

Public Comments

Erick Sabo PC1

CDFU PC2

U.S. Fish and Wildlife Service PC3

Kevin L. Kaldestad PC4

Provider, Inc. PC 5

Bristol Bay Economic Development Corporation PC6

Jeff Kauffman PC7

Jim Stone PC8

Rick Mezich PC9

Alan Bing Heklel PC10

Alaska Crab Coalition PC11

Norton Sound Economic Development PC12

Pribilof King Crab Harvesters PC13

The Bering Sea Crab Cooperative PC14

Central Bering Sea Fishermen's Association PC15

January 8, 2007

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Auke Bay, AK 99821

Dear Board Member,

Thank you for reconsidering the Ugashik boundary issue out of cycle, based on Mr. Warren Johnson's proposal (Proposal 404), at your upcoming March 3-9, 2008, meeting in Anchorage.

Because Proposal 404 does not adequately address the issues presented. I would like to take this opportunity to comment and urge the Board to either (1) completely repeal it decision last year to change the boundary, and thus return to the boundary points that were in place for several years prior to the 2007 fishing season, or (2) clarify and follow the decision it made in December 2006, by adopting one of three solutions discussed below.

The following discussion should help in your consideration of proposal 404.

BACKGROUND

At the December 2006 Bristol Bay Finfish Meeting the Board considered and approved Proposal 112, submitted by Mr. Roland Briggs. Proposal 112, asked the BOF to allow 5 AAC 06.200 to be changed or amended to "change [the] Ugashik boundaries to start at Cape Grieg to a buoy one mile offshore and then continue out to Cape Menshikof."

The proposal was very vague and incomplete. It did not explain the motivation for the change other than state "continued hardship on fisherman" and that a change would benefit "all drift fishermen." In response to Proposal 112, the ADF&G ("the Department") issued its comments and interpretation of the proposed change, to which it held a neutral stance. The Department's comments helped observers like myself gauge the merits of the proposal and added considerable understanding to the cursory request made by Mr. Briggs.

The Department stated the change would be "easier for fishers to plot." The Department stated, "If the proposal is adopted, the outer boundaries of the northern end of the district would be defined by a **line perpendicular to the beach. The size of the district would be essentially the same.**" (Emphasis added). In addition, the comment included a detailed map depicting the Ugashik district boundaries if the northern boundary marks were changed in this manner. Significantly, the illustration indicates both the offshore buoy mark and the Cape Grieg mark would change to "flatten out" the boundary line. The map indicated that moving the offshore buoy mark out a mile offshore would also move the outer or western boundary line further offshore, as indicated by the dashed line. See Exhibit A, attached.

Proposal 112 went to Committee D at the meeting for consideration, which was headed by Board Members Campbell, Williams, and Heyano. Surprisingly, the poorly written proposal, with only a neutral stance from the Department, made it out of the committee, and Proposal 112 carried and was adopted by the Board **without amendment.**

Unfortunately, the Department did not follow through with its description and understanding of the proposal given to the public in its comments when it came to implementing the authorized change to the Ugashik district's north line boundary.

In the months following the Board's decision to accept the changes proposed by Mr. Briggs, the Department did not implement the decision of the Board. Instead, the Department arbitrarily decided to move the north line boundary without giving full consideration to the language and meaning of Mr. Briggs' proposal or its own published comments and interpretation of Mr. Briggs' proposal.

Rather than moving the North Buoy mark offshore one mile and keep the district essentially the same in size, the Department moved only the north buoy marker to a point significantly inside (east) of the district's Western boundary line. This arbitrary decision brought the entire western boundary line closer to shore and chopped off a significant portion of the northwest corner of the Ugashik fishing district. By my calculations, the Department moved the north buoy marker to a point only .73 nm from the shoreline and rather than making a boundary line that was perpendicular to the shoreline, the new Buoy marker created a north boundary line that is parallel to the latitude lines at 157° 43.54'. The new Buoy marker reduced the Ugashik district by more than 1 square nautical mile of fishing space, in highly productive areas of the district. See Exhibits B & C, detailing and highlighting the changes made by the 2007 implementation of Proposal 112.

Please also note that Proposal 112 did not have anything to do with a change to the Special Harvest area, but necessarily a change was implemented by the Department commensurate with their change to the new "flat" north boundary line on the 57° 43.54' N. lat. line. Oddly, the Department changed the SHA in a manner that significantly widened the SHA from its previous size, and now the board is being asked to reduce the SHA back to its previous outside boundary line. On one last note concerning the SHA, I note that Proposal 404, as printed by the BOF, references a change to 5 AAC 06.357, sections (c) and (d). I believe the correct reference would be to section (f)(2) for the changes being proposed (moving the northwest corner of the SHA to 57° 43.540' N. lat., 157° 43.249' W. long). The focus of this letter is not on the proposed change or the changes made in 2007 to the SHA.

The focus of this letter and my comments are on the Board's process and its reconsideration of Proposal 112, consideration of Proposal 404 and the effect on the Ugashik District as defined in 5 AAC 06.200.

DISCUSSION

The 2006 Ugashik District, defined by 5 AAC 06.200 (2006), provided:

(d) Ugashik District: all waters bounded by a line from **Cape Grieg at 57° 43.54' N. lat., 157° 41.82' W. long.**, to a point approximately one mile offshore at **57° 44.05' N. lat., 157° 43.40' W. long.**, and then south and east of a line between **57° 44.05' N. lat., 157° 43.40' W. long.** to Cape Menshikof at 57° 28.34' N. lat., 157° 55.84' W. long.

The 2007 Ugashik District, and current regulation 5AAC 06.200, states:

(d) Ugashik District: all waters south of a line from Cape Greig at 57° 43.54' N. lat., 157° 41.82' W. long., to a point approximately one mile offshore at **57° 43.54' N. lat., 157° 43.70' W. long.**, then east of a line from 57° 43.54' N. lat., 157° 43.55' W. long. to Cape Menshikof at 57° 28.34' N. lat., 157° 55.84' W. long.

As noted above, and depicted in Exhibits B & C, the 2007 change to a boundary line on 57° 43.54 N. lat., significantly reduced the fishing area. Proposal 404 does no better. Proposal 404 asks the Board to adopt a similar north buoy mark located at **57° 43.540' N. lat., 157° 43.805' W. long.**, **which merely moves the 2007 mark out to the old western boundary line, but does not address the loss of fishing area.** Proposal 404, just like the Department's implementation of Proposal 112, significantly reduces the highly productive fishing area in the northwest corner of the fishing district. See Exhibit D, detailing the proposed change and the fishing area lost.

If the intent of the Board was to make a change that followed the language of Proposal 112 and the published comments by the Department, the boundary line changes would have moved the boundary (1) that did not reduce the fishing area, in an already small fishing district, (2) utilized a

point located one nautical mile from the shoreline, and (3) that point would have been perpendicular to the shoreline. Following the process and progress of the Proposal 112 during the Fall of 2006, I expected these three prevailing stated guidelines to be followed. At the time, I decided Proposal 112 was not a proposal of significant consequence to warrant any written comment or attendance at the meeting.

Now, in considering Proposal 404, (affecting Bristol Bay fishermen out of cycle), the Board should either follow those original stated guidelines or simply repeal the change and return the boundary lines to the 2006 marks. To do otherwise, the Board is not allowing the public and the fishermen in Bristol Bay a fair process to review the proposals and make comments prior to or at the meetings. Fishermen, especially, need to know and understanding what proposals are being considered during the cycle meetings. In no way did any fishermen know that the Board or the Department was going to consider or allow a change to the Ugashik north boundary line as was implemented in 2007 following the Board's decision to adopt Proposal 112 without amendment.

If a proposal, such as Proposal 112, is entertained and comments are made by the Department, such as the comments published in response to Proposal 112, adoption and implementation of such a proposal should be substantially consistent with those statements and published documents. To take a proposal into committee and/or through the implementation process and make significant changes -- changes that are completely inconsistent with the language of the proposal or the comments by the Department -- cheats the public, and in this case Bristol Bay fishermen, of any due process or meaningful opportunity to challenge or support the actions of the Board or the Department.

Again, with the opportunity given to correct the errors made last year in implementing proposal 112, the Board should either repeal its decision to accept Proposal 112, changing the north line boundary, or adopt a specific change that follows the Departments published understanding of the proposal. If the Board finds it inappropriate to repeal its decision, and directs the Department to change the Ugashik fishing district, I urge the Board to direct the Department to make specific changes that follow the language of Proposal 112 (as written and adopted without amendment) and the published statements of the Department. In this context, the following three options are suggested.

Option One: The Board should move the north buoy mark one mile from the shoreline and perpendicular to the shore in a manner that does not reduce the fishing area.

Making the boundary line perpendicular to the shoreline is important to make it easier of fishermen who fish the north line. It is easier for a fishermen to try to keep a net perpendicular to a beach, based on visual cues on the shoreline, than it is to try and maintain an arbitrary angle off of the beach. Setting a net at 90 degrees to the shoreline is easily understood and more easily accomplished than attempting to set or fish a net with your head down on a GPS plotter and hoping your net is at the precise angle of the line. The Department's originally stated intention of creating a perpendicular boundary supports Mr. Briggs goal to reduce the "continued hardship on

fisherman” and would benefit “all drift fishermen.”

Moving the north Buoy mark out one mile at a point perpendicular from the shoreline would also make the mark more easily understood and distinguished. Rather than basing a point off of the Cape Greig marker, which sits several hundreds of yards upland and on a steep embankment, offshore boundary/buoy marks should, when reasonably possible, be set relative to the State’s territorial sea line, which is three miles from the shoreline depicted on nautical charts. Thus, when you move a mark to one mile off the shoreline, it essentially is one third the distance to the state territorial line. This makes logical and practical sense. Also, one mile from this shoreline mark, rather than from Cape Greig, is insignificant when you compare the Egegik South line Buoy mark, which sits almost exactly on the state territorial line, 3 nautical miles from the shoreline.

This option will make it easier and safer to fish the northwest corner of the district. It removes the sharp corner triangle of the fishing area, thus it does flatten out the boundary line, and it does not reduce the fishing area because this change would also move the outside western boundary, compensating for the loss of the northwest corner. This option closely follows the original intent of Proposal 112 and the Department’s published comments, including the Department’s detailed map. Please review Exhibit A and Exhibit E, a map showing the changes proposed in Option One.

Option Two: This option allows the Board to follow the Department’s 2007 design and keep a boundary line that is parallel to the Northern latitude navigational lines, but utilizes a buoy mark that is one mile from the shoreline in a manner that does not reduce the size of the fishing district. During the implementation process the Department insisted on using a boundary line that was parallel to the Cape Greig northern latitude, presumably believing this would be the easiest for fishermen to understand and navigate. I respectfully disagree that making a “flat” boundary line makes it any easier to navigate in this day and age of sophisticated GPS plotters on most fishing boats. As noted above in reference to keeping a perpendicular line, what makes fishing easier is having an easily reference visual cue in addition to a plotter to help ensure that fishing occurs within the district boundaries. Nonetheless, Option Two allows the Board to establish a north buoy mark at a specific latitude north of Cape Greig to a point one mile off the shoreline (approx 1/3 the distance to the territorial sea demarcation line). If the Board does not move the point north of Cape Greig, as suggested by proposal 404, the Board should at least least agree to move the Buoy mark out to the one mile from shoreline (another 785 feet west of the mark being proposed by Mr. Johnson). Compensating for the loss of fishing area caused by keeping a “flat” boundary line, Option Two necessarily moves the western boundary further from shore than contemplated by Proposal 404 and further from shore than implemented by the Department in 2007. Attached are two examples of how Option Two could be utilized. See Exhibits F & G.

Option Three: Option three offers another equitable solution, but without moving the western boundary line and keeping the “flat” line insisted on by the Department. Like Option Two, this final solution asks the Board to consider moving the northern boundary line to at least 57° 43.850'

N. lat., which will roughly add as much fishing area to the district as it takes away. Option Three eliminates the NW corner of the district (and the sharp angle used in the past in that corner), but, to compensate for the loss of fishing space, it adds the same basic triangle of area to the shore side of the northern boundary. This will flatten out the boundary line, but without moving the western boundary from its previous 2006 location. See Exhibit H.

CONCLUSION

Proposal 404 attempts to offer a solution to a problem created in the implementation of proposal 112, which was adopted without amendment during the Bristol Bay cycle meeting. But, proposal 404 does not fully address the issues created when the Department failed to implement Proposal 112 in a manner that gave full meaning to the language of Proposal 112 and the Department's published comments.

Given this opportunity to correct the errors made, the undersigned urges the Board to simply repeal its decision to accept proposal 112, and thus, return to the boundary lines that existed in the 2006 fishing season, or alternatively, adopt one of three solutions discussed. Any of the solutions suggested cures the failure of Proposal 404 to create a district that has not been significantly reduced in size.

The three options are provided to assist the Board in developing a meaningful solution. Each of the options tries to give meaning to the original proposal (proposal 112) and the Department's published comments to that proposal. Option One is the purest in form and would give the most meaning to the process of soliciting proposals and taking public comment from the Department. Options two and three are compromises, because each departs from the original intent or language of proposal 112 and the Department's published comments thereto, but do not reduce the size of the fishing district.

Thank you for considering these comments. The process is important, as well as the outcome of either Proposal 112 or 404. I look forward to your decision and consideration of this matter at your upcoming meeting in March.

Sincerely,

Erick Sabo
3123 N. Shirley
Tacoma, WA 98407
(206) 390-0601

PROPOSAL 112 - 5 AAC 06.200. Fishing districts, subdistricts and sections.

PROPOSED BY: Roland Briggs

WHAT WOULD THE PROPOSAL DO? This proposal would redefine the northern boundary of the Ugashik District.

WHAT ARE THE CURRENT REGULATIONS? The current regulations define the district beginning at Cape Greig, along a line to a point to the northwest of Cape Greig defined by Lat/ long coordinates, then to a point south on Cape Menshikof also defined by lat/long coordinates. (Figure 2).

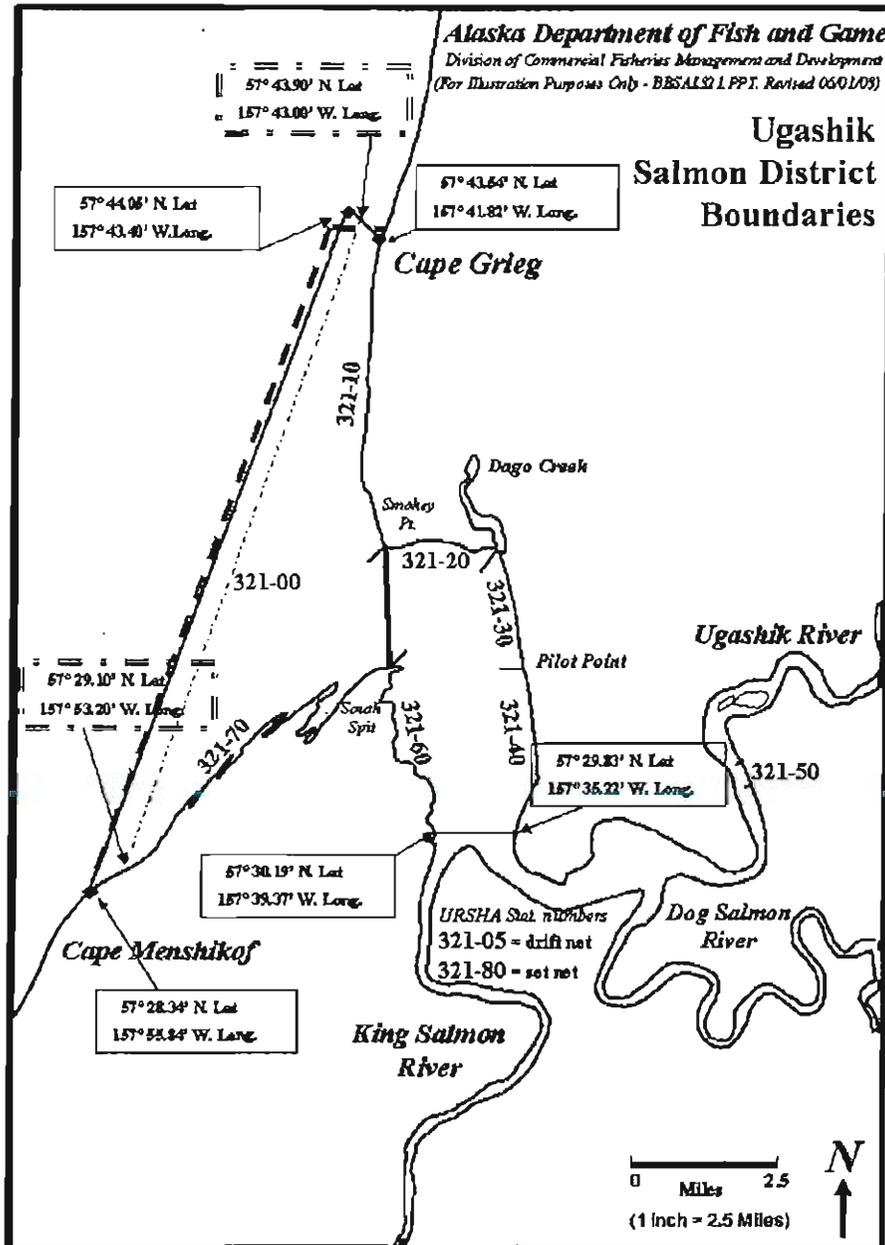
WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal is adopted, the outer boundaries on the northern end of the district would be defined by a line perpendicular to the beach. The size of the district would be essentially the same.

BACKGROUND: The current northern boundary is at an angle to the beach. The proposed boundaries would be presumably easier for fishers to plot.

There are set gillnet permit holders who fish this boundary area and they may be affected by the proposed change.

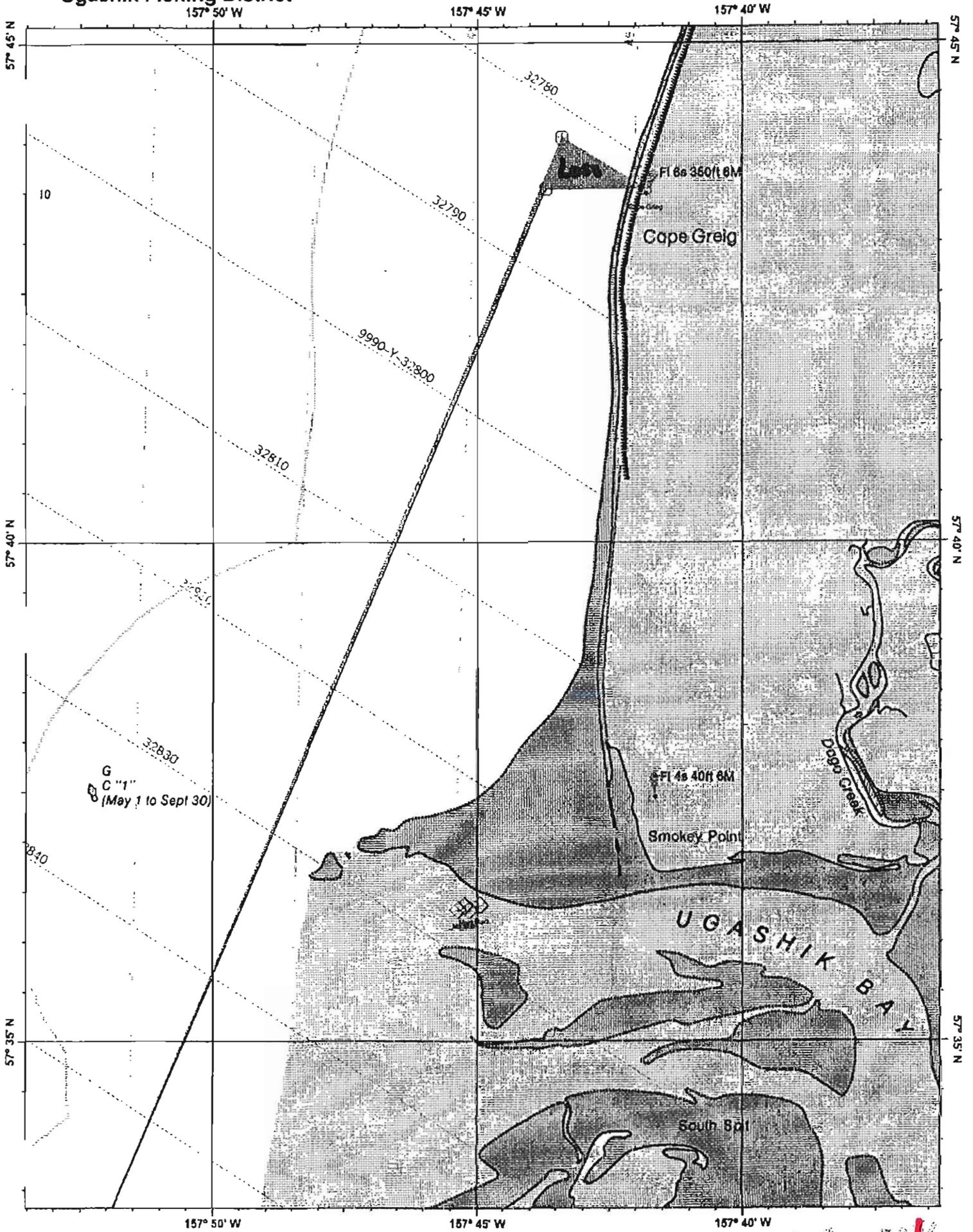
Exhibit "A"
(page 1 of 2) 93

- Department Comments to Proposal 112
+ map



DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: The department does not believe that the approval of this proposal would result in an additional direct cost for a private person to participate in this fishery.



157° 50' W 157° 45' W 157° 40' W

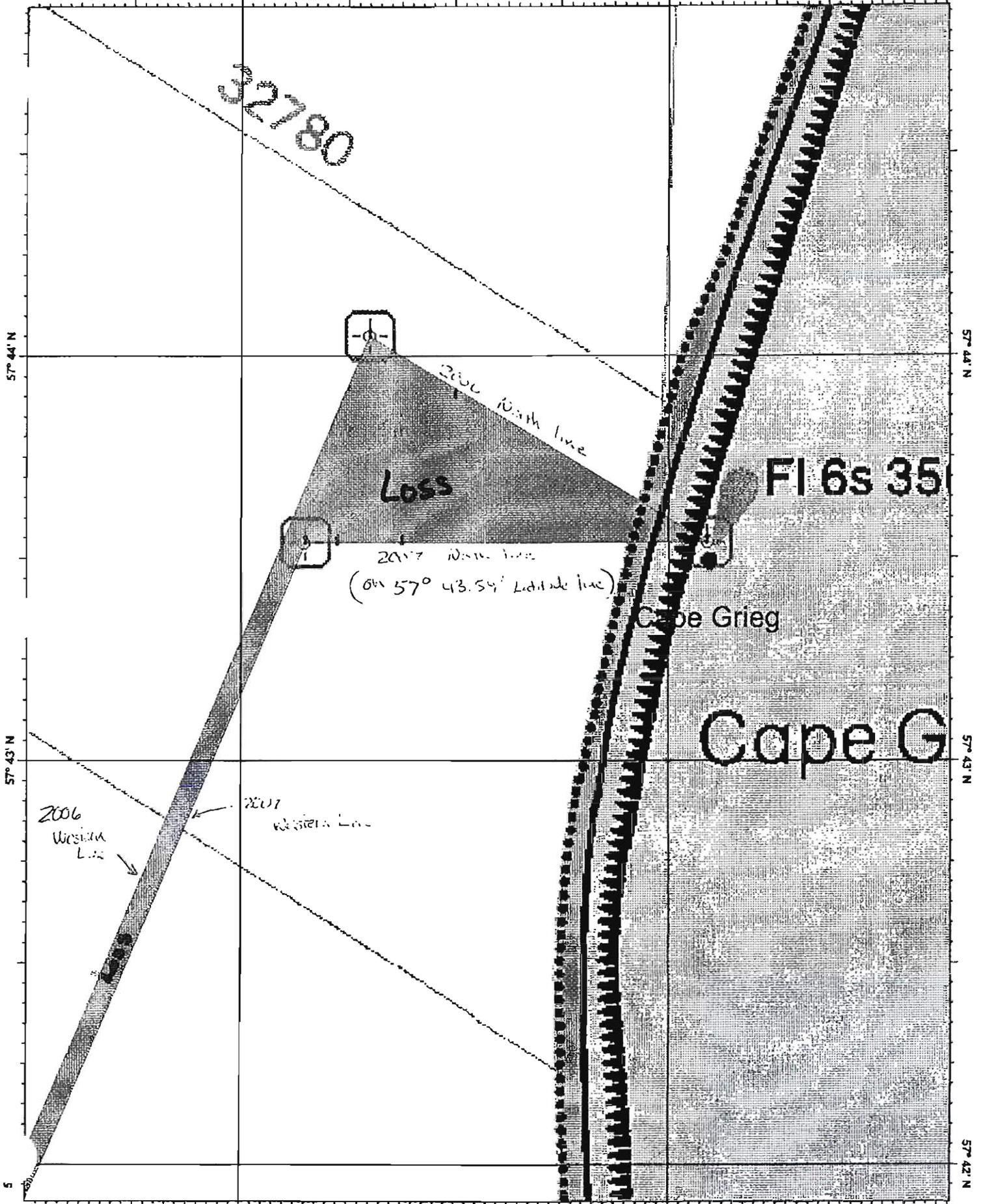
Effect of 2007 Department Changes

9 of 15

COMMENT # 1

157° 44' W

157° 42' W



Effect of 2007 Department Changes

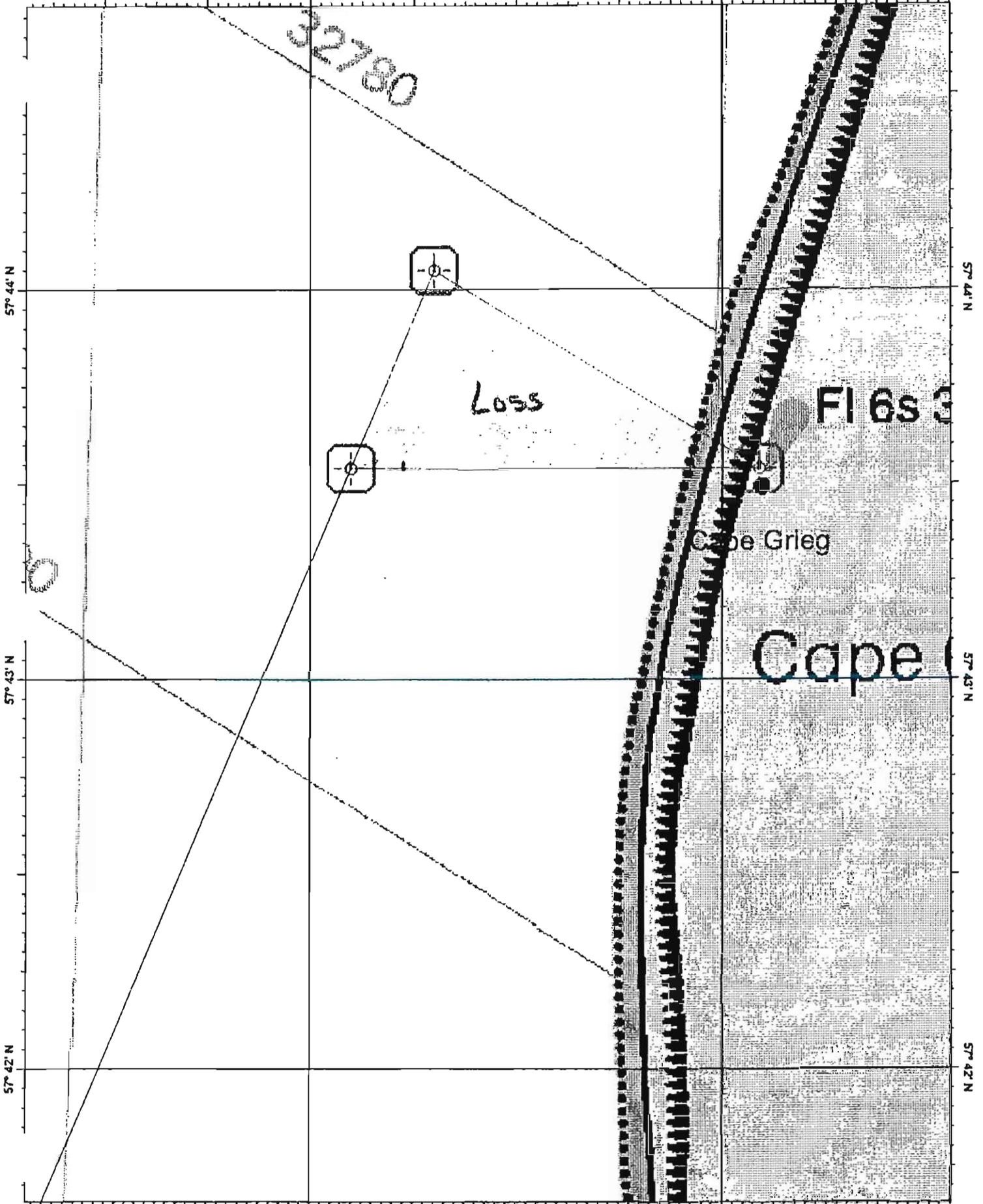
COMMENT#

10 of 15



157° 44' W

157° 42' W



157° 44' W

157° 42' W

Proposed Change (Proposal 404)

COMMENT#

11 of 15

1

157° 44' W

157° 42' W

57° 44' N

57° 44' N

57° 4

57° 43' N

57° 42' N

57° 42' N

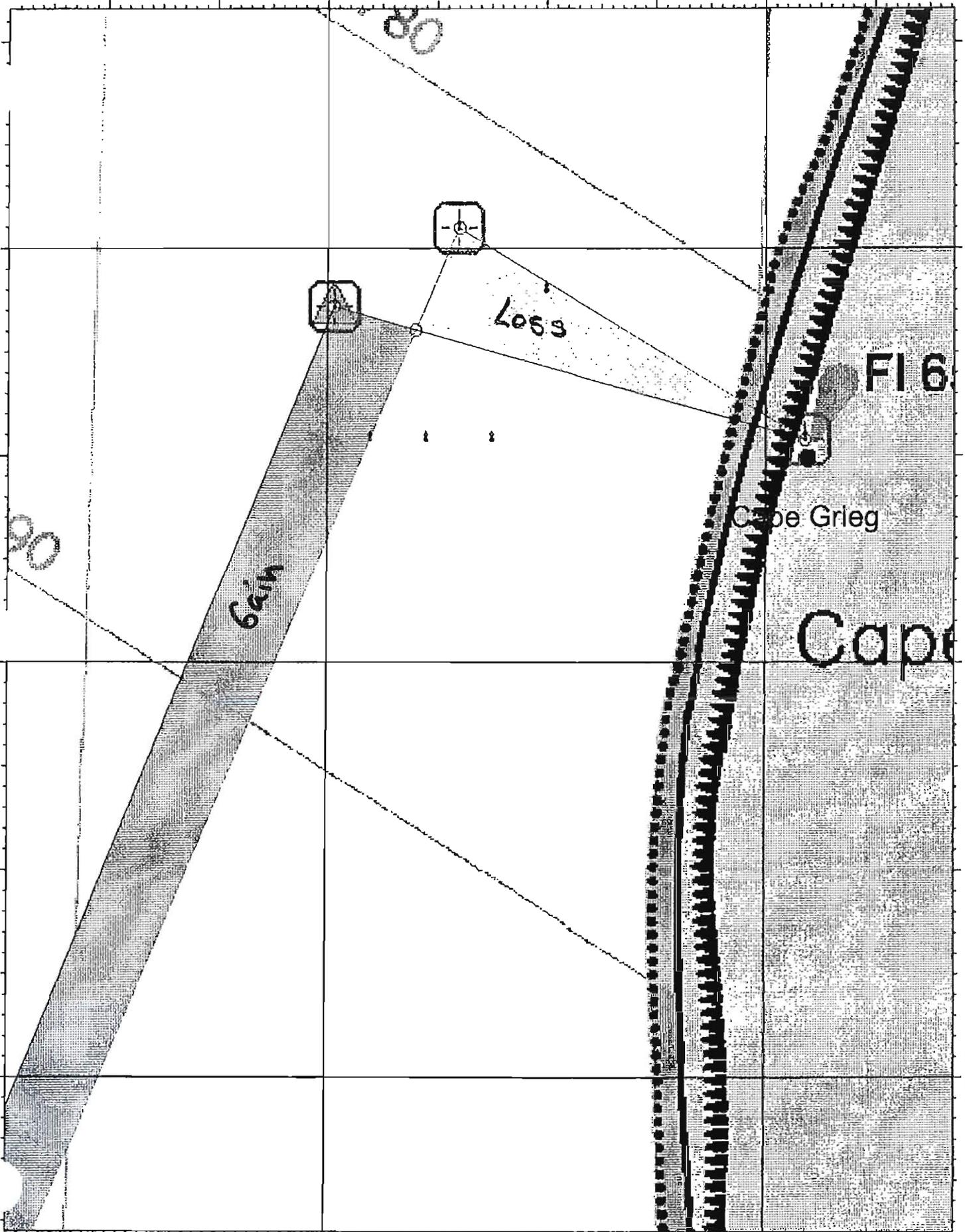
157° 44' W

157° 42' W

keeping boundary Perpindicular and 1 mile from shoreline

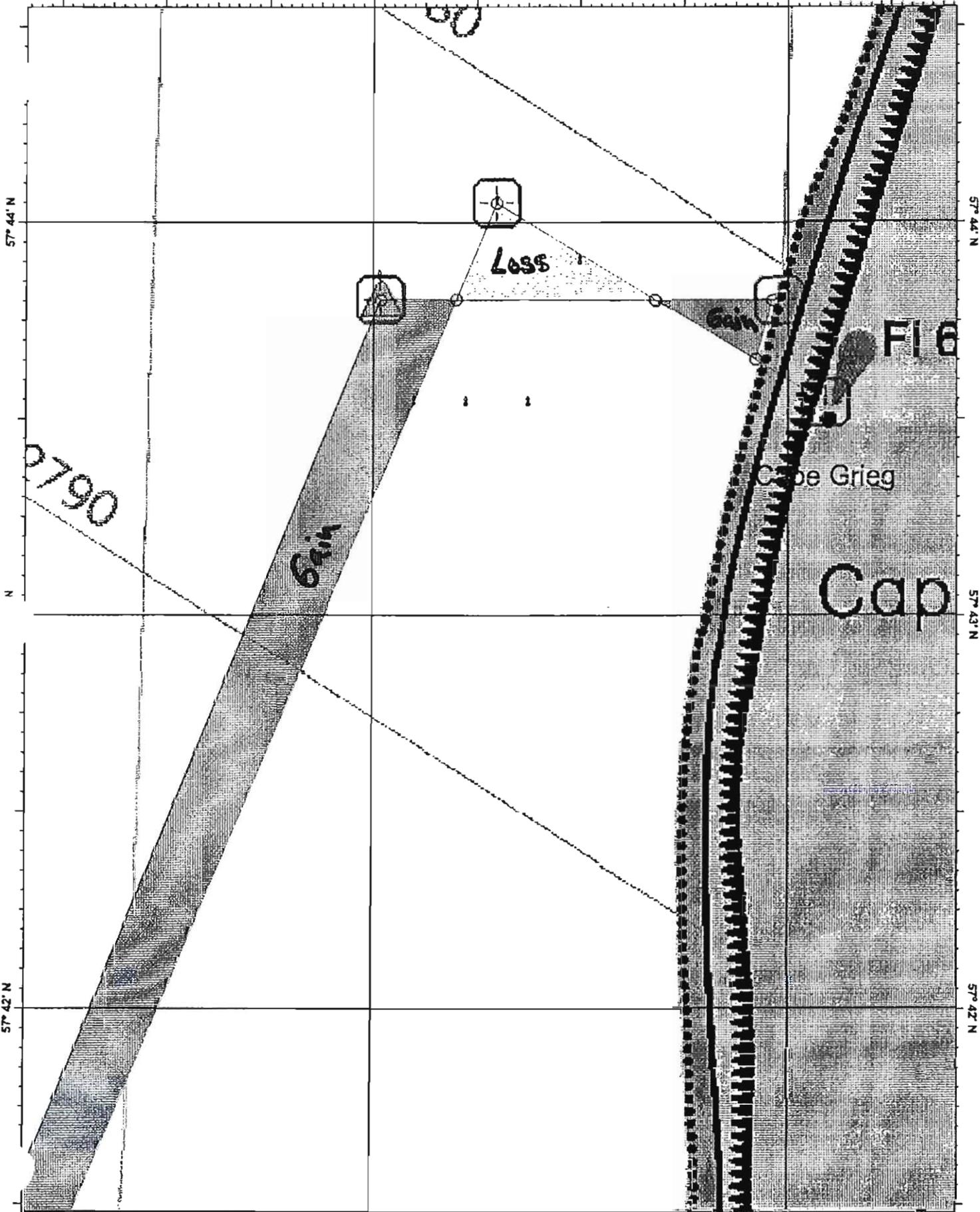
COMMENT#

12 of 15



157° 44' W

157° 42' W



Option Two

change keeping boundary line "flat" and 1 mile from shoreline

157° 42' W

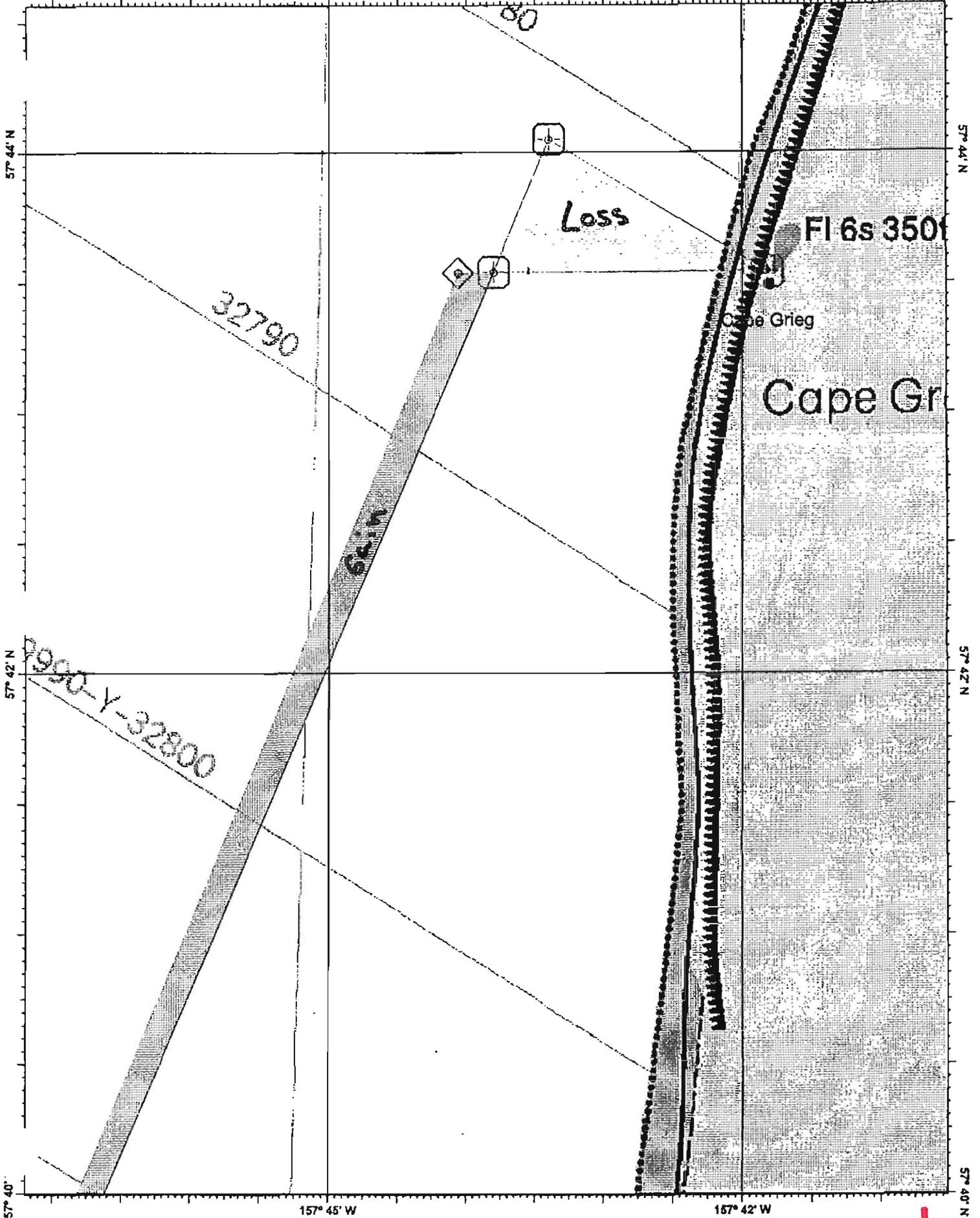
157° 44' W

COMMENT # Exhibit F

13 of 15

157° 45' W

157° 42' W



Keeping "Flat" line and One Mile from Shoreline, Option Two example

COMMENT#

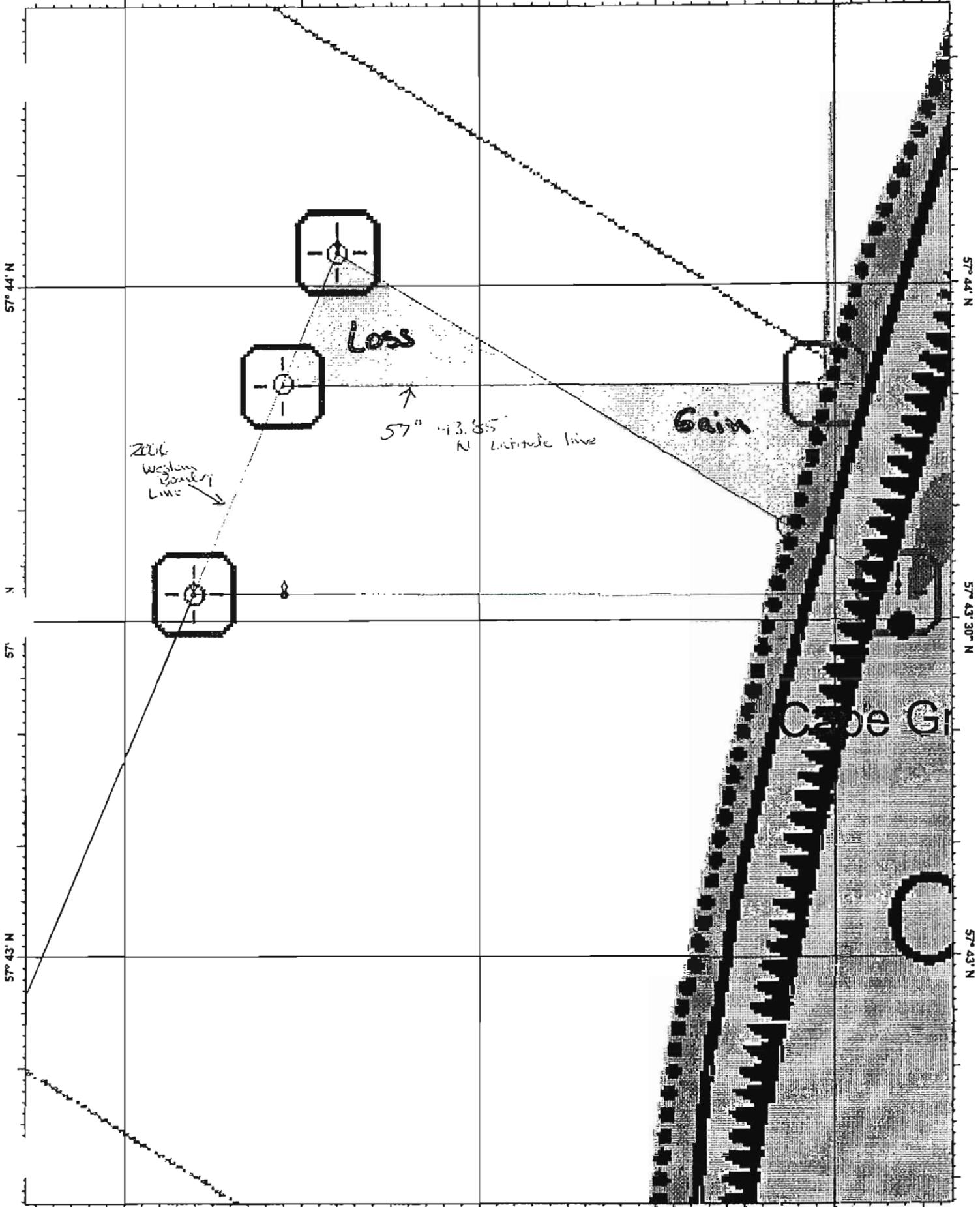
14 of 15

1

157° 44' W

157° 43' W

157° 42' W



Keeping Outside Line Same and keeping "Flat" line, but without loss of fishing space requires moving

15 of 15 Option Three COMMENT # "Exhibit H"



Cordova District Fishermen United

PO Box 939 | 509 First Street | Cordova, AK 99574

RECEIVED phone. (907) 424 3447 | fax. (907) 424 3430

web. www.cdfu.org | email. cdfu@ak.net

NOV 26 2007

BOARDS

November 19, 2007

Mel Morris
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526

Dear Chairman Morris,

I am writing to you on behalf of Cordova District Fishermen United (CDFU) to comment on the Board of Fisheries (BOF) generated proposals.

As one of Alaska's oldest fishing organizations, CDFU represents the interests of over 850 fishermen and their families in the Prince William Sound. We have a long tradition of constructive and successful involvement in fisheries policy arenas supporting sustainable fishing practices, fisheries research, seafood marketing, and the economic stability of Alaska's coastal communities.

CDFU is in agreement with United Fishermen of Alaska's letter to support the use of established proposal processes which allows for regular and thorough public and Advisory Committee review. For unusual or unanticipated circumstances, CDFU supports the Agency Change Request (ACR) process which has clearly established criteria for consideration by the Board. The current suite of accepted Board generated proposals include actions that are clearly allocative and would not be acceptable under ACR criteria.

Clearly, proposals that can be generated by the board and scheduled for final action in as little as 30 days do not provide sufficient time for public review and therefore make a mockery of public process.

CDFU opposes all 7 of the Board generated proposals accepted by the Board of Fisheries at the October 2007 work session. CDFU is opposed to any further improper use of this process in the future. Board generated proposals need to be submitted using the same process and timing of a proposal submitted by the public in order to meet the standard of an open and transparent process.

Sincerely,

Rochelle van den Broek
Executive Director

COMMENT# 2



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE
Office of Subsistence Management
3601 C Street, Suite 1030
Anchorage, Alaska 99503

OSM/BOF SW/8022/RC

FEB 14 2008

Mr. Mel Morris, Chairman
Alaska Board of Fisheries
c/o Alaska Department of Fish and Game
1225 West 8th Street
P.O. Box 25526
Juneau, Alaska 99802-5526

RECEIVED
FEB 14 2008
BOARDS

Dear Chairman Morris,

At its upcoming meeting scheduled to begin March 3, 2008, the Alaska Board of Fisheries will deliberate 2007/2008 regulatory proposals that address King and Tanner Crab (statewide except Southeast/Yakutat) and Supplemental Issues. We understand that the Alaska Board of Fisheries will be considering approximately 32 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 specific proposals if issues arise during the meeting which may have an impact on Federal subsistence users and fisheries.

We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

Sincerely,

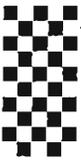
Peter J. Probasco
Assistant Regional Director

CC: Denby S. Lloyd, ADF&G, Juneau
Michael Fleagle, Chair FSB
John Hilsinger, ADF&G, Anchorage
Tina Cuning, ADF&G, Anchorage
Patti Nelson, ADF&G, Juneau
Charlie Swanton, ADF&G, Juneau
Elizabeth Andrews, ADF&G, Juneau

Jim McCullough, ADF&G, Kodiak
Jeff Regnart, ADF&G, Anchorage
Gene Sandone, ADF&G, Anchorage
Wayne Donaldson, ADF&G, Kodiak
George Pappas, ADF&G, Anchorage
Jim Marcotte, ADF&G, Juneau
Interagency Staff Committee

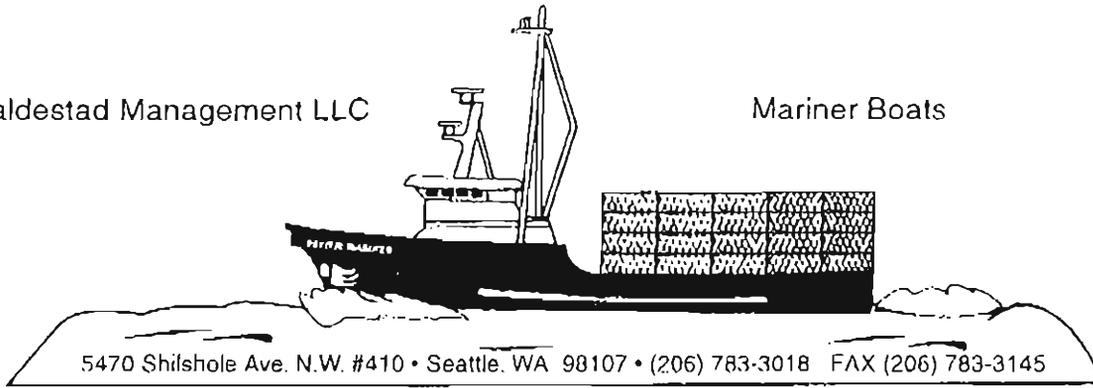
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Kaldestad Management LLC

Mariner Boats



Mr. Mel Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support
Juneau, Alaska 99811-5526

RECEIVED
FEB 14 2008
BOARDS

Dear Chairman Morris,

I am writing to support the following proposals before the Alaska Board of Fish during the March 3- 9 meeting.

374: Eliminate 14-day restriction on allowance for collective transport and hauling of another vessel's gear.

This rule is no longer needed and removal would promote efficiency and reduce bycatch in the BSAI crab fisheries.

376: Repeal tanner and snow crab pot limits and buoy tag requirements.

377: Repeal Area T pot limit and buoy tag requirement.

These rules are no longer needed as the fleet has consolidated and is using on the average less pots than are allowed and the tag requirement is an undue burden.

378: Allow for use of 20 groundfish pots in Area T king crab fishery.

This rule would allow vessels to use dedicated groundfish pots for bait as is allowed in other fisheries.

380: Request for development of Pribilof red crab fishery management plan-with special restrictions to protect blue king crab.

A carefully crafted plan could allow for the harvest of valuable available red crab while protecting blue king crab using low bycatch levels of blue king crab, observer's data and area restrictions and closures.

381: Request to reduce or eliminate 2.5 million pound minimum TAC for reopening St. Matthew blue king crab fishery.

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2.

Under a rationalized fishery, this resource could be harvested with out concern for exceeding the TAC, thus the minimum TAC that was needed under an Olympic fishery is not needed.

383: Request for review of 5.7 million pound cap in the AIGKC fishery.

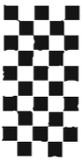
This cap should be looked at to determine if it is appropriate for the current fishery.

Thank you for your consideration on these very important issues before the Board.

Sincerely,



Kevin L. Kaldestad
Manager, Mariner Crab Harvesting Co-Op
Mariner Boats



Provider, Inc.
6821 Hawk Ridge Drive
Ferndale, WA 98248
360 366 9131 facsimile 360 366 9132
teressa@kodiakfishco.com

February 13, 2008

Mel Morris, Chair, Alaska Board of Fish
Boards Support Division
P.O. Box 115526
Juneau, AK 99811-5526
Via Fax 907-465-6094

Re: Proposal 402 (was ACR 6)

Dear Chairman Morris:

We have not seen the actual proposal from ADF&G regarding their anticipated management of a State water scallop fishery that is separate from the Federal water scallop fishery. However, we did hear some of the proposed management tools from John Hilsinger when he was speaking before a committee in the State Legislature; so we will be basing our comments on those remarks. We realize that those remarks probably reflected a preliminary plan and may be changed prior to presentation to the Board.

We have no objection to keeping intact the existing scallop management plan that requires 100% observer coverage and numerous other management tools. Registration by April 1 of every year is not a problem for us. Daily reporting is not a problem. Requiring VMS on the scallop vessels is not a problem for us.

We do believe that the 12 hour notice to move from a State registration area to a federal registration area will impose significant hardship on our scallop fishing. In the areas of the State where the scallop beds exist inside three miles, those beds are actually straddling the three mile line. That will create an artificial boundary to the biological boundary of the scallop biomass. Further, this restriction will significantly impact a scallop vessel's ability to avoid bycatch of non target species by limiting the area the vessel can relocate. It will also have an enormous economic impact on the vessel and crew as significant amounts of stand down time will be required in the midst of an ongoing fishery. This would also have safety consequences – particularly in winter fisheries where weather is a major factor already.

While we don't object in principal to having separate GHM's and crab bycatch caps split between federal and State waters, in practice, the Department will have to look at a very short snapshot of the fishery to establish these separate GHM's. Over the thirty years that we have fished scallops in Alaska, the relative abundance of beds located inside three miles versus outside three miles is quite variable. I have attached a table from the Scallop Fishery Management Plan that shows the percentage of the catch from federal vs State waters from 1998 to 2003. In some years, we may

not have fished State waters at all. Taking a brief snapshot and applying it to the fishery is all the Department can do in the absence of specific temporal data on where the scallop commercial abundances lie in a given year. If the Department uses fishery data from 2001 to determine, for example, that 49% of the scallops in the Shelikof area are inside three miles, and in 2009, the fishermen find that, as in 1999, only 26% of the scallops are in State waters, we would forego the harvest of the remaining 23% of the GHL.

The Department has also noted that they may increase the closed areas in order to prevent inexperienced new scallop fishermen from prospecting outside existing beds and in so doing, creating habitat impacts that do not now exist. There are many reasons we object to this. First, it will absolutely delineate our existing scallop beds for anyone new to the fishery removing the advantages that we have gained from thirty years of fishing. Our vessel and others long in the fishery have voluntarily released our observer data and fishery information so that it can be used by the Board and other entities in determining proper management. Using this observer data to close everything except the existing commercial scallop beds will take our good intentions and use them to give a roadmap to anyone wishing to enter the scallop fishery.

Scallop life history is also an important consideration in whether delineating where we can fish is based on a snapshot in the fishery. Scallops are sedentary to some extent once they have settled on the ocean floor. Prior to that, they are larvae that move with the currents and more than likely come from scallops that were upstream of the settlement location. The point of this is that there is no guarantee that spat will always settle in the same place. A settlement event could occur due to favorable currents and climate in a location that may have been fished 25 years ago but that is not a component of the more recent period. We are always on the lookout for such events and periodically will make a few tows in areas known to us in the past to see if scallops are abundant there again. In fact, the Department will sometimes request that we do just that so that they can determine if a fishery could or should occur in one of those areas.

Vast areas of the Gulf of Alaska and Bering Sea are already closed to scallop fishing. Most, if not all, of these closures were enacted to protect other species – in many cases, species that have declined despite closures and in areas where scallops used to be abundant. We would object to enacting closures for the sole purpose of keeping inexperienced scallop fishermen from straying too far.

The Department feels limited GHL's and crab bycatch caps in the State waters portion of the scallop fishery could be exceeded quickly if the number of participants in these areas is too high and for this reason, they wish for the ability to close State waters entirely. Having fished in the scallop fishery in every year when there was a big influx of new entrants, we know that quotas can be very difficult to manage and that bycatch of non target species can soar. In fact, the ability to conserve the stock and the need to control bycatch and habitat impacts was one of the key factors in establishing the scallop license limitation program. Since the inception of that program, scallop quotas have declined to less than half of what they were prior. Also since the inception of that program, not a single scallop fishery area has closed due to exceeding crab bycatch caps.

The Department is not responsible for the State terminating a program that has achieved its stated goals for conservation of the resource and protection of habitat and other species. We

understand the Department's concern if a number of new entrants show up for the new scallop derby; however, the complete loss of our fishery inside three miles would devastate us financially. Scallop ex vessel prices have been below breakeven for seven out of the past nine years. Fuel prices are astronomical (over \$3.00 gallon in some ports) and our insurance has tripled over the same time period. The scallop GHL is, even now, only enough to economically support two or three full time vessels. Our vessel is the only one in the scallop fishery that has no other fisheries they are allowed to participate in. Scallops are this vessel and crew's only income. Like our vessel, our captain and his family have depended solely on this fishery for thirty years.

The Department also noted that there have been some suggestions that the fishery inside three miles could be more manageable if vessels were allowed only one dredge or dredges that are smaller. They do not make such a recommendation because, as Mr. Hilsinger informed the legislature, it is highly allocational. We agree but we also believe that any gear changes to make the fishery more manageable if there are numerous new entrants is also highly speculative. No data exists that shows that ten new entrants with smaller gear has any less impact than the existing three with larger gear; nor that such a change would be any more manageable than ten more vessels with current legal gear.

Our suggestion is that Board take baby steps to fix this if the Legislature does not extend our license limitation program. Review the Department's current ability to act in the case of emergencies – ie hotspot management – and add to those tools if necessary. For example, if the Department through daily reporting from observers, notes too much effort in a fishery, simply allow the Department to close the area temporarily. Make sure that allocation of the GHL and crab bycatch caps into separate federal and State quotas can be undone inseason by the Department based on fishery experience. Also, reduce the stand down time to move from one registration area to the other by allowing, for example, the vessel to move once the observer certifies that no scallops remain on the deck of the vessel. We would urge the Board to not consider any gear changes or other highly allocational tools at this juncture. The regular BOF cycle for scallops is coming up with proposals due April 15. Any allocational proposals should be vetted through the normal Board process and not in an emergency action. We would urge the Board to utilize monitoring improvements such as requiring VMS and urge that no changes to the existing management plan including 100% observer coverage and no increase in closed areas be enacted at this time.

Thank you for the opportunity to comment.

Sincerely,



Teressa Kandianis
Kodiak Fish Company
For Provider, Inc.

Table 3. Percent of Scallop Meats Caught in Federal and State Waters

Registration Area	District	Federal/State Waters	Percent of Harvest by State/Federal Water ^{a,b}					
			1998/99	1999/2000	2000/01	2001/02	2002/03	2003/04
D	D	FED	65%	70%	80%	64%	78%	56%
		STATE	35%	30%	20%	36%	22%	44%
	D Total		100%	100%	100%	100%	100%	100%
	D16	FED	28%	55%	13%	28%	100%	83%
		STATE	72%	45%	87%	72%	-	17%
D16 Total		100%	100%	100%	100%	100%	100%	
E	E	FED	68%	30%	100%	100%	100%	100%
		STATE	32%	70%	-	-	-	-
	E Total		100%	100%	100%	100%	100%	100%
H	H	FED	100%	100%	100%	100%	100%	100%
	H Total		100%	100%	100%	100%	100%	100%
K	KNE	FED	100%	100%	100%	100%	100%	100%
	KNE Total		100%	100%	100%	100%	100%	100%
	KSH	FED	69%	74%	70%	51%	61%	70%
		STATE	31%	26%	30%	49%	39%	30%
	KSH Total		100%	100%	100%	100%	100%	100%
	Semidi	FED	56%	-	-	-	-	-
STATE		44%	100%	-	-	-	-	
Semidi Total		100%	100%	-	-	-	-	
M	M	FED	100%	100%	100%	-	-	-
		STATE	0%	0%	-	-	-	-
	M Total		100%	100%	100%	-	-	-
O	O	FED	0%	4%	-	-	4%	-
		STATE	100%	96%	-	-	96%	-
	O Total		100%	100%	-	-	100%	-
Q	Q	FED	100%	100%	100%	100%	100%	100%
	Q Total		100%	100%	100%	100%	100%	100%

^a0% indicates some fishing occurred, an insignificant amount was caught

^b- designation indicates no fishing occurred

The Alaska Department of Fish and Game (ADF&G) initiated development of a management plan for the scallop fishery in response to overfishing concerns resulting from recent changes in the weathervane scallop fishery off Alaska. Weathervane scallops possess biological traits (e.g., longevity, low natural mortality rate, and variable recruitment) that render them vulnerable to overfishing. Record landings occurred in the late 1960's (about 1.8 million pounds shucked scallop meat), followed by a significant decline in catch through the 1970's and 1980's when landed catch ranged between 0.2 and 0.9 million pounds. The ADF&G believes this decline is due, in part, to reduced abundance of scallop stocks (Kruse, 1994). Landings since 1989 have increased to near record levels. During this period, the number of vessels fishing for scallops has not increased (about 10 - 15 vessels annually), although an increase in fishing power is evidenced by a substantial

Bristol Bay Economic Development Corporation

P.O. Box 1464 • Dillingham, Alaska 99576 • (907) 842-4370 • Fax (907) 842-4336 • 1-800-478-4370



February 15, 2008

Mr. Mel Morris, Chariman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support
Juneau, Alaska 99811-5526
VIA FAX (907) 465-6094

Subject: Proposal 383 – 5 AAC 34.615. HARVEST STRATEGY-AIGKC. **SUPPORT**

Dear Mr. Morris,

BBEDC represents seventeen communities in Alaska as part of the CDQ program. We appreciate the opportunity to provide comment in support of Proposal 383 – 5 AAC 34.615. HARVEST STRATEGY-AIGKC found on page 104 of the proposal packet.

Recent catch per unit effort (CPUE) in the Aleutian Islands golden king crab (AIGKC) fishery implies the current harvest rate for the fishery may not fully utilize harvestable amounts of crab. For this reason we support Proposal 383 to review recent fishery performance, observer data, survey data and any other available sources to evaluate whether adjusting the harvest rate for AIGKC is reasonable.

Industry has made great effort to address concerns of poor recruitment by reducing bycatch and handling mortality by means of increased mesh size. We believe the fleet has demonstrated their dedication to the sustainability of the stock with their 100% compliance of the voluntary larger mesh size. Despite gear adjustments to allow for more crab to escape pots, CPUE has increased which leads us to believe it would be worthwhile to reconsider current harvest rates and caps for this stock.

We appreciate your consideration and hope that you will also support Proposal 383 to review the harvest rate for AIGKC.

Sincerely,

BRISTOL BAY ECONOMIC DEVELOPMENT CORP.

H. Robin Samuelsen Jr.
Chief Executive Officer/Board President

COMMENT#

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PRINT TIME FEB. 15. 9:57AM

MSDH, LLC

A WHOLLY-OWNED SUBSIDIARY OF CBSFA
A WESTERN-ALASKA CDS ORGANIZATION
ST. PAUL ISLAND, ALASKA

Mr. Mel Morris, Chairman
State of Alaska, Board of Fisheries
ADF&G/Board of Fisheries Support
Juneau, AK 99811-5526

RE: Proposal 383, Increased Harvest Level in Golden King Crab Fishery

February 14, 2008

Dear Chairman Morris:

Multi-Species Development Holdings, LLC (MSDH) and its parent company, Central Bering Sea Fishermen's Association (CBSFA), the CDQ group for Saint Paul Island, support the proposal by Mr. Bing Henkel, the owner of the FV Erla N, for the Alaska Department of Fish & Game (ADF&G) and Alaska Board of Fisheries (BOF) to reevaluate the current cap of 5.7 million pounds in the Aleutian Island Golden King Crab fisheries. MSDH is the crab asset holding company of CBSFA, St. Paul Island's CDQ group.

MSDH and CBSFA own 5.23% of the total IFQ pool and 21% of the CDQ allocation in the Aleutian Island Eastern Golden King Crab (AIGKC) fishery. In total, we hold 6.85% of the 3 million pound EAG TAC. In the west, we own 1.06% of the 2.7 million pound TAC.

Additionally we own 30% of the F/V Early Dawn which is one of the seven harvesting vessels actively participating in the rationalized EAG fishery.

Like others, we have experienced increased catch per unit efforts and as indicated by the 2005-2006 ADF&G summary entitled "Mandatory Shellfish Observer Program" published in February of 2007 there has been a considerable reduction of bycatch in recent years. The rationalized fishery has eliminated the race for fish, substantially reducing the number of vessels and pots on the fishing grounds. In addition, the larger mesh being used on the pots and longer soak times are helping reduce bycatch and mortality of smaller crab by allowing them to escape before reaching the surface.

In conclusion, MSDH and CBSFA believe the rationalized AIGKC fisheries are healthy and deserving of analysis to show whether or not they can sustain a harvest cap in excess of 5.7 million pounds. We agree with Proposal 383 that suggests this assessment should include data obtained from log books, observers, and recent surveys as well as any other applicable science.

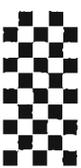
Please do not hesitate to contact me should you have further questions or concerns.

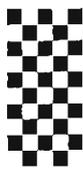
Sincerely,



Jeff Kauffman,
General Manager MSDH, LLC
PO Box 323, St. Paul Island, AK 99660
(907)546-2323 or jeff@msdh-llc.com

COMMENT# 7





Ocean Fisheries, LLC F/V Ocean Hunter

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



Date: February 15, 2008

Mel Morris, Chair, Alaska Board of Fish
Boards Support Division
P.O. Box 115526
Juneau, AK 99811-5526
Via Fax 907-465-6094

Re: Proposal 402 (was ACR 6) Develop a new Scallop management plan for State waters, in the event of the Legislative license moratorium expiring.

Dear Chairman Morris:

Hopefully by the time the Board of Fish meets on March 3rd the State Legislature will have extended the license moratorium and made this proposal a moot point.

At this time we have seen nothing from the Department in writing but have heard verbally a few ideas. We would highly recommend that any potential management plan be run through an industry attended Committee with current participants to flush out the best scenarios.

We recommend reading the testimony written from the F/V Provider by Teresa Kandianis. They really hit all the good points and gave some excellent suggestions.

Since License limitation in this fishery, the fishermen have been able to work together and with ADF&G to ensure that we stay under the Scallop TAC as well as way under our crab bycatch. Some Scallop beds lie in both State and Federal waters. If we draw a State line across these beds, without regard to the natural shape of them, we will force the fishermen to fish only one side or the other. In the current fishery when we can use the whole bed (both Federal & State water) and work the section that has the highest Scallop biomass and the least crab bycatch. Fishing one side or the other will force the fishermen to fish in areas regardless of Scallop or Crab populations and put an unnecessary strain on both.

We recommend allowing the vessels with current federal licenses to tow back and forth between both State and Federal waters as we have done for years. We are 100% observed and can document, as we have for the last 14 years, what comes out of either side (State & Federal). This would greatly mitigate the potential damage done by the new and inexperienced Scallopers that will be fishing only the State side of the bed.

If the Federally licensed vessels are not allowed to fish simultaneously both State and Federal as we have in the past. A 12 hour stand down has been mentioned for switching to and from State and Federal waters. We view this as an unnecessary burden. Our Observer could easily verify that we have cleared the deck of all scallop caught in one area and then allow us to move to the other area.

We recognize the need and obvious conservational purposes of 100% observers. For this reason we recommend that the 100% observer program stay in place in any new Scallop management plan.

We recommend dredge size not be changed from the existing limits. Reducing their size would only increase the number of tows needed. We have seen no studies that indicate towing more small dredges would have a lesser impact then towing fewer larger sized ones. Reducing dredge size would also not recognize the historical catch of the existing Scallop vessels and essentially reallocate resources to new entrants in the Scallop fishery.

An April 1st registration seems reasonable and will allow ADF&G ample time to arrange with the Observer contractors for Observer training.

We would support using VMS onboard all Scallopers to assist ADF&G in monitoring vessel movements and operations.

Considerable attention needs to be made by the BOF to how the Scallop TAC and Crab bycatch would be split between State and Federal Waters. Our experience has shown us that these populations move and can vary wildly from year to year as to whether they are State or Federal animals.

Please try to make any changes to the fishery as minor as possible and get as much industry (current participants) input as possible to make reasonable changes. The regular BOF cycle on Scallop proposal deadlines is April 15th, 2008 with a meeting in December 2008. This is plenty of time to implement new regulations before the potential first unlimited license state water scallop fishery in ten years, on July 1, 2009. We see no purpose to making huge changes at this March BOF meeting.

Sincerely, Jim Stone
F/V Ocean Hunter



Mr. Mel Morris, Chairman
State of Alaska, Board of Fisheries
ADF&G/Board of Fisheries Support
Juneau, AK 99811-5526

RE: Proposal 383, Increased Harvest Level in Golden King Crab Fishery

February 15, 2008

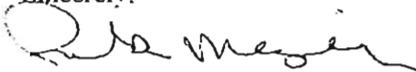
Dear Chairman Morris:

My name is Rick Mezich and I am an owner and manager of the F/V Early Dawn which is a major participant in the rationalized EAG crab fishery. I support the proposal by Bing Henkel for the Alaska Department of Fish & Game (ADF&G) and Alaska Board of Fisheries (BOF) to reevaluate the current cap of 5.7 million pounds in the Aleutian Island Golden King Crab fisheries.

I personally own 5.59% of the total IFQ pool in the EAG fishery which the Early Dawn harvests. Since rationalization of the Aleutian Island Golden King Crab fishery, we have modified our pots with a larger escapement web and use a longer soak time which has resulted in far less bycatch of smaller crab. In addition, our CPUE has increased steadily since 2004 and is well over double our pre-rationalization CPUE for this fishery.

From our fishing experience, I am convinced the AIGKC fishery is strong and healthy, and I support an analysis of the current AIGKC fishery with the hope of an increased TAC in the near future.

Sincerely,

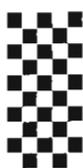


Rick Mezich
Manager- Early Dawn LLC
rmezich@comcast.net
206-769-4047 cell

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9



Alan Bing Henkel
FV Erla N
1736 205th Place N.E.
Sammamish, Washington 98074
425 503 5120

February 15, 2008

Mr. Melvin Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support Section
P.O. Box 115526
Juneau, Alaska 99811-5526
Fax: 907 465 6094

Comment on Proposal #383: SUPPORT

Dear Mr. Morris:

I am the co-owner of the crab fishing vessel Erla N and it is a major participant in the Eastern Aleutian Islands (Dutch Harbor area) golden king crab fishery. Myself and my skipper, Chad Hoeffler, who has been fishing the AIGKC fishery for over twenty years wish to respectfully request that the Board of Fisheries and ADFG review the harvest rate in light of improved fisheries performance, observer data and recent survey information to assess if the TAC can be reasonably increased based on current mature stock abundance.

As I have pointed out in drafting proposal #383, the observer-based data shows a dramatic increase in CPUE in the fishery over the last three years, including the last open access season, 2004-2005. However, observer data also shows a decline in bycatch of prerecruit males and female crabs, a potential indicator of weak younger year classes, a priority concern to ADFG in regards to maintaining the overall reproductivity of the stocks. Conditions in the fishery have changed dramatically since 2004 that have led to a decline in bycatch of younger year classes in the fishery.

With the beginning of the 2005-2006 first rationalized fishery, the number of pots decreased from 20,000 in 2004, to 13,733 in 2005 (a 31 per cent decrease), and the number of boats decreased from 22 to 8 (a 63 per cent decrease). The total number of pots pulled in 2004 was 91,694, compared to 49,232 pots in 2005-2006 (a 46 per cent overall decrease in pot pulls). The overall reduction in fishing effort and impacts to the resource brought on by the rationalization program, has without a doubt been beneficial to the sustainability of the resource.

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In the rationalized fishery, it is standard for boats to be using 9 inch mesh, not in just one-third of a vertical surface as required by regulation, but in one full panel, and in both tunnel ramps, which greatly improves escapement.

With the fierce competition of the open access fishery for limited grounds on the steep Aleutian Islands edge no longer an issue, boats are now fishing on fairly clean legal size crab concentrations throughout the season and they are able to stay off marginally productive grounds that have a larger mix of prerecruit crabs. Skippers are reporting longer soak times, of seven to fourteen days, and that they are pulling their string of gear only once to fill a boat. The longer soak times, in addition to more escape mesh, enable maximum escape of undersize crabs—but this can also misrepresent the estimates of prerecruits.

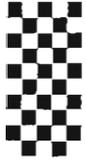
Given the dramatic increase in CPUE and the reduction of gear and pot pulls, which has reduced impacts to the resource, it is timely to consider developing a framework for increasing the Total Allowable Catch in the AIGKC fishery.

I appreciate your consideration of this request.

Sincerely,



Alan Bing Henkel
FV Erla N



Alaska Crab Coalition
3901 Leary Way N.W. Suite #6
Seattle, Washington 98107
206.547.7560
Fax 206.547.0130
accrabak@earthlink.net

February 15, 2008

Mr. Melvin Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Boards Support Section
Juneau, Alaska
99811-5526

Re: Recommendations on Board of Fisheries Proposals for March 3rd Statewide Shellfish Meeting

Proposal #374, SUPPORT: Eliminate 14 day restriction on allowance for collective gear transport and hauling of another vessel's gear.

Rationale:

In the Area T king crab fishery and the Area J Bering Sea snow and tanner crab fisheries, vessels designated to operate the crab pot gear of another vessel cannot operate the gear following the vessel's completion of fishing in a registration area—which limits collective gear hauling to 14 days. Registered and active vessels, under guidelines of collective gear operation and transport, should be allowed to continue operating another vessel's gear, following a vessel's completion of fishing in a registration area. This was part of the intent of the original collective gear hauling proposal adopted in 2005. This will also aid smaller boats with limited pot carrying capacity, to operate in cooperatives, as they can travel to the grounds, in some cases without any gear, and immediately begin operating gear that is located on productive grounds. This provision will improve efficiency and provide cost savings on fuel.

Recommended language to meet DPS enforcement needs:

On page 70, (c)(a): add: "An active vessel, with a designated operator considered the agent, may collectively operate and transport crab pot gear of another vessel following the vessel's completion of fishing in a registration area." (To be a designated agent, vessel operator must notify ADFG/DPS prior to operation or transport of gear.)

Proposal #376, SUPPORT: Repeal tanner and snow crab pot limits and buoy tag requirements.

Rationale:

Area J Bering Sea snow and tanner crab pot limits and buoy tag requirements are no longer needed to control effort in the fishery. Since the inception of the rationalization program, the fleet has decreased from 189 vessels in 2004 to 80 vessels in 2005-2006. Total pot usage has decreased from 14,444 pots in 2004 to 13,734 pots in 2005-2006. The average

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number of pots used in 2005-2006 was 172 pots, far below the limit of 450 pots. A similar pattern of pot usage has continued in the 2006-2007 season. In regards to the issue of fast-moving ice, replacement costs of pots is very high, at about \$1,000 per pot, which does not warrant the risk of losing the pots, particularly in light of the fact that boats have their quotas and they are not competing in a race for fish. In the long term, this could also lead to reduced enforcement costs for the DPS. Gear marking requirements would remain in place.

Proposal #377, SUPPORT: Repeal Area T king crab fishery pot limit and buoy tag requirement.

Rationale:

Area T king crab fishery pot limits and buoy tag requirements are no longer needed to control effort in the fishery. Since the inception of the rationalization program the fleet has decreased from 251 vessels in 2004 to less than 90 active vessels utilizing in 2005-2006. Total pot usage has decreased from 49,506 pots in 2004 to 15,713 pots in 2005-2006. The average number of pots used per vessel in 2005-2006 was 177, far below the pot limit of 450. A similar pattern of pot usage occurred in the 2006-2007 season. Traditional gear marking requirements will remain in place. Implementation of this proposal could lead to reduced enforcement costs for the DPS.

Proposal #378, SUPPORT: Allow for use of 20 groundfish pots in Area T king crab fishery

Rationale:

Use of up to 20 groundfish pots to catch bait while fishing in the Area T king crab fishery is not permitted; however, it is permitted in the Bering Sea snow and tanner crab fisheries (page 148). This is a request for a parallel regulation for the Area T king crab fishery.

Recommended language:

On page 108, 5AAC 34.825(a), add similar language from page 148 subparagraph (d) that applies to tanner crab pots, adjusted for king crab pots: "except that up to 20 groundfish pots, as defined in 5AAC 28.050(e), may be used as part of the legal limit of king crab pots. King crab taken from these groundfish pots may be retained."

Proposal #380, SUPPORT: Request for development of Pribilof red king crab fishery management plan—with special restrictions to protect blue king crab

Rationale:

Foregone harvests of red king crab due to conservation concerns of the blue king crab stocks which to some extent overlap the habitat of red king crab. The 2006 BSAI Crab SAFE document indicates a potential harvestable surplus of over 500,000 pounds of red king crab. (BSAI Crab SAFE 1-4 and 3-1) In addition, continued negative economic impacts on the communities of St. Paul and St. George and traditional king crab harvesters will persist. These BSAI communities would benefit from the additional economic activity generated by reopening the Pribilof Red King crab fishery. The City of St. Paul and the local CDQ group, the Central Bering Sea Fishermen's Association, as well as other interested parties such as APICDA and ACC have taken proactive steps through the Crab Enhancement and Rehabilitation program to rehabilitate the Pribilof Blue King Crab fishery.

Solution:

Develop guidelines for a fishing season plan for red king crab that utilizes the flexibility inherent in the crab rationalization program. All the crab cooperatives could establish

binding agreements, including fines, that in the event that ADFG determines high bycatch of blue king crab, vessels would cease fishing and forfeit the remaining IFQs for the year. Coops could insure the deployment of a minimum number of vessels and pots; observers on all vessels; and electronic catch reporting. ADFG could also implement closure of the same blue king crab protection zone, that is currently in place during the fishing season for tanner and snow crab fisheries surrounding the Pribilof Islands. By implementing guidelines as proposed above, not only will bycatch and other conservation issues with blue king crabs be addressed, but the red king crab fishery can be pursued in a manner that incorporates the latest management practices and technologies and is sensitive to the resource and conservation guidelines.

Proposal #381, SUPPORT: Request to reduce or eliminate 2.5 million pound minimum TAC for reopening St. Matthew blue king crab fishery.

Rationale:

The minimum TAC for the opening of the commercial St. Matthew Island blue king crab fishery of 2.5 million pounds can result in foregone harvests and unnecessary economic impacts to traditional crab harvesters and the communities of St. Paul and St. George. The 2007 survey indicates a continued increase in stock abundance and the total mature biomass of males and females now exceeds the MSST threshold for reopening of the fishery. If this trend continues in the 2008 survey, there will be a harvestable surplus.

The minimum TAC for the fishery was implemented almost ten years ago, following closure of the fishery, as a management measure to prevent overfishing due to the large fleet size in operation. The current harvest strategy still incorporates conservation measures that protect minimum mature male and female biomass thresholds to ensure stock reproductivity, without the minimum TAC threshold. The crab rationalization program and cooperatives have resulted in minimizing the number of vessels and pots deployed on the grounds and along with IFQs, enable managers to open fisheries now with low TACs without the fear of a large fleet exceeding the TAC and impacting prerecruit males and mature females. This has been the case with the tanner crab fishery, where the BOF removed the minimum TAC in 2005. The St. Matthew fishery already provides for observer coverage on all vessels that will insure effective monitoring of the harvest.

Proposal #383, SUPPORT: Review of harvest strategy and 5.7 million pound cap in the AIGKC fishery.

Rationale:

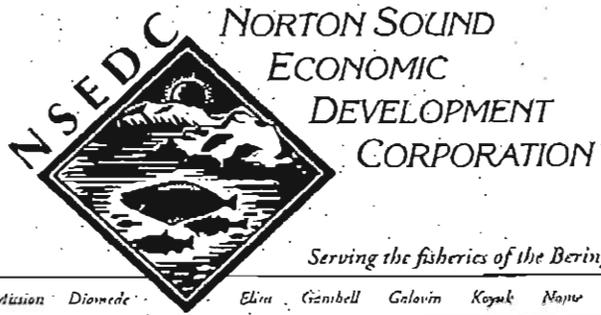
ACC recognizes the issues addressed in the proposal noting the tremendous increase in CPUE in the AIGKC fishery, with an accompanying marked decline in the bycatch of sub legal males and females, as documented by at-sea observers. ACC notes that the rationalization program has brought on tremendous reduction in fishing effort and pot lifts and this is already having beneficial effects on the health of the resource. The seven boat AIGKC fleet has moved to using 9 inch escape mesh in not only one full panel of the pots but also on both tunnel entrance ramps that increases escapage, but it also misrepresents current estimates of the younger year classes and prerecruit crabs. ACC concurs that with the greatly reduced footprint of the fishery on not only the habitat, but

the resource, that it is timely to review the cap on the AIGKC constant catch harvest strategy established by the Board of Fisheries in 1996.

We appreciate your consideration of our comments

Sincerely


Arni Thomson, Executive Director



Bering Mission Diomedes Elin Gambell Galovin Koyuk Noye Saint Michael Sewardville Shaktoolik Scitbins Teller Unalakleet Wales White Mountain

February 15, 2008

Mr. Mel Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support
Juneau, Alaska 99811-5526

Via Telecopier (907) 465-6094

RE: Proposal #383 - SUPPORT

Mr. Morris:

This letter is written by Norton Sound Economic Development Corporation (NSEDC) and Rip Carlton in support of proposal #383.

Proposal #383 is a request of ADF&G to consider increasing the Total Allowable Catch (TAC) for Aleutian Islands golden king crab. NSEDC is the owner of F/V Aleutian No. 1 which fishes for golden crab and Rip is the boat's manager and captain. Rip has fished in Alaska since 1976 and began fishing golden king crab in 1983. Since 1993 he has been a vessel owner and operator. This time as both deckhand and captain gives him an excellent understanding of the Eastern Aleutian Golden crab (EAG) and the Western Aleutian Golden crab (WAG) fisheries and stocks from a "hands on the ocean" perspective.

Together, we would like to bring a few points to the Board's attention that can be verified by ADF&G reports and other fishermen in the industry. There is some concern from recent at-sea observers' sampling data that the number of small pre-recruit crab in the pots has declined from historic observer-based data. There are several explanations for this due to the change in fisheries from open access to IFQ:

1. In the open access fishery, we historically had 14 to 22 competitive boats fishing in the EAG. Each boat was fishing with 500 to 1,200 plus pots. The captains of the boats tried to agree on the basic areas each boat would fish their gear to avoid the costly gear conflict issues. With extremely heavy longline pot gear, each vessel had its own "box" to fish in. There were numerous informal agreements between boats that would force a captain, such as Rip, to set all of their 1,200 pots in just about every area in their "box" that had an open lane to set a string. This happened even when the captain knew he was laying that string in an area or depth that had produced 3/4 full pots with hundreds of small crab in each pot and only 10 to 15 keepers or legal sized males. With so many boats and so much gear on the grounds, the captains had no other options of where to lay the gear.

"NSEDC will participate in and encourage the clean harvest of all Bering Sea fisheries to promote and provide economic development through education, employment, training and financial assistance to member communities and Western Alaska, while protecting subsistence resources"

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RECEIVED TIME FEB. 15. 3:35PM PRINT TIME FEB. 15. 3:37PM

COMMENT# 12

In the newly rationalized IFQ fishery there are a total of three boats fishing in the EAG, each with very experienced captains and each with 1,400 to 1,800 pots. We are no longer forced to fish in one small area or "box". With this decrease in gear on the grounds as a result of the rationalized fishery, captains are able to directly target the depths and areas that thru their many years of golden crab fishing they know will result in the least amount of small crab.

2. In the past, pots used ADF&G mandated escape rings to let undersized crab out of the pot. The rings worked fine until a crab would get stuck in the ring and prevent any other undersized crab from escaping. This would happen in just about every pot in just about every ring. As a result, we had far too many pots full of undersized crab.

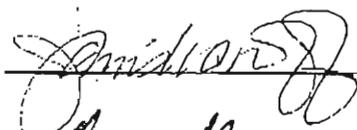
In today's rationalized fishery, all of our pots have large web on at least 1 side of the pot or 1 full panel (an ADF&G regulation) to let undersized crab escape. We have taken this regulation a step further and any new pots that we build or work on have the large escape web on the tunnels and pot tops. This large web coverage equals 2 to 3 times the amount of large web on the pot as required by ADF&G. Therefore, in today's fishery we do not have pots full of pre-recruits coming up and so observers are not able to see or sample them.

3. In the golden crab open access derbies of the past, we set our gear on the opening day and 48 to 96 hours later we were hauling like mad men, as fast as we could. We tried to haul each string every 4 days if the string was up and the current conditions allowed. The pots would be hauled regardless of the soak time, even if it was only 48 hours. This did not give the undersized crab the chance to get out of the pot.

In the IFQ fishery today, each boat tries to give each pot 8 to 10 days soak time. This allows a higher CPUE of legal sized males and allows the pre-recruits ample time to get out of the pot.

We are sure that statistics will be presented to the Board that show the WAG and EAG are ripe for consideration of an increase in the TAC. With decades of fishing experience on these stocks, Rip for one can assure you that the stocks are incredibly healthy and ready for an increase in the TAC.

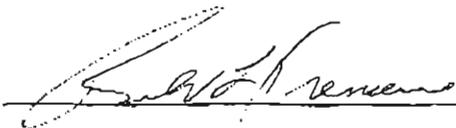
Thank you very much,



Janis Ivanoff, NSEDG CEO



Rip Carlton, Aleutian No 1 Captain and Manager



Dick Tremaine, NSEDG Asset Manager



Pribilof King Crab Harvesters

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Mr. Mel Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support
Juneau, Alaska
99811-5526
Via Fax 907-465-6094



February 15, 2208

RE: Proposal 380- Develop Pribilof Red King Crab management plan.

We support the Alaska Crab Coalition's proposal to develop a Pribilof King Crab management plan to capture the Harvestable Surplus of Red King Crab when the Blue Crab stocks are depressed and vice-versa (when Blues are abundant and Reds are depressed).

We believe we can successfully prosecute the Red King Crab Harvestable Surplus when there is a Red King Crab closure due to a Blue King Crab closure without doing harm to the Blue crab population. This can now be achieved using the tools available to us from Crab Rationalization. Through a Coop we can reduce the number of vessels and pots harvesting to an optimum number determined by ADF&G. Coop members and vessels would need to sign an agreement to cease fishing on a moments notice if ADF&G determined too high of a Blue Crab by-catch. That means, fishermen would have to relinquish the right to harvest their IFQs and voluntarily forfeit the remainder of their quota for the year. Coop Managers and third party contractors such as Sea State could help the vessels identify in-season, areas of populations of both Red and Blue crab. 100% observers onboard all vessels would ensure proper reporting and handling. The cost of this Observer coverage, by current regulations is not subsidized and would be borne by industry with no expense to the State or the Department.

In our years of experience on these fishing grounds, we have found that the majority of the Blue Crab are on the NE side of St. Paul, which is currently closed to Tanner and Snow crab fisheries. We would expect to leave this Blue Crab Protection Zone closed when fishing Red Crab. The Red Crab tend to populate more to the west. Our fishing plan would be to begin fishing with 2 or 3 vessels on the West Side of St Paul where only an occasional Blue Crab straggler is seen but the bulk of the Red Crab schools tend to congregate.

This could also be a valuable window for managers and biologists to get a view into what is happening in the Pribilof Crab fisheries. The Harvesting vessels could easily make space available to Scientists or others wishing to study the Pribilof Island marine life,

eliminating expensive separate charters. The current annual tow survey is very limited in what it sees in these populations that tend congregate in very tight schools in a rocky terrain inaccessible to tow nets. These tows are made one tow per 400 square miles, again it is very easy miss these small tight schools of crab. A small and carefully controlled fishery would give much more valuable information.

Let's use the tools available to us and Harvest any Surplus without hurting other species. Strong Coop Agreements, 100% Observers, State of the art communications, Safe Sturdy vessels and a concerned responsible vested Harvesting community.

Sincerely, Jim Stone

With the support of the following Pribilof Islands King Crab Cooperatives:

Alaska King Crab Harvesters Cooperative- Leonard Herzog
Crab Producers and Harvesters, LLC- Rob Rogers
Fishing Associates Cooperative- Gretar Gudmundsson
KBO Crab Cooperative- Louie Lowenburg
Mariner Crab Harvesting Cooperative- Kevin Kaldestad
Professional Crab Harvesters Coop- Jim Stone
Sea Boat Cooperative- Edward Poulsen
The Bering Sea Crab Cooperative- Kale Garcia- See support letter.

The Bering Sea Crab Cooperative

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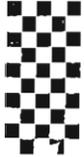
Mr. Mel Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support
Juneau, Alaska
99811-5526
Via Fax 907-465-6094

February 15, 2208

The Bering Sea Crab Cooperative (TBSCC) agrees with the spirit of Proposal 380 that has been proposed by the ACC. We encourage ADF&G to utilize the tools of Crab Rationalization "...to develop a fishing season plan that would allow for reopening of the Pribilof Island red king crab fishery..."

TBSCC believes that the application of new tools available, and a scheme the same as or similar to that which is spelled out by the "Pribilof King Crab Harvesters" group should support a season opening.

Kale Garcia, TBSCC President



February 15, 2008

Mr. Melvin Morris, Chairman
State of Alaska, Board of Fisheries
ADFG/Board of Fisheries Support
Juneau, Alaska 99811-5526

Re: Proposal #380, Develop Pribilof red king crab management

Dear Mr. Morris:

The Central Bering Sea Fishermen's Association (CBSFA) supports the efforts by Bering Sea crab fishermen and their organizations to enter into an assessment and planning process that could lead to reopening the Pribilof Red King Crab fishery.

CBSFA holds one hundred percent of the CDQ portion of the Pribilof RKC, so a revitalized fishery for this species would greatly benefit CBSFA and the community of St. Paul. In addition, we own 30% of the crab vessel Early Dawn, proposed as a survey vessel, as well as shares in other crab vessels which could participate in a reopened fishery.

We share the concerns of the Alaska Department of Fish and Game regarding the depressed status of the Pribilof Blue King Crab stocks, and are acutely aware of the need to avoid bycatch of blue king crabs in a red king crab fishery. In fact, as part of a consortium of University of Alaska and NMFS researchers, the AJutiq Pride Hatchery in Seward, and crab industry participants, we have been working for the last two years to more clearly understand the reasons behind the Pribilof BKC decline, with a plan to help toward their rehabilitation. CBSFA will have invested a total of \$200,000 in these efforts by the end of 2008.

However, we believe a cooperative program between industry and ADF&G, as is being suggested, could result in the needed surveys and the appropriate management methods to prosecute a Pribilof RKC fishery. We support your careful consideration of the proposal for a cooperative approach to management of such a fishery, as detailed in a letter to you from Jim Stone. The coop management approach would allow the development of the most scrupulous bycatch avoidance program.

Thank you for your consideration of our comments and concerns.

Sincerely,

Phillip Lestenkof, President
Central Bering Sea Fishermen's Association

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COMMENT# 15