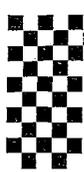


PUBLIC COMMENTS

Ron Thomson PC1
Chitina Dipnetters Association PC2 (also see PC49)
Darrell Kapp PC3
Curyung Tribal Council PC4
North Pacific Fishery Management Council PC5 (also see PC43)
City of Adak PC6
Steve Aarvik PC7
Charles & Lois Burrece PC8
Dave Goldstein PC9
Gene Moe PC10
Wynona Ralph PC11
Curtiss Anderson PC12
The Hummel Family PC13
Richard Casciano PC14
David Blake PC15
Midnight Sun Chapter of Trout Unlimited PC16
Mike Durtsch PC17
Christopher "Scott" Thomas PC18
Southeast Alaska Fishermen's Alliance PC19
Copper Country Alliance PC20
Thea Thomas PC21
Dick Lowman PC22
Seward Charter Boat Association PC23
U.S. Fish and Wildlife Service PC24
Paul Owecke PC25
John Grocott PC26
Eastern Interior RAC PC27
Michael Brown PC28
Halibut Coalition PC29
United Fishermen of Alaska PC30
United Fishermen of Alaska PC31 (attachment to PC30)
Ken Manning PC32
James Mykland PC33
Peter Jenkins PC34
Jeff Phillips PC35
Josh Grumblis PC36
Robert A. Jenkins PC37
Steve Aberle PC38
Brian Lee PC39
The Aleut Corporation PC40
Native Village of Eyak PC41
(Blank) PC42
North Pacific Fishery Management Council PC43 (also see PC5)
(Duplicate PC27) PC44

Scott Seaton PC45
Ahtna, Incorporated PC46
Jennifer Yuhas PC47
Rep. David Guttenberg PC48
Chitina Dipnetters Association PC49 (also see PC2)
Wade Buscher PC50
Caleb Preston PC51
Tom Aberle PC52
Stephen Riedel PC53
CDFU PC54
Fred Deiser PC55
Lloyd Montgomery PC56
Robert A. Martinson PC57
William O. Evans PC58
Brent Davis PC59
Bill Larry PC60
Alan Kapp PC61
Independent Cod Trawlers Association PC62
Randall K. Fletcher PC63
Mike Mahoney PC64 (also see PC67)
Freezer Longline Coalition PC65
CDFU PC66
Mike Mahoney PC67 (also see PC64)
CDFU - Gillnet Division PC68
Adak Fisheries LLC PC69
Prince William Sound Charter Boat Association PC70
David Pinguoch PC71
Costal Villages Region Fund PC72
Petersburg Vessel Owners Association PC73
Ralph Seekins PC74



Ron Thomson
143 Wild Rose Lane
Toledo, WA. 98591

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SEP 30 2008

**BOARDS
ANCHORAGE**

September 30, 2008

Board of Fisheries

RE: PWS Salmon comments

*Attn: Shannon
PWS BOF
Public Comments*

Dear Sirs:

I have fished in the Salmon Drift Gillnet fishery in PWS since 1981 and would like to express my appreciation for the hard work of the Board on addressing the various proposals before you this cycle.

The following are my comments on proposals affecting Salmon fishing in PWS.

Prop 62: Support

Gear conflicts in the Eshamy district has become a large problem, so much so that I refused to fish that district in 08. There is so much set net gear deployed (anchor buoys and lines) that it is nearly impossible for a drift gill-netter to get access to the beach in the entire district.

Prop 63: Support

Same rationale as above

Prop 64: Support

This would be one way to allow some beach access to the drift fleet

Prop 65: Oppose

Does not allow drift fleet to fish between set net sites legally

Prop 66: Oppose

Similar to 65

Prop 67: Support

Needed language change

Prop 68: Oppose

If I understand this correctly, the proposal is to alternate openings so the drift fleet would fish one day and the set-net fleet the next. This may be acceptable if the set-net fleet is held to a 5% cap and then closed down for the season after they have reached their cap.

Prop 69 & 70: Oppose

Using Chalmers as a "piggy bank" was the solution agreed upon at the last BOF meeting. Beaver Nelson's proposal to take more from pink cost recovery looks like it would resolve the issue to some degree and allow the

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● Page 2

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seine fleet to continue to have access to Chalmers, however, it is still an unfair solution for the gillnet fleet since longer fishery closures during pink season to allow for additional cost recovery would also take away fishing opportunity from the gillnet fleet during the pink season. (Prior to 08 this would not have been a consideration, but with .40 lb pinks a significant gillnet fleet is now fishing for them.)

Prop 71-74: Oppose

If the intent of these proposals is to only harvest pink and red salmon that the gillnet fleet is not harvesting, then perhaps, the department could allow for emergency ordered fisheries in a small Terminal Harvest area close to Coghill River. Anything else would be a reallocation of fish away from the Drift fleet and would further skew the imbalance in the allocation.

Prop 75: Support

Since both the Seine and Drift fleets are regulated to a % of enhanced fish it only makes sense that the Set-net fleet would be too.

Prop 76: Oppose

I am not sure why a Seiner made this proposal since fishing every other day would harm the Seine fleet more than the Gillnet fleet. I feel like getting fishing opportunity every day is still the best plan.

Prop 77: Support

This is the Departments preference for managing the fishery and it reflects a realistic date where the traditional shift from pinks to cohos occurs.

Prop 78 & 79: Oppose

Both these proposals go completely opposite from the long term % in the allocation plan. See Prop 75.

Prop 80: Support

Another useful tool to keep the allocation % within the correct parameters.

Prop 81: Oppose

Where is the science that proves our Chum production is harmful?

Prop 82: Support

Seems reasonable and a safety issue

Prop 83-85: Support

Seem like reasonable gear changes with little harm or downside.

Prop 86: Oppose

Sincerely,

Ron Thomson

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ATTN. BOF COMMENTS
BOARDS SUPPORTS SECTION
ADFG P.O.BOX 115526
JUNEAU, AK. 99811-5526

Page 1 of 4

THESE ARE MY COMMENTS ON THE FOLLOWING
PROPOSALS

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BOARDS

PROPOSAL # 1== WE STRONGLY SUPPORT

We have always maintain that we were subsistence users. In 2003 the BOF at a meeting in Cordova reclassified us as Personal Use which was wrong. We strongly support the proposal by the Fairbanks Adv. Committee as we have always maintain we were under subsistence protection from the commercial fishery

PROPOSAL # 2==WE APPOSE

We do not support the taking of sportfish for subsistence other then salmon & whitefish.

PROPOSAL # 3==WE APPOSE

We do not support the opening of CROSSWIND LAKE to taking of fish other then LAKE TROUT the taking of spawning SOCKEYE SALMON or other fish is not needed for subsistence.

PROPOSAL # 4==WE SUPPORT

We do not support the use of gillnet fishery in the Copper River Delta for the taking of Chinook salmon under liberal subsistence guidelines.

PROPOSAL # 8--APPOSE

This would only take King Salmon that need to go the farthest up the rivers to spawn and also provide subsistence salmon for up river people.. Commercial fishing season does not usually open till around May 15 and there are some restriction inside the barrier islands.

1/4
Byron W Haley
COMMENT# 2

PROPSAL # 9== APPOSE

Page 2 of 4

For the same comments under proposal # 8.

PROPOSAL # 18==APPOSE

In the Dip net fishery there is no way to make a daily report. Weekly aerial survey could not be done due to weather conduction which may muddy the water.

PROPOSAL # 22 WE SUPPORT

As per remarks under "ISSUE" on this proposal.

PROPOSAL # 23==WE SUPPORT

As per remarks under "ISSUE" on this proposal

PROPOSAL # 24== WE APPOSE

If a number of fish go by the counter are enough to support this fishery they need to be able to keep fishing to put fish on the table of the people who depend on this fishery. If enough fish go by the counter to support a supplemental fishery then the dip netters should be aloud to fish.

PROPOSAL # 25==WE SUPPORT

The dipnetters have went from a 40 Chinook limit to a limit of ONE (1) CHINOOK SALMON we have tried to raise the limit a number of times and this proposal makes good since

PROPOSAL # 26==We Appose

There is no need to put a restriction on the charter boats as the fisherman has to report the number of fish he has taken and what means by which he has taken the fish is not important

PROPOSAL # 81 SUPPORT

As per comments in the ISSUE of the proposal.

PROPOSAL # 107==SUPPORT
As per ISSUE as in the Proposal

Page 3 of 4

PROPOSAL # 108== SUPPORT
As per comments in the ISSUE of this proposal.

PROPOSAL # 109==SUPPORT
As per comments in the ISSUE of this proposal

PROPOSAL # 111==SUPPORT
This is required in all other sport fishing areas and also
the comments in the ISSUE of this proposal

PROPOSAL # 112==APPOSE
This goes against the catch & reless which is practise in
other fishing areas. If you fish in the tributaries of the
Copper River you are done fishing after hooking a fish
unless he throws the hook or brakes your line. Most
people have come a long ways to only be able to catch
one fish.

PROPOSAL # 113==APPOSE
There is no biological reason to stop power boats from
fishing 7 days a week.

PROPOSAL # 119==SUPPORT
As per comments in the ISSUE of this proposal & in the
Personal Use we are only aloud ONE CHINOOK Salmon
per year.

PROPOSAL # 121==SUPPORT
As per comments in this ISSUE of this proposal

PROPOSAL # 126==SUPPORT
As per comments in the ISSUE of this Proposal

PROPOSAL # 128==SUPPORT Page 4 of 4
As per comments in "WILL THE QUALITY-----BE
IMPROVED

PROPOSAL # 129==SUPPORT
As per comments in the ISSUE of this Proposal

PROPOSAL # 131==SUPPORT
As per comments in the ISSUE of this Proposal

PROPOSAL # 132==APPOSE
This closer to the Commerical fisheries was to allow
more Chinook Salmon to get into the Copper River as
the early run of Chinook Salmon are going the farthest
up the rivers.

Thank You

Byron W. Haley Pres.
Chitin Dip netters Association
1992 Pioneer Road
Fairbanks, AK. 99701-2818
Phone (907) 456-4426
E-Mail<bwhaley4@gci.net>

Darrell Kapp

338 Bayside Rd. Bellingham, WA 98225
(360)733-5455 (360)961-5706 Kapp_D@msn.com

To: Alaska Board of Fisheries
Mr. Mel Morris, Chair
Mr. Jim Marcotte, Executive Director
PO Box 115526
Juneau, AK 99811-5526

RECEIVED
SEP 29 2008
BOARDS

Re: Support Documentation for Restructuring Proposal
Restructuring Proposal 86 – 5AAC39.117 Vessel Length

Dear Mr. Chairman, Director, and Board Members,

The following information is supporting proposal 86 which seeks to repeal the 58 foot salmon seine vessel length limit.

Included is a completed restructuring proposal form along with a document outlining the history of the regulation and examining the current need for it.

If you need any further information or clarification of this proposal please feel free to contact me.

Regards,



Darrell Kapp

Alaska Board of Fisheries
Restructuring Proposal 86 – 5AAC39.117 Vessel Length

Proposal #86 seeks to repeal the 58 foot limit for salmon seine vessels in Alaska. This regulation has been in effect for a long time and a debate should be promoted to determine if it still necessary today.

- What was the intention when this regulation was enacted?
- Did the regulation accomplish the intended purpose?
- Is the rule still serving the needs of the salmon seine fishery in Alaska?
- If the rule no longer serves a purpose, why is it still part of Alaska's regulation?

In order to answer these questions the history of the law was examined and yielded some very interesting things.

The History of Alaska's "58 foot law"

Alaska fisheries, before statehood, were controlled and regulated by the federal government through the Department of Interior, Fish and Wildlife Office. The regulations were promulgated from Washington DC, released in brief form, and issued in March or May for that year's fishery. Reviewing the years from 1923 through 1960, a year after Statehood, several references to limiting salmon fishing vessels to length were located.

The Department of Interior established a length limit of 50 feet for salmon seine boats in Alaska. This may have began in 1939 because older generation fishermen remember boats were cut down in length (10ft off the bow or stern and/or rudders slanted forward) in 1939.

The following paragraph was taken from the regulations of March 9, 1959, Department of The Interior, Office of the Secretary:

"The regulations retain the "status quo" in regard to several issues debated at length by the various segments of the industry. No change is provided in the 50-foot limit on salmon purse seine vessels long in effect in most areas of Alaska."

The regulation was a 50 ft length limit because a standard measurement was needed. Federal measurement of vessels was not overall length. The 50 feet was measured by the distance on the tonnage deck, from the forward part of the rudder post, intersecting with the deck tonnage line to the rabbit line of the planking at the stem.

Before statehood salmon fish traps were prevalent in most areas of Alaska (traps were not north of the Alaska Peninsula). These traps, although said to be owned individually at first, were controlled by "lower 48" companies. Two companies, Alaska Packers Association (APA) and Pacific American Fisheries (PAF), were the largest trap owners. These companies were a major influence to the fishery regulations proposed each year in Washington DC and used regulation to protect their trap operations. Washington State had two very powerful Senators, Warren G. Magnusson and Henry M. Jackson, who looked out for their constituents.

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Salmon seiners produced fish during this time but were not as efficient as traps. In reality the companies did not want seine boats to be successful and diminish the production of the fish traps they controlled. Keeping a length limit on the seine vessel kept the traps importance.

Alaska, upon statehood in 1959, adopted the 50 foot measurement from the Department of Interior, Fish and Wildlife Office. Alaska later added 58 foot overall measurement and then clarified that description excluding the anchor roller extension. These regulations were legislative as well as Board regulations. The State Legislators in 2003 said the Board of Fisheries can regulate the length of vessels in fisheries and abolished the State laws controlling the length limits. The Board of Fisheries in 2008, made length limits below the water line not part of the measurement of a Salmon seine vessel.

The original purpose of the regulation was to keep the power of salmon production in the hands of the "outside" Companies who had control of the traps in Alaska. Did the rule serve the intended purpose and does the rule today serve an intended purpose? The answer is yes it served its intended purpose but the purpose faded through time and ended when salmon traps were abolished at Statehood in 1959.

Is the 58 foot law relevant today?

Understanding the history of the Alaska 58 foot law is necessary when evaluating if the 58 foot law is helpful in the present day salmon seine fishery. Today it is known "outside" fish Companies no longer control traps and influence Interior Department Regulations. The real question: Is this restriction on the length of a salmon seine vessel needed 50 years after statehood? Are the tools of present day management sufficient to deal with salmon harvest by seine boats of a length over 58 feet if there were no restriction on the length of salmon seine boats?

The present day 58ft. regulation is the out-growth and leftovers of past regulation. It was never a limitation of fishery capacity. If it were, the regulation would have applied to the width and depth of the vessel. Over time the salmon seine vessel length has been held to 58 feet but vessels grew considerably in both width and depth. Today's vessels are being constructed with widths of 25-29ft and depths of 11-13ft. This is a far cry from the vessels of fifty years ago. Even if this was unforeseen at the time it is good there were no restrictions placed on width and depth because it still allowed for some growth in the fishery. It could have possibly been unforeseen as well; the restriction on length in the salmon seine fishery also influenced regulation in other fisheries and caused other problems.

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Some outgrowth regulation and other problems

Alaska's sablefish and halibut fisheries

An outgrowth of the 58 foot restriction is the Federal 35, 60, and 125foot rules. (Vessel categories) National Marine Fisheries Service wanted a way to determine when observers needed to be aboard in Federal fisheries and to forestall a full scale reorganization of the fleet which might result from NMFS actions of rationalizing the sablefish and halibut fisheries. The 58 foot limit influenced this and thus a 60 and 125 foot limit for regulation of observer coverage came about. Again, this is not a capacity issue because if it were there would be restrictions on width and depth of the vessel. It's an observer issue. But observer coverage is changing to electronic. With electronic observer coverage there is no need of a physical observer to be on board. With electronic coverage, coverage is 24-7 and if the hydraulics go on the cameras are on. The choice of having all observed when fishing is coming and the expense will be one time with monthly fees for the designated service provider. It's cheaper and it gives 24-7 full time coverage. Once electronic observer coverage is instated the 60ft regulation is no longer needed.

Fuel conservation and costs

Hull efficiency is an important thing today. Fuel prices are soaring and a boat 58ft x 26ft, even with a bulbous bow is not efficient. The following are facts of design from the Navy concerning hull efficiencies and length to width ratios.

2.1 Displacement Ships

2.1.1 Hydrostatic Displacement: Ships

2.1.1.1 Historical Origin

It is impossible and unnecessary to present here a history of the development of the displacement hull form. Let it suffice to point out that this hull concept dates to prehistoric times.

2.1.1.2 Dominant Physics

The lift/drag performance of displacement ships at high speeds is dominated by wave making drag. A displacement form moving through the water pushes the water aside as it moves. This disturbance of the water requires energy, specifically propulsive energy from the ship.

Two major parameters affect the wavemaking resistance of the ship: Speed and Slenderness.

Ship wavemaking drag increases rapidly with increasing speed. It is not possible to state a specific law

for this increase - a law that holds true for all ships - but it is common to refer to a cubic increase in drag

with speed. Specifically, it is commonly understood that ship propulsive power will increase as the cube

of ship speed. Thus a doubling of ship speed will require an octupling ($8=2^3$) of installed power.

Transport Factor is a measure of merit developed by Dr. Colen G. Kennell of the David Taylor Model basin. Dr. Kennell's paper "Design Trends in High Speed Transport" was distributed to workshop attendees. Transport Factor is defined as:

$TF = 1.6878 / 550 * 2240 * (\text{Full Load Displ. in Long Tons}) * (\text{Speed in knots}) / (\text{Total Installed SHP})$

This cubic relationship is close to true for "normal" speeds. But at very high displacement speeds the curve becomes even more steep. It is common for naval architects to limit their investigation of displacement ships to a speed length ratio of about 1.30. (Speed length ratio is the ratio of ship

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speed in knots divided by the square root of the ship's length in feet. This is also known as the Taylor quotient T_q , after ADM David W. Taylor.) Above a speed-length ratio of 1.3 the increase in drag with increasing speed becomes greater-than-cubic.

Speeds greater than 1.3 are present in some displacement hull designs. The dominant question is "how important is wavemaking?" for the particular design. If one can make the wavemaking problem of lesser importance overall, then one may more readily consider speeds higher than $T_q=1.3$. The tool (or "one tool") for this is ship slenderness. A slender ship disturbs the water less, and thus has less wavemaking drag. It also has more surface area and thus more frictional drag, but this does not suffer the same steep growth with speed as does the wavemaking drag.

Slenderness is measured as the Length over Displacement ratio ($L/\sqrt[3]{V}$).

Present regulation contributes to inefficient boats and increases the fuel needed to push the vessel through the water.

At Sea processing of Alaska Salmon on an Alaska seine boat

Processing aboard a salmon seiner is almost impossible today because of the physical area needed and the footprint of the equipment for a safe and efficient operation. Innovative ideas are hard to do because small does not lend itself to the space needs of at sea processing. The State of Alaska Department of Commerce Office of Fisheries Development website says fishermen processing fish is the fastest growing segment of the processing sector. The website goes on to say that processing is limited on an Alaska salmon seiner because of the 58 foot restriction.

Conclusion

Alaska inherited from the Department of Interior a length limit on salmon seine vessels. This regulation is no longer needed. It does not assist in conservation of the resource; it promotes inefficiency in hull design, and stifles innovation in the market place. The length limit was instigated in the 1930's and 80 years later Alaska still has it. Why is this restriction still here? Sig Jeager saw this coming years ago when he said, "When you start to limit vessels by size, you distort what is usually a natural process and you create a resistance to further change when later on it becomes necessary."

The Alaska Board of Fisheries has the ability to repeal the 58 foot limit on salmon seine vessels and should do so now.

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**Alaska Board of Fisheries
Restructuring Proposal 86 – 5AAC39.117 Vessel Length**

Alaska Board of Fisheries – Restructuring Proposal Form

- 1) What regulatory area, fishery, and gear type does this restructuring proposal affect?**

This restructuring proposal affects salmon seine fisheries in Prince William Sound and Southeast Alaska.

- 2) Thorough proposal explanation:**

- a. Will this proposal require initial harvester qualifications? If so, how are they determined?**

There are no initial qualifications associated with this proposal. The proposal simply allows participants to use larger boats in the fishery.

- b. Are there new harvesting allocations?**

This proposal does not create new harvesting allocations. This proposal is in no way allocative in nature.

- c. What means, methods, and permitted fishing gear are proposed?**

There are no new means, methods, or permitted fishing gear proposed. Every methodology of the fishery would remain the same. Time, area, and gear restrictions currently in use would still be necessary. The proposal is only about the ability to use a larger boat to participate in the fishery.

- d. Is a change in vessel length proposed?**

Yes, this proposal seeks to repeal the current 58 foot limit on salmon seine vessels in Prince William Sound and Southeast Alaska. This proposal does not establish a new length limit nor does it set a minimum limit to participate in the fisheries. This proposal simply eliminates the 58 foot length limit.

- e. Are the transferability of permits or harvest privileges affected? If so, explain.**

This proposal does not have anything to do with transferability of permits or harvest privileges.

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f. Is there a defined role for processors? If so, please describe.

Alaska processors may be affected if at sea processing is developed. Alaska at sea processors will demand regulation to protect their quality products from mishandling effects. Capitol investment in properly equipping seine vessels to at sea processing will demand regulation to keep "Alaska Processing At Sea Salmon Seiners" producing top quality products. Shore side processors could feel threatened by this proposal. A seiner processing at sea could be seen as a fisherman going into the processing business. The processors natural thought would be that the fisherman should be selling his fish to the shore side for processing. In reality the seine boat processing fish will need the shore side and will need to make arrangements to work closely with the shore side. Many logistical problems associated with the processing of salmon will need the shore side. For example, some days the catch will exceed the processing capacity of the vessel. Pumping off to the shore side processor is needed for extra capacity the vessel could not process on its own. The relation between the shore side and the at sea seine processor will likely be a stronger tie then most think. There may be enough margins in the products produced to allow existing processors to sell the new "frozen at sea" product through their existing market channels.

g. Will this proposal be a permanent change to regulation? If not, for how long?

Yes, this proposal is expected to be a permanent change to existing regulations.

h. If adopted, will your proposal require a change in monitoring and oversight by ADF&G?

ADF&G now regulates salmon fisheries with the tools of area, gear and time. This proposal does not change any of these management tools. Some change in oversight by ADF&G may occur if the ability to process at sea is developed. These changes would be reporting requirements from the "At Sea Processor". Regulation is now in place for floating processing new regulation surely will be brought forth when needed.

i. Will vertical integration (e.g. harvesting and/or processing) or consolidation occur? Will limits be imposed?

Consolidation is not a foreseen outcome from this proposal. However, vertical integration could occur in a limited basis in that with bigger vessels the harvester will have the ability to freeze and process on board a vessel with more space. This may or may not be seen as vertical integration. In this case the permit holder would still be required, per CFEC regulation, to be aboard the vessel while harvesting is taking place.

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j. How do you propose to monitor and evaluate the restructured fishery?

This proposal does not restructure the fishery in such a manner to necessitate continued monitoring and evaluation. There should be no change in the manner by which the fishery takes place, the amount of fish that are harvested, or the manner by which those fish are harvested.

k. Is there a conservation motivation behind the proposal? If so, please explain.

There is no additional conservation motivation behind the proposal unless it is taken into account that longer vessels are more fuel efficient than shorter/wider vessels.

l. What practical challenges need to be overcome to implementing your proposal, and how do you propose overcoming them?

There are some challenges to this proposal but none of them can be viewed as practical. This proposal represents change and change scares people who are unwilling to embrace it. Repealing the 58 foot rule is something that is long overdue. There are many arguments for keeping it in place but as time has passed most of the arguments are no longer applicable and other arguments are just plain unfounded.

“My boat will lose value allowing boats longer then 58ft into the fishery” This is the most common opposition argument. It is false and it needs to be examined.

Today others are building boats that are 58ft with a width of 26-28ft and a depth of 11-12ft. Most of these people are doing this because they want to replace their existing vessel and they participate in the sablefish or halibut fishery in addition to salmon seine fisheries. The costs of these vessels are 1.5 million to over 3 million dollars. The fishermen have salmon limited entry permits and before long line rationalization, salmon was probably their most important fishery. With long line rationalization their business model changed and now sablefish or halibut fisheries are the driving capital contributors to their business. The vessels conform to the present vessel length restrictions in both fisheries because today’s standard of measurement, between the Federal regulation of 60 feet in the rationalized fisheries and State regulation of 58 feet, is insignificant.

A vessel 58x 26x12 has the same capacity as a vessel 72x23x10.5. If it were the case that allowing longer vessels into the salmon seine fishery would drive down values on the 58 foot and less boats, it would already have happened with the current sponsoning and construction of vessels today. Larger boats, longer or wider and deeper, are all the same. The Alaska salmon seine fishery needs these boats because others are building them. The length restriction just causes others to build “bad” boats.

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The restriction on vessel length does not determine value. Other criteria are much more significant. Construction material, general arrangement, engine size and condition, electronics packages, and level of maintenance and upkeep required are the value determining components.

Having the ability to use vessels over 58 feet does not mean vessels over 58 feet will be "better" than status quo. Many Alaska salmon seine fishermen use vessels shorter than 58 feet. Each fisherman uses a vessel which suits the area he intends to fish and the fishermen's idea of the tool he believes works.

Repealing the 58 foot restriction allows some to try new ideas and explore areas of marketing that are not possible with the current length limit. Why continue to build wider and deeper when efficiencies could be achieved with a longer length?

Believe it or not there is in fact a limit on the size of boat that can be efficiently used for seining. Seiners have to be very maneuverable to get close to shore so the skiff and seine can get to the beach. Also, seining does require some finesse in how the net is retrieved. Some say that a bigger boat is better to fish in rougher weather and this is somewhat true. What is overlooked is how much more wind the bigger vessel would catch as it is trying to retrieve the net making fishing in windy weather very difficult compared to a smaller more agile vessel.

The explanation of this proposal contained here and examination of the history of the rule should overcome the challenges to repealing this regulation.

3) What are the objectives of the proposal?

The objective of this proposal is to allow larger vessels to participate in the salmon seine fisheries in Prince William Sound and Southeastern Alaska. Elimination of the 58 foot rule allows fishermen to have a bigger, safer, more efficient, and economical vessel.

4) How will this proposal meet the objectives in question #3?

Repealing the 58 foot rule allows larger boats to participate in the fishery.

5) Please identify the potential allocative impacts of your proposal. Is there an allocation or management plan that will be affected by this proposal?

There are no potential allocation impacts foreseen from this proposal. This proposal will not affect current fishery management plans.

6) If the total value of the resource is expected to increase, who will benefit?

This proposal will potentially increase the value of the resource through giving the vessel owner a platform to better create value added products. Larger boats would possibly have the ability to freeze and package on board creating a more valuable product. Anyone involved in the fishery would benefit from the ability to produce

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higher valued products. Value added creates a higher fishery value which benefits fishermen, processors, and local communities. Permit values could also potentially increase benefiting every fisherman involved.

7) What will happen if your fishery is not restructured as your proposal recommends, and how is this proposal an improvement over current practices?

Please see the accompanying document outlining the history of the 58 foot rule. This regulation is outdated and unnecessary. The salmon seine fishery has so much more potential than to be limited in this manner. The business is already increasingly difficult. With the current market environment almost entirely predicated on quality why not allow a platform that will have the potential to increase quality. This elimination of the 58 foot rule would allow those that choose the ability to enhance the profitability of their salmon seine businesses.

8) Considering the history of the commercial fishery, what are the potential short- and long-term positive and negative impacts on:

- a. The fishery resource:** The fishery resource will see no change short or long term as this proposal does not change the fishery management plan. The pressure on the fishery resource is dictated by regulating time, area, and gear.
- b. Harvesters:** There will be no short or long term impacts on harvesters. Those that choose to will get a bigger boat and those that do not choose to will not. It will not change anything about how the fish are harvested. The lines at the hook offs will remain unchanged.
- c. The sector, species, and regional interdependence relationships:** There will be no impacts at all in this area.
- d. Safety:** Safety will be enhanced by the addition of larger boats. It is widely considered that larger boats are inherently safer than smaller ones. Vessel safety is largely interdependent on the captain and crew to achieve it.
- e. The market:** There will be a positive impact to the market for salmon in both the short and especially the long term. The ability of using a larger boat to utilize freezing at sea would increase the market value of the product and thus increase the average market value of the fishery.
- f. Processors:** The relationship between processors and fisherman will remain unchanged. There will always be salmon processors buying fish from seiners in Alaska no matter what size of boat they operate. Bigger vessels will not take away from the market share of the processors in the short term and in the long term there could be marketing agreements between the fishermen and

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COMMENT# 3

processors to market the value added products through existing channels so everyone benefits.

- g. **Local communities:** Local communities would benefit from increased value in the local fishery. Larger vessels that chose to process on board would likely need increased shoreside support for shipping logistics, inventory and supply storage, and possibly local workers to assist in packaging the product.

9) What is your understanding of the level of support for your proposal among harvesters, processors and local communities?

There should be support from fishermen and processors who are concerned about long term solutions to increasing product quality and value in Alaska's salmon seine fisheries. The opposition to this change, just like any other change, are those who fear their current equipment or operation will become obsolete or lose value. Additionally, some would be in opposition because they cannot currently afford to invest to upgrade their existing equipment to take advantage of producing better quality product so they would wish to hold others to their level.

10) What are the potential short and long-term impacts on conservation and resource habitat?

There are absolutely no short or long term impacts on conservation or resource habitat. The fishery controls that are currently employed are more than sufficient. The repeal of the 58 foot rule would not change any of this.

11) What are the potential legal, fishery management, and enforcement implications if this proposal is adopted? What other governmental actions may need to be taken into account?

Again, ADF&G now regulates salmon fisheries with the tools of area, gear and time. This proposal does not change any of these management tools. Some change in oversight by ADF&G may occur if the ability to process at sea is developed. These changes would be reporting requirements from the "At Sea Processor". Regulation is now in place for floating processing and we are sure new regulation can be brought forth when needed.

Respectfully Submitted,
Darrell Kapp
338 Bayside Rd.
Bellingham, WA 98225

11/11



RECEIVED

SEP 29 2008

September 23, 2008

BOARDS

Alaska Department of Fish & Game
Board Support Section
Board of Fisheries
P. O. Box 115525
Juneau, Alaska 99811-5526

(RE PROPOSAL # 369)

RE: Curyung Tribal's Resolution 2008-20

Dear Board of Fisheries Council Members,

Please refer to the attached resolution. Curyung Tribal Council recently passed at its September monthly meeting the attached resolution; Resolution 2008-20; a resolution to stop all trawling in the waters of Bristol Bay to trawling for Yellow Fin Sole.

Curyung Tribal respectfully requests your consideration, assistance and support in closing all state and federal waters within Bristol Bay to trawling.

If you have any questions or concerns, please feel free to contact us.

Sincerely,

Tom Tilden, Chief

CC: Bristol Bay Economic Development Corporation
US Senator Ted Stevens
US Senator Lisa Murkowski
US Representative Don Young
Governor Sarah Palin
Senator Lyman Hoffman
Representative Bryce Edgmon
North Pacific Fisheries Management Council
Commissioner of Alaska Department of Fish & Game

**CURYUNG TRIBAL COUNCIL
RESOLUTION 2008 – 20**

A resolution to stop all trawling in the waters of Bristol Bay to trawling for Yellow Fin Sole

WHEREAS: The Curyung Tribe is a federally recognized Alaska Native Tribe serving its tribal members, 2500 strong and the community of Dillingham; and

WHEREAS: The Curyung Tribal Council is the federally recognized and duly elected governing body of the Curyung Tribe; and

WHEREAS: The Curyung Tribe is very concern with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place, in some years the halibut bycatch is more than the directed CDQ halibut fishery; and

WHEREAS: Curyung Tribal members are reporting conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area. In 2007 and 2008 these were reported to the National Marine Fisheries Service (NMFS); and

WHEREAS: The Curyung Tribe and its members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and

WHEREAS: The Curyung Tribe, its members, the North Pacific Fishery Management Council (NPFMC) and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery for these juvenile species and have closed all other waters of Bristol Bay to trawling; and

WHEREAS: The Curyung Tribe has known the waters that are being fished by the yellow fin sole fishermen in Bristol Bay, is also along the migratory path of caplin. The NPFMC has listed caplin as an important forage fish species for Stellar Sea lions. Caplin spawns in the Togiak district of Bristol Bay and migrates along the same path as our herring stocks, the Nushagak Peninsula.

NOW THEREFORE BE IT RESOLVED the Curyung Tribal Council formally requests the State of Alaska close all State waters within Bristol Bay to trawling. We also request the North Pacific Fisheries Management Council close adjacent Federal waters within Bristol Bay to trawling by May 2009.

2/3

COMMENT# 4

CERTIFICATION:

The foregoing resolution was passed by the Curyung Tribal Council on the 10th day of September, 2008 and that a quorum was present.



Thomas Tilden, 1st Chief

ATTEST:



Kimberly Williams, 3rd Chief

North Pacific Fishery Management Council

Eric A. Olson, Chairman
Chris Oliver, Executive Director



605 W. 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Telephone (907) 271-2809

Fax (907) 271-2817

Visit our website: <http://www.fakr.noaa.gov/npfmc>

RECEIVED

September 1, 2008

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

(RE PROPOSAL # 370) BOARDS

Dear Board Members:

I am writing this letter in support of an agenda change request submitted by Robert Mecum of the National Marine Fisheries Service (NMFS), Alaska Region. Specifically, the Council would encourage the Alaska Board of Fisheries to accept the agenda change to address bottom trawling closures in the Bering Sea.

In June 2007, the Council adopted precautionary measures to conserve benthic fish habitat in the Bering Sea by "freezing the footprint" of bottom trawling by limiting trawl effort only to those areas more recently trawled. These measures prohibit bottom trawling in the basin area of the Bering Sea, as well as on the continental shelf north of Nunivak Island and St. Matthew Island. These regulations were implemented by NMFS, and became effective August 25, 2008 (73 FR 43362, July 25, 2008). These regulations apply to federally permitted vessels regardless if they operate within Federal or State waters.

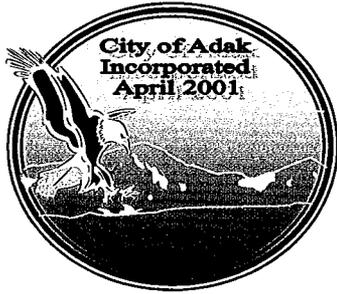
To ensure consistency in the protection of bottom habitat from the effects of bottom trawling, for all vessels operating in State waters, the Council urges the State to consider the adoption of regulations that are consistent with federal regulations. This has been the standard practice in cases when federal trawl closure areas have been designated immediately adjacent to State waters.

Once again, thank you for carefully considering the NMFS agenda change request.

Sincerely,

Chris Oliver
Executive Director

COMMENT# 5



P.O. Box 2011 • Adak, Alaska 99546
(907) 592-4513 • (907) 592-4500
Fax: (907) 592-4262
Email: adakcityclerk@yahoo.com

RECEIVED
SEP 20 2008
BOARDS

November 11, 2008

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

Dear Chairman John Jensen,

The City of Adak adopted the attached Resolution # 2008-10b at our City Council meeting September 25, 2008.

We wish to submit this Resolution as a public comment with regard to BOF Proposals #371 and 372 for your consideration at your Cordova meeting in December.

Thank You Very Much

A handwritten signature in cursive script that reads "Peggy Campbell".

Peggy Campbell
Adak City Clerk

CITY OF ADAK RESOLUTION # 2008-10b

TO THE ALASKA BOARD OF FISH

WHEREAS: the economy of the City of Adak depends on fisheries;

WHEREAS: the 60' and under vessels depend upon and utilize the shorebased infrastructure in the community and thus contribute more to our local economy;

WHEREAS: the City of Adak has invested in a small boat harbor and desires to see fishing opportunities that would make a local fleet viable;

WHEREAS: Congress allocated the Aleutian Island pollock quota for the economic development of Adak, but NPFMC has failed to open any areas within sea lion Critical Habitat to pollock fishing;

WHEREAS: Crab Rationalization dramatically reduced the amount of crab being processed in Adak;

WHEREAS: the Aleutian Islands are the only area in Alaska where the NPFMC has provided no protection for onshore processing;

WHEREAS: the City of Adak believes onshore processing provides the most benefit to fishing communities

WHEREAS: the foregoing actions and lack of actions by the NPFMC all negatively impacted the ability of Adak to realize its potential as a fishing community;

WHEREAS: the Aleutian Island Statewater cod fishery is vital to the development of our community;

WHEREAS: in the most recent AI Statewater "B" season, roughly 80% of the GHL was taken by Catcher/Processors;

WHEREAS: the lack of a 60' vessel size limit in the AI Statewater cod fishery has resulted in the majority of the GHL being processed offshore;

WHEREAS: one of the BOF's Guiding Principles is the "extension of the length of fishing seasons by methods and means and time and area restrictions to provide for the maximum benefit to the state and to regions and local areas of the state"

THEREFORE, BE IT RESOLVED: The City of Adak requests the Board of Fish modify the 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan to limit vessel size to a uniform 60 foot maximum and take actions to spread out the statewater season.

Signed C. D. Mohr Date 10-07-08

COMMENT# 6

RECEIVED
OCT 10 2008
BOARDS

STEVE AARVIK
F/V WINDJAMMER
18316 68th AVENUE W.
LYNNWOOD, WA 98037

October 8, 2008

Mr. Mel Morris, Chairman
Alaska Board of Fisheries
Alaska Dept. Of Fish & Game
P.O. Box 115526
Juneau, AK 99811-5526

(RE PROPOSALS # 371
372)

Re: Comments Regarding ACR 8, ACR 9, and ACR 10

Dear Chairman Morris:

I am the owner of the 75-foot trawler F/V WINDJAMMER. The WINDJAMMER has engaged in the Bering Sea and Aleutian Islands Pacific since the 1987, including in the Aleutian Islands State Water fisheries in the last three seasons. I was very happy to have been asked by Clem Tillion to start delivering at Adak, and have delivered all of my Aleutian Islands catch during the last three years to Adak Fisheries onshore. I have always fished shore-based.

My father was a fisherman, and so am I. However, being a non-American Fisheries Act (AFA) vessel with a long history of fishing mainly cod, the WINDJAMMER has fallen between the cracks created by the various rationalization plans such as the AFA. I was shut out of the AFA because during the lead-in to the AFA, the processors would not buy my pollock.

I shifted much of my effort to Aleutian Islands because of greatly increased participation early in the "A" season by AFA vessels freed up to do so by the coop system of the AFA. Many more AFA vessels now start fishing for cod in January, instead of about March 1st as they did before the AFA. As a result, "A" season ends earlier each year.

1/2

COMMENT# 7

I would like to briefly touch on each of these 3 ACR's:

- I OPPOSE ACR 8, which would provide for a 60' limit in the Aleutian Islands District Pacific cod fishery. This would reallocate cod from the WINDJAMMER to other vessels, many of which would be new to the fishery. However, if any new limit is set, it should be at least 87.5 feet, to accomodate non-AFA catcher vessels with a history of fishing in the State waters.

- I SUPPORT the concept of ACR 9 to reduce catch in "A" season and spread out the Aleutian Islands District P. cod fishery. However, the ACR provides insufficient detail to fully evaluate it.

- I SUPPORT ACR 10, a proposal to reduce the daily catch limits to 75,000 pounds for the AI Pacific cod fishery, or even to 50,000 pounds per day to help slow down the harvest rate.

Another measure which would help to reduce the adverse impacts by the AFA on other fishermen and shoreside processors such as Adak Fisheries would be to have a stand-down period for AFA vessels which transferred their AFA pollock allocation before they could enter the cod fishery.

When you consider these 3 ACR's, please let me stay in the path, and do not let the WINDJAMMER fall into yet another crack.

Sincerely



Steve Aarvik
F/V WINDJAMMER

hp/STEVE.AARVIK

RECEIVED
OCT 10 2008
BOARDS

CHARLES & LOIS BURRECE
F/V LONE STAR
2406 Peabody Street
Bellingham, WA 98225

October 10, 2008

Mr. Mel Morris, Chairman
Alaska Board of Fisheries
Alaska Dept. Of Fish & Game
P.O. Box 115526
Juneau, AK 99811-5526

Re: Comments on ACR 8

(PROPOSAL
371)

Dear Chairman Morris:

My name is Charles A. Burrece. Together with my wife Lois Burrece, we are the owners of the 86-foot F/V Lone Star. This letter is to explain where our concern is if the 60 foot and under rule passes for fishing out in Adak.

This is how it is: we will lose \$150,000.00 to \$225,000.00 if this happens, and Adak will lose a lot more. The 60' and under boats did not unload to Adak in the last State opener and half did not even come out there for the opening.

Adak Seafoods did not get the 60' and under fish. Their fish went to Trident Seafoods. The F/V Lone Star, F/V Windjammer and F/V Miss Leona supported Adak when 60' and under didn't. How will 60' and under help Adak? They won't. There won't be enough fish to support Adak if it is left to the 60' and under boats. It takes volume in bottom

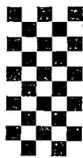
fish.

We cannot fish in State Waters April-Sept.15th out there; that's why we weren't there. If this 60' and under measure goes through, the F/V Lone Star, F/V Windjammer and F/V Miss Leona will not be able to unload at Adak for Federal Season because we don't have LLP for it yet. I don't think it would be in the best interest of Adak to push for this 60' and under. It is a worthy dream to have a small boat fishery out in Adak, but that dream is clouded by a disfavor of bigger boats. Bigger boats are the back bone of any cannery - volume makes it work. Our concerns are for the City of Adak and the Aleut Corporation and all the boats that fish out that way. No one will win a thing with this 60' and under measure but 5 or 6 boats. Well, that won't support Adak. The City of Adak won't gain a thing and will be hard pressed to survive with what they have now. Why make it worse. This is a bad thing for the Aleut People and all the people in the Aleutians.

Sincerely,

Charles & Lois Burrece

F/V Lone Star



FAX

RECEIVED
OCT 04 2008
BOARDS

ATTN.

Fax Number 1 907 4656094

Phone Number

FROM Dave Goldstein

Fax Number 907 472 2581

Phone Number

SUBJECT Board of Fish comments for PWS.

Number of Pages 3

Date 10/4/2008

MESSAGE

Please accept my comments on proposal 94 and 95. You may reach me at (907) 472-2581 or (907) 244-0234 or pwseco@yukontel.com for questions or comments. Also, I support changing the boundaries for the terminal coho fishery in Passage Canal (Whittier).

Thanks in advance,
Dave Goldstein
PWS Eco-Charters

1/3

October 4, 2008

ADF&G Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

RECEIVED

OCT 4 2008

BOARDS

Dear ADF&G Board of Fisheries:

While much of this past week has been spent at the NPFMC meetings in Anchorage, I did have time to review proposals for Prince William Sound. Here are my comments on two issues.

The first is Proposal 94 – 5 AAC 55.xxx which seeks to limit the number of lines fished on state licensed charter vessels. While I understand the intent of this proposal and support protection of the fishery resource, I have several problems with this. Most importantly, I object to segregating the recreational fishery into “guided” and “unguided”. In implementing conservation measures, if needed, the entire recreational fishery needs to have rules and regulations that apply to all. This proposal singles out one small group of recreational anglers who happen to fish from a charter boat that is not a holder of a limited entry permit. It also invites many innovative ways to circumvent this proposed rule...making enforcement both difficult and costly. Additionally, as written, the proposal prevents “skipper and crew” fish, “comp” client fishing, and fishing via donated fishing trips such as for Military Appreciation Day on ONLY non-federal, limited entry charter boats. As I see it, this clearly discriminates between one charter boat and another.

Perhaps a better solution, if there really is a problem or potential problem, would be to set a limit on the number of charter boats that can fish in Prince William Sound? This also has some problems in that all charter boats simply provide access to the fishery resource, as opposed to controlling it. The harvester, or in this case the state licensed fisher person, should be the one that new rules and/or regulations are directed to. Currently, state fishing licenses, NMFS rules, State closures, etc. are all tools that can control fishing pressure. I'd also note that I am a charter operator and do qualify for a limited entry permit.

The second proposal I'd like to comment on is Proposal 95 – 5 AAC 55.xxx. The wording of this proposal is flawed. First of all, “...line guides...” in the first sentence does not recognize “in line” rods, which have no line guides. I use “in line” rods in my business and object to excluding them as acceptable gear. Next, I object to the term “...hand powered reel...” in the same sentence. For older customers, young ones, weak ones, etc. I occasionally use electric reels. I know one skipper in Whittier who uses almost exclusively electric reels in his business. The electric reels simply relieve cranking...both for checking bait and for hauling up fish. The depths to which one can fish are limited to how much line the reel can handle (and how much cranking the

2/3

RECEIVED TIME OCT. 4. 1:54PM

PRINT TIME OCT. 4. 1:55PM

COMMENT#

9

customer can handle), not whether the reel is "hand powered" or "electric powered" or powered by some other form of energy. As I read further down, it becomes apparent that this proposal further goes on, in the second to last sentence, to include a hand powered, electric, and hydraulic or power assisted downrigger...not just electric downriggers as the proposal sentence states. Electric downriggers may also be used to lower cameras, to lower and retrieve chum bags, etc. which does not involve a rod and reel, but may be looked at by some as "sport fishing gear". Perhaps a better statement would be that ANY downrigger may not be used to DIRECTLY catch sport fish? Again, newer electric downriggers do have a "jigging" ability or ability to raise and lower with bottom contour changes. Also, the current wording seems to me to almost infringe on the use of electric reels...which now come in both hand power and electric power. Again, as written, I oppose this proposal.

Respectfully,

David B. Goldstein
PWS Eco-Charters

3/3

COMMENT# 9

2629 Keegan Circle
Anchorage, AK 99508
September 27, 2008

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

RECEIVED
OCT 06 2008
BOARDS

Proposal 3 SAAC 01.625(b)

- 1st Leave it as it is. Do nothing
- 2nd No
- 3rd If it is open to subsistence fishing, sport fishing will diminish. It's open now to sport fishing for all.
- 4th The lake next to Crosswind, Lake Louise - Susitna - Tyone, went through a time when multiple lines were set for bouret and all three were about fished out about 20 years ago. The amount of fish have never recovered as the lake trout grow so slowly. A 20-pound fish is 20 years old and there is no hatchery for lake trout.
- 5th If people need subsistence fish they have a hatchery raising salmon.

Gene Moe
Gene Moe
272-2135

2008
BOARDS

To: ADF&G Board Support Section

Re: PROPOSAL 2 -5 AAC01.6XX. New section. Traditional subsistence use of fish stocks in Upper Copper River / Upper Susitna River Drainages proposed by the Ahtna People

October 10, 1998

I would like to register my strong objection to the proposal for "customary and traditional subsistence" use of fish stocks in the Copper River and Susitna River Drainages.

I live on Crosswind Lake approximately seventy-five percent of the year and have seen a dramatic decrease in the size and number of Lake Trout and Burbot caught. Over the years ADF&G has severely limited size and possession limits due to this decrease. Fish numbers have decreased in almost all the lakes and rivers named in this proposal. To add subsistence fishing to these already over fished lakes and rivers will cause a strain that cannot be restored. Almost all fish named in this proposal are very slow growing and dependant on each other for survival.

This issue is only the beginning of what may become a precedent for subsistence fishing in all areas of Alaska. I ask that you take into consideration the magnitude of this proposal and vote to keep "NON-SALMON FINFISH" out of the quagmire of "SUBSISTENCE".

Wynona Ralph

Wynona Ralph
P.O. Box 871413
Wasilla, AK 99687
(907) 232-3897

COMMENT# //

RECEIVED
OCT 15 2008
BOARDS

October 9, 2008

To: ASF&G Board Support Section

Subject: Proposition #3 in Green Book - To open Crosswind Lake
to Subsistence Fishing

The limits for fishing on the Lake have continually dropped. It is now one Lake Trout over 24 inches per day and in possession. Lake Trout and other fish grow very slow. I feel this Lake can not take that kind of pressure and would be irreparable after a couple of years. The other fish cannot take that kind of pressure either, since they are also feed for the bigger fish. I have had a place on the Lake for about 30 years and the fishing is getting slower all the time. More people can now get to the Lake in winter, so it is fished more heavily than ever.

If the fish stocks drop low, will subsistence supersede sport fishing? Will Natives be the only people to get subsistence rights? When this Lake is finished, will subsistence fishing just move on to other lakes or rivers? Fresh water fish do not return like salmon.

Please consider to oppose this new proposal. Thank you.

Sincerely,



Curtiss R. Anderson

COMMENT# 12

Dear Alaska State Board of Fisheries,

I am a Fairbanks mom and wife who needs Copper River salmon (Chitina dipnetting) for healthy food for my family. We depend on it. We work hard to catch it. We drive a long way to partake in a way of life that is challenging, but personally and physically rewarding. It is so disappointing when the fish are not there. Please be sure they are there. Don't "sell-out" to businesses that make profits while our families' stomachs go empty (of healthy salmon).

I follow the Copper River fish stories carefully. We are always talking "Chitina" in the summer: when to go, "what have ya heard – are they running?", how to get everyone down there for a family outing, preparing for the trip, "how's the road - anyone getting through?"...

Sorry I could not make the meeting, I was out of town for a family wedding. We do care, and want you to be sure you let enough salmon through so Alaskan families can have healthy food for their families, directly from the river to their freezers. Getting our own food is important to us – it helps us be self-reliant. It helps our children be self confident and gain useful, healthy lifestyles and skills.

Thank you for serving and listening.

Sincerely,

Nancy Hummel

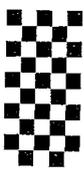
Marc Hummel (husband)

Scott Hummel (son)

Sean Hummel (son)

RECEIVED
G. aut
BOARDS

COMMENT# 13



RECEIVED
OCT 28 2008

Comments on PWS and Upper Copper River proposals
Submitted by Richard Casciano box 584 Cordova, Alaska

BOARDS

Proposal#30

I submitted this proposal and for the record the following permit holders are all in agreement with this proposal and fully support it. They are as follows: John Andrews, Jesse Beedle, Richard Casciano, Natasha Casciano, Robert Eckley, Deborah Eckley, Mark King, George Levasseur, Thane Miller, Sharry Miller, Britt Pedicord, Gordon Scott, Alex von Whichman, Bradford von Whichman, Kjersti von Whichman, Joe Wilson Sr., Riley Wilson. There are many more permit holders that I have spoken with this summer and all agree with the need to lengthen the season however they support even more fishing time [March 15 through November 1]. I would like to be seated on the committee that deals with this at the December 1-7 BOF meeting in Cordova.

Proposal#37

I fully support this proposal. As a halibut and blackcod fisherman in PWS I sometimes have to discard pacific cod for fear of exceeding my bycatch limit which could result in being ticketed by Fish and Wildlife enforcement officers.. This is a tragic waste as this species does not have the ability to survive after being brought up from the deep. Adoption of this proposal will help to greatly reduce the unnecessary waste of a valuable resource.

Proposal#70

I would support this proposal if it also allowed for cost recovery adjustments by PWSAC if the seine harvest fell below 45% to prevent the drift gillnetters from losing access to Esther chums. I fully concur with the author that the loss of Pt. Chalmers by the seine fleet is unacceptable. In fact in my opinion the "piggy banks" should be eliminated or at the very least the harvest percentages that trigger them be substantially reduced, perhaps to 30%. In 1989 when PWSAC was mandated to create an allocation policy by the BOF, a year long process began which included a survey of all gear groups. All told the one concept that was almost unanimously agreed upon was opportunity to fish every year and not "sit on the beach" waiting for another gear group to "catch up." The PWSAC allocation policy adopted in 1991 was built around this concept which unfortunately has become long forgotten. With rising pink salmon prices and 2 very successful seine seasons in 2007 and 2008 it may well deserve another look.

Proposals#71, 72, 73

I strongly oppose these proposals as their justification that Coghill sockeye and pink salmon are underutilized is just not true. Furthermore allowing seiners access to the Coghill District prior to July 21 would enable them to harvest PWSAC chum and sockeye salmon present throughout the district at this time of year, fish already allocated exclusively to the drift gillnet fleet..

1/2

COMMENT# 14

RECEIVED TIME OCT. 28. 9:02AM

PRINT TIME OCT. 28. 9:05AM

Comments on PWS and Upper Copper River proposals
Submitted by Richard Casciano box 584 Cordova, Alaska

Proposal#30

I submitted this proposal and for the record the following permit holders are all in agreement with this proposal and fully support it. They are as follows; John Andrews, Jesse Beedle, Richard Casciano, Natasha Casciano, Robert Eckley, Deborah Eckley, Mark King, George Levasseur, Thane Miller, Sharry Miller, Britt Pedicord, Gordon Scott, Alex von Whichman, Bradford von Whichman, Kjersti von Whichman, Joe Wilson Sr., Riley Wilson. There are many more permit holders that I have spoken with this summer and all agree with the need to lengthen the season however they support even more fishing time [March 15 through November 1]. I would like to be seated on the committee that deals with this at the December 1-7 BOF meeting in Cordova.

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Proposal#70

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2/2

COMMENT# 14

Submitted By: David Blake

8 2008

BOARDS

Written Comment for December 2008 Board of Fish Proposals Prince William Sound / Copper River Meeting, Cordova, AK December 1 to 6, 2008, by David Blake

Proposal:

4 : Opposition to this proposal.>

Escapement to the upper Copper river has been increasing substantially over the last 25 years. There is no biological data that would support the increase of escapement of King or Sockeye to the upper Copper River.

Proposal:

6: Support this proposal >

This is a step toward a useful database that would lead to giving Management REAL tools to manage this fishery.

Proposal:

18: Support this proposal >

This fishery seems to be out of control. The State and Management needs to monitor and gather data as to what fish are actually being taken and that the fish are used as designated under State Statue. The only way is to gather multi year data that can be reviewed.

Proposal:

#19 and 20: Support this Proposals >

The value of the daily data collected will ad to a much needed data base that this fishery is in dire need of. There seems to be many rumors of abuse of limits and sale of personal use fish. The fisheries department and the Board of Fish needs real data in order to make decisions based on fact.

Proposal:

22 Opposition to the proposal >

I don't know how a household could need any more personal use fish after 30 fish. This is an enormous amount of salmon without any increase in the limit.

Proposal:

#23: Opposition to this proposal >

The personal use limit is high enough and this could lead to pressure on the department to allow escapement due not to biological needs.

Proposal:

#24 Support the Proposal >

When there is a low run on the Copper River all users of the fishery should be share in the pain.

Proposal:

#25 Opposition to this Proposal >

I can see no use or reason to increase the king catch .

Proposal:

#26 Support this proposal >

We are in desperate need of a reliable data base so that management and future board of fisheries has data to make informed and biological decisions.

Proposals:

61 , 62, 63, Support these Proposals >

Set gilnet operations put out anchors at sites that are not fished only for blocking out the drift net fleet. The proposal does not ask that the anchor's be removed just put a sinking line along the bottom that would allow the waters available to the drift fleet when the sites are not fished. This has been a problem for many years that needs to be addressed.

Proposal:

#64 Support this proposal >

This gives the drift fleet more equal access to the fishery. The set net fleet has exceeded the allocation % in this district year after year. This would be a way to keep the set net fleet fishing without as many closures.

Proposal:

#65 Opposition to this Proposal >

The author of this proposal admits that the drift fleet would suffer. The set net fishery has exceeded the allocation plan % year after year. This would only make it worse and create further or longer closed periods for the set net fleet.

Proposal:

#67 Support as amended

This only works if the set net anchor buoys removal proposal is passed and Allocation Plan % is not adjusted and not exceeded by the set net fishery as has happened for so many consecutive years.

Proposal:

#69 Strong Opposition to this proposal >

This is a backdoor effort by the Seine fleet to obtain access to the Esther Hatchery Chum fishery. There has been no wild stock over escapement and the gilnet fleet can harvest the fish in the gilnet areas that the Seine fleet is after.

Proposal:

#70 Strong Opposition to this proposal >

By amending in this matter the Seine fleet is trying to undo what they pushed so hard to get into the regulation at the last Board of Fish meeting for PWS. With the price of pink salmon recovering there were quite a few gilnet fishermen at Esther fishing Pink Salmon. If we move cost recovery from chum to pink and stay at Esther then the gilnet fleet suffers more for cost recovery still comes from gilnet % fish. As for the argument that the gilnet fleet can't harvest the fish under the present allocation plan is nothing more than conjecture with unknown facts.

Proposal:

#71 Strong Opposition to this proposal >

This is another blatant attempt by the Seine fleet to gain access to the fish that is destined to the gilnet fleet. There is no biological statistics that show any over escapement of fish in Port Wells. Under the :Who is likely to suffer clause of this proposal the comment is the gilnet fleet would see increased in competition: This is an understatement to compare seine to gilnet fishery as an increase in competition.

Proposal:

#72 Strong Opposition to this proposal >

This is another attempt by the Seine fleet to gain access to the gilnet Ester Island chum hatchery run. The plan of allocation has been agreed to in the past and it seem that the only thing that will keep the Seine fleet happy is to have access to everything that swims in Prince William Sound. There is no under utilization of wild stocks in this district. There is no overescapement of wild stocks in this district.

Proposal:

73 Strong Opposition to this proposal >

This is another proposal to effect the Plan of Allocation in PWS for enhanced fish. This as well as the preceding 4 proposals are just a grab for another gear groups fishery. The Seine fleet seems to never be happy with what they bargained for and received in the prior Proposal cycles. The argument of displaced gilnet fishers to go to other places is a non issue in this argument. It should not have any reflection on this proposal. The deal was made based on the % of value of the fishery put forth and pushed at the last board of fish meeting in Valdez. Now the tables have turned and what the Seine fleet pushed so hard to put into place three short years ago they want to change again. Let us let the system be given a chance to work before we tweak it again. The biology does not support the claim of under used or over escapement claim is not supported by any data.

#74 Strong Opposition to this proposal >

This is another proposal effecting agreed to plan of allocation for PWS. It suggests that there is over escapement and surplus fish in this district. There is no data that shows over escapement. The idea that the pink salmon not being harvested is untrue as the run timing for the wild stock pink salmon is after the agreed to existing date in current regulation. This is an attempt to gain access to the Ester Island chum fishery that is under the agreement a Gilnet fishery.

Proposal:

#76 Support as amended >

New regulation:

In PWS drift gillnet and purse seine gear will not fish simultaneously in the same area. Rather each gear type will have time adjusted to gain equal harvest number. Fishing time will depend on actual harvest numbers in their shared areas but they will fish alternating periods with time length dependent on equal harvest numbers.

Proposal:

#77 Support this proposal >

Ending August 31 will lead to insuring that the Coho returning to the Ester hatchery are caught by the gear type they are produced for (the gilnet fleet). In years past the seine fleet staying after the end of August have caught substantial portion of this run established for the gilnet fishery.

Proposals:

#78 & 79 Strong Opposition to this proposal >

Raising the Allocation Plan % should not be taken lightly. The drift fleet is already at a disadvantage due to the set net anchor/bouy problems and access to the beach for catching their allocated %. Both authors of these proposals admit that there will be adverse effects for the drift fleet. Historical data shows the set net fleet taking a greater % than is in regulation so the % limit is in place. To raise the % would only allow further abuse of this Plan of Allocation that is already in place.

Proposal:

83 Opposition to this Proposal >

This gear type is already very efficient. When there are shared areas between gear groups the size of the seine is reverent. To increase this would put a shared fishery in even more conflict. This would effectively make the seine twice the length of the allowed gilnet in PWS. Undue hardship would occur to the gilnet fleet when trying to catch their Plan of Allocation % of enhanced fish in PWS.

Proposal:

#84 Opposition to this Proposal >

Efficient gear type trying to be more so. Will lead to more gear conflicts and allocation problems in shared areas.

RECEIVED TIME NOV. 3. 9:56AM 4/4

COMMENT# 15

RECEIVED

6 5 2008
Midnight Sun Chapter of Trout Unlimited
Midnight Sun Flycasters
Fairbanks, AK

November 3, 2008

Chairman
Alaska Board of Fisheries

Dear Mr. Chairman:

The members of the Midnight Sun Chapter of Trout Unlimited and the Midnight Sun Flycasters would like to express its **opposition** to Proposal 114. This proposal purports to speak for all Alaskans. We would like to make it clear that it does NOT speak for our members or most of the anglers that our members know who fish local Fairbanks area waters.

Hatchery produced sterile rainbow trout allow the Department to stock waters outside the normal range of rainbow trout without violating the State Genetics Policy. The Genetics Policy is a well thought out document that provides guidance for fisheries managers who may stock waters for the benefit of local anglers while minimizing the probability of introducing strains or species of fish that could ultimately be detrimental to the native stocks of fish. In many of the lower-48 states introductions of non-indigenous fish have resulted in many cases of ecological havoc. Efforts to correct a few of the problems resulting from introductions of reproductively active non-indigenous fish have been very costly and as yet none have been effective. Examples include efforts to remove Lake Trout from Yellowstone Lake in Yellowstone National Park and to remove non-native species from the lower Colorado River in Grand Canyon National Park.

A very small amount of testosterone is sprayed on the food of juvenile fish during the production of sterile rainbow trout. Young fish that are fed this food develop male sexual characteristics (testes) even if they are females genetically (i.e. two X chromosomes). These XX males are spawned with normal female fish resulting in all XX offspring. The developing embryos are then exposed to elevated temperature and pressure to make them triploid (i.e. XXX) females with three sets of chromosomes. Triploid fish cannot reproduce. One benefit of non-reproductive females is that they put energy that would normally go towards reproduction into somatic growth resulting in larger fish in a given amount of time. Spawning is very stressful to normal fish and a major cause of mortality. Since triploids do not go through sexual maturity there is a good chance that they will live longer than non-sterile fish thereby contributing to a fishery for a longer time. This increases the quality of the fishery while reducing costs.

The implication that state hatcheries are producing "genetically altered" fish is incorrect. Genomes are genetically altered when substitutions are made within the DNA, or the DNA is changed by mutation. Many of the vegetables that are purchased in American supermarkets today **are** "genetically altered." Rice is made insect resistant, corn is made draught resistant, and crops are made to produce more abundantly using protein substitution. However there are no proteins being substituted, or inserted in the DNA of

P172

Comment# 16

fish in state hatcheries. In fact hatchery protocols as a result of the Genetics Policy stipulate that large enough numbers of fish are used as egg and sperm donors to ensure that the full compliment of genetic diversity is maintained in hatchery stocks.

The last part of this proposal is in direct violation of the Genetics Policy. The Department already uses local stocks for brood stock when possible and practical if it is not too costly, although experimentation with newer brood stocks might benefit the stocking program. Currently the Department cannot introduce non-indigenous fish into a drainage even if the probability of developing a feral population is low. To do so would invite disaster especially today with the general trend toward warmer temperatures and the resultant changes in habitats that could allow exotic introductions to flourish and even dominate ecosystems.

We believe that ADF&G should continue to develop a flexible stocking program that will allow it to adapt to management challenges as they arise. The new hatchery in Fairbanks goes a long way to enabling the Department to diversify fishing opportunity. Continued conformity with the Genetics Policy will ensure that the probability of ecological disaster resulting from introductions is minimized. The use of triploid rainbow trout in stocking programs produces quality fish, allows maximum flexibility in the overall program and maximizes cost efficiency.

For these reasons we oppose proposal 114 and asks that the BOF not approve it.

Sincerely,



Ken Alt, President of Midnight Sun Chapter of TU



Robert Fox, President of Midnight Sun Flycasters

RECEIVED TIME: NOV. 10. 10:53AM

ATTN: Board of Fisheries
Written Comment

Re: Proposal # 72

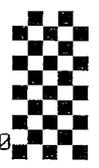
RECEIVED
11/10/2008
BOARDS

Please find 2 pages of
written comment regarding
Proposal # 72.

Mike Dutsch,
907-783-2544

1/3

Comment# 17



Proposal #72

Before 1961, purse seine and troll gear were the only legal gear types allowed in the PWS including what was to become the Coghill District.

From 1961 to present day, purse seine and drift gillnet gear have shared the Coghill District with a variety of gear specification and date restrictions.

The pendulum has swung between both ends of the spectrum, ie... The Coghill District being a exclusive purse seine / troll area, to a primarily drift gillnet area with limited purse seine opportunity.

It is time for the pendulum to swing back to the center, by allowing purse seine gear full access in the Coghill District.

I'll identify two of many reasons the board can, and should support this proposal.

1. Purse seining has had a historical presence in the Coghill District. This proposal would restore that presence.

page 1

Comment#

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3. This proposal would allow the seine fleet access to a wild stock fishing opportunity, while the PWS Management and Salmon Enhancement Allocation Plan comes back into balance.

Let me explain this reason:

The value of the dominant species harvested by seine gear, Pink and Chum salmon, has increased by approximately 300% over the past decade. By comparison the value of the dominant species harvested by gillnet gear, Sockeye and Silver salmon, has stagnated.

The increase in value of these seine caught fish can be directly attributed to the INVESTMENT in, and MAINTENANCE of, refrigerated seawater systems, employed on virtually every seine boat, producing a HIGHER QUALITY PRODUCT.

This dramatic increase in price has tipped the scale of ex-vessel values of enhanced salmon caught by seine gear to the point, triggers have activated in the PWS Management and Salmon enhancement allocation Plan allowing drift gillnet gear exclusive access, rather than seine gear, to the Port Chalmers Subdistrict to harvest enhanced salmon.

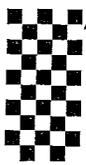
WE HAVE BECOME VICTIMS OF OUR SUCCESS

page 2

Comment#

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NOV 10 2008

BOARDS

Mr. Chairman and members of the Board, Thank you for taking the time to review my comments regarding Prince William Sound Salmon proposals. My name is Christopher "Scott" Thomas and I reside in Anchorage, Alaska. I have been a setnet permit holder since 2004, and am the current Prince William Sound Setnet Association President. Although I am new to the process I can appreciate the time and effort this process requires. My thanks to all of you for your efforts and expertise in managing Alaska fisheries.

Proposal 62 and 63- Oppose

Both proposals request the removal of setnet buoys and running lines when not actively being fished, contending that this gear prevents drift gillnet access to nearshore areas. Setnet buoys and running lines have not and will not prevent drift gillnet access to near shore areas. Setnet buoys and lines are set in accordance with legal setbacks established for operation of adjoining setnets; when setnet fishing gear is not deployed on a setnet site there is ample space for deployment of drift gillnets in the areas adjoining setnet buoys and running lines. This is and will continue to be common practice for operation of drift gillnets giving ample access to nearshore areas throughout the Eshamy district. Inattentive operation of drift gillnet fishing gear has resulted in problems, but is not reason enough to require removal of setnet buoys and lines.

As you are aware buoys and lines are essential components of setnet operations. It is common practice for all setnet operators and myself statewide to have an alternate site to deploy fishing gear; as most sites on exposed coastlines cannot be safely operated in all weather conditions. Also, in areas such as the Alternating Gear Zone many setnet operators, and myself, will deploy gear for short periods of time in the terminal fishing area and then relocate to alternate sites later in a given fishing period. I, and many others, have had the experience of moving setnet gear to a site which requires placing buoys and running lines and been denied access due to drift gillnet gear being deployed and the operator refusing to relocate, many times for the entire duration of a fishing period. An additional point that needs to be made is the possible conflict over a leased site. Many setnetters have several leased sites. The removal of gear from these, at any time not being fished, could create greater conflict. Requiring removal of setnet buoys and running lines will guarantee additional conflict between drift and setnet operators as well as cause conflict between setnet operators as buoys and lines are the primary means of establishing and maintaining the use of a setnet site recognized by all.

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PRINT TIME NOV. 10. 1:59PM

In addition similar proposals in the past have failed to be approved due to the unrealistic burden placed on setnet operators and legitimate safety concerns posed by requiring removal of setnet buoys and running lines. ADF&G Protection has in the past also recognized the unenforceable nature of this proposal and opposed similar proposals. I and most other setnet permit holders will have buoys and running lines set in locations that allow us to fish on exposed coastlines. It is a common occurrence to have weather conditions that prevent fishing gear to be deployed on these sites during times of adverse weather. It is a serious safety threat to setnet operators to impose regulations that would on a regular basis require the removal of buoys and running lines in adverse weather conditions. Weather conditions frequently prevent deployment of fishing nets in certain areas, but approval of this proposal would require removal of buoys and running lines regardless of weather conditions. During the previous year, fishing periods were much longer in duration. The movement of gear due to weather changes was considerable. To burden the setnet group with the additional task of removing all associated gear is unnecessary.

Approval of this proposal would severely impact setnet operators; essentially denying mobility of operation and routinely place operators into the position of having to remove buoys and lines in unsafe weather conditions. Also, in past BOF action the setnet operators have been prevented from accessing any portion of the Eshamy fishing district, outside of Main Bay, except that area directly adjoining tidelands. Prior to the requirement that a setnet be attached to the mainland shore above mean low tide the setnet users had access to all waters of the Eshamy district, but this was deemed as denying access to offshore areas to the drift gillnet users. This is not now the case, and only the waters within 600 feet adjoining mainland tidelands is the portion open to setnet gear; legally denying setnet access to over 90% of the waters of the Eshamy fishing district to the setnet user group. Further reduction of setnet access to the tideland areas by limiting the placement of essential gear is not necessary for the success or viability of the drift gillnet user group. Planning and communicating with the setnetter gear group could ease conflict. Obviously the setnet group, by majority, fishes 3 (50Fathom) nets. Depending on the location of the setnetters nets, a substantial time may pass between the opening and the placement of the final net. Those setnetters who fish 3 leased nets that are geographically distant, could be subject to sanction while actively fishing legally.

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COMMENT# 18

In short attentive deployment of drift gillnet gear in nearshore areas provides access to all nearshore areas not actively being fished by setnet gear, no additional regulation is needed to secure this use for the drift gillnet users.

Proposal 64-Oppose

As stated above the attentive deployment of drift gillnet gear has and will continue to provide access to nearshore areas. There are 29 setnet permits allowed in the Eshamy district with most of the setnet sites concentrated in the Main Bay terminal area. There are currently extensive nearshore areas that no setnet gear is deployed on that is open access to the drift gillnet fleet. No additional reduction of setnet gear is necessary to allow equitable access.

In addition, many of the actively fished setnet sites currently are held under State of Alaska Division of Lands-Shorefishery Lease Program. Increasing the minimum distance between units of setnet gear, besides being unnecessary, would place the burden on the BOF of deciding which setnet permit holders would have to relinquish a valid shorefishery lease to comply with the intent of this proposal.

Proposal 65 and 66-Support

Both proposals request the same action. In the entire Eshamy district where the setbacks between adjoining setnets is 100 fathoms the distance setbacks between setnet and drift gillnets was requested by ADF&G Protection to be set at 60 fathoms in order to eliminate the existing conflicts. This was approved by BOF action, and the conflicts have been reduced except in that area of Main Bay where the setbacks between drift and setnet gear was not addressed by the ADF&G proposal. Approving this proposal would standardize the setback regulations throughout the district and reduce the conflicts that result from not having consistent regulation.

Proposal 67-Support

Clarification of alternating periods accurately reflects past and current management.

Proposal 68-Oppose

Impractical, and unpredictable outcome would be highly allocative.

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COMMENT# 18

Proposal 75 and 80-Oppose

Both proposals are similar and were submitted by the same party. Both contend that the setnet gear group is far above an acceptable harvest level. An accurate look at catch data shows that currently the setnet harvest reported by the latest COAR report at three tenths of a percent (0.3%) over the trigger for reduced fishing time. Reduced fishing time for the setnet gear group triggers at 5%, and current COAR data shows the setnet harvest at 5.3%. Looking forward, the greatly reduced fishing time after July 10 2008 for the setnet group, it is certainly foreseeable that they will easily fall within the allocation designated without any further restrictions of hours or geography.

In 2008, after July 10 the setnet user group experienced a 63% reduction in fishing time overall compared to the fishing time for the drift gillnet user group. After July 10 there was a total of 1128 hours of open fishing time in the Eshamy district; of those hours the setnet user group was restricted to 420 hours. This was triggered by the BOF compliance measures to bring the setnet harvest into compliance with the allocation plan. If proposal 80 were adopted, a further reduction in fishing time by moving the date to June 10th would have limited setnetters to 144 of 456 hours (69% reduction). This proposal would go far beyond the 0.3% allocation that was over in the most recent COAR report. This is akin to surgery with a chainsaw.

Reducing the setnet gear groups harvest time by 63% after July 10 as occurred in 2008 or reducing in the future by up to 69% after June 10 as proposed is not justified, and would serve to eliminate setnet harvest to the point of the fishery being non-viable for most permit holders.

Proposal 78 and 79-Support

Increase the percentage at which the setnet user group experiences a reduction in fishing time from 5% to 7% in order to provide an equitable harvest that reflects the setnet current and historical harvest of enhanced fish. Seven percent is a more accurate reflection of actual and historical harvest. Also, the 1% deviation allowed from the allocation of 4% and a subsequent trigger for compliance measures at 5% is too narrow to actually allow for realistic compliance. Other gear groups are allowed a margin of error of 3%, while the setnet group (of only 29) is allowed a margin of 1%.

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RECEIVED TIME NOV. 10. 1:57PM

PRINT TIME NOV. 10. 1:59PM

There have been additional unforeseen consequences of applying the compliance measure of reduced fishing time after July 10. Drastic changes in the management of the Eshamy district have occurred, that multiply the effect of reducing fishing time to the setnet user group. When the setnet compliance measures were approved in 2005, and in previous years, the average time fished per week after July 10 was 48 hours. The BOF, to ensure compliance with the allocation plan, reduced setnetters to a maximum fishing time of 36 hours per week. This resulted in a loss of 25% of fishing time. This past season, and for the foreseeable future there has been a change of management that greatly expands fishing time. This has occurred both prior to and after July 10. As a result this past season after July 10 there was 1128 hours of open fishing up until the closure of the fishery. Of those open hours the setnet group was only allowed access for 420 of those open hours due to the BOF imposed compliance measure of 36 hours maximum fishing time per week. The setnet group went from having a 25% reduction of fishing time to a 63% reduction in fishing time after July 10.

A reasonable means to deal with this is to impose realistic compliance measure triggers that go into effect when there is a demonstrated excess harvest by the setnet users. The 7% trigger on a setnet allocation of 4% is a realistic scenario that reflects actual current and historical setnet harvest, and allows a reasonable margin of overage before these drastic compliance measures take effect. Reducing fishing time by over 50% is drastic by any definition; there should be reasonable parameters that trigger these reductions.

Proposal 82-Support

this proposal gives legal status to current practice that has little if any effect on any other users or user group.

Sincerely,

C. Scott Thomas

5/5

COMMENT#

18

Southeast Alaska Fishermen's Alliance

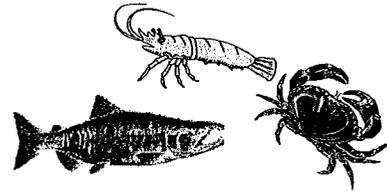
9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

Website: <http://www.seafa.org>



E-mail: seafa@gci.net

November 11, 2008

Alaska Dept. of Fish and Game

Boards Support Section

PO Box 115526

Juneau, AK 99811-5526

RECEIVED

NOV 11 2008

BOARDS

RE: Prince William Sound Board of Fish Proposal Comments

Dear Chairman Jensen and Board Members,

Southeast Alaska Fishermen's Alliance (SEAFA) is a non-profit membership based association representing our members involved in salmon, crab, shrimp and longline fisheries. We have members involved in longline fisheries in the Gulf of Alaska.

Proposal #81: SEAFA is **OPPOSED** to reduced hatchery production in Prince William Sound or Southeast Alaska. We disagree with the authors of the proposal that the Joint Protocol on Salmon Enhancement required reducing hatchery production. We participated in the salmon hatchery meetings and workshops that were occurring at the time and although some individuals were requesting reduced hatchery production, it was not part of the final written Joint Protocol. There is no factual basis to use the Joint Protocol on Salmon Enhancement as written in #2002-FB-215 to request the reduction of hatchery produced chums. As the Joint Protocol points out the Commissioner of Fish and Game has the exclusive authority to issue permits for the construction and operation of salmon hatcheries including the level of production.

Hatchery fish have not been proven to be harmful to wild stocks within the area or create unfair competition for wild stocks. Hatchery fish can take pressure off of the wild stocks within the area and still provide additional economic opportunities for commercial fishermen, processors and their communities. Recreational, subsistence and personal use fishermen have all benefited by hatchery production.

Proposal #94: SEAFA **SUPPORTS** limiting the number of lines fished on state licensed charter vessels up to a maximum number of 6 lines. Consideration will have

to be given for the potential Federal halibut limited entry program that is tentatively scheduled to be implemented by 2010. Limiting the number of lines helps the smaller established charter operators by controlling the development of larger scale charter businesses "party boats" carrying more than 6 clients, and the associated increased harvest of resources they would have taken. Most of the resources in the Prince William Sound area are fully utilized and any increase in harvest by one sector affects the other users of the resource.

ADFG comments on this proposal under current regulations section has several errors. First the IPHC is not the regulating agency that will be issuing federal limited entry permits, the NPFMC made the recommendation and once the Secretary of Commerce signs off on the program it will be administered by National Marine Fisheries Services. In addition, ADFG has been limiting the number of lines to the number of paying clients the last several years by emergency order for all species (Emergency Order No. 2-R-3-03-08). At a minimum the Board of Fish should create a regulation limiting the number of lines to the number of paying clients rather than relying on an emergency order being published each year. This will help enforcement when the federal program is implemented to have similar state regulations in place.

Southeast Alaska has had a similar regulation as is being proposed in place for many years and the regulation is manageable and enforceable.

Proposal #95: SEAFSA **SUPPORTS** this proposal that would prohibit the use of power particularly electric and hydraulic reels to retrieve sport fish. The use of this type of gear is increasing rapidly through the charter fleet and provides an additional advantage to recreational charter clients compared to an ordinary personal use unguided fishermen. This is a similar situation to when the game laws were changed to require the use of a plug in a shotgun duck hunting to prevent more than three shells being used. It slowed down the hunt and success rate in order to provide a more enjoyable experience and provided for a fair and equitable opportunity (level playing field) for all users.

SEAFSA's position is that it is essential to prohibit power retrieval gear now before the use becomes even more common. Fisheries managers never envisioned that sport fishing would be conducted in these deep depths. Sport fishing assumes some "sport" involved in the process and not in taking as many species in as many numbers as is possible on a 1, 2, or 3 day trip. ADFG is not tracking and accounting for the "sport" harvest on these deep dwelling species. The use of "power" reels to reach deeper depths are accessing species such as sablefish, shortrakers, halibut, deep water rockfishes, and idiots. Many of these species are already fully utilized and are slow-growing & maturing, long-lived species up to 100 years old. Little is know about their biology. In fact directed commercial fishing is prohibited on deepwater rockfish and idiots and is allowed as a bycatch only. Many of the species

accessed by deep fishing methods do not currently have a bag limit since they were never considered a "sport fish" species.

The use of "power" reels in "sport fishing" is allowing significant harvest of resources that are not traditional targets of sport fishing and are either already fully utilized or are restricted as bycatch only. This proposal maintains the use of traditional fishing areas by all user groups, thereby reducing the potential for conflict between user groups.

The regulatory language suggested in the proposal was developed by looking at the hand troll vs. power troll regulations trying to develop something that would be enforceable. The portion of the sentence "but a downrigger may not be used in conjunction with a troll gurdy" probably should have been removed from the proposed regulatory language. Much discussion has occurred that the language suggested is too complicated and that simpler language should be constructed such as:

- *The use of an electric, hydraulic or power assisted reel to retrieve the FISHING LINE is prohibited*

5 AAC 75.038 provides exemptions for the handicapped so passage of this proposal would not prohibit the use of power reels for a handicapped fishermen if the request for an exemption is followed.

We have done a "google" search on sport fish regulations along the west coast and we found the following regulations are currently in effect.

- Mexico - The use of electric reels is restricted to disabled fishermen only, after written authorization for the Ministry before use
- California - You can not use weights over four pounds unless the weight is attached to a downrigger and the fishing line releases automatically from the downrigger when a fish is hooked
- Oregon - The following activities are unlawful: use of gurdies, winches or reels affixed to a boat to land fish (rod or line must be held in hand) except when used for retrieving crab rings or pots.
- Washington - All fishing gear must be kept in immediate control, and gear may not be left unattended while fishing; Downriggers may be used with a line if the line releases from the downrigger while playing and landing the fish; Rodholders may be used; the rod must be easily removed without delay; rod may be left in the holder while playing the fish; and **Electric reels** may be used if designed for sport fishing and attached to a fishing rod.
- Canada - fish with a fixed weight (sinker) greater than 1 kg except on a downrigger line, in which case the fishing line must be attached to the downrigger by means of an automatic release clip.

We have attached 8 pages compiled from websites about different power reels being used in the fisheries and some testimonials about the use of the reel along with pictures. Please note that some of these deep drop reels are permanently

mounted to the vessel and that weights of 8 to 10 pounds are used to get the line to the bottom. A four page commentary from the Brass Pro Shops Outdoor Library, article titled Deep Drop Fishing written by Ron Brooks (not attached) had the comment, "The rod will be in the rod holder the entire time. When the rod tip indicates a bite - and the braided line will surprisingly telegraph that bite quite nicely - **simply throw the electric reel in gear and let the rod and reel do the work. Fighting the fish becomes a matter of pushing a button.**" (emphasis added). Is this really "sport" fishing?

It is time to define sport fishing gear that emphasizes the experience and joy of sport fishing and not gear that allows a client the fastest way to reach the bag limit for all species in a single day. Please look at the underlying issue and decide whether power reels are to be used sport fishing and not let the regulatory language become a stumbling block. Enforcement, Dept of Law and the regulations specialist if given a clear statement of what you want accomplished can deal with the language issues.

Sincerely,



Kathy Hansen
Executive Director



Deep Drop Pro Fishing Site

Toll Free: 877-374-1169
770-412-0073

snowygrouper@mindspring.com

[Home Page](#) [Reel Selection](#) [Products](#) [Testimonials](#) [Tr](#)

How an Alaskan captain stays on top of the charter fishing business

In response to the call from Cal Hayashi the owner of Alaska Premiere Charters, we took the Deep Drop Pro to Sitka to demonstrate the reel for him. His fish of choice were Halibut in 400-500 ft, rockfish in 900-1100 and Black Cod in 1200-2000 ft of water. After three days of fishing we had caught all of his targeted fish in the depths he wanted to fish. Our captain was SOLD after the very first 50lb halibut I caught in 516 ft, and he wanted to catch the next one! The DDP was just as impressive on the shortraker rockfish in 1050 ft of water. We used 7 lbs. of lead on all the drops over 900 ft. Our biggest challenge was the Black cod in 2000. The first drop was in 1500 ft were we caught one cod about 6 lbs. The last drop was in 1900 ft were we caught a double that weighed 18 and 14 lbs. We made a total of 4 drops over 1500 and caught 7 black cod.

The owner was looking for a Deep-water unit that would allow his clients the choice of hand cranking or using an electric unit to catch a larger variety of fish on their adventure to Alaska. He stated that some of his clients were not able to crank the Halibut out of 500 plus feet of water. The DDP made it possible for his clients to catch these and other deep-water fish. His exact words were "**I will never hand crank another Halibut for the rest of my dying days**". He now fishes 2 Deep Drop Pros on his 27-ft boat and is looking forward to next season.

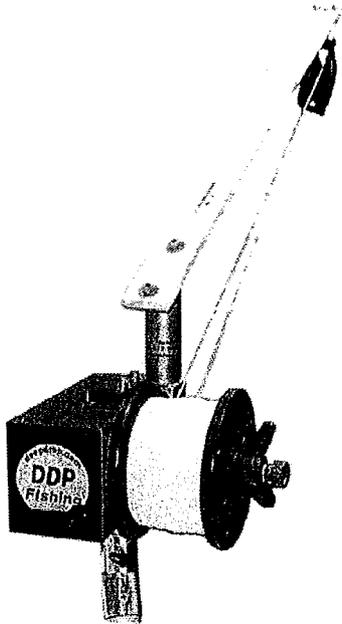
2001 update. Alaska premier Charters now has a total of six Deep Drop Pro units. All of their boats have a least one unit aboard.

COMMENT# 19



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Deep Drop Pro (\$1099.00)



The most versatile deep drop electric system
 Uses the Kristal XL001 12v reel
 Unit includes a boom and rod holder mount
 Weight - 15 lb.
 Only Spectra line is recommended, no mono!
 Power draw: 8 amp/hour
 Line Capacity: 3600 feet of 130 lb Spectra

Options:

- 500yd of hi-vis 130# spectra installed w/backing (\$125)
- 1000yd of hi-vis 130# spectra installed w/backing (\$175)
- Ground shipping is \$30 - ask for additional options

Designed to be the most effective and versatile deep-water unit available! This unit will allow you to catch deep - water fish were ever they live! The Deep Drop Pro will handle any deep-water fish you target. I have personally fished in 2,200 ft of water for Black cod in Alaska and the DDP even surprised me. The Picture on the home page is one of two 30 pound plus Shortracker rockfish we caught (on the same drop) in 1,400 ft using 7 lbs. of lead. This unit is bullet proof!

The Deep Drop Pro features a custom Stainless Steel rod holder adapter with a machined sleeve to allow for a smooth 360 degree rotation. The DDP can be fished from your standard rod holder regardless of its mounting position. You don't have to add anything to fish this unit. The adapter has a locking knob for any position fishing. The custom fiberglass boom graduates from a very strong butt section to a sensitive tip making it is easy to detect strikes and allowing the boom to bend, making it more effective on large deep water fish that pull hard. The boom is positioned so you that the line will level-wind onto the spool without guiding it. The 3-inch Pacific King pulley makes it possible to wind your leader onto the spool and keeps your line from looping around the tip in the wind. The DDP's motor is a very quiet Kristal XL001 12-volt powerhouse that draws less than 11 amps under full load. The Deep Drop Pro has a large capacity spool (1,400 yrds) and a great drag (35 lbs.) along with a retrieve rate of 250-275 ft per minute. The drag will adjust from 5-35 lbs. and you can obtain complete free spool with the drag knob. A double pole double throw toggle switch will allow you to power up or down if need be. This function added to the any position locking knob would allow you to use this unit as a downrigger or a deep trolling unit if you desire.

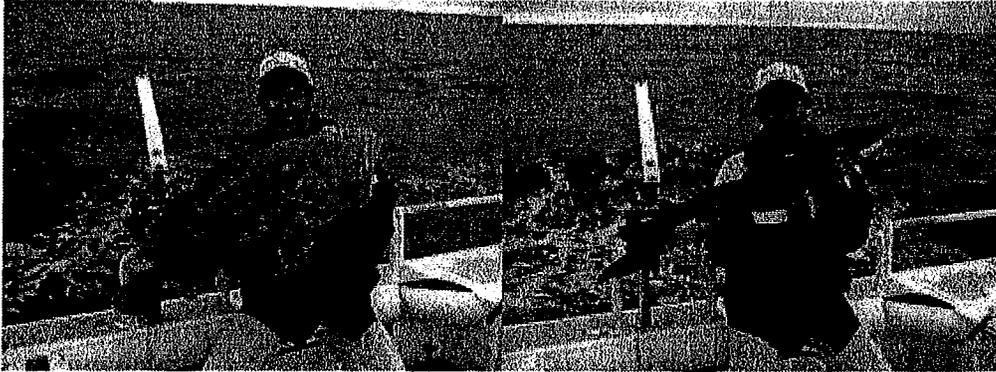
The Deep Drop Pro is a very compact and easy to use unit and comes ready to fish. The DDP has the very best

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Deep Drop Fishing

Deep Drop Trophies

Wild Strawberry Lodge

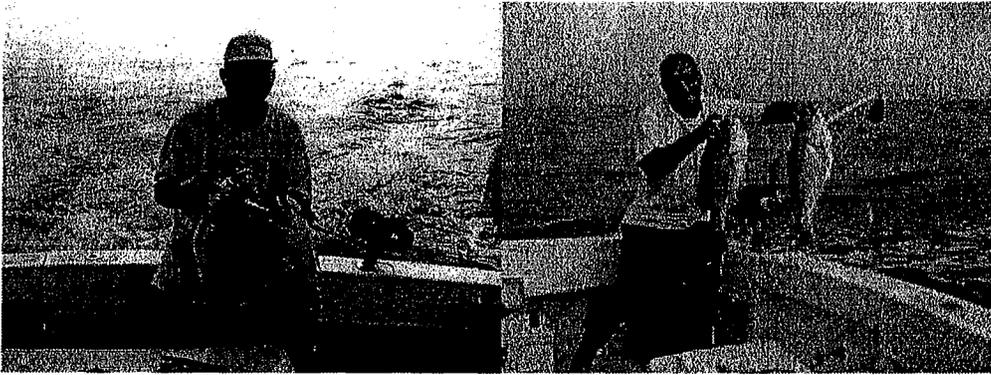


Shortraker rockfish 1400 ft deep. Deep water shark 1250 ft of water.



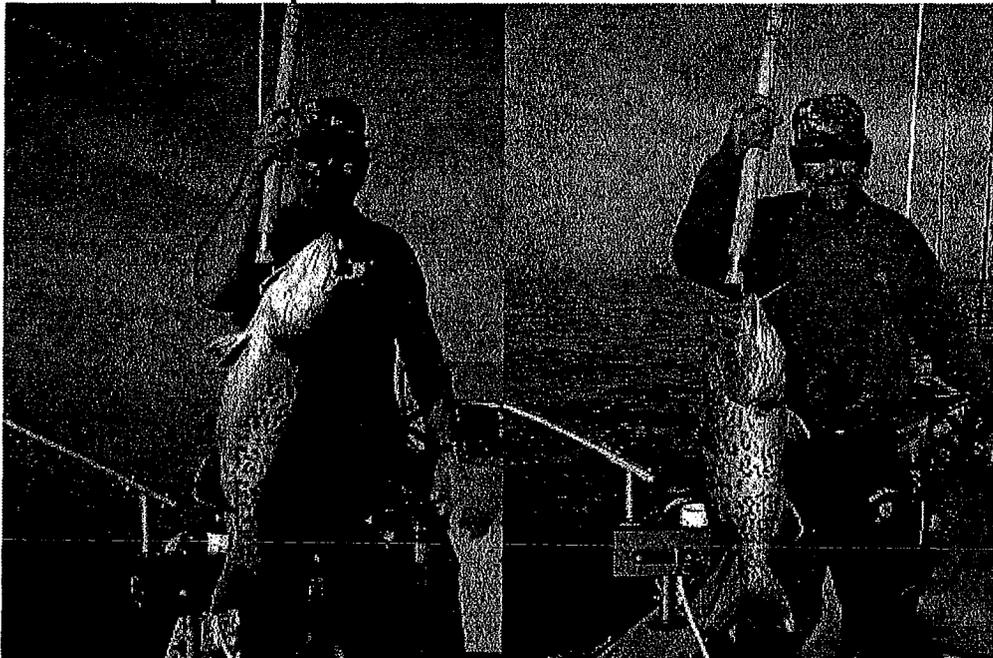
Ling Cod caught in 395 ft of water. Gag grouper caught deep trolling ing 78 ft of water w/8lb lead.

COMMENT# 19



True Red Snapper 150 ft 620 reel & Deep Drop/Jr.

Red snapper caught on the DEEP DROP PRO in 125 ft of water.

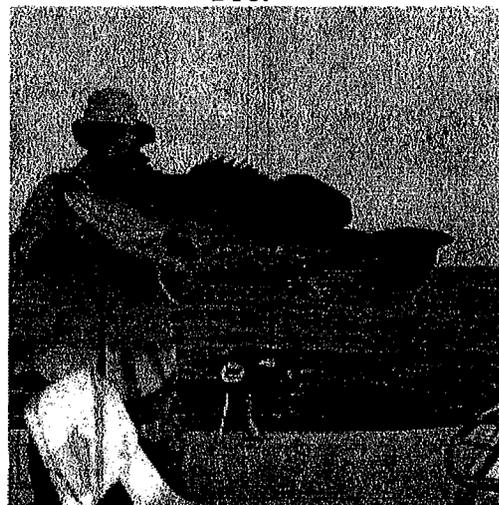


Gag Deep trolling in 85 ft of water w/8lb lead.

14 lb Gag Grouper caught trolling in 72 ft of water with the Deep Drop Pro.



Large Shortraker rockfish and Rough eared rockfish caught on Deep Drop Pro in 1125 ft of water on the same



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TEL (760) 948-8003 FAX (760) 948-7707
sales@blueoceantackle.com

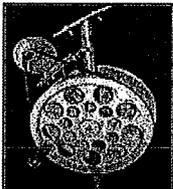
BOTTOM FISHING REELS

CUSTOM SEA GEAR

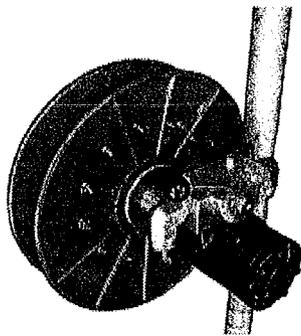
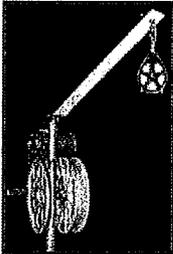
MANUAL REELS, ELECTRIC REELS, AND HYDRAULIC REELS FOR DEEP DROP FISHING! COMPLETE BOTTOM FISHING REEL KITS ARE READY TO FISH AT DEPTHS OF 3000+ FEET! ALL REPLACEMENT PARTS ARE AVAILABLE. DEEP DROP REELS CAN BE USED FOR GROUPER, TUNA, AND OTHER BIG FISH. BOTTOM REELS CAN ALSO BE USED IN TROLLING APPLICATIONS.

NOW AVAILABLE WITH OPTIONAL ALUMINUM SPOOLS FOR USE WITH MONO AND SPECTRA LINES!

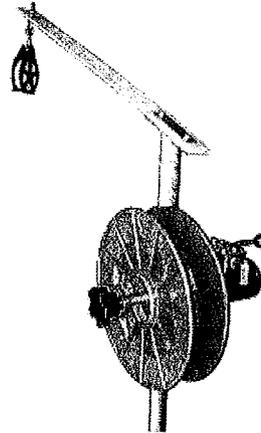
GO DEEP!



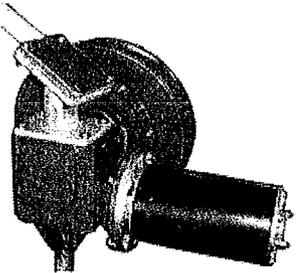
1/4 HP ELECTRIC BELT DRIVE



**HYDRAULIC BOTTOM REELS
(CONTROL VALVE INCLUDED)**



ELECTRIC DIRECT DRIVE UNIT. GEAR BOX TURNS SPOOL! NO BELTS! 3/4 HP MOTOR!



CLICK HERE TO READ THE SPECS ON THESE REELS!

Dedric Manaba landing 40-60 lb yellowfin 9 miles north of Kalaupapa, Molokai HI, Fishing on his 25' Radon Lightning!

**Shown at left with a custom mount. Reels come complete with a 33" bottom piece that has holes in it for a permanent deck mounting. It also includes a metal strap for securing against the side rail. Top half of reel rests on top of the 33" mounted base. Top half can easily be removed to store reel inside*

COMMENT#

19

*SEAFA attachment page 5 of 8
9/12*

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Probing the Depths with Deep Droppers

written by Capt. Joe Richard

Sending baited hooks down almost a fifth of a mile isn't for everyone, but it is a kick to catch and see new fish. Tasty ones, too. For deep-drop fishing tactics and tackle suggestions, read on.

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In areas where reef fish are over fished (even in the Bahamas), folks are dropping baits ever deeper. Such species as tilefish, queen and silk snapper, snowy and yellowedge grouper make up most of the catch.

As the saying goes, you can do it the hard way, or the easy way.

Personally, I think anglers should earn their fish by manually reeling them up. Push-button electric reels are used 100 percent by commercial fishermen going deep, and this method has no sporting

aspects. In addition, if you're going after a state-record fish, electric reel equipment will prevent you from being listed in the rod and reel division. Instead, you will be relegated to commercial gear (usually manual bicycle or "bandit" reels), trotlines and spearguns.



A 50-pound snowy grouper hooked in 900 feet. Boat was backed away from the oil rig, and the fish fought in open water on a common Penn International reel.

I found that out after manually cranking up a string of tilefish in 1,100 feet off Texas, back in 1983. I used a bicycle reel mounted on the boat, equipped with 300-pound mono line. It barely reached bottom, too. My biggest tilefish that day weighed 21 pounds, and remained a Texas record in the restricted division until last year.

Following that episode, we began using manual tackle, as in 50-pound trolling gear. After trolling around deepwater oil rigs, we'd tie the boat up for the night, and make a few drops. With Dacron line, we actually could feel bites. With mono line, nothing. You dropped down, waited a half hour, and reeled something up. Often it was a snowy grouper in the 50-pound class. We registered one of those snowies as a Texas record in 1992, at 49 pounds and a few ounces, and it still stands today.

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Other deepwater fish brought up were yellowedge grouper, small sharks and a couple of hideous, deepwater eels about six feet long, armed with rows of cruel teeth. If one of those eels had gotten loose in the boat, we might have abandoned ship. We would cut the hook off, and each eel floated away in the dark, like a thick rope.



Tasty yellowedge grouper caught at sunrise, 720 feet. They grow a lot bigger than this one.

Two or three drops, and we were usually done for the night, going back to catching blackfin tuna on the surface under the rig's bright lights. Dropping deep was simple fishing; I kept an 8-pound sash weight in a bucket (where the rusty thing wouldn't roll around on deck) and tied it to a length of 300-pound mono leader, with two large 16/0 circle hooks attached. You baited up with a couple of stream-lined, strip baits cut from a tuna or blue runner, and let her drop. It seemed to take that weight five minutes to

hit bottom, and 20 to reel it back. Maybe it was less.

Since then, deep-dropping has become far more sophisticated. Companies now sell ready-made deep-drop rigs with five circle hooks, with numerous glow beads attached, and stream-lined, 5-pound lead weights. You can also buy a light that attaches to the leader. It's built with o-rings, has an on-off switch and is built to go very deep without imploding. The deep-drop veterans now have a saying: "No light, no bite." That's keeping in mind that it's quite dark down there, probably very gloomy even at high-noon during a flat calm sea, which allows maximum sunlight penetration. Down that deep, fish either hunt by sense of smell, motion or they watch for natural lights produced by other critters.

Fishing with electrics means spending more money, of course. You have to have AC plugs available on deck, for instance. On a big boat, that's no problem, though the cost of running a big boat these days is skyrocketing, thanks to fuel prices. As for electric reels, they cost far more than manual reels and scarcely resemble fishing reels.

Companies such as Elec-Tra-Mate have been around for a long time, getting started no doubt with the commercial fishing community. These are the red devices attached to standard Penn reels, used aboard partyboats at least for the past 30 years. I was handed one in 1982, for instance, while fishing aboard a partyboat out of Port Aransas, Texas that was anchored in 250 feet.

More modern deepwater reels have popped up everywhere in the past five years. A recent Google search for electric reels found models from Daiwa, Shimano, Banax, Fladen, Alpha, Precision and Dolphin. They all cost from \$500 to \$900 each. There are also Kristal reels.

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11/12 SEAFA attachment page 7 of 8

which list all the way up to \$2,400 each. They're often reserved for expensive billfish boats, whose crews like to make a deepwater drop now and again, taking a break from trolling. For them, it's a dependable way to return to port with fresh fish for dinner that very night.

It's a different kind of fishing. The gas inside these fish doubles every 33 feet they rise towards the surface, unless they expel it, so there is no chance of releasing these fish alive. Sharks don't have a swim bladder full of gas, so they seem to survive. For those of us cranking on a manual reel, it does get easier; after a few hundred feet, the fish becomes more buoyant, neutralizing that 8-pound iron weight. While using mono line, sometimes we would get an occasional tremble of the rod tip, which meant a big fish was rampaging down there, though barely translated through 900 feet of mono line that stretched like a rubber band.

With 80-pound braid or 50-pound Dacron line, each nibble is telegraphed straight to your rod tip, and it's infinitely easier to tell when the fish has grabbed on. The rod tip dips, and you either "hit the button" (as in electric button) or reel fast, so that the circle hook grabs him.



Double-header of snowy grouper brought up with two hooks, at night, without lights or an electric reel.

Reeling these fish up takes time, of course. If no sharks are around, you can take a break and go sip a drink. During the last 50 feet of ascent, the gas in a fish really expands, and a big grouper will take off in a wild direction, sometimes erupting on the surface 40 feet away, and on the wrong side of the boat. They float like a buoy almost half out of the water, even with eight pounds of iron attached. If that fish should somehow become unhooked, you can bet your last dollar he will remain on the surface, until you drive the boat over and gaff him. That hasn't happened to us yet; circle hooks generally stay very well attached.

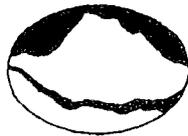
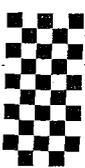
These deepwater fish (whether snapper, grouper, tilefish or wreckfish) are quite good to eat. They're slow-growing in that frigid environment far below where no man has ever been, an environment with no seasons. It's best to try catching a few of these fish, but don't get hoggish. It takes time to grow more of them.

Where civilization is close to deep water, one may assume these deepwater fish are being impacted a great deal more than where the continental shelf dropoff is 100 miles offshore, such as off Tampa, Florida, or Galveston, Texas. With fuel prices (at least diesel) already passing \$5 a gallon in some coastal areas, these far-flung fish stocks may see little fishing pressure in the future.

Joe Richard is a Gainesville, Florida, writer and photographer who owns Seafavorites.com

COMMENT# 19
SEAFVA attachment page 8 of 8

12/12



COPPER COUNTRY ALLIANCE

HC 60 Box 306T
Copper Center, Alaska 99573
Phone (907) 822-3644 Fax (907) 822-3644
e-mail cca@coppervalleyak.net

*"Protecting the rural and wild natural environment of the
Wrangell Mountains/Copper Basin region."*

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November 14, 2008

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

By Fax to 907-465-6094

Re: Prince William Sound & Copper River Proposal 1--Oppose

Dear Board Members:

We are a volunteer conservation organization based in the Copper River Basin, and most of our members are Copper Basin residents. We appreciate the opportunity to comment on Proposal 1, which would change the Chitina Subdistrict to a subsistence fishery. **We oppose Proposal 1.**

One purpose of this organization is to protect the rural lifestyle of this region. For most of us, Copper River salmon are an important part of our diet. Obtaining salmon helps us to live in a rural area where groceries are expensive. By contrast, non-rural Alaska residents have daily access to stores like Costco and Walmart where groceries are much less expensive. The current Personal Use designation for the Chitina Subdistrict is a fair one, because it allows non-rural residents to obtain Copper River salmon, and it is only when runs are weak that they move back in line behind rural subsistence users. If rural and non-rural residents alike were considered subsistence users, a small "fish pie" would be cut into much smaller pieces, since non-rural users far outnumber rural users.

We urge you to reject Proposal 1.

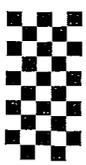
Sincerely,

COPPER COUNTRY ALLIANCE

Ruth McHenry
Volunteer Staff

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COMMENT# 20



November 13, 2008

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Alaska Board of Fisheries

Fax: (907) 465-6094

ATTN: CR/PWS Board of Fisheries Comments

Dear Sirs:

I am writing in regard to the Copper River/Prince William Sound proposals, which will be discussed December 1-7 in Cordova. I am a resident of Cordova and have been a salmon Drift fisherman since 1987, and have participated in the salmon seine fishery as well as several herring fisheries. Presently I serve as president of the Copper River/ Prince William Sound Marketing Association, but speak for myself with these comments.

Proposal 1 – I strongly oppose this proposal. The C & T determination for the Chitina Subdistrict Dipnet fishery has been discussed at great length during several of the past board cycles. As the board determined in 2003, the dipnet fishery does not fit the criteria as subsistence fishery.

Proposals 8 & 9 – I oppose these and any proposals that would result in increased time, area or annual take of Copper River King salmon or Copper River Sockeye salmon. Thus I oppose **Proposals 22, 23, 25, 27, 107, 108 & 109**. Both the king salmon and sockeye salmon represent fully utilized resources and any fishery on those fish should not be expanded.

Proposals 19, 20 & 26 – I support these proposals in concept. In the commercial fishery *every* salmon that is harvested or escaped is reported within 48 hours. The reporting requirements for the Personal Use and Subsistence fisheries both in the lower river and upriver should be changed to a shorter time frame. There is no reason with modern technology reporting cannot be done within 48 hours.

Proposals 62 & 63 – I strongly support these two proposals. Inactive set net buoys obstruct the shoreline, in effect removing miles of legal fishing area from the fishery and create a navigational hazard.

COMMENT# 21

Proposals 65 & 66– I oppose these proposals, increasing the distance to 60 fathoms between drift and set nets in Main Bay would result in no shoreline sets available to drift fishermen.

Proposals 69, 70, 71, 72, 73 & 74 – I strongly oppose all these proposals. These proposals would change the PWS Allocation Policy and expand access in time and area for the seine fleet. During the past two seasons the seine fleet has benefited from high prices and large returns resulting in record-breaking harvests. In 2008, they harvested over 55% of the total value of PWSAC enhanced salmon.

Proposals 78 & 79 – I oppose these proposals, which would change the PWS Allocation Policy by increasing the set net allocation.

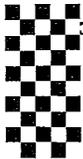
Proposals 100, 101, 102, 103, 104 & 105 – I support any and all attempts to protect salmon spawning areas. The salmon resources are fully utilized we can no longer tolerate any fishing in spawning areas. This should be adopted as a board policy statewide!

Proposal 132 – I support this proposal on the basis that ADFG already has all the tools necessary to manage the fishery with inside closures with out the restrictive requirement of mandatory closures.

Thank you very much for your time and attention in reading my comments.

Thea Thomas
PO Box 1566
Cordova, Alaska 99574
907-424-5266
thea@ctcak.net

COMMENT# 21



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

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Mr. Chairman and members of the Board. Following comments pertain to the Prince William Sound Salmon proposals for the meeting in December, 2008. I am Dick Lowman, a set-gillnet permit holder in the Eshamy District. 2009 will be my fourth fishing season. Thank you for your consideration.

Proposals 62 and 63 – OPPOSE

These proposals are essentially identical. Both claim that setnet gear not being fished denies drifters access to the beach. That claim is not accurate. Regulations require separation between drift and set gillnet gear being fished, but do not require separation when the setnet gear is inactive. Both groups generally lay gear and nets perpendicular to the beach. At worst case, unfished setnet gear would cause a drifter to move at most 5 fathoms one way or the other.

I take issue with the assertion in both proposals that setnetters deliberately establish sets to prevent drifter access to the beach. I personally have never done that and am not aware of anyone who has. With anchors, lines and buoys each set represents several hundred dollars of gear plus several hours of work. It is absurd to think that I would waste an afternoon and lay out several hundred dollars of gear to force a drifter to move 5 fathoms up or down the shore. If there is any setnetter abusing the regulations then it would be more appropriate to deal with the abuser than to deny reasonable fishing rights to all setnetters.

Typically opener announcements are received late in the afternoon on the day prior to the opener. (The announcement lines are jammed for the first few hours.) The setnetters would have only a few hours to adjust their sets to match the legal open areas. If for example a setnetter lives in Main Bay but has been fishing Falls Bay and the announcement closes Falls Bay, then the Falls Bay gear would have to be removed and another set or sets would have to be established, all within that few hour window. Setnet skiffs are not safe to operate in the heavy seas that sometimes occur in this district. These proposals would at times force setnetters to risk either an unsafe passage or a violation.

Proposal 64 – OPPOSE

Management plans in the Alaska Statutes lay heavy emphasis on equitable harvest opportunities between gear groups. Regulations – based on historic fishery use - give set-gillnet permittees the advantage of “staking out” a site but they are restricted to only a very small area of the shore and the mobility to move to a more productive fishing area during the short openers is inherently limited by the nature of the fishery. Both the regulations and the nature of the gear give drift-gillnet permittees the advantage of

virtually unhindered mobility within any and all open areas of Prince William Sound including open water and the shoreline. The only significant restriction on drift-gillnet operations is the requirement to respect the small areas staked out by set-gillnet operators, and that is only in the Eshamy District.

There are 29 set-gillnet permits in the Eshamy District. And there are approximately 30 miles of coastline in the District. Thus on average, there is only one setnetter per mile of coastline in the Eshamy District, no set-gillnet operations on any shoreline elsewhere in the sound, and there are no set-gillnet operations anywhere in the open water.

It is not the intent of this response to object to current regulations, but if any argument were to be made that one gear group has an unfair advantage over another the facts would better support the contention that the drift-gillnet fleet already has ample entitlement.

Proposals 75 and 80 – OPPOSE

During the 2008 season there were no significant harvest numbers prior to the third week of June. When the fish did arrive, closures in the Copper River area brought many of the drift gillnet fleet to the Eshamy District creating a larger than normal drift-gillnet presence. Set-gillnetters observed the reduction of fishing time after July 10. Thus there was only about a 2-1/2 week period in which setnetters could fish productively, and the competing gear group pressure was intense during that short period.

Each gear fishery is trying to make a living; however, it is a concern that proposals 75 and 80 should continue to decrease the set-gillnet fishery to the point of extinction. It is our opinion that this is not what the BOF had in mind when they established the set-gillnet gear fishery.

Proposals 78 and 79 – SUPPORT

Reasonable parameters that trigger reductions in fishing time should be set before drastic compliance measures are taken.

FROM : RANTA FAX NO. : 9072246026 Nov. 14 2008 07:50AM P2

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November 14, 2008

Sherry Wright
Alaska Department of Fish and Game
Southcentral Region
333 Raspberry Road
Anchorage, AK 99518-1599
Phone: (907) 267-2354
Fax: (907) 267-2489

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BOF-PWS
Public Comment

To whom it may concern

The following ADF&G Board of Fish proposals are of concern to the members of the Seward Charter Boat Association. I would like to submit the following comments for your consideration.

Proposal 21 to allow retention of lingcod and rock fish for subsistence fishers.

Clearly rockfish and lingcod stocks are already stressed in the PWS region. Lingcod have excellent survival when released and the subsistence limits for halibut in PWS are more than adequate to provide enough fish for the subsistence lifestyle. There is no reason to encourage the harvest of these State managed, slow growing fish.

Proposal 32 to allow the retention of lingcod during ground fisheries

Lingcod are a slow growing fish, whose abundance will decline if they are retained using methods other than those already approved. Until ADF&G can do a stock assessment there should be no increase in harvest.

Proposal 33 to allow retention of lingcod in drift nets

Lingcod are a slow growing fish, whose abundance will decline if they are retained using methods other than those already approved. Until ADF&G can do a stock assessment there should be no increase in harvest.

Proposal 42 to allow retention of spiny dogfish during long line fishing

Spiny dogfish abundance had exploded over recent years and as it has been proven in New England; dogfish feed on juvenile cod and other Demersal species that are fully utilized at this time. For this reason SCBA fully supports a directed fishery or retention of spiny dogfish by any and all users.

Proposal 61 to open the east of Hinchinbrook and Montague Island to Drift gill nets.

SCBA strongly opposes this proposal as it will immediately cause gear conflicts between sport fishermen and drift netters that has never existed before. Beyond the gear conflict the mixing of salmon with rockfish and lingcod that occurs on the back side of Montague will cause huge mortality of pelagic and

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Received Fax : Nov 14 2008 8:23AM Fax Station : Boards Support P 3

FROM :RANTA

FAX NO. :9072246026

Nov. 14 2008 07:50AM P3

non pelagic rockfish as well as lingcod. Clearly sport fishermen and the charter industry will be harmed by this proposal.

Proposal 87 to change the boundaries of the Kenai Peninsula area

This proposal will continue to allow for enforcement problems since the bag limit in PWS for lingcod and non pelagic rockfish is different than either the Cook Inlet or Kenai Peninsula areas and boats from Seward have traditionally fished in PWS and transited back to areas with more stringent bag limits. A better solution would be to have identical bag limits for lingcod and rockfish everywhere in area 3A.

Furthermore by changing this boundary, ADF&G is reducing the area traditionally considered to be part of Kenai Peninsula and NOT part of PWS. The waters from Cape Fairfield and Cape Puget have nothing to do with PWS. They are clearly part of the North Gulf Coast. Tide waters flow in and out of Puget Bay and it is distinct and different from PWS. This would be a *de facto* reallocation of fishing grounds from the North Gulf Coast region to PWS and will create more problems with area registrations in the future than it solves right now. SCBA would ask that no action be taken on this issue until such time as it can be discussed with Seward charter operators and commercial fishermen.

Proposal 94 – Line Limits in PWS

The SCBA acknowledges the need for regulation change to protect rockfish, lingcod, and shark stocks from inevitable increased pressure following the implementation of the Federal Halibut Charter Limited Entry program. SCBA appreciates the Cordova District Fishermen United's proactive approach to dealing with this problem. However, this proposal is too vague and fails to take into account the possibility of delays in the Federal License Limitation program. So if this proposal passes and the program is delayed, then no vessel will have a Federal Limited Entry Permit and therefore no vessel would be able to operate fishing charters in PWS with more than 6 lines could operate and this would have a devastating economic consequence in 2009.

Proposal 95 – No Electric Reels

SCBA opposes this proposal as written as it would discriminate against handicapped anglers or those that prefer to use electric reels to assist them in the harvest of bottom fish.

If the issue is concern for the sport harvest of Black Cod then SCBA would prefer to see a bag limit assigned to these species and documentation of harvest. Setting a bag limit of 4 black cod per angler and closely monitoring this catch and if it becomes necessary reducing this limit to protect PWS Blackcod LLP holders in the future would be more equitable. There are already stringent bag limits on non pelagic rockfish that ensure deep water rockfish are well protected from Charter and Sportfishing overharvest.

Thank you for considering my comments. If you would like to discuss any of these points please feel free to contact me at 907-224-6026, or via email at ljounik@gci.net.

COMMENT# 23

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Seward Charter Boat Assoc.

p 2 of 3

Received Fax : Nov 14 2008 8:23AM Fax Station : Boards Support p 4

FROM :RANTA

FAX NO. :9072246026

Nov. 14 2008 07:51AM P4

Niklas Ranta



President, Seward Charter Boat Association

P.O. Box 54

Seward, AK 99664

COMMENT# 23

p 3 of 3

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

FWS/OSM/8110/BOF PWS

NOV 14 2008

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BOARDS

Mr. John Jensen, Chairman
Alaska Department of Fish and Game
Board of Fisheries
1255 West 8th Street
Post Office Box 25526
Juneau, Alaska 99802-5526

Dear Chairman Jensen:

The Alaska Board of Fisheries will deliberate 2008/2009 regulatory proposals that address Prince William Sound and Upper Copper/Upper Susitna groundfish, herring, shellfish, commercial, sport, and subsistence finfish fisheries beginning December 1, 2008. We understand that the Board will be considering approximately 132 proposals at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and developed preliminary comments on proposals, which may have an impact on Federally qualified subsistence users and Federal subsistence fisheries in this area. The enclosed comments address proposals 13, 14, 22, 25, 27, 118, and 126.

We may wish to comment on other specific proposals if issues arise during the meeting which may have an impact on Federal subsistence users and fisheries. We appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

Sincerely,

Peter J. Probasco
Assistant Regional Director

Enclosure

cc: Denby S. Lloyd, ADF&G
Michael Fleagle, Chair FSB
John Hilsinger, ADF&G, Anchorage
Craig Fleener, ADF&G, Juneau
Charles Swanton, ADF&G, Juneau
Rob Bentz, ADF&G, Juneau
Jeff Regnart, ADF&G, Anchorage
James Hasbrouck ADF&G, Anchorage
Don Roach, ADF&G, Fairbanks

Marianne See, ADF&G, Anchorage
Jim Simon, ADF&G, Fairbanks
Jim Fall ADF&G, Anchorage
Bridget Easley ADF&G, Anchorage
Tina Cuning, ADF&G, Anchorage
Nancy Hendrickson, ADF&G, Anchorage
George Pappas, ADF&G, Anchorage
Jim Marcotte, ADF&G, Juneau
Interagency Staff Committee

COMMENT#

24

Vit

**FEDERAL STAFF COMMENTS ON
ALASKA BOARD OF FISHERIES PROPOSALS
for the
PRINCE WILLIAM SOUND and UPPER COPPER/UPPER SUSITNA
MANAGEMENT AREAS**

**State of Alaska
Board of Fisheries Meeting
December 1-7, 2008
Cordova, Alaska**

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Federal Comments

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

Proposal 13 requests the distance between fish wheels in the Glennallen Subdistrict be increased from 75 feet to 300 feet. The reason cited is resource conservation.

Most Federally qualified subsistence users employ fish wheels to harvest salmon. Federal and State regulations are currently aligned, requiring a 75 foot separation between fish wheels.

Existing State Regulation:

5 AAC 1.620. Lawful gear and gear specifications.

(c)(5) a person may not set or operate a fish wheel within 75 feet of another fish wheel

Existing Federal Regulation:

§ __.27(i)(11) *Prince William Sound Area*

(xiii)(B) You may not set or operate a fish wheel within 75 feet of another fish wheel;

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No. However, a similar proposal (FP07-16) to change Federal regulation to require separation of fish wheels by 200 feet was submitted during the 2007 regulatory cycle. The Federal Subsistence Board did not adopt FP07-16, based on the recommendation of the Southcentral Alaska Federal Subsistence Regional Advisory Council (Council).

Impact to Federal subsistence users/fisheries: Yes. If adopted, this proposal would increase the distance between fish wheels from 75 to 300 feet and could reduce the number of fish wheels operating in the Upper Copper River District. In turn, this could allow more salmon to move up river to meet spawning requirements, and will increase the opportunity for upper river subsistence users (including Federally qualified subsistence users) to catch more fish. This proposal would also create a divergence between State and Federal regulations, which would increase regulatory complexity and cause enforcement problems.

Federal position/recommended action: Neutral. Currently, Federal and State regulations are in alignment and require fish wheels to be separated by 75 feet. Although the proponent cites a conservation justification, the Federal Subsistence Management Program is not aware of any conservation issue that suggests greater linear separation of fish wheels is required. The proposal therefore appears to address allocative and social issues rather than conservation concerns.

As previously mentioned, a similar proposal (FP07-16) to change Federal regulation to require separation of fish wheels by 200 feet was submitted during the 2007 regulatory cycle. The Southcentral Council opposed the proposal as it did not address any identified resource conservation problem and would have had a negative impact to Federally qualified subsistence users. They also acknowledged that a similar State proposal such as this one (#13) could have a negative impact on State users if a similar change was not made to the Federal regulation. The Council concluded that this issue would be best resolved only if both the Federal and State fishery management programs addressed the issue concurrently.

Proposal 14 requests that use of a dip net be prohibited within 30 feet of an operating fish wheel. This proposal would primarily affect those who fish under State regulations and employ either dip nets or a fish wheel in the Glennallen Subdistrict.

Most Federally qualified subsistence users employ fish wheels to harvest salmon although dip net and rod and reel are also lawful gear. Current Federal regulation requires a 75 foot separation between fish wheels. There is no minimum distance in Federal regulation separating a fish wheel and other gear types.

Existing State Regulation:

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

5 AAC 01.620. Lawful gear and gear specifications

(b) Salmon may be taken only by the following types of gear:

(1) In the Glennallen Subdistrict by fish wheels and dip nets;

(c) Fish wheels used for subsistence fishing may be operated only as follows:

(5) a person may not set or operate a fish wheel within 75 feet of another fish wheel;

Existing Federal Regulations:

§ __.27(i)(11) Prince William Sound Area

(v) In the Upper Copper River District, you may take salmon only by fish wheels, rod and reel or dip nets;

(xii)(A) You must register your fish wheel with ADF&G or the Federal Subsistence Board

(xiii)(B) You may not set or operate a fish wheel within 75 feet of another fish wheel;

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

Impact to Federal subsistence users/fisheries: No. Adoption of this proposal would affect only a State subsistence user employing a dip net and fishing under State regulation. It would not affect the Federally qualified user fishing under Federal regulation.

Federal position/recommended action: Neutral. Adoption of this proposal would affect only people fishing under State subsistence regulations. However, if this proposal were adopted Federal and State regulations would no longer be aligned which could potentially complicate enforcement.

Proposal 22 requests that the annual limit in the Chitina personal use salmon fishery for a household of two or more be increased. The current annual limit is 30 salmon. This proposal requests an additional 10 salmon for each household member after the 30 salmon household limit has been taken.

Existing State Regulation:

5 AAC 77.591 Copper River Personal Use Dip Net Salmon Fishery Management Plan.

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under

the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

Existing Federal Regulations:

§ __.27(i)(11) *Prince William Sound Area*

(x) The total annual harvest limit for subsistence salmon fishing permits in combination for the Glennallen Subdistrict and the Chitina Subdistrict is as follows:

- (A) For a household with 1 person, 30 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel;*
- (B) For a household with 2 persons, 60 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel, plus 10 salmon for each additional person in a household over 2 persons, except that the household's limit for Chinook salmon taken by dip net or rod and reel does not increase.*
- (C) Upon request, permits for additional salmon will be issued for no more than a total of 200 salmon for a permit issued to a household with 1 person, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel, or no more than a total of 500 salmon for a permit issued to a household with 2 or more persons, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel.*

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impact to Federal subsistence users/fisheries: Yes. A significant harvest increase in the Chitina Subdistrict personal use fishery could reduce the number of salmon available for Federally qualified subsistence users in this Subdistrict. It could also reduce the number of salmon available for both Federally qualified and State subsistence users in the Glennallen Subdistrict.

However, if the escapement goal at Miles Lake is increased to allow for the additional harvest upstream then there should be little impact to Federally qualified subsistence users.

Federal position/recommended action: Oppose. The department currently has the Emergency Order authority to increase harvest by providing a supplemental permit (for an additional 10 sockeye salmon) when the actual numbers of salmon counted past the Miles Lake sonar sufficiently exceed the preseason projection for a specific fishing period. Adoption of this proposal would reduce the department's flexibility in reacting to inseason salmon abundance.

In addition, adoption of this proposal would reduce the number of salmon available to Federally qualified subsistence users in the Chitina and Glennallen Subdistricts since these fishery resources are already fully allocated. A reduction in salmon abundance could result in Federally qualified users not meeting their subsistence needs or having to work harder to achieve those needs. This would be contrary to a basic tenet of ANILCA that provides a subsistence priority to rural residents having customary and traditional use of Copper River salmon in the aforementioned Subdistricts.

If the escapement goal at Miles Lake is increased to allow for the additional harvest upstream then there should be little impact to Federally qualified subsistence users and we would be neutral on this proposal.

Proposal 25 requests that in the personal use dip net fishery in the Chitina Subdistrict of the Upper Copper River District the Chinook salmon annual harvest limit be raised to four per household. One Chinook salmon would be recorded on the household personal use permit as is the current regulation. Each additional Chinook salmon to a maximum of three would be recorded on the permit holders sport fishing license. These Chinook salmon would be subtracted from the permit holder's allowable harvest of Chinook salmon in the Gulkana and Klutina rivers. :

Existing State Regulation:

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan and 5 AAC 52.024. Harvest record required; annual limit.

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously issued supplemental permit.

Existing Federal Regulations:

§ __.27(i)(11) *Prince William Sound Area*

(x) The total annual harvest limit for subsistence salmon fishing permits in combination for the Glennallen Subdistrict and the Chitina Subdistrict is as follows:

(A) For a household with 1 person, 30 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel;

(B) For a household with 2 persons, 60 salmon, of which no more than 5 may be Chinook salmon taken by dip net and no more than 5 Chinook taken by rod and reel, plus 10 salmon for each additional person in a household over 2 persons, except that the household's limit for Chinook salmon taken by dip net or rod and reel does not increase.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impact to Federal subsistence users/fisheries: Yes. This proposal would increase the harvest of Chinook salmon in the Chitina Subdistrict. There would then be fewer Chinook salmon available for subsistence harvest in the Glennallen Subdistrict. Increased harvest could also negatively affect the sustainability of some of the smaller, unmonitored Chinook salmon stocks.

Federal position/recommended action: Oppose. This proposal would reduce the number of Chinook salmon available to both Federally qualified and State subsistence users in the Glennallen Subdistrict since this fishery resource is already fully allocated. This would be contrary to both the Federal and State subsistence priorities.

Proposal 27 requests that the Chitina Subdistrict be expanded to include the waters of the Chitina River from its confluence with the Copper River upstream to its confluence with the Kuskulana River.

The Chitina River enters the Copper River from the east immediately downstream from the Chitina-McCarthy Bridge. The Kuskulana River is approximately 10 miles upstream from the Chitina River's confluence with the Copper River. If adopted, this proposal would approximately double the linear miles of river in the Chitina Subdistrict.

Existing State Regulation:

5 AAC 77.591 Copper River Personal Use Dip Net Salmon Fishery Management Plan.

(h) For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstream Copper River from the downstream edge of the Chitina-McCarthy Road Bridge downstream to an east-west line crossing the Copper River as designated by ADF&G regulatory markers located approximately 200 yards upstream of Haley Creek.

Existing Federal Regulations:

Prince William Sound Area

50 CFR 100.4 (Area, District, Subdistrict and Section) adopts the State's definition of the Chitina Subdistrict by reference.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impact to Federal subsistence users/fisheries: Yes. Expanding the Chitina Subdistrict to include waters of the Chitina River could reduce the number of sockeye salmon spawning in the Chitina River, which could decrease future production from this system. The number of sockeye salmon spawning in the Chitina River is not known. However, it is known that this stock contributes to the Prince William Sound commercial fishery, to the Chitina Subdistrict State personal use fishery and to the Federal subsistence fishery in this Subdistrict. Allowing a personal use fishery in the Chitina River on a sockeye stock that is probably already fully utilized by existing fisheries and for which a biological assessment has not been conducted could compromise the sustainability of the resource.

Federal position/recommended action: Oppose. Increased harvest would reduce the number of salmon reaching the spawning grounds, which could potentially lower production from the Chitina River, and may reduce the harvestable surplus currently available in the existing Chitina Subdistrict. A reduction in the harvestable surplus would negatively impact Federally qualified subsistence users and State personal use fishers who would continue to fish here.

Under the provisions of 36 CFR 2.3, fishing in fresh waters by any method other than hook and line is prohibited unless you are a local, rural resident who is qualified to engage in subsistence. Adoption of this proposal would place non-local residents in violation of National Park Service regulations. Also, there is a lack of road access to the Chitina River. Anyone wishing to access the river over land would have to cross Native Corporation land or other private lands and trespass would then become an issue.

Proposal 118. This proposal would restrict subsistence users from participating in the commercial fishery for one month.

Existing State regulations:

5 AAC 01.647 (j)(2&3). Copper River subsistence salmon fisheries management plans.

Salmon may be taken only from May 15 through September 30; fishing periods are from May 15 until 2 days before the commercial opening of the Copper river District, seven days per week; during the commercial salmon fishing season, only during open commercial salmon fishing periods; from two days following the closure of the commercial salmon fishing season until September 30, seven days per week.

Existing Federal Regulations:

§ __.27(i)(11) Prince William Sound Area

(xvi) You may take pink salmon for subsistence purposes from freshwater with a dip net from May 15 until September 30, 7 days per week, with no harvest or possession limits in the following areas (A (Southwestern District)) and (B(portions of the Eastern District)).

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No.

This proposal affects the harvest of salmon in marine waters of Prince William Sound. The Federal Subsistence Board does not regulate harvests of salmon in marine waters of the Prince William Sound Area.

Impact to Federal subsistence users/fisheries: Yes. If adopted this proposal could have a direct impact to Federally qualified subsistence users. Many Federally qualified subsistence users also fish commercially. The Federal subsistence fishery within the Chugach National Forest occurs in the fresh waters of Prince William Sound and the Copper River Delta. This proposal would restrict a subsistence user who harvests fish in fresh water from participating in a commercial fishery in marine waters. Federal subsistence harvest of salmon is not allowed in the Copper River downstream of an ADF&G regulatory marker located approximately 200 yards upstream of Haley Creek. The marine harvest primarily targets a mixture of all Copper River salmon populations as well as salmon returning to Prince William Sound systems. This proposal would unnecessarily restrict Federally qualified subsistence users from their main source of income.

Federal Position/Recommended Action: Oppose. This requested regulatory change applies to the commercial harvest of salmon in marine waters, which are outside of Federal subsistence fishing jurisdiction. However, if adopted it would also restrict Federally qualified subsistence users from earning an income from commercial fishing if they harvest fish in freshwater using a subsistence permit. The same users would not be restricted if they were harvesting fish under sport fishing regulations. This proposal is an arbitrary and unnecessary restriction on subsistence users.

Proposal 126 requests a re-evaluation of the Copper River escapement goal for sockeye and Chinook salmon.

Existing State Regulation:

5 AAC 24.360. Copper River District Salmon Management Plan.

and

5 AAC 39.223(b) The board recognizes the department's responsibility to (6) review an existing, or propose a new, BEG, SEG and SET on a schedule that conforms,

to the extent practicable, to the board's regular cycle of consideration of area regulatory proposals.

Existing Federal Regulations:

Prince William Sound Area

The Federal Subsistence Management Program has not adopted escapement or inriver goals for the Copper River. The Copper River salmon fisheries are dually managed by regulation adopted by the State Board of Fisheries and the Federal Subsistence Board. Management defers to escapement/inriver goals established by the State.

Is a similar issue being addressed by the Federal Subsistence Board (FSB)? No

Impact to Federal subsistence users/fisheries: Yes. Spawning escapement and other inriver goals should be based on the best information available. We support evaluating these goals as new information or techniques become available to maintain healthy fish populations and to continue subsistence uses as required by ANILCA.

Federal position/recommended action: Neutral. The highest priority of ANILCA is resource conservation. Resource conservation includes establishing escapement goals using the best available biological information. The Alaska Board of Fisheries and the department are responsible for establishing and periodically reviewing salmon escapement goals according to the Policy for the management of sustainable salmon fisheries (5 AAC 39.222) and the Policy for statewide salmon escapement goals (5 AAC 39.223). However, as the Copper River fisheries are dually managed by State and Federal agencies we recommend any review of these escapement goals include appropriate Federal staff as noted in the June 17, 2005 salmon escapement goal memorandum of understanding (MOU) between the Alaska Department of Fish and Game (ADF&G) and the Federal agencies in Alaska representing the Federal Subsistence Board.



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To:

Attn: CR/PWS Board of Fisheries
Written Comment

FAX: 907-465-6094

From:

Paul Owecke

Phone: 608-534-6741

RECEIVED TIME NOV. 14. 7:59AM

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COMMENT# 25

Mr. Chairman and members of the Board,

Thank-you for taking the time to review my comments regarding Prince William Sound Salmon proposals. My name is Paul Owecke and I reside in Trempealeau, Wisconsin. I have been a PWS setnet permit holder since 1983, and am a founding member of Prince William Sound Setnet Association. Having participated in the BOF process many times I wish to express my appreciation for your efforts and expertise in managing Alaska fisheries.

Proposal 62 and 63- Oppose

Both proposals request the removal of setnet bouys and running lines when not actively being fished, contending that this gear prevents drift gillnet access to nearshore areas. Setnet bouys and running lines have not and will not prevent drift gillnet access to near shore areas. Setnet bouys and lines are set in accordance with legal setbacks established for operation of adjoining setnets; when setnet fishing gear is not deployed on a setnet site there is ample space for deployment of drift gillnets in the areas adjoining setnet bouys and running lines. This is and will continue to be common practice for operation of drift gillnets, giving ample access to nearshore areas throughout the Eshamy district. Inattentive operation of drift gillnet fishing gear has resulted in problems, but is not reason enough to require removal of setnet bouys and lines.

As you are aware bouys and lines are essential components of setnet operations. It is common practice for myself and all setnet operators statewide to have an alternate site to deploy fishing gear; as most sites on exposed coastlines are not able to be safely operated in all weather conditions. Also, in areas such as the Alternating Gear Zone many setnet operators, and myself, will deploy gear for short periods of time in the terminal fishing area and then relocate to alternate sites later in a given fishing period. I, and many others, have had the experience of moving setnet gear to a site which requires placing bouys and running lines and been denied access due to drift gillnet gear being deployed and the operator refusing to relocate, many times for the entire duration of a fishing period. Requiring removal of setnet bouys and running lines will guarantee additional conflict between drift and setnet operators as well as cause conflict between setnet operators as bouys and lines are the primary means of establishing and maintaining the use of a setnet site recognized by all.

In addition similar proposals in the past have failed to be approved due to the unrealistic burden placed on setnet operators and legitimate safety concerns posed by requiring removal of setnet bouys and running lines. (See BOF Summary of Actions Jan. 31 - Feb. 6, 2003. Proposal 61 - Action Failed. Discussion.) "The Department of Law noted questions over the board's authority on unused gear. The board considered gear conflict issues, loss of gear, and problems with enforcement." ADF&G Protection has in the past also recognized the unenforceable nature of this proposal and opposed similar proposals. I and most other setnet permit holders will have bouys and running lines set in locations that allow us to fish on exposed coastlines. It is a common occurrence to have weather conditions that prevent fishing gear to be deployed on these sites during times of adverse weather. It is a serious safety threat to setnet operators to impose regulations that would on a regular basis require the removal of bouys and running lines in adverse weather conditions. Weather conditions frequently prevent deployment

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of fishing nets in certain areas, but approval of this proposal would require removal of bouys and running lines regardless of weather conditions.

Approval of this proposal would severely impact setnet operators; essentially denying mobility of operation and routinely place operators into the position of having to remove bouys and lines in unsafe weather conditions. Also, in past BOF action the setnet operators have been prevented from accessing any portion of the Eshamy fishing district, outside of Main Bay, except that area directly adjoining tidelands. Prior to the requirement that a setnet be attached to the mainland shore in water of no greater depth than 4 fathoms the setnet users had access to all waters of any depth in the Eshamy district, but this was deemed as denying access to offshore areas to the drift gillnet users. This is not now the case, and only the waters within 600 feet adjoining mainland tidelands is the portion open to setnet gear; legally denying setnet access to over 90% of the waters of the Eshamy fishing district to the setnet user group. Further reduction of setnet access to the tideland areas by limiting the placement of essential gear is not necessary for the success or viability of the drift gillnet user group. Attentive deployment of drift gillnet gear in nearshore areas provides access to all nearshore areas not actively being fished by setnet gear, no additional regulation is needed to secure this use for the drift gillnet users.

Proposal 64-Oppose

As stated above the attentive deployment of drift gillnet gear has and will continue to provide access to nearshore areas. There are 29 setnet permits allowed in the Eshamy district with most of the setnet sites concentrated in the Main Bay terminal area. There are currently extensive nearshore areas that no setnet gear is deployed on that is open access to the drift gillnet fleet. No additional reduction of setnet gear is necessary to allow equitable access.

In addition, many of the actively fished setnet sites currently are held under State of Alaska Division of Lands-Shorefishery Lease Program. Increasing the minimum distance between units of setnet gear, besides being unnecessary, would place the burden on the BOF of deciding which

setnet permit holders would have to relenquish a valid Sate of Alaska shorefishery lease to comply with the intent of this proposal.

Proposal 65 and 66-Support

Both proposals request the same action. In the entire Eshamy district where the setbacks between adjoining setnets is 100 fathoms the distance setbacks between setnet and drift gillnets was requested by ADF&G Protection to be set at 60 fathoms in order to eliminate the existing conflicts. This was approved by BOF action, and the conflicts have been reduced except in that area of Main Bay where the setbacks between drift and setnet gear was not addressed by the ADF&G proposal. Approving this proposal would standardize the setback regulations throughout the district and reduce the conflicts that result from not having consistent regulation.

Proposal 67-Support

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Clarification of alternating periods accurately reflects past and current management.

Proposal 68-Oppose

Impractical, and unpredictable outcome would be highly allocative.

Proposal 75 and 80-Oppose

Both proposals are similar and were submitted by the same party, contend that the setnet gear group is far above an acceptable harvest level. An accurate look at catch data shows that currently the setnet harvest reported by the latest COAR report shows the setnet harvest three tenths of a percent over the trigger for reduced fishing time. Reduced fishing time for the setnet gear group triggers at 5%, and current COAR data shows the setnet harvest at 5.3%. With the greatly reduced fishing time after July 10 that occurred for the setnet group this past season, 2008, the harvest for the setnet group will easily fall within the allocation designated without any further restrictions of setnet harvest.

In 2008, after July 10 the setnet user group experienced a 63% reduction in fishing time overall compared to the fishing time for the drift gillnet user group. After July 10 there was a total of 1128 hours of open fishing time in the Eshamy district; of those hours the setnet user group was restricted to 420 hours. This was triggered by the BOF compliance measures to bring the setnet harvest into compliance with the allocation plan. Further restrictions as proposed in proposal 80 would result in a further reduction in fishing time after June 10th. Had the proposed restrictions been in place for the 2008 season after June 10th the setnet user group would have been able to

fish 144 hours of a total open hours of 456 hours opened to the drift gear group, a reduction in fishing time of 69%.

Reducing the setnet gear groups harvest time by 63% after July 10 as occurred in 2008 or reducing in the future by up to 69% after June 10 as proposed is not justified, and would serve to eliminate setnet harvest to the point of the fishery being non-viable for most permit holders.

Proposal 78 and 79-Support

Increase the percentage at which the setnet usergroup experiences a reduction in fishing time from 5% to 7% in order to provide an equitable harvest that reflects the setnet current and historical harvest of enhanced fish. 7% is a more accurate reflection of actual and historical harvest. Also, the 1% deviation from the allocation of 4% and a trigger for compliance measures at 5% is too narrow to actually allow for realistic compliance.

In addition there have been unforeseen outcomes of applying the compliance measure of reduced fishing time after July 10. There have been drastic changes in the management of the Eshamy district that multiply the effect of reducing fishing time to the setnet user group. At the time that the setnet compliance measures were approved in 2005, and in previous years, the average time

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fished per week after July 10 was 48 hours. The BOF to ensure compliance with the allocation plan reduced setnet maximum fishing time to 36 hours per week resulting in a reduction of fishing time of 25%. But, this past season and for the future there has been greatly expanded fishing time prior to and after July 10. As a result this past season after July 10 there was 1128 hours of open fishing up until the closure of the fishery. Of those open hours the setnet group was only allowed access for 420 of those open hours due to the BOF imposed compliance measure of 36 hours maximum fishing time per week. The setnet group went from having a 25% reduction of fishing time to a 63% reduction in fishing time after July 10.

A reasonable means to deal with this is to impose realistic compliance measure triggers that go into effect when there is a demonstrated excess harvest by the setnet users. The 7% trigger on a setnet allocation of 4% is a realistic scenario that reflects actual current and historical setnet harvest, and allows a reasonable margin of overage before these drastic compliance measures take effect. Reducing fishing time by over 50% is drastic by any definition, there should be reasonable parameters that trigger these reductions.

Proposal 82-Support

This proposal gives legal status to current practice that has little if any effect on any other users or user group.

Thank-you for your time,

Paul Owecke
W25376 Sullivan Rd.
Trempealeau, WI 54661

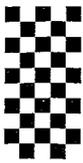
608-534-6741

COMMENT# 25

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TOTAL P.05



To: Alaska Department of Fish and Game
Boards Support Section
PO Box 115526
Juneau AK 99811-5526
Fax 907 465-6094

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NOV 13 2008
BOARDS

From: John Grocott
PO Box 59
Ilwaco WA 98624
PWS Drift Gillnet
PWS Salmon Seine

Re: Board of Fish proposals

Main Bay Hatchery
#62 support
#63 support, clearer what sites are to be fished, would help increase driftnet share.

PWS Enhancement Allocation Plan

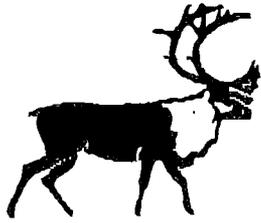
#69 oppose
#70 oppose cost recovery changes alone won't make up for drift gillnet shortfall. Also putting all cost recovery on one species is dangerous due to run failure/ market change possibilities
#71, #72, #73, #74, oppose, these would further erode the drift fleets 45%. The drift fleet proved last year they could harvest the whole chum run, Red salmon surpluses are a management issue, smart seiners wouldn't even mention pink salmon surpluses, and historical /traditional harvest in a given spot changed totally with the hatchery system.
#76 oppose, seines and gillnets don't harvest at the same rate. Equal time heavily favors the seine fleet, further reducing the gillnet catch.

Proposals 62-80 observations: The Board of Fish opened the door for this allocation free-for-all by changing the original PSWAC plan in the previous PWS cycle. As a gillnetter I feel BOF should uphold their new plan and work to assure the drift fleet retains their share. As a seine permit holder I am waiting to see some stability in BOF actions before further investing in boats and equipment.

Copper River

#119 oppose commercial fishermen would be the only ones that couldn't "buy" their own fish.
#121 oppose, all this does is waste Kings
#126, #128, #129, #131, I oppose Fish and Game has proven they can manage for upriver escapement needs. These proposals are thinly disguised allocation and they hamstring Fish and Game escapement management.
132 support, removes management limit.

COMMENT# 26



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NOV 13 2008

BOARDS

U.S. Fish and Wildlife Service
Office of Subsistence Management
101 12th Avenue, Room 110
Fairbanks, Alaska 99701
Voice: 1-800-267-3997
Fax: 1-907-456-0208

To: **BOARDS STAFF**

Fax Number : 919074656094

Company : Alaska Boards of Game & Fisheries

From: Vince Mathews

Page 1 of 1

Date : 11/13/2008

Subject: BOF COMMENTS

Boards Support Staff:

Following are the recommendations of the Eastern Interior Regional Advisory Council on pending Prince William Sound proposals before the Alaska Board of Fisheries. The Council recommendations were passed during their public meeting on October 14, 2008 in Nenana.

A hard copy of their recommendation is being mailed.

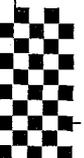
If you have any questions, please call me or those listed in the letter.

Thanks,
Vince Mathews
Regional Council Coordinator

1/4

COMMENT#

27



**Eastern Interior Alaska Subsistence
Regional Advisory Council**

c/o Office of Subsistence Management

101 12th Avenue, Room 110

Fairbanks, Alaska 99701

Phone: 1-(907)-456-0277 or 1-800-267-3997

Fax: 1-(907)-456-0208

E-mail: Vince_Mathews@fws.gov

November 13, 2008

Alaska Board of Fisheries
Alaska Department of Fish and Game
Post Office Box 115526
Juneau, Alaska 99811-5526

Dear Board of Fisheries:

The Eastern Interior Alaska Subsistence Regional Advisory Council during its public meeting on October 14, 2008 reviewed pending State fisheries proposals for the Prince William Sound and Upper Copper Finfish proposals. These proposals are before the Alaska Board of Fisheries in Cordova on December 1 – 6, 2008. Below are the recommendations passed by the Council. The Council appreciated the assistance provided by Tom Taube when it reviewed the fisheries proposals that follow.

PROPOSAL 1 – 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses. Reclassify the Chitina dipnet fishery as a subsistence fishery as follows:

Reclassify the Chitina Dipnet Fishery as State of Alaska subsistence fishery.

COUNCIL ACTION:

The Council supported adoption of this proposal after a long discussion, they learned that personal use does not have priority over commercial use. In times of shortage subsistence would have priority over commercial fishing. Thus, commercial fisheries managers would have to allow the amount necessary for subsistence to pass upriver to meet the priority use. With adding the State as subsistence along with the Federal subsistence priority, both would have priority over the commercial fishery. This will decrease the likelihood of not enough fish for escapement or for not enough fish to meet upriver needs. State managers alluded to the fact that the harvest amounts should not increase significantly. The discussion pointed out that this proposal would help spread out the use of the fish more equitable, but one Council member was concerned if all Alaskans qualify, how would this change affect harvest numbers.

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COMMENT# 27

PROPOSAL 22 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Increase annual limit of sockeye salmon when surplus is available as follows:

Supplement the basic limit for a family of more than two: May take ten sockeye for each additional family member after the original limit of thirty salmon have been taken.

COUNCIL ACTION:

The Council supported adoption of this proposal because it would be a fairer allocation of the harvestable fish available in order to provide additional fish for large families. The high cost of feeding a family of two or more people justifies the additional harvest limit. It would be an opportunity for those families who have the time and energy to harvest ten extra fish after traveling long distances to the fishery location.

PROPOSAL 24 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management. Restrict additional permits for Chitina Subdistrict personal use fishing if commercial harvests are restricted as follows:

Section (F) The maximum harvest level for the Chitina Subdistrict personal use salmon fishery is 100,000 – 150,000 salmon, not including any salmon in excess of the intriver goal or salmon taken after August 31. If the Copper River District commercial salmon fishery is closed for 8 [13] or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon and no supplemental permits for additional salmon may be issued for the rest of the year.

COUNCIL ACTION:

The Council resoundingly recommends rejecting this proposal. Passage of this proposal would tie the hands of the State inseason fishery manager to issue additional harvest permits later in the season when additional surplus fish may be available.

PROPOSAL 25 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan and 5 AAC 52.024. Harvest record required: annual limit. Increase personal use limit for king salmon and change recording requirement as follows:

Raise the king salmon limit in the Personal Use Fishery to four kings per permit (family) after the first king is harvested, require each additional king to be recorded on the back of a permittee's sport fish license by date and identified by adding "PU" (it is now required to record kings harvested in the sport fishery). Kings recorded on the sport fish license count against the seasonal Sport Fishing limit for Gulkana and Klutina Rivers. This proposal would take away the perceived "need" to catch additional kings for freezer by sport fishing. No allocation changes are required.

COUNCIL ACTION:

The Council majority passed a recommendation to support this proposal (Vote: 5-1). Passage of this proposal would allow families fishing for sockeye salmon the opportunity to harvest three additional king salmon. Passage of this proposal would decrease the sport fish harvest pressure on streams along their journey home.

3/4

COMMENT# 27

PROPOSAL 81 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Reduce hatchery chum production as follows:

Reduce hatchery production to 24 percent of the year 2000 production.

COUNCIL ACTION:

The Council supported the passage of this proposal as written. The Council has been on record in a letter to the Commissioner in 2007, strongly urging him to not allow overproduction of hatchery fish and to reduce hatchery chum production. If there was no overproduction there would be no need for roe stripping and the waste of fish flesh. The Council also agrees that action is needed now to reduce hatchery chum production to reduce the unfair competition Alaska's wild salmon stocks and Alaskan residents have with hatchery fish. Fisheries that have a long history in Alaska, subsistence, commercial, and sport would benefit from the passage of this proposal. Protection of wild salmon stocks are the key to future of subsistence uses of the region.

PROPOSAL 128 – 5 AAC Copper River District Salmon Management Plan. Delay commercial fishing until after 5,000 fish are counted at Miles Lake sonar as follows:

First Copper River commercial opener may not commence prior to 5,000 fish being counted at the Miles Lake Sonar.

COUNCIL ACTION:

The Council recommends passage of this proposal. Passage of this proposal will provide necessary protection of the early wild salmon stocks to reach their spawning grounds. Passage will also prevent the salmon stocks when they are milling in preparation for fresh water from being over harvested by commercial fishing.

Thank you for the opportunity to provide Council recommendations on proposals important to subsistence users of the Eastern Interior Region. If you have any questions, please give me a call (1-907-883-2833) or our Vice-chair Virgil Umphenour (1-907-456-3885) or our Regional Coordinator, Vince Mathews (contact information in letterhead).

Sincerely,



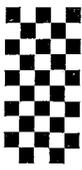
Sue Entsminger, Chair

cc: Eastern Interior Regional Council members

- Peter J. Probasco, Assistant Regional Director Subsistence
- Rod Campbell, Board of Game Liaison, Office of Subsistence Management
- Rita St. Louis, Alaska Department of Fish and Game

COMMENT# 27

4/4



RECEIVED

NOV 11 2008

BOARDS

TO: Regional Boards Support Office 907-465-6094

SUBJECT: Comments on proposal for PWS 2008 Board of Fisheries

TOTAL PAGES including cover sheet: 6

FROM: Michael Brown
307-673-5535
misabrown@netzero.com

COMMENTS: Following you will find my comments for the 2008 Board of Fishiers being held the first week of December in Cordova. Thank you for including them. If you have question, please contact me at either the above phone number or email address.
Thank you

1/6

Mr. Chairman and members of the Board,

Thank you for considering my written comments. My name is Michael Brown. I have been involved in the PWS fishery since 1983, initially as a crewman and since 1990, as a permit holder.

PROPOSAL 62 & 63-- SUPPORT AS AMENDED

I could support this proposal if running lines only in the Terminal Harvest Area were require to be removed if not a state lease. Here is why:

Last summer we went to fish the THA but found running lines every 300 feet. After borrowing two sites, we were ready to fish. In the THA, drifters "claim" a spot by arriving ahead of the opener and anchoring somewhere to wait for the opening. Someone had done that next to where we were fishing. We showed up 10 minutes before the opener. This forced the drifter to move from a spot where, in spite of a running line, no one had fished before. We then go to the next net, and someone has already set their drift net too close to our second site. This resulted in a conflict. A large percent of the other running lines were not, and had not been fished that year. Running lines 600 feet apart on the outside leave plenty of room for drifters to fish. With the large number of drift boats in the narrow area of the THA, running lines 300 feet apart limit the ability of the drift fleet to harvest the fish. If only running lines that were going to be fished during the first part of the opener were in the water, drifters would know where an actual net was going to be and could avoid setting near them. Not having a large number of un-fished running lines in this small area would also alleviate some of the hard feelings drifters in that area have towards setnetters. Again, I could support this for the THA only. Otherwise, for safety, flexibility and all the reasons stated by other setnetters, this proposal, which is presented year after year, should be voted down again:

PROPOSAL 64-- OPPOSITION

The proposal states "current regulation does not provide equitable access to inshore fishing areas for both the drift and set gillnet fleets". What this means in practice is that some drifters want more room to be able to throw their buoy on the beach and remain stationary at that beach location. This form of "set drifting" currently happens throughout the Eshamy district. By increasing the setoff distance to 200 fathoms, it would allow a drifter with a 150 fathom net to set 60 fathoms in front of every setnet in the district. Most setnet are only 50 fathoms, so the driftnet placed in front of the setnet is three times as long and effectively cuts off the setnet.

Approval of this proposal would permit more drifters to intentionally set their nets on a beach. This would be contrary to state law. Alaska State law is very clear on which gillnet gear group has the right to be fixed in one location. In the General Provisions, 5 AAC 39.105 (2) states:

A set gillnet is a gillnet that has been intentionally set, staked, anchored, or otherwise fixed;

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Concerning drift gillnet it reads:

(3) A drift gillnet is a drifting gillnet that has not been intentionally staked, anchored, or otherwise fixed;

Furthermore, the PWS regulations under 5 ACC24.331 (2)(G) says "the shoreward end of a set gillnet or set gillnet lead may not be operated in water deeper than four fathoms at low tide".

By law setnetters have the right to set a net, and that net must be on or near the beach. Even though drifters setting on the beach is currently a common practice, by law drifters have no right to intentionally place their buoy on the beach for the purpose of remaining set in one location. They are to be drifting. The very reason this proposal is requested—to allow more drifter "access to inshore fishing areas"—is contrary to state law and therefore should be rejected.

If drifters need additional fishing area, that area should be off the beach and off the end of setnets where they would actually drift. One way of achieving this would be to limit the length of setnets to 50 fathoms.

PROPOSAL 65 & 66-- SUPPORT

This proposal would simplify and clarify drift and setnet gear separation. A number of times I've had drifters setting too close to my gear in the Crafton Island subdistrict because they thought the whole district was 25 fathom separation. Have all areas with 100 fathom separation between setnets to also have a 60 fathom drift and setnet separation. This will avoid needless conflicts and confusion.

PROPOSAL 69-- OPPOSITION

The PWS Management and Salmon Enhancement Allocation Plan is based on there being certain hatchery stocks for the gillnet and certain stocks for the seiners. This proposal would allow seiners access to stocks allocated to gillnet fleet (Esther chum and Main Bay reds). Therefore under the current plan the proposal should be defeated.

I agree with the proposal that the management required under the allocation plan makes PWS a very unstable fishery. Each year a fisherman's area and fishing time changes based on that plan. Like seiners, setnetters know all about "punitive measures by the gillnet dominated PWSAC board". We also experience every board cycle the threat of our fishery being effectively eliminated by arbitrary percentages or changes in regulations. This proposal calls for a "committee process whereby all the regulations are on the table". Apart from the allocation plan, the regulations in PWS are fine. As fisherman we need to quit trying to micro-manage through an allocation plan something out of our control (fish returns and prices). Give each gear type permanent areas to fish and just live with the inevitable income fluctuation. Pinks and non-Esther chums to seiners, Esther bound chums to drifters, and Main Bay to drifters and setnetters would be best.

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PROPOSAL 70—OPPOSITION

Originally the trigger percentage for drifters to replace seiners in Port Chalmers was 25%. Since then the seiners, in an attempt to fish Esther, have fought to change the trigger point to 45% to "make the plan more responsive to allocation shortfalls" (ADF&G news release #57). Now because of better pink prices and returns, they are about to lose Port Chalmers for at least two years. This proposal is an attempt to keep that fishery in spite of the 45% trigger they worked so hard to get.

I sympathize with the seiners. I would be upset, too, if I was about to lose access to a \$4,000,000 fishery. **But the solution is not to put PWSAC's cost recovery at risk.** If the pink run is weak, the earlier chum and reds are already gone. This leaves PWSAC with no possibility to raise the funds needed to operate.

A better solution would be to toss the allocation plan altogether. Or if it must be kept, realize that a broader range is needed before the trigger point. This applies for drifter, seiners and setnetters. **Lower the percent that triggers the lose of Port Chalmers to the seine fleet and increase the upper limit for the setnetters.** This would better handle the variability in run strength and prices without unduly burdening a gear type or endangering PWSAC's funding.

PROPOSAL—75 & 80 OPPOSITION

Both proposal 75 and 80 are concerned about the amount of fish caught by setnetters. They claim the current management is not achieving its goal. But if you look at the facts, the plan is slowly obtaining that goal. Over the last four years, our 5-year average has steadily dropped from 6.9% to the current level of 5.3%. With the strong prices for chums this year, setnetters should fall below 5% next year.

Proposal 75 states, "Set netters will continue to go over their allocation and this impacts the seiner/drift gill-netter allocations as set netter overages take dollars away from drifters and may skew the seiner/drift gill-netter allocation percentages". Actually setnetters are a very small group with little impact. Base on a five year total catch average of \$15,125,622 (ADF&G News Release#57), increasing setnet catch 1%, cost the average seine/drifter about \$200. The average for drifter only would be about \$300. If setnetters were at 4%, the drifter 5-year average would go from the current 42.9% to 43.6%. Because there are only 29 setnet permits compared to over 700 seine/drift permits, a one or two percent difference in our catch has negligible impact on the fishery as a whole.

The proposal also states, "The tool of allowing set netters no more than 36 hours/week of fishing after July 10 has not affected the set net harvest appreciably(?)". With no cost recovery being taken at Main Bay, the fishery is currently being managed for two extended openers. Because of this there is little build-up and time is needed to make a season. Last year we made 25% of our total income on one, 3 day opener. The majority of the fish were caught after the first 24 hours. Limiting our time would have greatly impacted our livelihood. According to ADF&G, 38% of the Coghill reds returning to Main Bay are caught after July 10th. There is no way of accurately knowing the loss to setnetter because of restricted

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fish time during over a third of the run. You can not have two identical fisheries and limit setnetters time in one then measure the different catch quantities. What can be said with certainty is that with the current management scheme, we are denied access to over 25% of the fish returning (70% (see below) of 38% is 26.6%).

Lastly, the proposal 75 wants "(t)he department (ADF&G) (to) manage the Eshamy district... not to exceed 4%". This is an impossibility. ADF&G themselves say that they "(do) not have the ability to accurately assess gear group allocation percentages of PWSAC enhanced salmon in season." **Giving ADF&G impossible management requirements is wrong. Proposal 75 needs to be voted down.**

Proposal 80 would restrict setnetters to 36 hours per week for the whole season. This would be a **70% reduction in fishing time** based on the 120 hours per week fished in 2007. Does anyone think that this is not "too big of hammer" for reducing setnet 5-year allocation by **3%** (we are currently at 5.3%, and the allocation plan allows for 5% before restrictions). This is overkill for a non-problem. Please vote against proposal 80.

PROPOSAL 78 & 79—APPROVE

Three years ago the PWS Management and Salmon Enhancement Allocation plan was modified. Setnetters were given 4% with time restrictions if their catch went above 5%. In the last four years, our 5-year average has dropped from 6.9% to 5.3%, just above the 5% cutoff. Next year we will probably be below 5% because of strong pink and chum prices. So why do we need to increase the percentage to 7%?

I think this is best explained by looking at past years. In 2004, the setnetters percent was 7% from a total value of \$417,569. The next year setnet catch value increased slightly to \$426,091, but our percentage decreased to 3%. This decline was not the result of what happened in the setnet fishery, but was because the seiner's catch value went from \$1,646,086 in 2004 to \$8,312,855 in 2005. Because setnetters catch value is a small part of the overall value, our percent of the overall value will fluctuate disproportionately to our actual catch. **Having a larger percent before restrictions are applied would result in setnet time not being limited because of excessive catch and not poor returns in other areas.**

As of now, drifters in 2009 could be fishing the flats, Main Bay, Esther and Port Chalmers. This will disperse the fleet and probably result in less drifter effort in Main Bay. As a result the setnet catch could potentially go up resulting in a higher percentage. With the tight 1% cap, this will result in setnetters losing fishing time--not because of anything setnetters did, but because of regulations and decision of other gear types. **The 7% trigger point would prevent setnetters from being penalized for regulations affecting other gear types.**

As stated before a 2% increase in the upper limited at most would cost only about \$400 per permit to the other gear types. Based on the 5-year total average of \$15,125,622, a two percent increase in setnet value would be just slightly more than

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what one average seiner made last year. Because setnetters are such a small group, it takes very little from the overall fishery to keep a healthy, viable setnet fishery. If you divide 29 into the Set Gillnet harvest value, you would think the average setnetter is making a bundle. The reality is that 25 to 35% of the setnet catch is caught by the two setnetters who fish the district lines. With the current extended openers resulting in less build-up, the two line sites will catch a larger percent of the setnet allocation. This is not a complaint, just the reality. That is why time restrictions hurt the non-line setnetters more than you might think at first. A more equitable catch limitation for setnetters would be a gear length limitation (50 fathoms). To maintain a viable fishery for all setnetters, proposal 78 or 79 must be approved.

PROPOSAL 82—SUPPORT

In ADF&G's comment on this proposal, they say it would allow one of the permit holders to "travel outside of Area E (or even Alaska). This is wrong. The proposal clearly states that both (permit card holders) need to be in compliance (which is misspelled in the proposal) with 5 AAC 39.107. This regulation requires the permit holder to be "physically present at a beach or riparian fishing site...". Maybe AAC 39.107 needs to be changed to AAC 39.107(d) to clarify that. This proposal will not allowed permit holders to tend another permit holders gear in their absence.

In parting I would like to make a few comment on the PWS Allocation Plan. This issue will probably come up since there are proposals relating to it. I am not able to make the long trip from Wyoming to Cordova the first week of December because of work and family responsibilities but still desire some input in a matter that directly affect our fishery.

Much time, money and effort has and continues to be put into this plan. Aside from alienating the different gear types, what has it done for Area E fisherman? So far, the seine fleet has fished early in Esther once or twice. If you give the drifters the money the seiners made in those years, we would now be closer to a 50/50 split between the gear types. The Allocation Plan has actually broaden the gap between seiners and drifters! Setnetter have had limited fishing time once in the last two year for which we have ADF&G values. I would guess that the setnetter have lost less than one-quarter of one percent of the thirty-nine million made by Area E fisherman the last two years. This may make a few drifters happy, but statistically it's insignificant. Now we're faced with a major upheaval in the seine fishery for 2.1% of the last five year catch. Let's either go back to the broad trigger point originally in the plan while adding a broader trigger for setnetters, or toss it altogether.

COMMENT# 28

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NOV 3 2008
BOARDS

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halibutcoalition@gmail.com
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November 13, 2008

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

Re: Prince William Sound Board of Fish Proposal Comments

Dear Chairman Jensen and Board Members,

I am providing these comments on behalf of the Halibut Coalition, which represent 13 member organizations and over 500 individual members, including both fishermen and processors. Coalition members operate throughout the Gulf of Alaska, including Prince William Sound.

Proposal 94: The Halibut Coalition **SUPPORTS** limiting the number of lines fished on state licensed charter vessels up to a maximum number of 6 lines. The six line limit will mirror regulations in place for charter vessels operating in Area 2C, discouraging a shift in effort between areas. It will also be consistent with regulations implemented in 3A for the past two years by ADFG through Emergency Order (EO No. 2-R-3-03-08), which has limited the number of lines to the number of paying clients.

The Halibut Coalition recognizes that Prince William Sound is a heavily fished area, with fully allocated and harvested resources. Steps must be taken to prevent overharvest, improve monitoring and enforcement, and minimize tensions between user groups. In the absence of the six line limit, the high volume "party boat" sector can be expected to expand, which will place undue pressure on the resource and all harvesters who depend on that resource, undermine charter efforts to maintain a continuous season of historic length without exceeding the Area 3A Guideline Harvest Level, and disadvantage the small, established charter operations. The line limit will help rationalize the fishery, supporting North Pacific Fishery Management Council efforts to control growth in the charter sector.

Proposal 95: The Halibut Coalition **SUPPORTS** this proposal to prohibit the **retrieval** of sport fish and sport line with a power assisted reel.

Alaska Longline Fishermen's Association • Cordova District Fishermen • Deep Sea Fishermen's Union • Fishing Vessel Owners Association • Halibut Association of North America • Kachemak Bay Fisheries Association • North Pacific Fisheries Association • Petersburg Vessel Owners Association • Sea Food Producers Cooperative • Southeast Alaska Fishermen's Alliance • United Cook Inlet Driftnetters Association • United Fishermen's Marketing Association • United Southeast Alaska Gillnetters Association

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COMMENT# 29

Charter operations and the better equipped sport fishermen have used hydraulic or electric down-riggers, reels or gurdies to set sport gear for many years, increasing efficiency and effective depth. Although of some concern, this practice has become wide-spread. However, until recently all sport gear was retrieved by hand, with the exception of pots, which retained some challenge and “sport” in sport fishing. A limited number of charter operations are now using electric or hydraulic reels to retrieve sport gear, creating a new high volume fishery that poses resource and allocation concerns.

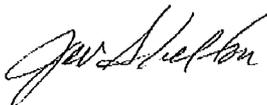
Setting and retrieving sport fishing line with powered down-riggers or gurdies has allowed charter operations to reach new depths and access species previously unavailable, such as deep water rockfish and sablefish. According to information offered on charter websites, the power gear provides for substantial harvest of these new species, most of which are long-lived and relatively slow to reproduce, and all of which are fully allocated. Bag limits are not in place for many of these species, since they were unavailable to sport gear until now. Adding a new high volume fishery creates serious conservation and management concerns, and could undermine the health and well-being of existing fisheries. The Halibut Coalition urges the Board to take immediate and effective action to prohibit this new gear before it becomes more widely used.

The Halibut Coalition is concerned that the focus of charter fishing in Alaska is shifting from the experience, the opportunity to catch fish, and the responsibility to share in resource conservation to an emphasis on catching as many fish in as short a time as possible regardless of resource status. Such an attitude can only increase conflicts between gear groups and undermine resource and management goals. Proposal 95 offers a significant opportunity to refocus sport fishing. The Coalition requests that the Board work with enforcement, the department of law and a regulation specialist to ensure the correct words are chosen to implement this important management directive.

Finally, the Coalition notes that the prohibition on power retrieval of sport fishing line need not limit harvesting opportunities for handicap people. Regulations at 5 AAC 75.038 provide exemptions for the handicapped that would remain in effect if the Board adopted Proposal 95.

Thank you for the opportunity to comment.

Sincerely,



Jev Shelton
For the Halibut Coalition



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

November 14, 2008

ATTN: BOF COMMENTS
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811-5526
Fax: 907-465-6094

RE: Prince William Sound Board of Fisheries Proposals

Dear Chairman Jensen and Board of Fisheries members,

United Fishermen of Alaska (UFA) represents 37 Alaska commercial fishing organizations, participating in fisheries throughout the state and its offshore waters. UFA Board has a policy supporting the use of the best available scientific management measures to achieve and maintain optimum sustainable fishery resources. We provided this policy statement last year at the Cook Inlet Board of Fisheries meeting. UFA feels strongly that the health and optimum sustainability of Alaska's fishery resources results from the use of science based tools that have been developed as part of Alaska's fishery management strategies. UFA is committed to healthy and optimum sustainable fisheries management, which promotes opportunities for all users and healthy commercial fishing communities.

Proposal # 1: UFA **opposes** reclassifying the Chitina dipnet fishery as a subsistence fishery. This fishery has been managed by ADF&G as a personal use fishery since the BOF in 2003 acted to classify this as a personal use fishery, based on information from a 2000 study by the Office of Subsistence Management of the U.S. Fish and Wildlife Service. A 2005 proposal to reclassify as a subsistence fishery was rejected by the BOF as there was no new information, and ADF&G notes that there is also no new information at this time. UFA points out that many participants in the fishery live in faraway areas designated as "nonsubsistence" and do not have reliance on the fishery required for subsistence classification. While residents of the Chitina area may rely on the salmon for subsistence, they are provided for in a federal subsistence fishery. Reclassifying the Chitina dipnet fishery as subsistence would provide a priority for non-subsistence dipnetters over longstanding "customary and traditional" commercial users of the river's fishery resources, which is not justified. **UFA urges you to reject Proposal #1.**

COMMENT# 30

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Proposal #81: UFA **opposes** reducing hatchery production. The 2002 Joint Protocol on Salmon Enhancement (#2002-FB-215) does not say anything at all about reductions in hatchery production. We participated in that process and while some members of the Board and public requested hatchery production to be reduced, there was never any official action that required reductions as this proposal implies. Commercial fishermen, processors and the marketplace have become dependent upon the hatchery production. Access to hatchery production eases pressure on wild stocks. There still has not been any scientific "proof" that hatchery production as done under State of Alaska regulations does any harm to the wild stocks. This proposal is also inconsistent in it's request in that under the issue section the proposal is asking for a 24% reduction but the suggested regulatory language is asking for hatchery production to be reduced to 24% of the 2000 production levels. Reduction to either of the levels suggested in this proposal would be a crippling economic blow if not fatal to the fishermen, and processors and also significantly less funds contributed to the State of Alaska General Fund.

Proposal #94: UFA **supports** limiting the number of lines fished on a charter vessel to the number of paying clients or up to a maximum of 6 lines in Prince William Sound. This regulation has been in effect in Southeast Alaska for many years and has worked successfully. By limiting the lines to the number of paying clients, it slows the harvest down and has only the client fishing and prevents the use of extra poles or the charter guide or deckhand catching additional fish and giving it to the client.

Proposal #95: UFA **supports** the proposal to define sport fishing gear to prohibit sport fishing line/fish being pulled by power. We believe this is a very important proposal. There has been much discussion about the suggested language appropriate to meet the intended goal. The issue that the Board of Fish must decide is whether they want to allow the use of power for pulling in the fishing lines/fish if they don't believe that it is appropriate as a sport fishing opportunity. The reasons UFA supports the proposal to prohibit the use of power in pulling in the fish is that UFA believes:

- 5 AAC 75.038 already provides the necessary exemption for handicapped individuals that would need the use of power or power assisted reels.
- The use of power or deep drop reels allows the sport fishermen to access depths that were never envisioned by the Board of Fisheries as a sport fish opportunity and the impact on many species and fully utilized resources is not being considered in the management of the fisheries (i.e. sablefish, idiots, shortrakers, etc) as these are not considered a sport fish.
- We are also concerned about the conservation of many of the deeper species that are impacted by this type of gear. Many of these species are long-lived, and slow growing.
- Another way to think about this issue is to compare it to an individual duck hunting. You are required to have a plug in your shotgun that prevents the use of more than three shells. With duck hunting you have a bag and possession limit the same as you do with sportfishing, but the requirement of the plug was to

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extend and enhance the hunting experience, and provide for a fairer opportunity between users.

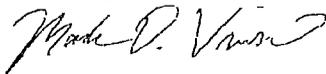
- The cost of many of these types of units provides the charter client fishing off a charter boat with one of these deep drop reels an unfair advantage especially over the individual Alaskan personal use fishermen in their skiff.
- On a testimonial page for deep drop reels it states *"We took the Deep Drop Pro to Sitka to demonstrate the reel. His fish of choice were halibut in 400-500 ft, rockfish in 900-1100 and Black Cod in 1200-2000 ft of water. After three days of fishing we had caught all of his targeted fish in the depths he wanted to fish. Our captain was SOLD after the very first 50 lb halibut I caught in 516 ft, and he wanted to catch the next one! The DDP was just as impressive on the shorttraker rockfish in 1050 ft of water. We used 7 lbs of lead on all the drops over 900 ft. Our biggest challenge was the Black Cod in 2000. The first drop was in 1500 ft where we caught a double that weighed 18 and 14 lbs."* The captain went on to say *"I will never hand crank another halibut for the rest of my dying days"*. See attached Deep Drop testimonial printed from their website in Feb of 2008.

Two possible simpler language options for this proposal might be:

1. *The use of an electric, hydraulic or power assisted reel to deploy or retrieve the FISHING LINE is prohibited; or*
2. *The use of power to retrieve sport fish(or sport fish line) is prohibited.*

UFA represents 37 Alaska commercial fishing associations from fisheries throughout the state and its offshore waters. Thank you for your consideration of these comments.

Sincerely,



Mark Vinsel
Executive Director

(Attachment)

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Independent Tendermen's Association • Alaska Longline Fishermen's Association
Alaska Scallop Association • Alaska Trollers Association • Alaska Whitefish Trawlers Association • Armstrong Keta • At-sea Processors Association
Bristol Bay Reserve • Bristol Bay Regional Seafood Development Association • Cape Barnabas Inc. • Concerned Area "M" Fishermen
Cook Inlet Aquaculture Association • Cordova District Fishermen United • Crab Group of Independent Harvesters • Douglas Island Pink and Chum
Fishing Vessel Owners Association • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Petersburg Vessel Owners Association
Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner Association • Seafood Producers Cooperative • Sitka Herring Association
Southeast Alaska Fisherman's Alliance • Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association
Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Cook Inlet Drift Association • United Salmon Association
United Southeast Alaska Gillnetters • Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen

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Testimonials DeepDrop.com Best electric fishing equipment money can buy

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Attachment for ***
United Fishermen of Alaska PL30

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Deep Drop Pro Fishing Site

Toll Free: 877-374-1169
770-412-0073

snowygrouper@mindspring.com

[Home Page](#) [Reel Selection](#) [Products](#) [Testimonials](#) [Tr](#)

How an Alaskan captain stays on top of the charter fishing business

In response to the call from Cal Hayashi the owner of Alaska Premiere Charters, we took the Deep Drop Pro to Sitka to demonstrate the reel for him. His fish of choice were Halibut in 400-500 ft, rockfish in 900-1100 and Black Cod in 1200-2000 ft of water. After three days of fishing we had caught all of his targeted fish in the depths he wanted to fish. Our captain was SOLD after the very first 50lb halibut I caught in 516 ft, and he wanted to catch the next one! The DDP was just as impressive on the shortraker rockfish in 1050 ft of water. We used 7 lbs. of lead on all the drops over 900 ft. Our biggest challenge was the Black cod in 2000. The first drop was in 1500 ft where we caught one cod about 6 lbs. The last drop was in 1900 ft where we caught a double that weighed 18 and 14 lbs. We made a total of 4 drops over 1500 and caught 7 black cod.

The owner was looking for a Deep-water unit that would allow his clients the choice of hand cranking or using an electric unit to catch a larger variety of fish on their adventure to Alaska. He stated that some of his clients were not able to crank the Halibut out of 500 plus feet of water. The DDP made it possible for his clients to catch these and other deep-water fish. His exact words were "I will never hand crank another Halibut for the rest of my dying days". He now fishes 2 Deep Drop Pros on his 27-ft boat and is looking forward to next season.

2001 update. Alaska premier Charters now has a total of six Deep Drop Pro units. All of their boats have a least one unit aboard.

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<http://www.deepdrop.com/testimonials.asp>

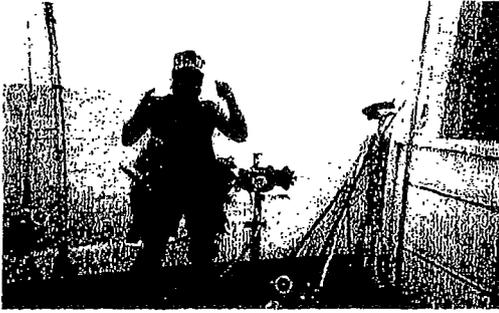
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drop.



Caught one ten pounder and one fifteen at the same time - not a problem, Donnie.

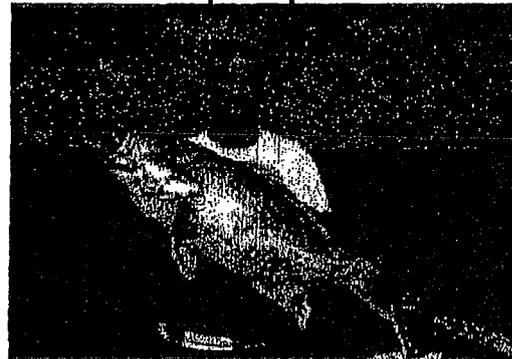
42# Grey grouper caught in 160 ft of water on the Deep Drop Pro using our NEW Fast taper 32 inch rod.



68# AJ caught in 280 feet of water - showed who was the boss with the Deep Drop Pro!



Another embolized gag that couldn't handle the power of the deep drop pro...



One of many 15# Red Snapper from 230 feet of water - you don't get tired with the Deep Drop Pro!

COMMENT# 31

4/2 (Attachment - UFA)

Dear Honorable Board Members,

My credentials are 32 years of gillnetting and fishing experience in Alaska and Washington. I am currently a PWS gillnet fisherman primarily and also fish in Puget Sound and am a resident of WA. I am involved in the South Puget Sound Salmon Enhancement Group and a former board member of that group.

My comments refer to any and all proposals that seek entry of the seine fleet into the Coghill district before the traditional date of July 21. These proposals make statements like "underutilization of sockeye and pink salmon stocks into Coghill Lake," or, "access to traditional seine fisheries is being denied" or "quality is being compromised by lack of RSW." I feel that these and other statements are untrue and are masking an underhanded approach to let the seiners have access to Esther chum fishery. Also they undermine the agreements in the Salmon Harvest Task Force and do little to promote the cooperation that has brought the PWS salmon fishery to where it is today.

I would like to look at the difference between the *depth* of seine and that of a gillnet. Regulations (5ACC 24.332) state that no seine can be deeper than 325 meshes with 4" mesh. While gillnets (before adequate escapement of sockeye into Coghill lake) can be no deeper than 60 meshes with a maximum mesh size of 5 1/2 inches. If you do the math under the best scenario seines would be deeper than gillnets by at least 70 feet! That is a huge difference-effectively "corking" the gillnet fleet at certain strategic locations. This would make the regulation restricting the gillnet fleet to 60 meshes to protect Coghill Lake sockeye meaningless. In 2008 the Coghill district opened on June 2. These changes would allow the seine fleet access almost 2 months earlier than usual. The disparity of the 50-50 sharing plan would be huge.

If the seine fleet could prove economic hardship or lack of access that would be one thing but neither of those can be proven. I urge the Board to use a level headed approach to these proposals and reject proposals 71-74. The sharing plan has been close to its numbers the last few years. Permit values are up, fish prices are moving upward. If it ain't broke, don't fix it!

Thank you to the Board and time and effort you put in to this process.

Sincerely, Ken Manning

Ken Manning
11/15/08

Proposals 71 & 72 - oppose - called 11/18/08

COMMENT# 32

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To Alaska Board of Fisheries

Mr. Chairman and fellow BOF members,

My name is James Mykland and I reside at 121 W Davis Ave. I thank you for the opportunity to comment on these proposals concerning PWS /CR Finfish. I have commercially fished the Prince William Sound/Copper River Delta region since 1976. I currently hold PWS salmon & herring permits.

I oppose proposals 71, 72, 73 & 74.

Over 25 years ago, the "PWS management and salmon enhancement allocation plan" was implemented by the BOF. Since then, members of the PWS purse seine fleet have authored many BOF proposals to change the agreement that was originally agreed to by all three PWS salmon gear group's representatives.

In 1996, BOF approved a trigger mechanism with "piggy banks". The ex-vessel value percentage, of the gear groups, was used to engage the trigger. **This was done to help alleviate the decreasing value of the seine harvest, due to low pink salmon price.** The "piggy banks" were Esther sub-district for the seine and Port Chalmers for the drift fleet.

At the '03 BOF mtg. the ex-vessel percentage value "trigger" was changed from 25 to 40%. During the BOF mtg. in '05, the "allocation plan" was again changed to have PWSAC enhanced fish split evenly by both seine and drift fleets. Each gear group would now share 50% of the "enhanced" fish value. The "trigger" percentage number also was changed from 40% to 45% and was fully supported by the seine representatives. We had all hoped this would be the end to the countless discussions and arguments concerning PWS allocation. As evident by these proposals, the battle continues.

The BOF has been trying, since 1996 to bring the seine fleet up to par. They can now claim success. In fact 12 years later, we are now in the situation with the seine fleet flourishing, while the drift fleet is struggling. Ever since 1996, many fishermen stated to the BOF that the seine fleet's financial decrease was not about fish. It was all about price. This reasoning was largely ignored. In 1988 pink salmon were going for up to

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\$1 per lb. The PWS seine fleet was at the top of the wave and all 262 permits were fished.

14 years later that price had fallen all the way down to 8 cents and only 105 permits were used. As a result, in 2002, the drift fleet harvest value was 65% to the seine 35%, of enhanced fish.

As we all know, usually whatever goes down does come back up. The average price of pink salmon has been increasing since 2003, and in 2007 the seine fleet harvest value was 66% to the drift 34%. Once again it is mostly about price. This season the price for PWS pink salmon was between 30-35 cents and the seine fleet had another great year.

As a result, the PWS seine fleet in 2008 is viable, healthy and latent permits are now once again being fished. It is ironic, that the seine fleet pushed hard for the higher 45% percentage in '05 and the drift fleet did not. Because of this change from 40-45%, the trigger was pulled (1st time) for the drift fleet in 2009. The drift fleet has access to Port Chalmers next season. This is another reason why we have these proposals on the table. Once again, the seine fleet is unhappy with their share of enhanced fish.

So what do these proposals actually want to change? They, in effect, provide full access to the Coghill district by the seine fleet, when the department opens the season in early June. The seine fleet currently, per regulation, is allowed into the Coghill district on July 21st or by EO. These proposals would allow the seine fleet to fish nets deep and longer than the drift fleet, while the drift fleet is restricted to no more than 60 meshes. Both justifications of these proposals lack credibility. One is historical access and the other is over escapement. First, yes, the seine fleet did fish in the Coghill district and still does, though the time and area have both been changed to allow for PWS "early run timing" returns to be an exclusive access by the drift fleet. This "exclusive access" was agreed to by all parties in the early 1990's. With the implementation of the "allocation plan" the drift fleet was granted this early access to enhanced and wild fish returning to the Coghill district.

The authors of these proposals want to change the game. The enhanced fish in PWS are fully allocated and utilized, though these proposals will give the opportunity to the seine fleet to harvest more than their fair share. Second, the escapement numbers in the Coghill district are and have been well within the range of the SEG. There are no over escapement issues in the Coghill district. I am disappointed, that the department did not comment on these bogus escapement allegations by the proposal's authors. The department, in their comments, did give a good historical

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account of fishing access by the two gear groups, though they failed to note the historical reasons for reducing the seine access in the Coghill district. Five words explain it: **Sustainability of Coghill Lake Sockeyes**. This "wild" return to the Coghill district has to traverse through a number of PWS fishing districts before reaching its spawning area. It is highly susceptible to over fishing by the greatly efficient seine fleet. During the time period 1960-1980 the seine fleets used fixed leads tied to the beach and were not as highly mobile as they are now. Today they use deep nets, large seine vessels & powerful jitneys. The sockeye return starts in early June and peaks in the middle of July. The drift fleet is restricted to 60 meshes, before the 1st Monday in July or by EO. In the 2006 season, during one 12 hour Coghill district fishing opener, 250,000 chums & 6,000 sockeyes were harvested by the seine fleet.

If these proposals are approved and the seine fleet is allowed full access to the Coghill district, their harvest of enhanced fish will rise and the drift harvest will decline. These proposals will ultimately change the ex-vessel value percentages. The seine fleet will basically be exchanging the Port Chalmers chum return for early access to the Coghill district.

By the 2005 season we were already seeing an upward trend of the seine fleets increased percentage, by harvesting 66% of enhanced fish. A point to make is that the price paid for seine caught pink salmon was 18 cents per lb during the 2007 season, and again they were at 66% harvest value. In 2008, due to the higher price paid for pinks, the seine harvest value of enhanced fish is estimated to be above 75%.

Instead of giving the seine fleet more opportunity to greater volumes of enhanced fish, we should be looking at ways to diminish their enhanced harvest. The '09 season has all the potential of being another blockbuster year for the seine fleet and they could be above 70%, even with the drift fleet in Port Chalmers.

Remember, the allocation plan allows for the 50% split of enhanced fish. No matter what discussions are held at this meeting, we must all agree that the 50/50 split of enhanced fish cannot and should not be changed. The 50/50 split must be upheld, due to the fact the entire foundation of the PWS "allocation" plan is based on this strategy. In conclusion, the allocation plan, the system & process are all working well for the seine fleet. There is no reason or justification to give the seine fleet more rights to infringe on the drift fleet in PWS. I oppose all proposals (that give more time, area & access to the seine fleet) and ask that you not be swayed by arguments that will invalidate a program that is currently working well.

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I oppose proposal 69.

This proposal would open up the migratory corridors of wild and enhanced fish in PWS, to interception by the seine fleet. This proposal defeats the original allocation agreement made in 1991, concerning early PWS salmon returns. I had hoped that the 2005 BOF mtg. would finally put a stop to these unfair and unjust proposals. The 50% split of enhanced fish make sense. This proposal and others like it do not.

I oppose proposals 76 & 86. Gear conflicts are vastly over rated.

Repealing the 58' limit will make the seine fleet even more efficient than they are today. I can just imagine the entire seine fleet inside the Coghill district with their deep nets and extra large vessels, the Coghill Lake sockeye return will not even have a chance.

I support proposal 77, which provides a firm date, when pink salmon management would end in the Coghill district. September 1st is the average date over the last twenty years. The department has the EO authority in the event of large harvestable numbers of pink salmon, to allow the seine fleet access.

The department is opposed to this proposal, due in part to the timely harvest and clean up pink salmon. An alternative would be to have the Esther sub-district only open to drift gear after 9/1 of each year. The seine fleet could still harvest straying pink salmon outside the boundaries of this sub-district and in other areas of the Coghill district.

I oppose proposals 126, 128, 129 & 131. During the BOF mtg. in 2005 mandatory restrictions were place on the Copper River commercial fleet. As a result, in 2006 Chinook spawning escapement (57,287) was 138% higher than the escapement goal of 24,000 (SEG). The current SEG of Chinook was enacted at the '05 mtg.

2007 Chinook in-river (IR) abundance was 46,399. Minus 10-yr sport/subs/PU harvest average, gives spawning escapement of 35,957. 2008 preliminary numbers have IR at 40,000, with an estimate of 30,000 Chinook escapement in spawning streams. The importance of the '08

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escapement numbers comes in light of a low commercial harvest (Chinook & Sockeye) on the Copper River.

My view is that the mandatory "inside closures" restrictions placed on the commercial fleet in 2005 are too restrictive. We are consistently allowing more Chinook to escape, than what are actually needed in the spawning grounds. What I am concerned with, is that in a year of over abundance the department's hands are tied to the mandatory restrictions, during the first two statistical weeks. In high returns such as 1996 & 1997, the mandatory "inside closure" restrictions will insure that excessive large numbers of Sockeye and Chinook will become spawners. I do support the return of management of the Copper River back to the local ADF&G. They are best equipped to make prudent management decisions, concerning early season run timing and commercial openers.

Chinook salmon are not an incidental part of our fishery and never have been. In fact, they are an integral and important financial factor in the Copper River commercial salmon fishery. The restrictions imposed in 2005 have seriously impacted commercial fishing families and our local economy in Cordova. There is no need for further restrictions of the commercial fleet on the Copper River. We already have enough.

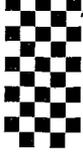
I support proposal 132, though a good compromise would be 130. This proposal would give the department more flexibility in times of over abundance. Remember the department always has the opportunity with EO's, in the event that restrictions are necessary.

I thank you again for the opportunity to address the proposals before you and your consideration of my views.

James Mykland
121 W Davis Ave
Cordova, AK 99574

COMMENT# 33

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NOVEMBER 16, 2008

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RE: PROPOSALS 69, 70, 71, 72, 73, 74

ALASKA BOARD OF FISHERIES MEMBERS:

QUITE SIMPLY, PROPOSALS 69-74 ARE NOTHING MORE THAN A TRANSPARENT ATTEMPT ON THE PART OF CERTAIN MEMBERS OF THE SEINE FLEET TO CIRCUMVENT THE ALLOCATION PLAN WITHIN THE PRINCE WILLIAM SOUND SALMON MANAGEMENT PLAN.

FOR THE FIRST TIME SINCE THE INCEPTION OF THE "PIGGY BANK" CONCEPT, THE DRIFT GILLNET FLEET IS ENTITLED TO THE CHUM RUN AT PORT CHALMERS, AND THESE PROPOSALS ARE AN END-RUN THAT ATTEMPTS TO NEGATE THIS ALLOCATION-BALANCING MECHANISM.

ALL GEAR TYPES IN PRINCE WILLIAM SOUND, INCLUDING REPRESENTATIVES OF THE SEINE FLEET, HAD A HAND IN DEVELOPING THIS ALLOCATION PLAN. IT IS NOT BROKEN. PLEASE DO NOT BE FOOLED INTO THINKING THAT IT MUST BE FIXED.

THANK YOU
Peter D. Jenkins
PETER D. JENKINS

COMMENT# 3A

Members of the Board:

I am writing to comment on proposals for Area E Salmon fisheries and Copper River subsistence/personal use. I am a drift fisherman and have actively fished in the area since 1981.

Copper River Subsistence/Personal Use

In my opinion upriver subsistence and personal use fishers have more than adequate access and allowable catch. I do not feel the Board should be compelled to reconsider the subsistence/personal use question once again. This issue has been thoroughly considered in the past. No matter how it is phrased, the argument that urban residents in Fairbanks should be considered subsistence users has already been answered. As for take numbers, if families are allowed 500 salmon, that seems excessive to me.

Commercial Salmon Proposals

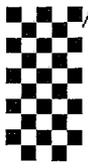
I feel setnet users should not be able to use buoy lines and anchors as interference gear. The reason for this gear is to operate a setgill net and catch salmon, not to prevent others from fishing.

There are many proposals seeking to enlarge the seine fleet area which would increase the seine fleet catch. The drift fleet will fish in Port Chalmers this season because the seine fleet has already exceeded their allocated share of enhanced fish. To allow seiners access into Port Wells or the Esther sub district early would only increase the already existing allocation imbalance. Increasing depth or length of seine gear would result in the same damage to the fishery. Either action could potentially harm natural runs that ADF&G has worked hard to maintain. Although I do not seine, I am against deleting the 58 foot maximum vessel restriction. For many years there have been many inactive seine permits. Finally, in the last couple of seasons more seiners have been able to resume fishing. This helps my community. To allow larger vessels could once again concentrate the fishery in the hands of a few.

I would like to see the Prince William Sound salmon fishery be left alone, in terms of area or gear changes. As a commercial fisherman, I would ask the Board to restore continuity to our fishery. All gear types are achieving some measure of financial success even with sky-high fuel prices and other economic uncertainties. No gear type, setnet, drift or seine, deserves to have its economic future put at risk only to benefit another.

Jeff Phillips

COMMENT# 35



(5) pages including
Cover Sheet

To:
Boards Support Section
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811
FAX: (907) 465-6094

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NOV 17 2008

BOARDS

From:
Josh Grumblis
1832 Bellevue Loop
Anchorage, AK 99515
(907) 336-1557

Re: P.W.S. proposal comments

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NOV 17 2008

Mr. Chairman and Board of Fisheries members.

My name is Joshua Grumblis. I have set net with my father since 1992 and I currently own a set net permit myself. Included in this letter are comments regarding the Prince William Sound salmon proposals. As a new permit holder, I am looking forward to participating in the upcoming B.O.F. meeting.

Proposal 62 and 63- Oppose

Both proposals request the removal of set net buoys and lines on sites not actively being fished. This would make it impossible for a set net operator to move gear from one site to another during a single fishing period which is common practice with all set netters whether it be to fish in one area for the beginning of the period for the "cleanup" and move to another area for the remainder of the fishing period. Under this proposal the period would begin; after 12 hours of fishing in Main Bay you would like to fish a better site however moving your site outside would be difficult. First, you would need to check and see if your sites were available or risk having all your gear in your boat and someone else already being on your site. Either way it would extremely limit production by extending travel time and/or creating gear conflicts now that there are no buoys to mark your sites. Anyone could be on your spot and you would be at their mercy regarding the use of the sites you normally fish. This would not apply to leased sites but not all sites currently being fished are leased. Conflicts over sites would increase and escalate dramatically. Additionally having alternative sites marked via buoys and lines is essential if stormy weather prevents you from fishing your current sites safely.

The rule now which allows our buoys to remain in at all times is the only way to hold our spots from drift gill netters or other set netters. The other available option of sinking your site, which only works on certain sites, is risky. On exposed sites, the running line back to shore is your only protection against losing hundreds of dollars worth of anchors along with the cost of replacing the floating line with sinking line. I and many other set netters use floating line because of the chances of retrieving an anchor after the line has been cut increases as opposed to a sinking line which makes retrieval impossible. Now if the weather gets bad on that site with exposed beach and your running line is sunk all the way to the beach it can easily be snapped from the waves washing it against the rocks and there goes three or more anchors and hundreds of fathoms of line. This same scenario could happen with gill netters drifting the beach where your sunken site is and snagging up on your running lines. Most will not check with you or anyone else; they will simply cut your lines loose from theirs and be done with it. They would not know they had caused you to lose hundreds of dollars worth of gear.

In most areas the deployment of set net running lines and buoys does not and will not impose on the deployment of drift gillnet gear.

The biggest area of concern would be the Main Bay T.H.A. (terminal harvest area) which is about the last 2/3 of the bay toward the head of the bay. This is the most congested and highly sought after shore fishing area as the majority of the build up of fish is here, schooled in small bays and coves. Everyone wants access to this area but most are unable to fish due to running lines being set up on every legal available set whether or not it is being fished actively. I would not be apposed to some limits or sinking of lines on sites not actively being fished in this area. In addition, the weather that far back in the bay is usually not able to pick up as much as more exposed areas so there is less chance

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of loss of gear. However, the removal of buoys and gear throughout the district would cause more harm to gear and escalate conflicts between gear groups as it gives an unfair advantage to drifters by allowing them complete access to sites currently being fished by others.

Proposal 64- Oppose

As stated above the attentive deployment of drift gillnet gear has and will continue to provide access to near shore areas. There are 29 set net permits allowed in the Eshamy district with most of the set net sites concentrated in the Main Bay terminal area. There are currently extensive near shore areas that no set net gear is deployed on that is open access to the drift gillnet fleet. No additional reduction of set net gear is necessary to allow equitable access.

In addition, many of the actively fished set net sites currently are held under State of Alaska Division of Lands-Shore fishery Lease Program. Increasing the minimum distance between units of set net gear, besides being unnecessary, would place the burden on the BOF of deciding which set net permit holders would have to relinquish a valid shore fishery lease to comply with the intent of this proposal.

Proposal 65 and 66-support

Both proposals request the same action. In the entire Eshamy district where the setbacks between adjoining set nets is 100 fathoms the distance setbacks between set net and drift gillnets was requested by ADF&G Protection to be set at 60 fathoms in order to eliminate the existing conflicts. This was approved by BOF action, and the conflicts have been reduced except in that area of Main Bay where the setbacks between drift and set net gear was not addressed by the ADF&G proposal. Approving this proposal would standardize the setback regulations throughout the district and reduce the conflicts that result from not having consistent regulation.

Proposal 67-Support

Clarification of alternating periods accurately reflects past and current management.

Proposal 68-Oppose

Impractical, and unpredictable outcome would be highly allocative.

Proposal 75 and 80-Oppose

Both proposals are similar and were submitted by the same party, contend that the set net gear group is far above an acceptable harvest level. An accurate look at catch data shows that currently the set net harvest reported by the latest COAR report shows the set net harvest three tenths of a percent over the trigger for reduced fishing time. Reduced fishing time for the set net gear group triggers at 5%, and current COAR data shows the set net harvest at 5.3%. With the greatly reduced fishing time after July 10 that occurred for the set net group this past season, 2008, the harvest for the set net group will easily fall within the allocation designated without any further restrictions of set net harvest.

In 2008, after July 10 the set net user group experienced a 63% reduction in

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fishing time overall compared to the fishing time for the drift gillnet user group. After July 10 there was a total of 1128 hours of open fishing time in the Eshamy district; of those hours the set net user group was restricted to 420 hours. This was triggered by the BOF compliance measures to bring the set net harvest into compliance with the allocation plan. Further restrictions as proposed in proposal 80 would result in a further reduction in fishing time after June 10th. Had the proposed restrictions been in place for the 2008 season after June 10th the set net user group would have been able to fish 144 hours of a total open hours of 456 hours opened to the drift gear group, a reduction in fishing time of 69%.

Reducing the set net gear groups harvest time by 63% after July 10 as occurred in 2008 or reducing in the future by up to 69% after June 10 as proposed is not justified, and would serve to eliminate set net harvest to the point of the fishery being non-viable for most permit holders.

Another comment on the allocation assessment that I believe is unfair is the set net harvest is taken at an average and does not accurately portray the real catches of individual permit holders. As you know the better the site the more fish you will be taking; the line sights, particularly the north and south lines of the district, produce far more fish than any other set net site in the district. A more accurate penalty would be to reduce set net sites to no more than fifty fathoms virtually cutting the lines in half there by allowing more fish in to the district for everyone. Another draw back of this proposal is there is no compensation when the set net harvest is under allocation. There is compensation for both the seine and drift fleet. As an example; summers when the drift fleet is denied access to certain fishing grounds for seine fleet compensation combined with a low turnout in the copper river sockeye run, as happened this 2008 summer, forces much of the fleet to fish exclusively in the Eshamy district. This will inherently decrease set net productions simply because of the increase of gear in the district.

Proposal 78 and 79-Support

Increase the percentage at which the set net user group experiences a reduction in fishing time from 5% to 7% in order to provide an equitable harvest that reflects the set net current and historical harvest of enhanced fish. 7% is a more accurate reflection of actual and historical harvest. Also, the 1% deviation from the allocation of 4% and a trigger for compliance measures at 5% is too narrow to actually allow for realistic compliance.

There are unforeseen outcomes of applying the compliance measure of reduced fishing time after July 10. There have been drastic changes in the management of the Eshamy district that multiply the effect of reducing fishing time to the set net user group. At the time that the set net compliance measures were approved in 2005, and in previous years, the average time fished per week after July 10 was 48 hours. The BOF to ensure compliance with the allocation plan reduced set net maximum fishing time to 36 hours per week resulting in a reduction of fishing time of 25%. However, this past season and for the future there has been greatly expanded fishing time prior to and after July 10. As a result, this past season after July 10 there was 1128 hours of open fishing up until the closure of the fishery. Of those open hours, the set net group was only allowed access for 420 of those open hours due to the BOF imposed compliance measure of 36 hours maximum fishing time per week. The set net group went from having a 25% reduction of fishing time to a 63% reduction in fishing time after July 10. A reasonable means to deal with this is to impose realistic compliance measure triggers that go into effect when there

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is a demonstrated excess harvest by the set net users. The 7% trigger on a set net allocation of 4% is a realistic scenario that reflects actual current and historical set net harvest, and allows a reasonable margin of overage before these drastic compliance measures take effect. Reducing fishing time by over 50% is drastic by any definition; there should be reasonable parameters that trigger these reductions.

If this allocation measure would be adopted, there would be no need to reduce set net sites to no more than 50 fathoms as stated above.

Proposal 82- Support

This proposal would affect no user groups in any way and provide more safety and fishing opportunity for small family run set net operations.

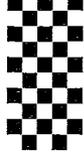
Thank you for your time and considerations.
Joshua Grumblis.

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BOARDS

November 14, 2008

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

Sirs:

The following are some concerns and comments I have regarding certain proposals affecting the Prince William Sound Fishery.

#69 1. Simply put, the seine fleet is once again trying to circumvent the overall "Management Plan," the overall plan set up to provide equal distribution of the PWS salmon resource. It is interesting to note that the seine fleet was all for the 45% break point when the price of pinks was down and it favored them, but the very next year, when they went over the 45% they start wanting to change the rules to give them a greater share of the stock – at the expense of the drift and set net fleets. 2. In their own arguments they state that removing the June opportunity will put the seine fleet at an economic disadvantage. There is no basis for this and if, in fact it does, the 45% rule will once again kick in, in their favor. 3. Finally, I think it very disingenuous to try to use their capital investment in vessels, nets, skiffs, etc. as an argument, implying somehow that the drift and set net fleets don't share the same investment concerns.

#70 1. As I understand it, one of the main reasons for opening Port Chalmers was to spread the drift fleet so as to mitigate the effects of the collapse of one fishery, i.e. the flats in 2008. The seine fleet was allocated additional areas to offset the Port Chalmers decision. 2. Because of the migratory pattern of the Coghill red stock, this proposal would affect these fish, fish basically allocated to the drift fleet. The seiners admit this even in their own arguments in favor of the proposal.

#71 1. See #69. 2. The seiners continually bring up the fact that the Coghill and Port Wells fish have historically been shared by the gear groups. They always fail to mention that this "historical" use changed when, at their request, the increased production of enhanced pink salmon gave them a larger share of the economic pie.

#72 1. See #69 2. There is no history of this resource being underutilized due to a lack of drift fishing efforts. Over escapement has been primarily due to the difficulty F&G has had in managing this fishery to best utilize the stock. Historically these fish show up in the river in dangerously low levels and then often flood in, in a matter of hours. This proposal does nothing to alleviate this problem. It is nothing more than a thinly veiled attempt by the seine fleet to get more than their fair share of the fish.

#73 1. See #69 and #72. 2. The seiners do not even make an argument for this proposal other than, "We want more." I say let the "Management Plan" work.

#74 1. See #69, #70, #71, #72, and #73.

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Regarding the above proposals, I would like to point out that there certainly seems to be a pattern here. It seems pretty clear the seine fleet is using every board meeting to increase its share of the PWS fishery. You don't see the drift and set net fleet submitting proposals at every meeting to increase their share at the expense of the other fleets and to the detriment of the overall "Management Plan," a plan set up to equally share this wonderful resource.

One final thought. We keep talking about the seine fleet. How many boats are fishing in that fleet? Is it a fleet or is it simply a handful of individuals looking only to their own self interests – at the expense of the other gear types and even the other seine permit holders? I respectfully suggest the board proactively look into ways of getting more of the seine permit holders back into the fishery. Wasn't keeping people actively fishing one of the original intents of the limited entry program?

Thank you for your consideration.

Sincerely,



Robert A. Jenkins
PWS drift permit holder.

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BOARDS

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

RE: BOF CR/PWS Proposal #65

I strongly **OPPOSE** this proposal!

I am a 20 year drift gillnet fisherman in PWS

Under the guise of clearing up and simplifying the regs this proposal is highly allocative and attempts to give the setnetters a great advantage while fishing in Main Bay. This to a gear group of 27 permit holders whose catches consistently surpass, often by a large amount, their allocated percentage of PWS enhanced fish,

Inside the Main Bay Terminal Harvest Area (THA) set nets must be at least 50 fathoms apart and drift nets must be laterally at least 25 fathoms from a set gillnet. In the outer 2/3 of Main Bay set gillnets must be at least 100 fathoms apart while drift nets must maintain the same 25 fathom lateral distance. **The authors of this proposal are attempting to block drift gillnets from legally setting between setnets in the outer 2/3 of Main Bay. This is patently unfair to the drift gillnet fleet!**

Why would this proposal be unfair to the drift gillnet fleet? Main Bay is just under three miles long and less than one mile across at it's widest point. 526 drift permits holders and 27 setnet permit holders have legal access to this area. At times the Main Bay subdistrict is the only part of the Eshamy district open to commercial fishing. In addition if the subdistrict has been closed for an extended period of time there is often a massive buildup of sockeye within the Main Bay subdistrict. Main Bay can be extremely congested in the above circumstances. It is also no secret that the closer the fish get to their terminal home the more they hug the beaches. Restricting legal beach access to drift gillnetters between set net sites in the outer 2/3 of Main Bay would deny opportunity to the vast majority of Main Bay commercial users and reward 27 permit holders who consistently catch more than their allocated percentage of Main Bay sockeye.

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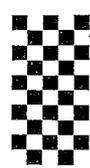
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The proposal's authors posit that the current distance separation scheme is confusing to fishermen. On the contrary, the current regulation is very straightforward: in Main Bay district drift gillnets must be at least 25 fathoms laterally from a setnet. Outside of Main Bay drift gillnets must be laterally 60 fathoms from a setnet.

The proposal's authors claim no one is likely to suffer if this proposal becomes regulation. This is patently false. The drift gillnet fleet will suffer lost opportunity while the setnet fleet will continue to harvest well above their allocation allowance.

I urge you to reject or take no action on this proposal.





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ATTN: BOF COMMENTS
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PO Box 115526
Juneau, AK 99811-5526
FAX: 907-465-6094

RE: BOF CR/PWS Proposal #66

I strongly **OPPOSE** this proposal!

I am a 20 year drift gillnet fisherman in PWS. Like many of the 526 drift gillnetters I spend the vast majority of the fishing season targeting chums at Esther Island and sockeye in the Eshamy District and Main Bay.

Under the guise of clearing up and simplifying the regs this proposal is highly allocative and attempts to give the setnetters a great advantage while fishing in Main Bay. This to a gear group of 27 permit holders whose catches consistently surpass, often by a large amount, their allocated percentage of PWS enhanced fish,

Inside the Main Bay Terminal Harvest Area (THA) set nets must be at least 50 fathoms apart and drift nets must be laterally at least 25 fathoms from a set gillnet. In the outer 2/3 of Main Bay set gillnets must be at least 100 fathoms apart while drift nets must maintain the same 25 fathom lateral distance. **The author of this proposal are attempting to block drift gillnets from legally setting between setnets in the outer 2/3 of Main Bay. This is patently unfair to the drift gillnet fleet!**

Why would this proposal be unfair to the drift gillnet fleet? Main Bay is just under three miles long and less than one mile across at it's widest point. 526 drift permits holders and 27 setnet permit holders have legal access to this area. At times the Main Bay subdistrict is the **only** part of the Eshamy district open to commercial fishing. In addition, if the subdistrict has been closed for an extended period of time there is often a massive buildup of sockeye within the Main Bay subdistrict. Main Bay can be extremely congested in the above circumstances. At times upwards of 250 drift gillnetters and 27 setnetters all with 150 fathoms of gear have crowded into Main Bay when there have been big buildups of returning sockeye.

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It is also no secret that the closer the fish get to their terminal home the more they hug the beaches. Restricting legal beach access to drift gillnetters between set net sites in the outer 2/3 of Main Bay would deny opportunity to the vast majority of Main Bay commercial users and reward 27 permit holders who consistently catch more than their allocated percentage of Main Bay sockeye.

The proposal's author posits that gear conflicts are escalating. I do not feel that this is the case. **There will always be gear conflicts in crowded fishing areas and enactment of this proposal will not resolve the problem. It will however give yet another huge advantage to setnetters fishing in Main Bay at the direct expense to the much, much larger drift fleet. This to a gear group (setnet) that year after year harvests well above their allocation percentage.**

I urge you to reject or take no action on this proposal.

Steven C. Averle

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4/11

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ATTN: BOF COMMENTS
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Alaska Department of Fish & Game
PO Box 115526
Juneau, AK 99811-5526
FAX: 907-465-6094

RE: BOF CR/PWS Proposal #69

I am **opposed** to this proposal.

I am a 20 year drift gillnet fisherman in PWS, a PWSAC board member and was an active participant in the 1-1/2 year BOF committee process during the last cycle to come up with a workable allocation plan for commercial groups in PWS. Chairman Morris presided over this work group for much of the time.

This proposal and a number of others, 70, 71, 72, 73, 74 all deal with seeking extra opportunity for the seine fleet in PWS because the allocation plan has triggered access next season to the Port Chalmers chum piggybank for the drift gillnet fleet. This is the first time the drift fleet will be allowed this access and opportunity.

During the 1-1/2 year work group process seine representatives pressed doggedly for a very tight 5% compliance trigger over a rolling 5 year average to engage the piggyback award for the lagging gear group. They were warned that with the pink salmon price trending steadily up over the past several years tight triggers could work to their disadvantage in the near future. They however wanted access to the other piggyback, Esther Island chums, and tight triggers would get them this access. The BOF granted them tight compliance triggers at the 2005 meeting and the next year they gained access to the Esther chums. Now in just three years the pendulum has swung and it looks like the drift gillnet fleet will have access to Port Chalmers for at least several years. The seine fleet is not happy about this.

Tight compliance triggers and back and forth access to these piggybanks is disruptive to planning and fishing for each of the fleets and their processors.

I would urge the BOF to take no action on Proposals 69-74 but instead to substantially widen the compliance triggers of the PWS Allocation Plan by ACR to allow each fleet to fish in their traditional areas, seiners at Port Chalmers and drift gillnetters at Esther Island and Coghill until July 21 unless really dire circumstances dictate triggering the piggybank provision. This gives each fleet stability while keeping them separated to minimize gear conflicts.

Steven C. Aberle

COMMENT# 38

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5/11

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ATTN: BOF COMMENTS
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Alaska Department of Fish & Game
PO Box 115526
Juneau, AK 99811-5526
FAX: 907-465-6094

RE: BOF CR/PWS Proposal #70

Here are my thoughts on this proposal.

I am a 20 year drift gillnet fisherman in PWS, a PWSAC board member and was an active participant in the 1-1/2 year BOF committee process during the last cycle to come up with a workable allocation plan for commercial groups in PWS. Chairman Morris presided over this work group for much of the time.

In that work group PWSAC representatives offered to work at adjusting cost recovery for each gear group as a tool to help each gear group stay within compliance of the emerging PWS Allocation Plan. This idea was met with skepticism by seine representatives, however the following year at the Spring '06 PWSAC General Board meeting (equal seine and gillnet representation) voted **unanimously** to take 1 million dollars in additional cost recovery from the drift gillnet fleet to help adjust imbalances in the rolling value percentages.

PWSAC will in the future continue to strive to keep gear group balance by adjusting cost recovery strategies I'm sure, but very tight triggers in the PWS Allocation Plan make this very difficult to do.

During the 1-1/2 year work group process seine representatives pressed doggedly for a very tight 5% compliance trigger over a rolling 5 year average to engage the piggyback award for the lagging gear group. They were warned that with the pink salmon price trending steadily up over the past several years tight triggers could work to their disadvantage in the near future. They however wanted access to the other piggyback, Esther Island chums, and tight triggers would get them this access. The BOF granted them tight compliance triggers at the 2005 meeting and the next year they gained access to the Esther chums. Now in just three years the pendulum has swung and it looks like the drift gillnet fleet will have access to Port Chalmers for at least several years. The seine fleet is not happy about this.

Tight compliance triggers and back and forth access to these piggybanks is disruptive to planning and fishing for each of the fleets and their processors.

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

RE: BOF CR/PWS Proposal #71

I am **opposed** to this proposal.

I am a 20 year drift gillnet fisherman in PWS, a PWSAC board member and was an active participant in the 1-1/2 year BOF committee process during the last cycle to come up with a workable allocation plan for commercial groups in PWS. Chairman Morris presided over this work group for much of the time.

This proposal and a number of others, 69,70, 72, 73, 74 all deal with seeking extra opportunity for the seine fleet in PWS because the allocation plan has triggered access next season to the Port Chalmers chum piggybank for the drift gillnet fleet. This is the first time the drift fleet will be allowed this access and opportunity.

During the 1-1/2 year work group process seine representatives pressed doggedly for a very tight 5% compliance trigger over a rolling 5 year average to engage the piggyback award for the lagging gear group. They were warned that with the pink salmon price trending steadily up over the past several years tight triggers could work to their disadvantage in the near future. They however wanted access to the other piggyback, Esther Island chums, and tight triggers would get them this access. The BOF granted them tight compliance triggers at the 2005 meeting and the next year they gained access to the Esther chums. Now in just three years the pendulum has swung and it looks like the drift gillnet fleet will have access to Port Chalmers for at least several years. The seine fleet is not happy about this.

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

RE: BOF CR/PWS Proposal #72

I am **opposed** to this proposal.

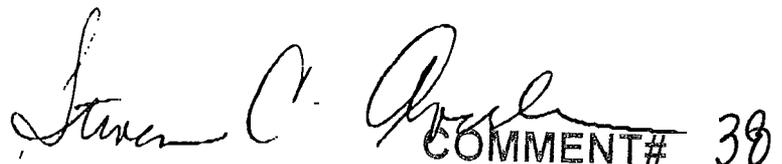
I am a 20 year drift gillnet fisherman in PWS, a PWSAC board member and was an active participant in the 1-1/2 year BOF committee process during the last cycle to come up with a workable allocation plan for commercial groups in PWS. Chairman Morris presided over this work group for much of the time.

This proposal and a number of others, 69,70, 71, 73, 74 all deal with seeking extra opportunity for the seine fleet in PWS because the allocation plan has triggered access next season to the Port Chalmers chum piggybank for the drift gillnet fleet. This is the first time the drift fleet will be allowed this access and opportunity.

During the 1-1/2 year work group process seine representatives pressed doggedly for a very tight 5% compliance trigger over a rolling 5 year average to engage the piggyback award for the lagging gear group. They were warned that with the pink salmon price trending steadily up over the past several years tight triggers could work to their disadvantage in the near future. They however wanted access to the other piggyback, Esther Island chums, and tight triggers would get them this access. The BOF granted them tight compliance triggers at the 2005 meeting and the next year they gained access to the Esther chums. Now in just three years the pendulum has swung and it looks like the drift gillnet fleet will have access to Port Chalmers for at least several years. The seine fleet is not happy about this.

Tight compliance triggers and back and forth access to these piggybanks is disruptive to planning and fishing for each of the fleets and their processors.

I would urge the BOF to take no action on Proposals 69-74 but instead to substantially widen the compliance triggers of the PWS Allocation Plan by ACR to allow each fleet to fish in their traditional areas, seiners at Port Chalmers and drift gillnetters at Esther Island and Coghill until July 21 unless really dire circumstances dictate triggering the piggybank provision. This gives each fleet stability while keeping them separated to minimize gear conflicts.


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PO Box 115526
Juneau, AK 99811-5526
FAX: 907-465-6094

RE: BOF CR/PWS Proposal #73

I am **opposed** to this proposal.

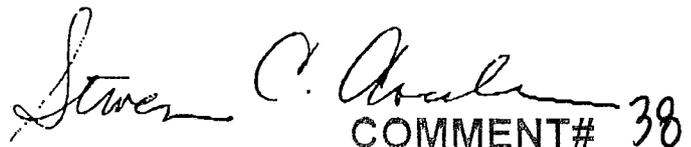
I am a 20 year drift gillnet fisherman in PWS, a PWSAC board member and was an active participant in the 1-1/2 year BOF committee process during the last cycle to come up with a workable allocation plan for commercial groups in PWS. Chairman Morris presided over this work group for much of the time.

This proposal and a number of others, 69,70, 71, 72, 74 all deal with seeking extra opportunity for the seine fleet in PWS because the allocation plan has triggered access next season to the Port Chalmers chum piggybank for the drift gillnet fleet. This is the first time the drift fleet will be allowed this access and opportunity.

During the 1-1/2 year work group process seine representatives pressed doggedly for a very tight 5% compliance trigger over a rolling 5 year average to engage the piggyback award for the lagging gear group. They were warned that with the pink salmon price trending steadily up over the past several years tight triggers could work to their disadvantage in the near future. They however wanted access to the other piggyback, Esther Island chums, and tight triggers would get them this access. The BOF granted them tight compliance triggers at the 2005 meeting and the next year they gained access to the Esther chums. Now in just three years the pendulum has swung and it looks like the drift gillnet fleet will have access to Port Chalmers for at least several years. The seine fleet is not happy about this.

Tight compliance triggers and back and forth access to these piggybanks is disruptive to planning and fishing for each of the fleets and their processors.

I would urge the BOF to take no action on Proposals 69-74 but instead to substantially widen the compliance triggers of the PWS Allocation Plan by ACR to allow each fleet to fish in their traditional areas, seiners at Port Chalmers and drift gillnetters at Esther Island and Coghill until July 21 unless really dire circumstances dictate triggering the piggybank provision. This gives each fleet stability while keeping them separated to minimize gear conflicts.


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ATTN: BOF COMMENTS
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Alaska Department of Fish & Game
PO Box 115526
Juneau, AK 99811-5526
FAX: 907-465-6094

RE: BOF CR/PWS Proposal #74

I am **opposed** to this proposal.

I am a 20 year drift gillnet fisherman in PWS, a PWSAC board member and was an active participant in the 1-1/2 year BOF committee process during the last cycle to come up with a workable allocation plan for commercial groups in PWS. Chairman Morris presided over this work group for much of the time.

This proposal would gut the 2005 BOF PWS Allocation Plan by allowing the seine fleet to fish on enhanced stocks of chum and enhanced as well as wild sockeye that are currently allocated for the drift gillnet fleet. The drift fleet cannot compete with the seine fleet and a gross imbalance in the allocation scheme would be inevitable and chronic. This would be grossly unfair to the drift fleet.

This proposal and a number of others, 69,70, 71, 72, 73 all deal with seeking extra opportunity for the seine fleet in PWS because the allocation plan has triggered access next season to the Port Chalmers chum piggybank for the drift gillnet fleet. This is the first time the drift fleet will be allowed this access and opportunity.

During the 1-1/2 year work group process seine representatives pressed doggedly for a very tight 5% compliance trigger over a rolling 5 year average to engage the piggyback award for the lagging gear group. They were warned that with the pink salmon price trending steadily up over the past several years tight triggers could work to their disadvantage in the near future. They however wanted access to the other piggyback, Esther Island chums, and tight triggers would get them this access. The BOF granted them tight compliance triggers at the 2005 meeting and the next year they gained access to the Esther chums. Now in just three years the pendulum has swung and it looks like the drift gillnet fleet will have access to Port Chalmers for at least several years. The seine fleet is not happy about this.

Tight compliance triggers and back and forth access to these piggybanks is disruptive to planning and fishing for each of the fleets and their processors.

COMMENT# 38

I would urge the BOF to take no action on Proposals 69-74 but instead to substantially widen the compliance triggers of the PWS Allocation Plan by ACR to allow each fleet to fish in their traditional areas, seiners at Port Chalmers and drift gillnetters at Esther Island and Coghill until July 21 unless really dire circumstances dictate triggering the piggybank provision. This gives each fleet stability while keeping them separated to minimize gear conflicts.



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BOARDS

Board Support Section

Box 115526

Juneau, Ak. 99811-5526

Brian Lee
31250 W. Lee Drive
Sutton, Ak. 99674

Please enter these Board comments for PWS meeting.

I am against Proposal #1 that would re-classify the Chitna subdistrict as a subsistence fishery.

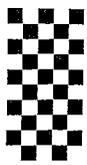
I am against proposals 22,23,25, and 27.

I support 59,63,75,77 and 64.

I am against proposals 65,66 and 68 – 74.

Sincerely,
Brian Lee

COMMENT# 39



RECEIVED

NOV 17 2008



THE ALEUT CORPORATION
ONE ALEUT PLAZA, SUITE 300

FACSIMILE TRANSMITTAL SHEET

TO:	FROM: Shirlee
COMPANY: Board of Fish ALEUT CORPORATION	DATE: NOV 17, 08
FAX NUMBER: 465-6094	NUMBER OF PAGES INCLUDING COVER: 3
PHONE NUMBER:	PHONE NUMBER: 907-561-4300
RE: Resolution	FAX NUMBER: 907-563-4328

NOTES/COMMENTS:

Attached is a resolution that was adapted by The Aleut Corporation Board of Directors for your board packets.
Thanks
Shirlee

Confidentiality Note: This and any accompanying pages contain information from The Aleut Corporation which is confidential or privileged. The information is intended for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this facsimile in error, please notify our offices by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

**4000 OLD SEWARD HIGHWAY
ANCHORAGE, ALASKA 99503**

COMMENT# 4D

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RESOLUTION 08-12

A RESOLUTION OF THE ALEUT CORPORATION SUPPORTING THE ECONOMIC DEVELOPMENT OF ADAK

WHEREAS: The Aleut Corporation, through Aleut Enterprise LLC, is responsible for economic development in Adak;

WHEREAS: The Aleut Corporation, through Aleut Enterprise LLC, has sought to encourage fisheries development in Adak;

WHEREAS: The Aleut Corporation encourages the development of onshore processing throughout the region;

WHEREAS: The Aleut Corporation has been allocated the Aleutian Island pollock allocation since 2004, but NMFS has failed to conduct a formal consultation necessary to open any areas within sea lion Critical Habitat to pollock fishing;

WHEREAS: Crab Rationalization dramatically reduced the amount of crab being processed in Adak;

WHEREAS: the Aleutian Islands are the only area in Alaska where the NPFMC has provided no protection for onshore processing;

WHEREAS: the foregoing actions and lack of actions by the NPFMC has made it impossible for The Aleut Corporation and Aleut Enterprise LLC to fulfill its mission of developing a fisheries economy in Adak;

WHEREAS: the Aleutian Island Statewater cod fishery is vital to the development of local fishing communities in the region;

WHEREAS: in the most recent AI Statewater "B" season, roughly 80% of the GHL was taken by Catcher/Processors;

WHEREAS: the lack of a 60' vessel size limit in the AI Statewater cod fishery has resulted in the majority of the GHL being processed offshore;

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WHEREAS: the 60' and under vessels depend upon and utilize the shorebased infrastructure in the region and thus contribute more to the economies of local communities;

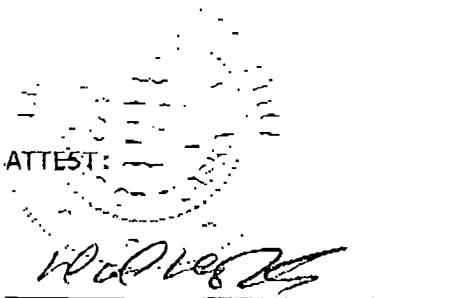
THEREFORE, BE IT RESOLVED: The Aleut Corporation requests the Board of Fish modify the 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan to limit vessel size to a uniform 60 foot maximum at the earliest opportunity.

PASSED AND APPROVED the 22nd day of August, 2008, by a vote of 8 in favor, 0 opposing, 1 absent.



Sharon Guenther Lind
Chair

ATTEST:



David Nevzuroff
Assistant Secretary/Treasurer

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Native Village of Eyak
 PO Box 1388
 Cordova, AK 99574
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10,000 Years in our Traditional Homeland, Prince William Sound & the Copper River Delta

Formal comments on the Alaska Board of Fisheries 2008/2009 proposed changes in the subsistence, personal use, sport, guided sport, and commercial regulations for the Southeast, Yakutat, Prince William Sound and Upper Copper/ Upper Susitna finfish; Southeast, and Yakutat crab, shrimp and shellfish; statewide miscellaneous shellfish and supplemental issues.

The positions and comments listed here represent a collaboration between the Native Village of Eyak Traditional Tribal Council, Copper River/ Prince William Sound Native Fishermen's Association, and professional staff within the Native Village of Eyak's Department of Environment and Natural Resources. We thank the Board for allowing us the opportunity to voice our collective opinions on the proposed regulation changes. We will have numerous representatives available at the December meeting for further discussion and technical guidance on any of these proposals. We look forward to a productive and amicable meeting.

Prop	Position	Comments
1	Oppose	This has been a recurring proposal for the past 7 board cycles. The Board of Fisheries has consistently voted down the C&T determination at all but one of these meetings. The Attorney General's office has consistently supported this decision, and continues to uphold ADF&G's analysis of the 8 criteria for a C&T determination. The indigenous inhabitants of the region continue to support this decision. We have not seen any new evidence presented by the proponents or department staff, and as such feel that it is an insult and a waste of time to once again have to deliberate over this. We request that the Board dismiss this proposal and ban the proponents from re-submitting until such a time that they can legitimately provide significant new information for discussion.
2	Support	We support this proposal with deference to the subsistence needs of Ahtna Tribes.
3	Support	We support this proposal with deference to the subsistence needs of Ahtna Tribes.
4	Oppose	Eyak people have been customarily and traditionally using salmon on the Copper River for over 10,000 years, with gillnets being the common gear type on the delta for nearly 200 years. The BOF supported a C&T use determination in 1996 following extensive review by ADF&G staff. This determination was further reviewed and supported with ANS levels set in 2005. There is no evidence to suggest that C&T use of the resource by Cordova residents has changed in any way since that time.
5	Support	It would not create a hardship for subsistence users to comply with this regulation.

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Prop	Position	Comments
6	Oppose	This proposal is discriminatory. If such a restrictive regulation were to be put into effect, it should apply to all subsistence, personal use and sport fisheries statewide, not single out a discrete user group. Additionally, removing both lobes of the tail as suggested would prevent fish from being hung by the tail to dry or smoke, which is common practice. The current requirement of removing both tips is sufficient for processors to identify subsistence-caught fish. Adequate enforcement measures are already in place. If the department feels that fish are being illegally sold, they have the power to pursue and prosecute offending individuals. They should not seek to criminalize and penalize those that are doing the right thing.
7	Neutral	
8	Support	We strongly support this proposal. Our local people traditionally accessed this resource as soon as the fish came in, not based on some arbitrary date as regulated for the past few decades. Because this proposal does not seek to increase the ANS, and stringent seasonal bag limits are already in place, it would not result in any conservation concerns or re-allocation of the resource. In many years, there would not even be any fish available to catch during this early part of the season. Most importantly, we feel that fishery managers would glean substantial value from the catch data arising out of this. Currently, the first commercial opener date is set by numbers at the Miles Lake sonar, which can be up to 2 weeks removed from what is happening on the flats, and in some years is not available at all due to shelf ice at the sonar site. Managers also rely on aerial surveys, which are highly weather dependent and often impossible to obtain. The Native Village of Eyak is privileged each year to be granted an educational fishery permit to harvest up to 100 salmon from May 1-10. Managers may be reluctant to admit it, but this is probably one of the most valuable tools they have in setting the commercial opener, as they rely on our harvest reports essentially as a pre-season test fishery. Allowing all subsistence users early access to the fishing grounds would give the managers substantial concrete data on strength and timing of the salmon return up to the date of the first commercial opener. Commercial fishermen may have to concede a later start date or additional closures in some years because of this, but it would be extremely beneficial to the sustainability of the resource as a whole and would benefit all user groups in the long run.
9	Support	We prefer the language in Proposal 8. We only support Proposal 9 if Proposal 8 fails.
10	Neutral	If Proposals 8 or 9 pass, the language in Proposal 10 would be moot and require restructuring anyway
11	Amend	We oppose this proposal as it is written. We would support an amendment to add (c) (7) Permits may be issued only at Cordova. We do not support removal of existing requirements. Allowing permits to be issued statewide could open these fisheries up to individuals who might otherwise never have considered accessing them, and would go against the intent of the C&T determination and create a potential over harvest and conservation concern.
12	Neutral	
13	Oppose	This proposal is overly restrictive. We feel that it would limit needed subsistence opportunity in several areas where access to public lands is scarce.
14	Oppose	This proposal, if passed, would create a conflict between legal gear types, leading to potential unfair allocation between users. It would also prevent fishwheel owners from dipnetting from their own wheels. There are adequate enforcement measures in place to deal with issues of trespassing and harassment. Such incidents are isolated.
15	Neutral	

Prop	Position	Comments
16	Oppose	The proposed bag limit is overly restrictive to some users who legitimately require larger numbers of fish to meet the subsistence needs of their families. Excessive bag limit requests should be reviewed by the department on a case by case basis, and users should only request to take what they need. Greedy overharvest is a rampant problem which needs to be addressed, but those with legitimate needs should not be punished because of abuse by others. Current reported harvest is within the ANS guidelines set by the BOF, however recent research data and anecdotal information suggest that considerable unreported harvest is taking place in this fishery. The BOF may wish to revisit the question of bag limits once unreported harvest can be accounted for.
17	Oppose	See comments, proposal 16.
18	Support	We strongly support the intent of this proposal. Recent research data and anecdotal information suggest that considerable unreported harvest is taking place in the inriver fisheries. Strict reporting requirements are imposed on commercial fishermen who have no issues with compliance. It is preposterous that there is virtually no accountability in the inriver fisheries. Everyone deserves fair access to this abundant resource, but if unscrupulous and ignorant individuals continue to be granted immunity by the State, it will not be long before there is nothing left for anyone. The department will tell you that there is no evidence to suggest unreported harvest. This is a prevarication. Enforcement representatives will tell you there might be a problem, but there is no funding available to pursue an investigation. This needs to be changed. The federal Office of Subsistence Management has now identified accurate harvest monitoring as the number one priority information need on the Copper River, and ADF&G should do the same. Most inriver users will tell you the language in this proposal is overly restrictive and compliance would be an issue, but they will also tell you they'd be willing to concede some form of increased accountability and harvest reporting for their fisheries. This is the path we need to pursue. We have here the ideal venue for all user groups to sit down together and develop a viable solution to address a very real problem. We urge the Board to consider this and help work with us to achieve this goal.
19	Amend	We oppose this proposal as it is written. Reporting requirements should not be imposed on the Glennallen Subdistrict alone. Such requirements if enacted should extend across all inriver fisheries as suggested by proposal 18.
20	Amend	This proposal would not work as written, but we support the intent and request clarification from the author. See comments proposals 18 and 19.
21	Support	Rockfish and lingcod are often dead by the time they reach the surface, so it is highly wasteful to throw them back.
22	Oppose	This is a fully allocated resource. Increasing the allowance for one fishery means taking it away from another. The personal use fishery is already fortunate to have the opportunity for supplemental harvest in times of surplus. No other inriver fisheries have this. If the users of this fishery are unhappy with the way supplemental harvests are provided, the opportunity should be taken away.
23	Oppose	There is no biologically defensible reason to do this. It would lead to considerable confusion for both managers and resource users, and would likely lead to violations and citations due to misunderstanding of the daily changes to supplement allowances which would result.

Prop	Position	Comments
24	Support	We strongly support this proposal. The 2008 season presented a perfect example of why the current regulation doesn't work. Extended commercial closures forced the reduction of harvest levels in the personal use fishery, intending to allow more fish to reach the spawning grounds in a year of low return. However, the commercial closures resulted in a subsequent large pulse of fish entering the river, which is exactly what was hoped for, but this forced the department to grant several supplemental harvests in a row, and effectively negated the biological benefit of closing the commercial fishery in the first place. These supplemental harvests should never have been given, and regulation needs to be put into effect to prevent this ever happening again.
25	Oppose	Personal use permits are issued by household, whereas sportfish licenses are issued by individual. This would cause considerable confusion in determining additional number allowed on a personal use permit. More importantly, it would be extremely difficult for enforcement officers in the sportfishing areas to determine if fishermen have already obtained their limit in a different fishery, and this leads to too much potential for abuse.
26	Support	This would give the department an additional tool in confirming harvest reports sent in by fishery users. The information may be redundant, but in some instances may shed light on illegal overharvest or lack of reporting. It would present some additional burden to the transport operators, but if they want to see their business sustained for future generations, they too need to offer accountability to the fishery.
27	Oppose	This would result in increased trespass potential on private and culturally sensitive lands, which are the majority in this area. It would also create a severe conservation concern with increased harvest pressure on small discrete stocks. The current boundaries of the Chitina Subdistrict provide ample accessibility for the number of people accessing this fishery.
28	Oppose	The current system has been working fine for the past 14 years. There is no reason to change it now. Experience dictates that once a fishery is formally closed, it is rarely re-opened.
44-56	Support	We support the intent of proposals 44-56, and would like to see department staff develop a comprehensive management plan to the satisfaction of all potential user groups. Before this proceeds, we would like the BOF to ask staff to qualify the rationale on why the old management plan already on the books will no longer function to simply re-open the fishery.
57	Support	Commercial fishermen report seeing an increase in legal sized dungeness crab as bycatch in several fisheries through PWS and CR. The department has not conducted adequate research to know the status of these stocks. Opening a subsistence season for this species would provide additional information while helping residents meet their subsistence needs. The season could be opened initially as a short-term test fishery to assess condition of the resource before opening it to year-round harvest.
29	Support	Orca whales are an important keystone predator with PWS populations in documented decline. We support the amendment of the sablefish season to reduce fisherman encounters with orcas, and see no biologically defensible reason to continue with a split season as is currently on the books.
30	Oppose	See comments on proposal 29. We could support this proposal if amended to a start date of May 1st rather than April 15th.

Prop	Position	Comments
31	Support	We support the concept of responsible harvest reporting in all fisheries. We find it perplexing that ADF&G has submitted several proposals to the BOF to improve harvest reporting in commercial fisheries, while in other discussions pertaining to the inriver fisheries adamantly insist that improved harvest reporting is redundant, unnecessary and unfeasible. This is the type of hypocrisy that leads to vehement conflict between user groups and will ultimately result in the demise of the resource. Applying similar language of this proposal to the regulations on each of the other fisheries should address the intent of proposals 18 and 19 to the satisfaction of the proponents.
32	Neutral	
33	Amend	We would support this proposal with an amendment to remove the language "or sale when the lingcod season is open". Allowing lingcod bycatch to be sold opens the potential for abuse with fishermen targeting this species with illegal gear types rather than as legitimate bycatch. We fully support the concept of retaining lingcod bycatch for personal use, as it would be wantonly wasteful not to.
34	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
35	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
36	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
37	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
38	Support	There would be no conservation concern in opening this area to P-cod harvest.
39	Support	We support the concept of increasing fishing opportunities nearer Cordova. With the increased cost of fuel, it is impractical and prohibitive for Cordova fishermen to travel long distances to harvest fish that are available nearby.
40	Support	Pelagic trawlers intercept large numbers of chinook salmon as bycatch, and provide no economic benefit to rural Alaskan communities. We support the concept of responsible harvest reporting in all fisheries. Please refer to related comments on proposal 31.
41	Support	There are no data to suggest that a skate fishery could not be managed sustainably. Reducing skate numbers would ultimately benefit shellfish populations, and creating a new fishery would provide an economic boost to rural communities.
42	Support	We supported the concept of developing a fishery management plan for spiny dogfish at BOF proceedings in 2005, and continue to support any proposed regulations to allow this species to be retained and marketed. We are hopeful the department will have obtained data over the past three years, as directed by the Board, to justify further action pertaining to spiny dogfish.
43	Neutral	
58	Support	
59	Support	
60	Oppose	The department already has authority to open these waters to fishing by EO. These areas see heavy use by non-commercial fishers from Cordova, and opening them to permanent seiner traffic could lead to conflicts.
61	Support	We have a history of fishing in this area before restrictions imposed by the State. There are numerous other intercept fisheries throughout Alaska that are successfully managed by the department, and this area could easily be managed to the satisfaction of all potentially conflicting groups.

Prop	Position	Comments
62	Support	We support the intent of this proposal. The department has tools to allow these different gear types equal access to the resource, and it is unfair that the drift gillnetters can be blocked from their fairly allocated access during setnet closures.
63	Support	See comments, proposal 62.
64	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
65	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
66	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
67	Neutral	
68	Oppose	The current management system works fine in this district.
69	Oppose	This proposal would take away flexibility in management by the department.
70	Neutral	BOF has no authority to direct PWSAC BOD
71	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
72	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
73	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
74	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
75	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
76	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
77	Oppose	Establishing a firm date in this manner would take away adaptive management authority from the department.
78	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
79	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
80	Neutral	This is an allocative issue, and should be resolved by representatives of the affected gear types.
81	Oppose	Access to enhanced chum salmon stocks was a life saver for the PWS gillnet fleet in the 2008 season of poor CR salmon return. Without this program, a large percentage of the fleet would have been driven to bankruptcy and the local communities of PWS would have been destroyed. We adamantly oppose the idea of any reduction to the current sustainable level of enhancement programs in PWS
82	Oppose	The BOF does not have the authority to make decisions on CFEC, and we oppose the intent of this proposal.
83	Oppose	
84	Oppose	
85	Oppose	
86	Oppose	The BOF does not have statutory authority to make this change.
87	Oppose	The language in this proposal is confusing and requires clarification.
88	Neutral	This proposal is only necessary if 87 passes.

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Prop	Position	Comments
89	Support	This gear type sees very limited use in Alaska, and we see no viable reason to prohibit spear guns in a legal submerged spear fishery.
90	Oppose	It is difficult to accurately gaff a moving fish in water without risk of serious injury. If the intent is to release the fish, the hook may be removed by holding the fish in a landing net in water, or by cutting the line and sacrificing the hook. Numerous studies have shown that metal hooks left in saltwater fish quickly corrode away and cause no permanent impediment to the fish.
91	Neutral	We have not seen enough data to either support or oppose the concept of reducing salmon shark harvest in PWS. A comprehensive research plan needs to be developed with collaboration between ADF&G and local Tribes and NGOs.
92	Support	If there is a conservation concern, we support the reduction in bag limit of rockfish in the sport fishery.
93	Oppose	We oppose the reduction of bag limit for rockfish in the subsistence fishery until it has been determined whether the reduction in sport fish limits has solved the problem. Subsistence fishers have priority to the resource and should be the last user group to see a reduction.
94	Support	Establishing a maximum number of clients allowed on a charter vessel will increase opportunity for more operators in the industry, and will prevent larger vessels from damaging small areas with localized overharvest, particularly of those bycatch species with limited migratory ranges and nest guarding instincts.
95	Support	These types of power assisted downriggers essentially take the sport out of sport fishing and are entirely unnecessary for the successful harvest of finfish in PWS.
96	Oppose	This would be too difficult to regulate and could lead to abuse of the resource.
97	Oppose	This would be too difficult to regulate and could lead to abuse of the resource.
98	Support	We support the concept and defer to the proponents of 98 and 99 to agree on the most satisfactory boundary line.
99	Support	We support the concept and defer to the proponents of 98 and 99 to agree on the most satisfactory boundary line.
100	Support	We strongly support the intention of eliminating sportfishing for coho salmon on their spawning grounds. This proposal addresses that for Ibec Creek.
101	Support	We strongly support the intention of eliminating sportfishing for coho salmon on their spawning grounds. This proposal addresses that for 18 Mile Creek.
102	Support	We strongly support the intention of eliminating sportfishing for coho salmon on their spawning grounds. This proposal addresses that for most spawning streams on the CR delta.
103	Support	We support the concept but the language in this proposal is too vague and would be impossible as written. We defer to the Committee, Board and proponent to develop effective language to meet the intent.
104	Support	Small discrete stocks such as these require protection or they will cease to exist. These fish are already targeted in numerous other fisheries and should no longer be targeted once they have reached their natal stream.
105	Support	See comments at proposal 104.
106	Support	See comments at proposal 104
107	Oppose	This is a fully allocated resource. Extending the season would increase harvest in the sportfishery and spawning goals would not be met.
108	Oppose	See comments at proposal 107.
109	Oppose	See comments at proposal 107.
110	Oppose	We support the intent of this proposal in that we do not agree with the practice of catch and release of salmon for sport. However, this proposal could lead to intentional snagging of fish and would be unenforceable.

Prop	Position	Comments
111	Support	We do not agree with the practice of catch and release of salmon for sport, but support the intent of this proposal to reduce incidental mortality and spawning failure to fish that are intended to be released.
112	Support	NVE submitted this proposal and we continue to support it. There are species of fish that are not susceptible to harm from catch and releasing fishing. Pacific salmon are not among them. Insufficient research has been done, and those few studies that are available suggest that incidental mortality is up to 20% or higher. No studies have tracked released salmon to the spawning grounds to assess spawning success. We have heard many sportfishermen brag of catching and releasing hundreds of salmon each day. With thousands of fishermen on the river catching and releasing hundreds of thousands of fish, 20% or greater failure to spawn creates a very real impact on the resource, dramatically exceeds the sustainable allocation for this fishery, and should no longer be condoned.
113	Support	NVE submitted this proposal and we continue to support it. Motorized boats on these rivers are driven recklessly through shallow water spawning areas and are causing degradation to critical habitat. On a busy day, there are so many fishers accessing these rivers by boat it is amazing any fish at all can reach the spawning grounds. We are not asking for a total elimination of boat use, but just a curtailment to improve spawning success.
114	Oppose	This program is highly successful in creating sportfishing opportunities in Alaska where they would otherwise not exist. Eliminating it would put undue pressure on wild stocks and conflict with other user groups. ADFG can alleviate any concerns the public may have about genetically altered "frankenfish" through education and outreach.
115	Neutral	
116	Neutral	
117	Neutral	
118	Oppose	This is arbitrary and unnecessary, and would effectively bar commercial fishermen from accessing any subsistence fishery without sacrificing a full month of income, and would prevent non-commercial fishing residents from accessing the Cordova subsistence fishery on commercial vessels owned by friends or family members. We encourage the proponent to elaborate on the intent of this proposal. If poaching is the concern, there are already enforcement measures in place to deal with offenders. It is the encumbrance of all fishery users to report offenders to the authorities. We do not condone penalizing and criminalizing legitimate subsistence fishers who are following the rules.
119	Oppose	Banning home pack would not reduce the overall harvest of chinook salmon by the commercial fishery, it would simply force fisherman to sell all of their catch without eating any of it. This concept is ludicrous and serves no purpose.
120	Support	We believe this reporting requirement should be extended to all fisheries, including the sport, subsistence and personal use fisheries on the Copper River.
121	Oppose	Prohibiting gaffs and landing nets would result in dead or injured fish falling from nets and being wasted because the fish are not retained forcefully enough to haul over the rollers unassisted. This serves no benefit to the resource and would cause economic distress.
122	Oppose	Current regulations on identification of gear with markers is adequate to meet the needs of fishermen and enforcement officers.

Prop	Position	Comments
123	Oppose	Because of the nature of the environment, the inside closure area should be defined by descriptive reference to the barrier islands and movable physical markers, not by geographic coordinates which have the tendency to change seasonally or even daily during major storms or tidal events. If the Board adopts this proposal, they will be burdened with a similar proposal every Board cycle, ad infinitum. Either the language needs to be changed entirely, or the existing language needs to be amended with the caveat "approximately" as a prefix to the geographic coordinates referenced.
124	Support	We have a history of fishing in this area before restrictions imposed by the State. There are numerous other intercept fisheries throughout Alaska that are successfully managed by the department, and this area could easily be managed to the satisfaction of all potentially conflicting groups.
125	Support	Only support if 124 fails.
126	Oppose	The actual implications of this proposal are too vague. It is not clear what the proponent is attempting to achieve by forcing such an extensive, time-consuming review of the management plan.
127	Support	
128	Oppose	We adamantly oppose the intent of this proposal to force the first commercial opener to June 1st or later in most seasons. The existing management plan works, and managers would be better served by passing Proposal 8. ADFG reports indicate by the time Miles Lake sees 5,000 fish pass, up to 150,000 fish could be in the river, resulting in potential over escapement to headwater tributaries and resulting in huge economic losses for coastal communities.
129	Oppose	The current SEG is based on sound research and should be sufficient. Increasing this goal is scientifically unfounded, which explains the proponent's request to change it to an OEG. At the end of the day, it is debatable whether managers are even adhering to the current SEG. Issues of unreported harvest and poaching in the inriver fisheries need to be addressed before we think about adjusting the escapement goals.
130	Support	We support the intent, but prefer the concise language in proposal 132.
131	Oppose	We adamantly oppose this proposal. We would like to see flexibility put back in the managers' hands with regards to inside closures. The management system in place prior to 2005 was highly effective. It would be an atrocity to further force inside closures for an additional 2 weeks. Managers already have the adaptive authority to do this whenever needed.
132	Support	We would like to see flexibility put back in the managers' hands with regards to inside closures. The management system in place prior to 2005 was highly effective. Managers had the adaptive authority to enact inside closures whenever needed. We need to return to this system. The inside closure area is a traditional fishing area and to arbitrarily close such an area with no biological concerns is poor science. Safety is an additional issue. Outside waters are particularly dangerous in the early weeks of the season. Cordova already has enough fatherless children.

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COMMENT# 41

North Pacific Fishery Management Council

Eric A. Olson, Chairman
Chris Oliver, Executive Director



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November 14, 2008

Jim Marcotte
Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811

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NOV 17 2008

BOARDS

Dear Board Members:

During the Joint Protocol Meeting in September 2008, the North Pacific Council offered to provide background information on management of skates in federal waters. On behalf of the Council, the following information is intended to inform your deliberations at the December 2008 Board meeting on whether to develop a new state water fishery for skates (Proposal # 41) in Prince William Sound. Much of this information also could inform your discussions on a proposal for expanding fishing opportunities for spiny dogfish (Proposal # 42). The Council is aware of the Board's current management approach for these species, which includes the use of Commissioner's permits and Alaska Department of Fish and Game management tools, as specified under 5AAC 28.083 for skates and rays and the closure to directed shark fishing in 5AAC 28.084. Further, the Council would consider state water removals when setting quotas for federal fisheries if the Board sets a commercial harvest level for skates or spiny dogfish.

The Council began revising federal management policies for skates and sharks in 1998, when ADF&G staff, on behalf of the Board, proposed that the Council consider placing these species on bycatch status until sufficient research and data collection protocols were in place. Council policy is intended to safeguard these long-lived, slow growing, species with low reproductive capacity, to mirror Board actions in 1998 in response to concerns over the possibility of an emerging shark fishery in Prince William Sound. Since 1998, the Council initiated several amendments to its groundfish fishery management plans to implement precautionary management practices for skates and other non-target groundfish species. Since 2005, the Council has set separate quotas for big skate, longnose skate, and other skates in the Gulf of Alaska (GOA) in anticipation of a new federal fishery that never developed. In March 2006, all GOA skate species were placed in bycatch-only status. In 2009, the Council will consider setting separate quotas for Alaska skate and other skates in the Bering Sea/Aleutian Islands (BSAI). The Council also plans to set separate quotas for sharks in the GOA (and BSAI) in the near future; they currently are managed under a combined quota with other bycatch species (i.e., squid, sculpins, and octopus).

There are currently no directed commercial fisheries for skates in Alaska state or federal waters or sharks in federal waters due to their life histories. A directed skate fishery would be allowed only if a data collection program is approved and provided that annual bycatch needs of other fisheries have been accommodated. Skates and sharks have low fecundity, slow growth to large body sizes, and dependence of population size on high survival rates of a few well-developed offspring. They are vulnerable to overfishing because of these characteristics. Although it is unknown if any skate or shark species have declined in the North Pacific, there is evidence that commercial fisheries can impact their populations. As a worst case scenario, they may be vulnerable to severe localized depletion if subjected to heavy fishing

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1/2

pressure. While it appears that historical incidental catch of skates in groundfish and halibut fisheries does not represent heavy fishing pressure, the incidental catch combined with a directed skate fishery targeting the largest individuals of the largest species might result in excessive fishing mortality and negative population effects, if improperly managed. The spatial concentration of a directed fishery in particular suggests that management should guard against localized depletion of skates, especially when little is known of migratory habits or population structure for any Alaskan skate species.

I understand there has been an allocation of legislative funds to Alaska Department of Fish and Game to study skates; therefore, Alaska finds itself in a unique situation to gain an understanding of the basic biology of its skate species and to provide information essential to guiding management and conservation before a fishery is authorized. We believe that it is essential to collect information on basic life history parameters such as growth rates, age at maturity and longevity, and an understanding of their demographics and movements. The primary data collection need is the collection of accurate skate species composition data so that harvests of big skate, longnose skate, and other skates can be monitored relative to their individual biomass levels. Means to collect these data could include onboard observers, video recording of longline catches, logbooks, dockside sampling, or some combination of these. Also, an ability to collect representative samples of age, weight, length, and sex data is important to characterize the fishery removals from the stocks. These recommended data-collection requirements are necessary owing to the significant portion of the skate catch that is unobserved.

The Council acknowledges the cooperative nature of data collection for skates in state and federal waters by ADF&G staff and NMFS staff and recommends that new data collection plans be developed in cooperation with National Marine Fisheries Service staff. Council staff already has met with ADF&G staff to discuss these proposals and identify relevant federal stock assessment information. Three ADF&G staff members serve on the Council's Gulf of Alaska Groundfish Plan Team and provide a valuable link between state and federal management.

We hope this information is useful in your deliberations relative to the proposals before the Board. Please contact me, or Jane DiCosimo, our Senior Plan Coordinator, if you have any questions regarding this information.

Sincerely,



Chris Oliver
Executive Director

**Eastern Interior Alaska Subsistence
Regional Advisory Council**
c/o Office of Subsistence Management
101 12th Avenue, Room 110
Fairbanks, Alaska 99701
Phone: 1-(907)-456-0277 or 1-800-267-3997
Fax: 1-(907)-456-0208
E-mail: Vince_Mathews@fws.gov

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NOV 17 2008
BOARDS

November 13, 2008

Alaska Board of Fisheries
Alaska Department of Fish and Game
Post Office Box 115526
Juneau, Alaska 99811-5526

Dear Board of Fisheries:

The Eastern Interior Alaska Subsistence Regional Advisory Council during its public meeting on October 14, 2008 reviewed pending State fisheries proposals for the Prince William Sound and Upper Copper Finfish proposals. These proposals are before the Alaska Board of Fisheries in Cordova on December 1 – 6, 2008. Below are the recommendations passed by the Council. The Council appreciated the assistance provided by Tom Taube when it reviewed the fisheries proposals that follow.

PROPOSAL 1 – 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses. Reclassify the Chitina dipnet fishery as a subsistence fishery as follows:

Reclassify the Chitina Dipnet Fishery as State of Alaska subsistence fishery.

COUNCIL ACTION:

The Council supported adoption of this proposal after a long discussion, they learned that personal use does not have priority over commercial use. In times of shortage subsistence would have priority over commercial fishing. Thus, commercial fisheries managers would have to allow the amount necessary for subsistence to pass upriver to meet the priority use. With adding the State as subsistence along with the Federal subsistence priority, both would have priority over the commercial fishery. This will decrease the likelihood of not enough fish for escapement or for not enough fish to meet upriver needs. State managers alluded to the fact that the harvest amounts should not increase significantly. The discussion pointed out that this proposal would help spread out the use of the fish more equitable, but one Council member was concerned if all Alaskans qualify, how would this change affect harvest numbers.

PROPOSAL 22 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan. Increase annual limit of sockeye salmon when surplus is available as follows:

Supplement the basic limit for a family of more than two: May take ten sockeye for each additional family member after the original limit of thirty salmon have been taken.

COUNCIL ACTION:

The Council supported adoption of this proposal because it would be a fairer allocation of the harvestable fish available in order to provide additional fish for large families. The high cost of feeding a family of two or more people justifies the additional harvest limit. It would be an opportunity for those families who have the time and energy to harvest ten extra fish after traveling long distances to the fishery location.

PROPOSAL 24 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management. Restrict additional permits for Chitina Subdistrict personal use fishing if commercial harvests are restricted as follows:

Section (F) The maximum harvest level for the Chitina Subdistrict personal use salmon fishery is 100,000 – 150,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31. If the Copper River District commercial salmon fishery is closed for 8 [13] or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon **and no supplemental permits for additional salmon may be issued for the rest of the year.**

COUNCIL ACTION:

The Council resoundingly recommends rejecting this proposal. Passage of this proposal would tie the hands of the State inseason fishery manager to issue additional harvest permits later in the season when additional surplus fish may be available.

PROPOSAL 25 - 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan and 5 AAC 52.024. Harvest record required: annual limit. Increase personal use limit for king salmon and change recording requirement as follows:

Raise the king salmon limit in the Personal Use Fishery to four kings per permit (family) after the first king is harvested, require each additional king to be recorded on the back of a permittee's sport fish license by date and identified by adding "PU" (it is now required to record kings harvested in the sport fishery). Kings recorded on the sport fish license count against the seasonal Sport Fishing limit for Gulkana and Klutina Rivers. This proposal would take away the perceived "need" to catch additional kings for freezer by sport fishing. No allocation changes are required.

COUNCIL ACTION:

The Council majority passed a recommendation to support this proposal (Vote: 5-1). Passage of this proposal would allow families fishing for sockeye salmon the opportunity to harvest three additional king salmon. Passage of this proposal would decrease the sport fish harvest pressure on streams along their journey home.

PROPOSAL 81 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Reduce hatchery chum production as follows:

Reduce hatchery production to 24 percent of the year 2000 production.

COUNCIL ACTION:

The Council supported the passage of this proposal as written. The Council has been on record in a letter to the Commissioner in 2007, strongly urging him to not allow overproduction of hatchery fish and to reduce hatchery chum production. If there was no overproduction there would be no need for roe stripping and the waste of fish flesh. The Council also agrees that action is needed now to reduce hatchery chum production to reduce the unfair competition Alaska's wild salmon stocks and Alaskan residents have with hatchery fish. Fisheries that have a long history in Alaska, subsistence, commercial, and sport would benefit from the passage of this proposal. Protection of wild salmon stocks are the key to future of subsistence uses of the region.

PROPOSAL 128 – 5 AAC Copper River District Salmon Management Plan. Delay commercial fishing until after 5,000 fish are counted at Miles Lake sonar as follows:

First Copper River commercial opener may not commence prior to 5,000 fish being counted at the Miles Lake Sonar.

COUNCIL ACTION:

The Council recommends passage of this proposal. Passage of this proposal will provide necessary protection of the early wild salmon stocks to reach their spawning grounds. Passage will also prevent the salmon stocks when they are milling in preparation for fresh water from being over harvested by commercial fishing.

Thank you for the opportunity to provide Council recommendations on proposals important to subsistence users of the Eastern Interior Region. If you have any questions, please give me a call (1-907-883-2833) or our Vice-chair Virgil Umphenour (1-907-456-3885) or our Regional Coordinator, Vince Mathews (contact information in letterhead).

Sincerely,



Sue Entsminger, Chair

cc: Eastern Interior Regional Council members

Peter J. Probasco, Assistant Regional Director Subsistence

Rod Campbell, Board of Game Liaison, Office of Subsistence Management

Rita St. Louis, Alaska Department of Fish and Game

RECEIVED
NOV 17 2008
BOARDS

Scott Seaton
PO Box 771
Kenai, AK 99611
November 14, 2008

Please enter these Board comments for PWS meeting.

I support #63.

The removal of set net gear , excluding those sets on Shore Fishery leases, would eliminate much gear conflict in the Eshamy District. Currently, set netters may have as many extra sets as they want. Many of these sets are fished minimally or not at all and serve to "protect" key sites from both drifters and competing set netters. At least one set netter had out 14 sets last year in addition to his own Main Bay sets. Beach access equals fish access and set netters are averaging 50% over their 4% allocation the past 5 years.

I support # 75

Direct ADFG to actively manage the set net fleet to be within their 4% allocation when the 5% trigger is reached. ADFG best knows how to accomplish this and the tools the last fish board gave them, ie, restricting fishing to no more than 36 hours/week after July 10 does not seem effective. First, these dates mostly target Eshamy wild stocks, which we should not restrict from the set net fleet, second the Enhanced Coghill run is effectively over by July 10.

I DO Not support proposals #68through 74.

These proposals directly target either the enhanced chum from Ester Hatchery, which by the allocation plan, are for the exclusive benefit of the drift gillnet fleet, or they will target Coghill wild sockeye stocks, which are generally small and even have trouble making escapement some years. In any case, these sockeye are a fully allocated resource right now.

I support #77

Make a hard date when Ester management switches to coho from pinks, still keeping EO authority for clean-ups when there are large number of pinks. In recent years several seiners are targeting and harvesting a large % of enhanced coho, which are supposed to be for the benefit of the drift gillnet fleet. The problem is that the language counts only numbers of fish, not value. So, where catching 500 humpies @ .30/lb might not be economically viable, a seiner might stay if they could also catch 500 coho's at \$1.25/lb. It is easy to haul up enough black humpies from the back of Lake Bay to allow seining when numbers are the only criteria used.

Sincerely,



Scott Seaton

COMMENT# 45

1/2

RECEIVED
NOV 17 2008
BOARDS

Scott Seaton
Box 771
Kenai, AK 99611
Nov 14, 08

Hello Ms Stone,

I would like to pull my proposal
80 for PWS, restricting set gillnetting
to 36 hrs/week. I have decided that
there are better proposals to deal w/
setnet allocation overages

Thank -you.

Sincerely,



SCOTT SEATON

COMMENT# 45



RECEIVED
NOV 17 2008
BOARDS

November 10, 2008

Boards Support Section
Alaska Dept. of Fish & Game
P.O. Box 115526
Juneau, AK 99811-5526

To the Board of Fisheries:

Enclosed are the comments by Ahtna Tene Nene' Customary & Traditional Use Committee on the fisheries proposals that will be on the agenda at the December 1-7, 2008 ABOF meeting in Cordova, Alaska.

Please take them into consideration when deliberating on these fisheries proposals.

Sincerely,

Storia Stiefman
for
Linda Tyone

Linda Tyone,
Chair

1/12

COMMENT# 46



2008/2009 Prince William Sound Proposals

Proposal 1: Reclassify Chitina Subdistrict as a subsistence fishery.
By Fairbanks Advisory Committee.

Comment:

We adamantly oppose Proposal 1. This issue does not need to be re-determined or brought before the Alaska Board of Fisheries because there is no new significant information relevant to the 8 criteria for a C&T determination.

The current C&T findings are consistent with our own knowledge of Customary and Traditional Uses for the Chitina subdistrict and Upper Copper River Use.

The current C&T use findings support a subsistence regulatory system that provides a reasonable opportunity to meet our subsistence needs.

Proposal 2: C&T Determination for freshwater fish in Upper Copper/Susitna. By Ahtna Tene Nene' Customary & Traditional Use Committee.

Comment:

We support Proposal 2. We would like the Board of Fisheries to make a positive C&T Determination for freshwater fish in the Upper Copper/Susitna areas as well as other freshwater lake areas that are in the Copper Basin.

We have customarily and traditionally used resident species since time immemorial in Units 11, 12 and 13. These species were eaten fresh and not kept too long, except for white fish and grayling, which were dried, smoked, fermented or frozen.

There are over 78 documented Ahtna place names in the Ahtna region that show where the Ahtna People have fished and hunted.

C&T use determinations are based upon historical use and are not based on bag limits or population concerns of resident species.

Proposal 3: Open Crosswind Lake to subsistence fishing. By Ahtna Tene Nene' Customary & Traditional Use Committee.

Comment:

We support Proposal 3. We would like the Board of Fisheries to open Crosswind Lake to subsistence fishing, so that we can harvest fish in this lake, which was customarily and traditionally used by the Ahtna People. It is illegal to have a sport fishery without allowing for a subsistence fishery.

Proposal 4: Restrict subsistence king salmon fishery in Copper River District. By Mike Kramer.

Comment:

We oppose this proposal 4 in its entirety and support the Native Village of Eyak's C&T use of the King Salmon on the Copper River.

Proposal 8: Open subsistence season May 1 in Copper River District. By Mike Babic.

Comment:

We support proposal 8 extending subsistence fishery season.

Proposal 9: Open subsistence season May 10 in Copper River District. By Tom Carpenter.

Comment:

See proposal 8.

Proposal 12: Reformat regulations on fish wheel specifications. By Alaska Dept. of Fish and Game.

Comment:

No comment.

Proposal 13: Increase distance between fish wheels from 75 to 300 feet. By Mike Babic.

Comment:

We oppose Proposal 13 to increase the distance between fish wheels to 300 ft. The passage of this Proposal will have a negative impact to provide reasonable opportunity to meet our subsistence needs.

Proposal 14: Prohibit dipnetting within 30 feet of a fish wheel. By David A. Kacal.

Comment:

We oppose Proposal 14, these are isolated incidents.

Proposal 15: Reformat regulations for subsistence annual possession limits. By Alaska Dept. of Fish and Game.

Comment:

No comment.

Proposal 16: Modify annual limits in the Glennallen Subdistrict subsistence fishery. By Ernie Allen.

Comment:

We oppose Proposal 16 to modify annual limit in the Glennallen Subdistrict fishery. Needs are currently being met.

Proposal 17: Modify annual limits in the Glennallen Subdistrict subsistence fishery. By Mike Babic.

Comment:

We oppose Proposal 17 to “modify annual limits in the Glennallen Subdistrict”, which will reduce subsistence harvest limits.

Proposal 18: Amend Copper River Management Plan to include harvest monitoring. By Mike Babic.

Comment:

We oppose Proposal 18 to “amend Copper River Management Plan to include harvest monitoring”; which would require “daily reporting systems for the Glennallen Subdistrict; however, we believe the

Chitina Subdistrict should be required to have a “daily reporting system” in place, since there are 9,000+ permits issued per year.

Proposal 19: Require daily harvest reporting in Glennallen Subdistrict fishery. By Bill Webber Jr.

Comment:

We oppose Proposal 19, see comments on Proposal 18.

Proposal 20: Require harvest reports within 48 hours in Glennallen Subdistrict. By Tyee Lohse.

Comment:

We oppose Propose 20; see comments on Proposal 19.

Proposal 21: Allow retention of rockfish and lingcod taken in subsistence fishery. By Alaska Dept. of Fish and Game.

Comment:

We defer comments on Proposal 21 to Native Village of Eyak and support their decision on Proposal 21.

Proposal 22: Increase annual limit of personal use sockeye salmon. By Fairbanks Advisory Committee and Chitina Dip netters Association.

Comment:

We oppose Proposal 22 to “increase annual limit of personal use of sockeye salmon in the Chitina Subdistrict”, because this will increase the harvestable catch of salmon and it will leave less salmon to swim upriver to spawn.

Proposal 23: Change time period for setting supplemental periods. By Fairbanks Advisory Committee and Chitina Dip netters Association.

Comment:

We oppose Proposal 23 to “change time period for setting supplemental periods”; the Personal Use Management Plan allows more than enough harvestable catch of salmon for the personal use fishery in the Chitina Subdistrict”.

This will create for lack of a better word, a “bookkeeping” nightmare, and create a communication issue for getting information out to the dip netters.

Proposal 24: Restrict supplemental permits if commercial fishery closes. By Mike Babic.

Comment:

We support Proposal 24 to “restrict supplemental permits if commercial fishery closes” due to the increased personal use permits distributed in the Chitina Subdistrict. If the commercial use fishery is closed; the personal use fishery should be closed as well.

Proposal 25: Increase PU king salmon limit and modify recording requirement. By Fairbanks Advisory Committee.

Comment:

We oppose Proposal 25 to increase Personal Use king salmon to 4 kings per permit, and allowing them to fish under a Sport’s fisheries license to harvest 4 more kings in the Klutina and Gulkana Rivers. This will reduce the number of Chinook to the subsistence users in the Glennallen subdistrict which is already allocated in state priorities.

Proposal 26: Require reporting by transporters in personal use fishery. By Shawn Gilman.

Comment:

We support Proposal 26 to “require reporting by transporters, so that they will have to record and keep record of the people transported, fish species amount retained and area caught”. This will provide an additional tool for the Department to use to track the harvest.

Proposal 27: Extend Chitina Subdistrict personal use fishery boundary. By Anchorage Advisory Committee; Matanuska Valley Advisory Committee; Fairbanks Advisory Committee, and South Central Alaska Dip-netters Association.

Comment:

We oppose Proposal 27 to “extend personal use to fish in “all waters of the Chitina River downstream of the confluence of the Kuskulana River”, so that the dipnetters will have more places to fish. If this were to pass it would increase the length of areas to fish. This will increase potential trespass on private lands along the Chitina River. Within these areas are important historical sites that we do not want open to the public for fishing. Not enough stocks go up the Chitina River to warrant an expansion of an existing fishery. This could do damage to the spawning areas. This will also reduce amount of return, and negatively affect subsistence uses. Fishing within this area by people that do not live in the area would be a violation under National Park Service regulations.

Proposal 57: Open subsistence fishing for all crab species year-round. By Bob Henrichs.

Comment:

We support Proposal 57 to open subsistence fishing for all crab species year-around, only if it is not exploited or over harvested.

Proposal 100: “Close a portion of Ibec Creek to sport fishing”, due to increased sport fishing in the Delta Spawning areas.

Comment:

We support Proposal 100 “Close a portion of Ibec Creek to sport fishing”, due to increased sport fishing in the Delta Spawning areas.

Proposal 101: Close a portion of 18-Mile Creek to sport fishing for Coho salmon. By Copper River/Prince William Sound Advisory Committee.

Comment:

We support 101 “Close a portion of 18-Mile Creek to sport fishing for Coho salmon”.

Proposal 102: Close waters along Copper River Hwy. to fishing for Coho salmon. By Stan Makarka.

Comment:

We support to “: Close waters along Copper River Hwy. to fishing for Coho salmon”.

Proposal 103: Close all salmon spawning areas to sport fishing. By Mike Babic.

Comment:

We support Proposal 103 to “close all salmon spawning areas to sport fishing “.We support the concept but it would be difficult to regulate.

Proposal 104: Close king salmon fishing on Lakina R., Slana R., and Sinona Creek. By Alaska Dept. of Fish and Game.

Comment:

See comments on Proposal 103. We support Proposal 103, which “closes all salmon spawning areas to sport fishing”. King salmon population is on the decline.

Proposal 105: Expand existing areas closed to king salmon fishing in Copper R. By Alaska Dept. of Fish and Game.

Comment:

We support Proposal 105 to “to close sport fishing for king salmon in Ahtell Creek, Gakona, River, Gilahina River, Indian River, Manker Creek, including all flowing waters within a one quarter-mile radius of their confluence of the these water bodies”. King salmon is on the decline.

Proposal 106: Close Ahtell Creek to king salmon fishing. By Shawn Gilman.

Comment:

See comments on Proposal 105.

Proposal 107: Extend king salmon season on the Copper River to August 10. By Anchorage Advisory Committee and Matanuska Valley Advisory Committee.

Comment:

We oppose Proposal 107 to “extend king salmon season to August 10 with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length, in all flowing water of the Copper River mainstem downstream of the ADF&G regulatory markers located at the confluence of the Klutina River”. King salmon population is on the decline. This could be detrimental to the returns because the fish are already in the spawning stage. The King salmon is already fully allocated. There would be potential trespass on private property.

Proposal 108: Extend king salmon season on the Klutina River to August 10. By Anchorage Advisory Committee and Matanuska Valley Advisory Committee.

See comments on Proposal 107; we oppose Proposal 108 to extend season to August 10 from mile 13 of the Klutina Lake Road. King salmon is on the decline.

Proposal 109: Extend king salmon season on the Tonsina River to August 10. By Anchorage Advisory Committee and Matanuska Valley Advisory Committee.

See comment on Proposal 107.

Proposal 110: Allow retention of unintentionally hooked sockeye salmon. By Mike Lanegan, Ken Hughes, and Alan LeMaster.

Comment:

We oppose Proposal 110 to “allow retention of unintentionally hooked sockeye salmon”, so that more salmon will be healthy and mortality rates will be reduced. There would be enforcement issues.

Proposal 111: Prohibit removal from water any salmon not retained. By Klutina River Association.

Comment:

We support Proposal 111 to keep hooked salmon that is taken out of the water.

Proposal 112: Include any salmon landed or released against daily bag limit. By Native Village of Eyak.

Comment:

We support Proposal 112 to “include any salmon landed or released against daily bag limit”. The mortality rate of any salmon will be reduced if this is in regulation.

Proposal 113: Close Klutina and Gulkana Rivers to power boat use 2 days/week. By Native Village of Eyak.

Comment:

We support Proposals 113 to “close Klutina and Gulkana Rivers to power boat use 2 days/week”. Power boats are not good for spawning salmon.

Proposal 114: Restrict hatchery and stocking programs. By Bill Larry and Ralph Seekins.

We oppose Proposal 114 due to statement in number 3; which states, “ADF&G may be allowed to produce and stock sterile fish in a water body only after the local populace that uses the water body has been notified and the local fish and Game Advisory Committee, after a public review, has given approval”.

Proposal 115: Update stocked waters list for the Upper Copper River/Upper Susitna area. By Alaska Dept. of Fish and Game.

Comment:

We support Proposal 115, which is a housekeeping proposal, which includes Kathleen Lake and changes lakes to waters.

Proposal 116: Remove rainbow trout/steelhead regulations for Tolsona Lake. By Alaska Dept. of Fish and Game.

Comment:

We support Proposal 116 because the current regulation does not match up with management plan.

Proposal 117: Repeal the Lake Burbot Management Plan. By Alaska Dept. of Fish and Game.

Comment:

We are neutral on Proposal 117, since it is a housekeeping proposal.

Proposal 118: Restrict commercial activity by participants of subsistence fisheries. By Steve Johnson.

Comment:

We adamantly oppose Proposal 118 and support Eyak's position. This proposal will place restriction upon subsistence users.

Proposal 127: Repeal reference to inriver goal. By Alaska Dept. of Fish and Game.

Comment:

We support Proposal 127 to correct 5 AAC 24.360(c).

Proposal 128: Delay commercial fishing until 5,000 fish pass Miles Lake sonar. By Fairbanks Advisory Committee.

Comment:

We oppose Proposal 128. A management system is already in place and it is working.

Proposal 130: Allow one fishing period in statistical weeks 20 and 21. By Mike Babic.

Comment:

We support the current management plan because it supports our subsistence needs, and oppose any change to it.

Proposal 131: Restrict fishing within inside closures area of Copper River. By Fairbanks Advisory Committee.

Comment:

We support the current management plan because it supports our subsistence needs, and oppose any change to it.

Proposal 132: Eliminate restrictions within inside closure area of Copper River. By Copper River/Prince William Sound Fish and Game Advisory Committee.

Comment:

We support the current management plan because it supports our subsistence needs, and oppose any change to it.

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Public Testimony before Alaska Board of Fish
Fairbanks, AK – 9 October, 2008

Jennifer Yuhas

Thank you Mr. Chairman and Members of the Committee,

Thank you for extending this opportunity to address the Board in Fairbanks tonight.

My name is Jennifer Yuhas, and I am testifying on my own behalf as a user of the Copper River Fishery regarding your December meeting in Cordova.

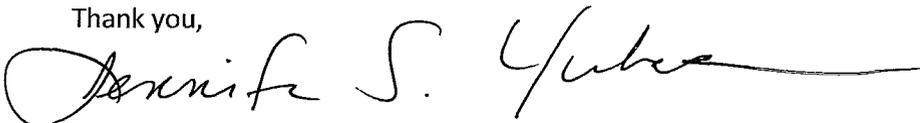
I have read the proposal book for your upcoming meeting and would like to remind the board of its duty as delegated by the legislature to provide for all user groups.

Fairbanks may appear geographically removed from this fishery on first glance, but I can assure you that many of us in this community depend on the Copper River to sustain us through the winter. I for one certainly do.

I urge the board to carefully consider the proposals thoughtfully put forth by the Fairbanks Advisory Committee, and remember that any decisions affecting allocation at the mouth of this river may have **dramatic and long lasting impacts** to individual users in Interior Alaska, as well as the sustainability of the fishery.

I understand that economics are often a factor affecting your decisions regarding commercial fishing allocations. Given our current economic condition and the price of home heating fuel in Interior Alaska, I am hopeful the Board will consider this necessary food source for individuals and families as an urgent economic concern. Please remember your neighbors in Fairbanks as you decide this issue at your December meeting, and remember that the proposals supported by the Fairbanks Advisory Committee have received significant local public input by users who depend on this fishery.

Thank you,



Jennifer Yuhas

Fairbanks, AK

COMMENT# 47

Session:
State Capitol
Juneau, Alaska 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

Alaska House of Representatives
David Guttenberg



Interim:
1292 Sadler Way
Suite 304
Fairbanks, Alaska 99701
(907) 456-8172
(907) 456-2490 Fax

Alaska Board of Fisheries
Board Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811
Attention: BOF Comments

District 8

RECEIVED
NOV 17 2008
BOARDS

October 9, 2008

To the Members of the Alaska Board of Fish:

Thank you for arranging your meeting schedule so Fairbanksans could provide public testimony this evening on the proposals to be considered in your upcoming meeting in Cordova.

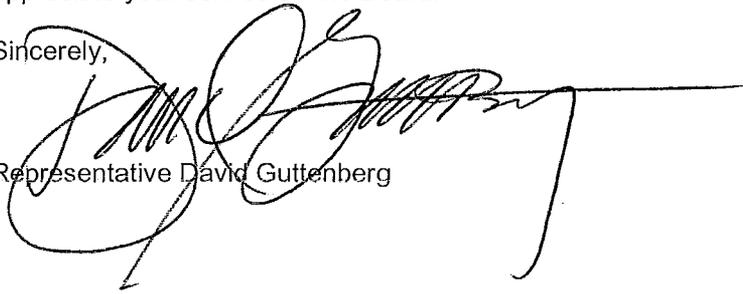
I would like to express my support for re-allocation of salmon in the Copper River Personal Use Dip Net fishery. I am aware of specific proposals made by the Fairbanks Advisory Committee and the Chitina Dipnetters Association.

The gist of my testimony regarding sockeyes to make sure that when a surplus exists, that dipnetters who are heads of households have the chance to harvest an increasing number of fish depending on the size of their family.

Regarding king salmon, it is not uncommon to have to return netted kings to the river after the limit of one is reached. The board should consider increasing the limit in a way that still preserves the resources within the fishery – perhaps by limiting the catch elsewhere.

On behalf of my constituents and the many dipnetters, thank you for your consideration – I also appreciate your service on the Board.

Sincerely,


Representative David Guttenberg

Anderson • Cantwell • Chena • Denali Park • Ester • Geist • Goldstream • Healy • Pike
University Campus • University Hills • University West
Representative_David_Guttenberg@legis.state.ak.us

CHITINA DIPNETTERS ASS'N.
1002 Pioneer Road
Fairbanks, Alaska 99701

RECEIVED
NOV 17 2008

Testimony before the BOF 10-9-08 Alpine Lodge BZRM's

On Proposal # 1==Support

The Chitina Dipnetters have always claimed they were subsistence users. We were subsistence user before the State of Alaska took over the management of the Fishery in 1960 with a limit of 200 salmon Sockeye or Chinook. After the Subsistence Law was passed in 1978 the Legislature in 1984 creating a Personal use Fishery and the BOF for the first time use C & T findings to reclassify the Chitina Dipnetters as a Personal Use Fishery which was wrong as the Legislature in Debate on the floor it was stated that the intent of the Legislature that the Dipnetters of Fairbanks would always be classified as subsistence users of this fishery. We were later put back as subsistence users and then at a meeting in Cordova we were again returned to Personal Use Fishery Standing which we are under today and this is why we support proposal # 1. The allocation of fish would not change the only thing is that we would be above the Commercial Fishermen or women at Cordova and would be protected from the closer of this fishery for other than a shortest of Salmon for escapement needs.

Proposal # 2== Appose

The only fresh water fish that may be needed for subsistence fish are Salmon, Whitefish or Suckers. The taken of what is knowing as sport fish and taken by rod & reel are not needed for subsistence needs.

Proposal # 3==Appose

The taken of fish in the closed waters of Crosswind Lake should not be change this is used by Sockeye Salmon of the Copper River Drainage. ALTHOUGH THEY ARE HATCHERY FISH THEY STILL TRY TO SPAWN AND THEY DO LAY EGGS BUT THEY DO NOT PRODUCE

VERY MANLY SMELT AND MOST OF THEM DO NOT LIVE . THE FISH ITSELF IS NOT IN A VERY GOOD CONDUCTION. AND IS ALSO NEEDED TO FERTILIZE THE LAKE FOR WHEN THEY PUT SMELT IN IT IN THE SPRING FROM THE HATCHERY.

Proposal # 4==Support

There is no limit to the number of King Salmon that could be taken by a net and if a limit was set it could not be keep because a net limit would not be known as it could be one or many more. If the Chitina dip net fishery does not qualify under the BOF application of C & T then Cordova Gillnet should not qualify.

Proposals # 8,9 &18====Appose

Proposals # 22 & 23== Support

Proposal # 24=== Appose

This proposal as a whole needs to be deleted. "If the Copper River District Commercial salmon fishery is closed 8 or (13 days as in the proposal of 2008 season) The harvest level is reduced to 50,000 salmon & no supplemental permits will be issued for the rest of the year. This whole proposal needs to be deleted. If there is enough fish by the counter then this fishery needs to keep fishing as the people that use this fishery need the fish for there winter needs.

Proposal # 25====Support

Proposal # 26====Appose

Proposal # 81====Support

The rest of the proposal that are apposed or supported are in my comments which were turned to the Board they go from # 107 to 132 there are some proposal in this group that il did not comment on.

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NOV 17 2008

BOARDS

Board of Fish proposals 2008

Wade Buscher
PO Box 1032
Cordova Ak 99574

I am a commercial fisherman, reside in Cordova, and rely on the PWS and Copper River salmon fisheries for my livelihood. I would like to take this opportunity to express some of my opinions regarding the 2008 BoF proposals. Thank you for reading/listening to my comments.

Prop 1; oppose I oppose reclassifying the Chitna Subdistrict as a subsistence fishery. To reclassify this 'personal use' fishery as a 'subsistence' fishery would be a complete injustice to the true subsistence user. Most personal use fishers make the long journey to the Copper River from as far away as Anchorage, the Matli Valley and Fairbanks - some of the most populated and developed regions in the state. So the question should be asked: should these users who have the ability to shop regularly at Costco and Walmart be given the same preference as those who live on or in close proximity to the Copper River, who have traditionally used the resource to subsist on or for their livelihood?

We all know how the game is played. Generally, those areas with the most constituents usually get their way in the end. How can a limited number of commercial fishermen compete with an ever growing number of dipnetters and fishwheel users? Must we always be on the defensive to protect our way of life from those who would take it away from us? Should we as commercial fishers accept the inevitability of our demise and give in to the pressures of urban growth? At what point does the game end?

Please keep 'personal use' personal use. For it is just that.

Prop 4; oppose

Prop. 17; support 200 salmon/single household and 500 salmon/2person household is excessive. More Alaskan residents on the Copper River means more pressure on a resource that is already fully allocated. Since it is unlikely that the number of permits issued will never be restricted, the only reasonable and 'rational' means of reducing pressure is to limit the number of salmon taken by each household.

Prop. 19; support This proposal would be a good start in gathering real time data to better manage and allocate the fishery resource. Daily reporting would substantially increase the accuracy of harvest numbers.

Prop. 22; oppose the salmon resource on the Copper River is already fully allocated.

Prop. 23; oppose

Prop. 24; support If the commercial fishery is closed for a substantial period of time to protect a weak target run, then it only makes sense to limit the upper river harvest fishery to protect the same weak target run.

Prop. 25; oppose

Prop. 26; support

Prop. 27; oppose Increased area would mean increased harvest on an already fully allocated resource.

Prop. 63; support

Prop. 68; oppose

Prop. 69-74; oppose These proposals would undermine the allocation plan (50/50 split of enhanced fish) that was agreed upon by both seiners and gillnetters in previous Board of Fish cycles. The allocative plan is meant to create balance when one gear type falls below a certain criteria (the trigger mechanism). The plan works.

Prop. 76; oppose

Prop. 77; support

Prop. 81; oppose

Prop. 102-106; support

Prop. 107-110; oppose

Prop. 111-113; support

Prop. 118-119; oppose Commercial fishers don't hide their catch in the snow banks - the bears would have a lay day.

COMMENT#

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Prop. 102-106; support

Prop. 107-110; oppose

Prop. 111-113; support

Prop. 118-119; oppose Commercial fishers don't hide their catch in the snow banks, the bears would have a hay day

Prop. 121; oppose PWS/Copper River commercial salmon fishermen target all species of salmon, not just sockeye.

Prop. 126; oppose

Prop. 128; oppose 5000 fish over the counter could mean a substantial number of fish will pass the sonar before commercial fishers have the opportunity to harvest the resource due to the lag time it takes for those fish to reach the sonar from the Delta

Prop. 129; oppose

Prop. 130; support

Prop. 131; oppose

Prop. 132; support

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COMMENT# 50

NOV 17 2010

Mr. Chairman and Members of the Board,

I appreciate your work for our fishery and taking the time to review my comments regarding Prince William Sound Salmon proposals. My name is Caleb J Preston. I was born Fairbanks Alaska in 1989 and am an Alaska resident. My granddad started set gillnetting in 1979 and my family, including my dad and my aunt Sarah Brown, has continuously fished since then. I have been a setnet permit holder since 2006.

All together, my family has nearly 85 years of combined experience in Set Gillnetting the Eshamy District.

Proposal 62 and 63 - Oppose

Both proposals request the removal of setnet buoys and running lines when not actively being fished, stating that our gear restricts drift gillnetting. Setnet buoys and running lines have not and will not prevent drift gillnet access to near shore areas.

For another thing, **ALL STATEWIDE SET FISHERIES DO HAVE RUNNING LINES AND ANCHORS IN PLACE FOR A REASON.** Even in other fisheries like Kodiak and Cook Inlet, it is imperative to have Setnet buoys and lines set in accordance with legal setbacks established for operation of adjoining setnets.

If setnet fishing gear is not deployed on a setnet site, there is ample space for deployment of drift gillnets in the areas adjoining setnet buoys and running lines.

NOTE—many drift gillnetters do like to “rock down” on the beach (which is likely illegal if more closely monitored). These few drift gillnetters find setnet gear burdensome in a few places since it interferes with this potentially illegal manner of fishing.

Anyway, this is and will continue to be common practice for operation of drift gillnets giving ample access to nearshore areas throughout the Eshamy district. At times, inattentive operation of drift gillnet fishing gear has resulted in problems, but is not reason enough to require removal of setnet buoys and lines.

As you are aware buoys and lines are essential components of setnet operations. It is common practice for SAFETY REASONS to have this gear in place (we are in small skiffs and if there's a blow, we have to use the lines to keep from being dashed onto the rocky beaches)

Also, in areas such as the Alternating Gear Zone many setnet operators, and myself, will deploy gear for short periods of time in the terminal fishing area and then relocate to alternate sites later in a given fishing period. I, and many others, have had the experience of moving setnet gear to a site which requires placing buoys and running lines and been denied access due to drift gillnet gear being deployed and the operator refusing to relocate, many times for the entire duration of a fishing period. Requiring removal of setnet buoys and running lines will guarantee additional conflict between drift and setnet operators as well as cause conflict between setnet operators as buoys and lines are the primary means of establishing and maintaining the use of a setnet site recognized by all.

In the past, other similar proposals have failed to be approved due to the impossible burden placed on setnet operators and legitimate safety concerns posed by requiring removal of setnet buoys and running lines.

ADF&G Protection has in the past also recognized the unenforceable nature of this proposal and opposed similar proposals. I and most other setnet permit holders will have buoys and running lines set in locations that allow us to fish on exposed coastlines. It is a common occurrence to have weather conditions that prevent fishing gear to be deployed on these sites during times of adverse weather. Again, this is a serious safety threat to setnet operators to impose regulations that would on a regular basis require the removal of buoys and running lines in adverse weather conditions.

Approval of this proposal would severely impact setnet operators; essentially denying mobility of operation and routinely place operators into the position of having to remove buoys and lines in unsafe weather conditions.

Also, in past BOF action the setnet operators have been prevented from accessing any portion of the Eshamy fishing district, outside of Main Bay, except that area directly adjoining tidelands. Prior to the requirement that a setnet be attached to the mainland shore above mean low tide the setnet users had access to all waters of the Eshamy district, but this was deemed as denying access to offshore areas to the drift gillnet users. This is not now the case, and only the waters within 600 feet adjoining mainland tidelands is the portion open to setnet gear; legally denying setnet access to over 90% of the waters of the Eshamy fishing district to the setnet user group. Further reduction of setnet access to the tideland areas by limiting the placement of essential gear is not necessary for the success or viability of the drift gillnet user group. **Attentive deployment of drift gillnet gear in nearshore areas provides access to all nearshore areas not actively being fished by setnet gear, no additional regulation is needed to secure this use for the drift gillnet users.**

Proposal 65 and 66-Support

In the main Eshamy district, whereby the setbacks between adjoining setnets is 100 fathoms, the distance setbacks between setnet and drift gillnets was requested by ADF&G Protection to be set at 60 fathoms in order to eliminate the existing conflicts. This was approved by BOF action, and the conflicts have been reduced except in that area of Main Bay where the setbacks between drift and setnet gear was not addressed by the ADF&G proposal. **Approving this proposal would standardize the setback regulations throughout the district and reduce the conflicts that result from not having consistent regulation.**

Proposal 67-Support

More clearly stating the alternating periods accurately reflects past and current management.

Proposal 68-Oppose

Impractical, and unpredictable; if approved, the outcome would be highly allocative.

Proposal 75 and 80-Oppose

These two proposals were submitted by the same party, and state that the setnet gear group is far above an acceptable harvest level. An accurate look at catch data shows that currently the setnet harvest reported by the latest COAR report shows the setnet harvest three tenths of a percent over the trigger for reduced fishing time. Reduced fishing time for the setnet gear group triggers at 5%, and current COAR data shows the setnet harvest at 5.3%. With the greatly reduced fishing time after July 10 that occurred for the setnet group this past 2008 season, the harvest for the setnet group will easily fall within the allocation designated without any further restrictions of setnet harvest.

In 2008, after July 10 the setnet user group experienced a 63% reduction in fishing time overall compared to the fishing time for the drift gillnet user group. After July 10 there was a total of 1128 hours of open fishing time in the Eshamy district; of those hours the setnet user group was restricted to 420 hours. This was triggered by the BOF compliance measures to bring the setnet harvest into compliance with the allocation plan. Further restrictions as proposed in proposal 80 would result in a further reduction in fishing time after June 10th. Had the proposed restrictions been in place for the 2008 season after June 10th the setnet user group would have been able to fish 144 hours of a total open hours of 456 hours opened to the drift gear group, a reduction in fishing time of 69%.

Reducing the setnet gear groups harvest time by 63% after July 10 as occurred in 2008 or reducing in the future by up to 69% after June 10 as proposed is not justified, and would serve to eliminate setnet harvest to the point of the fishery being non-viable for most permit holders.

Proposal 78 and 79-Support

Due to historical precedence, this is to increase the percentage at which the setnet user group experiences a reduction in fishing time from 5% to 7% in order to provide an equitable harvest that reflects the setnet current

and historical harvest of enhanced fish. 7% is a more accurate reflection of actual and historical harvest. Also, the 1% deviation from the allocation of 4% and a trigger for compliance measures at 5% is too narrow to actually allow for realistic compliance.

In addition, there have been unforeseen outcomes of applying the compliance measure of reduced fishing time after July 10. For one, there have been drastic changes in the management of the Eshamy district that multiply the effect of reducing fishing time to the setnet user group. At the time that the setnet compliance measures were approved in 2005, and in previous years, the average time fished per week after July 10 was 48 hours. The BOF to ensure compliance with the allocation plan reduced setnet maximum fishing time to 36 hours per week resulting in a reduction of fishing time of 25%. But, this past season and for the future there has been greatly expanded fishing time prior to and after July 10. As a result this past season after July 10 there was 1128 hours of open fishing up until the closure of the fishery. Of those open hours the setnet group was only allowed access for 420 of those open hours due to the BOF imposed compliance measure of 36 hours maximum fishing time per week. **Overall, the setnet group went from having a 25% reduction of fishing time to a 63% reduction in fishing time after July 10.**

A reasonable means to deal with this is to impose realistic compliance measure triggers that go into effect when there is a demonstrated excess harvest by the setnet users. The 7% trigger on a setnet allocation of 4% is a realistic scenario that reflects actual current and historical setnet harvest, and allows a reasonable margin of overage before these drastic compliance measures take effect. **Looking at the data above, a reduction by over 50% is drastic by any definition, there should be reasonable parameters that trigger these reductions.**

Proposal 82-Support

This proposal gives legal status to current practice that has little if any effect on any other users or user group.

Regards,
Caleb J Preston
(530) 339 1498

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Dear Mr. Chairman and Members of the Board. My name is Tom Aberle, and I have been a set gillnet fisherman in PWS for 24 years. Thank you for taking the time to serve on the board, and for giving me the opportunity to comment on different proposals.

Proposal 62 and 63- oppose

These two proposals advocate the removal of setnet bouys and running lines when not being actively fished. The rational is that this inactive gear in the water prevents the drift fleet from fishing the near shore areas. In my experience this simply does not appear to be true. I open the fishing periods far up in the head of Main Bay. Anywhere there are not active setnets being fished, there are driftfishers on the beach. Anyone who has witnessed an opening up near the hatchery terminal harvest area can attest to driftnet fishers everywhere on the beach. If a setnet is not being deployed at a site there is ample room for a driftnet.

The reason behind the extra running lines is not to try and block driftfishers. Setnetters, just like driftfishers, tend to move some nets during the course of an open fishing period. I might open the period up near the head of Main Bay for the cleanup of any built up fish, and then move a net to the outer district beaches for the remainder of the period. Having lines and bouys in the water make it practical and safe to do this.

During the 2008 season there was no cost recovery done in the Eshamy district. The entire district opened during fishing periods. Prior to the 2008 season, management of the district was much different. Only parts of the district would open or close, depending on the efficiency of cost recovery. Setnetters had to have lines and bouys ready in many different parts of the district in case that was what they were going to have open according to the twice weekly radio announcements. By necessity we had to have a lot of gear in the water. If the 2009 season is managed in the same way as the 2008 season, I believe you will see a lot less unfished setnet gear in the water because we will not have to worry about being moved all around the district for openings.

The two proposals state that we could unclip the bouys and sink the lines when we are not using the site. It is my belief this would increase rather than decrease conflict between the two user groups. If there are visible setnet lines and bouys and a driftfisher decides to fish in the immediate area, that fisher knows there is a possibility of a setnet being fished. If that same fisher sees no lines and bouys, and a setnetter shows up to set a net, there is a much larger chance of the driftfisher refusing to move, even though our permit allows us to fish from shore anywhere as long as we are legal distance from another setnet. In the late 90's I was fishing a net right on the corner of Nellie Juan. Because it was a high traffic area I took off the bouys and sunk the set during closures. On Thursday evening I went out to the site to get ready for an 8 p.m. opening.

There was a drift boat anchored right near my shore end. When I started to run out my line to attach my bouys this individual came unglued. This was his set seeing as how he had been anchored on this spot for 4 hours. Threats were made to me, including "I will **** with you forever! You will never catch another fish!" He then waked me with his driftboat as I was trying to set my net in a high current area. My crewman was ready to jump into the water because he was sure the driftfisher was going to get a gun from downbelow and shoot me. I never got my net set, and ran back to Main Bay with my tail between my legs. Troopers were called, and had to take the time to come and interview me in Main Bay, and travel to Cordova to interview the drifter. For reasons of safety I hope you will not approve either of these two proposals.

Proposal 64- oppose

This proposal wants to increase the distance between setnets to allow more drift fishermen to get to the beach. Currently setnets in the Eshamy district can be no closer than 100 fathoms from the next setnet. The Eshamy district from Nellie Juan light to Granite Bay has more than 25 miles of coastline. It seems hard to imagine that 29 setnetters fishing a maximum of three nets each can tie up 25 miles of coast. Also, many of the setnet sites are leased through the State of Alaska shore fisheries lease program. The criteria in the Eshamy district for this program have always been and still are setnets can be no closer to each other than 100 fathoms apart. Some of the registered setnet sites in PWS have been on the books since the start of the shore fishery lease program. Adoption of this proposal would throw the shore fishery lease program in PWS into chaos.

Proposal 65 and 66- support

Both proposals try to make the setback from setnets consistent throughout the Eshamy district and the Main Bay subdistrict. It seems like it would reduce conflict between drift and setnet user groups, if the rules were consistent throughout the district, but we have thought that for a long time and it has gone nowhere over the years.

Proposal 75 and 80- oppose

These two proposal were submitted by the same individual and contend that the setnet group is far above our allocation and need to be reined in with additional time restriction. Currently the allocation plan states that if the setnet group goes above 5% in a rolling five year average then after July 10th the setnetters are limited to no more that 36 hours per week. For the 2008 season the COAR report rolling five year average had the setnet group at 5.3%. So after July 10, 2008 we fished no more than 36 hours per week, a reduction of 63% fishing time compared to the drifters. In the PWS Salmon

fisheries 2008 report prepared by Jeremy Botz and Glen Hollowell and submitted to the board, after July 10 the set gillnet harvest declined to 1/3 of the previous week. Furthermore, this preliminary report sets the 2008 set gillnet harvest at 3%, which is below our allocation. The July 10th trigger seems to be working as our allocation has declined each year since its use as a management tool. Further restrictions to the fishing time of the set gillnet fleet seem unnecessary at this time.

Again, thank you for your time.

Respectfully,

Tom Aberle

429 W. 10th St.

Juneau, AK 99801

A handwritten signature in cursive script that reads "Tom Aberle".

COMMENT# 52



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I would like to offer the following comments on the two proposals that I submitted for consideration by the Board of Fish at the meeting in Cordova Dec 1 through Dec 7 2008

Proposal 60: Support

The Department has been using Emergency Orders to open additional area in Nelson bay and the Hawkins Island shoreline in years when we have adequate escapement in the Eastern and Southeastern districts. The quality of the fish in these areas has often declined by the time it is opened. This area was closed in the late 1960s when illegal fishing close to Cordova was an issue. That justification no longer exists. I have talked with local and regional Fish and Game staff about this proposal and support amending this proposal to address concerns. I would like to be involved in the committee that deals with this proposal.

Proposal 85: Support

The 200 mesh minimum requirement for seines in Area E prohibits fishermen from tapering the bunt end of a seine. A tapered bunt does not increase the effectiveness of catching fish with the seine, but does improve both quality and safety. The taper reduces crushing of fish and reduces stress on the rigging when bringing fish onboard. Some fishermen I have talked with have expressed concern about removing the minimum mesh requirement from the entire seine, and as a result I would support seeing this proposal amended to apply to only the Bunt end of a seine. I would like to be involved in the committee that deals with this proposal also.

Thank you for your consideration

Stephen C Riedel
Stephen C. Riedel

12300 Rockridge drive
Anchorage, AK 99516

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Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

November 17, 2008

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

Prince William Sound Board of Fisheries Proposal Comments: Sportfish

Chairman Jensen and members of the Board,

On behalf of the Groundfish Division of CDFU, I am submitting the following comments on Board of Fisheries sportfish proposals. I will also provide testimony during the Board meeting in Cordova, as will other members of our Division. Although the complete ADF&G PWS Area Recreational Fisheries Management Report was not available to the public as of November 16, ADF&G provided me catch and harvest tables for rockfish and lingcod from that report, and the data in those tables is used in these comments.

Proposal 87.

We SUPPORT ADF&G's proposal to standardize the regulatory area boundaries for commercial, sport and subsistence fisheries.

Proposal 89.

We SUPPORT this proposal to clarify the definition of "spear" and "speargun" for the PWS management area, and agree with the need to consider it at the Statewide Board of Fish meeting next year.

Proposal 90.

We OPPOSE this proposal to allow gaffing lingcod in the mouth, because it is not enforceable. Given the number of lingcod and rockfish that are caught and released in the PWS sport fisheries, we do not believe that conservation of these resources is well served by a regulation that could increase mortalities because it is impossible for enforcement to ensure that the technique is properly followed.

Proposal 92.

We SUPPORT this proposal to reduce the rockfish bag limit in the PWS management area, in order to reduce the overall sport fish catch and harvest of rockfish and to provide regulatory consistency between the PWS and adjacent North Gulf Coast management areas. ADF&G submitted this proposal in part to address concerns about the significant increase in the catch and harvest of rockfish over time. ADF&G staff comments on this proposal only provide a few recent summary figures and averages. We believe that a more

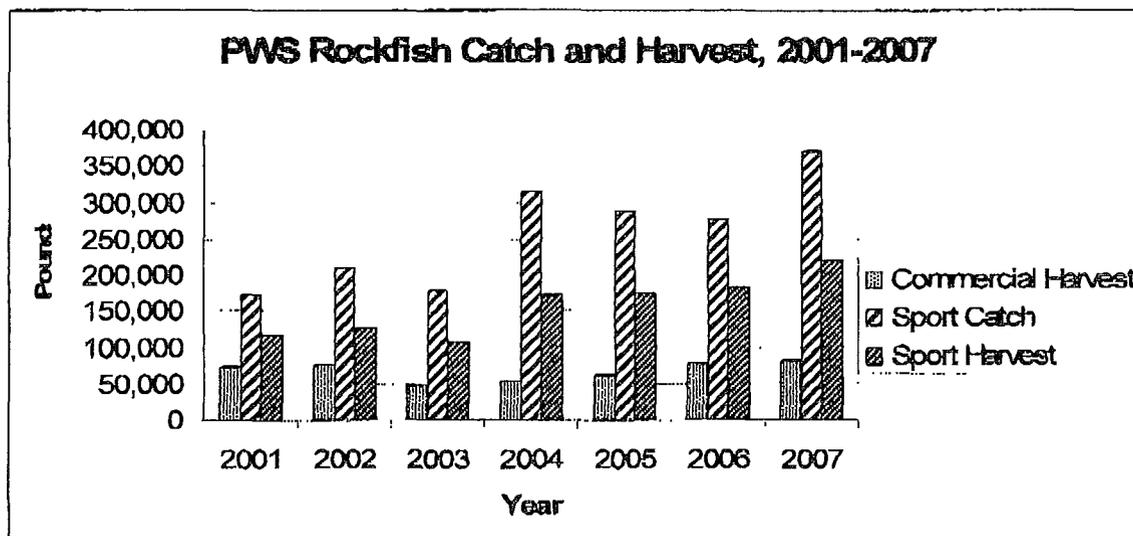
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complete and detailed presentation by ADF&G of the annual rockfish catch and harvest data by the guided and non-guided sportfish sectors is warranted to highlight the need to reduce the sportfish bag limit, and to explain the cause for these increases in catch and harvest.

We are concerned with the potential allocation issue that will arise from an increasing sportfish catch that now greatly exceeds the total commercial harvest. ADF&G reports that the most recent 5 year average (2002-2006) sportfish catch of rockfish is 45,756 fish, and the average number retained or harvested is 27,452 fish. At approximately 5.5 lbs per fish (unweighted average over 2002-2006), the total sportfish catch has averaged about 250,000 pounds during this 5-year period. In comparison, the average commercial harvest reported by ADF&G (Special Publication No. 8-12) over the same years is 62,505 lbs. The graph below shows the catch and harvest for each sector, and illustrates the increasing sportfish harvest over time. The commercial harvest data includes rockfish harvests and discards reported in all commercial fisheries.



In the absence of any management plans to limit sportfish effort - especially in the guided sector which probably contributes to the greater part of the rockfish catch increases - the Board of Fisheries will eventually face the decision to cap the combined sport, commercial and subsistence catch altogether, and allocate a portion to each sector. This has been the fate of other fisheries in the State of Alaska, and it will happen in Prince William Sound too.

We are especially concerned with the conservation issue arising from the very high mortalities associated with rockfish that are caught and released in the sportfish sector. Virtually all rockfish that are hooked and released are expected to die. Again, using ADF&G figures, the number of rockfish that die as a result of being hooked and released in the Prince William Sound management area by sportfishermen has averaged 18,304 fish in each year during the period 2002-2006. (45,756 catch - 27,452 harvest = 18,304 released.) This puts the discard mortality rate at about 40% percent of the total sportfish catch of rockfish. In terms of weight, this is about 100,000 pounds of rockfish that the sportfish sector has discarded on average each year, an amount that far exceeds the average commercial harvest of 62,505 pounds.

Both the high discard mortality rate and the total amount of rockfish discarded by the sportfish sector are unacceptable. It is time for the Board of Fisheries to establish more strict controls on the total catch and harvest of rockfish by the sportfish sector, as the Board has done in the commercial sector. In an effort to put strict controls on the commercial harvest of rockfish in 1997, the directed commercial fishery for rockfish in PWS was eliminated and replaced with a bycatch-only management plan. Since that time, the commercial GHL has remained capped at 150,000 lbs, and full retention of all rockfish is required. The total harvest has exceeded the GHL in only one year, 1997, and has remained well below it in subsequent years.

Proposal 93.

The Groundfish Division is NEUTRAL on this position at this time. We are not concerned that the level of rockfish harvested or the changes in rockfish harvested in the subsistence fisheries warrants a reduced bag limit. It is also not clear that the rationale provided by ADF&G in staff comments is valid. ADF&G comments imply that all Alaska residents are allowed to set a longline to catch more rockfish under subsistence regulations than under sportfish regulations, and therefore regulations for both should be the same. However, it is our understanding that the only Alaska residents who could use longlines to target rockfish are the residents of communities eligible to harvest halibut for subsistence under Federal regulations. In the PWS management area the eligible communities are Cordova, Tatitlek and Chenega, residents of which comprise only a small percentage of the fishing effort on rockfish. This needs to be clarified in order for the Board to take action on the proposal.

Proposal 94.

The Groundfish Division submitted and SUPPORTS this proposal to control the growth in effort, catch and harvest by charter vessels that do not hold Federal limited entry charter halibut permits. When the Federal limited entry halibut charter program is implemented, it will still be possible for charter vessels of unlimited size to operate in Prince William Sound under State regulations, targeting all species except halibut. The potential for uncontrolled growth in effort, catch and harvest, including the mortality of halibut, rockfish, and lingcod that are released, is high. This is particularly true in light of increased angler effort in PWS from the ports of Whittier and Seward.

The Federal halibut limited entry program is expected to be implemented in 2010. (And it is the National Marine Fisheries Service, not the International Halibut Commission, as ADF&G incorrectly states, that will manage the limited entry program.) Current and potential charter businesses who do not receive Federal limited entry charter halibut permits may still view Prince William Sound as an area of opportunity for party vessel operations carrying more than 6 passengers. This uncontrolled effort will further increase the catch and harvest of rockfish and lingcod, and the high mortalities of rockfish that are estimated to be close to 150,000 pounds in 2007. The catches of rockfish and lingcod are now more than 3 times greater and 4 times greater, respectively, for the recreational sector as a whole than they were in 1996. Unless some measure of control on this effort is implemented now, these increasing catches will become more difficult to control in the future, and ADF&G and the Board of Fisheries will have a harder time achieving resource conservation goals. It will also

impact the recreational experience of non-guided anglers, and make allocation and gear conflicts more contentious.

By limiting the growth of charter vessels carrying more than 6 clients, the proposal will protect the smaller 6-pack charter operators, charter operators who hold Federal limited entry halibut permits, and the unguided sportfishing sector. It will still allow for the development of new charter businesses carrying 6 or fewer passengers, and therefore does not stop growth in charter sector as a whole.

We are disappointed that in its staff comments ADF&G remains silent on the conservation and management benefits of this proposal. ADF&G has already indicated it has concerns about the steadily increasing catch of rockfish by the sportfish sector, evidenced by the Department's proposal (#92) to reduce the rockfish bag limit. We suggest that reducing the bag limit addresses only part of the cause of this increase in catch, and that measures to control effort are equally necessary to control the total catch and harvest.

ADF&G also states that this proposal is "highly allocative". We believe that taking no action is also highly allocative: as the number of charter vessels carrying greater than 6 passengers is allowed to grow uncontrolled, total removals by the sportfish sector will continue to rise, while those in the commercial sector remain within the commercial GHL. Total sportfish removals will then reach a level where ADF&G raises concerns about the total removals for select species like rockfish and lingcod, by all sectors. At that time, some members of the sportfish sector will view the reallocation of fish from the commercial sector to the sportfish sector as the solution to their ever-increasing catch. This pattern of fisheries resource use and conflict is well documented in the state. This proposal provides some assurance to the commercial sector that the Board of Fisheries recognizes that there are limits to growth in the charter sector, and that reasonable controls on that growth are necessary for conservation and allocation reasons.

Proposal 95.

The Groundfish Division submitted and SUPPORTS this proposal to prohibit sport fishing with electric and hydraulic gear in the Prince William Sound Management Area. Although use of this gear in PWS is currently low, we believe it is critical to address the issue before it becomes a common practice, and to reassert the traditional definition of sport fishing gear that emphasizes the experience of fishing, as opposed to one that emphasizes getting the most fish in the shortest period of time.

With increasing guided and unguided recreational harvests of groundfish resources in Prince Wm Sound operating out of Whittier and Seward, it is important to apply some measure of control on fishing gear to maintain a quality recreational experience for all users, and to minimize conflict with users of fully allocated species, such as black cod. These deeper dwelling species are fully allocated and harvested. Sport fish harvests are not figured into setting catch limits because they are species that have never been targeted by the sport sector. The proposal also maintains the use of traditional fishing areas by all user groups, thereby reducing the potential for conflict between user groups.

Exemptions to this proposal found under 5 AAC 75.038 will continue to provide handicapped anglers with the opportunity to use power-assisted reels.

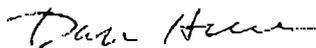
In particular, we encourage the Board of Fisheries to read the testimony submitted by SEAFA, which provides examples of restrictions and prohibitions placed on power-assisted reels in the sportfishing regulations of other states and countries.

Proposal 96.

At this time, the Groundfish Division is NEUTRAL on this proposal to allow the use of sport caught pink and chum salmon as bait. While the concept seems reasonable, we have several concerns. One concern is that if bag limits for pinks and chums remain unchanged, how will those bag limits be enforced if fish are used as bait and can't be counted? Another concern is whether liberalizing the use of pinks and chums for bait will lead sportfishermen to harvest in excess of bag limits, and to stockpiling excessive quantities, particularly those charter operators who are trying to reduce daily bait expenses.

Thank you for the opportunity to comment on these proposals.

Sincerely,



Dan Hull, Chairman
CDFU Groundfish Division

COMMENT# 59

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Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

November 17, 2008

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

Prince William Sound Board of Fisheries Proposal Comments: Groundfish

Chairman Jensen and members of the Board,

On behalf of the Groundfish Division of CDFU, I am submitting the following comments on Board of Fisheries groundfish proposals. I will also provide testimony during the Board meeting in Cordova, as will other members of our Division.

Proposals 29 and 30.

The Groundfish Division agrees with the intent of both proposals to extend the fishing season in order to reduce predation of black cod by Orca whales. The proposals also provide permit holders more time to catch their quotas and a better opportunity to schedule participation in this fishery in relation to other fisheries during the overall fishing season. However, we SUPPORT proposal 30 as the better solution. Proposal 30 was developed in consultation with a number of permit holders, many of whom also drift gillnet for salmon on the Copper River. Providing adequate fishing time for permit holders who participate in both fisheries has always been a significant factor in considering the starting date for this fishery, as the current March 15 starting date indicates. Given that the Copper River salmon fishery opens around the middle of May, the May 1 starting date in Proposal 29 does not give black cod permit holders adequate time to make a concerted effort to catch their quota, and then reconfigure their vessels for the gillnet fishery. Fishermen have noted that while predation by Orca whales may be higher overall in the spring compared to the summer, it does vary from week to week throughout the year. Simply put, the starting date of April 15 in the spring is warranted given this variability in predation. We recommend that agreement on fishery dates and the implication for sampling harvests by ADF&G be discussed in Committee B.

Proposal 31.

We SUPPORT this housekeeping proposal, submitted by ADF&G. It is reasonable to reference the prior notice of landing and logbook requirements currently in the black cod fishery as a part of the general harvest, possession and landing requirements for the fishery.

Proposal 32.

As the proposal is written, we understand that the intent is to increase the GHLL by opening the directed fishery for lingcod from July 1 to December 1, and change the bycatch rate of lingcod caught in all other PWS groundfish fisheries. ADF&G comments do not appear to

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COMMENT# 54

address the real intent of the proposal to increase the GHL by lengthening the season for the directed fishery considerably, irrespective of the current GHL. At this time, we remain NEUTRAL on changing the season and the bycatch rate, but SUPPORT the intent of the proposal to increase the GHL, pending discussion in Committee B.

This proposal highlights the need to conduct an assessment of lingcod stocks or use other measures to estimate abundance, and to increase the commercial GHL. Based on fishermen's observations on the grounds, as well as the increasing sportfish catch and harvest over time, we believe that the current commercial GHL of 32,600 lbs (Inside and Outside Districts combined) does not reflect the harvestable surplus that is available, and that it is set artificially low. The sportfish catch has increased from about 237,000 lbs in 2001 to almost 600,000 lbs in 2007, according to ADF&G data. We strongly encourage the Board of Fisheries to consider increasing the commercial GHL as intended in this proposal, and recommend that discussion of this increase occur in Committee B.

Proposal 33.

We SUPPORT this proposal. This was submitted by the CDFU Groundfish Division, many members of which also participate in the PWS drift gillnet salmon fishery. This proposal will clarify regulations, reduce wastage, and improve reporting of lingcod taken incidentally in the Copper River drift gillnet fishery. We strongly recommend that this incidental harvest be accounted for separately from the current lingcod GHL. As noted above in Proposal 32, we believe that the current lingcod GHL is very low relative to the harvestable surplus of lingcod that is available in the PWS management area. Separate accounting of the incidental harvest in the drift gillnet fishery will encourage accurate reporting and eliminate the unnecessary allocative implications of counting the incidental harvest against the GHL, which is currently taken primarily as bycatch in the directed halibut longline fishery.

Proposals 34 and 35.

Both of these proposals would restructure the parallel season for Pacific cod in PWS in order to provide directed fishing opportunities that are not available to longline gear under the current management plans. The Groundfish Division has not discussed these proposals and remains NEUTRAL at this time. Generally we support proposals to improve fishing opportunities on the harvestable surplus of stocks that are not being harvested under current management plans, provided that impacts on other species and gear groups is acceptable. Under these proposals the bycatch by longline gear would increase, and the State waters Pacific cod allocation would be "stranded". At this time we recommend these proposals be discussed in Committee B.

Proposal 36.

This proposal would remove any limits on retention of Pacific cod while longlining for halibut in the PWS management area, provided that vessel operators are in possession of a CFEC miscellaneous finfish permit. The proposal addresses the fact that harvests of Pacific cod in both the parallel and State waters fishery have declined significantly and the belief that the current management plans do not provide fishermen with an adequate opportunity to harvest Pacific cod in the PWS management area. The Groundfish Division has not discussed this proposal and remains NEUTRAL on it at this time. This proposal should be taken up in Committee B, and discussed in relation to Proposal 37, which addresses the same issue, but puts a limit on the bycatch of Pacific cod in the directed halibut fishery.

Proposal 37.

This proposal would increase the bycatch allowance for Pacific cod to 20% in the directed halibut and blackcod fisheries in PWS, and allow an additional 20% for other species. It would not change the 10% limit on rockfish. The Groundfish Division submitted and SUPPORTS this proposal, and believes it should be discussed in Committee B along with Proposal 36 as a way to provide fishermen greater opportunity to harvest Pacific cod that are not currently being harvested under either the Federal parallel or State waters Pacific cod management plan. This proposal will reduce the waste that occurs when fishermen discard Pacific cod in excess of the bycatch limits.

It should be noted that in Federal waters, the bycatch allowance for Pacific cod in the directed halibut fishery is 20%, and is set separately from the bycatch allowance for rockfish, skate and other species.

Proposal 38.

The Groundfish Division SUPPORTS this proposal to open the Eastern Section of the Outside District to the state waters Pacific cod season. We recommend that it be taken up in Committee B to discuss the potential bycatch of Dungeness crab, and potential gear conflicts with the Copper River salmon drift gillnet fleet.

Proposal 39.

The Groundfish Division submitted and SUPPORTS this proposal as a way to increase pot fishing opportunity for Pacific cod within PWS and close to Cordova.

Proposal 40.

The Groundfish Division SUPPORTS this housekeeping proposal submitted by ADF&G. This would incorporate the current requirements of a commissioner's permit into regulations of the Pollock trawl management plan.

Proposal 41.

The Groundfish Division has not discussed this proposal to establish a year-round skate fishery and remains NEUTRAL on it at this time. Under this proposal bycatch by longline gear would increase. Currently, the Division and other members of the industry are working with ADF&G to develop an experimental skate fishery in the PWS management area, to begin in 2009. Any consideration of this proposal should take the development and results of the experimental fishery into account.

Proposal 42.

The Groundfish Division has not discussed this proposal to establish a directed fishery for spiny dogfish and remains NEUTRAL on it at this time. We recommend that the proposal be taken up by Committee B, especially in consideration of ADF&G's support for increasing the bycatch rate of dogfish to 35% in other groundfish fisheries as an alternative solution. Under this proposal bycatch by longline gear would increase.

Proposal 43.

The Groundfish Division recommends taking NO ACTION on this proposal. It's not clear to us how the Board would benefit from this action. If the Board adopts the proposal, it would eliminate part of the regulatory framework the Board uses to evaluate the merits of groundfish proposals. We note that ADF&G recommends it would be better taken up during the statewide finfish meeting.

Thank you for the opportunity to comment on these proposals.

Sincerely,



Dan Hull, Chairman
CDFU Groundfish Division



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NOV 17 2008

BOARDS

BOARD SUPPORT SECTION
PO BOX 115526
JUNEAU, AK 99811

FRED DEISER
351 S SEWARD MERIDIAN
WASILLA, AK 99654

Nov. 16, 2008

Please enter these Board comments for PWS meeting.

SUBSISTENCE PROPOSALS:

I support # 5

I support # 17

I support #19

I support #20

I oppose # 1

I oppose # 8

I oppose # 9

I support # 16

I have fished commercially for 35 years. I have never brought home more than 15 fish per family member, and my family eats more fish than the average family. None goes to waste.

I believe there is way to much waste occurring under the current harvest limits. Any family needing more fish should qualify to participate under federal guidelines.

Sincerely,

Fred Deiser

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47

COMMENT# 55

BOARD SUPPORT SECTION
PO BOX 11526
JUNEAU, AK 99811

FRED DEISER
351 S SEWARD MERIDIAN
WASILLA, AK 99654

Nov 16, 2008

Please enter these Board comments for PWS meeting.

PERSONAL USE PROPOSALS:

I support # 24

I support # 26

I oppose # 22

I oppose # 25

I oppose # 27

Sincerely



Fred Deiser

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2/7

COMMENT# 55

BOARD SUPPORT SECTION
PO BOX 115526
JUNEAU, AK 99811

FRED DEISER
351 S SEWARD MERIDIAN
WASILLA, AK 99654

Nov 16, 2008 :

Please enter ~~these~~ Board comments for PWS meeting.

SHELLFISH PROPOSALS:

I support # 44

I support # 45

I support # 46

I support # 54

I support # 56

I oppose # 53

Sincerely



Fred Deiser

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3/7

COMMENT# 55

BOARD SUPPORT SECTION
PO BOX 115526
JUNEAU, AK. 99811

FRED DEISER
351 S SEWARD MERIDIAN
WASILLA, AK 99654

Nov 16, 2008

Please enter these Board comments for PWS meeting.

MAIN BAY MANAGEMENT PLAN PROPOSALS:

I oppose # 65

I strongly support # 62

As a drift gill-netter I have considered giving up fishing the Main Bay district because of the problems arising from excessive unused buoys in the waters of this district.

I strongly support # 63

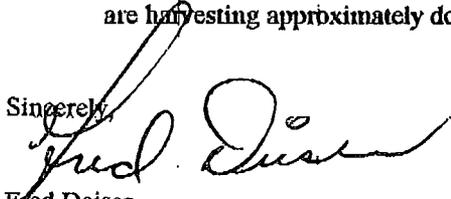
I strongly support # 64

This proposal would allow drift gill-netters a small window to fish between all set net sites. It would further help to alleviate the imbalance in the Allocation Policy. Set netters are mandated to catch 4% and are coming close to double that percentage in recent years. The drift fleet is being denied access under the current regulations to the beaches in this district.

I strongly oppose # 66

This proposal further restricts drift gillnets from any use of beach sets in this district. It's effect would be to increase the set net catch and decrease the gill net catch at a time when set netters are harvesting approximately double their allocation percentage.

Sincerely,


Fred Deiser

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4/7

COMMENT#

55

BOARD SUPPORT SECTION
PO BOX 115526
JUNEAU, AK 99811

FRED DEISER.
351 S SEWARD MERIDIAN
WASILLA, AK 99654

Nov. 16, 2008

Please enter these Board comments for PWS meeting.

PWS MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN:

I oppose # 69

I oppose # 73

I oppose # 74

I strongly oppose # 71

This would allocate additional salmon to the seine fleet at time when they have exceeded their allocation percentage. This would further create gear conflict between the drift fleet and the seine fleet.

I strongly oppose # 72

These fish are fully utilized by the gill-net fleet.

I strongly support # 75

All gear groups agreed to live within the parameters of the Allocation Policy. It is human nature to want more. With a fully utilized salmon allocation pie if one group is asking for a bigger piece of the pie-, another group is losing their share. It is only fair that the set netters be required to live within their PWS historic Allocation percentage.

I strongly oppose # 76

This is an unworkable proposal. Seiners are highly efficient compared to a drift gill-netter.

I strongly oppose # 77

The original Allocation Plan provided the opportunity for the drift gill-net fleet to produce enhanced Coho at Ester hatchery. The language in the original Allocation Plan stated for the explicit benefit of the drift gill-net fleet.
I was involved as a drift gill-netter in helping to negotiate with the seiners the dates and corridors of the original Allocation Plan. The intent of the plan was to allow the seiners to harvest their pinks and the drift fleet to harvest coho produced for the drifters.
At the table, the seiners were concerned about harvesting late returning pinks. They did not want a firm date. In recent years, we have seen a significant harvest of Coho by a handful of seiners who would not be fishing these waters based only on the numbers of pink salmon they were catching.
I believe this proposal is not allocative and is trying to achieve the original intent of the Allocation Policy. "The seiners catch pinks--The drifters catch Coho"
As pointed out by the proposal, Fish and Game could always use their emergency order authority to allow seiners to harvest any unusually late pink returns.

I strongly oppose # 78

We all want a bigger piece of the pie but it has to come from another gear group.

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COMMENT# 55

How will they be compensated for their loss? We all agreed a long time ago to
The Allocation Policy percentages.

I strongly oppose # 79

Set netters are simply asking for fish already allocated to the drift and seine fleets.

I strongly support # 89

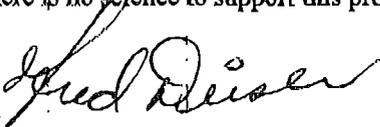
This is necessary to allow drifters an opportunity to catch their Allocation percentage of
enhanced fish.

I strongly oppose # 81

There is no science to support this proposal.

Sincerely

Fred Deiser



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6/7

COMMENT# 55

BOARD SUPPORT SECTION
PO BOX 115526
JUNEAU, AK. 99811

FRED DEISER
351 S SEWARD MERIDIAN
WASILLA, AK. 99654

Nov. 16, 2008
Please enter these Board comments for PWS meeting.

FISHING GEAR AND VESSELS PROPOSALS:

I oppose # 82
I oppose # 83
I oppose # 84
I oppose # 85
I oppose # 86

PRINCE WILLIAM SOUND PROPOSALS:

I oppose # 96
I oppose # 97

COPPER RIVER SALMON PROPOSALS:

I support # 106
I have personal knowledge of Ahtell Creek. The current returns will not support a sport catch.

RESIDENT SPECIES PROPOSALS:

I support # 118
I have only taken my home pack fish out of my commercial catch.

I oppose # 119

FISHING GEAR PROPOSAL:

I oppose # 121

COPPER RIVER MANAGEMENT PROPOSALS:

I oppose # 128
This would create severe economic consequences to the drift gill-net fleet

I oppose # 131

I Support # 132

Sincerely



Fred Deiser

COMMENT# 55

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7/7

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NOV 17 2008

BOARDS

To: Alaska Board of Fisheries
Re: PRINCE WILLIAM SOUND/COPPER RIVER
(AREA E) PROPOSALS-CORDOVA BOARD MEETING

November 17, 2008

From: Lloyd Montgomery
275 Crestwood Drive
Wasilla, AK 99654
907-357-7294

Dear Board Members,

I'm a life-long Copper River and Prince William Sound fishermen, born in Chenega village in Prince William Sound and have been fishing commercially since I was 7 years old.

I am writing you to ask that you support the opinions put forth by gillnet division representatives from CDFU as they compile their opinions from over 500 commercial fishing gillnet members, who base their livelihood on the Copper River and Prince William Sound (Area E) fisheries. The opinions of the gillnet division are the result of several meetings with local Advisory Council, the Department of Fish and Game, the PWSAC and different user groups.

I support CDFU's gillnet division on all of their opinions of the proposals, as they have been thought out carefully after considering first, the resources, and then all user groups and the effects they have on those groups. History should be considered, because we have been commercial fishing on the Copper River for over 110 years and the resource is still strong. There is a document on the wall from the state legislature at CDFU congratulating them on over 100 years of commercial fishing out of Cordova. I think it is from about 1996.

Many upper Copper River user groups and individuals over the years are always trying to think up ways to put the commercial fleet out of business, whether it is time, area or gear. We are already limited so much that it is hard to make ends meet, so please consider our livelihood and our contribution to the State of Alaska's economy, before implementing any further restrictions. Thank you,

Lloyd Montgomery
275 Crestwood Drive
Wasilla, Alaska 99654
907-357-7294

COMMENT# 56

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To: Alaska Board of Fisheries

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NOV 17 2008

Re: PRINCE WILLIAM SOUND/COPPER RIVER
(AREA E) PROPOSALS-CORDOVA BOARD MEETING

BOARDS

From: Robert A. Martinson
900 Iroquois Drive
Wasilla, AK 99654
907-373-2627
danse@gci.net

November 17, 2008

Dear Board Members,

I am the former chairman of the gillnet division for Cordova District Fishermen United and served on the board from 1996 to 2001. I'm a life-long Copper River and Prince William Sound fishermen, as was my father for 40 years.

I am writing you to ask you to put a heavy weight on the opinions derived by gillnet division representatives from CDFU as they compile opinions from our diverse group of over 500 commercial fishing gillnet members, who base their livelihood on the Copper River and Prince William Sound (Area E) fisheries. The opinions made by the gillnet division is also derived from the compilation of several meetings with local AC, the Department of Fish and Game, the Prince William Sound Aquaculture Corporation and different user groups, and some of them within CDFU.

I support CDFU gillnet division on all their opinions of the proposals that they have put forward as they have been thought out carefully considering first, the resource, and then all user groups and the effects, whether detrimental or beneficial, to those groups. History is also taken into account, as it should be in deciding these matters, because there has been a commercial fishery on the Copper River for over 110 years and the resource is still strong.

CDFU has never gone out of its way to remove access to rightful user groups and doesn't waste anyone's time in doing so. I have seen many groups and individuals over the years that think up ways to make life difficult for the commercial fleet, whether it is a removal of time, space (area), or gear.

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COMMENT# 57

Page 2(martinson)

SPECIFIC PROPOSALS:

This year for instance (**Proposal #121**), in a good example of wasting the board's time, and ours, someone wants to take away gaff hooks and dipnets from our vessels in landing King salmon. This proposal is an obvious opposition from the commercial side and should be rejected. The resource, once caught should be landed safely and securely, so it isn't wasted and most importantly for our markets, quality is insured by the use of dipnets. These fish are caught only by mouth, fin and twisting in the gear. We were historically allowed to fish with king gear if we preferred to and this made it a gamble, because sometimes the king run was small and the plentiful sockeye swam through the net, so if there were a lot of sockeye, the guy with king gear might not catch anything to pay for his fuel. Then the use of king gear was taken away to let more kings upriver and this severely cut some of the income to the fishermen, the community and the state. We are now only allowed to catch the incidentally caught king salmon and this in my opinion is wrong. **The tool that most limited our catch was limiting our fishing time and area, which is already a part of the current management.** When I began fishing we always got a 48-hour opener on Monday followed by a 36-hour opener on Thursday night. Now we are lucky to get a 12-hour opener during the month of May! This isn't fair, because the resource isn't in danger, but because new, upriver users are always trying to take more for themselves through re-allocation of stocks. There were no guided fisheries on the Gulkana and large motor homes with freezer vans towed behind them weren't coming to Chitina. If there is a resource concern, of course, we are instantly shut down, or limited by time and/or area. **We are under very strictly limited working parameters already. The gaff and the dipnet are simply how we pull the fish aboard, once it is caught.**

Please contact me if you have any questions, Thank you,

Robert A. Martinson
900 N. Iroquois Drive
Wasilla, AK 99654
907-373-2627
danse@gci.net

COMMENT# 57

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NOV 17 2008
BOARDS

To the Alaska Board of Fisheries,

Thank you for your time. I support the Cordova District Fishermen United's Gillnet Division positions regarding the CR/PWS proposals presented for consideration during the BOF meeting December 1-7 2008 in Cordova. I believe it is important for the BOF members to weigh these positions with due consideration as CDFU is the voice of the commercial fisher people most interested in presenting a united force to preserve and enhance our sustainable fishery. You have a lot of power, I hope you are able to use science above politics to ensure and preserve the best possible utilization of our fishery resources.

Sincerely, William O Evans 3411 Willow Place Spenard Alaska 99517 Tel: 907-244-8676

COMMENT# 58

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NOV 17 2008

BOARDS

From: brent davis <bdavis_ak@hotmail.com>
Subject: board of fish
Date: November 17, 2008 12:52:04 PM AKST
To: Beth Poole <beth@copperrivermarketing.org>

Board of Fish,

I am a cordova fisherman. I have a wife and two children and we reside in Cordova. Thank you for taking the time to be part of this important process. Regardless of the outcomes of any of the proposals this session I respect the commitment that the board makes to fishery issues in the state. I would also like to commend the Alaska Department of Fish and Game for their ongoing dedication to the sustainable management of the areas salmon fisheries.

Basically, I do not feel that management needs to change dramatically in regards to the salmon fisheries in the PWS and Copper River. As fisherman we have proved that we are part of a well regulated, highly managed state resource. Please see below my position on this sessions proposals.

I support prop. 5,6,7,8 (but amend to read May 10 instead of May 1),
10,11,12,15,17,19,20,24,26,62,63,67,75,100,102,104,106,111,112,113,120,127,
130,132.

I oppose prop.
1,4,13,22,23,25,27,65,66,68,69,70,71,72,73,74,76,78,79,81,82,83,84,86,107,108,109,110,118,119,121,1
26,128,129,131.

Specifically, in regards to proposals 69-74, i strongly oppose changing the allocation between the gillnetters and seiners. We should stick with the existing triggers. They were agreed upon by both parties previously and should stand. There are also many false and misleading statements contained in these proposals.

Thank you for being in Cordova, and taking my comments.

Brent Davis
PO Box 1171
Cordova

COMMENT# 59

ALASKA FUN CENTER

1817 College Road
Fairbanks, aK. 99709

www.alaskafuncenter.com

Date: Feb. 8, 2008

To: Governor Sarah Palin
Joe Michele

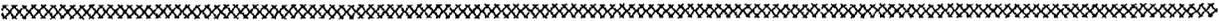
FAX Number: (907) 451-2858

From: Bill Larry

Our Phone: (907) 452-3455

Our FAX: (907) 451-8134

of pages including cover

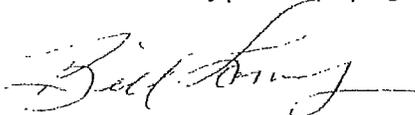


Notes:

Please Review This

I thought this needed to be brought to the Governors attention. Fish and Game has made no effort to publicize this. In fact they seem to be trying not to get the publics attention. What research has been done? What are the potential long term effects? How about on Pike, Eagles, Bourbot, Salmon and other animals that feed on these trout. This will be getting into out water table. Who wants their children to eat this stuff? We do not need "Genetically altered" anything please!

A proposal to change this policy has been submitted by Bill Larry and Ralph Seekins. However It will not even be considered till next year. We feel that action needs to be taken to prevent the implementation of this program before it begins. The public does not want any part of this program.

Thanks 

Bill Larry, Fairbanks Fish and Game Advisory Committee Member

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FAX Transmission

NOV 17 2008

Please call to confirm **BOARDS**

Please respond by return fax

Call only if transmission is not complete

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COMMENT# 60

Alaskans don't want 'Frankenfish'

The Alaska Department of Fish and Game is making and stocking genetically altered fish in Interior Alaska lakes. It is also using the hormone testosterone to change female fish into males. The department justifies this program because it makes the fish sterile.

There are a few things wrong with making genetically altered fish and using hormones in our state-run sport fish hatcheries.

Alaskans don't want to catch genetically altered fish and we don't want these "Frankenfish" on the family dinner table. Alaskans don't want Fish and Game using hormones or releasing the hormones into our streams and potentially endangering fish, wildlife and human health.

We want natural fish and clean water. But Alaskans are talking about paying to build two new state sport fish hatcheries to produce genetically altered fish and put hormones into the water.

The Sport Fish Division director has said he backs this program supposedly so stocked rainbow trout will not escape and create a feral population somewhere in Interior Alaska. There is not much chance of that happening.

Rainbow trout have been stocked for more than 50 years in lakes in the Interior. Over time, some rainbows have escaped, and a few were even caught by anglers in local streams. But no feral populations have been established.

Rainbow trout don't do well in streams in the Interior because the climate is too harsh and the habitat is not suitable. The Interior belongs to northern pike and burbot — two of the most vicious predators around. Any fugitive rainbow trout will have a short life.

The Department of Fish and Game has conducted the sterilization program outside of public view and there has been no opportunity for the public to make comments regarding the choice to sterilize fish.

Now the sport fish director has decided to genetically alter all the fish that are stocked in our lakes.

He is able to do this because he has disregarded public involvement. Basically, the policy making process under his leadership is neither open nor transparent. Apparently, similar to others in Fish and Game, the director knows what is best for Alaskans.

What the director will accomplish is to scare away Alaskans from stocked fish.

Bill
Larry



Community Perspective

Some will stop fishing and others will switch to wild stocks. With the prospect of catching Frankenfish, a number of Alaskans may be put off entirely from even thinking about sport fishing.

The result will be less money for local economies and more pressure on wild stocks — the exact opposite of what Fish and Game says it wants to accomplish by providing stocked fish.

Alaska hatcheries use two processes to create sterile fish.

Testosterone is administered to female fish by adding it to fish food to change their sex. The testes of these sex-changed fish are removed and the milt, which has only X-chromosomes — as opposed to X- and Y-chromosome milt of normal males — is used to fertilize eggs to produce females only.

These females could reproduce if a male was present, however, so heat or pressure is applied shortly after an egg is fertilized to make triploid fish (a fish with three sets of chromosomes instead of the normal two sets). These fish can't reproduce. It is less likely that a population of sterile all-female fish can establish a feral population.

Water that is laden with the hormone testosterone flows from the Anchorage hatchery into Ship Creek and could impact native fish. But Fish and Game shows more concern about minor improvements to protecting the genetic integrity of wild fish.

People should be more concerned with the water. We don't want Fish and Game contaminating the water with hormones.

Triploid fish are genetically altered (this term is used in the Fish and Game stocking policy). People don't like food (plant or animal) that has been genetically altered. Anglers don't want to catch genetically altered fish and they don't want their families eating genetically altered fish. People want fish to be wild and natural as possible, especially when it ends up on the dinner table.

Bill Larry is a member of the Fairbanks Fish and Game Advisory Committee.

"Buckley spent most of his infancy working on his memoirs," I wrote in my faux-biography. "By the time he had learned to talk, he had finished three volumes: 'The World Before Buckley,' which traced the history of the world prior to his conception; 'The Seeds of Utopia,' which outlined his effect on world events during the nine months of his gestation; and 'The Glorious Dawn,' which described the profound ramifications of his birth on the social order."

The piece went on in this way. I noted that his ability to turn water into wine added to his popularity at prep school. I described his college memoirs: "God and Me at Yale," "God and Me at Home" and "God at Me at the Movies." I recounted that after college he had founded two magazines, one called The National Buckley and the other called The Buckley Review, which merged to form The Buckley Buckley.

I wrote that his hobbies included extended bouts of name-dropping a going into rooms to make everyone else feel inferior.

Buckley came to the University of Chicago, delivered a lecture and said "David Brooks, if you're in the audience, I'd like to offer you a job."

That was the big break of my professional life. A few years later, I went to National Review and joined the hundreds of others who have been Buckley proteges.

I don't know if I can communicate the grandeur of his life or how overwhelming it was to be admitted into it. Buckley was not only a giant celebrity, he lived in a manner of the haute monde. To enter Buckley's world was to enter the world of yachts, limousines, finger bowls at dinner, celebrities like David Niven and tales of living at Gstaad.

Buckley's greatest talent was friendship. The historian George Nash once postulated that he wrote more personal letters than any other American, and that is entirely believable. He showered affection on his friends, and he had an endless string of them.

He asked my opinion about this as he did with all his young associates, and he worked hard on polishing my writing. My short editorial would come back covered with his ink, and if I'd written one especially badly there might be an exasperated comment, "Come on, David!"

His second great talent was leadership. As a young man, he had corralled the famously disputatious band of elders who made up the editorial board of National Review.

Editor

money I had saved

who did this wonder-
c youl
will pay it forward.
aska is all about
de.

during his career. Makes you feel a little embarrassed to be part of the entertainment industry.

It is more important to be skinny and pretty than to be friendly and caring. It is more important to have the latest electronic gizmo, classy clothes, fantastic car, than it is to do something real. Heaven forbid reading a book, learning to paint, composing good

some of the wildest land in the White Mountains. And USFW does not foresee this road being open to Alaskans — industry only.

USFW's proposal mandates a pipeline across Beaver Creek and contains oil spills within the normal range for North Slope production. This means spills of roughly 11,000-59,000 gallons per decade. While the proposal suggests

413

COMMENT # 60

NEWSPAPER APRIL 7/08

LOOR

TO THE

Editor

ing for primaries, the political parties must fund and run their own caucuses. In 1980, the then Democratic-majority Alaska Legislature made Alaska a primary state; in 1984, the newly Republican-dominated Legislature rescinded that law before Alaska could hold its first presidential primary. If you want Alaska to hold primaries instead of caucuses, tell your representatives in Juneau. Only they have the power to make that change.

Newman's letter concludes by imploring readers to "make the Democrats deal with this in a fair way." The only way to "make" a political party do something is from within. I invite everyone who wants to see change to get off the sidelines and get in the game. Democracy is not a spectator sport.

David Valentine
Chair, Interior Democrats
Ester

Call your reps

April 4, 2008

To the editor:

In response to the letter about the high energy cost/fuel oil.

Is it just me or does anyone else find it strange that our Juneau folks offered a rebate to offset our plight? Where does that money come from? Why not offer an amendment that allows us the right to buy our fuel products at fair market value instead of what we've been taking for the last 27 years?

I don't trust government subsidies. They generally attempt to under-compensate for previously forgotten egregious behavior by our government in

an attempt to pull the wool over the eyes of the flock.

The only way to solve this problem is to call your legislator and senator often and request a constitutional amendment. Please call. It could potentially save us all as much as 40 cents per gallon at the pump. The choice is yours. Now that would be an economic stimulus package!

Jon Odsather
Fairbanks

Roaming polar bear

March 29, 2008

To the editor:

So! If I see a T-Rex in my yard, am I supposed to shoot it?

Tim Prusak
Fairbanks

'Frankenfish'

April 2, 2008

To the editor:

A recent Associated Press article in the Daily News-Miner pointed out that fewer and fewer people are participating in hunting and fishing activities. Kids especially are opting for video games over fishing poles.

Another recent article described how pharmaceuticals are getting in to our streams and lakes. Biologists are horrified about the effects that sex hormones are having on fish, wildlife and possibly even human health.

Last week Cora Crome in the governor's office sent a letter informing me that the small amounts of testosterone that the Alaska Department of Fish & Game uses to sex-reverse female fish is inconsequential and I should have no

need for worry.

On the contrary, she actually confirmed that female fish exposed to small amounts of the sex hormone for only a short time will be changed into males.

And the ADF&G is releasing this stuff into our waters. These are the same Fish and Game employees who are making and stocking genetically altered fish in our lakes and streams.

Come on, guys, get a clue! Don't you wonder why there are fewer and fewer people fishing? Who wants a genetically altered fish on the dinner table? No wonder kids and families are opting for other activities.

If you keep releasing hormones into Alaska waters and stocking Frankenfish into our lakes and streams, people will stop fishing.

The tourist and fishing industries have spent a lot of time and money promoting Alaska as a place that is wild and pristine. How do you think the tourists and fish buyers will respond to genetically altered fish and sex hormones in Alaska waters?

Thanks Fish and Game, you just slapped a Mr. Yuck sticker over people's image of Alaska.

So, as Alaskans quit fishing and tourists no longer buy fishing licenses, who is going to pay for Fish and Game's new hatcheries?

Maybe Fish and Game can sell hormone-fortified water to the baseball league.

Bill Larry
Alaska Fish and Game
Advisory Committee
Fairbanks

**ALASKA BOARD OF FISHERIES AND ALASKA BOARD OF GAME
REGULATION PROPOSAL FORM
PO BOX 115526, JUNEAU, ALASKA 99811-5526**

BOARD OF FISHERIES REGULATIONS

- Fishing Area Statewide
 Subsistence Personal Use
 Sport Commercial

JOINT BOARD REGULATIONS

- Advisory Committee Regional Council Rural

BOARD OF GAME REGULATIONS

Game Management Unit (GMU) _____

- Hunting Trapping
 Subsistence Other

- Resident
 Nonresident

Please answer all questions to the best of your ability. All answers will be printed in the proposal packets along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal.

1. Alaska Administrative Code Number 5 AAC _____ Regulation Book Page No. _____

2. What is the problem you would like the Board to address?

The Alaska Department of Fish and Game is genetically altering and using the hormone testosterone to make sterile rainbow trout. The sterilization program is being expanded to include other stocked species. Alaskans don't want to catch genetically altered fish and they don't want "Frankenfish" on the dinner table. Alaskans want natural fish and clean water. Alaskans should expect not to pay over \$100 million for two state sport fish hatcheries that produce genetically altered fish and put hormones in the water.

3. What will happen if this problem is not solved?

Some Alaskans will stop fishing and others will switch to wild stocks. A number of Alaskans may be put off entirely from even thinking about sport fishing. The result will be less money for local economies and more pressure on wild stocks. The use of the hormone testosterone in the state sport fish hatcheries and its subsequent discharge into Alaska streams and estuaries may negatively impact fish, wildlife, and human health.

4. What solution do you prefer? In other words, if the Board adopted your solution, what would the new regulation say?

1. The use of hormones, including testosterone, or their precursors in any state sport fish hatchery is prohibited.
2. The production and stocking of genetically altered fish by any state sport fish hatchery is prohibited. An exception may be granted when item 3 is fulfilled.
3. ADF&G may be allowed to produce and stock sterile fish in a water body only after the local populace that uses the water body has been notified and the local Fish and Game Advisory Committee, after a public review, has given approval.
4. When wild species are present in a major drainage the sport fish hatcheries will use local populations of wild fish for brood donors.
5. A species may be stocked in a major drainage when there are no wild populations of that species present or when the likelihood of developing a feral population is low.

5. Does your proposal address improving the quality of the resource harvested or products produced? If so, how?

This proposal assures anglers and other Alaskans that no hormones or genetic alteration was used to produce hatchery fish. Anglers will know that the fish on the dinner table is not genetically altered and is healthy for their families. Alaska water quality and fish, wildlife, and human health will be protected.

6. Solutions to difficult problems benefit some people and hurt others:

A. Who is likely to benefit if your solution is adopted?

Anglers will benefit by knowing that they are not catching and putting genetically altered fish on the dinner table. Fish, wildlife, and human health will benefit from clean water. Local economies will benefit from more anglers spending more money to catch and harvest normal hatchery fish. Wild fish populations will benefit from less pressure. Local citizens will benefit by having more control over how hatchery fish are produced and what is stocked in local waters. Everyone will benefit knowing that their money is not going towards the production of genetically altered fish and the release of hormones in the water.

B. Who is likely to suffer if your solution is adopted?

People who like catching genetically altered Frankenfish and who don't mind hormones in Alaska waters.

The Alaska Department of Fish and Game is making and stocking genetically altered fish in Interior Alaska lakes. The ADF&G is also using the hormone testosterone to change female fish into males. The department justifies this program because it makes the fish sterile

There are a few things wrong with making genetically altered fish and using hormones in our state run Sport Fish hatcheries.

Alaskans don't want to catch genetically altered fish and we don't want these "Frankenfish" on the family dinner table. Alaskans don't want the ADF&G using hormones or releasing the hormones into our streams and endangering fish, wildlife, and human health

We want natural fish and clean water. But Alaskans are paying more than \$100 million for two new state sport fish hatcheries that produce genetically altered fish and put hormones in the water.

The ADF&G Sport Fish Division director is backing this program because he is afraid that stocked rainbow trout will escape and create a feral population somewhere in Interior Alaska.

There is not much chance of that happening. Rainbow trout have been stocked for more than 50 years in lakes in the Interior. Over time some rainbows have escaped and a few were even caught by anglers in local streams. But no feral populations have been established.

Rainbow trout don't do well in streams in the Interior because the climate is too harsh and the habitat is not suitable. The interior belongs to northern pike and burbot – two of the most vicious predators around. Any fugitive rainbow trout will have a short life.

The Department of Fish and Game has conducted the sterilization program outside of public view and there has been no opportunity for the public to make comments.

Now the Sport Fish Director wants to genetically alter all the fish that are stocked in our lakes.

He is able to do this because he has disregarded public involvement. Basically, the policy making process under his leadership is neither open nor transparent. Apparently, similar to others in ADF&G the Sport Fish director knows what is best for Alaskans.

What the director will accomplish is to scare away Alaskans from stocked fish. Some will stop fishing and others will switch to wild stocks. With the prospect of catching Frankenfish, a number of Alaskans may be put off entirely from even thinking about sport fishing. The result will be less money for local economies and more pressure on wild stocks. The exact opposite of what the ADF&G says it wants.

We need to keep genetically altered Frankenfish and hormones out of our waters.

The Sport Fish director must be accountable for flagrantly disregarding public involvement and ignoring the governor's promise of an open and transparent process

6/13

COMMENT# 60

The Sport Fish hatcheries utilize three different processes to make different types of fish. The first process uses normal males that have X and Y sperm to fertilize normal females that have X eggs. An X and Y chromosome produces males while two X chromosomes produces females. Females only produce eggs with X chromosomes.

The second process uses heat or pressure shortly after an egg is fertilized to make a triploid (a fish with 3 sets of chromosomes instead of the normal 2 sets). These fish can't reproduce (they are sterile). This process makes both sterile male and females.

The hatcheries don't want males even when they are sterile. A sterile hatchery male will still try to spawn with a wild female. This may interfere with the spawning success of a wild male.

The rate of making fish sterile through triploidy varies with different species. Most salmon have a high triploidy rate over 95%. (This means that most of the fish are sterile, however, a few are normal). Rainbow trout, however, have a lower triploidy rate somewhere in the upper 80%. The hatcheries consider this rate too low because too many fish will be normal and can breed with wild fish or establish a feral population.

This is where the third process comes in. The hatcheries can now produce all-female fish. Testosterone, a hormone, is used to change the sex of the female fish. Testosterone is administered to the fish by adding it to the fish food. [NONE OF THESE FISH ARE STOCKED. They are killed and their milt is used to fertilize eggs.]

The testis must be surgically removed from the sex-changed females because they can't spawn like normal males. The sex changed females produce milt (sperm) just like normal males but they produce only X sperm. Normal males produce X and Y sperm.

When the X sperm from the sex changed females is used to fertilize normal eggs, all the resulting fish are females. This is because there is no Y sperm to make males.

These fish are normal and can reproduce if a male is present.

For fish like rainbow trout that have a low rate of triploidy the hatcheries combine processes 2 and 3 to make triploid (sterile) all females. The hatchery first makes all female eggs and then subjects them to heat or pressure to make them triploid. It is less likely that sterile all female fish can establish a feral population.

- Water laden with the hormone testosterone flows from the hatchery into Ship Creek. The hormone could impact wildlife, fish, and human health. But ADF&G shows more concern about minor improvements to protecting the genetic integrity of wild fish. People, however are more concerned with the water and they don't want ADF&G contaminating the water with hormones.

COMMENT# 80

7/13

- In harsh conditions where food is limited, and temperature and dissolved oxygen are low, triploid rainbow trout have poorer growth and survival compared to diploid rainbow trout. Compared to Anchorage and the Mat-Su, the Interior has a harsher environment. It is reasonable to expect that triploids will do worse in the interior. Diploid rainbow trout even have a tough time. After 50 years of stocking diploid rainbow trout in the interior, no self-sustaining populations have been created by fugitive rainbow trout.
- Triploid fish are genetically altered (this term is used in the ADF&G stocking policy). People don't like food (plant or animal) that has been genetically altered. Anglers don't want to catch genetically altered fish and they don't want their families eating genetically altered fish. People want fish to be wild and natural, especially when it ends up on the dinner table.
- ADF&G will lose anglers or move more fishing pressure to wild stocks because triploid all-female fish are "Frankenfish" created by ADF&G using genetic alterations and hormone treatments.
- There is no reason to protect the genetic integrity of rainbow trout in the interior because there are no populations of wild rainbow trout.
- The risk to wild salmon populations in the interior posed by fugitive rainbow trout is likely very low.
- There is low to no risk to the genetic integrity of salmon populations when the hatchery uses eggs from local salmon populations.
- ADF&G wants to use triploid fish to protect the genetic integrity of wild populations. For comparison, more genetic integrity is likely lost due to commercial fishing, sport fishing, and subsistence fishing.
- The stocking policy was written outside of the public process by ADF&G employees with personal agendas. The Sport Fish director approved the use of hormones and genetically altered fish without a chance for public comment. The governor has told Alaskans that she wants government to be more open and transparent. We want government employees to be held accountable for their actions.
- The Sport Fish director must be accountable for flagrantly disregarding public involvement and ignoring the governor's promise of an open and transparent government.
- Lakes will be left to the fashionably outfitted elitists who play with their food. In contrast, consumptive users, the ones who put fish on the dinner table, will move to over-used wild stocks, further compounding problems for Fish and Game managers.



William Larry
 C/O Alaska Fish & Sport Ctr
 1817 College Rd
 Fairbanks, AK 99709

8/13

COMMENT# 60

Reasons Not to Stock Sterile Fish

- Testosterone, a hormone, is used to alter the sex of female fish. Testosterone is administered to the fish by adding it to the fish food. Hatchery water laden with the hormone flows into Ship Creek. The hormone could impact wildlife, fish, and human health. But ADF&G shows more concern about minor improvements to protecting the genetic integrity of wild fish. People don't want ADF&G contaminating the water with hormones.
- Triploid rainbow trout have poorer growth and survival compared to diploid rainbow trout in harsh conditions where food is limited, and temperature and dissolved oxygen are low. Compared to Anchorage and the Mat-Su, the Interior has a harsher environment. After 50 years of stocking diploid rainbow trout in the interior, no self-sustaining populations have been created by fugitive rainbow trout.
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(From Page 1)



Researcher Conrad Dan Volz with a white bass taken from the Allegheny River. Catfish caught near Downtown Pittsburgh had high levels of estrogenic chemicals in their bodies.
Photo by Deborah Weisberg

More 'girlie fish' found in Pittsburgh-area rivers

Scientist sounds alarm over pollution of 'estrogenic' chemicals

By Deborah Weisberg
Contributing Writer

Pittsburgh — Although recreational use of western Pennsylvania rivers has never been higher, a University of Pittsburgh study of water quality is raising red flags.

Fish caught near storm sewer overflow outlets in the Allegheny, Monongahela and Ohio rivers near Downtown Pittsburgh contained levels of estrogenic chemicals associated with some types of breast cancers, and ovarian and testicular cancers, according to Conrad Dan Volz, of the Pitt

■ West Nile Virus Not as Bad as Officials Predicted, Page 4
■ Researchers' New Pesticides May Be Killing Bees, Page 12

Cancer Institute's Center for Environmental Oncology, who began his study two years ago.

The chemicals include pharmaceutical estrogen, such as that contained in birth control and female hormone-replacement pills, and the pseudo-estrogen found in many more products, from garden herbicides to pesticides to asphalt road topping.

Volz and his team used tissue extracted from 21 channel catfish to spur the growth of human cancer cells in their laboratory, and got half the response they did with pure female estrogen — a result Volz called "incredible."

(See Girlie Fish Page 27)

Fish further up the Allegheny River near Kitzmanning grew half the cells as the Downtown catfish. Although the rivers supply millions of western Pennsylvanians with drinking water and yield fish to a growing number of anglers, the Allegheny County Sanitary Authority is not required to test water for estrogens.

It tests for mercury and other pollutants, and the Pennsylvania Fish & Boat Commission has long advised people against eating catfish from the Ohio and Monongahela rivers, and to limit consumption of Allegheny River catfish to one meal a month.

Fish from rivers in other regions, including the Potomac in Maryland, have suffered the impact of estrogenic chemicals. Males have developed female characteristics, such as undeveloped eggs in their testes. Volz found eggs in some of the male fish he studied and said he had difficulty identifying the gender of many of the fish.

"Pittsburgh has done a remarkable job of cleaning its water, but we still have a tremendous problem because we have more combined sewer overflows than any city in the United States," said Volz. "Even with less than an inch of rain, all the gates open and belch untreated sewage into the rivers."

"We don't know the actual risk from drinking the water or eating the fish," said Volz, "but the presence of estrogenic substances appears to increase the risk of some sorts of estrogen-induced cancers."

It's a wake-up call for those who are connected to the river, said Volz. "People have to realize that the modern chemicals we use everyday — detergents, glue, cosmetics, hair care products — have estrogenic properties. They don't all get destroyed by waste water treatment, so we ingest the same chemicals again in our drinking water."

Volz said he is advising the federal government to add estrogenic chemicals to the list of chemicals they already test for in drinking water. Volz will continue his fish sampling on the rivers, expanding to new locations suspected of having high concentrations of estrogenic chemicals, and including more species, including walleyes, muskies in his study.

"The top level of the food chain always has the most of these chemicals," he said.

Veteran trout angler Paul Caruso donated some of the catfish for Volz's study and will help him harvest more. "It's got to be terrible down there," he said at the start of the study in 2005. "But as long as they bite, I don't care."

Outdoor News 1-800-535-5191 or see Page 27

COMMENT# 60

11/13

From: "Larry Lota" <ak_flyfisher@yahoo.com>
Subject: What is in the water
Date: Thu, April 10, 2008 6:50 pm
To: afc@mosquitonet.com

What's in the water?

A recent Associated Press article pointed out that fewer and fewer people are participating in hunting and fishing activities. Kids especially are opting for video games over fishing poles.

Another recent article described how pharmaceuticals are getting in to our streams and lakes. Biologists are horrified about the effects that sex hormones are having on fish, wildlife, and possibly even human health.

Last week Cora Crome in the Governor's office sent a letter informing me that the small amounts of testosterone that ADF&G uses to sex-reverse female fish in the Anchorage hatcheries on Ship Creek is inconsequential and I should have no need for worry.

On the contrary, her letter confirmed that female fish exposed to small amounts of the sex hormone for only a short time will be changed into males.

And ADF&G is releasing this stuff into Ship Creek!

These are the same Fish and Game employees who are making and stocking genetically altered fish in our lakes and streams and dumping the carcasses of sex reversed fish in a landfill in Anchorage.

Come on guys and get a clue!

Don't you wonder why there are fewer and fewer people fishing?

COMMENT# 60

FRANKENFISH

Dear Editor: Since without exception every effort by man to "Manage" wildlife has had unforeseen and always negative consequences.

I would propose that if ADF&G and the politicians they work for truly have confidence in their plan to use genetics (testosterone) to alter fish stocks then they should go on record as willing to accept responsibility both criminal and civil for any and all negative consequences. Since the potential consequences will certainly be long term then that liability should be assigned to their heirs in perpetuity.

Only if they have that level of confidence should this plan be allowed to proceed.

It's easy to take actions if you are not held personally responsible and can't be held liable for the outcome.

If ADF&G and the Governor are truly confident of the science behind this then that should not be a problem.

To begin with it is totally unnecessary. We have been getting along just fine for many, many years without such experimenting. Seems like just another way to waste public money.

Also to my knowledge people participating in experiments are required to be informed and compensated.

Once responsibility is accepted as mentioned above and my check clears I will support this program.

Until then don't even suggest such nonsense.

Randall K. Fletcher
Box 58597
Fairbanks, Alaska 99711

907-452-3455

RECEIVED

NOV 17 2008

BOARDS

Sunday, November 16, 2008

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

- Re: In Favor of Proposal #71
- Re: In Favor of Proposal #72
- Re: In Favor of Proposal #73
- Re: In Favor of Proposal #74

Honorable Board of Fish,

I started purse seining salmon in PWS in 1975. In 1977 and 1978 I targeted Coghill River sockeye with my purse seine during the last 10 days of June and continued into July until the wild pink salmon runs opened in the rest of the Sound. I would fish the flood tide on the eastern Culross Island shoreline where no drift gillnet gear was allowed, and I would move to the Esther Light side for the ebb tide where I would fish in common amongst the drift gillnet fleet. I state this as a matter of fact, that purse seine gear was a legal harvest method of Coghill River sockeye in 1976. But when the original PWS allocation policy was adopted, the enticement for the drift gillnet fleet to sign onto that allocation policy was that the purse seine fleet would no longer be allowed to target Coghill River wild sockeye.

In December 2004 the Board of Fish gave us a new allocation policy for PWS. This 2004 policy replaced the old allocation policy from the early period. The 2004 Board decided to not allocate all fish in PWS, both wild and enhanced, as the original allocation policy had done, but to only allocate enhanced fish. So with this new allocation policy of only allocating enhanced fish, the Board failed to re-instate the old status quo of purse seine harvesting of the wild stocks of Port Wells.

As a purse seine fisherman who remembers the old status quo, I want the old status quo back. Other purse seine fishermen with a memory similar to mine want this too. It's only right that if the old allocation policy was declared dead by the Board in 2004, then any horse trading used to come to agreement for the old allocation policy should be declared null and void as well.

Respectfully,
Alan Kapp
Alan Kapp

1/7

COMMENT# 61



Sunday, November 16, 2008

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

Re: In Favor of Proposal #76

Honorable Board of Fish,

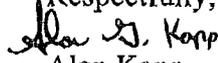
I have purse seined salmon in PWS for the past 33 years and I am the author of Proposal #76. I am a salmon purse seine fisherman who no longer wants to endure the stress and gear conflict of purse seining amongst the drift gillnet fleet in the Coghill District or Esther Sub-district. I am asking the Board of Fish to regulate ADF&G to not allow the purse seine and drift gillnet fleets to fish any area at the same time, but rather allow exact equal time to each gear type in fishing areas where both fleets are traditionally allowed to harvest salmon.

By their very nature of harvesting, the purse seine and drift gillnet fleets are not compatible. The purse seine fisherman normally sets his net on a point of land and expects the tide and currents to gather schools of fish together that then pass by the place where he is setting his seine net. By fishing amongst the drift gillnet fleet, the drift gillnet fleet breaks up the schools of fish by their maze of multiple barriers that the fish must pass around to get to the place where the purse seiner is fishing. By their very presence, the drift gillnet fleet effectively reduces the large schools of fish into tiny schools and individual fish, which don't allow the purse seine fisherman to target on anything except straining water in a random fashion.

In practice, members of the drift gillnet fleet have adopted interesting techniques when fishing amongst the purse seine fleet, such as setting their gillnet inside an actively closing purse seine, or purposely snagging their gillnet on the point of land where the purse seiner is attempting to haul, thereby staying on that point for long periods of time. I have had drift-gillnetters set their net inside my already closed, and actively pursing, purse seine. I have had drift-gillnetters run their boats along my corkline in attempts to scare fish out of my net. When experiencing this, I even had one drift-gillnetter get my net in his propeller and damage my seine net when he used a knife to cut his way out. I have witnessed a drift gillnetter set his net parallel to the beach to purposely snag his entire net around Hodkins Point. This drift gillnetter then invited me to tow my seine net down Hodkins Point, and explained that even though I couldn't get my skiff completely to the rock face, the fish gathering in front of my skiff would get caught in his snagged gillnet along the shore. Yes, it is not legal to purposely snag an entire drift gillnet along a rock face, but I've also witnessed certain drift gillnetters not being fazed by any consideration of illegality.

This purse seine / drift gillnet gear conflict was more intense during the 80's with higher pink salmon prices, but then subsided in the 90's with lower pink salmon prices and the drift gillnetters not wanting to pick massive amounts of pink salmon out of their nets at the low prices. But now that pink salmon prices seem to be rebounding again, I fear that the gear conflicts will also rebound as the drift gillnet fleet starts to target the higher priced pink salmon again. I am asking the Board to address this issue now, before the problem becomes unmanageable.

I'd like the Board to note that my proposal is not alone in addressing gear conflicts with the drift gillnet fleet. Colleen James has submitted Proposal #68 to address similar problems the set-gillnet fleet has with the drift gillnet fleet in the Eshamy District. I'd also like the Board to note that there is not any purse seine / drift gillnet gear conflict problem in SE Alaska, because the two gear types don't fish the same fishing area at the same time. Only in PWS does this happen, and I'm asking that this problem in PWS be addressed.

Respectfully,

Alan Kapp

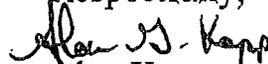
Sunday, November 16, 2008

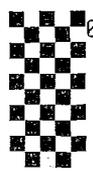
Alaska Board of Fish
Board Support
P.O. Box 115526
Juneau, AK 99811-5526

Re: In Opposition of Proposal #77

Honorable Board of Fish,

Proposal #77 is not necessary, nor is it wise. The current, existing regulation effectively mandates when the purse seine fleet is no longer allowed to harvest salmon in the Esther Sub-district, that time being when pink salmon are no longer in abundance. By establishing a calendar specific date, Esther hatchery pink salmon production could become underutilized by a drift gillnet fleet that fishes a bigger mesh gillnet that target silvers rather than a smaller mesh pink salmon gillnet. Existing regulation allows the purse seine fleet to be used to clean up all the enhanced pink salmon and stops the purse seine fleet from fishing when the pink salmon are gone. Proposal #77 will make this pink salmon clean up job by the seine fleet more difficult for ADF&G to implement.

Respectfully,

Alan Kapp



Sunday, November 16, 2008

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

Re: In Opposition of Proposal #78
Re: In Opposition of Proposal #79
Re: In Favor of Proposal #80

Honorable Board of Fish,

I am opposed to Proposal #78. I am opposed to Proposal #79. I am in favor of Proposal #80.

I am glad that Mel Morris and John Jensen are still Board of Fish members. I ask them to remember the Board of Fish meeting in December of 2004 in Valdez, when the allocations for PWSAC enhanced fish were negotiated. The set-gillnet long-time historic harvest was between 1% and 2%, but the drift gillnet representatives decided to forgo two percent of the drift gillnet historic harvest and give that percentage to the set-gillnet gear group. That is how the set-gillnet gear group received their 4% harvest allocation.

In proposals #78 and #79, the set-gillnet gear group is asking to exceed their harvest percentage by a wider range, from five to seven percent, before their fishing is restricted. It's my opinion that the set-gillnet gear group received a large gift of their four percent harvest allocation at the 2004 Board of Fish meeting. I believe the set-gillnetters are being brazen and bold to now ask for a seven percent harvest level before their fishing is restricted. They are asking to continue their current harvest levels when their harvest trend shows that they need to catch less fish to stay within their four percent allocation percentage, their four percent allocation that should have rightfully been set at two percent in December of 2004.

Proposal #80 asks the Board to be more effective in restricting the set-gillnet harvest. This proposal is needed. Fishery management methods need to be change to further restrict the set-gillnet gear group to keep their harvest level close to their four percent allocation.

Respectfully,
Alan Kapp
Alan Kapp

Sunday, November 16, 2008

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

Re: In Favor of Proposal #83
Re: In Favor of Proposal #84

Honorable Board of Fish,

I started purse seining salmon in PWS in 1975. The common purse seine method at that time was a 150 fathom purse seine net and a 75 fathom, very shallow, lead. The seine was kept on the back deck of the boat and the 75 fathom shallow lead was stored in the seine skiff. Seine boats at that time were normally about 32' to 40', seine skiffs were open skiffs of 16' to 20' powered by an out-board motor, usually about 40hp. The seine boat would choose a point of land to fish and start by deploying the skiff to set the lead tied to the beach and set out into open water deep enough to float the seine net. The seine boat would then connect to the lead and make his set, with the seine skiff holding the place where the seine net and lead were connected together. The seine boat would close his net together by disconnecting the seine skiff from the lead and bringing the two ends of the seine net together. The lead was left in place, connected to the beach, for the next set of a seine net.

As everything evolves, so did purse seine methodology. In the 80's, double pinning came into vogue. This practice kept the lead on the beach end of the seine net, but used the seine skiff on the beach end of the lead to tow the net. With "double pinning" the lead is never tied to the beach. The "double pin" fisherman closes his net by towing the lead past the seine boat, until the seine boat could disconnect the lead from the seine net. The seine skiff would then tow the lead further out of the way and drum the lead back into the seine skiff, while the seine boat closed and retrieved the seine net in the normal fashion.

In the late 80's, another, different, purse seine methodology also evolved. This was the permanent connection of a deep lead on the boat end of the seine net. This method didn't allow both ends of the seine net to be pursed at the same time, so it was called "half pursing". This method put the seine net itself directly to the beach, so it wouldn't allow this fishing method to be used in very shallow water, but it was a faster method for net retrieval.

In today's purse seining in PWS, seine boats are either "double pinning" or "half pursing". Double pin purse seines can be "full pursed" (that is both ends of the seine net can be pursed at the same time), while "half purse" seine nets can be retrieved and set again in a quicker fashion. No one today uses the lead in the historic method of tying the

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lead to the beach to lead the fish off of the beach. Also, only a couple of fishermen still use outboard motor powered skiffs. Evolution has constantly improved the fishing technics.

Proposal #83 and #84 simplify seine net construction. The effect of these proposals would be to allow a seine fisherman to build his net in any combination, from a 150 fathom seine net and 75 fathom lead up to a seine net of 225 fathoms and no lead whatsoever. All seine boats would still be held to a 225 fathom total length limit of seine net and lead, but they wouldn't be held to using lead web for 75 fathoms of it. The "half purse" fisherman could build is seine net using no lead web if he wanted to. The "double pin" fisherman would have the choice of making his beach lead less in length and making his seine net longer in length, up to a limit of 225 fathoms total length.

I support these proposals, although I don't believe adopting them will cause any increased effectiveness of either purse seine methodology over the other. "Half purse" fisherman will still haul faster in deep water, and "double pin" fishermen will still be able to fish the shallow water where the "half purse" fisherman can't. The effect of these proposals will be to allow more choices of seine net construction to each individual purse seine fisherman.

Respectfully,

Alan S. Kapp
Alan Kapp



PRITCHETT & JACOBSON, P.S.
ATTORNEYS AT LAW

RUSSELL W. PRITCHETT
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November 17, 2008

By facsimile to: 907-465-6094
(10 pages total)

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

Attention: Mr. Mel Morris, Chairman
Alaska Board of Fisheries

Re: Comments Regarding Proposals 371(ARC 8) and 372(ACR 10)

Dear Mr. Morris:

I am writing on behalf of the Independent Cod Trawlers Association. The Association consists of three members:

1. Charles Burrece, owner of the 86-foot F/V LONE STAR, who has engaged in the Bering Sea cod trawl fisheries since the 1970s, and the Aleutian Islands state waters cod fishery for the past three years.
2. Steve Aarvik, owner of the 75-foot F/V WINDJAMMER, who has engaged in the Bering Sea cod trawl fisheries since 1980s, and the Aleutian Islands state waters cod fishery for the past three years.
3. Omar Allinson, owner of the 86½-foot F/V MISS LEONA, who has engaged in the Bering Sea cod trawl fisheries since 1991, and the Aleutian Islands state waters cod fishery for the past three years.

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More than three years ago, these three vessel owners were urged by a representative of Aleut Enterprise LLC (the proposer of ACR 8 and 10) to fish in the Aleutian Islands State water fisheries, and deliver onshore to Adak Seafoods. They have done so for the last three seasons, delivering only to that shoreside plant, and are now dependent upon those fisheries.

These three vessels are not vessels which started fishing in the Aleutian Islands state waters because they were freed-up to do so by rationalization, such as crab rationalization or the pollock rationalization of the American Fisheries Act (AFA). Rather, all three vessels have shifted much of their effort to the Aleutian Islands because of increased participation of other vessels which were freed up by rationalization. After the enactment of the AFA, AFA-qualified vessels have fished Pacific Cod in the Bering Sea much earlier in the year than they did prior to the AFA. Before the 2000 Pacific cod season in the Bering Sea and the Aleutian Islands, the vast majority of vessels which are now AFA-qualified did not participate in the Pacific cod fishery until approximately the end of February each year. However, with the onset of the AFA in 2000, AFA vessels were freed-up to engage in the Pacific cod fishery from the very beginning of the season in January. This has resulted in an immensely increased effort early in the cod season each year, with the effect that the seasons have closed increasingly early.

The protections intended by Congress in the AFA, if enforced, would obviate most of the concerns raised by the Aleut Enterprise LLC in ACR 8 (Proposal 371) and ACR 10 (Proposal 372), both as to large catcher vessels and catcher processors.

In the AFA, Congress mandated that fishermen outside of the AFA pollock fishery must be protected from any adverse impacts of the AFA. As is made clear below, Congress plainly stated that the incursion of freed-up AFA vessels into a fishery such as the Pacific cod fishery is exactly the type of adverse which should have been prevented. Section 211(a) of the AFA provides as follows:

Sec. 211. Protections for other Fisheries; conservation measures.

(a) General.-- The North Pacific Council shall recommend for approval by the Secretary such conservation and management

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measures as it determines necessary to protect other fisheries under its jurisdiction and the participants in those fisheries, including processors, from adverse impacts caused by this Act or fishery cooperatives in the directed pollock fishery.

However, the federal government has not effectively provided the intended protections, as can be seen by the current adverse impacts in the Aleutian Islands. In Section 211 of the AFA as quoted above, Congress articulated certain measures for the purpose of determining, and remedying, such adverse impacts. In the presentation of the AFA to the Senate for its consideration, key sponsoring Senators including Senator Ted Stevens and Senator Patty Murray, explained what Section 211 requires. Those comments are set forth in the Conference Report (Senate - October 20, 1998).

Senator Murray explained the nearly absolute protections intended in the AFA for non-pollock fisheries as follows:

The bill attempts to ensure adequate protections for other fisheries in the North Pacific from any potential adverse impacts resulting from the formation of the fishery cooperatives in the pollock fishery. The formation of fishery cooperatives will undoubtedly free up harvesting and processing capacity that can be used in new or expanded ways in other fisheries. Although many of these vessels and processors have legitimate, historic participation in these other fisheries, they should not be empowered by this legislation to gain a competitive advantage in these other fisheries to the detriment of participants who have not benefitted from the resolution of the pollock fishery problems.

While we have attempted to include at least a minimum level of protections for these other fisheries, it is clear to many of us that unintended consequences are likely. It is therefore imperative that the fishery management councils not perceive the protections provided in this bill as the only protections needed. In fact, the opposite is true. Although the protections provided for the head and gut groundfish offshore sector are more highly developed and articulated in the bill, the protections for other fisheries are largely left for the Councils to recommend. Those of us involved in the development of this

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legislation strongly urge the Councils to monitor the formation of fishery cooperatives closely and ensure that other fisheries are held harmless to the maximum extent possible. [Conference Report, at page 12707].

Thus, Senator Murray's comments make clear that an early incursion of AFA vessels into the Pacific cod fishery is in and of itself an adverse impact, where those vessels did not have a pre-AFA history of such early participation. Of course, this is particularly obvious in a fishery such as the Bering Sea Pacific cod fishery where the January and February fishery is crowded primarily into one small area in Statistical Area 655430.

The comments of Senator Stevens were wholly consistent:

Subsection (a) of Section 211 directs the North Pacific Council to submit measures for the consideration and approval of the Secretary of Commerce to protect other fisheries under its authority and the participants in those fisheries from adverse impacts caused by subtitle II of the American Fisheries Act or by fishery cooperatives in the BSAI directed pollock fishery. The Congress intends for the North Pacific Council to consider particularly any potential adverse effects on fishermen in other fisheries resulting from increased competition in those fisheries from vessels eligible to fish in the BAI directed pollock fishery or in fisheries resulting from any decreased competition among processors. [At page 12781].

Paragraph (3) of subsection (c) directs the Pacific Council to submit any measures that may be necessary to protect fisheries under its authority by July 1, 2000 and allows the Secretary of Commerce to implement measures if the Council does not submit measures or if the measures submitted are determined by the Secretary to be inadequate. [At page 12781].

There can be no doubt that it was Congress' intent that protections be put in place for any adverse impacts on non-AFA fishermen, to ensure that other fisheries are held harmless to the maximum extent possible. And it is clear that Congress intended to forbid the type of extra fishing effort which has occurred in

the January and February Bering Sea cod fishery due to the AFA, and the incursion of AFA vessels into the State waters or parallel fisheries in the Aleutians.

The National Marine Fishery Service promulgated a regulation which also provides for the agency to protect participants in other ground fisheries from the adverse impacts of the AFA. The regulation promulgated at 50 CFR §679.64(b) reads as follows:

Harvesting sideboards of AFA catcher vessels. The Regional Administrator will restrict the ability of AFA catcher vessels to engage in directed fishing for other groundfish species to protect participants in other groundfish fisheries from adverse effects resulting from the AFA and from fishery cooperatives in the directed pollock fishery.

However, the Federal Government has not taken adequate measures in accordance with the provisions of the AFA and the above-quoted regulation to protect participants in non-pollock fisheries from the adverse impacts of the early participation in the cod trawl fisheries which has resulted from the enactment of the AFA.

In view of these facts, the Alaska Board of Fisheries is requested to take steps, either on its own initiative, or in conjunction with the North Pacific Fishery Management Council, to lessen the impact on the Bering Sea and the Aleutian Islands Pacific cod fishery from the non-traditional incursion of AFA vessels into those fisheries. As noted below, one way to further such protections would be the acceptance of the 75,000 pound daily catch limit in ACR 10 (Proposal 372). However, for the reasons set forth below, the members of the Independent Cod Trawlers Association oppose ACR 8 (Proposal 371).

1. Proposal 371 (ACR 8). This measure, to provide for a vessel size limit of 60' in the Aleutian Islands District Pacific cod fishery, was unanimously rejected by the Alaska Board of Fisheries in its November, 2007 meeting in Homer. The Board is urged to reject it again, or to change the length limit from 60' to 87' so that these three long-time cod dependent vessels which have delivered only shoreside in Adak will not be excluded.

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At the November, 2007 meeting, the attached Memorandum from Wayne Donaldson, Regional Management Biologist, was available and discussed the proposal to limit vessel size to 60'. Mr. Donaldson's memo indicated as follows:

Reducing the vessel size limit is not likely to be effective in substantially slowing the pace of the harvest because even small trawl vessels are capable of reaching the daily harvest-limit. A daily harvest-limit of 75,000 to 100,000 pounds would provide for a more manageable fishery and would likely produce a higher quality product by slowing the daily harvest rate.

Thus, if the intention of the vessel size limitation proposed under ACR 8 is to slow the harvest rate, as indicated in the initial justification for ACR 8, it is clear that the solution offered in ACR 10 (reduction of daily catch limit to 75,000 pounds) would be much more effective, whereas a size limitation will not be.

However, if the Board determines that a reduction in vessel size should be made, it is respectfully requested to adopt a length of 87' (instead of 60'), so that these three vessels will not be unfairly excluded from the fishery. These vessels have for the last three years participated to aid in the development of the community of Adak by delivering only shoreside to Adak fisheries, and not to floating processors. And it would be wrong to now deprive them of access to those State water fisheries based upon an ACR proposed by Aleut Enterprise LLC. These three vessels are now dependent upon the State water fisheries off Adak because they were urged by a representative of Aleut Enterprise LLC three years to shift fishing activities to Adak, and did so in reliance on that request.

2. Proposal 372 (ACR 10). This is a proposal to reduce daily catch limits to 75,000 pounds for the Aleutian Islands Pacific cod fishery. The Independent Cod Trawlers Association supports Proposal 372. As noted in the attached Memorandum of Wayne Donaldson, reducing the daily harvest limit to 75,000 pounds would provide for more manageable fishery and would likely product a higher quality product by slowing the daily harvest rate. In light of this, the Board is asked to approve this measure.

As a method of dealing with the adverse impacts of the AFA as described above, the Board is asked also to consider slowing down the fishery by requiring a

stand-down period for AFA vessels leaving the pollock fishery before they could enter the State waters Pacific cod fishery. This would help to address some of the concerns of the Aleut Enterprise LLC in proposing ACR 10.

CONCLUSION

The three vessels in the Independent Cod Trawlers Association have a dependence on the Aleutian Islands state water fishery. I respectfully ask that their dependency be closely considered. These vessels have already been adversely impacted in the Eastern Bering Sea in large part due to the impacts of the AFA. In light of their long term dependency on Pacific cod trawl fisheries in the Bering Sea and the Aleutian Islands, it would be unjust to adopt with measures which would further adversely impact these traditional cod boats.

For the reasons stated above, the Board is respectfully requested to reject Proposal 371 (or to modify the size limit to 87'), and to adopt Proposal 372.

Thank you.

Sincerely,



Russell W. Pritchett

Enclosure: Memorandum of Wayne Donaldson,
Regional Management Biologist

cc: Omar Allinson (with encl.)
Charles Burrece (with encl.)
Steve Aarvik (with encl.)

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Allinson #135A

KC 20



ALASKA DEPARTMENT OF FISH AND GAME

DIVISION OF COMMERCIAL FISHERIES

MEMORANDUM

TO: John Hilsinger
 Director
 Commercial Fisheries Division
 Headquarters - Juneau

DATE: September 28, 2007
 PHONE: (907) 486-1842
 FAX: (907) 486-1824

FROM: Wayne Donaldson
 Regional Management Biologist
 Commercial Fisheries Division
 Region IV - Kodiak

SUBJECT: Aleutian state-waters
 Pacific cod fishery

Petition A

This memo provides staff assessment of the petition from Clem Tillion submitted to the Alaska Board of Fisheries (BOF) on September 11, 2007, to consider emergency action, out of cycle. The petition asks the BOF to further restrict vessel size in the Aleutian Islands District state-waters Pacific cod fishery. The Aleutian Islands District state-waters Pacific cod fishery is managed according to 5 AAC 28.647. In this memorandum vessel length refers to overall vessel length.

Emergency Proposal Criteria

The BOF may consider this petition out-of-cycle if it finds that it satisfies criteria under the Joint Board Petition Policy (5 AAC 96.625).

Within the Joint Board Petition Policy, paragraph (f) specifies that "it is the policy of the boards that a petition will be denied...unless the problem outlined in the petition justifies a finding of emergency." Further, "an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action..."

The petition requests to limit vessel size to no more than 60 feet for all gear types currently allowed in the fishery: non-pelagic trawl, mechanical jig, longline and pot. Given that the petition does not address any unforeseen or unexpected resource situation involved, the petition does not appear to satisfy these criteria for a finding of emergency.

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The Issue at Hand

The petition requests to reduce the maximum vessel size limit to 60 feet for all permitted gear types because the duration of the A season is too short, and to encourage shore-based deliveries and processing.

The Aleutian Islands District Pacific cod fishery began in 2006. The fishery takes place in state-waters of the Aleutian Islands west of 170° W long. The state-waters fishery harvest level is based upon 3% of the Bering Sea/Aleutian Islands federal acceptable biological catch (ABC).

The state-waters guideline harvest level is apportioned 70% to the A season and 30% to the B season (Table 1). The state-waters fishery A season opens after the initial catcher-vessel trawl sector parallel/federal Pacific cod season is closed, and remains open until the A season GHJ is attained, or no later than June 9. Beginning June 10, the state-waters B season opens. There are no harvest allocations by gear type.

During the 2006 season there were no vessel size limits. The 2007 Aleutian Islands District state-waters A season Pacific cod fishery was the first in which vessel size limits of 125 feet or less for pot vessels, 100 feet or less for trawl vessels and 58 feet or less for longline and jig vessels were in effect.

During 2007, the state-waters A season opened to commercial fishing for Pacific cod on March 16, 2007, and closed on March 23, a 7-day fishery. The harvest was 8,229,931 pounds of Pacific cod taken by 27 vessels, although 29 vessels registered for the fishery. Three floating-processor vessels and two shore-based processors participated. No catcher processor vessels (CPs) participated in 2007 whereas six CPs participated in the 2006 A season. Average fishing vessel size was 89' overall length during 2007 (Table 2).

Only two gear types participated in the 2007 A season; non-pelagic trawl gear harvested 85% of the A season total catch and pot gear 15%. Of the 20 trawl vessels that participated, 13 trawl vessels (>60 feet) accounted for 72% of the trawl harvest. All pot vessels that participated were over 60 feet. Overall for both gear types, 76% of the 2007 A season harvest was taken by vessels over 60 feet and 24% was taken by vessels 60 feet or less.

During 2007, a daily and trip harvest-limit of 150,000 pounds applied to each vessel. During 2006, the daily harvest-limit was 150,000 pounds, with a vessel trip harvest-limit of 300,000 pounds. The vessel size limits and daily harvest-limit during 2007 were not effective in slowing the pace of the 2007 harvest compared to the 2006 fishery and overages of the daily and trip limits occurred in both seasons. The 2006 fishery lasted 9 days whereas the 2007 fishery lasted 7 days. Fishery catches indicate that most trawl vessels in the fleet, including those less than 60 feet, are capable of catching and holding onboard quantities of Pacific cod very near to or exceeding the current daily harvest limit.

Reducing the vessel size limit is not likely to be effective in substantially slowing the pace of the harvest because even small trawl vessels are capable of reaching the daily harvest-limit. A daily

{ harvest-limit of 75,000 to 100,000 pounds would provide for a more manageable fishery and would likely produce a higher quality product by slowing the daily harvest rate. }

Summary

The petition requests emergency consideration to limit vessel size in the state-waters Pacific cod fishery in the Aleutian Islands west of 170° W longitude. The Board of Fisheries developed the current vessel size limits at their October 2006 meeting.

Based on the harvest statistics from the 2006 A season and the 2007 A season whereby the guideline harvest level was fully achieved, there does not appear to be any unfamiliar, unforeseen, or unexpected resource situation. The A season fishery is very short, but has thus far been manageable, and the A season GHL has been achieved. The petition does not appear to satisfy criteria for a finding of emergency under the Joint Board Petition Policy.

Table 1. Aleutian Islands state-waters Pacific cod fishery guideline harvest level and harvest apportionment.

Year		Initial GHL (lbs)	Harvest (lbs)
2006	A season	8,981,540	8,502,781
	B season	3,849,232 ^a	357,884
	TOTAL	12,830,772	8,860,665
2007	A season	8,148,202	8,229,931 ^b
	B season	3,492,086	
	TOTAL	11,640,288	

^aADF&G made 3.5 million pounds of the GHL available to National Marine Fisheries effective on September 1.

^bGHL was exceeded by 81,729 pounds.

Nov 16, 2008

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Dear Board of Fish members

Re: Proposal 114

The Department of Fish and Game has added a level of creepiness to fishing in Alaska.

Last spring I attended the Fairbanks Fish and Game advisory committee meeting and listened to the sport fish director talk about and try to defend the use of testosterone and genetically altered fish for stocking our lakes.

It was obvious that he didn't know what he was talking about and he didn't know what his hatchery people were doing. I almost felt sorry for the staff that had to sit there and listen to Mr. Swanton ramble on. But he signed the Stocking Policy anyway because he thought that it was a good idea.

I strongly disagree because I don't have confidence that Mr. Swanton really knows what is going on and his staff from Anchorage is trying to keep the public out of it.

Last week at the AC meeting in Fairbanks someone asked "Would you want to shoot a genetically altered moose and have your family eat it? Or how would you feel about caribou knowing that Fish and Game had fed testosterone to some of the parents?"

These were simple questions that put the problem in perspective for me.

I hunt because I don't want hormone fed genetically altered beef or other food that was raised at industrialized production farms. I don't want Fish and Game dumping their genetically altered fish in lakes, either. Most of all, I think that my license fees should not be paying for this type of thing. This is just plain wrong.

The entire fish hatchery program needs fixing and needs to stop using hormones and making genetically altered fish.

I heard the trout unlimited guy say that his groups supported using testosterone and genetically altered fish. He doesn't speak for me or most other people.

The trout unlimited groups have cabins on Quartz Lake and they were the ones pushing to get the genetically altered fish stocked into Quartz Lake because they felt that people were catching too many big fish in the spring. They wanted to be sure that "their" fish weren't going to be caught and eaten. These guys are elitists that don't keep fish to eat and they feel that other people shouldn't be able to keep fish to eat. They support stocking genetically altered fish everywhere just to be sure that Quartz Lake is stocked

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with creepy fish that nobody can catch in the spring. They don't care if the fish are genetically altered because they don't even eat them.

I also want to know how the sport fish director Charlie Swanton and Jeff Milton can make a policy that can affect the public without the public having a chance to weigh in. Now the director is threatening to not stock some lakes if the hatcheries can't make genetically altered fish. What's the problem now? Fish and Game has been stocking real fish since the 1950s so why is there now a huge problem that needs immediate fixing?

Keep real fish in the lakes.

Thank you for your attention,

Randall K. Fletcher

E Mail : r.k.f.99711@hotmail.com

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BOARDS

Board of Fisheries Comments on proposals for changes 2008/2009

#1 Opposed

Our way of life as rural residents of Cordova and the Copper River Basin is being threatened by those urban and suburban users who feel entitled to a subsistence status when it is clear that they do not meet the criteria for that status. As you know, this issue has been through several board cycles now, with much good thought and deliberation given to the subject of whether the personal use Chitna dipnet fishery should qualify as subsistence. It is clear that the intent of the subsistence priority as set forth by the Joint Board's eight criteria is to give priority to *uses* which sustain a subsistence *way of life*. Criteria number eight makes it especially clear in its use of the words "*reliance* for subsistence purposes...provides substantial economic, cultural, social and nutritional elements of the *subsistence way of life*". This is important because it refutes the Fairbanks Advisory Committee's assertion that past boards were wrong in analyzing "*users*" rather than "*uses*". The word "*uses*" always implies that there is a "*user*" involved. The Joint Board's criteria make it clear that in order for subsistence status to be granted, the *use* of the fish must be part of a pattern that helps to maintain the *user's* subsistence *way of life*. It has been effectively argued many times that if a person lives and works in an urban or suburban center 250-300 miles away from the resource and has a good paying job that is based (in many cases) on an oil or minerals extraction economy then they cannot claim to be members of the subsistence community. Such a claim is disrespectful to the true culture of subsistence which should be honored and preserved in the face of the many threats to our rural way of life posed by encroaching urbanity.

#4 Opposed

I don't know what demographic changes Mr. Kramer could be referring to. We are a rural, salmon economy with thousands of years of history as such. That hasn't changed.

#13 Opposed

I wouldn't want upriver users telling me how close I can set my net to one of my neighbors on the Copper River Flats.

#s 16 & 17 Support

I support the concept of establishing a smaller limit for subsistence use. With unlimited access to the fishery, these numbers are unsustainable. There is currently plenty of anecdotal evidence of illegally selling these fish and of wanton waste. If people want to share large numbers of fish with relatives or friends, they still can. It would just require that more permits be issued for those recipients. This would also promote better accounting and management of the resource.

#s 19 & 20 Support (with modifications)

I support these proposals because their aim is to increase accuracy of harvest reports. This is an important issue because it allows for better management of the resource and makes it less likely that people will "forget" to report their fish. Maybe the reporting time could be set for a week from when the fish are landed, so that it won't be inconvenient, but it will still have to be a high priority.

#s 22 and 23 Opposed

These proposals interfere with ADF&G's ability to effectively manage the resource. In regards to #22: It is pointing out that the upriver users have been benefiting by receiving a consistent *Surplus* of fish. The fact that this proposal exists is testimony for the need for objective, flexible management. Obviously they feel entitled to the *Surplus* of fish that lower river users also have a right to. They need to be kept in check.

#25 Opposed

This is another attempt by the urban users to make it easier for them to take from an already fully utilized resource.

#26 Support

This is an important issue which addresses the commercialization of the personal use dipnet fishery. This proposal would increase the information that is needed to effectively track users and manage the fishery.

#27 Opposed

This proposal would vastly increase the dipnetting area, and would result in increasing the overall take. I find it ironic that the people from the urban centers of Alaska who made this proposal are complaining about needing to get away from the crowds. They are the crowd. If you open up more area, then the crowds will follow.

#s 107, 108, 109 Opposed

Fully Utilized

#s 69-74 Opposed

The seine fleet has benefitted from record harvests and excellent prices in recent years. The future looks very good for the seine fleet as well. A lot of effort went into the establishment of the current allocation plan and the numbers show that it is working well for all gear types, and seiners in particular. Re-structuring the current allocation plan would be a mis-use of resources and would be unfair to the gillnet fleet.

Sincerely,

Mike Mahoney
Cordova, AK
907-424-3828

COMMENT#

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2303 West Commodore Way
Suite 202
Seattle, WA 98199
Office Phone 206-284-2522

Alaska Board of Fisheries

December 1-7, 2008 – Cordova, Alaska

Committee F- Other Groundfish

Proposal 373 – (ACR 12) 5AAC 28.087

Management Plan for Parallel Groundfish Fisheries.

November 17th, 2008

Chairperson Jensen, Board of Fisheries members.

Thank you very much for your service to the state of Alaska fisheries and your time in consideration of the issues surrounding the state parallel fishery, particularly setting a length limit for hook-and-line vessels in the BSAI adjacent federal waters state parallel fishery.

I am submitting these written comments representing the Freezer Longline Coalition. The Freezer Longline Coalition (FLC) represents thirty-four of the thirty-six hook-and-line catcher processors operating in the Bering Sea and Aleutian Islands area with LLP's and cod endorsements for the federal fishery. This is a Washington and Alaska based and owned fleet.

Before I bring you to the heart of our concerns I want to make clear two issues of importance to weigh in consideration of BOF action on this proposal.

- 1.) **The 55' length in proposal 373** was intended to represent a size least likely to encourage larger vessels from entering the parallel fishery. Our intention here is not to eliminate long-term

participants delivering shoreside. For this reasons we would not oppose another reasonable size limit, say 58' that would still identify the intention of the proposal.

- 2.) **The Freezer Longline Coalition vessels fish within three miles.** The FLC members, in this proposal are themselves giving up fishing grounds that we have historically fished. On committee F documents, page 210 lists four vessels that participated in 2006 and 2007 as CP's. These were all four our vessels with federal LLP's and cod endorsements for the federal fishery. We are here as a part of the solution. By voluntarily not-participating in the parallel fishery we are willing to give up those grounds to solve what we see as a much larger issue, that being the open gate that has and will continue to allow a flow of larger longline vessels into the fishery. In 2008 "B" season alone you can see from the same data on page 210 of the report that three new participants entered the fishery, there are reports of several other new vessels that could be gearing up to participate in the near future. Our vessels are willing to give this area up during the parallel fishery to help close the loop-hole that if left unabated will bring a serious overcapacity to the fishery.

The time to act on this issue is now. If action is taken now to begin to deal with this issue before the problem grows into an emergency situation we can avoid a sure development of more vessels each season. I respectfully urge the Board of Fisheries to enact a reasonable vessel length for the BSAI state parallel fishery for the hook-and-line vessels as soon as is reasonably possible. I am asking for action at the December 2008 meeting so emergency rules can be put in place prior to the January 2009 opening or as soon as possible.

Although no one holds the crystal ball here the voice of experience would say this is simply too large of a loop-hole to exist without speculative entry into the fishery to continue to develop with larger size and financed vessels pouring into the fishery. If left with no action by the BOF it will certainly explode into a much larger problem. At its present management structure vessel owners could for instance, place a large, say 150 foot LOA, CP hook-and-line vessel into the parallel fishery that had never participated in the BSAI Pacific cod fishery, carry no observer, have no vessel monitoring system, no LLP requirement and have no requirement to stop fishing when the hook-and-line CP sector closed in federal waters, so long as any other hook-and-line sector was still open. This is a highly unregulated fishery that will continue to draw in operators that are intent on finding a way around the regulations in place that prevent the expansion of the hook-and-line CP fleet in the BSAI Pacific cod fishery. Regulations and laws set up by the United States Congress (Fishing Capacity Reduction Program for the Longline Catcher Processor Subsector of the Bering Sea/Aleutian Island Non-pollock Groundfish Fishery) and NMFS, Council A 67 (Pacific Cod Endorsements) and Council A 85 (BSAI P cod sector allocations.) The US Congress has acted to prevent the overcapacity of the larger longline Pacific cod vessels, NMFS has acted on many occasions to prevent the overcapacity of the larger longline Pacific cod vessels, and I now respectfully ask the BOF to take action as well.

We have before us a simple fix that will be of great help in stopping the unimpeded growth of large hook-and-line vessels operating in the BSAI state parallel fishery. If the BOF was to take no action on this

agenda item, there is no lack of the “if you can’t beat em’ join em’” operators that I fear will move into the parallel fishery. For instance there is nothing to prevent larger hook-and-line CPs who are participating in the federal fishery from entering the parallel fishery after the federal CP allocation is reached but CV hook-and-line remained open. This is a huge problem and a large enough loop-hole for a 175 foot hook-and-line catcher processor to drive through.

Thank you for your consideration on this proposal. I will be attending the December meeting in Cordova and will be speaking publicly on this matter at that time.

In closing thank you again for your time. I am hopeful that the Board of Fishery will take into account the concerns of our members and the long-term well-being of the fishery and deal with this issue in an expedient manner as possible.

Kenny Down
Executive Director
Freezer Longline Coalition



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Cordova District ~~BOARD~~ **BOARDS** United
PO Box 959 | 509 First Street | Cordova, AK 99574
phone: (907) 424 3447 | fax: (907) 424 3430
web: www.cdfu.org | email: cdfu@ak.net

November 17, 2008

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

RE: Copper River/Prince William Sound Board of Fisheries Proposals

Dear Chairman Jensen and members of the Board,

On behalf of Cordova District Fishermen United, I am submitting the following comments on Board of Fisheries **Proposal 1**.

CDFU strongly **OPPOSES** the reclassification of the Chitina Subdistrict to a Subsistence Fishery, and asks that the Board dismiss this proposal immediately.

As you are no doubt aware, in 1999, the Alaska Board of Fisheries incorrectly classified the Chitina Subdistrict as a Subsistence Fishery.

During the 2003 meeting the Board determined that the Chitina Subdistrict did not meet the 8 criteria used to determine customary and traditional use, and appropriately changed the determination back to a Personal Use fishery.

In 2005, a proposal was again put forward to reclassify the Chitina fishery, and the Board of Fisheries again determined that there was "no new information" to warrant changing the determination back to a C&T fishery.

In 2008, we are once again faced with a proposal which seeks to reclassify the Chitina Subdistrict to a Subsistence fishery. This proposal is not based on any solid arguments or new information. The Chitina Subdistrict still does not meet the 8 criteria that determine a C&T fishery. Lacking significant new information or just cause, this proposal cannot be given consideration.

Serving The Fishermen Of Area E Since 1975

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Cordova District Fishermen United
PO Box 339 | 509 First Street | Cordova, AK 99574
phone:(907) 424 3447 | fax: (907) 424 3430
web: www.cdfu.org | email: cdfu@al.net

For the record, and in response to specific arguments included in the proposal that the Board has incorrectly examined "users" rather than "uses", it is important to note that a "use" cannot be established without addressing "users". Additionally, the 1978 legislative discussion referred to in the proposal is an invalid argument, as new litigation was made after this date thus generating the 8 criteria used for determining customary and traditional use.

Proposal 1 needs to be thrown out and measures taken to ensure that this issue does not come up again. Each board cycle, a proposal addressing the reclassification of the Chitina fishery is presented and precious time and resources are wasted by ADF&G staff, and Copper River user groups.

The Board needs to ensure that this proposal is immediately dismissed and moved along so that we can continue with the remainder of the agenda.

Thank you for your consideration of this request, and we look forward to meeting the Board in December.

Sincerely,

Rochelle van den Broek
Executive Director

Sendin The Fishermen Of Alaska Since 1947

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Board of Fisheries Comments on proposals for changes 2008/2009**#1 Opposed**

Our way of life as rural residents of Cordova and the Copper River Basin is being threatened by those urban and suburban users who feel entitled to a subsistence status when it is clear that they do not meet the criteria for that status. As you know, this issue has been through several board cycles now, with much good thought and deliberation given to the subject of whether the personal use Chitna dipnet fishery should qualify as subsistence. It is clear that the intent of the subsistence priority as set forth by the Joint Board's eight criteria is to give priority to *uses* which sustain a subsistence *way of life*. Criteria number eight makes it especially clear in its use of the words "*reliance* for subsistence purposes...provides substantial economic, cultural, social and nutritional elements of the *subsistence way of life*". This is important because it refutes the Fairbanks Advisory Committee's assertion that past boards were wrong in analyzing "*users*" rather than "*uses*". The word "*uses*" always implies that there is a "*user*" involved. The Joint Board's criteria make it clear that in order for subsistence status to be granted, the *use* of the fish must be part of a pattern that helps to maintain the *user's* subsistence *way of life*. It has been effectively argued many times that if a person lives and works in an urban or suburban center 250-300 miles away from the resource and has a good paying job that is based (in many cases) on an oil or minerals extraction economy then they cannot claim to be members of the subsistence community. Such a claim is disrespectful to the true culture of subsistence which should be honored and preserved in the face of the many threats to our rural way of life posed by encroaching urbanity.

#4 Opposed

I don't know what demographic changes Mr. Kramer could be referring to. We are a rural, salmon economy with thousands of years of history as such. That hasn't changed.

#13 Opposed

I wouldn't want upriver users telling me how close I can set my net to one of my neighbors on the Copper River Flats.

#s 16 & 17 Support

I support the concept of establishing a smaller limit for subsistence use. With unlimited access to the fishery, these numbers are unsustainable. There is currently plenty of anecdotal evidence of illegally selling these fish and of wanton waste. If people want to share large numbers of fish with relatives or friends, they still can. It would just require that more permits be issued for those recipients. This would also promote better accounting and management of the resource.

#s 19 & 20 Support (with modifications)

I support these proposals because their aim is to increase accuracy of harvest reports.

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This is an important issue because it allows for better management of the resource and makes it less likely that people will "forget" to report their fish. Maybe the reporting time could be set for a week from when the fish are landed, so that it won't be inconvenient, but it will still have to be a high priority.

#'s 22 and 23 Opposed

These proposals interfere with ADF&G's ability to effectively manage the resource. In regards to #22: It is pointing out that the upriver users have been benefiting by receiving a consistent *Surplus* of fish. The fact that this proposal exists is testimony for the need for objective, flexible management. Obviously they feel entitled to the *Surplus* of fish that lower river users also have a right to. They need to be kept in check.

#25 Opposed

This is another attempt by the urban users to make it easier for them to take from an already fully utilized resource.

#26 Support

This is an important issue which addresses the commercialization of the personal use dipnet fishery. This proposal would increase the information that is needed to effectively track users and manage the fishery.

#27 Opposed

This proposal would vastly increase the dipnetting area, and would result in increasing the overall take. I find it ironic that the people from the urban centers of Alaska who made this proposal are complaining about needing to get away from the crowds. They are the crowd. If you open up more area, then the crowds will follow.

#'s 107, 108, 109 Opposed

Fully Utilized

#'s 69-74 Opposed

The seine fleet has benefitted from record harvests and excellent prices in recent years. The future looks very good for the seine fleet as well. A lot of effort went into the establishment of the current allocation plan and the numbers show that it is working well for all gear types, and seiners in particular. Re-structuring the current allocation plan would be a mis-use of resources and would be unfair to the gillnet fleet.

Sincerely,

Mike Mahoney
Cordova, AK
907-424-3828



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CDFU GILLNET DIVISION POSITIONS				
BOARD OF FISHERIES - PROPOSALS FOR PWS 2008-2009 CYCLE				
Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
1	Reclassify Chitina Subdistrict as a subsistence fishery	Fairbanks AC	OPPOSE	
2	C&T determination for freshwater fish in Upper Copper/Susitna	Ahtna Tene Nene' C&T Committee.	NEUTRAL	
3	Open Crosswind Lake to subsistence fishing	Ahtna Tene Nene' C&T Committee.	NEUTRAL	
4	Restrict subsistence king salmon fishery in Copper River District	Mike Kramer	OPPOSE	
5	Marking requirements for subsistence drift gillnet gear	Alaska Department of Fish and Game	SUPPORT	
6	Modify marking of subsistence-taken fish in Copper River District	Alaska Department of Fish and Game	SUPPORT	
7	Clarify legal subsistence gear for Prince William Sound	Alaska Department of Fish and Game	SUPPORT	
8	Open subsistence season May 1 in Copper River District	Mike Babic	SUPPORT	Open Subsistence season on May 10.
9	Open subsistence season May 10 in Copper River District	Tom Carpenter	OPPOSE	
10	Amend subsistence fishing seasons in PWS and Copper River districts	Alaska Department of Fish and Game	SUPPORT	
11	Eliminate restrictions on subsistence permit issuance in PWS	Alaska Department of Fish and Game	SUPPORT	
12	Reformat regulations on fish wheel specifications	Alaska Department of Fish and Game	SUPPORT	
13	Increase distance between fish wheels from 75 to 300 feet	Mike Babic	NEUTRAL	
14	Prohibit dipnetting within 30 feet of a fish wheel	David A. Kacal	NEUTRAL	
15	Reformat regulations for subsistence annual possession limits	Alaska Department of Fish and Game	SUPPORT	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
16	Modify annual limits in the Glennallen Subdistrict subsistence fishery	Ernie Allen	NEUTRAL	
17	Modify annual limits in the Glennallen Subdistrict subsistence fishery	Mike Babic	SUPPORT	
18	Amend Copper River Management Plan to include harvest monitoring	Mike Babic	NEUTRAL	
19	Require daily harvest reporting in Glennallen Subdistrict fishery	Bill Webber Jr.	SUPPORT	Include all upriver fish users.
20	Require harvest reports within 48 hours in Glennallen Subdistrict	Tyee Lohse	SUPPORT	Include all upriver fish users.
21	Allow retention of rockfish and lingcod taken in subsistence fisheries	Alaska Department of Fish and Game	-	
22	Increase annual limit of personal use sockeye salmon	Fairbanks AC, Chitina Dipnetters	OPPOSE	
23	Change time period for setting supplemental periods	Fairbanks AC, Chitina Dipnetters	OPPOSE	
24	Restrict supplemental permits if commercial fishery closes	Mike Babic	SUPPORT	Delete the line "and no supplemental permits for additional salmon may be issued for the rest of the year".
25	Increase PU king salmon limit and modify recording requirement	Fairbanks AC	OPPOSE	
26	Require reporting by transporters in personal use fishery	Shawn Gilman	SUPPORT	
27	Extend Chitina Subdistrict personal use fishery boundary	Anchorage AC, Matanuska Valley AC, Fairbanks AC, and Southcentral Alaska Dipnetters Association.	OPPOSE	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
28	Clarify fishing season and periods for herring bait fishery in PWS	Alaska Department of Fish and Game	SUPPORT	
29	Expand Prince William Sound sablefish season area to four months	Jim Herbert	-	
30	Modify Prince William Sound sablefish season dates	Richard Casciano	-	
31	Remove commissioner's permit requirement (sablefish) from regulation	Alaska Department of Fish and Game	-	
32	Retention of lingcod in Prince William Sound groundfish fisheries	Robert A. Smith	-	
33	Retention of lingcod in drift gillnet salmon fishery	Cordova District Fishermen United, Groundfish Division	SUPPORT	
34	Manage by emergency order in the Pacific cod fishery	Robert A. Smith	-	
35	Modify opening of Pacific cod fishery	Robert A. Smith	-	
36	Allow retention of Pacific cod in halibut fishery	Robert A. Smith	-	
37	Allow retention of Pacific cod in halibut and blackcod fisheries	Cordova District Fishermen United, Groundfish Division	-	
38	Expand outside district to harvest of Pacific cod	Curt Herschleb	-	
39	Allow fishing for Pacific cod in state waters near Cordova	Cordova District Fishermen United, Groundfish Division	-	
40	Remove commissioner's permit requirement (Pollock) from regulation	Alaska Department of Fish and Game	-	
41	Establish Area E commercial skate fishery	Bob Heinrichs	-	
42	Allow retention of spiny dogfish in longline fishery	Robert A. Smith	-	
43	Delete portions of groundfish guiding principles	James O. Smith	-	
44	Establish a commercial shrimp pot fishery management plan	Alaska Department of Fish and Game	-	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
45	Open commercial pot shrimp fishery	Whittier AC	-	
46	Open commercial spot shrimp fishery in Prince William Sound	Gordon Scott	-	
47	Remove permit requirement (shrimp trawl) from regulation	Alaska Department of Fish and Game	-	
48	Set spot shrimp guideline harvest level at or near mid 1980s level	Gordon Scott	-	
49	Exclusive registration for sport or commercial spot shrimp fishery	Gordon Scott	-	
50	Modify Central and Northwest section boundary in shrimp fishery	Whittier AC	-	
51	Allow sport and commercial seasons for shrimp to run concurrently	Gordon Scott	-	
52	Limit sport spot shrimp area during commercial openers	Gordon Scott	-	
53	Open non-commercial spot shrimp fisheries open through Dec 31	Leroy Cabana	-	
54	Reduce sport spot shrimp fishery to May 15- Sept 1	Whittier AC	-	
55	Reduce sport shrimp season for commercial fishery	Gordon Scott	-	
56	Require registration and permitting for sport shrimp fishery	Whittier AC	-	
57	Open subsistence fishing for all crab species year-round	Bob Heinrichs	SUPPORT	
58	Correct error in description of Coghill District	Alaska Department of Fish and Game	SUPPORT	
59	Clarify western boundary of Granite Bay Subdistrict	Alaska Department of Fish and Game	SUPPORT	
60	Modify boundaries in Eastern and Southeastern districts	Stephen Riedel	-	
61	Open east side of Hinchbrook and Montague Island to drift gillnet	Warren Chappel	NEUTRAL	
62	Require removal of set gillnet anchor buoys at inactive sites	Steve Aberle	NEUTRAL	
63	Remove set gillnet buoys and running lines when not in use	Scott Seaton	SUPPORT	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
64	Increase distance between set gillnets in portion of Eshamy District	Pete Jenkins	SUPPORT	
65	Modify gear separation for Main Bay and Crafton Island subdistricts	Prince William Sound Setnet Association	OPPOSE	
66	Modify drift gillnet use near set gillnets in Main Bay Subdistrict	Paul Owecke	OPPOSE	
67	Clarify alternating periods and gear use in Main Bay Subdistrict	Alaska Department of Fish and Game	SUPPORT	
68	Alternate drift and set gillnet gear use in Eshamy District	Colleen James	OPPOSE	
69	Open seine areas to provide June harvest opportunity	Gregory R. Gabriel, Jr.	OPPOSE	
70	Modify allocation to purse seine and drift gillnet fleets	Thomas Nelson	OPPOSE	
71	Allow purse seines in Coghill District and Port Wells prior to July 21	Thomas Nelson	OPPOSE	
72	Allow purse seines in Coghill District and Port Wells prior to July 21	Mike Durtshi	OPPOSE	
73	Open Coghill District to purse seine harvest of sockeye	David Clemens	OPPOSE	
74	Remove start date for seine gear in Coghill District	Gregory R. Gabriel, Jr.	OPPOSE	
75	Actively manage set gillnet harvest to achieve 4% allocation	Scott Seaton	SUPPORT	
76	Alternate drift gillnet and purse seine in Prince William Sound	Alan Kapp	OPPOSE	
77	Set ending date for pink salmon management in the Coghill District	CDFU Gillnet Division	SUPPORT	
78	Change allocation percentage that triggers set gillnet restrictions	Paul Owecke	OPPOSE	
79	Change allocation percentage that triggers set gillnet restrictions	Prince William Sound Setnet Association	OPPOSE	
80	#Restrict set gillnetting to 36 hours per week	Scott Seaton	NEUTRAL	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
81	Reduce hatchery chum salmon production	Fairbanks AC	OPPOSE	
82	Allow use of two set gillnet permits in Eshamy District	Michael E. Brown	-	
83	Increase allowable purse seine length to 225 fathoms	Rob Nelson	OPPOSE	
84	Modify gear specifications for purse seine leads	Leroy Cabana	OPPOSE	
85	Delete 200 mesh minimum depth for purse seines	Stephen Riedel	NEUTRAL	
86	Allow salmon seine vessel greater than 58 feet in length.	Darrell Kapp	-	
87	Change boundary between Cook Inlet-Resurrection Bay and PWS	Alaska Department of Fish and Game	-	
88	Add regulation for Johnstone Bay freshwater sport fishery	Alaska Department of Fish and Game	-	
89	Clarify definition of "spear" in saltwater	Howard Teas	-	
90	Allow gaffing lingcod in the mouth	Christopher Williams	-	
91	Reduce bag and possession limit for salmon shark	Greg Hamm	-	
92	Lower sport fish rockfish bag limits	Alaska Department of Fish and Game	-	
93	Lower rockfish bag limit in the subsistence halibut fishery	Alaska Department of Fish and Game	-	
94	Limit number of lines fished on charter vessels	Cordova District Fishermen United, Groundfish Division	-	
95	Redefine sport fishing gear for finfish in PWS	Cordova District Fishermen United, Groundfish Division	-	
96	Allow use of sport caught pink and chum salmon for bait in PWS	Prince William Sound Charter Boat Association, and Whittier Fish and Game AC	-	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
97	Allow use of sport caught pink and chum salmon for bait in PWS	James Norris	-	
98	Modify Whittier terminal harvest area to reduce wild salmon harvests	Prince William Sound Charter Boat Association, and Whittier Fish and Game AC	-	
99	Reduce area open to coho salmon fishing in Passage Canal	David Goldstein	-	
100	Close a portion of Ibec Creek to sport fishing	Copper River/PWS Fish and Game Advisory Committee	-	
101	Close a portion of 18-Mile Creek to sport fishing for coho salmon	Copper River/PWS Fish and Game Advisory Committee	-	
102	Close waters along Copper River Hwy to fishing for coho salmon	Stan Makarka	SUPPORT	
103	Close all salmon spawning areas to sport fishing	Mike Babic	SUPPORT	
104	Close king salmon fishing on Lakina R., Slana R., and Sinona Creek	Alaska Department of Fish and Game	SUPPORT	
105	Expand existing areas closed to king salmon fishing in Copper R.	Alaska Department of Fish and Game	SUPPORT	
106	Close Ahtell Creek to king salmon fishing	Shawn Gilman	SUPPORT	
107	Extend king salmon season on the Copper River to August 10	Anchorage AC and Matanuska Valley AC	OPPOSE	
108	Extend king salmon season on the Klutina River to August 10	Anchorage AC, Matanuska Valley AC, and Fairbanks AC	OPPOSE	

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Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
109	Extend king salmon season on the Tonsina River to August 10	Anchorage AC, Matanuska Valley AC, and Fairbanks AC	OPPOSE	
110	Allow retention of unintentionally hooked sockeye salmon	Mike Lanegan, Ken Hughes, Alan LeMaster	OPPOSE	
111	Prohibit removal from water any salmon not retained	Klutina River Association	SUPPORT	
112	Include any salmon landed or released against daily bag limit	Native Village of Eyak	SUPPORT	
113	Close Klutina and Gulkana rivers to power boat use 2 days/week	Native Village of Eyak	SUPPORT	
114	Restrict hatchery and stocking programs	Bill Larry, and Ralph Seekins	-	
115	Update stocked waters list for the Upper Copper/Upper Susitna area	Alaska Department of Fish and Game	-	
116	Remove rainbow trout/steelhead regulations for Tolsona Lake	Alaska Department of Fish and Game	-	
117	Repeal the Lake Burbot Management Plan	Alaska Department of Fish and Game	-	
118	Restrict commercial activity by participants of subsistence fisheries	Steve Johnson	OPPOSE	
119	Prohibit homepack of king salmon in Copper River District	Mike Kramer	OPPOSE	
120	Repeal reporting requirement for king salmon homepack	Alaska Department of Fish and Game	SUPPORT	
121	Prohibit use of dipnets and gaffs in commercial fishery	Chitina Dipnetters	OPPOSE	
122	Specify buoy marking requirement for commercial drift gillnet gear	Alaska Department of Fish and Game	SUPPORT	Support the request for better marking, but not the regulation for 'red' buoy.

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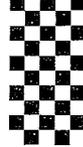
Prop. #	Action requested	Proposed by	Support / Oppose	Amendments (if any)
123	Update and clarify coordinates defining Inside Closure	Alaska Department of Fish and Game	CHECKING INFO.	
124	Open east side of Kayak Island to drift gillnetting	Warren Chappel	SUPPORT	
125	Expand fishing area in Bering River District	Mike Babic	SUPPORT	
126	Modify inriver escapement goals for Copper River	Mike Kramer	OPPOSE	
127	Repeal reference to inriver goal	Alaska Department of Fish and Game	SUPPORT	
128	Delay commercial fishing until 5,000 fish pass Miles Lake sonar	Fairbanks AC	OPPOSE	
129	Increase sustainable escapement goal for Copper River king salmon	Mike Kramer	OPPOSE	
130	Allow one fishing period in statistical weeks 20 and 21	Mike Babic	SUPPORT	
131	Restrict fishing within inside closure area of Copper River	Fairbanks AC	OPPOSE	
132	Eliminate restrictions within inside closure area of Copper River	Copper River/PWS Fish and Game Advisory Committee	SUPPORT	

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	<div style="text-align: right;">BOARDS</div> <p>Corporate Offices 800 E. Dimond Blvd., Suite 3-400 Anchorage, AK 99515-2043 Phone: 907-561-3400 Fax: 907-561-3401</p>
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November 11th 2008

Alaska Board of Fisheries (BOF)
Alaska Department of Fish and Game
Boards Support Section
P.O. Box 25526
Juneau, AK 99802-5526

RE: Proposals #371 & 372

Dear Chairman Jensen,

The Board decision in 2006 to create the AI Statewater cod fishery has the potential to mean a great deal to our community and region. It was clear that the Board understood how critical these fisheries are for the community of Adak and for the development of a sustainable locally based fleet of small vessels.

Unfortunately that potential has remained largely unrealized as the majority of the cod has been processed offshore by Catcher/Processors and transient floaters.

The AI statewater "A" season, which represents 70% of the GHIL, has never lasted much more than a week.

This year the "B" season quota was taken in just one month, and over 80% of the quota was processed at sea.

The Aleutian Island Statewater fishery is the only Statewater fishery in which the majority of the catch isn't processed onshore, benefiting the local economy in the region.

Action Requested on Proposals #371 and #372

Adak Fisheries supports taking action on proposals #371 and #372, with slight modification of #371 that reflects triggers for vessel length limits found in the GOA state water regulations.

On Proposal #371, we propose that the BOF adopt an 85' vessel size limit for the A season until 70% of the A season GHIL has been reached, at which point the size limit would be reduced to 60'.

Adak Fisheries LLC
100 Supply Road, Adak, Alaska 99546 USA Tel 907 592 4366 Fax 907 592 4241
Email Adak@adakfisheries.com

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Similarly, we propose a 60' limit be adopted from the beginning of the B season, until October 1st, at which time the Commissioner may allow a vessel of any size to register to fish for Pacific cod if needed to reach the GHL.

Adak Fisheries also supports the 75,000 lb daily trip limit in proposal #372.

Authority to Use Triggers

The Board's authority to allocate within a fishery is restricted by the Grunert decision. However, some of the statewater cod fisheries in the GOA have a provision that triggers a change in the size limit when a certain percent of the GHL has been reached.

For example, the ~~Kodiak Area Pacific Cod Management Plan~~ at 5AAC 28.467(c)(4) states the commissioner shall close *"the fishing season for vessels longer than 58 feet in overall length fishing with pot gear when 25 percent of the guideline harvest level has been taken by those vessels."* The Cook Inlet plan has the same provision.

Likewise, the GOA plans have provisions lifting the size restrictions late in the year if the Commissioner determines the smaller vessels are unlikely to reach the GHL.

Addressing the Guiding Principles

A modification of the regulations to reduce the daily trip limit to 75,000 lbs and to guarantee a portion of the allocation for vessels under 60' would go a long ways toward addressing three of the 5 AAC 28.089. Guiding principles for groundfish fishery regulations.

While the management of the Statewater fishery has addressed the biological aspects of the "Guiding Principles" we believe that these three important social principles have not been met.

4) maintenance of slower harvest rates by methods and means and time and area restrictions to ensure the adequate reporting and analysis necessary for management of the fishery;

A reduced trip limit and reduced vessel size limits will slow harvest rates.

(5) extension of the length of fishing seasons by methods and means and time and area restrictions to provide for the maximum benefit to the state and to regions and local areas of the state;

Too much of the benefit of the statewater fishery is being lost outside to Aleutian region under the status quo.

Slower harvest rates will lengthen the season and will benefit the local areas of the state in the Aleutian region as originally intended by providing enough fishing time for small vessels to base operations in the local area. Benefits to the local economies will be multiplied to the extent the catch is processed on shore.

Adak Fisheries LLC

100 Supply Road, Adak, Alaska 99546 USA Tel 907 592 4366 Fax 907 592 4241

Email Adak@adakfisheries.com

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(6) harvest of the resource in a manner that emphasizes the quality and value of the fishery product;

Our onshore processing plant in Adak is a full utilization operation for cod. We don't just retain the H&G product, we also produce value added sugar salted roe, cod heads, cod liver oil. The CP's in the statewater fishery are not doing full utilization.

Background

We came to the BOF in October of 2005 and presented an RC highlighting the problems of maintaining an economically viable fishing community in Adak. That became the basis for the BOF generated Proposal #399 adopted at your February 2006 meeting. In October of 2006 the BOF acted on ADF&G's Proposal #4 and AEC Proposal #3.

The Board discussion at the October 2006 meeting made clear that its objective was a more orderly, slower pace fishery that provided opportunity for small boats delivering to local communities. ADF&G's comments at that meeting also indicated its desire for a more orderly, slower paced fishery. The Board did adopt some size limits, but they have not served their intended purpose.

Ongoing Crisis

We came to the Board in October of 2005 seeking a Statewater cod fishery because - 1) the NPFMC had not completed a formal consultation to allow fishing of Aleutian pollock anywhere inside sea lion Critical Habitat; 2) Crab Rationalization had taken away most of Adak's the brown crab landings; 3) the federal cod A seasons were an ever accelerating derby that were reducing Adak's share of cod landings.

None of these issues has yet been addressed by the NPFMC, and the Aleutians are the only area in Alaska with no protections for onshore processing. The State water cod fishery is critical to our ability to weather the ongoing crisis.

We support the goal of developing a local small boat fleet that has enough opportunity that they can base their operations in Adak and contribute to the economic base of the community. We have proposed setting aside a guaranteed percent of the harvest for vessels under 60'.

There was an increase of participation by under 60' vessels in 2008. However, the short season duration has had a very discouraging impact on these small boats.

The decision for a small vessel of whether to make the trip to the Aleutian Islands depends on whether there will be enough fishing time to amortize the cost of the trip.

Without acting modifying the size limit on vessels in the state water fishery, benefit will continue to flow to Catcher-Processors and transient floaters rather than to the Aleutian Island communities of Adak and Atka, or to the small boat fleet that we are seeking to provide with viable fishing opportunities in these communities.

Adak Fisheries LLC

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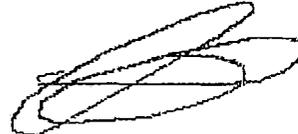
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Again, we thank you for acting to provide the state water cod fishery in the Aleutians, and look forward to working with you to provide orderly management of these important fisheries.

Sincerely,

dave fraser



Adak Fisheries
100 Supply Road
Adak AK 99546

Adak Fisheries LLC
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COMMENT# 69

November 16, 2008

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Board of Fish Comments
Alaska Dept. of Fish and Game
PO Box 11526
Juneau, AK 9981-5526

→ Prince William Sound Charter Boat Association
PO Box 2850
Valdez, AK 99686

Attn: Shannon
Public Comment

Board of Fish Members,

The Prince William Sound Charter Boat Association, currently with 18 members, (down from 23) are offer the following comments regarding Proposals – 91, 92, 93, 94, 95, 96, and 98.

Proposal 91 – Oppose

This regulation will have minimal effect on shark harvest – less than 50 sharks per year and no conservation issue has been identified.

When conservation becomes an issue , we support restrictions that will be effective with the least amount of disruption to sport fishermen and to sport charter businesses. Would changing the annual limit from 2 sharks to 1 shark be more effective?

Proposal 92, 93 - Support

There is a clearly defined conservation issue and the Association supports the conservation of rockfish.

Proposal 94 - Oppose

The issue addressed in Proposal 94 is to control the growth in effort of the charter fleet. We don't believe the issue currently exists. Charter vessels are in decline – more than 28% statewide since 2000. We have seen a decline in Valdez and our Association reflects this – down from 23 to 18 members.

The way the proposal is written, if passed in December, all inspected vessels currently operating in Prince William Sound would be limited to 6 passengers in 2009, possibly 2010, possibly forever. The Federal limited entry permit may not happen. How can you base a proposal on non-existent permits?
As written, this proposal would reduce an established inspected vessel that has operated carrying more than 6 passengers but doesn't pursue halibut. Basically, a business that only pursued salmon is penalized for not halibut fishing.

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With the cost of operating a charter vessels today, some of the bigger safer vessels cannot make a profit carrying only 8 passengers. The only option left for charter businesses to increase profits will be to use smaller, less seaworthy vessels.

The State of Alaska is attempting to establish a Sport Fish Guide Board. If this comes to pass, this would be the appropriate avenue for this type of action.

Proposal 95 – Oppose

This proposal indicates black cod are fully allocated to commercial fisherman. The proposal is designed to make it difficult or impossible for sport fishermen to access black cod, thus maintain a 100% allocation to commercial fishermen.

The proposal defines sport fishing gear as a rod and hand powered reel when fishing for finfish which means we can fish for halibut with electric reels. What happens when we catch yellow eye rock fish? The law says full retention but we can't use electric reels? Not a good regulation.

Has a significant sport fish effort for black cod been defined? If it hasn't, the regulation is needlessly restrictive.

Proposal 96 – Support

We authored this proposal and continue to support it's passage. More than 39 million pinks were harvested in 2008 in Prince William Sound. The amount of salmon harvested by this regulation change will be virtually immeasurable and it provides another recreational opportunity to sport fishermen.

Proposal 98 – Support

We authored proposal 98 and support its passage.

Prior to the Whittier coho stocking program Pigot Point was a location we fished for cohos occasionally. Most likely the cohos we caught were native run fish. The stocked cohos congregate at Pigot Point and now it is fished almost daily when from mid July to August. Moving the line in may reduce native run coho interception.

With the proposed boundary, boats fishing in the terminal harvest area would be visible from Whittier except on foggy days or at night making enforcement easier.

Thanks for your time and service,

D. Eames for Dan Eames
11-17-08

Dan Eames
President
Prince William Sound Charter Boat Association

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**BOF COMMENTS
Alaska Dept. of Fish and Game**

November 15, 2008

My name is David Pinguoch. I have owned and operated a charter boat business in Prince William Sound since 1991.

*Attn: Shannon
Public Comment*

Proposal 94 – Limit number of lines on charter boats – Oppose

Southeast Alaska does have this regulation. It was proposed by the charter industry, not commercial fishing interests. It was a self regulating regulation.

The State is currently working on a Sport Fish Guide Board for charters. This can be addressed there, if it felt there is a need for this restriction.

It seems grossly unfair to existing charter boats that now carry more than 6 passengers for hire but do not participate in the halibut fishery. The proposal, as written, penalizes charter businesses who decided not to participate in the halibut fishery, but may offer other types of fishing. At the very least, there should be a grandfather clause for those vessels.

I'm sure there is concern that if and when the halibut charter moratorium is put in place, that charter boats will look for other areas to fish. The charter boat industry is in decline. The number of registered charter boats in Alaska is down 28% from its peak in 2000. There is time to work this out without one industry forcing rules on another with little or no input from the affected industry.

Proposal 95 – defining sport fishing gear for finfish – Oppose

This proposal is confusing, possibly misleading and the regulations appear to already address the issue.

When you read the first sentence it looks like the proposal means while using electric downriggers you must also use a fishing pole and reel.

The second sentence then defines sport fishing gear for finfish which eliminates the use of electric reels for finfish regardless of whether you are using downriggers. Was this the intent?

If you can use electric reels for halibut, but not finfish and you catch a yellow eye rock fish while fishing for halibut, then what?

If the concern is that sport fishermen will use jigging machines to catch black cod -the definition of sport fishing may cover this. The way I read it, using jigging machines with out fishing poles may be illegal now unless hand lining falls into that category.

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Proposal 96 – Allow sport caught chums and pinks for bait - Support

Although fresh ocean caught pink and chum salmon are under rated, in my opinion, allowing sport fisherman to harvest pinks and chums for bait will have no measurable impact on the resource and provide additional recreational opportunities to sport fishermen.

Southeast Alaska currently has this regulation in place and Prince William Sound produces more pinks than southeast.

2008 preliminary data indicate a commercial harvest of -

Prince William Sound	Southeast
39,808,000 pink salmon	15,189,000 pink salmon
4,379,000 chum salmon	8,585,000 chum salmon

Proposal 98 – Move the Whittier silver salmon terminal harvest area- Support

The current line for the Passage Canal terminal harvest area cuts right through an area where fish school up and the regulation is often misread.

When you read it carefully, it is clear that Pigot Bay is not part of the terminal harvest area, yet numerous people have told me it is in the terminal harvest area.

Silvers often school just outside the terminal harvest area and boats troll in and out of the area and count them as being in the terminal harvest area. This makes it difficult for the honest guys – not a problem for the rest.

Before the fish stocking program began in Whittier, I used to fish Pigot Point for silver salmon. I assume most of the silvers were natural run fish. If they were, then the location of the line is allowing us to target natural run fish in a terminal harvest area.

The boundaries suggested in Proposal 98 would eliminate Shotgun Cove from the terminal harvest area. Proposal 98's boundary would be visible from Whittier, effectively making it possible for law enforcement to watch boats from Whittier to determine if they were fishing in the terminal harvest area. The difference between the two proposals is small. I think Proposal 98's line is easier to define and easier for enforcement purposes.

Thank you for taking the time to read my comments.

If you have any questions about my comments don't hesitate to contact me.

David Pinguoch
PO Box 623
Whittier, AK 9693
Cell 715-7447



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Coastal Villages Region Fund

711 H Street, Suite 200 • Anchorage, Alaska 99501 • Phone 907.278.5151 • Fax 907.278-5150

November 17, 2008

ATTN: BOF COMMENTS

Alaska Department of Fish and Game

Boards Support Section

P.O. Box 115526

Juneau, Alaska 99811-5526 FAX: 9070-465-6094

Re: **Opposition to Proposal 371**

Dear Member of the Board of Fisheries:

Coastal Villages Region Fund (CVRF) opposes Proposal 371 which proposes to standardize the maximum vessel size limit to 60 feet overall length (OAL) for vessels of all gear types participating in the Aleutian Islands District state-waters Pacific cod fishery. We oppose this proposal because we participate heavily in this fishery through our ownership (46%) of the KATIE ANN, which relies on delivery volumes of Pacific cod from vessels larger than 60'. CVRF is an Alaska non-profit company that represents 20 Alaskan communities and 9,000 Alaskans who reside along the coast of the Bering Sea from Scammon Bay to Platinum. Our 20 member villages (Scammon Bay, Chevak, Hooper Bay, Newtok, Tununak, Toksook Bay, Nightmute, Cheformak, Kipnuk, Kwigillingok, Kongigianak, Tuntutuliak, Napakiak, Napaskiak, Oscarville, Eek, Quinhagak, Goodnews Bay, and Platinum) are among the poorest in Alaska. A major glimmer of economic hope for our people has been our investments in the Bering Sea and Aleutian Islands groundfish fisheries. For the first time in history, our residents have a stake in the large-scale groundfish fisheries happening off our shores. These investments provide jobs for our people, new in-region economic development, a market for our local salmon and halibut fleets, scholarships and training for our people, and hundreds of employment opportunities at plants within our communities.

Decreased quality: The catcher/processor KATIE ANN produces the highest-quality Pacific cod fillets that are available on the market. The operation does this by processing fish at-sea within hours of the harvest. Imposing a ban on vessels like the KATIE ANN would increase the time to process the catch, thereby reducing the quality. Bringing the catch to shore on smaller vessels would also decrease quality as compared to our operation -- a difference that will be reflected in a lower price at the market.

Harm to Alaskan Owners: Proposal 371 would harm CVRF and the KATIE ANN's operations by reducing the volume, the pace, and most importantly, the reliability of the supply of Pacific cod delivered to the KATIE ANN. Our operation and machinery require a consistent volume for efficiency and viability. Even the larger catcher vessels are challenged at times in this fishery by weather and ocean conditions. The supply of cod from smaller vessels would be jeopardized by the treacherous and unpredictable weather commonly

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experienced in the Aleutian Islands. Downtime and reduced supply of cod to our factory would result in lower production, reduced product quality, decreased revenue, lower crew wages and an erosion of the return on the investment for our Alaska communities and residents. We have invested in the KATIE ANN in reliance on her ability to participate in the fisheries under existing rules. The proponents of Proposition 371 fail to mention in their questionnaire that the "Mothership" their proposal would hurt worst is owned by Alaskans. We urge the board not to stamp out our existing successful Alaska-owned operation in order to provide potential opportunities for smaller vessels that might not be owned by Alaskans, might not materialize, and probably cannot produce the volume or supply consistency needed by our Alaska-owned operation.

Harm to Alaskan Employees: The KATIE ANN provides important jobs to Alaskans from our region. The KATIE ANN is used as an entry vessel for our village residents who want to participate in the fisheries. Since 2001, residents from our communities have earned about a half million dollars as crew members aboard the KATIE ANN -- a significant amount of income when you consider the limited cash economy in most of our member villages. If an employee from our region performs adequately aboard the KATIE ANN, he/she often will move up to higher paying jobs on vessels in which CVRF is an owner.

Competition: Limiting the fishery to vessels 60' or less will reduce, or more likely eliminate competition among processors, because the only processor likely able to remain in the fishery would be the existing processor in Adak. The KATIE ANN has not utilized catcher vessels smaller than 60' for cod operations, and as mentioned above, it is unlikely that we could maintain the volume and harvest/delivery consistency needed for our operation with smaller vessels. The Pacific cod fishery has been overcapitalized for years and many of the existing cod harvesting vessels are owned by Alaskans, including CVRF. We do not need more competition on the harvesting side of the fishery. We need to be able to continue to receive cod from larger vessels that have made our investment in the Katie Ann viable and beneficial for Alaskans.

Conservation: The KATIE ANN carries two independent NMFS-certified observers at all times, while vessels under 60' have no observer coverage at all. The continued participation of the KATIE ANN in the fishery will provide the highest confidence possible in the monitoring and accounting of harvest and bycatch amount in the fishery. We are also able to move with the harvesting vessels to where cod stocks are most abundant, minimizing the possibility of localized depletion.

Thank you for your consideration of these comments and of CVRF's opposition to Proposal 371.

Sincerely,



Neil Rodriguez
Community and Governmental Affairs Manager
COASTAL VILLAGES REGION FUND



Petersburg Vessel Owners Association

P.O. Box 232
Petersburg, Alaska 99833
Phone (907) 772-9323 Email: pvoa@gci.net

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November 17, 2008

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

RE: PRINCE WILLIAM SOUND BOARD OF FISHERIES PROPOSALS

Dear Chairman Jensen and Board Members,

Petersburg Vessel Owners Association (PVOA) is a diverse group of commercial fishermen based in Alaska operating primarily in Southeast Alaska and the Gulf of Alaska. Our members participate in a variety of fisheries statewide including halibut, cod, salmon, herring, crab, and shrimp. PVOA appreciates the opportunity to comment on Prince William Sound Board of Fisheries proposals # 94 and #95.

PROPOSAL #94: PVOA SUPPORTS limiting the number of lines fished on a state licensed charter vessel to the number of paying charter clients, up to a maximum of 6 lines in Prince William Sound (PWS). This regulation will follow similar successful regulations in effect in Southeast Alaska (IPHC regulatory area 2C) and an Emergency Order issued by the Alaska Department of Fish and Game (ADFG) in Central Gulf (IPHC regulatory area 3A). This regulation will help slow the growth of charter harvest by preventing the party boat (vessels carrying more than six clients) sector from continuing to grow unchecked placing further pressure on fully allocated resources as well as disadvantaging smaller established charter operations.

PROPOSAL #95: PVOA SUPPORTS prohibiting the retrieval of sport-caught fish and sport gear with a power-assisted reel (such as a downrigger) in PWS on state licensed charter vessels. Continued allowance of power-assisted gear retrieval encourages the meat-hunting aspect of charter fishing and eliminates the sport aspect in sport fishing. With guided and unguided recreational harvest on the rise, increased pressure on fully-utilized resources is occurring. The use of power-assisted gear is becoming more common, and allows operators to reach new depths and harvest at an improved speed that discourages a quality recreational fishing experience. Power-assisted gear now allows the targeting of fish at depths previously unattainable, allowing for the increased harvest of fully utilized

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resources. Sport fishing should be conducted with sport fishing gear that encourages the opportunity to catch fish.

If you have any questions regarding these comments, please feel free to contact us.

Respectfully,

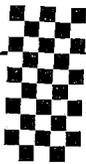


Julianne Curry
Director

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NOV 17 2008

Public Comment Supporting Proposal 114

Sport Fish Director Charlie Swanton and state fish hatchery supervisor Jeff Milton continue to use the hormone testosterone in state operated fish hatcheries even as world scientific evidence mounts about the risks to human and wildlife health. Mr. Milton uses testosterone in a process to produce all-female rainbow trout and the excess hormone is released into Ship Creek with the hatchery effluent. The fish are then genetically altered to make them sterile.

The public concern is that very little of the administered hormone is metabolized by the fish in the hatchery. Studies show that the amount of unused testosterone in water flowing out of a tank of hormone treated fish is still sufficient to alter the sex of additional fish that are kept in a separate tank. The Sport Fish Director and hatchery supervisor have tried to trivialize this by saying that the amount of testosterone contaminating Ship Creek is diluted to parts-per-trillion. What the director and hatchery supervisor are ignorant of, or have ignored, is that testosterone is a powerful hormone and even a miniscule amount in parts-per-trillion is sufficient to impact aquatic wildlife and human health. There is no established safe level for testosterone. The old explanation of "trust us, we know what we are doing" doesn't work anymore.

Mr. Milton genetically alters the hatchery fish using a process that results in the fish having three sets of chromosomes. The problem is that organisms with extra chromosomes typically have poor health, display abnormal behavior, and have reduced mental ability. This is not a problem if you are a banana, a seedless watermelon or an oyster. But, if you are the type of organism that must tolerate stressful environmental conditions, recognize and respond appropriately to helpful or dangerous situations, then extra chromosomes will hurt your chances of survival. The effect of extra chromosomes is particularly noticeable in humans (Down's syndrome is one example).

Genetically altered fish (this is the term used by ADF&G) have poor survival especially when stressed. The interior is a harsh environment for rainbow trout as demonstrated by 50 years of stocking and no feral populations being established. Studies by other agencies have shown that genetically altered and normal rainbow trout can have similar growth and survival rates in normal or ideal conditions. But genetically altered fish do much worse when the environment is not normal, for example interior Alaska or high elevation lakes in some western states. Even hatchery survival and growth for genetically altered rainbow trout can be poor compared to normal rainbow trout. Normal rainbow trout will often outcompete genetically altered rainbow trout when the fish are placed in the same environment. One study found that genetically altered fish cost 15% more to produce in a hatchery.

Contrary to ADF&G staff comments, Proposal 114 will not allow northern pike to be stocked into Southcentral lakes as suggested. Every fish stocking activity in the state requires an approved Fish Transport Permit. The ADF&G commissioner has authority to approve or disapprove any fish transport permit.

The intent of Proposal 114 is to keep the option of stocking normal rainbow trout in Interior Alaska. The current Stocking Policy will not allow this action because Director Swanton thinks that escaped rainbow trout will start a feral population. In over 50 years of stocking normal

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rainbow trout in the interior, no feral populations have been established. The environment is too harsh, the habitat is not suitable, and burbot and northern pike are very effective predators.

Wild stocks are sufficiently protected because Proposal 114 requires that local stocks of grayling, salmon, and other species be used. Instead of using genetically altered fish ADF&G will take eggs from local wild stocks (salmon for example) to use in the lake stocking program. Any interbreeding between hatchery and wild salmon should not be a problem because the hatchery fish will only be one generation from their wild parents. In the interior there are only several thousand chinook and coho salmon stocked in lakes each year. Even if all the stocked salmon in all the lakes escaped, only a very few would survive to potentially breed with wild fish. The odds are greatly stacked against the stocked salmon escaping, surviving, and eventually competing with and breeding with wild salmon.

Director Swanton and Mr. Milton have created a Stocking Policy with no public input and no intent of asking for public input. The outcome of this policy is that the state releases hormones into Alaska waters and produces genetically altered fish for stocking in Alaska lakes. Proposal 114 assures anglers and other Alaskans that no hormones or genetic alteration was used to produce hatchery fish. Anglers will know that the fish on the dinner table is not genetically altered and is healthy for their families. Alaska water quality and fish, wildlife, and human health will be protected.

Proposal 114 recognizes that conditions and situations are different for Southcentral compared to the Interior and other parts of the state. That is why exceptions can be approved by the local Fish and Game Advisory Committee.

Ralph Seebain
4611 Marsh Ave
Fairbanks, AK
907-474-9355

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