandable that this could have happened.

1952 TAGGING EXPERIMENT

A total of 399 red salmon were tagged on the afternoon of June 22, 1952, from the Alaska Packers' Association Sands trap. This was a Sunday and part of the regular weekly closed period. Fishing operations started at 0600 the next day and continued until 0600 June 26, the fourth day after tagging. There was no fishing after this time, so the tagged reds were subjected to capture by the fishery for a period of 72 hours only.

Two hundred and forty-eight tagged red salmon, 62.14 percent of the total number tagged, were recaptured; 243 locally and 5 from outside of the district. Five tags were returned from the Chignik area with no date as to the date of capture or gear employed.

The tag recoveries from the Chignik fishery by each form of gear were in the approximate ratios of each gear's share in the total catch. The traps took 20.6 percent of the catch and accounted for 28.4 percent of the Chignik tag recoveries; 71.6 percent of the local tag recoveries were from the seines as compared to 78.1 percent as their share of the catch. The gillnet catch is unknown and is included in the seine catch. It is probably insignificant as very few gillnets were fished and in other years, they have taken only a very small percentage of the catch. Only one tagged salmon was taken by gillnet.

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Table IV

Recoveries of Red Salmon Tagged
at APA Sands Trap on June 22, 1952

Recovery Location	Date	Number Recovered by Gear			Percentage Recovered by Gear		
		Trap	Seine	Gillnet	Trap	Seine	Gillnet
Chignik Bay	6/23		1			.2	
	6/24	18	2		4.5	.5	
	6/25	13			3.3		
	6/26	2			.5		
Chignik Lagoon	6/23		71			17.8	
	6/24	5	49		1.2	12.3	
	6/25		50	1		12.6	.2
	6/26	11	15		2.8	3.8	
Aniakchak Bay	7/29		1			.2	
Raspberry St. Kodiak Island	7/2	1			.2		
East Anchor Cove (False Pass)	7/1	1			.2		
	7/2	1			.2		
Egegik, Bristol Bay	7/12			1			.2

Recapitulation

Recovery Location	Number of tags recovered by:				Percentage recovered by:			
	Trap	Seine	Gillnet	Total	Trap	Seine	Gillnet	Total
Chignik Lagoon	16	185	1	202	4.01	46.36	.25	50.62
Chignik Bay	33	3		36	8.27	.75		9.02
Away from Chignik	3	1	1	5	.75	.25	.25	1.25
Total	52	189	2	243	13.03	47.36	.5	60.89
No data Chignik				5				1.25
Grand Total				248				62.14

There was a small percentage of recoveries from outside of the district as was the case in 1949. Two of the five 1952 recoveries from outside of the Chignik area were taken east of the district whereas all of the 1949 outside recoveries were from the westward or Bristol Bay.

The fishing intensity cannot be gauged from the results of a single experiment, and the complete coverage of the fishing gear in this small area gives results far more complete than in larger areas, such as Bristol Bay and Southeastern Alaska. Furthermore, the available stock may be moving with the rapidity characteristic of the lost stages of movement from sea to river. The number of recoveries from the 1952 experiment, 60.9 percent of the total number tagged, indicates the effectiveness of the Chignik fishery at that time and could be used as a basis of comparison in future experiments. The number of recoveries would undoubtedly have been somewhat greater if fishing had been permitted beyond June 26.

No record was kept of the number of tagged red salmon that passed through the Chignik weir during the 1952 season.

TAGGED SALMON RECAPTURED AT CHIGNIK FROM EXPERIMENTS CONDUCTED
IN THE ALASKA PENINSULA AND KODIAK ISLAND AREAS

Red salmon have been tagged in the Alaska Peninsula and Kodiak Island areas during previous studies of these runs (Gilbert, 1922; Gilbert and Rich, 1923; Rich and Morton, 1928; Bevan, 1948 and 1949). The number of tagged salmon recaptured at Chignik from these experiments has been very small and make it apparent that the great majority of red salmon returning to the Chignik spawning grounds from the ocean do not approach the coast line in the areas in which these red salmon fisheries are carried on.

All of the tagged salmon recaptured at Chignik from the Peninsula experiments were tagged either in the Shumagin Islands (1923) or Pavlof Bay (1928). As many more reds were tagged in Ikatan and Morzhovoi Bays, which lie farther to the west, than in the Shumagins, and as no tags from these experiments were reported as recaptured at Chignik, it can be inferred that the western limit at which Chignik red salmon may be intercepted lies between the Shumagin Islands and Pavlof Bay.

A slightly higher, but still negligible, percentage of tags was recaptured from the 1949 Kodiak Island tagging experiments than from the 1948. The 1949 taggings were performed earlier in the season than those in 1948.

The Kodiak Island and Alaska Peninsula tagging experiments as they pertain to Chignik are briefly summarized in Table V.

Table V

Tagged Red Salmon Recaptured at Chignik from Alaska Peninsula and Kodiak Island Tagging Experiments

Year	Tagging Area	Number Tagged	Inclusive Dates of Tagging	Number Recaptured at Chignik
1922	Ikatan Bay	2300	6/13 - 7/10	0
	Morzhovoi Bay	200	6/20	0
	Shumagin Islands	861	6/30 - 7/1	0
1923	Ikatan Bay	2702	6/18 - 7/11	0
	Morzhovoi Bay	2988	6/20 - 7/20	0
	Shumagin Islands	3432	6/2 - 7/6	11
1928	Nicholaski Spit, Pavlof Bay	461	7/11 - 7/17	4
1948	Northwest coast Kodiak Island	3925	6/19 - 8/13	1
1949	Northwest coast Kodiak Island	7091	6/2 - 7/3	19

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SUMMARY

1. The 1949 experiments illustrate the rapidity with which the Chignik reds move through the fishery. Only four tagged salmon, 0.8 percent of the number tagged, were recaptured in the Chignik fishery; fishing operations started on July 4, one week after tagging. Tagged reds were tallied as they passed through the weir, 50 percent of the total observed there passed by the second day; 90 percent by the fourth day.
2. In the 1952 tagging experiment, 60.9 percent of the tagged reds were recaptured in the 72 hours of fishing time permitted after the date of tagging.
3. Both the 1949 and 1952 tagging experiments indicate that small numbers of "outside" fish are taken in the fishery in Chignik Bay. In 1949 of the number tagged, 2 percent were recaptured away from Chignik; 1.25 percent in 1952. All of the 1949 recaptures outside of Chignik Bay had traveled in a westerly direction and were taken either in the Peninsula Area or in Bristol Bay.
4. Tagging experiments performed in the Alaska Peninsula Area (1922, 1923, and 1928) and on Kodiak Island (1948 and 1949) indicate that red salmon returning to Chignik from the ocean do not approach the coast in these areas in a manner consistent from year to year, nor have they done so in any high percentage in the tagging experiments thus far. The western limit at which Chignik red salmon have as yet been intercepted lies in the Pavlof Bay-Shumagin Islands area.

Division of Fishery Management

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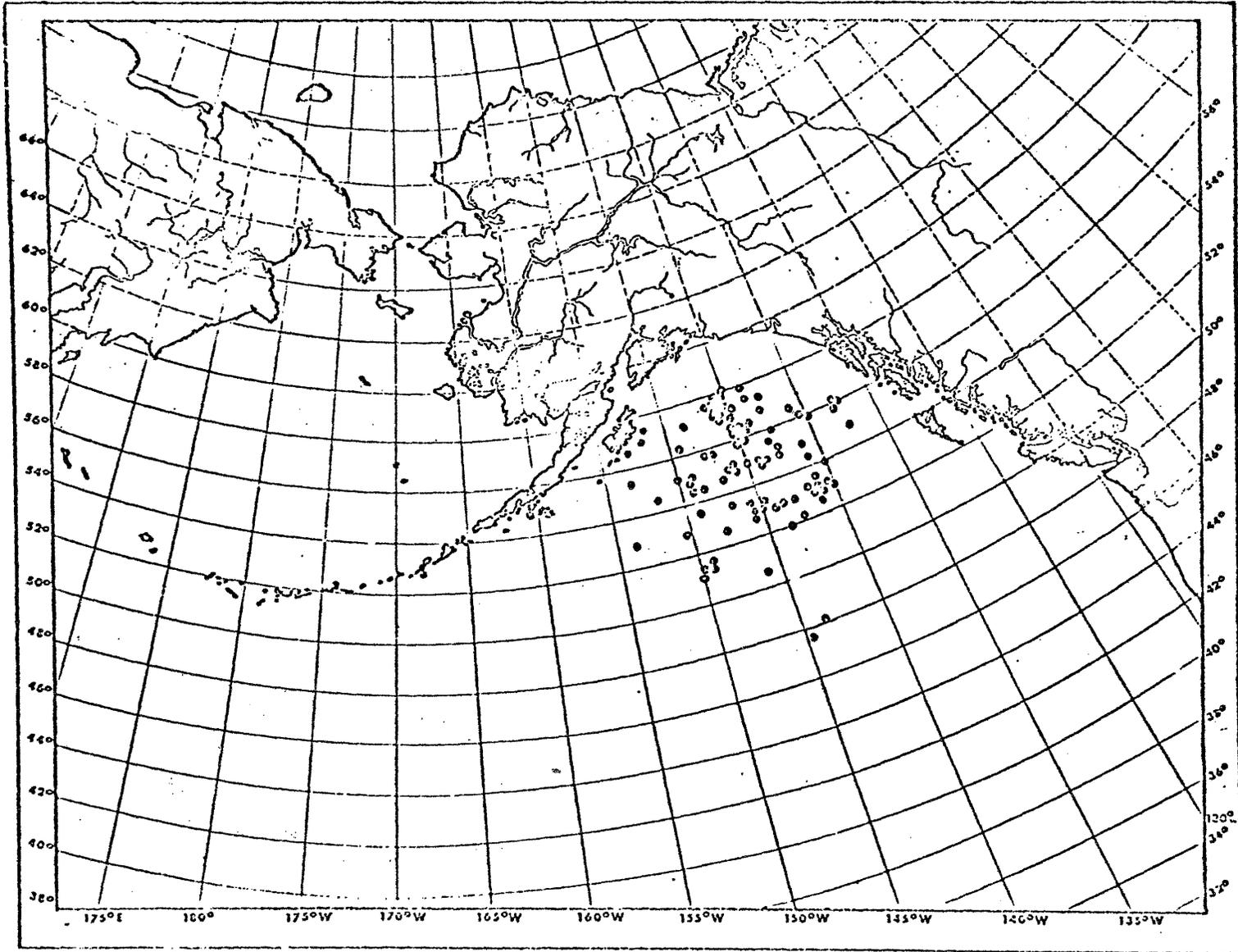


Figure 2. Distribution of sockeye tagged in the North Pacific and later recovered at Chignik, 1956-1967.

November 24, 2010

RECEIVED
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BOARDS

Dear Alaska Board of Fisheries Members:

Subject: BOF Proposals 99, 100, and 101 pertaining to the Chignik King Salmon Sport and Commercial Fisheries

I am John Rantz, owner of the commercial fishing tender *Equator* and owner/operator of *Chignik Bay Adventures*, a fishing lodge. As such, I am actively engaged in both the Chignik commercial salmon fishery and the king salmon sport fishery.

The purpose of this letter is to formally express my adamant opposition to BOF Proposals 99, 100, and 101 which pertain to the Chignik River king salmon run and associated commercial and sport harvests. My opposition is founded on findings that these proposals lack credible scientific and/or social-economic foundation. Also because they are not needed as the Chignik River king salmon stock is healthy, sustainable, and extremely well managed by the Department. Further, these proposals appear to be aimed at stopping or severely curtailing any successful sport fishing lodges or guiding services in the Chignik system. With due respect, they are also divisive, self serving, and importantly, they set the stage for entirely unnecessary conflict between Chignik's commercial and sport fisheries.

There is ample evidence that the Alaska Department of Fish and Game already has all the regulatory authority, tools and expertise necessary to ensure timely, effective, and comprehensive management of Chignik River king salmon. As an illustration, when Chignik River king escapements have been low ADF&G has imposed bait-less fishing regulations and lowered retention limits to boost escapement. When the escapements have exceeded the goal, which has occurred in seven of the last ten years, they have allowed for sport fishers to retain more fish per day. Over the years, my experience with ADF&G managers of our local sport and commercial salmon fisheries has been highly positive and professional. I am confident that the current and future ADF&G managers will continue to be actively engaged in ensuring the health and wellbeing of the Chignik king salmon run.

The following comments by proposal are offered:

- **Proposal 99**

This proposal to limit the sport catch by imposing a one king per day bag limit and a two fish per season possession limit and to require the seine fleet to release all king salmon until there is a 1,500 fish Chignik River escapement is draconian. Members of the Board of Fisheries, our Chignik king run is quite healthy and not overexploited. Every year (2001-10) the escapement goal of 1,300-2,700 fish has been met or exceeded, and the average ten year average escapement is 3,994 fish, a level 48% over the upper end of the biological goal. Should Proposal 99 be adopted, it would limit in-season management options and promote a higher likelihood of over-escapements and lost harvest opportunities for Chignik's commercial fishery. Further it would unnecessarily penalize the local sport fishery.

- **Proposal 100**

This proposal calls for a one fish bag limit and two fish annual limit for Chignik king salmon. There is no credible evidence that sport fishing has had any substantial impact on the Chignik king run. As cited earlier, escapements have been met and more often exceeded. For the last ten years, the king escapement has surpassed the upper end of the biological goal by an average of nearly 50%.

Another important consideration which the proposal appears to ignore is that should a weak Chignik king run occur, ADF&G has existing authority to lower bag limits and impose other restriction to boost in-season escapement numbers. And because the king escapement is monitored daily through the Chignik weir conservation, concerns can be addressed almost immediately.

The Board should also be aware that if Proposal 100 were adopted it would effectively depress sport fishery operations including many support services (lodges, charter boat, and the few area retail stores). This is because Chignik is a remote and expensive destination for anglers and limiting their potential catch prior to assessing run strength would make it more difficult to justify the travel expense and effort.

The Chignik sport fishing effort has not increased which is contrary to a justification cited in Proposal 100. By my calculations the sport effort has declined by at least 20%. Four years ago there were six guiding operations: Lindholm Lodge, Chignik Anglers, Chignik Bay Adventures, Butch King (limited fly in trips), Tom Coors, and John Jones. Now there are even fewer. Chignik Anglers and Lindholm Lodge have ceased business; Butch King returns very seldom, and Tom Coors works with a new operation in Chignik Lagoon that has to date had very limited guests. John Jones runs a limited two week operation and spends only a few days a year king fishing.

- **Proposal 101**

The proposal to limit fishing effectiveness and tackle to pursue kings is both unnecessary and unjustified. Based on my discussions with ADF&G staff, there is no evidence of dead king salmon washing up on the weir as a result of sport fishing. And already in place are regulations requiring fish, that are to be released, to be kept in the water; it has been my observation that the rules are strictly followed in Chignik.

Certainly the use of bait is efficient at times and when used properly does not lead to fish mortality but does make fishing more successful. The successful returns of king salmon to the Chignik River are testimony to the reality that the rules in place are working well. Imposing regulations to make fishermen less effective is not needed at this time, and can be imposed by Fish and Game in season for conservation concerns if they deem necessary.

Another consideration is that penalizing sport fishers when escapement problems are not an issue is simply not right. The difficulty of entering and leaving the river on tide high enough to pass through the shallows makes it possible to only fish a few hours on certain days with certain tides. It is important to be as effective as possible on those

days, and the proposed gear restrictions would reduce the quality of the fishing experience for those expecting a reasonable opportunity to harvest a fish.

To summarize, it is my professional opinion that ADF&G has the tools and authority needed to make in-season king salmon conservation and harvest adjustments based on run performance data including escapement counts. And further, ADF&G has demonstrated their ability and judgment to attentively manage the stock. Therefore, I strongly believe there is no need or justification for passing BOF Proposals 99, 100, or 101.

Thank you for your time and consideration of my views.

Sincerely,

John Rantz



United States Department of the Interior



FISH AND WILDLIFE SERVICE

1011 E. Tudor Road

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

FWS/OSM 10084/BOF CMA

DEC 20 2010

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

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BOARDS

Dear Chair Webster:

Beginning January 16, 2011, the Alaska Board of Fisheries will deliberate 2010/2011 regulatory proposals that address Chignik Management Area commercial, sport, and subsistence finfish fisheries. We understand that the Board will be considering approximately 19 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 the enclosed preliminary comments on proposals which may have an effect on Federal subsistence users and fisheries in this area. We may wish to comment on other proposals if issues arise during the meeting which may have an effect 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: Cora Campbell, ADF&G | Steve Honnold, ADF&G, Kodiak |
| Tim Towarak, Chair FSB | James Hasbrouck ADF&G, Anchorage |
| Sue Aspelund, ADF&G, Juneau | George Pappas, ADF&G, Anchorage |
| Dr. James Simon, ADF&G, Fairbanks | Lisa Olson, ADF&G, Anchorage |
| Charles Swanton, ADF&G, Juneau | Jim Marcotte, ADF&G, Juneau |
| Jennifer Yuhas, ADF&G, Juneau | Interagency Staff Committee |



**FEDERAL STAFF COMMENTS ON
ALASKA BOARD OF FISHERIES PROPOSALS
for the
CHIGNIK MANAGEMENT AREA**

**State of Alaska
Board of Fisheries Meeting
January 16-19, 2011
Anchorage, Alaska**

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Federal Comments

The following comments address these proposals only as they affect Federally qualified subsistence users and resource conservation.

Proposals 95 and 96 requests that additional areas be open to subsistence fishing and that methods and means used for the take of subsistence salmon be revised in the Chignik Management Area.

Existing State Regulation:

5 AAC 01.010. Methods, means, and general provisions

(e) Fishing for, taking or molesting any fish by any means, or for any purpose, is prohibited within 300 feet of any dam, fish ladder, weir, culvert or other artificial obstruction.

5 AAC 01.470. Lawful gear and gear specifications: Chignik Area

(a) Salmon may be taken by seines and gillnets, or with gear specified on a subsistence fishing permit, except that in Chignik Lake salmon may not be taken with purse seines. A gillnet may not be set, staked, anchored, or otherwise fixed in a stream while it obstructs more than one-half of the width of the waterway and any channel or side channel of the waterway.

5 AAC 01.475. Waters closed to subsistence fishing: Chignik Area

Salmon may not be taken

(2) In Black Lake, or any tributary to Black Lake or Chignik Lake, except the waters of Clark River and Home Creek, from each of their confluences with Chignik Lake to a point one mile upstream.

Other Relevant State Regulations:

5 AAC 65.010. Fishing seasons for Alaska Peninsula and Aleutian Islands Area

(a) Except as otherwise provided in this section and 5 AAC 65.051, sport fishing is permitted year round in the Alaska Peninsula and Aleutian Islands Area.

(b) King salmon may be taken in fresh waters only from January 1 through July 25, except that king salmon may be taken in the Chignik River from January 1 through August 9.

Existing Federal Regulation:

§ ____ .27 Subsistence taking of fish.

(c) *Methods, means, and general restrictions:*

(4) *Except as otherwise provided for in this section, you may not obstruct more than one-half the width of any stream with any gear used to take fish for subsistence uses.*

(10) *You may not take fish for subsistence uses within 300 feet of any dam, fish ladder, weir, culvert or other artificial obstruction, unless otherwise indicated*

§ ____ .27(i)(8) Subsistence taking of fish: Chignik Area

(i) *You may take fish other than salmon, rainbow/steelhead trout, or char at any time, except as may be specified by a subsistence fishing permit. For salmon, Federal subsistence fishing openings, closings and fishing methods are the same as those issued for the subsistence taking of fish under Alaska Statutes (AS 16.05.060), unless superseded by a Federal Special Action.*

(ii) *You may not take salmon in the Chignik River, from a point 300 feet upstream of the ADF&G weir to Chignik Lake from July 1 through August 31. You may not take salmon in Black Lake or any tributary to Black or Chignik Lakes, except those waters of Clark River and Home Creek from their confluence with Chignik Lake upstream 1 mile.*

(A) *In the open waters of Clark River and Home Creek you may take salmon by gillnet under the authority of a State permit.*

(B) *In the open waters of Clark River and Home Creek you may take salmon by snagging (handline or rod and reel), spear, bow and arrow, or capture by hand without a permit. The daily harvest and possession limits using these methods are 5 per day and 5 in possession.*

(iii) *You may take salmon, trout, and char only under the authority of a subsistence fishing permit.*

(iv) *You must keep a record on your permit of subsistence-caught fish. You must complete the record immediately upon taking subsistence-caught fish and must return it no later than October 31.*

(v) *If you hold a commercial fishing license, you may only subsistence fish for salmon as specified on a State subsistence salmon fishing permit.*

(vi) *You may take salmon by seines, gillnets, rod and reel, or with gear specified on a subsistence fishing permit, except that in Chignik Lake, you may not use purse seines. You may also take salmon without a permit by snagging (by handline or rod and*

reel), using a spear, bow and arrow, or capturing by bare hand.

(vii) You may take fish other than salmon by gear listed in this part unless restricted under the terms of a subsistence fishing permit.

(viii) You may take no more than 250 salmon for subsistence purposes unless otherwise specified on the subsistence fishing permit.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? Yes. Fisheries Proposal (FP)11-10, submitted by the Chignik Lake Traditional Council, requests the same changes to Federal subsistence fishing regulations for the Chignik Management Area as State Proposals 95 and 96. In addition, FP11-10 requests elimination of the July 1 through August 31 salmon fishing closure in the Chignik River from a point 300 feet upstream from the Chignik weir to Chignik Lake.

The Federal Subsistence Management Program is concerned that opening the tributaries of Black and Chignik lakes to subsistence salmon fishing with non-selective fishing gear types such as gillnets could potentially result in unsustainable harvests of other, non-target, species (for example, Dolly Varden/char). These other species may be more susceptible to overfishing than the more abundant salmon species, but fishing effort is expected to be low. If either of these proposals is adopted, harvest of non-target species would need to be monitored to ensure they remain within sustainable limits.

The Bristol Bay Federal Subsistence Regional Advisory Council (Council) met September 23, 2010, and recommended to support FP11-10 with modifications including retaining the July 1 through August 31 closure of the Chignik River. During that meeting, the Council did not express any concerns about overharvest of non-salmon species if the area is open to subsistence salmon fishing because effort is expected to be low. The Council recommended opening these areas to subsistence use, and pointed out that these areas are already open to sport fishing. Finally, the Council was concerned about the potential need of multiple or dual Federal/State permits and preferred seeing the same changes in both Federal and State regulations, if possible, to avoid the need for separate/dual permits.

The Office of Subsistence Management (OSM) staff recommendation to the Federal Subsistence Board is to support FP11-10 with modifications including but not limited to: 1) opening the areas of Black Lake and its tributaries to subsistence fishing, but excluding the use of gillnets and seine gear; 2) removing the requested restriction for using "hook and line" gear in the Chignik River; 3) retaining the existing July 1 through August 31 fishing closure in the Chignik River above the ADF&G weir; and 4) retaining the prohibition of purse seine (both power and hand) in Chignik Lake.

The Federal Subsistence Board will consider FP11-10 during its January 19-21, 2011, meeting in Anchorage.

Impact to Federal subsistence users/fisheries: Yes. If adopted, State regulations would provide more area and opportunity for subsistence fishing than currently allowed under Federal subsistence fishing regulations. If Federal and State regulations diverge on this issue, it could lead to confusion among stakeholders, create additional challenges for enforcement, and require multiple or dual permits.

Federal Position/Recommended Action: Support with modifications. The Federal Subsistence Management Program supports protecting the resource and providing additional opportunities to subsistence users when possible, while still providing accurate harvest information and not hindering enforcement efforts.

However, OSM staff believes the existing closure of the Chignik River above the weir from July 1 through August 31 should be retained because it addresses conservation concerns, shared by the Alaska Department of Fish and Game, for spawning Chinook salmon. We also recommend prohibiting use of purse seines (both power and hand) in Chignik Lake to avoid potential overharvest by this gear type.

The OSM staff also opposes the use of gillnets in Black and Chignik lakes tributaries because it could create a conservation concern for non-target species that could inadvertently be overharvested.

Board of fishies

My name is Don Bumpus and have been resident of Chignik Lagoon for the last 40 years. I apologize for not being at the meeting but the upcoming state tanner crab fishery, that opens January 15, 2010, will prevent me from attending in person.

My main concern is the local economy and keeping our young people in the villages of the Chignik area. In the beginning, the state cod fishery was created to help the villages on the Pacific side of the Alaska Peninsula who were left out of the CDQ Program. Now that the price of white fish and quotas are increasing, the cod fishery is turning into a derby fishery. In the past, the Chignik cod fishery is the last state cod fishery open. Boats from the Bering Sea that are on their way back south or with nowhere else to go will hit the Chignik fishery shortening the season by a week or more

The influx of the super 8 boats will have an enormous effect on the state cod fishery. These larger boats can pack 2 to 4 times more than the smaller local boats that participate in the fishery. Leaving these boats and crew at a disadvantage. Having a registration date of Jan. 15 could help make the fishery last longer and would not eliminate anyone who choose to register for Chignik in Jan. or support proposal 91, which would require past participation.

The jig quota has not been caught or fished, in the last few years and should be utilized. But to give all of the quota to the pot boats would not be a wise thing to do because once we get rid of a fishery it's too hard to reinstate that fishery. With the early spring opening the fish are too deep and the weather is too bad to jig and we don't have a local processor to deliver to. And besides if the quota is not caught, it will roll over in August. So keep at least .05 percent of the quota for the jig fishery.

Weather delay criteria needs to be adopted because of the unfair advantage of larger vessels and danger to smaller vessels and crews on tanner crab openings with bad weather.

The fisherman that fish the state cod fishery are at disadvantage when it comes to pot storage regulation requirement. Fisherman who fish the federal fishery can store gear outside 3 miles, at depth, prior to a state water P-cod opener while state P-cod are restricted to 25 fathom. The smaller fleet would like the same advantage that the fleet has, that fish the federal fishery, without being cited by enforcement.

I am strongly opposed to proposal 98. Right now seines in the Chignik Bay district, which includes Chignik Lagoon, can use seines up to 125 fathoms in length but seines anywhere else in the Chignik area can use seines up to 225 fathoms in length. Kodiak Seines used in the Cape Igvak interception fishery and Area M Seines are longer still. If the proposer is concerned that Kodiak and Area M seines are longer then he should be asking you, the Board of Fisheries, for those seines to be the same length as our outside seines (225 fathoms) instead of increasing our own seines which will only intercept more salmon before they get to the Chignik Bay district. If more salmon are allowed to be intercepted before they get to the Chignik Bay district that would disadvantage many local resident fishermen who fish there where smaller boats and gear can be fished effectively, efficiently, and safely. Longer outside seines will also entice more people with larger boats to buy Chignik permits and put even more pressure on our small local resident fishing fleet. Please vote against proposal 98 - it is unnecessary and will hurt the local economy of the Chignik area.

Thank you to all members of the board listening to me. Sincerely Donald L Bumpus

December 28, 2010

Alaska Board of Fisheries

Dear Sir or Madam:

I have the following comments on the various proposals before your Board for the Scheduled January 16-19, 2011 meeting to consider the following Chignik Finfish issues:

Proposal #85 I do not support this proposal as it will take a public resource and put it into the hands of a few Pot boats that currently fish this fishery. It also lessens the opportunity for smaller boats to participate in this fishery if they so desire. This thought was supposed to be a small boat fishery? If at some point in the future there is a local fish plant or market there may be more interest in the jig fishery.

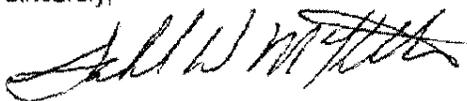
Proposal # 86 I can not support this as written. There are many issues which could make it hard for a Jig vessel to make a delivery in this fishery by the deadline of April 1st. Breakdowns, crew issues, weather, etc. If you need anything in Chignik it takes time to get including Mechanics, parts, crew, etc. If a person puts out the \$ 15,000 for the jiggers and the \$ 5000 or so for insurance and money for the groceries, fuel, airfare for crew, etc you can not take the quota away because they did not make a delivery in time. In my opinion this will discourage any entry into this fishery by smaller vessels that cannot fish pot gear for whatever reason.

I could support a version that rolls over ½ of the 10% to the pot boats is there are no registered jiggers by April 1st. Remove the delivery date requirement.

Proposal # 87 I do not support this proposal in any way.

Proposal # 91 I do not support this proposal. This will be a form of limited entry. Currently this is a public resource.

Sincerely,



Gabriel W. McKilly