

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite B
Sitka, Alaska 99835
Tel. No. 907-747-7996 . Fax No. 907-747-7998

RC 20

John Jensen, Chairman
Board of Fisheries
PO Box 115526
Juneau, AK 99811

February 13, 2009

Re: NMFS Study Demonstrates Robustness of Sitka Sound Herring

Dear John:

Attached is a poster produced by NMFS Auke Bay Lab research biologist Dr. J.J Vollenweider regarding comparison of Sitka Sound herring (robust) with PWS and Lynn Canal herring (depressed). This is an ongoing study in its third year and provides clear evidence for the health of the Sitka Sound herring stock. Using gonadosomatic indices and gonad energy content it concludes that the Sitka herring have the lowest rate of energy expenditure overwinter, resulting in the largest, best provisioned gonads prior to spawning.

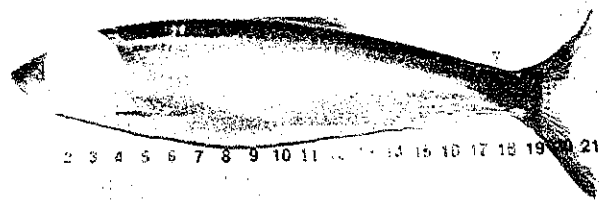
The point I glean from Vollenweider's work is that the Sitka stock has high energy reserves, a strong proxy for a robust population. These data bolster ADF&G's work showing an increasing biomass and a sustainable population that can support a 20% harvest rate. I can find no evidence to suggest the Sitka Sound herring harvest rate should be reduced or eliminated. ADF&G's herring sampling program, biomass modeling, and fishery management are a poster child for sustainable management and professionalism.

Thank you very much for your time and consideration.

Best regards,

Steve Reifenstuhl

Steve Reifenstuhl
Silver Bay Seafoods Fleet Manager & Scientist

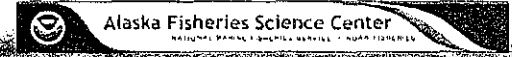


Herring Depressions in Prince William Sound and Lynn Canal A Question of Fish Condition?

J.J. Vollenweider and Ron Heintz

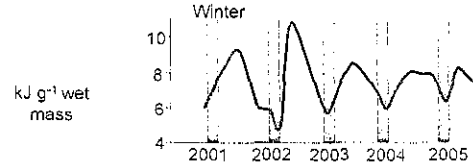
Auke Bay Laboratories
Juneau, Alaska

john.vollenweider@noaa.gov



Premise

Body composition of herring undergoes dramatic seasonal cycles as shown for Lynn Canal herring below. Throughout the summer, herring amass large energy depots to sustain them through the winter, during which energy depots are depleted.



Hypothesis

Herring from depressed stocks may not obtain sufficient early winter energy stores for either:

1. Overwinter survival of juveniles, or
2. Reproductive investment of adults

Methods



Collected herring in early and later winter to measure energy stores and calculate overwinter energy depletion in three stocks of herring.

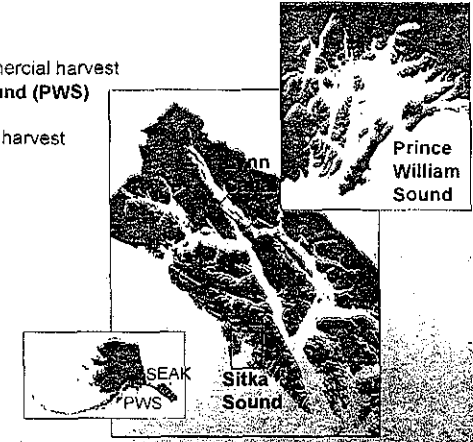
Measured age, gender, maturity index, gonadosomatic index (GSI) and weighed stomach contents.

These are preliminary data, we are collecting more this winter.

Study Sites:

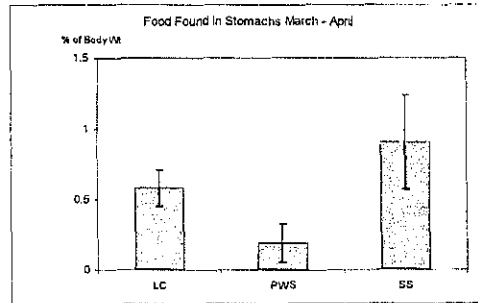
Depressed with no commercial harvest

1. Prince William Sound (PWS)
 2. Lynn Canal (LC)
- Healthy with commercial harvest
3. Sitka Sound (SS)



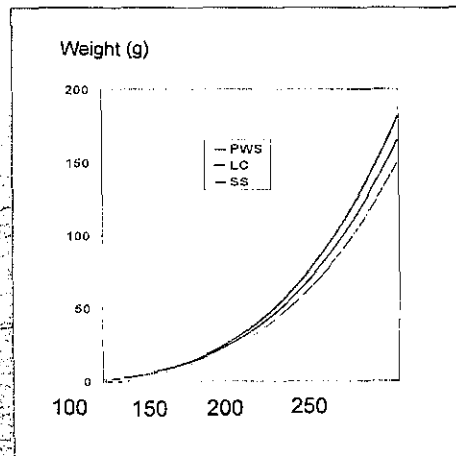
Preliminary Results

Foraging Success



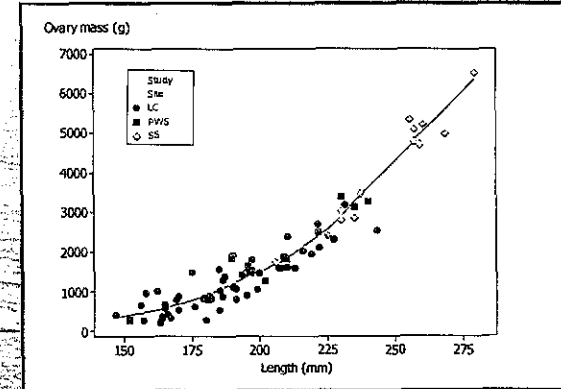
In Sitka Sound (SS) fish that were found to be eating had more food in their stomachs than either Lynn Canal (LC) or Prince William Sound (PWS). This figure shows the average weight of the stomach contents expressed as a percentage of body mass for herring sampled in late March and early April. The number of fish found to be eating increased at all sites between January and March.

Weight at Length



There are significant differences in the allometry of wet mass and length. Fish from PWS are consistently heaviest at length and Sitka Sound herring are the lightest. This suggests density dependent effects on weight.

Ovary Weights in Mature Fish



Allometries relating ovary mass to fish length are identical among the stocks as shown in this figure that relates the total mass of mature ovaries to the female length

Project is Underway

These data are part of an ongoing study funded by the EVOS Trustees. Chemical Analysis of the fish is underway, studies occurring this winter include repeating these analyses and development of a bioenergetic model.

Acknowledgements

Funding provided by Exxon Valdez Oil Spill Trustee Council

Many thanks to: John Moran, Keith Cox, Fletcher Sewall, Wyatt Fournier, Dave Csepp

Pacific Herring Reproductive Investment (*Clupea pallasii*): A Factor in Their Decline?

JJ Vollenweider*, Ron Heintz, Keith Cox
Auke Bay Laboratories, Juneau, AK

*Johanna.Vollenweider@noaa.gov

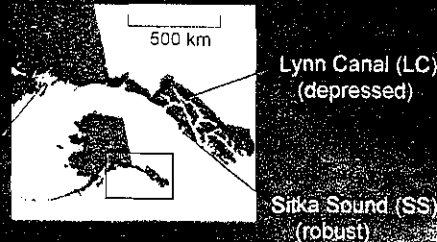


Alaska Fisheries Science Center
NATIONAL MARINE FISHERIES SERVICE • NOAA FISHERIES

Introduction

Problem:

Herring populations in Prince William Sound (PWS) and Lynn Canal (LC) have been depressed since the 1980's while the population in Sitka Sound (SS) is robust and sustaining record harvest levels. Causes underlying the population declines are unknown.



Background:

Depressed recruitment may limit recovery of PWS herring. Potential agents for depressed recruitment remain unknown (disease, predation...?), but it is likely their combined effects are reflected in herring energy dynamics. We postulate that adult herring facing environmental stress will have higher energy expenditures over winter, resulting in decreased energy available for reproduction, consequently affecting offspring survival rates.

Objectives

1. Compare overwinter energy expenditures of adult herring in 3 Gulf of Alaska stocks (PWS, Lynn Canal, and Sitka Sound).

2. Compare energy, lipid, and protein content of pre-spawning herring in the 3 stocks.

Methods

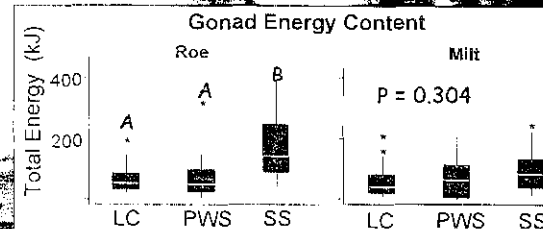
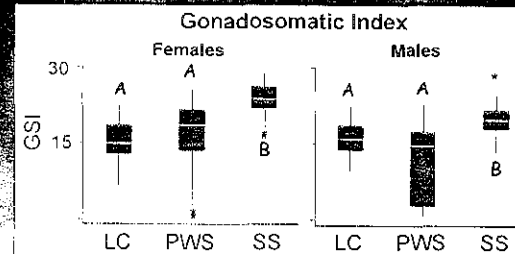
1. Collect adult (age 0+) herring before and after winter from spawning grounds of the 3 stocks.

2. Measure energy content and proximate composition (lipid, protein, water, ash) of pre-spawning herring.



Results

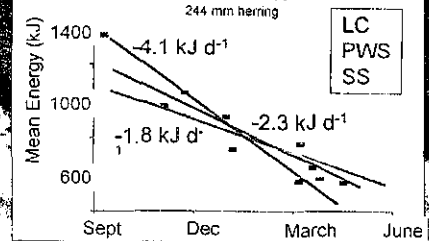
1. PWS herring incur the greatest overwinter energy expenditures, nearly twice the rate of herring in Southeast AK stocks. Though PWS herring began winter with greater energy stores than fish in Southeast AK, their high rate of energy expenditure caused all stocks to be in relatively similar condition at winter's end.



4. Herring in PWS and LC forage more frequently than in SS, perhaps to compensate for increased energy expenditure.

% of Stomachs With Prey Remains		
PWS	SS	LC
67%	27%	62%

Whole Body Energy Content



2. Gonadosomatic Indices (GSI) of pre-spawning herring were higher in the robust stock (SS) than the depressed stocks (PWS & LC).

3. Relative composition of gonads did not vary amongst stocks (energy density, %lipid and %protein). Thus, spawning herring in SS had larger gonads conferring more energy, lipid and protein.

Identifiable Prey:	
Euphausiids	
Copepods	
Pteropods	



Summary

Herring in PWS (and to a lesser degree LC) incur high overwinter energy expenditures at the expense of gonad condition. In contrast, fish in SS have the lowest rate of energy expenditure over winter, resulting in the largest, best provisioned gonads prior to spawning. Frequency of winter foraging is highest in the declining populations, perhaps to offset energy loss. Causes for the differential energy expenditures amongst herring stocks are unknown (disease, predation...?), but are likely factors in the population declines.

Acknowledgements

This work (project #PJ090806) was funded by the Exxon Valdez Oil Spill Trustee Council. We thank Jeep Rice (NOAA Fisheries, Auke Bay Labs) for his instrumental help in project design and logistics. We also thank many people for their collaborative efforts in collecting herring samples, including Steve Moffitt and Rich Brenner (Alaska Department of Fish and Game, Cordova), Tom Kline, Dick Thorne, and Rick Crawford (Prince William Sound Science Center), John Moran (NOAA Fisheries, Auke Bay Labs), Dave Gordon (Alaska Department of Fish and Game, Sitka), Courtney Grady and Jake Gregg (US Geological Survey, Marrowstone Marine Field Station), and Heather Meuret-Woody (Sitka Tribe of Alaska). We also thank those who helped catch, process and analyze countless herring samples, including Fletcher Sewall, Robert Bradshaw, Lawrence Schauler, John Hudson, Matt Dietrick, Wyatt Fournier, Bonita Nelson, Clay Werthamer, Kevin Haffern and Cadar Stark (NOAA Fisheries, Auke Bay Labs).



RC21

ATTN: Shannon
BOF AC
Comments

Kodiak Fish & Game Advisory Committee February 4th 2009-KNWRVC

Oliver Holm Chairman

7:00pm

(Minutes represent a paraphrased summary of the KAC, department staff and public comments and are not a verbatim transcript of the meeting. Tapes of the meeting are available for review by contacting the committee secretary)

- Committee elections and selection of officers**
- Discussion and action on herring work group proposal**
- Wrap up of 2008 commercial salmon fishery by department staff**
- Discussion and action on shellfish proposals**
- Selection of KAC member to attend the BOF finfish and shellfish meetings**
- February 17th set as next KAC meeting date to discuss and take action on game proposals**

RECEIVED

FEB 12 2009

**BOARDS
ANCHORAGE**

Call to order: 7:10pm at the KNWR Visitors Center

Roll call: A quorum was achieved with the following members present: Oliver Holm, Don Fox, Kip Thomet, Julie Kavanaugh, Mike Clark(for Ron Kavanaugh), Rolan Ruoss, Layne Wilde, Alexis Kwachka, Pete Kendrick(for Curt Rivers), Pete Hannah, Mike Horstman(for Paul Chervenak), Bob Mc Garry(for Lou Dochterman) and Dave Hilty(for Al Cratty).

ADF&G Staff: From the finfish division Jeff Wadle, Joe Dinnocenzo and Iris Caldenty and from Shellfish were Wayne Donaldson, Mark Stichert and Nick Sagalkin.

Audience: (2) Bruce Schactler(seiner) and Harvey Goodell(gillnetter).

Approve Agenda: Motion to adopt agenda passed unanimously.

Approve Minutes of previous meeting: Motion to approve minutes of our meeting of December 4th 2008 passed unanimously.

Correspondence: None.

Chair Announcements: Possible to get a sea otter person(USFWS) from Anchorage to update the committee and public on their status in the Kodiak Area

Election of committee members and officers:

- 1) Nominations were opened and closed for committee seats. As all candidates were unopposed the KAC voted unanimously to seat the full slate. Don Fox and Alexis Kwachka were elected to the (2) one year Alternate Seats and elected to the three year seats were Kip Thomet(Salmon Gillnet Westside) and Paul Chervenak(Big Game Guide/Outfitter).
- 2) The current officers were nominated and reseated Chairman Oliver Holm, Vice Chair Paul Chervenak and Secretary Don Fox.

Kodiak Fish & Game Advisory Committee
Meeting Minutes of February 4, 2009

Old Business:

- 1) Iris Caldentey gave an wrap up of the 2008 commercial salmon season and presented a handout on the preseason preliminary forecast for 2009.

2)Herring work group recommendations:

ACR-#6

Pertaining to the Kodiak Area herring gillnet allocation.

A agenda change request submitted by Bruce Schactler concerning the Kodiak Area gillnet allocation would: rescind the current allocations and return to equal fishing time for each fleet separated by time, but not area. The ACR further requests that the current harvest strategy be re-instated when needed or justified. This request was submitted because in recent years lack of effort by the gillnet fleet left large amounts of available herring quota un-harvested(**stranded**).

Staff comments: If allocation rescinded the department is unclear what criteria would be used to justify re-instating the current allocation. Department neutral on allocation aspects. Whatever is done should be black and white the simpler it is the easier to manage.

Committee comments: The advisory committee met and discussed this issue at great length at our December 4th 2009 meeting. The measure was tabled and a work group formed composed of the various stakeholders and department staff to discuss this issue and present their recommendations at the KAC,s February 4th 2009 meeting. Wallace Fields was selected to chair a meeting to be held at 7:00pm January 8th at the ADF&G conference room. The work group was composed of Mr Fields , Peter Allen, Harvey Goodell, Dave Hilty and Oliver Holm and would be facilitated by department staff. KAC members all agreed that participation by gillnetters was dependent by price in any given year and that if the gillnetters had a few weeks of fishing at the beginning of the season a permit holder would be able to fish the **old allocation** also giving the department some time to assess the participation of the gillnet fleet. Committee members felt that the **work group proposal** needed to be **amended** by striking the language after (e)(8) **After May 7th (deleted language) >>>>> if fewer than five gillnet permit holders have made deliveries in the Kodiak Management Area-----**from the work group recommendations. The committee felt that with out the change the likelihood of un-harvested GHF would still be high. The three weeks at the beginning of the season with the allocation plan in place still allows gillnetters a significant opportunity to catch if the price should rise and effort increase their allocation. This is needed for gillnetters planning to risk re-entering the fishery.

MOTION: moved and 2nd to adopt work group proposal with amended language.

ACTION: MOTION PASSES UNANIMOUSLY: 13-0.(proposal on next page).

(Herring proposal continued):

5 AAC 27.510 FISHING SEASONS AND PERIODS FOR KODIAK AREA.

Kodiak Fish & Game Advisory Committee
Meeting Minutes of February 4, 2009

(4) [TO PARTICIPATE IN THE SAC ROE HERRING FISHERY, A CFEC PERMIT HOLDER MUST REGISTER WITH THE DEPARTMENT FROM APRIL 1 THROUGH APRIL 14.] **before participation in the sac roe herring fishery after May 7, a CFEC permit holder must be registered with the department.**

5 AAC 27.535. HARVEST STRATEGIES FOR KODIAK AREA.

(e)(10)[(C) HARVEST OR EFFORT, OR A COMBINATION OF BOTH HARVEST AN EFFORT, THE DEPARTMENT MAY ALLOW ONE GEAR TYPE TO OPERATE IN AN AREA DURING ANY OPEN PERIOD WITHOUT REGARD TO THE ALOCATION SPECIFIED IN THIS SUBSECTION;]

(e)(8) After May 7 the department may open any section that hasn't been previously closed by EO to both gear types. The provisions of this subsection do not apply after December 31, 2010.

New Business:

1)Shell fish proposals:

Proposal 356

5 AAC 32.033 TENDERS FOR DUNGENESS CRAB.

Allow vessels registered to harvest Dungeness crab to also tender Dungeness crab in the Kodiak District.

Staff comments: NEUTRAL. Department does not anticipate significant changes in effort or harvest if passed although this proposal should not be used as a basis for adopting similar regulations outside of the Kodiak district. Ownership of the crab would transfer once possession transfers to the tender.

MOTION: Moved and 2nd to adopt proposal #356.

Committee comments: Agreed with and support department comments. Committee members felt that this proposal would benefit small boat owners fuel costs especially those who fish Dungeness crab at the south end of Kodiak Island. It would also provide more income for tender operators. KAC members Mr. Clark and Mr. Hannah who both fish Dungeness crab supported the proposal but stated that they wouldn't tender crab for other fisherman.

ACTION: MOTION PASSES, 11-2.

Minority opinion: Would open new fisheries and get more people into the fishery to compete against a long established fleet.

Proposal #357

5 AAC 39.143(1) ESCAPE MECHANISM FOR SHELLFISH AND BOTTOM FISH.

Change the statewide biodegradable twine requirements in commercial, personal use, subsistence and sport Dungeness pots from 60 thread to 90 thread.

Staff comments: Department opposed to this proposal. Current requirements of 60 thread was not intended to remain intact for the entire season and reflects BOF intent for

Kodiak Fish & Game Advisory Committee
Meeting Minutes of February 4, 2009

a 30 day failure rate. Anecdotal information from Kodiak Dungeness fisherman indicates 60 thread lasts 4-6 weeks and 90 day thread could last 50-60 days or longer. Department believe holding crab for longer periods of time will result in injury/mortality for Dungeness crab as well as king and Tanner crab caught as by catch.

MOTION: Moved and 2nd to adopt proposal #357.

Committee comments: Agree with and support department comments for conservation reasons.

ACTION: MOTION FAILS, 4-9.

Minority opinion: Felt that adoption would save labor, expense and pollution(old twine thrown overboard).

Proposal #358

5 AAC 38.425. CLOSED WATERS FOR SCALLOPS IN REGISTRATION AREA J. Open an area south and west of Kodiak Island to weathervane scallop fishing and increase the Kodiak Area GHR of 0-300,000 pounds of shucked meats to a GHR of 0-400,000 pounds of shucked meats annually.

Staff comments: Department opposed. A similar proposal addressed at the 2000 BOF meeting and not adopted. ADF&G does not have adequate directed scallop assessment data to prosecute a fishery consistent with sustainable practices. The 100,000 pound GHR increase would need to be reallocated to Kodiak from a different scallop area. Proposed areas have been closed since 1969 due to crab by catch concerns. King and Tanner crab in the proposed area currently below threshold for commercial crab fisheries.

Motion: Moved and 2nd to adopt proposal #358.

Committee comments: Agreed with and support staff comments and also felt that it wasn't prudent to open an area to scallop dredging which according to data supplied by the department that the crab stocks were slowing rebuilding.

ACTION: MOTION FAILS UNANIMOUSLY, 0-13.

- 2) KAC selected Oliver Holm to represent the committee at the finfish meeting in Sitka and Don Fox to attend the Anchorage shell fish meeting.
- 3) February 17th 2009 -7:00pm at the KNWRVC was selected as the date for the next advisory committee meeting to discuss and take action on Unit 8 game proposals.

ADJOURN-9:37pm



Southwest Alaska Municipal Conference

3300 Arctic Boulevard, Suite 203 Anchorage, AK 99503 p: 907.562.7380 f: 907.562.0438 www.swamc.org

KC22

Alaska Peninsula
Aleutian Chain
Bristol Bay
Kodiak Island
Pribilof Islands

February 11, 2009

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

RECEIVED
FEB 12 2009
BOARDS

Dear Board Members,

I am submitting the enclosed resolutions on behalf of the Southwest Alaska Municipal Conference (SWAMC) membership who unanimously adopted them at their annual meeting in Anchorage on January 30, 2009.

Resolution 09-05 speaks specifically to the frustration and disenfranchisement that many fishers, businesses, and residents feel with the upcoming BOF meeting regarding Bristol Bay Finfish, scheduled for December 2009 in Anchorage. This meeting should be held in the Bristol Bay region to allow those who are impacted by your policy and management decisions have the opportunity to testify in person and meet with you directly. The burden of residents bearing the cost of travel to Anchorage to testify in person is far greater than the resources available to the Board. We would ask that you relocate your December meeting to a suitable location in Bristol Bay.

Resolution 09-10 speaks more generally to where the BOF meetings are located when discussing and addressing single region policy and management. The SWAMC membership firmly believes that the BOF meetings scheduled for specific regions should be held in those regions. This resolution also specifically speaks to the upcoming AK Peninsula/Aleutian Islands BOF meeting scheduled for February 2010 in Anchorage. The consensus was that this meeting should be held in the region while acknowledging some of the logistical hurdles for Board members and others coming to testify.

We appreciate the logistical constraints involved in making these meetings available to all but also believe that the Board needs to hear from as many people as possible in order to make the best decisions which reflect the best interest of the region and the state.

I thank you for your consideration and invite you to contact me if you have any questions.

Sincerely,

Michael Catsi
Executive Director



SWAMC RESOLUTION 09-05

**A RESOLUTION REQUESTING THAT THE ALASKA BOARD OF FISH RESCHEDULE THEIR
DECEMBER 1-8, 2009 MEETING TO BE HELD IN THE BRISTOL BAY REGION.**

WHEREAS, the Bristol Bay salmon fishery is one of the state's most valuable fisheries, and

WHEREAS, the Bristol Bay fisheries employ more people as harvesters and processors than any other fishery in the state, and

WHEREAS, there are twenty three communities who directly and indirectly rely on the Bristol Bay fisheries for their livelihood, and

WHEREAS, there are many issues facing the Bristol Bay fishery including processing capacity, oil & gas development, mineral exploration, the high cost of energy, and other regional issues, and

WHEREAS, many of the region's residents and business owners are facing very trying economic times and the added burden of expensive travel costs will hinder many from participating in the Board of Fish December 2009 meeting in Anchorage, and

WHEREAS, this will disenfranchise the region's residents and business owners while giving unfair advantage to outside interests who can afford to attend the Anchorage meeting, and

WHEREAS, there is no logistical reason not to hold the December 2009 Board of Fish meeting in the Bristol Bay region, and

WHEREAS, the Board of Fish more often than not meets in a community of the region of whose issues they are addressing.

NOW THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference requests that the Alaska Board of Fish reschedule their December 1-8, 2009 meeting to be held in the Bristol Bay region.

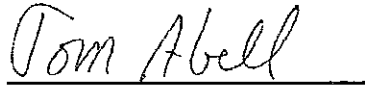
AND BE IT FURTHER RESOLVED that the Southwest Alaska Municipal Conference urges the Governor and the Alaska Legislature to use their statutory powers to move the Board of Fish in this direction for the benefit of Alaska's fisheries and their stakeholders.

-MORE-

PASSED AND ADOPTED by a duly constituted quorum of the Southwest Alaska Municipal Conference Membership this Thirtieth day of January, 2009.

Signed:

Attest:



Tom Abell
President



Michael Catsi
Executive Director



SWAMC RESOLUTION 09-10

A RESOLUTION REQUESTING THAT THE ALASKA BOARD OF FISH SCHEDULE THEIR MEETINGS TO BE HELD IN THE IMPACTED SOUTHWEST ALASKA REGION WHOSE ISSUES THEY ARE ADDRESSING.

WHEREAS, Southwest Alaska's fisheries employ more people as harvesters and processors than any other industry in the region, and

WHEREAS, there are more than 50 coastal communities who directly and indirectly rely on Southwest Alaska's fisheries for their livelihood, and

WHEREAS, there are many issues facing Southwest Alaska's fisheries including sustainable management policies, processing capacity, oil & gas development, mineral exploration, the high cost of energy, climate change, economic stress, and other regional issues, and

WHEREAS, many of the region's affected residents and business owners are facing very trying economic times and the added burden of expensive travel costs will hinder many from participating in future Board of Fish meetings regularly held in Anchorage, and

WHEREAS, meetings held in Anchorage may disenfranchise Southwest Alaska's region's residents and business owners, while giving unfair advantage to outside interests who can afford to attend the Anchorage meeting, and

WHEREAS, the Board of Fish more often than not meets in a community of the region of whose issues they are addressing.

NOW THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference requests that the Alaska Board of Fish schedule their meetings to be held in the impacted Southwest Alaska region whose issues they are addressing.

AND BE IT FURTHER RESOLVED that the Southwest Alaska Municipal Conference urges the Governor and the Alaska Legislature to use their statutory powers to move the Board of Fish in this direction for the benefit of Southwest Alaska's fisheries and their stakeholders.

-MORE-

PASSED AND ADOPTED by a duly constituted quorum of the Southwest Alaska Municipal Conference Membership this Thirtieth day of January, 2009.

Signed:

Attest:



Tom Abell
President



Michael Catsi
Executive Director



WAVE DANCE

Custom Charters

RC23

Wayne Sanger
P.O.Box 516.
Craig, AK 99921

Alaska Board of Fish

Dear sirs,

In the late 1970's I hand trolled for salmon out of Angoon Alaska. After much thought, I decided my personality would be better suited to a charter business so in 1987, after much hard work and investment, I started my charter business. My business is small, just me. In 2008 I provided charter service to 50 clients. In 2008 I guided my clients to the catching of 42 king salmon, 421 coho, and 328 halibut. To make the investment of traveling to Alaska and fishing with me attractive each of my clients stays with me for five days of fishing. My whole summer represents a catch easily attainable by a power troller (with some halibut IFQ) in three days of fishing. By choosing chartering over commercial fishing I have consumed far less of Alaska's resources through my career and my clients have poured money into the state economy far faster than if I was commercial fishing on my own.

The principle of supply and demand works differently for the commercial industry than for the charter industry. With less commercial fish on the market demand and price goes up. With less fish available to the charter industry demand and price goes down.

Firstly, I support proposal 341. If the allocation of DSR is not increased to the sport sector and outer coast closures result, I will have to refund clients, absorb overhead without income and cease my business of 22 years. I don't think I will be alone.

Secondly, there are a number of proposals designed to limit the catch by non resident fishermen to the extent that a trip to Alaska will be very difficult to sell. Multi day trips (the only type feasible for a "one man show" like me) will be impossible to sell. The most damaging of these proposals are #286, #288, and #309. The fish in the sea are a public resource and the limits placed on sportsmen should not be so oppressive as to discourage access. ADF&G has done a fine job in the past at monitoring the harvest of salmon and can restrict the catch as needed for conservation purposes. Please do not place an annual limit on coho salmon and allow processed fish to be excluded from bag limits to keep multi day trips (and my business) viable.

Sincerely,

Board of Fish members:

February 2, 2009

My name is Karl Jordan. For the past twenty fishing seasons I have been worked as a Salmon troller. I purchased my own power troll license four years ago, have fished, and will continue to fish on my own vessels as long as I can stay viable and support my family of four. I will not be at the BOF meetings as I will be running my boat from Washington to Sitka to prepare for the upcoming season.

I have come to realize how valuable the hatchery enhanced salmon are to my livelihood.

Proposal # 244 and 245 page 184 & 185 (Exclude PNP's from SE Enhanced Salmon Allocation Plan) are the most important proposals for me before the BOF this year. I strongly oppose these proposals. The SE enhanced salmon allocation plan, 5AAC 33.364, adopted by the Board of Fisheries in 1994, allocates trollers, gillnetters, and seiners a % range of the value of SE enhanced salmon. It was recommended by consensus agreement by a task force of the commercial gear groups and adopted unanimously by the Board of Fisheries.

As noted by the Joint Regional Planning Team and the Industry Consensus statement of December 9, 2008 trollers are out of their target range. While we have been allocated 27-32% of the value of SE enhanced salmon over the last 14 years we have actually harvested 19% of the value according to JRPT and NSRAA figures. This is a difference of \$25 million dollars from the low end (27%) of our allocation and \$41 million from the high (32%) of our allocation over the 14 years of the plan. Here are the exact figures:

- The Problem:
- Since 1994 the total commercial value of SE enhanced salmon is \$306,475,385.
- Trollers have harvested \$56,928,851 or 19%.
- Their minimum share is \$82,748,354 @ 27%
- The difference is **\$25,819,503!**
- The trollers share at 29.5% midpoint of their allocation range would be \$90,410,239.
- The difference is **\$33,481,388.**
- The trollers share at 32% would be \$98,072,123.
- The difference is **\$41,143,272.**

Removing the PNP hatcheries, particularly DIPAC, which contributes practically nothing to the seine fleet, very little to the troll fleet, and millions of dollars to the gillnet fleet would fracture the allocation plan. It would also seriously compromise

the process of collaboration and consensus the SE commercial fleets have developed through creation and adherence to this plan over the years.

I would like the Board of Fisheries to reiterate their support for the SE Enhanced Salmon Allocation Plan and state their support for the Industry Consensus statement of December 9, 2008.

And while I believe these statements, the rest of the consensus, and the existing allocation plan give facility operators plenty of incentive to improve hatchery salmon harvest opportunity for trollers I would prefer stronger, more concise, and more detailed language from the Board of Fisheries by rolling the 3 points

- 1) *Encourage facility operators to try to increase production in a way that will provide additional opportunities to harvest fish by the seine fleet and troll fleet.*
- 2) *Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho and Chinook could be harvested by trollers without affecting wild stocks.*
- 3) *Request regional associations to look at the possibility of otolith marking of all Coho and Chinook towards the goal of getting additional information about migration patterns and run timing.*

into one statement such as:

- 1) **Direct SE facility operators to work together to develop a regional plan to provide the gear group(s) below their allocation range additional opportunities to harvest SE enhanced salmon without affecting wild stocks toward the goal of each gear group achieving enhanced salmon harvest values within their allocated range as soon as possible.**

The reason I prefer the stronger language is that encouraging facilities to try and **increase production** to benefit the group(s) out of their allocation means years of waiting while increased production is planned, permitted, brood stock is developed, and the salmon mature. Meanwhile the salmon already produced and returning are not adequately targeted for the group(s) below their allocation.

This language is why trollers are still below their allocated range after 14 years. We lose over two million dollars a year that has been allocated to us. Furthermore this language does not recognize the realities of our SE enhancement program which is that our Chinook programs have largely failed to produce troll Chinook harvest goals, our coho enhancement programs, while successful, provide little foreseeable additional opportunity for trollers, and that our chum hatchery programs are one of the greatest salmon hatchery success stories in history.

The hard truth is that if you look into the models developed by Chip Blair and Steve Reifentstahl of NSRAA for the JRPT for trying to move trollers within their allocated range the only way to do it in the near term is to include chums. For the Industry task force to leave out chums in statements 2) and 3) is baffling to me.

While I believe the best way to improve the industry consensus statement by the Board of Fisheries is to adopt the single statement I suggest here I also see that an alternative would be to add chums to statements 2 and 3 as listed below.

- 2) *Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho, **chum**, and Chinook could be harvested by trollers without affecting wild stocks.*
- 3) *Request regional associations to look at the possibility of otolith marking of all coho, **chum**, and Chinook towards the goal of getting additional information about migration patterns and run timing.*

I also believe it is important for the Board of Fisheries to leave as much latitude as possible for the facility operators to figure out their own best way to provide those additional harvest opportunities. These opportunities are going to vary from facility to facility, from species to species, and from return to return. So I don't recommend that the Board step in and adjust fisheries as specified in © of 5 AAC 33.364; (c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.

With the amended language suggested above, facility operators will have clear direction from the Board of Fisheries to get the job accomplished.

I am absolutely certain that if the Board of Fisheries provides clear **direction** to facility operators in SE that they want the trollers given better opportunity to move within their allocated share as soon as possible we could do it. Please provide this direction.

3

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF FISH AND GAME DIVISION OF COMMERCIAL FISHERIES

P.O. Box 110024
Juneau, AK 99811-0024
PHONE: (907) 465-4250
FAX: (907) 465-4944

RC25

Memorandum

To: Denby Lloyd
Commissioner

Thru: John Hilsinger
Director

From: Flip Pryor
S.E. Regional Resource Development Biologist

Date: December 11, 2008

Subject: Recommendations from the Joint Northern/Southern Southeast Regional Planning Team fall 2008 meeting.

Action Items

The Joint Northern/Southern Southeast Regional Planning Team (JSERPT) held an allocation workshop on December 7, prior to their annual fall meeting on December 8, 2008 at the Ted Ferry Civic Center, 888 Venetia Avenue in Ketchikan. This memorandum conveys a recommendation by the Joint Southeast Regional Planning Team concerning the enhanced salmon allocation imbalances; a recommendation made by the Southern Southeast Regional planning Team concerning a Permit Alteration Request (PAR); and a summary of information and discussion items.

Recommendation 1: The Joint Southeast Regional Planning Team unanimously approved (6-0 with department members abstaining) a motion to accept the letter of consensus and forward the letter on to the commissioner as a recommendation. It was agreed that this memo with the attachment will be submitted to the Alaska Board of Fisheries as a Record Copy and that the chairman of the RPT shall reference the letter during his oral presentation during the February 2009 Alaska Board of Fisheries meeting. (Attachment 1. "Industry Consensus 12/9/08").

The letter "Industry Consensus 12/9/08" is a recommendation from the industry members who were present at the fall 2008 RPT meeting, particularly the JSERPT members, that recognizes the need to address the allocation imbalances, and includes a list of both long-term and short-term suggestions for how to address the allocation imbalances.

Recommendation 2: The Southern Southeast Regional Planning Team unanimously approved a motion to approve a language change in the Neets Bay Basic Management Plan. The sentence, "production of coho will not be increased beyond 2.5 million until the impact of predation on wild pink and chum stocks is determined to be at a level that will not significantly reduce those wild stocks" will be deleted. The following will replace the deleted sentence; "A study on the impact of coho predation on wild pink and chum salmon was completed in

February 1987 by ADFG biologist Carl Hofmeister. As a result of the study, SSRAA will not release coho smolts at Neets Bay prior to June 1 to eliminate predation of pink and chum by coho smolts”.

Recommendation #2 is a housekeeping issue and does not change current production plans.

Information Items

- The Forest Service presented three potential barrier modification projects that are currently in the scoping phase of development: 1) Kanalku Partial Barrier Modification Project (Admiralty Island)- removing a partial barrier for sockeye salmon passage, 2) Blossom River Partial Barrier Modification Project (Misty Fjords)- removing a partial barrier for passage of Chinook and coho, 3) Hatchery Creek Partial Barrier Modification Project (Prince of Wales)- removing a partial barrier for sockeye and coho passage.
- Gunnuk Creek Hatchery plans to submit two permit alteration requests at the spring 2009 RPT meeting in response to expectations of small chum salmon returns in the next few years. Their current permitted capacity is 65 million green pink and chum salmon eggs, with no more than 5 million being pink salmon. They would like to change the permitted capacity to 65 million green pink and chum salmon eggs, with no more than 20 million being pink salmon. The extra pink salmon eggs would only be taken in years when the chum salmon egg take goal has not been met. Gunnuk Creek Hatchery would also like to change the permitted release of chum salmon from the hatchery site from 10 million to a permitted release of 20 million. An increased release will allow the hatchery to maximize the returning chum for broodstock so permitted capacity numbers can be reached more quickly.
- Tamgass Creek Hatchery plans to increase their summer chum production from 7 million to 12.5 million eggs utilizing returning broodstock. Tamgass Creek Hatchery is not a state permitted hatchery and does not require a PAR to increase production. Tamgass Creek Hatchery is keeping the RPT apprised of the chum program as part of an agreement made with Southern Southeast Regional Aquaculture Association, who provided two million summer chum eggs per year to Tamgass Creek Hatchery in 2002-2005.
- A discussion took place about possible Treaty mitigation funding as part of the newly signed agreement. The discussion centered mainly on conceptual ideas of how the money might best be used.

The Joint RPT decided the next meeting would be held on April 8, 2009 in Juneau.

Industry Consensus 12/9/08

The troll fleet continues to be out of their target range, the seiners and gillnetters are out of their ranges. Seiners are on the low end and Gillnetters are on the high end. No extraordinary events outside of association or management control seem to account for these imbalances, therefore they should be addressed.

The recommendations below are considered a package deal.

In recognition of the current imbalance and the long-term trends in the distribution of enhanced fish the JRPT recommends to the commissioner:

- 1) Encourage facility operators to try to increase production in a way that will provide additional opportunities to harvest fish by the seine fleet and troll fleet (This would include the additional production that might become available because of the increased capacity at Burnett Inlet, if practicable 10 million additional summer chum fry would be released at Kendrick Bay and 1.25 million coho smolts released)
- 2) Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho and Chinook could be harvested by trollers without affecting wild stocks.
- 3) Request regional associations to look at the possibility of otolith marking of all Coho and Chinook towards the goal of getting additional information about migration patterns and run timing.
- 4) RPT ask Gunnuk Creek and AKI give a presentation that outlines their current situation, financial picture, long term plans, cost recovery plans and impediments to getting to full production permitted for.
- 5) Recommend to SSRAA that Neets Bay be open in the fall after brood stock and cost recovery goals are met.
- 6) In recognition of the current imbalance and the long-term trends in the distribution of enhanced fish the JRPT recommends to the Board of Fisheries to:
 - A) Change the opportunities in several SHA's where there are or have been net fishery rotations. These changes will likely result in a substantial higher percentage of the harvest in these SHA's going to seiners. These changes would remain in place until at least 2011. If at that time the seine fleet and gillnet fleets are still out of their range these changes would remain in place, unless the Joint RPT agrees to other remedies. Although it appears that changes in all SHA's might not correct the present imbalance the joint RPT is cautious in requesting too many changes at once, knowing that unusual survival or market conditions could occur, and wants to avoid any over steering of the balance. These SHA changes would be:

- a) A time ratio of one to one for gillnet openings to seine openings in Deep Inlet after the third Sunday in June for 2009, 2010 and 2011 and sunset after the 2011 season. (Proposal #273 RPT)
 - b) A time ratio of one to one for gillnet openings to seine openings in Anita Bay for 2009, 2010 and 2011 and sunset after the 2011 season. (Proposal #271)
 - c) RPT recommends when SSRAA determines that a rotational fishery is to be conducted in Neets Bay have the time ratio between the gillnet and seine fleet be 1 to 1 after June 20. (Proposal #268)
- B) RPT makes the following recommendations regarding Board of fisheries proposals
- a) Proposal #244 (exclude PNP's from allocation plan) The RPT recommends no action be taken based on the recommendations above and the belief that they are inconsistent with the Comprehensive Plan, SE Enhanced Allocation plan and the duties of the RPT.
 - b) Proposal #245 (removes NSRAA from overall plan) The RPT recommends no action be taken based on the recommendations above and the belief that they are inconsistent with the Comprehensive Plan, SE Enhanced Allocation plan and the duties of the RPT.
 - c) Proposal #246 (excludes commercial fishing from Coffman Cove) The RPT recommends the Board of Fish opposes this proposal based on that the RPT has consistently as the permits were approved commented that this production would not change the management of the commercial fisheries to protect these fish for sport fish terminal use (RPT minutes April 12, 2006 and Dec 7, 2005)
 - d) Proposal #267 (Nakat rotation 1to1) oppose and recommend that Nakat Inlet remain closed to commercial seining for at least the next three years as other short and long term remedial measures are put into effect
 - e) Proposal #268 (Neets Bay rotations) opposed as written. See recommendation above A (c).
 - f) Proposal #271 (Anita Bay) oppose as written. See recommendation above A (b).
 - g) Proposal #273 Deep Inlet 1 to 1 Amend as recommended above in A (a)
 - h) Proposal #274 Recommend no action based on amended action taken on Proposal #273.
 - i) Proposal #327 (extend coho season to 9/30 in Behm Canal) The RPT recommends support for this proposal if there are no wild stock concerns. The RPT believes that if wild stock concerns can be addressed this would provide additional opportunity for the troll fleet which is below their allocation range.
 - j) Proposal #269 (extend SHA for sport fishery) The RPT is making no recommendation on this proposal but would like to comment that this proposal will further impact the troll fleet within the allocation plan of enhanced fish.

The Industry members of the RPT would like to state that this is the first time since 1994 where both net fleets are significantly out of their ranges in opposite directions. It is the first time the joint RPT has needed to consider recommending changes in SHA rotations. The JRPT recognizes that there may be a better and more timely alternative than the Board of Fish process continually readjusting the management of the rotational fisheries. The joint RPT will consider alternatives and may have a recommendation by the 2012 board meeting that will allow significant adjustments in SHA's without requiring board of Fisheries action. These adjustments would be conducted within the current

Southeast Enhanced Allocation Plan and would not make any changes to the allocation ranges. If the RPT can not come up with a plan the RPT will submit Board of Fish proposal as appropriate for the gear groups based on the current situation within the allocation plan.

Klukwan F&G Advisory Committee Mtg
February 13, 2009

Meeting called to order by Jones Hotch Jr.
Opening Prayer-Val Burattin
Roll-Jones Hotch Jr. , Lani Hotch, Sally Burattin, Val Burattin
Absent: Mike Adams –excused quorum present 4/5

Agenda Items:
Proposal 240-suggested amendments
Other proposals to give input on at regional meeting

Lani- Reads suggested amendments to Proposal 240.

M/S Sally, Val- To accept proposed amendments to Proposal 240 and ask that it be presented by Val Burattin to the Fisheries Board for consideration at upcoming meeting in Sitka, Feb 17-26, 2009.

Lani- This amendment should protect us from the possibility of over fishing in the immediate area of Klukwan.

Sally- Last summer we watched people running their jet boats right in front of the Klukwan Traditional Knowledge Camp. Saw some people pursuing a brown bear up a slough

Val- We should mention that we have other things to do while our net is in the river, , tending smokehouses, processing fish etc –which we do in our homes and it makes no sense to set up a camp so close to home.

Jones- We have to go out to get smokehouse wood too.

M/C- none opposed 4/0

Jones- directs that proposed changes to 240 be e-mailed to Kimberley Strong, CIV president, He spoke to her about the proposal and draft amendments to it.

-Asks if we should prioritize the proposals Val should represent for us at the Regional meeting.

Val- should put Proposal 240 on top of our priority list

Priority List as come up with by consensus:

- 1.) Proposal 240 w/amendments
- 2.) Proposal 237- should separate smelt from salmon as we can't support fishing for smelt that far out, it will chase the hooligan back out
- 3.) Proposal 257- change gill net opening to Mondays- Sunday is a day of rest, many people would like to go to church and are conflicted with Sunday openings
- 4.) Proposals 200,203,204 & 208- Sitka Tribe- We support Sitka Tribe's judgement in this as we get the herring roe from Sitka and we depend much upon it.
- 5.) Proposal 208-Sitka Tribe
- 6.) Proposal 266-Yakutat
- 7.) Proposal 221- voted down by Klukwan committee
- 8.) Proposal 232 and 233- closing subsistence before July 21st above Seduction pt.

We believe subsistence fishing should be a priority over sport fishing

Klukwan F&G Advisory Committee Mtg
February 13, 2009

Jones- We need to find out where we have to go to get recognition for traditional fishing rights—federal, state, or tribal jurisdiction over Chilkat River.

Jones- spoke to Kim about going to testify on behalf of CIV at the regional meeting in support of our proposal.

We really need to get the ANB and ANS going and impress upon Grand Camp the importance of the F&G Advisory committees and get them active

Sally- We went to the ANB and ANS in Petersburg but they were not willing to attend the meetings because they were overwhelmed by the amount paperwork and domination of non-native participating in the meetings.

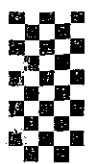
M/S, Lani, Sally- Motion to Adjourn

Closing Prayer- Sally

Jones- Thanks the fish and game committee for their willingness to serve on this committee, he knows it is a lot of work.

Fisheries Proposal 240 with amendment.

In the Chilkat River the subsistence fishing permit holder shall be physically present at the net while it is fishing except for Klukwan residents whose nets are set in those areas adjacent to the lands held by the Chilkat Indian Village, and within the traditional fishing grounds of Klukwan fishermen(19 mile to one mile upstream of Wells Bridge) or for other Chilkat Valley residents who live within 1 mile of where their net is set.



RECEIVED
FEB 13 2009
BOARDS

RC 27



February 13, 2009

BOF COMMENTS

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

Fax: 907-465-6094

Re: BOF PROPOSAL 270 - 5 AAC 47.021.

Dear BOF Members,

Alaska Rainforest Sanctuary has 40 acres of mostly forested land at Herring Cove, Alaska. Herring Cove Creek flows through our property. SSRAA's Whitman Lake Hatchery is located across the creek from a portion of our land. An improved hiking trail weaves through the rainforest and transforms to an elevated piling supported boardwalk following the creek, in the area across from the hatchery.

Since 2004 we have operated guided sanctuary trail hikes through this prime resource. Guests see spawning salmon in Herring Cove Creek from the boardwalk during season, while our guides provide them with a detailed narration on Pacific salmon species and the work SSRAA does with king and coho salmon. Sanctuary guests arrive and depart by bus, and do not leave our property. Access to our land is via Wood Road, and urban local road branching off S.Tongass Highway. We provide off-street parking and restroom facilities for guests:

We also operate two zipline tours on our property, with plans progressing for the installation of a base station for a one mile aerial tram that will take guests to the top of nearby Fawn Mountain.

Since commencing operations in 2004, we have hosted several hundred thousand guests. Alaska Rainforest Sanctuary has never received a complaint regarding our operations. We employ a number of Herring Cove residents and have created a development that is compatible with community growth goals. The salmon in Herring Cove Creek are critical to the ongoing success of our operation.

RECEIVED TIME FEB. 13. 3:27PM

-2-

We protest Proposal 270 – 5 AAC 47.021 before the BOF, as it pertains to changing the release site for hatchery raised king and coho salmon from Herring Cove to Settlers Cove. Nearly 100 persons are employed at the sanctuary, which is a major attraction for Ketchikan's tourism industry. The proposed release site move would reduce the number of fish in Herring Cove Creek to the point where the present level of bears, eagles, seals and other wildlife activity in the area would diminish to the extent that continued sanctuary operations would not be economically viable.

We do not protest that portion of the proposal requesting that the shoreline at Herring Cove be closed to fishing.

Sincerely,



Brien Salazar
President and CEO
Alaska Rainforest Sanctuary, LLC

4085 Tongass Avenue, Ketchikan, AK 99901 - Phone: 907-225-5503

RECEIVED TIME FEB. 13. 3:27PM

STATE OF ALASKA

Commercial Fisheries Entry Commission

RC 28
SARAH PALIN, GOVERNOR

8800 Glacier Hwy, #109
P.O. Box 110302
Juneau, AK 99811-0302

(907) 789-6150 Licensing Calls
(907) 789-6160 Other Business
(907) 789-6170 Fax

INTERNET: www.cfec.state.ak.us

MEMORANDUM

To: Jim Marcotte, Executive Director
Alaska Board of Fisheries
Dept. of Fish and Game M/S 1100

Date: February 13, 2009

Phone: (907) 789-6160 VOICE
(907) 789-6170 FAX

From: Frank Homan, Chairman
Peter Froehlich, Commissioner
Bruce Twomley, Commissioner
M/S 0302
Commercial Fisheries Entry Commission

Subject: Board Regulatory Proposal 328

The Department of Law recently brought proposal 328 to our attention. This proposal would amend 5 AAC 29.120 to allow holders of transferable hand troll permits to use two powered troll gurdies. The Commercial Fisheries Entry Commission (CFEC or commission) opposes this proposal. Allowing hand troll permit holders to convert to power troll gurdies would violate the intent of these two limitations, create conflicts with commission regulations, and also raise jurisdictional issues under our governing statutes.

We have enclosed a report on the history of the limitation of these two fisheries that may provide helpful background information for the current Alaska Board of Fisheries (Board). The report was prepared for the Board in 1992 and is titled *Background Report on Limited Entry in the Hand and Power Troll Salmon Fisheries*.

The salmon power troll fishery was one of the original 19 salmon fisheries that were limited in 1973. The salmon hand troll fishery was initially left unlimited in the hopes that it could remain a relatively low-effort entry level commercial fishery for the young, provide opportunities for casual part-time "sport-commercial" fishermen, and provide older Alaskans with opportunities for supplemental income. Unfortunately, as you will see in the enclosed report, the unlimited salmon hand troll fishery grew quickly at the expense of the limited salmon fisheries, particularly the power troll fishery.

The Board, the Department of Fish and Game (Dept.), the commission and the commercial fishing industry all searched for the best means to properly contain the hand troll fishery in the late-1970s. The Board eventually recommended a maximum number of no more than 600 and the Department indicated the number should not exceed 1,000 permits.

The commission eventually limited the fishery in 1980 with a maximum number of 2,150. Needless to say the commission's decision was extremely controversial. A discussion of the controversy and the commission's reasoning can be found in the report. Essentially, the commission was looking for a number that (coupled with Board regulations) would contain the growth of the hand troll fishery while still providing for some of the purposes noted above. The Alaska Supreme Court upheld the Commission's maximum number in *Rutter v. State*, 668 P. 2d 1343 (Alaska 1983).

However, the commission's limitation of the salmon hand troll fishery did provide a means whereby many permits would be forfeited over time. Since there were lots of applicants who were very casual participants at the time of limitation, the commission issued many nontransferable permits. These permits are gradually being forfeited due to nonrenewal or death of the holder.¹

In the past, the commission has supported Board regulations allowing holders of limited entry permits valid for one gear type in an area to use a Board-specified alternative gear, as long as the use of that alternative gear was not part of an entitlement for another limited entry fishery in the area. However, in this case, power troll gear is restricted to holders of salmon power troll permits by commission regulations. Therefore, we cannot support a proposed regulation that would allow hand troll permit holders to use power troll gurdies. The use of power troll gurdies would increase considerably the fishing capacity of the 732 transferable permit holders in the salmon hand troll fishery.

We note that both Alaska salmon troll fisheries remain controversial because of the interception of threatened stocks bound for British Columbia and the west coast of the United States. These issues are continually part of the negotiations between the United States and Canada. We believe that is another reason to discourage any increase in fishing capacity in the salmon hand troll fishery.

In summary, the commission is opposed to proposal 328.

¹ The commission initially issued 2,161 entry permits in the salmon hand troll fishery and the vast majority of these permits were nontransferable. At the end of 2008, there were 1,065 entry permits remaining in the fishery. Of these, 732 were transferable and 333 were nontransferable.

RC 29

**Background Report on Limited Entry in the
Hand and Power Troll Salmon Fisheries**

Report to the Alaska Board of Fisheries

CFEC Briefing Report 92-04

Prepared by:
Susan M. Shirley

February 25, 1992

Alaska Commercial Fisheries Entry Commission
8800 Glacier Highway #109
Juneau, Alaska 99801
Telephone: (907) 789-6160 FAX: 789-6170

Table of Contents

The Power Troll Fishery	1
Power Troll Maximum Number	2
Power Troll Priority Classification System	3
Past participation	4
Consistency of participation	4
Economic Dependence	4
a. Income dependence	5
b. Investment in vessel and gear	5
c. Availability of Alternative Occupations	5
Economic Hardship Levels	6
Point Issuance Level	6
The Hand Troll Fishery	8
Hand Troll Maximum Number	10
Hand Troll Priority Classification System	13
Past and Consistent Participation	13
Economic Dependence	13
a. Income dependence	14
b. Investment in vessel and gear	14
c. Availability of Alternative Occupations	14
Economic Hardship Levels	15
Point Issuance Level	15
Status of Permit Applications for the Hand and Power Troll Fisheries	15
Present State of the Troll Fisheries	16
Performance of the Hand Troll Plan Since Limitation	16
Transfer of Hand and Power Troll Permits	19
Changes in Effort in the Troll Fisheries Since Limitation	21

Background Report on Limited Entry in the Hand and Power Troll Salmon Fisheries

Prior to limited entry, the hand and power troll fisheries were managed as a single entity even though different types of gear were utilized. By 1972, the number of units of gear registered in both troll fisheries had grown considerably and the rate of growth was escalating.¹ Thirty percent more hand troll gear was registered in 1972 than the amount registered in 1966, and the amount of power troll gear registered increased by 18%. About 29% of the licenses issued in 1971 were fished (hand and power troll combined), a substantial increase from the 8% fished in 1966.

The largest annual increase in gear registration occurred between 1972 and 1973, when the units of power troll gear increased by 32% and the hand troll gear increased by 40%. Based on growth trends from 1960 through 1972, the number of troll licenses (hand and power troll combined) was projected to reach 3,350 by 1980.²

Testimony presented at public hearings supported limited entry for the power troll fishery. The trollers supported the separation of the hand and power troll fisheries, but did not think the power troll fishery should be designated a "distressed" fishery. In a "distressed" fishery, the estimated optimum number of units of gear was less than the maximum number.

The Power Troll Fishery

The commission determined that the power troll fishery had reached levels of participation which required the limitation of entry in order to promote the conservation and sustained yield management of the resource and the economic health and stability of the fishery. The troll fishery was segregated into the power troll fishery (S15B) and the hand troll fishery (S05B). The power troll fishery was limited in 1975, and was the only fishery limited at that time which was not a salmon net fishery. The hand troll fishery remained open-to-entry.

¹CFEC Troll Briefing Material.

²"A Limited Entry Program for Alaska's Fisheries," Report of the Governor's Study Group on Limited Entry, February, 1973.

Limited Entry in the Hand and Power Troll Fisheries

Power Troll Maximum Number

The law provided little guidance in establishing maximum numbers in fisheries which were not distressed (AS 16.43.240). The commission therefore decided to use the maximum number selection criteria for distressed fisheries for all of the 19 fisheries designated for limited entry in 1975. The highest number of units of gear fished in the power troll fishery in any of the years from 1969 through 1972 was selected as the maximum number for that fishery.³

In order to determine the maximum number for the power troll fishery, the commission had to distinguish power trollers from hand trollers. Data from commercial license applications were regarded as inaccurate for the purposes of identifying hand and power trollers. Prior to limited entry, trollers were asked to indicate on their commercial license applications which type of gear they would operate. Many trollers did not list a gear type or listed an incorrect gear type. To further aggravate the problem, license application editors assigned gear codes, often incorrectly, to applications where the gear type had been omitted.

The use of fish tickets to separate the troll fisheries presented an additional problem. All troll landings on fish tickets were recorded as being landed with undifferentiated "troll" gear, regardless of the type of troll gear used.⁴ Because of the inaccuracies in the troll fishery data, the commission classified trollers based upon the type of gear operated and not upon the designation on the commercial license or the fish tickets. This required, in some cases, individual verification by the trollers.

The power troll fishery was the only Alaskan salmon fishery operating partly outside the three-mile limit for territorial waters. Trollers fishing beyond the three-mile limit were not required to buy a gear license; an Alaska vessel license entitled them to fish commercially. About 75% of the power troll landings

³In a later decision in Johns v. State, CFEC, 768 P.2d 1256 (Alaska 1988), the Alaska Supreme Court stated that a maximum number should be no less than the highest number of units of gear which fished in a fishery in the four years prior to the qualification date.

⁴Data Collection and Analysis Necessary to Limit Entry in Alaska's Salmon Fisheries. CFEC. 1975.

Limited Entry in the Hand and Power Troll Fisheries

were made outside of the three-mile limit.⁵ The commission decided that all trollers who fished legally (even those without a gear license) would be eligible to apply for permanent permits. The commission estimated there were 10 unlicensed "outside" trollers, and included that number in the maximum number determination.

Beginning in 1974, the Alaska Board of Fisheries restricted the troll fishery to the Southeastern and Yakutat areas. Although troll gear had been legal in the Southeastern, Yakutat, Prince William Sound, Cook Inlet and Bristol Bay areas before 1974, trolling was confined almost entirely to the Southeastern and Yakutat areas. The power troll units which had operated in Cook Inlet and Prince William Sound (about 5 units per year) before 1974 were included for the purposes of calculating the maximum number. No power trollers were known to have operated in Bristol Bay.

The maximum number initially proposed for the power troll fishery was 800. This was the highest number of units of gear fished in the four years immediately preceding the January 1, 1973 qualification date. The maximum number was raised to 895 after data errors were resolved which had caused participation in the power troll fishery for 1969 and 1970 to be underestimated. As more information became available through the application process, the maximum number was revised again to 950.⁶

Power Troll Priority Classification System

Under Alaska's limited entry law, the number of eligible applicants typically exceeds the maximum number. The law requires the commission to develop a hardship ranking system (point system) to allocate permits among eligible applicants. A classification system was designed for the power troll fishery to rank applicants based upon their past participation and economic dependence on the power troll fishery.⁷ The reliance of applicants on the fishery, and the hardship they would suffer if excluded from the fishery were determined by their priority classification.

⁵"A Limited Entry Program for Alaska's Fisheries," Report of the Governor's Study Group on Limited Entry, February, 1973.

⁶CFEC memo from Judy Brakel to Bob Simon, John Williams, Burke Riley and Jess Walters. "Maximum numbers revisions for regulations." February 11, 1980.

⁷CFEC Regulations 20 AAC 05.600 through 20 AAC 05.650

Limited Entry in the Hand and Power Troll Fisheries

Applicants qualified for points based upon their past participation and economic dependence on the fishery. The point system used for the power troll salmon fishery is described below and summarized in Figure 1.⁸

Past participation

An applicant's recent and consistent participation in a fishery was regarded as a demonstration of his or her reliance on the power troll fishery. Points were awarded for past participation and for consistency of participation for the years 1969 through 1972. Three points were awarded to persons who commercially harvested the fishery resource while participating as a gear license holder in 1971 and 1972, and 2 points were awarded for participation in 1969 and 1970. An additional point could be earned for participation in each year from 1965 through 1968, and for 1960 through 1964 if the applicant had also participated in any year from 1965 through 1972.

Consistency of participation

The minimum number of weeks necessary to demonstrate consistency of participation in the power troll fishery was 6 weeks in 1969 and 8 weeks in 1970, 1971 and 1972. An applicant who demonstrated consistency of participation by fishing the minimum number of weeks received 2 points for consistency of participation in each of the years 1971 and 1972 and 1 point in each of the years 1969 and 1970.

Economic Dependence

Three standards were used to determine the economic dependence of an applicant on the fishery for which he or she applied: income dependence, investment in vessel and gear, and availability of alternative occupations.

⁸One point system was used for all 19 salmon fisheries limited in 1975. However, the thresholds used for awarding points for consistency of participation, income dependence percentage and investment in vessel and gear differed among the fisheries.

Limited Entry in the Hand and Power Troll Fisheries

a. Income dependence

The income dependence criteria compared an applicant's 1971 and 1972 gross earnings from the power troll fishery with the occupational income the applicant received from non-fishing employment in 1971 and 1972 (excluding earnings from other fisheries, investments, pensions, trusts, savings, interests and dividends). An income dependence percentage was calculated for each applicant by dividing the gross earnings by the sum of the gross earnings and non-fishing occupational income. Up to 4 points could be awarded based on the applicant's degree of income dependence on the fishery in 1971, and up to 6 points could be awarded based on their income dependence percentage in 1972.

b. Investment in vessel and gear

Points were credited to applicants who could document ownership of a vessel or gear used in the power troll fishery. Power troll gear included lines, leaders and lures. Six points were awarded for ownership of a vessel; 3 points were awarded for ownership of fishing gear.

c. Availability of Alternative Occupations

The number of other job opportunities a fisher has depends to a large extent on where the fisher lives. Compared to persons in rural areas, those who live in urban areas generally have better access to alternative jobs other than fishing. Points were awarded for availability of alternative occupations based on the location of the applicant's domicile (as of January 1, 1973) in proximity to places of certain size.⁹ An applicant in a rural area scored more points than an applicant in an urban area because finding another job

⁹The original regulation awarded points for availability of alternative occupations based solely on the total population and the proportion of rural population in the census district or county of an applicant's domicile. The commission revised its regulation after the Alaska Supreme Court, in Deubelbeiss v. CFEC (689 P.2d 487 Alaska 1984), found the regulation in violation of the equal protection rights guaranteed by the Alaska Constitution.

Limited Entry in the Hand and Power Troll Fisheries

would generally be harder for a rural applicant than for an urban applicant.

Economic Hardship Levels

The Limited Entry Act required the commission to designate those priority classifications of applicants who would suffer significant economic hardship by exclusion from the fishery, and those who would suffer minor economic hardship by exclusion from the fishery (16.43.250(a) (2)(b) and (c)). The commission designated 20 to 40 points as the significant economic hardship level, and 0 to 5 points as the minor economic hardship level for the power troll fishery. Under the limited entry law, any applicant classified at the significant economic hardship level automatically received a permanent limited entry permit for the fishery.

Point Issuance Level

The issuance level for limited entry permits in the power troll fishery was 19 points as of January 27, 1992. Because the maximum number of power troll permits was not attained after all of the applicants classified at the significant economic hardship level had been issued permanent permits, the commission lowered the issuance level from 20 points to 19 points. The commission could further reduce the issuance level if the maximum number is not reached after all persons with at least 19 points have been issued permanent limited entry permits.

Summary of the Point Systems for the Hand and Power Troll Salmon Fisheries

	Power Troll	Hand Troll
Qualification date:	January 1, 1973	January 1, 1980
Main Point Years:	1969 - 1972	1975 - 1979
<hr/>		
Point System:		
Past participation	[20 pts. maximum]	[56 pts. maximum]
• Years of participation	19 pts. possible	31 pts. maximum
• Consistency of participation	6 pts. possible	25 pts. maximum
Economic dependence	[20 pts. maximum]	[45 pts. maximum]
• Income dependence	10 pts. maximum	19 pts. maximum
Alternate income classification	_____	25 pts. maximum
• Investment in vessel, gear, and set net site	6 pts. maximum	5 pts. maximum
• Availability of alternative occupations	4 pts. maximum	15 pts. maximum
Total points possible	40 points	101 points
<hr/>		
Economic Hardship Levels:		
Significant	20 to 40 points	80 to 101 points
Minor	0 to 5 points	0 to 70 points
Point Issuance Level:	19 points	17 points
(as of January 27, 1992)		

Figure 1.

Limited Entry in the Hand and Power Troll Fisheries

The Hand Troll Fishery

At the time the first 19 salmon fisheries were limited, hand trolling was considered to be a relatively casual, part-time, and low effort fishery. By retaining open access in the hand troll fishery, it was hoped that the fishery would provide entry level opportunities for the young, provide older persons with opportunities for supplemental income, and allow avocational fishermen of working age to continue to pursue their part-time commercial fishing activities. It was hoped that the nature of the fishery and its impacts would remain unchanged.

The hopes for a low-impact, open-access fishery quickly faded. The unlimited hand troll fishery experienced large increases in participants each year from 1975 through 1978. Moreover, the average catch per week and the average weeks fished per participant both increased. The average fishing efficiency of the gear increased as more participants turned to hand gurdies rather than rod and reel gear.

While many of the new participants remained casual "part-timers," their combined fishing effort represented a significant increase. In addition, a number of commercial fishermen who did not receive an initial allocation of a power troll permit turned to the hand troll fishery and expanded their efforts substantially to become "serious" professional fishermen.

The expansion of effort in the hand troll fishery came at the expense of other limited entry fisheries, particularly the power troll fishery. As a result, the hand troll share of the commercial catch began to increase significantly. From 1975 to 1978 the hand troll share of the troll fishery harvest increased from 13% to 28%.¹⁰

The growth in the hand troll fishery came at a time when the king and coho stocks in southeastern Alaska were in decline. As early as 1976, CFEC had begun to receive proposals to limit entry in the hand troll fishery. By 1977, both the Alaska Department of Fish and Game (ADFG) and CFEC were discussing their concerns about the hand troll fishery¹¹ and the possible need for limitation.

In the spring of 1978, the Alaska Board of Fisheries conducted a series of meetings in southeastern Alaska to develop

¹⁰CFEC presentation to the Board of Fisheries, December, 1979.

¹¹CFEC draft "Management History," October 3, 1979.

Limited Entry in the Hand and Power Troll Fisheries

management options for the hand troll fishery. CFEC participated in the meetings. In the news release announcing these meetings,¹² ADFG commissioner Ron Skoog cited biological concerns as the basis for the need to develop a comprehensive regulatory program for the hand troll fishery.

Commissioner Skoog pointed to severely depressed king salmon stocks, excessive exploitation rates on several major coho streams in northern southeastern Alaska, and sharply declining coho catches in southern southeastern Alaska. Skoog noted that while new regulatory restrictions had been placed on other (limited) commercial fisheries, the hand troll fishery had continued to expand in terms of catch levels, effort, areas fished, and efficiency of gear. He stated that the hand troll fishery had not been brought into the conservation program in any meaningful way.

In December 1978, CFEC chairman Al Adasiak reported to the Board about the commission's intentions concerning the fishery.¹³ In his report Adasiak noted the diverse nature of the fishery. He indicated a key question was whether the fishery should be managed as a commercial fishery or managed as some type of lifestyle, commercial-recreational hybrid. In the latter case, he felt that limited entry wasn't needed, and other methods could be used to cut fishing time and effective effort.

Adasiak said that the commission had concluded that the hand troll fishery was currently a commercial fishery and based on the trends in the fishery it should be limited as soon as possible. He further stated that the commission intended to act to limit the fishery in 1979.

Greg Cook, executive director of the Board of Fisheries, wrote a letter in January, 1979 from the Board to CFEC about the hand troll fishery indicating that the Board had adopted interim trolling regulations to protect certain endangered stocks of coho and king salmon. He wrote that the regulations could be changed once the commission implemented a hand troll limited entry program.

The Board preferred a program which would allow them to have uniform troll regulations which would treat hand trollers and power trollers the same. They wanted the number of hand troll

¹²ADFG news release, January 26, 1978.

¹³"Limited Entry for the Hand Troll Fishery: A Report to the Board of Fisheries December 1978 Meeting by the Commercial Fisheries Entry Commission."

Limited Entry in the Hand and Power Troll Fisheries

permits to be such that 80% of the troll catch would go to power trollers and 20% to hand trollers. The Board also indicated that rural applicants should enjoy preference over urban applicants under the limited entry system.

Hand Troll Maximum Number

In September of 1979, CFEC research notes showed that an estimated maximum of 500 to 600 permits could be allowed in the hand troll fishery if limited entry were the main tool used to achieve the Board of Fisheries allocation goal of 20% of the troll catch to hand trollers and 80% to power trollers.¹⁴ Higher maximum numbers would result in the need for additional Board regulations to curtail the hand troll catch. The Board of Fisheries recommended a maximum number of no more than 600 and the Department of Fish and Game indicated that the number should not exceed 1,000 to avoid the necessity of excessive regulation to maintain historical harvest balances.

On September 21, 1979 the commission proposed a maximum number for the hand troll fishery of 1,100. This represented approximately the lowest number of participants in any of the four seasons during the 1975 through 1978 time period.¹⁵ Nevertheless, it was higher than the number recommended by the Board of Fisheries.

In October of 1979, the Board of Fisheries issued a news release which provided their public comments on the maximum number proposal.¹⁶ In the news release ADFG stated that the proposed 1,100 maximum number would not achieve their guideline of containing the hand troll catch to 20% of the total troll catch. They indicated that adoption of the maximum number would

¹⁴Notes of Jack Kreinheder, September, 1979 titled "Economic Considerations for Hand Troll Limitation." The 20% allocation to hand trollers was higher than their share prior to limitation of the power troll fishery, but lower than their share as of 1979.

¹⁵This maximum number was set under 16.43.240(b) which provided authority but no explicit rule for setting maximum numbers. The attorney general advised the commission, based upon AS 16.43.240(a), that a maximum number should probably fall within the range of participation levels observed during the four years preceding limited entry, if the maximum number was to be consistent with the spirit of the law and defensible.

¹⁶October 17, 1979 news release titled "Fisheries Board Comments On Hand Troll Limited Entry."

Limited Entry in the Hand and Power Troll Fisheries

force them to regulate the hand troll fishery separately from the power troll fishery to meet their allocation objective.

The public comment period on the proposal closed in November, 1979. In December the commission returned to the Board having considered the public testimony on their maximum number proposal. The commission indicated that no plan was going to satisfy all of the parties concerned. Public testimony had convinced them that such a dramatic reduction in participants from more recent numbers was not consistent with the intent of the limited entry legislation nor was such a reduction desired by the majority of the persons who fished in the fishery. As a result, the commission decided to adopt a maximum number of 2,150 rather than the 1,100 number which they had originally proposed.

The commission indicated a maximum number of 2,150 was more consistent with the spirit of the law and would protect more of those with an interest in the fishery at the time of limitation. They also presented arguments that suggested the higher number and lower permit values would help to keep permits in rural areas (a Board objective). Over the longer term, they pointed to a potential reduction in the number of permits either through optimum numbers and a buy-back program or through non-transferable permits and attrition.¹⁷

The Board was upset with the commission's decision. They felt that limited entry was not needed if the fishery was going to be managed as a "lifestyle" fishery. If the maximum number were to be 2,150, the Board would be forced to severely restrict the fishery in the same fashion with or without the program.

The commission's decision resulted in some bitterness between the Board and the commission. The controversy continued into the 1980s. Nick Szabo, chairman of the Board of Fisheries wrote a letter in January, 1981 to Bob Simon, chairman of the commission, suggesting that the hand troll limitation should be repealed. Mr. Szabo argued that the program as adopted would provide no conservation benefits but would result in the disadvantages associated with a limited entry program. The Alaska Board of Fisheries had earlier adopted a policy statement to the same effect.¹⁸

¹⁷Hand Troll Presentation To The Board, December 1979.

¹⁸See Alaska Board of Fisheries #80-83-FB, Policy Statement On Hand Trolling, January 16, 1981.

Limited Entry in the Hand and Power Troll Fisheries

The decision also resulted in some legal challenges. In Rutter v. State (668 P.2d 1343 Alaska 1983) a "professional hand troller" challenged the commission's decisions. The Supreme Court eventually upheld the commission's maximum number decision¹⁹ but forced the commission to revise portions of the hand troll point system.

The commission nevertheless felt that it had reached a compromise solution and the program would be worthwhile. The program put an upper bound on the number of participants, protected reliance interests at the time of limitation, and provided a means for a gradual reduction in gear levels. Thus, over time the fishery will contain fewer participants but will have a higher portion who are dependent upon the fishery for their livelihoods.

The means for a gradual reduction in gear levels was provided by non-transferable permits. In the hand troll point system the commission made an important policy decision in selecting "the minor economic hardship level." Data indicated that most eligible applicants were not very dependent upon the fishery. The commission set its minor economic hardship point level accordingly. Under the limited entry law, any permits issued to persons classified at minor economic hardship point levels are non-transferable. CFEC data indicate that of the 2,156 permanent hand troll permits initially issued through 1990, 1,346 (62%) were non-transferable.²⁰

Unlike transferable permits, non-transferable permits cannot be permanently transferred or sold to new, better-capitalized users who exert more fishing effort. Because of this, the commission expected that relative to the number of transferable hand troll permits, a smaller percentage of the non-transferable permits would be fished, average earnings of the permits fished would be lower, and a larger percentage of the permits would be forfeited. They also expected the permits to gradually lapse and disappear as the holders aged and passed away. All of these expectations have thus far proven to be accurate, but the process of attrition is a slow one.

¹⁹In a later decision in Johns v. State, CFEC, 758 P.2d 1256 (Alaska 1988), the Supreme Court went even further stating that a maximum number should be no less than the highest number of units of gear which fished in a fishery in the four years prior to the qualification date.

²⁰By 1990, an additional 105 non-transferable permits had become transferable permits through adjudication.

Limited Entry in the Hand and Power Troll Fisheries

Hand Troll Priority Classification System

The priority classification system for the hand troll fishery was similar to the point system used for the power troll fishery. Points were awarded for past and consistent participation, income dependence, investment in vessel and gear and availability of alternative occupations.²¹ The point system for the hand troll fishery is summarized in Figure 1.

Only the five years immediately preceding the qualification date of January 1, 1980, were considered as "point years." The years 1975 through 1979 were all subsequent to the time the hand and power troll fisheries were further distinguished by limitation of the power troll fishery. The CFEC had also issued interim use permits for the hand troll fishery in those years, providing distinct hand troll licensing records since 1975.²²

Past and Consistent Participation

Participation in the hand troll fishery was defined as "the harvesting of allowed species while properly licensed as a hand troll gear operator, and sales of hand troll-caught species in accordance with regulations governing the sale of commercially caught species, as provided in 5 AAC 39.130" (20 AAC 05.677).

The commission records showed that from 1975 to 1978 the average number of weeks fished by permit holders increased by 21%.²³ The minimum numbers of weeks with landings required to earn points for consistency of participation was scaled to reflect this trend.

Economic Dependence

Three standards were used to determine an applicant's economic reliance on the hand troll

²¹20 AAC 05.676 through 20 AAC 05.679.

²²Findings of the Commercial Fisheries Entry Commission Regarding the Priority Classification System for the Statewide Salmon Hand Troll Fishery. January 9, 1981.

²³Findings of the Commercial Fisheries Entry Commission Regarding the Priority Classification System for the Statewide Salmon Hand Troll Fishery.

Limited Entry in the Hand and Power Troll Fisheries

fishery: availability of alternative occupations, investment in vessel and gear, and income dependence on the fishery.

a. Income dependence

Income dependence was measured by one of two possible methods in the hand troll point system. An applicant could receive credit for income dependence based on his or her gross earnings in the salmon hand troll fishery. Six points were awarded for each of the years 1975 and 1976, and 7 points for each of the years 1977, 1978 and 1979 in which the applicant's gross earnings met or exceeded the minimum established by the commission. By supplemental application²⁴, an applicant's economic dependence could be evaluated based on the percentage of income derived from the fishery and reliance on alternative occupations, and on the applicant's investment in vessel and gear as of the qualification date.

b. Investment in vessel and gear

In addition to income percentage dependence, investment in vessel and gear as of the qualification date could be counted toward an applicant's economic dependence on the hand troll fishery. Ownership of a vessel used or to be used in the hand troll fishery as of the qualification date earned an applicant 5 points. Ownership of troll gear earned 1 point if the gear consisted of hand gurdies, but 0 points for rod and reel gear.

c. Availability of Alternative Occupations

The rationale for awarding points for the availability of alternative occupations was similar to that used in the power troll fishery. An applicant in a rural area scored more points (15 points) than an applicant in an urban area (7 points) because finding

²⁴The decision in Rutter v. State, 668 P.2d 1341 (Alaska 1983), found elements of the hand troll point system to be inconsistent with the commission's statutory authority and resulted in revisions to the hand troll point system.

Limited Entry in the Hand and Power Troll Fisheries

another job would generally be harder for a rural applicant than for an urban applicant.

Economic Hardship Levels

The point scale used to assess an applicant's past participation and economic dependence on the hand troll fishery consisted of 0 to 101 points. The commission set the significant economic hardship level at 80 to 101 points, and the minor economic hardship level at 0 to 70 points. CFEC data indicated that most eligible hand troll applicants were not very dependent upon the fishery, and the commission set its minor economic hardship point level accordingly. Under the limited entry law, permits issued to applicants classified at the minor economic hardship level were not transferable.

Point Issuance Level

The point issuance level for the hand troll fishery as of January 27, 1992 was 17 points. Because the number of permanent permits issued to applicants classified with at least 80 points was less than the maximum number, the issuance point level was reduced to 17 points in order that more permits could be issued.

Status of Permit Applications for the Hand and Power Troll Fisheries

The application period for limited entry permits for the power troll salmon fishery was from December, 1974 through March 1975, but was later extended into April. The Alaska Supreme Court ruled in Isakson v. Rickey in 1976 that any person who harvested salmon commercially as a gear license holder for the first time in 1973 or 1974 was also eligible to apply for a limited entry permit.²⁵ Prior to the Isakson decision, only persons who had harvested commercially in the four years immediately preceding January 1, 1973 were eligible to apply. An additional application period for the Isakson applicants was held from January 15 through September 30, 1977.

The application period for the hand troll salmon fishery was from March 1 through August 31, 1981. A supplemental application period was held, in accordance with the Supreme Court decision in Rutter v. State (668 P.2d 1341 (Alaska 1983)), from January 1,

²⁵Isakson v. Rickey, 550 P.2d 359 (Alaska 1976)

Limited Entry in the Hand and Power Troll Fisheries

1985 through May 31, 1985 for original hand troll applicants who wished to claim additional points for income dependence.

Table 1 provides information on the number of applications received for limited entry permits in the hand and power troll fisheries, the number of permanent permits issued, and the number of applications still pending as of January 27, 1992.

Table 1
Status of the Applications Process for the
Hand and Power Troll Salmon Fisheries

Fishery	Maximum Number	Applications Received	Permanent Permits Issued	Applications Pending
Hand troll	2,150	4,849	2,243	158
Power troll	950	1,493	948	30
All troll fisheries	3,100	6,342	3,191	188

Present State of the Troll Fisheries

Attached to this report are basic information tables which give numbers of permits issued by the residency of the permit holders, numbers of permits fished, total and average gross earnings, total pounds landed and the average permit price, by year from 1977 through 1991 for the hand and power troll salmon fisheries. (The 1991 data are preliminary estimates.)

Performance of the Hand Troll Plan Since Limitation

Table 2 shows the number of permanent entry permits issued in the hand troll fishery from 1983 to 1990. The number of permanent permits is declining over time due to revocations, forfeitures for two-year non-renewal,²⁶ and non-transferable permits lapsing (terminated) due to the death of the holder. Most of the attrition of permanent hand troll permits has been among non-transferable permit holders.

²⁶Failure to renew an entry permit for a period of two years from the year of last renewal results in a forfeiture of the entry permit to the commission, except as waived by the commission for good cause (AS 16.43.150(d)).

Limited Entry in the Hand and Power Troll Fisheries

Table 2
 Number of Permanent Hand Troll Entry Permits
 Outstanding for 1983 through 1990²⁷

Year	Transferable Permits	Non-Transferable Permits	Total Permits
1983	697	1,424	2,121
1984	696	1,424	2,120
1985	744	1,241	1,985
1986	771	1,186	1,957
1987	780	1,139	1,919
1988	780	1,079	1,859
1989	780	1,028	1,808
1990	783	989	1,772

The non-transferable hand troll permits will gradually be eliminated and the total number of participants in the fishery will be reduced considerably over time. In the near-term however, those non-transferable permit holders with even a minor stake in the fishery are allowed to continue fishing. The number of hand trollers will gradually be reduced to the levels near those originally requested by the Alaska Board of Fisheries. At year-end 1990 there were 1,772 permanent hand troll permits still outstanding, 783 of which were transferable and 989 of which were non-transferable.

Based upon past experience, the number of transferable permits should not change substantially. Forfeitures and revocations are possible, but should not result in large reductions in the number of transferable permits. Because a transferable hand troll permit has a significant market value (estimated to be \$8,700 in January, 1992 by CFEC) it is unlikely that many of the permits will be forfeited for non-renewal as it should usually be more profitable to sell a permit rather than forfeit it. There have been very few forfeits of transferable permits to date.

²⁷The decision in Rutter v. State, 668 P.2d 1341 (Alaska 1983), resulted in changes in the hand troll point system which caused some persons with non-transferable permits to be reclassified and obtain transferable permits.

Please also fill out the Information Request Form for extended projects involving more than one staff person and/or charges to requestor

Susan Shirley
staff person's name

1996

Date rec'd	Requestor & organization, other description	Subject	Date		Type?
			comp	spent	
10/4	Scott Allee P.O. Box 521191 Big Lake, AK 99652	value FWS herring pound permit CFAB info, DCED info on loaris	10/4	15 min	y
9/30	Sean McCabe 1817 Electric Bellingham, WA 98226	shrimp pt. system regs.	9/30	15 min	y
9/26	Robert Hunley G.D. Meyers Chuck, AK 99903	"	9/26	15 min	>
9/16	Paul Peters Box 902 Haines, AK 99758	copies of cassette tapes of Juneau shrimp pt. system hearing	9/17	1 hr	y
9/1	James Carter Hughes Box 22 Pelican, AK 99832	shrimp pt. system regs	9/16	15 min	>
9/16	Tom Van Eeckhout Box 1972 Sitka, AK 99835	"	9/16	5 min	y
7/31	Dave Hambleton Trident Seafoods FAX 206-781-4500	Eligibility list for Korean hair crab	7/31	1 hr	y
7/26	Joe Wabey FAX 206-542-1265	copy of Korean hair crab legislation	7/26	0.5 h	N
7/24					

Limited Entry in the Hand and Power Troll Fisheries

Table 3 provides an estimated projection of the number of non-transferable hand troll permits outstanding over the next 50 years. The projected number of non-transferable permits is based upon the assumptions that permit holders will die at the same age-specific mortality rates as white males,²⁸ and that age-specific forfeiture rates for non-transferable hand troll permits will continue to be similar to those observed through 1990.

If the current law remains unchanged,²⁹ the number of non-transferable hand troll permits is expected to continuously decrease due to both forfeitures and natural mortality as hand trollers grow older. In 50 years very few non-transferable hand troll permits would remain and the total number of participants in the fishery would be greatly reduced.

Table 3
Projection of the Number of Remaining
Non-transferable Hand Troll Permits
for 1990 through 2040

Year	Non- Transferable Permits
1990	989
2000	599
2010	319
2020	133
2030	40
2040	8

²⁸Mortality Statistics were taken from Vital Statistics Of The United States 1987 (Volume II-Mortality Part A). The race and sex composition of hand trollers is unknown. The mortality rate for white males was chosen because the authors assumed that a majority of hand trollers were white male. The age-specific mortality rate for white males tends to be higher than that for white females but lower than those for black males and black females. White male age-specific mortality rates tend to be higher than overall age-specific mortality rates. For purposes of this projection, age-specific mortality rates had to be extrapolated for some age brackets.

²⁹This assumes that there will be no changes due to optimum numbers.

Limited Entry in the Hand and Power Troll Fisheries

Transfer of Hand and Power Troll Permits

The average ratio of the number of entry permits transferred to the number of permits available for transfer was 0.10 or greater for the majority of the Alaskan fisheries for the period 1975 through 1990. The average transfer ratio for the power troll fishery was 0.10 for the years 1975 through 1990, but the transfer ratio was lower, 0.07, in 1989 and 1990. The transfer ratio for the hand troll fishery was 0.13 for the years 1980 through 1990, but was slightly higher, 0.15, in 1990.

Permit holders are classified into five resident categories to facilitate analysis of permit distribution.³⁰ The distribution of permits originally issued in the hand and power troll fisheries is presented in Table 4. Most of the transferable hand troll permits were originally issued to Alaska locals; 332 (47.1%) were issued to AULs and 324 (46.0%) were issued to ARLs. Non-residents were originally issued 37 (5.2%) transferable hand troll permits.

Most power troll permits were originally issued to Alaska locals and non-residents. Alaska urban locals (AUL) received 397 permits (41.9%), and ARLs received 258 permits (27.2%). Non-residents were originally issued 277 power troll permits (29.3%).

³⁰Changes in the Distribution of Alaska's Commercial Fisheries Entry Permits, 1975-1990. CFEC. November, 1991. In order to measure the changes in the distribution of permits, permit holders have been classified into broad categories according to where they reside:

Alaska resident of a Rural community which is Local to the fishery for which the permit applies (ARL);

Alaska resident of a Rural community which is Non-local to the fishery for which the permit applies (ARN);

Alaska resident of an Urban community which is Local to the fishery for which the permit applies (AUL, not applicable to the Lower Yukon);

Alaska resident of an Urban community which is Non-local to the fishery for which the permit applies (AUN);

Non-resident of Alaska (NR).

Limited Entry in the Hand and Power Troll Fisheries

Table 4
 Distribution of Entry Permits by Residency Category
 For the Hand and Power Troll Salmon Fisheries
 Original Issues for the Period 1975 through 1990

Fishery	Residency Category					Total
	ARL	ARN	AUL	AUN	NR	
Hand troll	324 (46.0%)	1 (0.1%)	332 (47.1%)	11 (1.6%)	37 (5.2%)	705
Power troll	258 (27.2%)	2 (0.2%)	397 (41.9%)	13 (1.4%)	277 (29.3%)	947
All troll fisheries	582 (35.2%)	3 (0.2%)	729 (44.1%)	24 (1.5%)	314 (19.0%)	1,652

From original issuance to year-end 1990, the total number of transferable hand troll permits had increased by 78 to 783 permits. The number of power troll permits had decreased by 5 to 942 permits (Table 5).

The number of permits in a resident category can change when permit holders either transfer permits to permit holders classified in a different resident category or when permit holders move from one community to another (migration). The largest change in the distribution of transferable hand troll permits as of year-end 1990 among the resident categories was a net gain of 55 permits by non-residents (Table 6). The number of permits in the AUN, ARL and ARN categories had also increased as of year-end 1990. Only in the AUL resident category had the number of permits decreased.

The non-resident category in the power troll fishery had a net loss of 89 permits as of year-end 1990. Of those 89 permits, 71 permits (79.8%) were reclassified by transfers or migrations to AULs, 8 permits (9.0%) were reclassified to ARLs, 5 (5.6%) were reclassified to AUNs, and 5 permits were either forfeited or revoked.

As of year-end 1990, there were 942 power troll permits and 1,772 hand troll permits. Eighty percent of the power troll permits and 90% of the hand troll permits were held by Alaskan residents.

Limited Entry in the Hand and Power Troll Fisheries

Table 5
Distribution of Entry Permits by Residency Category
For the Hand and Power Troll Salmon Fisheries
As of Year-End 1990

Fishery	Residency Category					Total
	ARL	ARN	AUL	AUN	NR	
Hand troll	330 (42.1%)	3 (0.4%)	329 (42.0%)	29 (3.7%)	92 (11.8%)	783
Power troll	266 (28.2%)	2 (0.2%)	468 (49.7%)	18 (1.9%)	188 (20.3%)	942
All troll fisheries	596 (34.6%)	5 (0.3%)	797 (46.2%)	47 (2.7%)	280 (16.2%)	1,725

Table 6
Changes in the Distribution of Entry Permits
By Permit Transfers and Migrations
In the Hand and Power Troll Salmon Fisheries as of Year-End 1990

Fishery	Residency Category				
	ARL	ARN	AUL	AUN	NR
Hand troll	+6	+2	-3	+18	+55
Power troll	+8	0	+71	+5	-89
All troll fisheries	+14	+2	+68	+23	-44

Changes in Effort in the Troll Fisheries Since Limitation

The number of permits and the number of unique persons in the hand and power troll fisheries have declined since the permits were initially issued. These data are summarized in Table 7. The numbers of permits have decreased because of forfeitures, revocations, and, in the case of non-transferable hand troll permits, termination of the permit upon the death of the permit

Limited Entry in the Hand and Power Troll Fisheries

holder. The total number of troll permits as of year-end 1990 had decreased by 389 permits.

The numbers of unique persons in the troll fisheries have also decreased because of the revocation and forfeiture of permits, and the death of non-transferable permit holders. The number of unique persons in the combined hand and power troll fisheries decreased by 466 from the time of initial issuance of limited entry permits to year-end 1990.

The decrease in the number of unique persons in the troll fisheries, 466, was larger than the decrease in the number of permits in the troll fisheries, 389. The number of unique persons in the combined troll fisheries could decrease without a concurrent decrease in the number of permits if, for example, the holder of a hand troll permit transferred his or her permit to a person who already held a power troll permit or vice versa.

Some persons qualified for and were originally issued limited entry permits in both the hand and power troll fisheries. Sixty persons were initially issued both types of troll permits over the period 1975 through 1990. As of year-end 1990, 137 persons held both a hand and power troll permit. Some persons with one troll fishery permit apparently received by transfer a second permit for the other troll fishery. This resulted in a further reduction in the number of unique persons in the fishery without a reduction in the number of permits. The number of unique persons in the troll fisheries could increase in the future if the holders of multiple troll permits transferred one of their permits to new entrants.

Table 7
Changes in the Number of Permits and Unique Persons
In the Hand and Power Troll Fisheries
Since the Permits Were Originally Issued

Time Period	Hand Troll Permits	Power Troll Permits	Total Troll Permits	Number of Unique Persons
1975-1990	2,156	947	3,103	3,043
Year-end 1990	1,772	942	2,714	2,577

BASIC INFORMATION TABLE #1A

SUMMARY DATA ON LIMITED FISHERIES, 1977 - 1990,
PERMITS ISSUED AND FISHED,
ESTIMATED GROSS EARNINGS, TOTAL POUNDS LANDED,
AND ANNUAL AVERAGE PERMIT PRICE

YEAR	505B			SOUTHEAST SALMON HAND TROLL					
	PERMANENT PERMITS ISSUED TO RESIDENTS	PERMANENT PERMITS TO NON-RES.	INTERIM USE PERMITS ISSUED	TOTAL PERMITS ISSUED	TOTAL PERMITS FISHED	TOTAL GROSS EARNINGS	AVERAGE GROSS EARNINGS	TOTAL POUNDS LANDED	AVERAGE PERMIT PRICE
1977	0	0	2,953	2,953	1,836	\$3,321,653	\$1,809	2,332,685	---
1978	0	0	3,923	3,923	2,624	\$5,662,365	\$2,158	4,113,023	---
1979	0	0	3,702	3,702	2,207	\$6,409,227	\$2,904	3,623,672	---
1980	0	0	2,436	2,436	1,667	\$3,160,315	\$1,896	2,350,992	---
1981	0	0	2,048	2,048	1,153	\$3,458,925	\$3,000	2,630,867	---
1982	660	36	1,213	1,909	1,067	\$4,065,632	\$3,810	2,776,300	\$4,036
1983	1,973	148	29	2,150	946	\$2,488,900	\$2,631	2,559,185	\$4,964
1984	1,955	165	27	2,147	860	\$3,927,812	\$4,567	2,498,950	\$4,732
1985	1,837	147	44	2,028	903	\$3,931,417	\$4,354	3,159,445	\$5,109
1986	1,809	148	18	1,975	804	\$3,999,629	\$4,975	3,054,310	\$5,252
1987	1,764	155	12	1,931	763	\$3,729,226	\$4,888	2,151,049	\$5,551
1988	1,693	166	8	1,867	777	\$4,654,816	\$5,991	1,740,085	\$6,446
1989	1,639	172	9	1,820	694	\$3,136,561	\$4,520	2,911,279	\$7,323
1990	1,612	162	8	1,782	699	\$4,333,237	\$6,199	2,932,091	\$8,322
1991	1,576	161	9	1,746					\$8,400

*** ESTIMATES OF GROSS EARNINGS NOT PRODUCED UNLESS VALUES HAVE BEEN DETERMINED FOR AT LEAST 95% OF THE POUNDS LANDED.

1. DATA HAS BEEN OMITTED WHEN FEWER THAN FOUR PEOPLE PARTICIPATED IN A FISHERY.
2. 1990 DATA ARE PRELIMINARY.
3. THESE DATA ARE AGGREGATED BY THE TYPE OF PERMIT FISHED, AND THUS CONTAINS BOTH TARGETED SPECIES AND INCIDENTALY LANDED SPECIES.
4. AVERAGE PERMIT PRICE NOTES:
A --- INDICATES THAT THERE WERE NO MONETARY TRANSFERS FOR THIS FISHERY.
A ... INDICATES CONFIDENTIAL INFORMATION BECAUSE FEWER THAN FOUR SURVEYS EXIST.
5. DATA INCLUDES ONLY COMMERCIAL CATCH LANDED ON VALID PERMITS. DATA ASSOCIATED WITH TEST FISHING, ILLEGAL LANDINGS, DERBIES, EDUCATIONAL PERMITS, OR UNMATCHABLE PERMITS ARE EXCLUDED.

BASIC INFORMATION TABLE #1A

SUMMARY DATA ON LIMITED FISHERIES, 1977 - 1990,
PERMITS ISSUED AND FISHED,
ESTIMATED GROSS EARNINGS, TOTAL POUNDS LANDED,
AND ANNUAL AVERAGE PERMIT PRICE

YEAR	S15B			SOUTHEAST SALMON POWER TROLL					
	PERMANENT PERMITS ISSUED TO RESIDENTS	PERMANENT PERMITS ISSUED TO NON-RES.	INTERIM USE PERMITS ISSUED	TOTAL PERMITS ISSUED	TOTAL PERMITS FISHED	TOTAL GROSS EARNINGS	AVERAGE GROSS EARNINGS	TOTAL POUNDS LANDED	AVERAGE PERMIT PRICE
1977	698	231	41	970	750	\$12,036,382	\$16,049	7,273,420	\$8,831
1978	717	217	42	976	816	\$17,480,179	\$21,422	11,029,959	\$15,457
1979	718	221	40	979	819	\$21,469,415	\$26,214	10,657,919	\$26,680
1980	703	236	35	974	842	\$13,244,111	\$15,729	8,419,068	\$33,308
1981	712	227	31	970	793	\$16,249,385	\$20,491	10,456,912	\$29,012
1982	717	223	28	968	810	\$20,348,359	\$25,121	12,124,799	\$21,630
1983	722	217	29	968	810	\$13,486,482	\$16,650	12,167,857	\$20,864
1984	721	219	23	963	795	\$22,672,565	\$28,519	12,804,426	\$19,456
1985	729	213	21	963	830	\$21,079,991	\$25,398	15,292,225	\$21,509
1986	730	212	15	957	827	\$24,084,595	\$29,123	17,437,247	\$24,776
1987	741	201	15	957	828	\$21,632,658	\$26,126	11,149,818	\$26,431
1988	751	191	14	956	828	\$25,155,393	\$30,381	8,256,053	\$29,782
1989	756	186	13	955	830	\$20,387,808	\$24,564	17,265,131	\$32,446
1990	751	191	14	956	839	\$26,778,375	\$31,917	17,064,128	\$33,142
1991	751	193	14	958					\$36,800

*** ESTIMATES OF GROSS EARNINGS NOT PRODUCED UNLESS VALUES HAVE BEEN DETERMINED FOR AT LEAST 95% OF THE POUNDS LANDED.

1. DATA HAS BEEN OMITTED WHEN FEWER THAN FOUR PEOPLE PARTICIPATED IN A FISHERY.
2. 1990 DATA ARE PRELIMINARY.
3. THESE DATA ARE AGGREGATED BY THE TYPE OF PERMIT FISHED, AND THUS CONTAINS BOTH TARGETED SPECIES AND INCIDENTALY LANDED SPECIES.
4. AVERAGE PERMIT PRICE NOTES:
A --- INDICATES THAT THERE WERE NO MONETARY TRANSFERS FOR THIS FISHERY.
A ... INDICATES CONFIDENTIAL INFORMATION BECAUSE FEWER THAN FOUR SURVEYS EXIST.
5. DATA INCLUDES ONLY COMMERCIAL CATCH LANDED ON VALID PERMITS. DATA ASSOCIATED WITH TEST FISHING, ILLEGAL LANDINGS, PERMITS, EDUCATIONAL PERMITS, OR UNMATCHABLE PERMITS ARE EXCLUDED.

RC 30

ALASKA FEDERATION OF NATIVES

February 12, 2009

Mr. John Jensen
Chairman, Alaska Board of Fisheries
P.O. Box 681
Petersburg, Alaska 99833

Dear Mr. Jensen:

On behalf of the Board of Directors of the Alaska Federation of Natives, I am writing to each Member of the Board of Fisheries (with copies to the Fish Board's Executive Director and the Federal Subsistence Board) to convey the Native community's grave concern about Proposal 235 on Southeast herring.

The AFN Board met in Juneau on February 11, 2009 and thoroughly discussed Proposal 235. It then adopted a motion to convey to the state and federal boards its "...support for the customary and traditional use of subsistence resources and its vehement opposition to any means or regulations to "individualize" subsistence pursuits, such as a subsistence permitting system that is embodied in Alaska Board of Fish Proposal 235, which would require permits to harvest herring eggs."

Any individualized system of subsistence permitting destroys the concept of "customary and traditional" uses embodied in Title VIII of ANILCA, which gives a community-wide priority to rural subsistence users in times of shortage. Adoption of Proposal 235 would further entrench the legal differences between the two conflicting systems and guarantee that the current dual management regime will continue indefinitely. Such action would merely postpone any return to a unitary system, a goal the State has sought for years. It would also exacerbate the deep alienation between urban and rural Alaska, which has been the most emotionally divisive issue in state politics for 20 years.

AFN urges the Board of Fisheries to reject Proposal 235 at its upcoming meetings. Thank you for your consideration of this critical issue.

Sincerely,



Julie Kitka,
President, Alaska Federation of Natives
1577 C Street, Suite 300, Anchorage, Alaska 99501
Phone: 907-274-3611

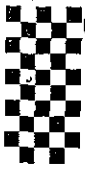
Kluwan AC

Proposal #

<p>240 support</p>	<p style="text-align: center;">w/ amendment</p> <p>In the Chilkat River the subsistence fishing permit holder shall be physically present at the net while it is fishing except for Klukwan residents whose nets are set in those areas adjacent to the lands held by the Chilkat Indian Village, and within the traditional fishing grounds of Klukwan fishermen (19 mile to one mile upstream of Wells Bridge) or for other Chilkat Valley residents who live within 1 mile of where their net is set</p>
	<p>Klukwan AC and residents support this proposal unanimously. Klukwan Village with 88% unemployment it is 100% dependent on subsistence fishing, but at the same time we must go and harvest other subsistence as blueberry, raspberry, cranberry etc.... Also we must get firewood for the smokehouse and for the winter, especially now with the oil price. If we have to attend the net can't do all these, and we will have hard time in the winter.</p>
<p>237 support</p>	<p>We support this proposal for salmon extension because it would open up more area for subsistence fishing. But do not support smelt (hooligan) beyond the current locations for it will chase the hooligan back out. It should separate smelt from salmon & It should read 237a. salmon and 237b. smelt.</p>
<p>257 support</p>	<p>So even fishermen can have a day of rest on Sunday with family and go to church if they like to.</p>
<p>200, 203, 204, 208</p>	<p>We support Sitka Tribe's judgment in this as we get herring roe from Sitka and we depend much upon it.</p>

266 support	We are familiar with the fishermen in the community of Yakutat and we trust their judgment.
234 support	Sitka is the primary source of herring roe for Klukwan, we barter with them for our necessary quota. If their harvest is reduced we could be cut off.
236 support	We support the department of fishery to regulate and provide the amount necessary for subsistence and if needed giving priority against commercial & sport fishing.
238 support	So that Klawock community have their needs met.
242 support	It will lessen congestion of fishing in Chilkat River.
286, 287 support	We believe is good to limit bag intake by non resident processed or not.
295 support	Is a good thing to limit mortality.
302 support	For it will limit mortality.
308 support	It is good to keep personal separated from charter.
311, 312 support	We support that enforcement have access to this premises so they can enforce regulation.
313 support	Request that all fish in possess be tag with date, name, weight and if it processed keep all the info at hand.

221 oppose	Resident should have priority over non resident.
232-233 oppose	We are oppose because this will affect fishing in Chilkat River.



RC32

I may have to give this to someone in my place, I am feeling that I may have to be in the hospital during this meeting, This has become a fact on 2/09/09. I was medivaced to Mt. Edgecumbe Hospital for heart problems.

Mr. Chairman and Board of Fisheries Committee;

My name is Yeik-ki-ish, a Tlingit Indian of the Kik-sadi, Raven Frog from the Sun House. My dad named me Walter A Johnson Junior. I and a good portion of Yakutat appreciate you giving me the opportunity to respond to the Yakutat Spring King Salmon trolling closure problem we have as stated in our letter, resolutions and petitions we have previously submitted for your review. Along with the other fishing issues that is of great important to us, especially the re-issue of the long overdue four lines for hand trollers, our most important issue is to open the May and June Spring King Troll Season for Yakutat area. We shall refer to United States of America waters of the state and federal waters from Cape Fairweather to Cape Suckling as "Yakutat Area" and will be referred to as such for the rest of the testimony. I will also refer to the State of Alaska (State), Board of Fisheries (Board) and the Department of Commercial Fisheries (Dept) and all of the above as the "System" for the duration of my testimony. As will the Yakutat Advisory Committee (YAC) and the North Pacific Salmon Treaty King Salmon Quota (Quota).

The Community of Yakutat has submitted a 126 signatred Petition for your consideration of their feelings of the regulation that closing our trolling season of through May and June. Plus the resolution from the Central Council of the Tlingit and Haida Indian Tribes of Alaska, (The Yakutat Tlingit Tribe's strong letter of support for this resolution is included), The Yakutat Kwaan, Inc. and the City and Borough of Yakutat resolutions was also a part of the packet. The Yakutat Area is without a doubt, in anyones mind, part of the Migratory route of both the hatchery and wild King salmon

The position that Yakutat have agreed to is that we are seeking only that we have a "Fair and reasonable" opportunity of catching our fair share of the Quota that the Yakutat trollers have been exempt from catching since the Quota has been in existence. Prior to being exempt, we were able to fish for Kings. The Quota is a federal Bilateral agreement between USA and Canada for a certain amount of Kings (and other species as well), for the rivers that run through both countries. (The Situk River is not one such river and should not be considered as part of our discussion, since it is only an Alaskan River. A protective corridor has been in existence for decates and should not be changed for it is sufficient for its purpose. Besides no action was taken to change the corridor by the YAC on 2/9/09; it was discussed but no action was taken and is not in the green book).

One problem that seems to persist and one I feel is always around me. It started with Wrangell where I saw the signs "no sailors, dogs or Indians allowed". In Wrangell Institute where students were stooped over a toilet bowl and stropped

across the butt ten times for speaking their language during the week. The Army was called when Governor Wallace called out the National Guard to prevent Colored students from entering college. President Kennidy called us, the Army, to counter the Alabama National Guard so that the students could enter that college. The Students entered the college when Gov. Wallace stepped aside and I was about 150 yards away from him. That was just after the Cuban Crisis that I also was a part. I feel that if I do not call this action of preventing Yakutat Area from trolling during May and June, "discrimination", the entire *system* would not recognize our efforts to eliminate this problem. We also have had the same type of problem with the State in the past of which I feel this closure is, in part, a sort of retaliation.

As stated by the Alaska Department of Fish and Game "The Treaty Chinook Salmon harvest will be allocated to the sport, commercial troll and the commercial net fisheries as management plans specified by the Alaska Board of Fisheries". I have been trying to avoid asking Board action by going through the Dept and have run into a stone wall. They stubbornly refuse to address our key issues that we presented to them. The packet that I gave them on November 17, 2008 was never acted upon by the Dept nor have they even responded to the packet. It is the same packet I have submitted to you for consideration.

Just to set the record straight, the Yakutat Advisory Committee refused to acknowledge the total package I sent to you about the King Salmon Quota at a meeting of 2/9/09 due to it not being within the green book of proposed regulations which was not taken under consideration by the YAC. Although they have a valid point, the YAC representatives, therefore, should not be allowed to speak either for or against my submitted packet proposal. I will ask that the Chairman of the Board of Fisheries to enforce this since it is submitted by myself. Thank you.

Please consider the following while making the decision of the Yakutat petition packet. (*I am not yelling at you with the highlighted portions, just bring them to your attention*).

The ADF&G Mission Statement states "...development of these resources are in the *best interest of the economy* and the well being of the *people of the state*."

Under Selected Alaska Statutes, TITLE 16, CHAPTER 5, FISH AND GAME CODE:

SEC 16.05.092 (1)...all aspects of the state's fisheries for the perpetual use, *benefit*, and enjoyment of *all citizens* and revise and *update this plan annually*.

SEC 16.05.251 16 (d) "... consistant with the sustained yeild and provisions of AS 16.05.258, provide a *fair and reasonable* opportunity for the taking of fishery resources by personal use, sport, and commecial fishermen.

(e). (6) The importance of each fishery to the *economy of the region*

and the **AREA** in which the fishery is located. Note: See 5 AAC 39.205, 5AAC39.222 (4) (d).

(f) (Unable to find AS 16.40.120 (e) and 16.0.130)"...The Board of Fisheries may not adopt regulations or take actions regarding the issuance, denial, or conditioning of a permit... " ; (such as the eliminating trolling from Cape Suckling to Cape Fairweather?).

Under SEC, 16, and the agency finds. 43.110. I feel the Dept has failed in;

(a) "...consistent with law..",
 (b) "... consistent with due process of law..." ; and
 (c) "... to ensure fair treatment of all parties..." ; when dealing with the exemption of Yakutat from trolling for the Quota (Also misnamed as the Hatchery Season where only the maximum number of hatchery Kings was 39% most under 30%).

Without going into the boring reading of numbers of the statutes i will just use the page number and quotes from the 2006 to 2009 yellow regulations book. 60 - "The goal of the policy ... and the sustained economic health of Alaska's fishing communities.". 78 - (b) The Board will, at its discretion, change its schedule for consideration...state regulatory actions with federal fishing agencies, programs and laws. 79 - ... solicit comment for thirty days before taking action. AS 44 62.230 also provides that if a petition is for an emergency regulation and the agency (Board?) finds that a emergency exists.....and putting the regulation into proper form. 130 - The Board recognizes that biological, social and *economic* factors and the current regulatory structure may result in the need to harvest such stocks outside the district for which they are bound. AND; Over time the board will evaluate the impact of the treaty in light of the effects as they occur and may provide allocative relief consistent with this policy.

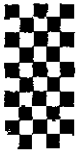
For the past two years, I have working and trying to convince the Department of Commercial Fisheries to open the Quota Season for all trollers, since it is an Bi-lateral International Agreement that should allow all trolling permit holders a "fair and reasonable" chance at catching their fair share of the Spring King Salmon quota. Fair and Reasonable is written not only the regulations, but in the State of Alaska Constitution as well. It is not *FAIR NOR IS IT REASONABLE* to expect Yakutat skiff fishermen to travel 200 miles to a fishing ground over the most dangerous stretch of water in Southeast. To expect them to leave their families and to camp on the beach for two months and then go back after the season. The other side of the coin is just as bleak, if one doesn't fish during those two months, when the season does open one must fish extra hard to make up for the two months we didn't fish and has to pay the bills that piled up over those two months. That is a lose-lose situation for Yakutat in anyones book. Besides Yakutat is southeast Alaska

Yakutat is in dire need of an immediate solution to our economic woes. It actually is more desperate than woes. It is an emergency. Our economy is so bad that

since 2000 to 2007 Yakutat has a population drop from 808 residents to 606, we have lost 25% of our population. Just last year, in 2008, Yakutat has lost 5 families to Juneau and Anchorage.

Our economy could be salvaged to a great degree by allowing us to fish during the days of May 1 through to July 1. Just recently, in the past three years, was the winter kings season extended for 5, 10 and 15 days respectively. But, we are still not able to troll for any species of salmon for 60 days. To put it in prospective, how could anyone be without a paycheck for two months. THIS HAS BEEN GOING ON SINCE it seems like forever.

Now getting back to the fair share of the Spring King Salmon quota, The State of Alaska has proportionately set a certain percentage for each user group of which one is the Trollers and is set at the trollers share of the King Salmon Quota is 80% for the power trollers (Yakutat has 18) and 20 % for the hand trollers(Yakutat has 69). Yakutat trollers total 87 and not one of them are authorized to catch any type of trolled fish during May and June. Our 1000 king Season has never been open. Thank you for your consideration. WAJ



Robert Hoff

ID:BOF

From: 90746556094 MAY-05-2004 10:32AM
12056705674 p.1

RC 33

Dear Fish Board,

Feb. 16, 2009

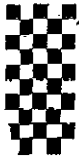
I am a fisherman that loves fishing in Alaska. I go to Craig every other Year and usually take my son or one of my son in laws. I usually spend about \$6,000 in Craig on each trip. Not to mention the float plane and Air Alaska costs. If you drop the limits any more than those of 2007 we will no longer come to Alaska, but instead will go to Canada or fish in the lower 48. It is a downright shame that the people who have the largest limits are the ones who are really hurting the fisheries by having the largest by catch waste, and yet they want to increase their limits and decrease the limits of the sport fisherman who have no by catch waste. The sport fisherman also support the hatcheries. How much do the commercial fisherman support the hatcheries? It seems to me that it should be an easy decision.

Sincerely

Robert E. Hoff
Robert E. Hoff

360 S. River Drive

Shelby , Al. 35143



PC3A

Alaska Board of Fish re issues # 286, 288, and 309

Feb. 14, 2009

To Whom It May Concern:

I am writing in opposition to the proposed measures 286, 288, and 309. These measures will provide short-term benefits for a very small select group of individuals. These individuals and those behind the measures are not taking Alaska's long-term future and the overall economic impact into consideration. Numerous individuals and businesses will be negatively affected if these measures are passed. Businesses will close or be forced to relocate, families will sink deeper into economic depression, and South East Alaska will see many fewer visitors.

My husband and I first visited the great state of Alaska 19 years ago for a 20th wedding anniversary trip. We fell in love with the people, scenery, fishing, wildlife, and life style. We both grew up in states where individuality and self government were very important, and loved that another state would be similar. The above proposals would take individuals' opportunities from them, and implement more government control over a self-reliant group of people. It saddens me to think of a wild wonderful state succumbing to more regulations that punish the majority of its citizens.

Our family is one of the many small charter businesses in South East Alaska. Our children and now grandchildren enjoy coming up to spend a week with us each year, and is something we would love to eventually pass down to them for even more future generations to enjoy. If the above measures pass, it would mean my husband would have to close his business, ending a lifelong dream of his, and destroying our dreams for future generations of our family. What a small charter business harvests per year is a very small percentage of just the waste of commercial fishermen produce, not to mention the tons of fish they harvest.

The people that are drawn to Alaska to come as charter guests contribute millions of dollars to our state annually, and our people reap the benefits. Passing measures 286, 288, and 309 would drastically reduce the number of people who would travel to Alaska for fishing vacations, causing catastrophic economic loss for South East Alaska businesses and residents.

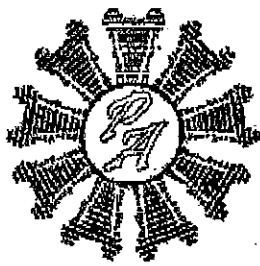
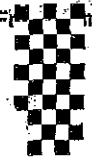
Please keep the numerous small businesses in Alaska and not force families to leave by rejecting measures 286, 288, and 309.

Sincerely,

Jane Stump

Stephen Montanus To: Alaska Department of Fish and Game (19074656094)

13:24 02/16/09GMT-08 Pg 01-01



Pacific Airways, Inc.

RC35

P.O. Box 5158
Ketchikan, Alaska 99901
Phone: 907-225-3500
Fax: 907-247-3500

February 16, 2009

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

RE: BOF COMMENTS

Dear Chairman Jensen, Board Members,

Pacific Airways is a scheduled and charter floatplane operation based in Ketchikan. We have been in operation since 2000 and employ between 25 and 30 people during the summer season. Over 90% of our employees are Alaska residents. Our company was founded to support the charter and sport fishing industry throughout southern Southeast Alaska. These businesses and their clientele account for over 80% of our yearly revenue.

The purpose of this letter is to provide you with a factual example of how your future decisions will affect industry and commerce well beyond that of guided sport fishing. Any rulemaking that harms this industry directly harms ours. This is not an unsubstantiated claim or unfounded accusation. It is a fact.

I do not claim to fully understand all the information and data you have before you in making these decisions. I am making the effort to educate myself, but as time is of the essence in this matter I feel I must comment now. I respect the board's knowledge and expertise when making their decisions, and I encourage you to make these decisions based on scientific data and factual evidence, not anecdotal stories and rumors. It is not anecdotal or rumor that a majority of our hiring and fleet size decisions in the coming months will be influenced by your decisions and how they affect the guided sport fishing business of Southeast Alaska.

Thank you for your time and consideration.

Sincerely,

Stephen S. Montanus
General Manager
Pacific Airways, Inc.

PC36



REPRESENTATIVE CATHY MUÑOZ

February 16, 2009

Mr. John Jensen
Board of Fish, Chairman
ADF&G
Box 115526
Juneau, AK 99811-5526

John Jensen
Chairman
Board of Fish
ADF&G
Juneau, Alaska

Dear Chairman Jensen:

On February 10, 2009 the House Fisheries committee participated in a hearing on the issue of Southeast Alaska herring. Presentations were made by subsistence gatherers, scientists and a commercial operator.

There is evidence that herring stocks, while plentiful in some areas including the Sitka Sound, are in decline in many areas of the region. It is my hope that the Board of Fish will urge the Alaska Department of Fish and Game to actively work to rebuild herring stocks in areas that are experiencing herring population decline. Healthy herring stocks are vitally important to the long-term sustainability of many species including salmon and halibut, and the robust commercial and subsistence fishing industries.

Thank you for the opportunity to provide my thoughts on this issue. I believe that a concentrated effort is timely, and I look forward to working with the legislature to support the necessary funding to support our fisheries scientists at the ADF&G.

Sincerely,

Cathy Munoz
Cathy Munoz
Representative - Dist 4

John Jensen
John Jensen
Chairman
Board of Fish
ADF&G
Juneau, Alaska

RECEIVED TIME FEB. 16. 1:34PM



C-TRACK ADVENTURES

21662 S Ferguson Road, P.O. Box 559 • Beavercreek, OR 97004-056 • 503-632-4103 • FAX: 503-632-4104

Board of Fish

These comments are for review by the board, before the board passes judgment on legislative issues presented to them.

To whom it may concern:

I am an Alaska resident that operates a small one man guide service in Craig. I started my business in 1999. Previous to my operation set up my family and I enjoyed fishing in Craig for 13 years as a charter guests, each year bringing new people with us and generating revenue through for the local economy through our expenditures. My family and I fell in love with Craig and knew we wanted to pass the beauty of Prince of Wales onto the future generations of our family.

My economic contributions to Craig and South East Alaska are one piece of a large pie that will disappear if 266, 288, and 309 pass. To shed light on what one charter business that serves 40-50 Guests per year contributes to South East Alaska with Craig as the primary beneficiary allow me to share with you my personal investment in the community. I have personally invested \$360,000 in the Craig community through land purchases, local contractors, building supplies, tackle, hardware, appliances, electrical power, boat repairs, and in 2008 alone \$7,450 in fuel. In addition to this I pay around \$5,000 per year in Craig city tax, plus garbage, water and sewer fees. My clients each donate a minimum of \$35 a year to Prince of Wales hatchery and make numerous personal purchases that exceed \$50,000 yearly. Along with their tickets to Ketchikan they then purchase either ferry or float plane tickets, two other businesses that will suffer greatly if the above mentioned measures pass. My guests buy groceries, eat at our local restaurants, and buy many gifts to take home, yet more businesses that will suffer because of short sightedness of a powerful group of individuals. This group is looking out for themselves, but Will do great harm to many businesses and the community if they succeed with passing 268, 288, and 309.



C-TRACK ADVENTURES

21882 S Ferguson Road, P.O. Box 569 • Beaver Creek, OR 97004-0566 • 503-632-4103 • FAX: 503-632-4104

The clients I guide stay at my house, but on numerous occasions we have employed the services of hotel and bed and breakfast establishments in Craig for additional lodging, more businesses that will suffer if the measures earlier mentioned are passed.

The small charter businesses throughout South Eastern Alaska, as a whole, are very conversation conscious. I can't speak for all the charter captains and their crews, but the general rule in Craig is limiting to two fish boxes per guest. As I mentioned earlier, I service 40 to 50 guests per year and the amount of fish we send out is less than a four day catch by an average power troller or IFQ long liner. The power trollers and IFQ long liners I know in Craig are true professionals and would hardly qualify as average. The total of the charter catches in a season is less than what these masters of the seas will harvest in a week.

I very much support proposal 341, but am totally opposed to 286, 288, and 309. These are "death rolls" for the largest financial contributors to the villages and the cities in South East Alaska.

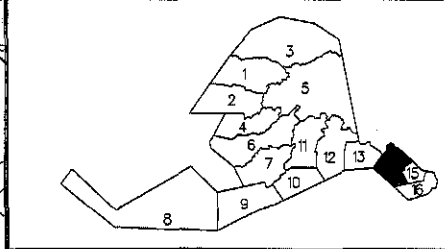
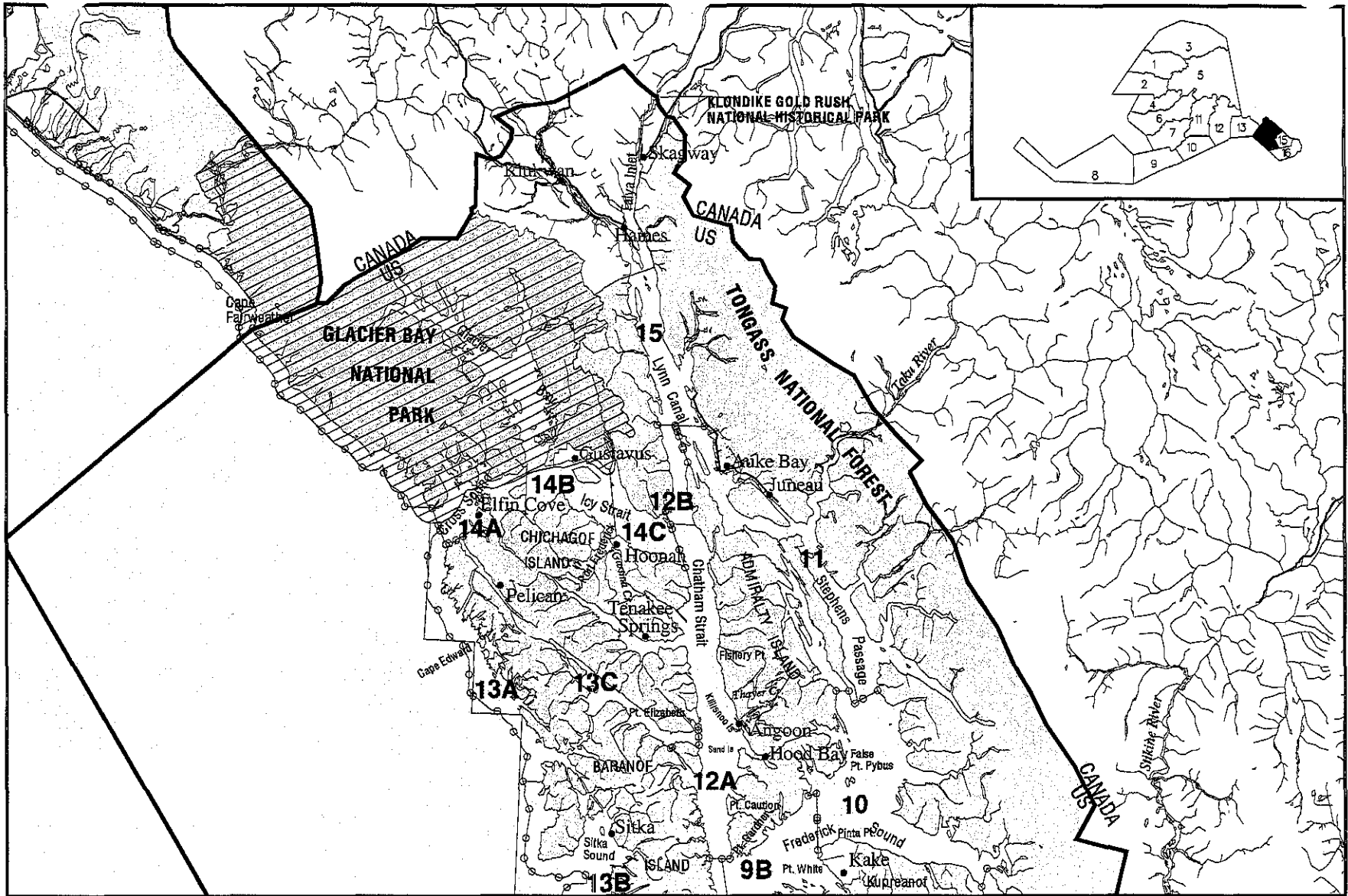
I find it hard to believe that an august group as yourselves would consider agreeing with and supporting with such proposals and "KILL THE GOLDEN GOOSE" in our great state. In a time of economic hardship and recession passing these measures would further set back the well being of the people in South Eastern Alaska. The ripple effects of these measures will carry much further than the shoreline in Craig alone. Many people and businesses will feel the negative effects of these measures if they are passed with immediate needs of a small group being thought of, not the future of greater South East Alaska being considered.

Thank you for your consideration,

Mike Stump
Mike Stump

Southeastern Alaska Area

2008/2009 Federal Subsistence Fisheries Regulations



Southeastern Alaska Area Subsistence Fishing

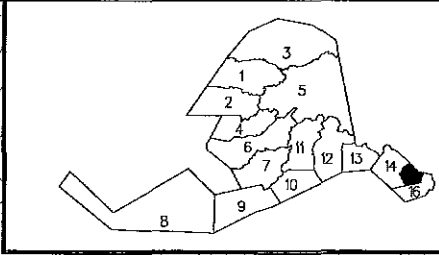
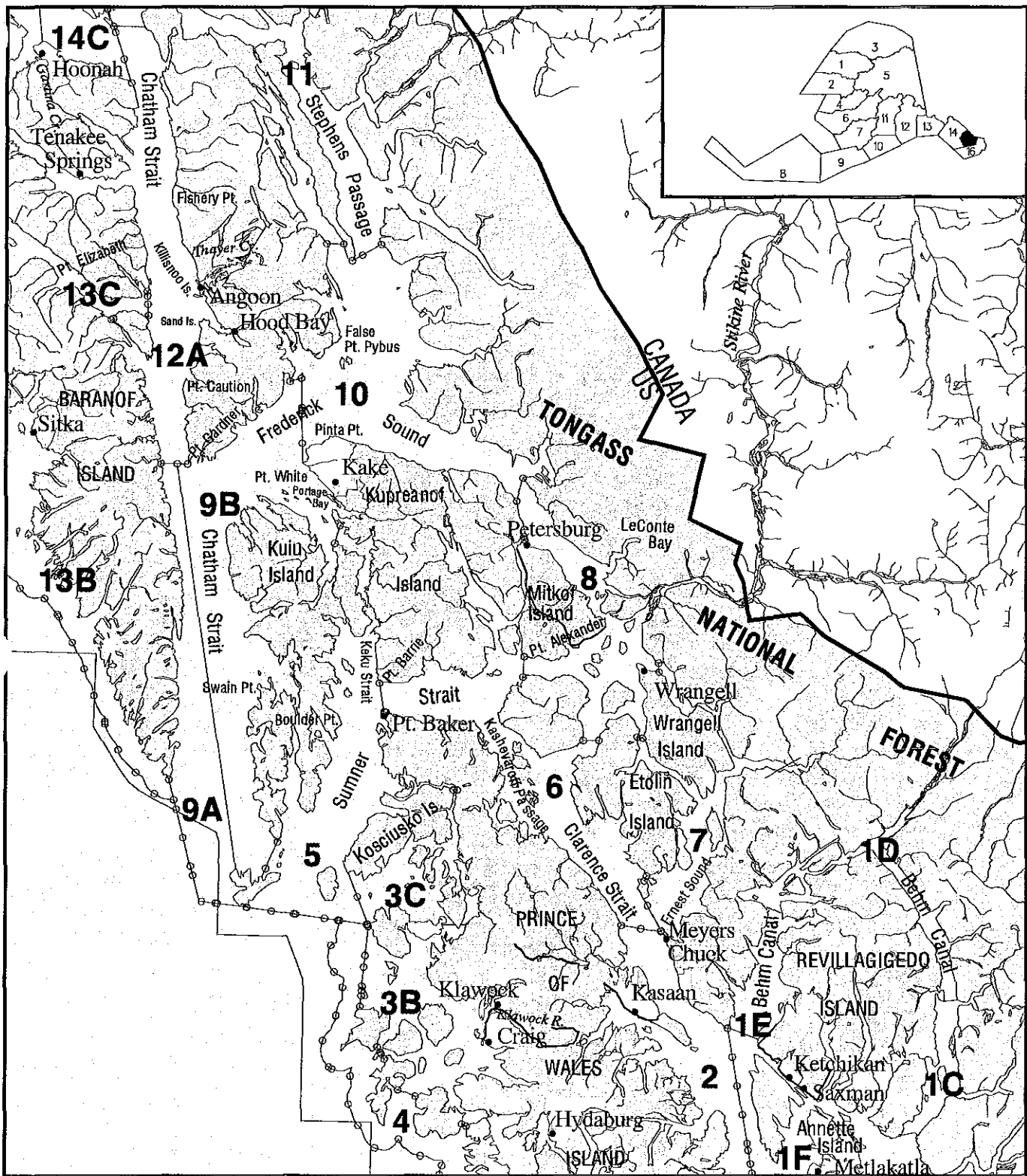
2038



Map 14 Southeastern Alaska Area

- | | | |
|-------------------------------|------------------------|------------------------|
| FWS Administered Land | USFS Administered Land | Fishing Districts |
| NPS Administered Parks | Closed to Subsistence | Subdistrict or Section |
| NPS Administered Preserves | Roads | |
| BLM Administered Land | Area Boundary | |
| BLM Non-navigable Waters Only | Federal Boundary | |

Southeastern Alaska Area Subsistence Fishing



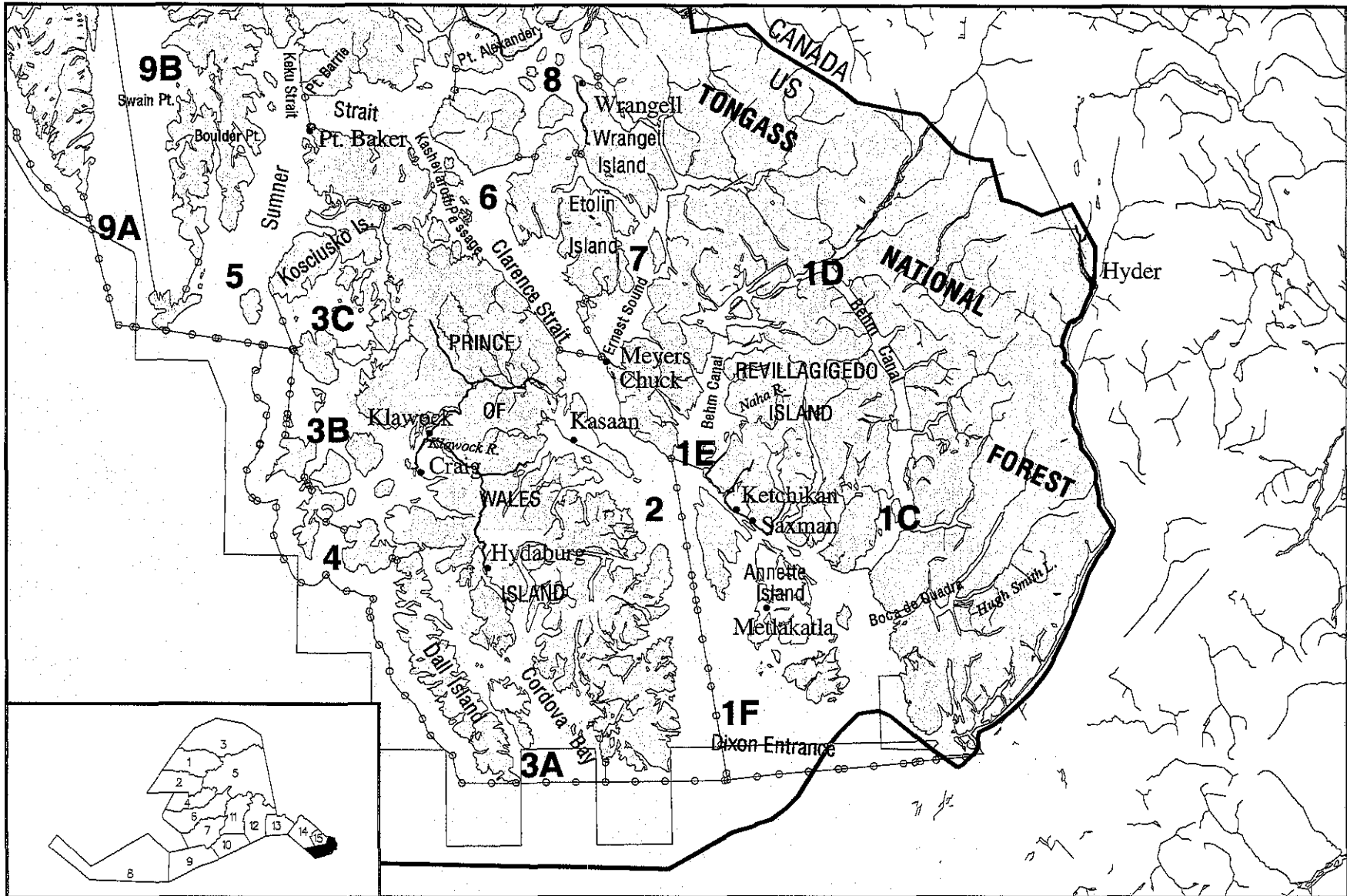
Map 15
Southeastern
Alaska Area

- | | | |
|-------------------------------|------------------------|------------------------|
| FWS Administered Land | USFS Administered Land | Fishing Districts |
| NPS Administered Parks | Closed to Subsistence | Subdistrict or Section |
| NPS Administered Preserves | Roads | |
| BLM Administered Land | Area Boundary | |
| BLM Non-navigable Waters Only | Federal Boundary | |

Southeastern Alaska Area

Southeastern Alaska Area

2008/2009 Federal Subsistence Fisheries Regulations



Southeastern Alaska Area Subsistence Fishing



Map 16

Southeastern Alaska Area

- | | | |
|-------------------------------|------------------------|------------------------|
| FWS Administered Land | USFS Administered Land | Fishing Districts |
| NPS Administered Parks | Closed to Subsistence | Subdistrict or Section |
| NPS Administered Preserves | Roads | |
| BLM Administered Land | Area Boundary | |
| BLM Non-navigable Waters Only | Federal Boundary | |

2039

Southeast Alaska Fishermen's Alliance

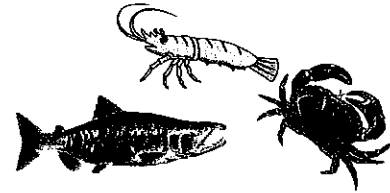
9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

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



E-mail: seafa@gci.net

February 17, 2009

Board Support Section

Alaska Dept of Fish and Game

John Jensen, Chair

1255 West 8th Street

Juneau, AK 99811-5526

Dear Chairman Jensen and Board of Fish Members,

RE: Index of on-time comments - SE Finfish Proposals - Feb. '09

SEafa would like to correct the record in the "INDEX OF ON-TIME ADVISORY COMMITTEE AND PUBLIC COMMENT". We do not support proposals 244, 245, & 246. Our comments read that we support the Joint RPT consensus.

Sincerely,

Kathy Hansen

Kathy Hansen

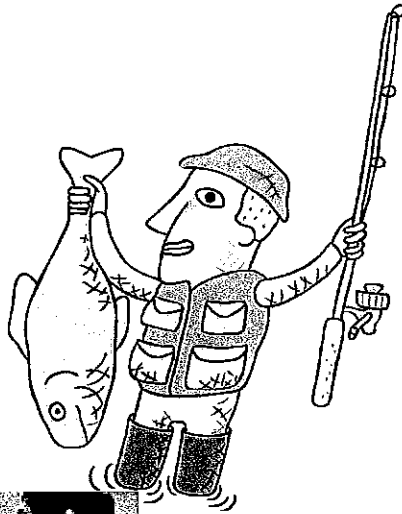
Executive Director

RE: Proposal #296-298 -

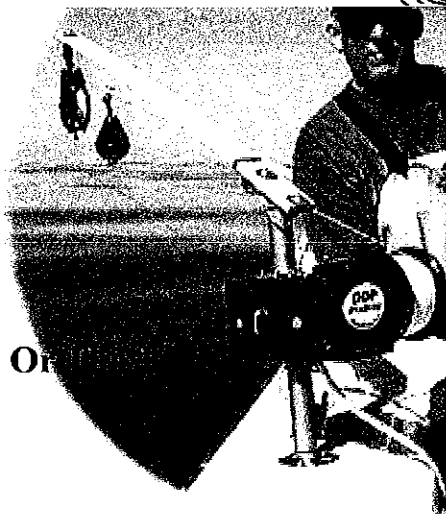
The question these proposals are asking is:

What is sportfishing gear?

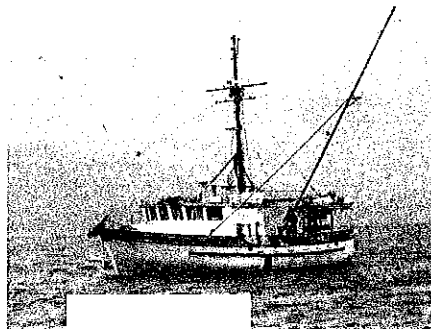
Is it this?



Or This?



Or This?



Or This?

Power assisted reel that fits on a fishing pole

Or This?



All these are currently legal sport fish gear. Please address this issue and answer the question in today's world what should be legal and what should not be legal?

2/17/09

Southeast Alaska Fishermen's Alliance

Mr. Chair and Board members

I come before you today as the author of Proposal 226 to double the daily bag, possession and annual limits for King Salmon in the Ketchikan area. This includes all Troll terminal areas and Troll hatchery access corridors.(currently 101-29/see attachment)from May 20th to end of June.

On or about statistical week 20 Troll stats show, for every two fish caught one is a hatchery (a non counting fish). The catch rate continues to improve up to 100% hatchery as the weeks go on into July, then drops off. It would give sport fishers access to King Salmon that were raised for and paid for by sport fishers (41.2% @ Neets Bay hatchery and 75% @ Whitman Lake hatchery) when they are of high quality. These fish do not count against treaty numbers. Sport fishers did not reach the GHL for sport fishing last year. This proposal would help alleviate some of the shortage.

There has been resistance by the Sportfish Department to not increase bag limits until after COMM FISH report a 50% hatchery component which can be a delay of 10-14 days. At that time they raise the fish limit in the Mt. Point Terminal Area. These fish tend to be dark and of lesser meat quality.

I would be glad work on committees to address the departments concerns regarding the bag limits and feel if the bag limits are equal throughout the Ketchikan area there should be no concerns.

Thank you
Donald Westlund

MANAGEMENT OBJECTIVES AND METHODS

SPRING FISHERIES

Non-Alaska hatchery fish (Treaty fish) are counted towards the season Treaty quota of Chinook salmon under the Pacific Salmon Treaty, but most of the Alaska hatchery fish are not. The spring troll and terminal troll fisheries target Alaska hatchery Chinook salmon, but Treaty Chinook salmon are also harvested. The guideline limits of Treaty fish that may be harvested in each spring fishing area as follows:

Alaska Hatchery Contribution To The Harvest	Treaty Fish Limit
Less than 25%	1,000
At least 25% and less than 35%	2,000
At least 35% and less than 50%	3,000
At least 50% and less than 66%	5,000
66% or more	no limit

The Board of Fisheries also adopted a regulation that established the criteria for combining spring areas. The department may now combine adjacent spring troll fishery areas and their associated Treaty harvest caps if each of the areas have Alaska hatchery compositions of 25 percent or greater for three or more consecutive seasons.

The following spring areas were combined in 2007 will again be combined for the 2008 season:

The Gravina Island (101-29), Mountain Point (101-45) and West Clarence Strait (102-50) areas were combined to form the **Ketchikan Area (101-29)**, which has Treaty fish limits that are 3 times the allowable catch for each Alaska hatchery composition tier as provided for in 5 AAC 29.090(d)(1)(D).

The Kingsmill Point (109-51) and Chatham Strait (112-12) areas were combined to form a new **Chatham Strait Area (112-12)**, which has that Treaty fish limits of 2 times the allowable catch for each Alaska hatchery composition tier as provided for in 5 AAC 29.090(d)(1)(D).

The Homeshore (114-25) and Point Sophia (114-27) areas were combined to form the **Icy Strait Area (114-25)** which has Treaty fish limits of 2 times the allowable catch for each Alaska hatchery composition tier as provided for in 5 AAC 29.090(d)(1)(D).

The Middle Island (113-41), Eastern Channel (113-35) and Inner Silver Bay (113-37) areas were combined to form the **Sitka Sound Area (113-41)**, which has Treaty fish limits that are 3 times the allowable catch for each Alaska hatchery composition tier as provided for in 5 AAC 29.090(d)(1)(D).

Each year fishery managers from ADF&G hold meetings in Southeast Alaska towns to discuss fishing plans with trollers, processors, and hatchery operators. A review of the previous fishing season is presented as well as an outlook for the upcoming year. New fishing areas or changes to existing areas may be proposed. These proposed areas are then scrutinized by department biologists for potential impacts on local wild stocks and to determine whether the area is one where a substantial portion of the harvest is likely to be of Alaska hatchery origin. The department also examines whether any newly proposed areas can be sampled adequately within the current funding levels. Once plans are finalized, the department issues a news release with descriptions of fishing areas and a schedule of initial fishing periods.

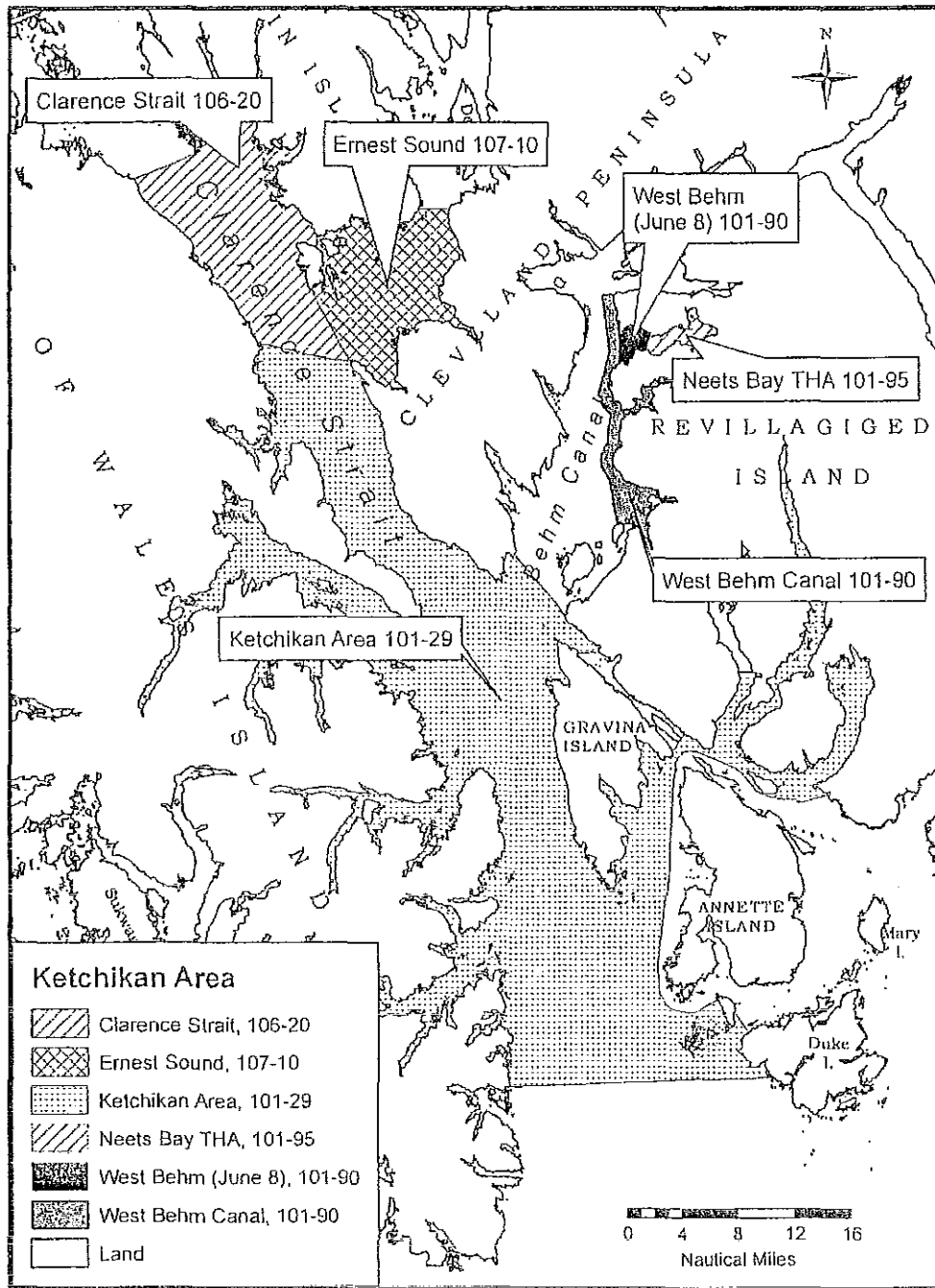
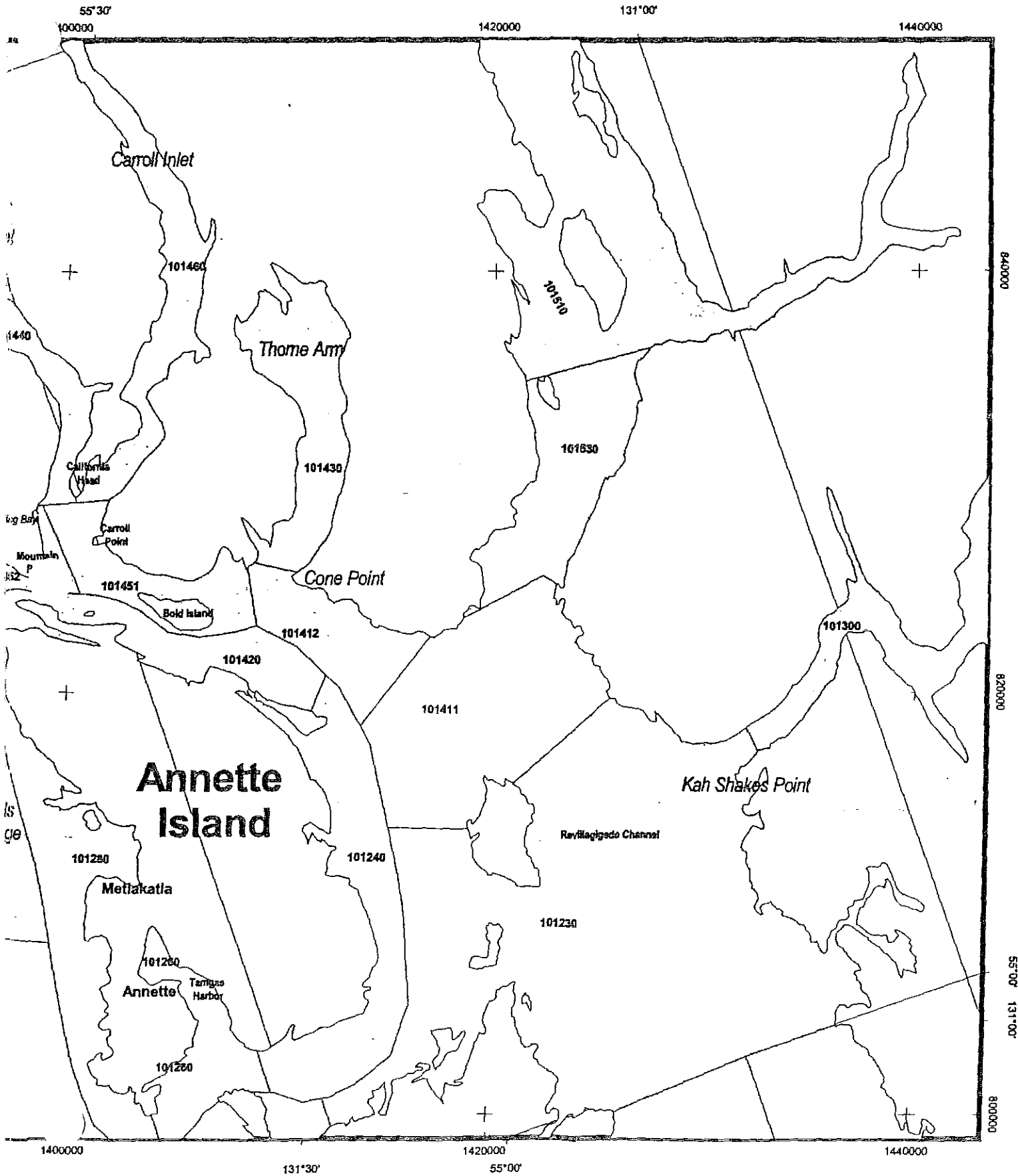
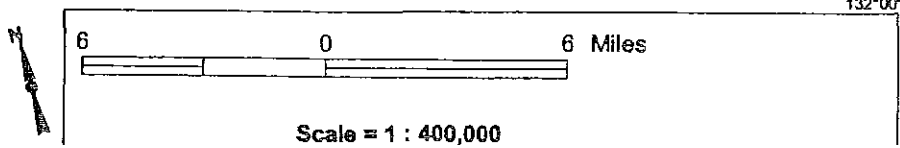
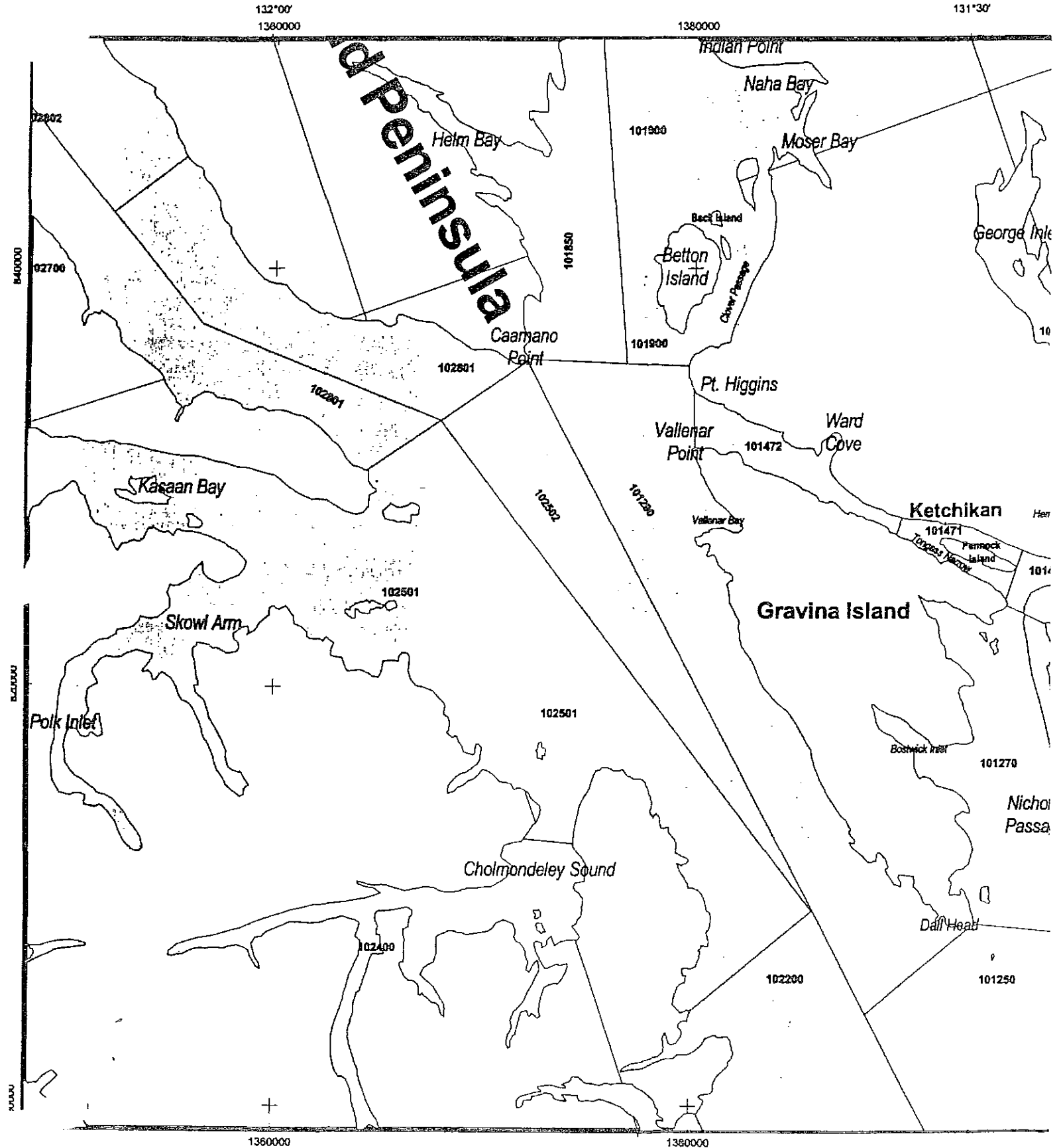


Figure 1.--Ketchikan area spring trolling areas, 2008.

Logbook Areas (ver. 2, revised 3/16/99) of Sport Fish, SE Region



Ketchikan Vicinity 6 - digit Lo ADF&G - Division



Fish & Game Advisory Meeting Edna Bay, AK

Members present:

Steve Hendershot, Bob Morgan (phone),
Eric Wyatt (phone), Ken Widmyer,
Bill Dodson, John Dodson

Fin fish Proposals

Proposals 199 thru 217:

We agree overall that conservative management + enhancement of herring biomass would be beneficial.

218 - NO - unanimous, against stacking permits.

219 thru 228 - no comment

229 thru 230

Pg 3
Proposals Cont.

"- 252 - Yes, unanimous, keep fishery products separate to insure proper management.

253, 254 - No unanimous, we do not need larger boats.

255-263 - NO COMMENT.

~~264~~-265. Yes, unanimous, we support local advisory committee on subsistence issues in their local area.

266-285 - NO COMMENT.

286-287 - yes, unanimous. We feel non-resident fisherman should be faced with reasonable harvest limits.

288-289 - yes, unanimous. This would help with better salmon management cards.

¹⁹⁴
Proposals Cont.

∴ 290. Yes, unanimous. We support
F + G house keeping.

291-292 - NO COMMENT

293 - Yes unanimous. there is an
abundance of stock, + good eating
resource

294 - Yes unanimous - No Pay, No by

295 Yes - unanimous - mortality knowledge
is important.

296 - Yes - unanimous, We're in support
of defining fishing gear and Types.

297 + 298. No, unanimous, No electric
reel use at all.

299 No - unanimous. These tools not needed,
hen there are other options

Proposals^{Pg 3} cont.

- 300 Yes Unanimous. We support F+G.
- # 301-302- Yes Unanimous. We feel this is a good step in addressing catch + release mortality levels.
- # 303,304 No Comment.
- # 305 Yes, Unanimous, Excellent proposal, that respects environmental issues.
- # 306,307 - Yes Unanimous. We support F+G.
- # 308 Yes-Unanimous. current lodge subsistence use due to client consumption is far greater than individual subsistence impact.
- # 309 Yes, Unanimous. Allocation should be set by previous 10 year average.
- 310- Yes Unanimous - more firmly regulates Season accountability.

Proposals Cont. Pg 4

- 311, 312, 313 Yes, unanimous - Strongly agree. Lodges should be required to follow same rules as rest of industry, also would assist F+G in enforcement.
- #314 thru 318 - NO COMMENT.
- #319 Yes, unanimous, needs to be restricted or closed completely.
- #320 4 yes, 2 no - some local Trollers wish areas that would benefit, some would not.
- #321 Yes - unanimous - we favor greater access to higher value resource.
- #322 Yes - unanimous - improves access to resource.
- #323 Yes - unanimous - we support F+G
- #324 - Yes - unanimous - We support local advisory.
- #325 yes unanimous - Greater access to resource.

Proposals cont. Pg 7.

326 - No Unanimous - we favor existing regulations

327 Yes - Unanimous - increased access to resource

328 Yes - Unanimous - We support proposal, but would like the words

non-transferable permit to be included

329 - Yes Unanimous - We support more reasonable access to resource

330 Yes - Unanimous - We support f + G reasoning

331 - Yes Unanimous - We support local advisory committee

332 thru 335 - NO COMMENT.

336 Yes - Unanimous - we strongly support use of wasted bycatch.

337 Yes Unanimous - as a troller it would help with bycatch.

Proposals Cont. Pg 8

"- 338 - NO COMMENT

339 thru 341 - NO COMMENT

342 - 345 - NO unanimous - we oppose all directed fishing for DSR

346 - Yes unanimous.

347 - NO COMMENT.

348 - Yes Unanimous - We agree with
F+G

349, 350 - Yes, Unanimous - these fisheries have ability to decompress

351 - No-unanimous - Due to vessel mobility and amount of resource handled this would be unreasonable.

352-353 - NO COMMENT

354 Yes - Unanimous - We support F+G

355 NO-unanimous - Should not increase pressure on available stock.

Proposals cont, Pg 9

∴ 356-366 NO COMMENT.

367 Yes - Unanimous - we need to address this problem. This is a big problem in our area

February 17, 2009

Testimony to Fish and Game Commission, Sitka, Alaska

Thank you for this opportunity to testify. My name is Dr. Mary Purvis. I am a Tlingit tribal member of the Kiks.adi clan, born and raised in Sitka. I speak today in honor of my grandparents, Jack and Sasha Calvin. Born and raised in Sitka, herring were an important part of Sasha's life. Jack came in the early 1930s from California where he authored, with Ed Ricketts, "Between Pacific Tides", a book still published today. His friendship and collaboration with Ed was based on an intense interest, awareness and concern for the natural world, especially the intertidal environment featured in their book. Ed and Jack were men before their time, understanding the importance of ecosystems before the term was ever coined. Jack Calvin was an important voice for conservation here in Alaska in the '60s and '70s. Ed Ricketts made his contribution to conservation back in the mid '40s in Monterey, California the sardine capital of the world. Why would I talk about a dead guy from California? Because of the important parallels between the collapse of the sardine fishery in the 40's and the imminent collapse of our herring today.

Ed Ricketts had a tremendous amount of research on the sardine from Baja to British Columbia. In a letter to Joseph Campbell he pointed out that canners, reduction plant operators and fisherman had been warned for years that they were taking too many fish. Ed saw first hand the catastrophic consequences of ignoring important information about sea temperatures, plankton levels, and fish stock populations. Although he warned cannery owners that if they continued to ignore the larger picture, the sardines would be exterminated, his warnings went unheeded. In 1948, the reduction plants and canneries in Monterey processed 18,000 tons, a tremendous drop from the 237,000 tons processed 3 years before. Not listening, selecting their evidence, petitioning for more and more permits, pressuring the Fish and Game Commission, and lobbying the legislators had led to no fish.

The point of all of this is we've had multiple opportunities to see the effects of poor decision making, decisions that ignore important information. This week you have an opportunity to listen to many members of the Tlingit community. We have been here for 10,000 years and have counted on the herring to nourish our bodies and spirits. I ask that you think carefully about what we have to share. The herring are declining, the spawn is declining and we are in danger of losing an essential part of our culture.

In the late '90s, after an absence of 50 years, sardines reappeared in the waters off Vancouver Island and Monterey. The first new sardine boat in over half a century arrived and a new cannery was built. I pray that we will not lose our herring and face 50 years without them. I leave you with this quote from my grandmother's journal over 50 years ago. She is describing the spawn in Thimbleberry Bay in April 1956. "Bay green with biggest herring spawn in many years. Fertilize gardens with buckets of herring eggs." In other years she chronicles the appearance of multiple herds of sea lions and whales, and "jillions" of sea gulls. We may not ever see the herring return to that level, but we can at least ensure that they do not disappear. Thank you.



Comments Supporting Proposals 203, 204
Prepared by Vince Patrick and Evelyn Brown

We are voicing support for proposal 203 and 204 as amended based on an evaluation of historic and current biological information and on an independent analysis of ADFG's management plan including the Age-Structured-Analysis (ASA) and spawn deposition survey index.

Summary:

There is no doubt that southeast herring stocks are a fraction of their historic levels in the earlier part of the century based on published catch reports and harvest area maps and based on the preliminary results from an ongoing study by Dr. Thomas Thornton from Portland State University (presented recently at a legislative hearing on Feb. 10 2009). There is also no doubt that 3 of the 6 sac roe herring harvest areas are closed to fishing due to reduced or absent herring stocks, 2 have extremely small quotas compared to historic levels, and only Sitka Sound remains as the remnant population from the original southeast herring complex. We have serious concerns on several fronts about how the fishery is managed, the management plan, the lack of biological understanding and data, and the tunnel vision typically applied in single-stock/single index fisheries management.

Our specific criticisms center around four main issues: 1) the lack of a stock model and basic understanding of herring life cycle information defining how the population is maintained in time and space, 2) the lack of inclusion of "preservation of spatial diversity" in the ADFG management plan (a cornerstone of many other plans around the world), 3) the lack of validation for major assumptions in the ASA model that leads to erroneous results and that introduces a major risk of over-estimation and over-harvest, and 4) the current and proposed timing of the fishery that has major impacts on spawn distribution and spawning success and that leads to unexplained divergence in spawn deposition and miles of spawn. Number 4 is the main reason that subsistence needs have not been met in recent years.

In resolution of these four issues we recommend the following actions:

- 1) incorporate literature and historic fishery information into a life cycle based stock model that will provide the background to the management plan;
- 2) implement a policy of preserving spatial spawning diversity by allowing a minimum spawning group (2000 tons would be appropriate) per location that are left undisturbed to complete egg deposition; locations should be defined as regions where a segment of spawn is clearly defined and separate from spawn from another location. The Canadian Department of Fisheries and Oceans has implements this in their management plans and have models that can be used to establish similar measures in Alaska;
- 3) implement studies that will provide validation of ASA model rates including annual measurements of fecundity and maturity indices, surveys of immature herring stocks (aerial summer/acoustics in winter), and tagging studies to examine mortality. Modernize the model with ecosystem parameters such as losses from predation and disease and effects of ocean conditions on growth and reproduction

- (all easily modeled); this modernization has begun in the Prince William Sound model and it took a complete crash of the population to affect the change;
- 4) allow fisheries to occur only after initial spawning (1-7 day period) to minimize the impact on spawning bed selection and initialization of spawning; this procedure will also allow preservation of spatial diversity (no. 2).

Supporting Text and Tables:

Lack of stock model and basic spatial and temporal life cycle understanding

Our first issue is that ADFG does not have a stock model for southeast Alaska herring that defines the life cycle, the spatial distribution, population dynamics and interconnectivity among local populations. This is basic biology needed to responsibly manage a population and the majority of herring regions in the world have stock models defined. Biologically, the southeast herring stocks would be considered a metapopulation with Sitka Sound representing one of several local populations. Genetically, it is identical to other local populations in southeast, probably due to larval drift and mixing among local stocks, but there is enough separation of a large part of the population during most or all of their life history to produce differences in otolith chemistry (see Heather Woody's testimony from the Sitka Tribe). Because there is no stock model, the interdependency among Sitka and the depleted populations in southeast is not understood and this is dangerous if Sitka is needed to help recolonize the other areas. ADFG is under intense pressure to provide harvest opportunities and does not consider the possibility that Sitka is a "seed stock".

The first step in moving the current herring management plan to a "biological sound basis" is the development of a stock model which includes descriptions of local population life cycles within space and time. Biological descriptions of larval drift, recruitment to juvenile nursery bays, and connection of those nursery bays to adult migratory paths would represent a minimum for inclusion. Larval drift and ocean currents affecting larval drift have been described in past studies. Records of juvenile nursery bays are imbedded in the historical reports. The adult migratory path can be inferred from drawing connections between spawning and overwintering sites; additional evidence can be extracted from historic catch data. ADFG includes none of this biology in the current management plan and we feel that is irresponsible.

No Preservation of Spatial Diversity

The preservation of spawning site spatial diversity has been a cornerstone of herring management plans over the world for a couple decades now. Herring spawn in a variety of locations probably as an evolutionary trait to "hedge your bets" toward survival. In any given year, one spawning bed may exhibit extreme mortality from storms or predation and another may exhibit good hatch success. In the next year, the situation could reverse itself. Spawning beds should be considered "larval launch pads" and the main purpose behind their locations is to place the herring larvae in a suitable retention area that will most likely result in eventual recruitment to juvenile nursery areas and on to adult populations. Given the variability in ocean currents and topography, it is not hard to

understand that not all spawning beds are created equal and that some may, in fact, contribute more to eventual recruitment than others. We have done a preliminary analysis of the effects of spatial spawn distribution on recruit to spawn ratios (see exhibit graph submitted by Heather Woody in relation to proposal 203/204 and Figure 1 below) and found that when Sitka spawn occurs in the west, poor recruitment follows. If you examine historic studies (see Sundberg 1981 out of Technical Report for the Sitka Rocky Gutierrez Airport; Coast and Hydraulic Modeling Study), poor recruitment from western spawn makes sense since it likely results in advection of Sitka larvae out to open ocean or to the center of the sound and therefore away from juvenile nursery areas. This result for Sitka is very similar to the result we found in Prince William Sound (PWS) where larvae from western spawning areas tended to be advected away from nursery bays and lower recruit per spawner production occurred. In PWS, when spawning was concentrated in the east, higher recruit per spawner production resulted. Given the similar scales and oceanographic circulation patterns of the two regions (SS and PWS), it is not surprising that recruitment and population dynamics from the two regions have been similar in the past.

Lack of Validation and Potential Errors in Age-Structured-Analysis Model

The ASA model is a complex population dynamics model that incorporates age structure and its assumed consistency from year to year, along with several parameters to control the shape of the curve, and scales the output to one or more abundance indices. In the case of Sitka, a single index is used to scale the output. In the case of PWS, several indices are “weighted” to anchor the model. Table 1 shows the list of parameters that are used in the model, describes the purpose of these parameters, indicated whether or not these parameters are measured and compares that to British Columbia herring models and PWS. The output of the model is risky for several reasons: 1) a single population index is used rather than weighting of several, 2) four of the parameters that can be changed to significantly change model output are not measured but rather assumed, 3) the lack of recruitment has forced ADFG to artificially change the maturity rate to make the model fit their data. Prior to 1997, miles of spawn and spawn deposition were similar relative to one another but have diverged since then (Figure 2 and 3). ADFG is using the index that produces the highest forecasted biomass without explaining why these two indices have diverged. It would probably be better, in the absence of an explanation, to use both indices and weight them; an equal weighting would reduce the current forecast by about 20K tons. In addition, a report produced for ADFG by a UAF fisheries graduate student (Hulson et al. 2008) included miles of spawn in an ASA run and found that it performs as well if not better than spawn deposition alone. In fact, Hulson had many of the same issues with the ASA as we did. Using un-validated parameters is extremely risky. For example, a 10% change in the egg per gram measurement used to convert spawn to fish can result in a 20% change in the number of fish estimated. Yet, fecundity and eggs per gram have only been measured 4 times since the 70s. The procedure ADFG uses to select the rate appears to be arbitrary and more related to producing a better model fit the representing actual biology. The most disturbing unmeasured parameter is the maturation rate used in concert with the selectivity. Using each of the three age-specific ADFG

maturation rates schedules, the population ratios within the ASA tend toward the following:

Using maturation rates from	1971 – 1997	66% mature, 34 % immature
	1998-2001	78% mature, 22% immature
	2002 to the present	47% mature, 53% immature

No immature to mature measurements were made and the immature portion is never surveyed in the field, simply assumed to exist. These rates were modified to make the data fit the model rather than using field data to fix the model. Currently, ADFG's model says that over one half of the Sitka Sound herring biomass is "out there somewhere" and they are banking on those recruits showing up. Their maturity index says that only 63% of age 5 herring are mature; if that is so, Sitka Sound herring should be crowned as a new species. In other Pacific herring populations, maturity is actually occurring at younger ages mainly due to warmer conditions and no where in the entire Pacific do they mature as late as in the ASA model for Sitka. This is irresponsibility at best and negligence in reality. In the past, selectivity was a fraction of maturity as you would expect (sac roe fisherman mainly catch and want to catch large mature fish). How is it that in the current schedule, the selectivity exceeds the maturity. That means the fishermen are partially selecting immature fish. Is that really true or just another piece of fiction from the model? In BC, juvenile surveys are conducted and gonadal maturity indices are estimated from field observations; they do not leave guesses at recruitment to chance as does ADFG.

Whether you use the spawn deposition survey or mile days of spawn to produce a model, it is clear the current threshold is too low. The population has shifted from a low state in the 70s to a comparatively high state starting in the 80s (Figure 2). Since then the population has varied by a factor of about two with 30 K mt being the most typical low range with a single low year of 21.5 mt. Harvesting the population at this number would be a risk to pushing it to the lower (70s) range because it appears that the population does not stay in the range between 10 and 20 K mt (its either high or low). Bringing the threshold up 15% from the maximum low as a conservative boundary (to 24.5K mt) and adding the 10% allowable harvest brings the threshold to 27 K mt or 30 K tons. The 10% harvest should be added to the lower population boundary since it represents a removal and the goal is to keep the population at or above the threshold. This recommended threshold is a function of the observed population dynamics for Sitka and minimizing the risk of population crash.

Negative Effects on Early Fishing on Distribution of and Interference with Spawning

Our final issue is with the timing of the sac roe harvest. Since 1997, the harvest has begun at or before the first spawn (Figure 4). Beginning at the same time, the two abundance indices (spawn deposition and miles of spawn) have begun to diverge. This period coincides with changes in spawn distribution, problems executing the subsistence fishery, short falls on recruitment, and anomalous egg deposition measurements. ADFG has no explanation for the divergence of the indices and the other coincidental changes

observed. We believe these changes may be due to disruption of the spawning and site selection process (by herring) from fishing vessels. Studies on the Cherry Point herring in Puget Sound and herring spawning on Metlakatla document the effect of vessel noise on herring behavior and indicate that close range vessels can alter migration and spawning. Why should Sitka herring be different? Interference of herring schools in the process of selecting a spawning area may also have disrupted egg deposition and resulted in the divergence of the two spawning abundance indices. Changes in spawn distribution might not be a problem if productivity and recruitment was not affected but we presented evidence earlier that the shift of spawning to the west has negative consequences for recruitment and maintenance of the population (Figure 1).

Another explanation for the changes observed in spawn distribution is the selection for older fish with an earlier fishery. Older fish tend to stage for spawning before younger fish. Therefore, an earlier fishery may differentially target on the older fish which contribute relatively more to reproduction and that carry the “memory” for the population in terms of where to spawn, where to feed and where to overwinter. Targeting on these fish in the past (since 1997) may have removed some of the site “memory” and a spawn shift resulted.

Table 1. The parameters of the ASA, the spawn deposition survey, and alternative population indices and a comparison with Sitka to Prince William Sound (PWS) and British Columbia (BC).

ASA Model	Error Range	Purpose	Measured (Y/N)		
<i>Parameters</i>			<i>SS</i>	<i>PWS</i>	<i>BC</i>
Spawn Dep. Index	10 to 60%	Abundance estimator	Y	N	Y
Fecundity – Eggs per Gram	Varies up to 20%	Converts spawn deposition to equivalent # herring	Infrequently	Infrequently	Y, annual sampling
Maturity Rate	Not measured	Needed to fit model and adjust for assumed recruitment	N	N	Y (GSI and immature adult sampling)
Mortality Rate	Not measured	Needed to fit model to observed changes in age structure	N	N	Y, based on past and present targeted studies
Selectivity Rate	Not measured	Needed to simulate fishery removals – measured actual removal age structure not used	N	N	?
Ricker spawner-recruit relationship	Not measured	Constrain the parameter estimates of recruitment	N – immature herring not measured	N	Y – juvenile and immature surveys are part of assessment
Alternative Indices					
Miles or Mile-Days of Spawn	Unknown	Alternative or additional indices used in ASA models	Y but not used in model	Y	Y
Acoustics	10-30%		N	Y	Y

Figure 1. The recruit per spawner ratio by abundance (age 3 to total population) as a function of the proportion of spawn in eastern Sitka Sound (a) and as a function of the proportion of spawn on Kruzof Island in the western Sound (b) lagged three years to correspond with cohort year.

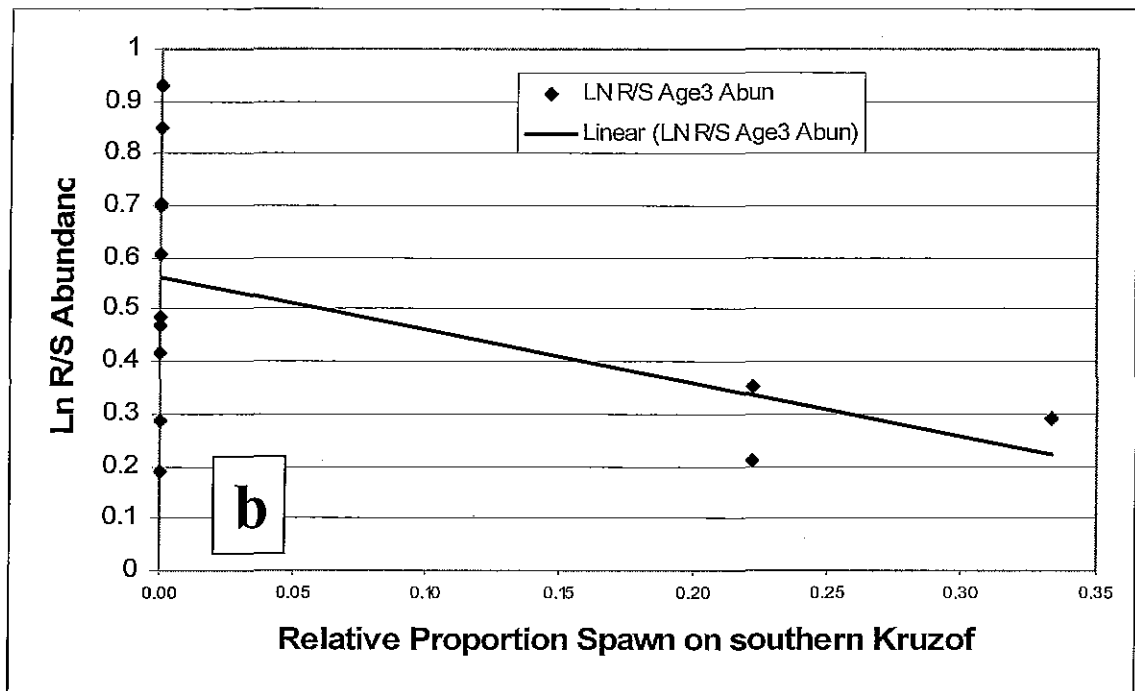
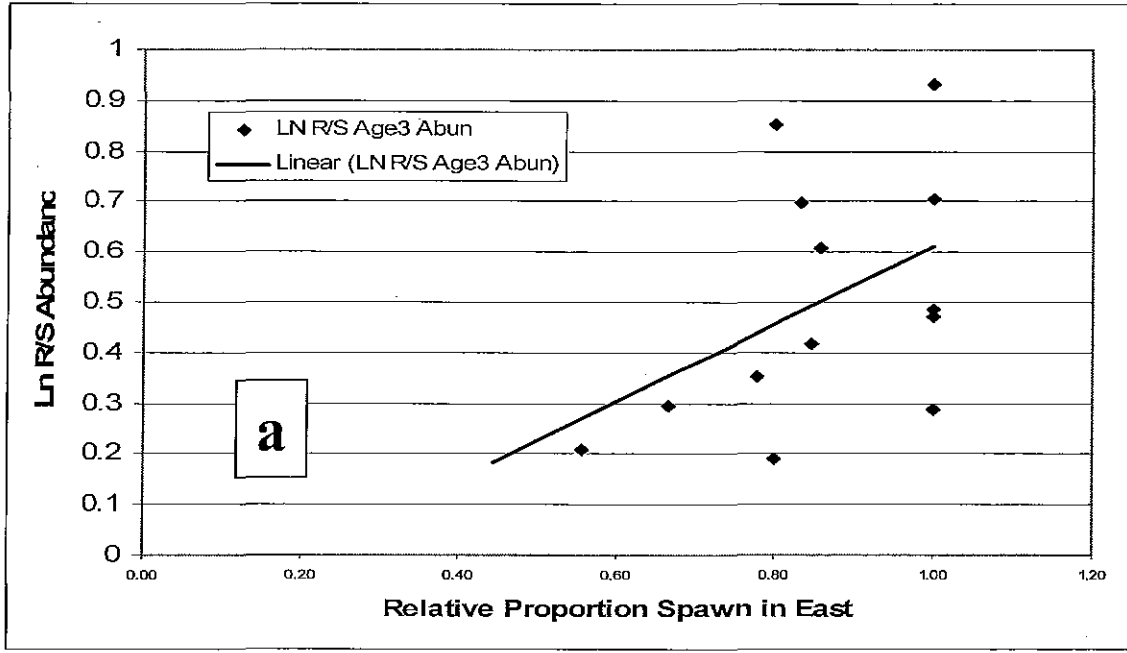


Figure 2. The herring abundance indices and ASA model output.

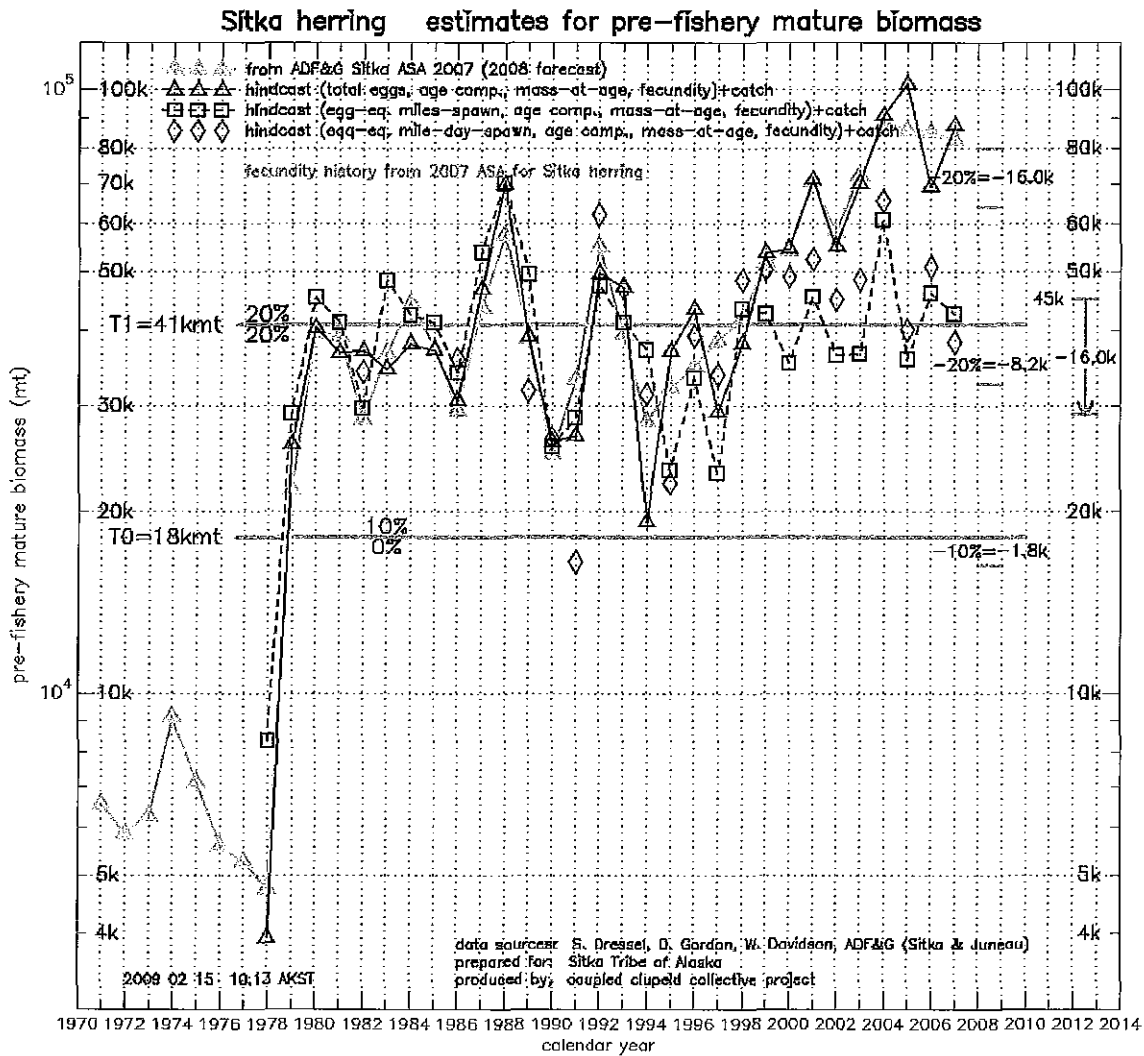


Figure 3.

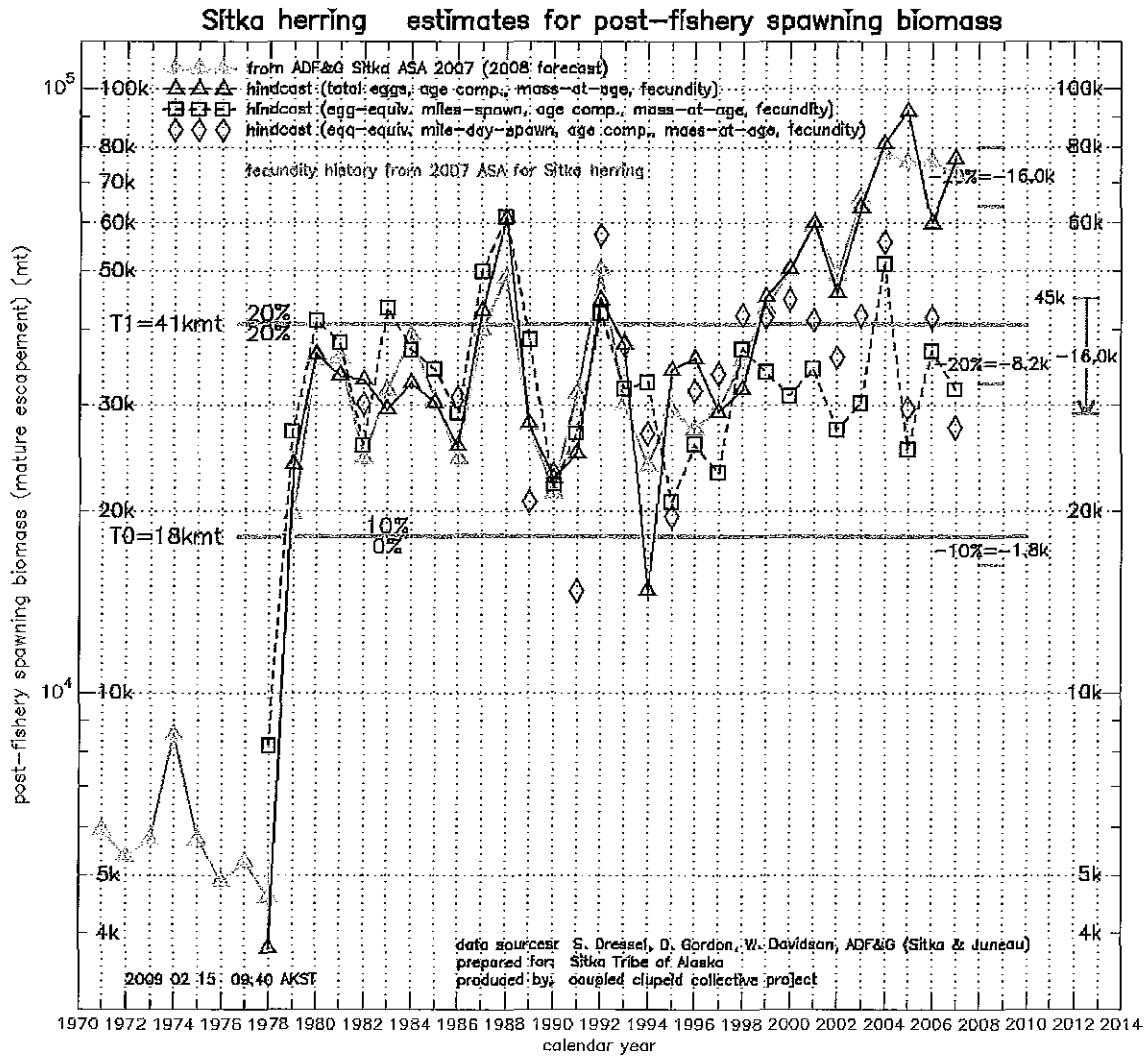
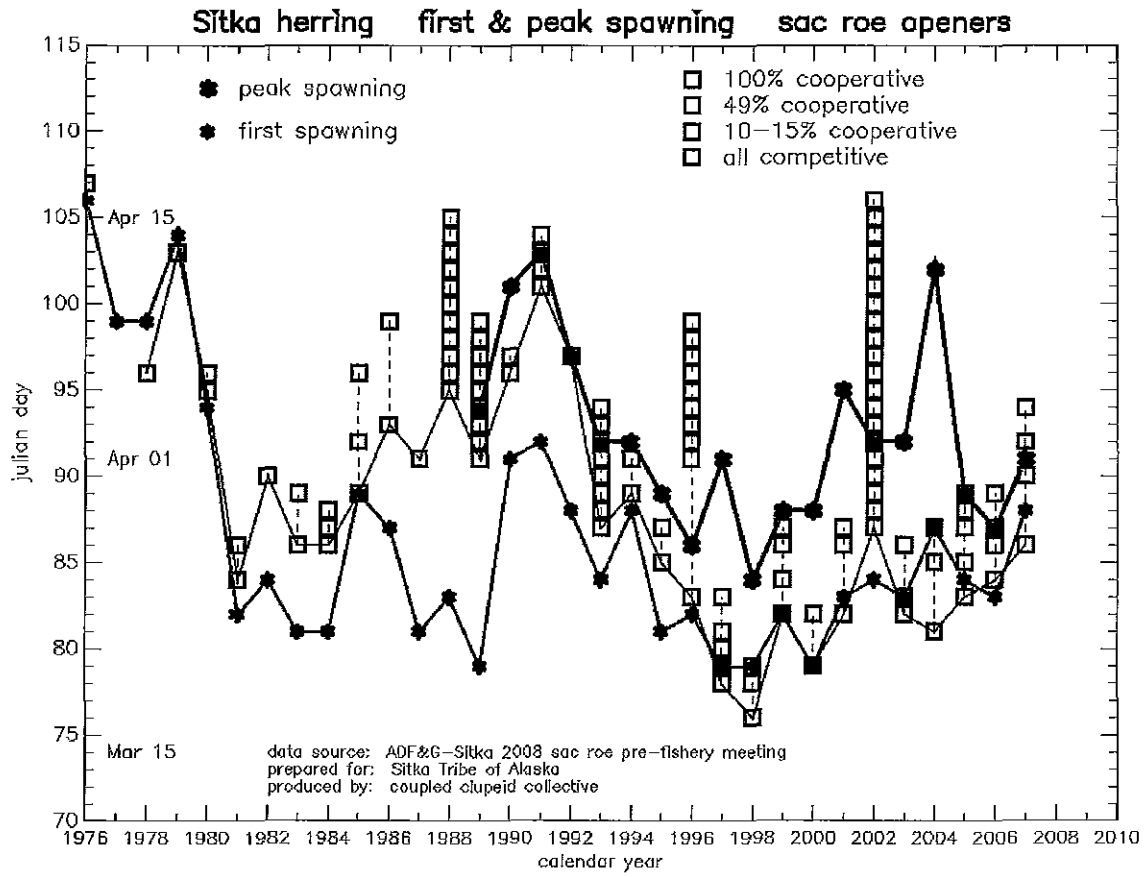


Figure 4. The timing of spawn and the fishery.



Improving Seafood Harvesting Labor Data Collection in Alaska Fisheries

Prepared for the

Southwest Alaska Municipal Conference

March 2007

Prepared by

northern  **economics inc.**

880 H Street, Suite 210,
Anchorage, AK 99501
T: 907.274.5600
F: 907.274.5601

1801 Roeder Ave., Suite 124
Bellingham, WA 98225
T: 360.715.1808
F: 360.715.3588

W: www.northern-economics.com E: mail@norecon.com

In association with

Jon Isaacs, URS Alaska Operations

and

**Gunnar Knapp, Institute for Social
and Economic Research,
University of Alaska, Anchorage**

PROFESSIONAL CONSULTING SERVICES IN APPLIED ECONOMIC ANALYSIS

Anchorage

880 11 St., Suite 210, Anchorage, AK 99501
TEL: 907.274.5600 FAX: 907.274.5601

President & Principal Economist: Patrick Burden, M.S. **Vice President & Senior Economist:** Marcus L. Hartley, M.S. **Economists:** Leah Cuyno, Ph.D., Jonathan King, M.S. **Policy Analyst:** Nancy Munkly, Ph.D. **Socioeconomic Analyst:** Don Schug, Ph.D. **Analysts:** Michael Fisher, MBA, Cal Kerr, MBA **Office Manager:** Diane Steele **Document Production:** Fern McCoy, B.A.

Bellingham

1108 11th Street, Suite 305, Bellingham, WA 98225
TEL: 360.715.1808 FAX: 360.715.3588

Senior Economist: Susan Burke, Ph.D. **Economists:** Kelly Baxter, M.S., Kent Kovacs, Ph.D. **Analyst:** Bill Schenken, MBA **Associate Economists:** Katharine Wellman, Ph.D., Jill Chilton, B.A.



Preparers

Team Member	Project Role	Company
Jonathan King	Project Manager and Economist	Northern Economics, Inc.
Marcus Hartley	Vice-President and Economist	Northern Economics, Inc.
Jon Isaacs	Work Group Moderator	URS Corporation
Gunnar Knapp, Ph.D.	Economist and Peer-Review	University of Alaska-Anchorage
Donald Schug	Socioeconomic Analyst	Northern Economics, Inc.
Anne Bunger	Staff Analyst	Northern Economics, Inc.

Please cite as: Northern Economics, Inc. *Improving Seafood Harvesting Labor Data Collection in Alaska Fisheries.* Prepared for Southwest Alaska Municipal Conference. March 2007.

Contents

Section	Page
Abbreviations	iii
Executive Summary	1
Problem Statement.....	1
Project Goals.....	3
Project Process.....	3
Results of the Work Group Session.....	3
How to Keep Building Momentum.....	6
Addressing Key Questions and Issues.....	8
1 Introduction	1
1.1 Project Process and Report Organization.....	2
2 Problem Statement and Project Objective	5
3 The Current State of Seafood Harvesting Labor Data	9
3.1 Current Seafood Harvesting Labor Data.....	9
3.1.1 Shortcomings of Commercial Crew License Data System.....	11
3.2 What Else Do We Know About Seafood Harvesters?.....	13
3.2.1 Seafood Harvesting Labor Composition.....	13
3.2.2 Seafood Harvesting Labor Characteristics.....	14
4 Summary of Currently Employed Means to Estimate Crewmember Activity	17
4.1 ADOLWD Crew Factor Estimation Process.....	17
4.2 Efforts by NMFS to Collect Employment Data.....	18
4.2.1 Bering Sea and Aleutian Islands and Gulf of Alaska Groundfish Catch Accounting System..	19
4.2.2 Interagency Electronic Reporting System.....	19
4.2.3 Bering Sea and Aleutian Islands Crab Fisheries Economic Data Report.....	20
4.2.4 Commercial Fisheries Employment Survey.....	20
4.2.5 Regional Economic Data Collection Program for Southwest Alaska.....	21
5 Key Informant Interviews	23
5.1 Common Issues Arising from Current Data Sources.....	23
5.1.1 Denali Commission Distressed Communities Criteria.....	23
5.1.2 Development of Comprehensive Plans.....	24
5.1.3 Federal Trade Adjustment Assistance Programs.....	24
5.1.4 Hospital Reimbursement and Grants.....	24
5.1.5 Suggested Solutions from Key Informant Interviewees.....	24
6 Work Group Results	27
6.1 Agenda.....	28
6.2 Agency Presentations.....	28
6.2.1 Geron Bruce of ADF&G on Crew Licenses and the Existing Fish ticket System.....	28
6.2.2 Gail Smith of ADF&G on the eLandings System.....	29
6.2.3 Neil Gilbertson of ADOLWD on the Estimation of Alaska Fishing Crew Jobs.....	30

6.3	User Presentations	31
6.3.1	Linda Freed City Manager of Kodiak on Importance of Employment Data to Civic Leaders	31
6.3.2	Deborah King of the Kodiak Chamber of Commerce on their use of Employment Data	31
6.3.3	Gunnar Knapp of UAA’s Institute of Social and Economic Research.....	31
6.4	Options Brought to the Work Group	36
6.4.1	Proposed Options to Improve ADF&G Commercial Crew License data	37
6.4.2	Proposed Options That Will Report Activities of Fishing Crewmembers	38
6.5	Work Group Discussion on Options.....	40
6.5.1	Discussion Guidelines	41
6.5.2	Discussion of Pros and Cons of Options to Upgrade the Licensing System	41
6.5.3	Discussion of Pros and Cons of Options to Track Crew Activity	43
7	Moving Forward	51
7.1	Summary	51
7.2	Selecting a Direction	52
7.2.1	Path One: Continue Customized Data Collection Efforts (Status Quo)	52
7.3	Addressing Key Questions and Issues	54
7.4	Maintaining and Building Momentum	57
8	References	59
Appendix A –Sources of Seafood Harvesting Labor Data.....		61
Primary Seafood Harvesting Labor Data		62
Secondary Seafood Harvesting Labor Data.....		70
Appendix A References.....		75
Appendix B –Work Group Primer.....		79
Appendix C– Confidential Issues.....		101

Table	Page
Table 1. CFEC Permit Holder and Crewmember Counts, 2005	10
Table 2 Work group session Attendees ¹	27
Table 3 Steps in Estimating Changes in Kodiak Fishing Jobs and Days Worked.....	32
Table 4 Residence of Bristol Bay Red King Crab Fishery Permit Holders, 2004/05.....	32

Figure	Page
Figure ES-1. Seafood Harvesting and Processing Data Flow	2
Figure ES-2. Four Paths to the Goal of Improved Fisheries Employment Data.....	4
Figure ES-3. Steps to Building Momentum.....	7
Figure 1. Project Process	2
Figure 2. Examples of the Potential Range of Effects	6
Figure 3. Seafood Harvesting and Processing Data Flow	12
Figure 4. Hypothetical Alaska Crewmember Activity Form	39
Figure 5. Four Paths to the Goal of Improved Fisheries Employment Data	52
Figure 6. Steps to Building Momentum	57

Abbreviations

ADCCED	Alaska Department of Community, Commerce, and Economic Development
ADF&G	Alaska Department of Fish and Game
ADOLWD	Alaska Department of Labor and Work Force Development
BEA	Bureau of Economic Analysis
BLS	Bureau of Labor Statistics
BSAI	Bering Sea Aleutian Islands
CDQ	Community Development Quota
CFEC	Commercial Fisheries Entry Commission
DCPL	Daily Cumulative Production Logbook
DFL	Daily Fishing Logbook
EEZ	Exclusive Economic Zone
EDR	Economic Data Report
ER	Electronic Reporting
FT	Fish Ticket
FTE	Full Time Equivalent
IERS	Inter-agency Electronic Reporting System
IFQ	Individual Fishing Quota
IPHC	International Pacific Halibut Commission
LOA	Length Overall
NIOSH	National Institutes for Occupational Health and Safety
NMFS	National Marine Fisheries Service (NOAA Fisheries)
NOAA	National Oceanic and Atmospheric Administration
PSMFC	Pacific States Marine Fisheries Commission
SSN	Social Security Number
SWAMC	Southwest Alaska Municipal Conference
TAAC	Trade Adjustment Assistance Center
USDA	United States Department of Agriculture

Executive Summary

This report examines the importance of seafood harvesting labor data, outlines a roadmap for improving that data for SWAMC's constituents, and identifies roadblocks likely to prevent the development of comprehensive system for collecting seafood harvesting labor data.

Alaska's seafood harvesting and processing sector provides more direct jobs than oil and gas, mining, agriculture, and forestry plus their associated primary processing industries combined (Northern Economics, Inc., 2003). In some regions areas of the state, such as the Aleutians and Pribilof Islands, Bristol Bay and Kodiak regions, jobs in the seafood industry account for around half of all employment. These jobs are generated in fisheries under state management, fisheries under federal management, and jointly-managed fisheries, which are primarily fisheries in federal waters managed by the State of Alaska under federal delegation.¹

Problem Statement

As shown in Figure ES-1, crewmembers differ from other groups involved in harvesting and processing seafood in terms of the amount of data collected on their activities, and these differences result in less overall information being available for stakeholders. For example, individuals working in Alaska's shore-based fish processing sector are wage-and-salary employees. This classification means that the number of processing jobs is recorded in the annual average monthly employment statistics reported by the Alaska Department of Labor and Workforce Development. Commercial fish harvesters are exempted from unemployment insurance and other employment reporting requirements because these crewmembers are classified as self-employed. Consequently, detailed information on harvesting workers is generally not available for most Alaskan fisheries. Currently, we know the number of crew license holders by community each year. We do not know:

- The number of active crew license holders by community or in total each year
- The number of active crew license holders by fishery
- The number of days active crew license holders work in total, by community, or by fishery
- The income of active crew license holders in total, by community, or by fishery

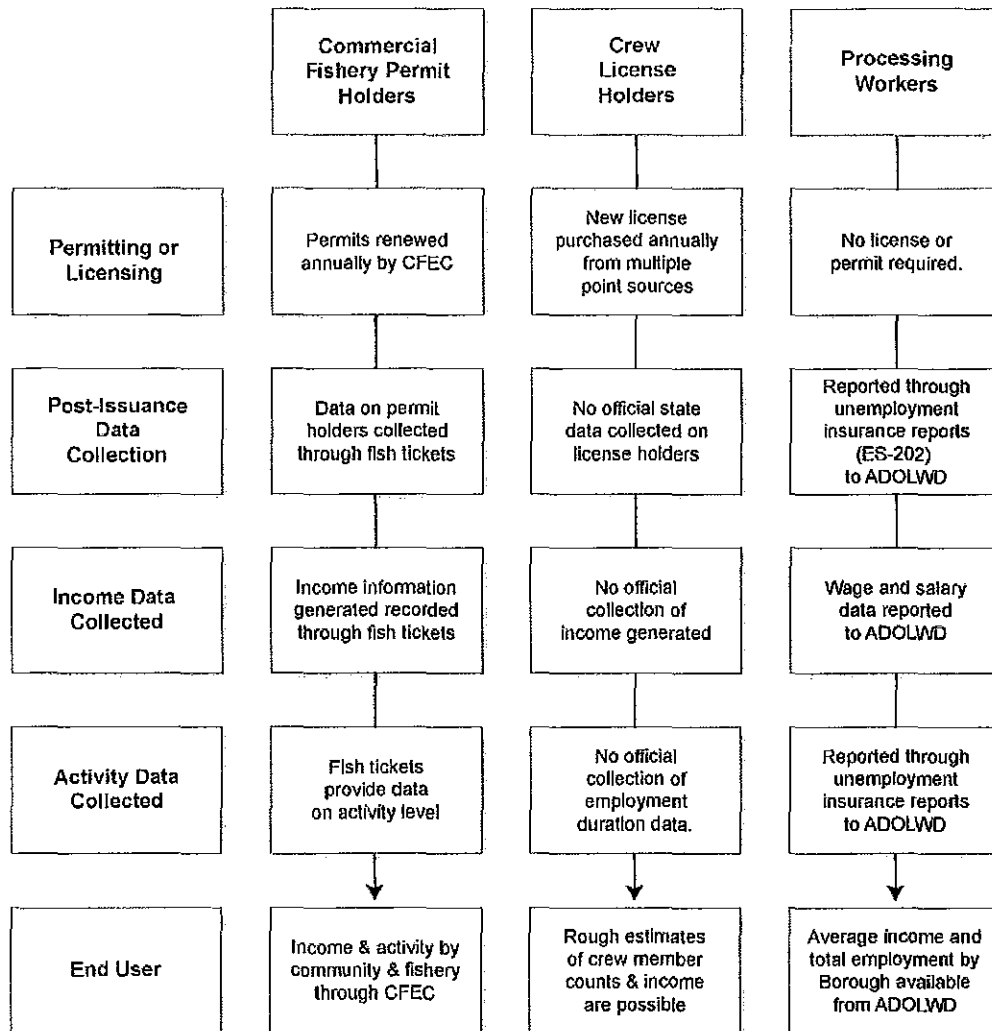
At the same time, this information is available for permit holders. Thus, those dependent on crew data for public policy-making must make do with lesser quality data.

The dilemma created by the lack of adequate seafood harvesting employment is succinctly summarized in a recent report issued by the Alaska Department of Fish and Game:

...crewmembers cannot be linked to a particular fishery or area because their licenses are general to all commercial fisheries. Using the existing data, it is not possible to know if the crewmember fished at all, where they fished, how much they fished, how many crew fished from a vessel, or how much they earned. Because crewmember identification is not recorded on fish tickets, it is not possible to associate crew sizes or crew earnings with a particular fishery or area using fish ticket data (Shirley 2005).

¹ The federal government has primary jurisdiction over EEZ groundfish, halibut, and most sablefish fisheries, and joint jurisdiction is found in king crab and tanner crab fisheries in the areas from Dutch Harbor to Norton Sound, as well as the Southeast Alaska Chinook troll fishery. The state manages inshore (non-EEZ) sablefish fisheries in Southeast Alaska and a portion of the Pacific cod fishery, with primary jurisdiction over all other fisheries.

Figure ES-1. Seafood Harvesting and Processing Data Flow²



The lack of crew data has real world implications for SWAMC constituents as well as for the crewmembers themselves. During key informant interviews, constituents indicated that the largest problem arising from the lack of seafood labor harvesting data was difficulty applying for federal grant monies and programs. Constituents indicated repeatedly that improved seafood harvesting labor data are needed simply to place constituent communities on equal footing with communities that are not dependent on the seafood industry for labor and, therefore, are able to provide accurate descriptions of their communities to grant reviewers. Additionally, interview participants indicated that equivalent data are needed to place crewmembers on equal footing with permit holders when it comes to proving their historical participation in fisheries. This type of proof is often critical when applying for federal programs or when trying to influence fisheries management decisions.

² We note that confidentiality rules affect the development of aggregate reporting standards by community, fishery, borough, or census area.

Project Goals

The overarching goal of this project is to outline the hurdles in creating improved seafood harvesting labor data systems and to determine what facets of an improved system are most important to stakeholder groups. Specific objectives of the project include the following:

- Further explore the issues associated with seafood harvesting labor data
- Collect information on current data collection and past estimation efforts
- Define unfulfilled organizational needs for seafood harvesting labor data
- Suggest new data collection methods or systems that would eliminate the unfulfilled needs
- Evaluate potential systems from multiple perspectives and identify the positive and negative attributes of each system as well as the potential hurdles to implementing each system

Project Process

The project involved a multi-step process to accomplish the objectives outlined above. The process began with client meetings and culminated in a work group session of seafood harvesting labor data stakeholders and the recommendations contained in this report.

The aim of the first phase of the study involving meetings with the client was to define all the issues related to the collection of seafood harvesting labor data in Alaska fisheries. Concurrently, the study:

- Examined the current state of seafood labor harvesting data
- Identified sources of past and current estimates of seafood harvesting labor in Alaska fisheries, examined the strengths and limitations of the various sources, and presented the results in a comparative format.

After reviewing current seafood harvesting labor data and efforts to improve that data, the study conducted a series of key informant interviews with the goal of adding depth to our understanding of the human cost of problems with seafood labor harvesting data. Additionally, the information gathered in these interviews formed the basis for the initial action options presented to the work group of seafood harvesting labor data stakeholders.

When the study completed the steps above, SWAMC convened the work group. The results of the study were communicated to work group participants in a document that SWAMC provided to each participant prior to the work group session.

Results of the Work Group Session

Work group participants did not reach a clear solution to the issues discussed in this report. While participants generally acknowledged the need to improve fisheries employment data, they did not agree on:

- How much change is needed
- Whether the change needed could be accomplished by upgrading the current system or would entail creating a new system

However, the work group session identified several options for improving Alaska fisheries employment data, and described the advantages, disadvantages, practical challenges and uncertainties associated with each option. In addition, convening the work group served to initiate a

discussion of these options among a variety of stakeholders, including agencies and individuals who would play a key role in implementing any of the options.

Based on the work group discussion and our past experience with the process by which changes have been brought about to systems of data collection, analysis and dissemination, we see four broad "paths" which SWAMC and others might pursue to achieve the goal of improved fisheries employment data. We discuss these paths below. Each of these four paths comes progressively closer to meeting SWAMC's needs and objectives, but also would require progressively greater commitment, coordination, and effort by SWAMC and other organizations. In moving forward, SWAMC needs to decide which of these paths will best serve its short and long-term needs. Figure ES-2 summarizes these paths.

Figure ES-2. Four Paths to the Goal of Improved Fisheries Employment Data

SWAMC
A Fork In the Road

Path 1

Continue Customized Data Collection

Pros:

- Direct approach to specific data needs.
- Requires less coordination with agencies.
- Short implementation time.

Cons:

- Doesn't contribute to a permanent solution to the long-term problem.
- Costs are borne by agencies, communities and organizations.
- Cost per unit of effort is high.
- Data only available in years for which data are collected.
- Data may only be available from those who voluntarily provide it.
- Data are not comparable across surveys and studies.

Path 2

Work to Improve the Current System

Pros:

- Verbal offer from ADF&G to work on these issues.
- Likely a beginning and necessary step toward any permanent solution.
- Lowest cost set of options

Cons:

- Will not provide SWAMC constituents with the data they desire.
- Creates additional costs for state agencies, making it difficult for them to help in the absence of additional funding.

Path 3

Create Entirely New Reporting System for Crew Data

Pros:

- Focuses on specific data needs.
- Does not require modifications to fish ticket or e-landings system.

Cons:

- Imposes new burdens on those required to provide the data.
- Imposes significant costs of data collection, data entry, data verification, data analysis, and enforcement. Agencies will be challenged to support these effort without corresponding new funding.
- Not directly comparable with fish-ticket and e-landings data.

Path 4

Use E-landing or Fish Tickets to Collect Equivalent Data for Crew as for Permit Holders Using E-landings

Pros:

- Provides a long-term permanent system for collecting comprehensive participation and employment data for commercial fishing.
- Imposes relatively modest additional burden on industry.
- Could be implemented through "relatively modest" changes to existing data collection system.

Cons:

- Would require significant up-front planning efforts and costs for multiple agencies.
- Requires significant new costs for data entry and analysis.
- Would require legislative action. Agency action will be constrained without significant additional funding and a clear mandate.
- Would require significant political effort and support by SWAMC and other constituent groups.

Path One: Continue Customized Data Collection Efforts (Status Quo)

The first path is essentially the status quo path. Under this path, there would be no changes to the current system with regard to regular fisheries-related data collection, analysis and dissemination. Rather, agencies, communities and organizations desiring more employment data than the system currently provides would collect that information through ad hoc studies and surveys—as is currently done.

There are some advantages to this approach in that it does not require any broad-based, long-term planning or development of consensus among different agencies. Studies can be implemented within a relatively short period of time and tailored to collect the specific data needed.

The essential drawback to this approach is that it doesn't solve the long-term problems that SWAMC has identified. There would continue to be significant gaps in fisheries employment data; the costs of additional data collection would continue to be borne by individual agencies, communities and organizations, with a high cost per unit of effort; the additional data would only be widely disseminated if the people who collected it chose to do so; and data would not necessarily be comparable across surveys and studies.

Path Two: Work to Improve the Current System

Making minor modifications to the current system based on crew licenses is the easiest path to getting better employment data. Specific potential improvements include collecting more information with crew licenses, improving the completeness and accuracy of data obtained from crew licenses, and expanding analysis of crew license data. As discussed in Section 6, the work group identified key questions related to the completeness and accuracy of the data presently obtained from crew licenses, as well as what might be involved in addressing these issues. Answering these questions is critical to establishing the extent to which employment data could be improved by changes to the existing crew license system.

The work group discussion also revealed that more fundamental changes to the fisheries employment data collection system (Path 3 or 4) would require incurring additional costs as well as addressing these key questions. Work group participants from state agencies indicated that any substantial new efforts requiring more personnel or materials would also require some new level of funding or the scaling back of other agency efforts. While agencies acknowledge the need for change, they also recognize that legal, policy, and budgetary frameworks constrain their ability to respond.

Path Two is unlikely to meet the needs of SWAMC, other constituent groups, or management agencies for comprehensive information on seafood harvesting employment by fishery and community. Further, even relatively small changes would impose at least some additional costs on the agencies that administer the current system and would require investment of political effort on the part of supporting stakeholder groups.

Path Three: New Reporting System for Crew Data

A third path involves the creation of an entirely new reporting system for the specific purpose of improving crew employment data. Examples of potential approaches include (but are not limited to) regularly-scheduled fisheries employment surveys, an annual permit holder report, or an annual crewmember report. Regional solutions are also possible, such as requiring permit holders in the Bristol Bay salmon fishery to list crew numbers on fishing district registration cards—this would provide information on employment and participation, but only for a specific fishery.

The advantages of developing a new crew employment reporting system, either statewide or regionally, is that it could be tailored to meet specific data needs and would not require changes to existing, complex systems such as crew licensing, fish tickets, or eLandings.

However, there are numerous disadvantages to this path. Any new reporting system would impose additional burdens on those required to provide the data, and would impose significant costs on the agencies responsible for data collection, data entry, data verification, data analysis, and enforcement. Agencies would be hard pressed to develop and implement a new data collection system without a substantial increase in funding. Surveys are expensive, difficult to conduct correctly, and typically collect limited information. Further, data collected by a new system may not necessarily be directly comparable with fish ticket and eLandings data.

Path Four: Create a System Collecting Equivalent Data for Crew as for Permit Holders

This path would go beyond the minor modifications of Path 2 but stop short of developing an entirely new system as with Path 3. It would provide a system for collecting essentially the same information for crew as is presently collected for permit holders in Alaska fisheries—thus providing a way to collect comprehensive information about participation and employment information for all persons participating in Alaska fisheries. This could be done by recording crew identifiers—permanent crew license numbers—on eLandings records and/or fish tickets. In effect, the collection of crew employment information would be built into the system at its most basic level.

This path would impose a relatively modest burden on fishery participants. However, implementing such a change would require significant up-front planning efforts for multiple federal and state agencies, and would require significant new costs for data entry and analysis. It would require legislative action to implement, and agencies would be unlikely to support it without significant additional funding and a clear mandate. As previously noted, these agencies acknowledge the need for change, but they also recognize the legal, policy, and budgetary frameworks that constrain their abilities to respond. SWAMC and other stakeholders interested in change must also recognize these and establish goals that enable state and federal agencies to address these issues. This path would likely require significant political effort and support by SWAMC and other constituent groups.

How to Keep Building Momentum

In whatever direction SWAMC chooses to move, it is clear that a key component of success will be building and maintaining momentum. We believe the following recommendations will help SWAMC continue to move forward. As shown in Figure ES-3, moving forward is a multi-step commitment.

Pick a Path and Decide What Information is Most Important—The Best Information is also the Most Difficult to Acquire

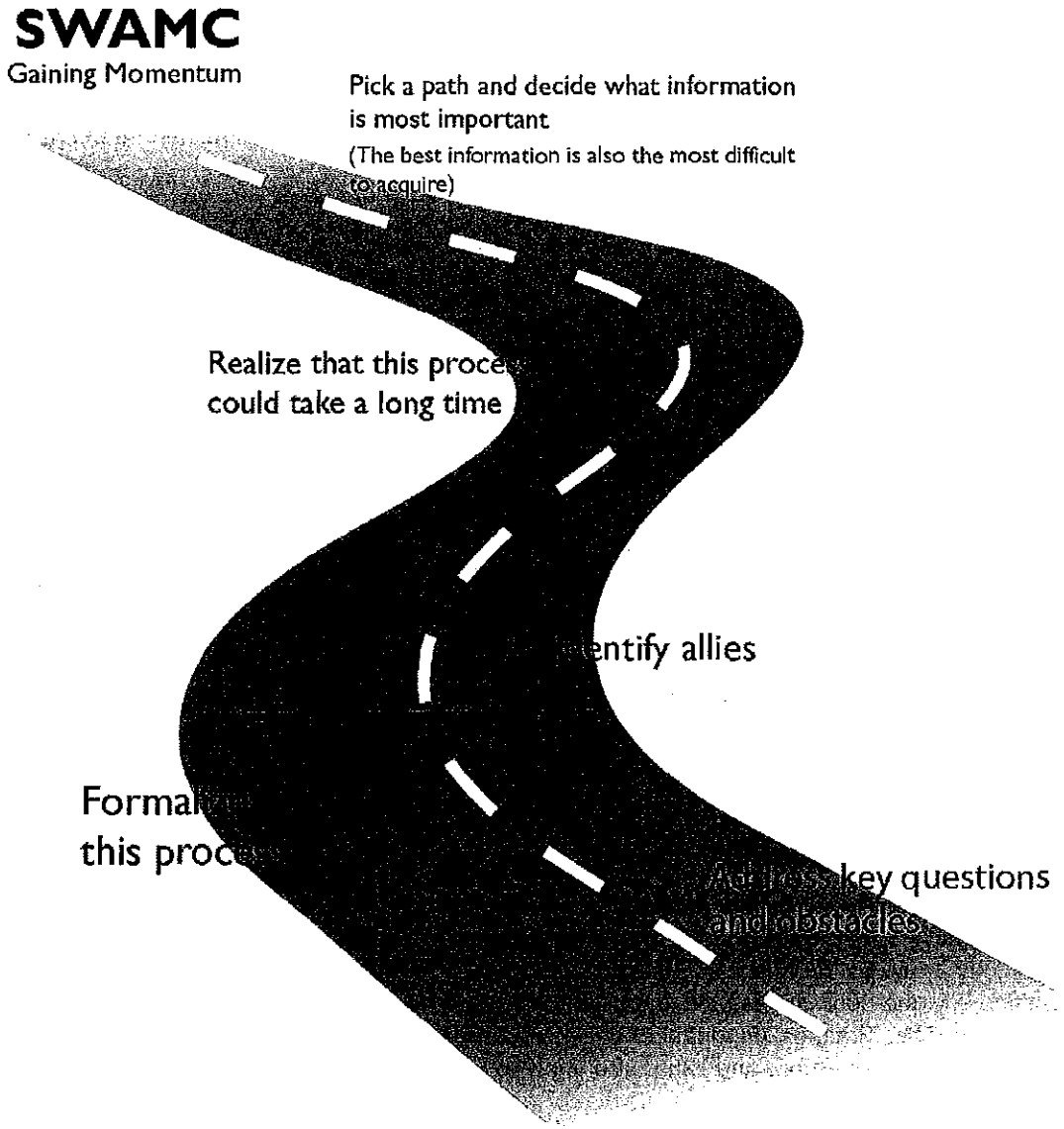
By commissioning this project, SWAMC has already taken the first steps toward adopting this recommendation. This project affirmed that SWAMC and its constituents need reliable annual data on seafood harvesting labor on a fishery and community level. The project also affirmed that the best information will be the most difficult to acquire because it requires the greatest time and money. It is now in SWAMC's hands to decide whether the pursuit of a long-term solution that meets constituent needs is worth the effort it will take to change the current system.

Realize that This Process Could Take a Long Time

SWAMC needs to realize that the path toward an acceptable permanent solution could take a long time. Work group discussions clearly showed that these sessions were simply the first step in what is

likely to be a lengthy process. Changing the fishing employment data collection system will require long-term coordinated efforts that start by convincing key stakeholders that the system needs to be changed.

Figure ES-3. Steps to Building Momentum



Identify Allies

SWAMC and its constituents need to identify allies that can assist them in this process of changing the fishing employment data collection system. One benefit of the work group session was that faces and names came together. Additionally, the session clarified stakeholders' needs. The stage is now set for SWAMC to work on identifying stakeholders that would make good partners in this process and build bridges to those stakeholders. Again, the work group session was a positive start along this road;

however, SWAMC must also work toward recruiting from outside the work group. Work group size limits and other factors prevented the involvement of potential allies in this initial meeting.

We also suggest reaching out to potential allies outside of Alaska. For example, Jon Isaacs, the work group moderator, noted that staff members of the NOAA Fisheries Pacific Regional Office are facing many of the same crew data collection issues. Identifying allies on a national level could help force change through the federal system.

SWAMC legislators and other legislators interested in fishing employment data issues will be key allies in the process of change. Participants in the work group session repeatedly indicated that state and federal agencies do not have a legislative mandate (or funding from the legislature) to address these issues. We believe that a legislative mandate will be a key component of a permanent solution.

Formalize the Process

Once allies have been identified and recruited, the next step may be to formalize the process of improving fishing employment data through a continuing working group. The more that this group can secure commitments of staff and staff time from state and federal agencies, the higher the likelihood of long-term change. The authors believe that formalizing the process is the best way to ensure that this issue keeps moving forward. Without formal commitments and regular meetings, the process is likely to stall and the benefits of this project will likely waste away.

Begin Eliminating Obstacles

Another key step toward maintaining momentum is to begin addressing the key questions and issues outlined in the section below. These questions will delay progress toward a permanent solution until they are addressed. ADF&G representatives at the work group session made verbal commitments to explore these issues. Their efforts will be more successful if they receive support from a formalized working group and the legislative branch.

That said, it has been clear throughout the project that the specific information desired by SWAMC will only be provided by a clear, long-term solution that moves the collection of accurate crew data to the same level of effort that government currently places on permit-holder data.

Addressing Key Questions and Issues

The study group believes that SWAMC has been interested throughout the project in either Path 3 or Path 4, which would lead to the development of a permanent solution that accurately and consistently provides desired data on seafood harvesting labor on an annual basis. This study identified key questions and issues that must be addressed before the long-term solution envisioned in Path 4 is possible. The most important of these questions and issues are discussed briefly below. Note that many of these questions and issues also apply to Paths 2 and 3, and that Paths 2 and 4 could be pursued concurrently.

There are differences in perceptions about what the current system is capable of accomplishing

There was disagreement among work group participants about what the current data collection system based on crew licenses is capable of accomplishing. Some participants who had worked with the data in the past indicated that they believed they firmly understood the limitations of the current system, and concluded that it was not possible to achieve the kind of employment data that are needed solely by improving the current system (Path 2). Others said that they felt the capabilities and limitations of the current system are not completely understood, and that changes to the system might

address many of the perceived data gaps. Clearly, key stakeholders must agree about the capabilities and limitations of the current system and the need for an improved system before significant progress can be made.

Thus, a key effort to resolving this issue is finding a mechanism that generates a consensus on the need for significant change. The work group session was a first step in building that mechanism. By the end of the work group session it was clear that many parties recognized the current system's limitations. That said, unofficial acknowledgement in a small work group is not the same as official and public recognition. The latter will be needed to move any substantial effort for more extensive change (Path 3 or 4) forward.

We need to clarify implications of confidentiality laws and inclusion of crew information on fish tickets

Several of the long-term options discussed during the work group session included the idea of including crew identifiers on fish tickets or eLandings records as a way of recording crew participation in fisheries. This change would be at the heart of most approaches to Path 4.

While there was broad support in the work group session for this concept, several participants raised concerns about confidentiality issues. The key question is whether including crew identifiers and other information on fish tickets and/or eLandings would necessarily give crew legal access to information on the fish tickets and, if so, to what information. This question will have to be answered by legal counsel and may require a court decision in the long run. If crewmember data are treated in the same manner as vessel owner data, crewmembers will not automatically have access to harvest and price information included on fish tickets. However, if crewmembers are treated like permit holders, they would have access to harvest and value data that they are not currently able to access. Thus, there are important unanswered questions regarding the use of fish tickets to record crew data:

- Will crew be able to access fish ticket data beyond their own participation?
- What is the functional effect of allowing access to more than just participation data?
- Is potential access by crewmembers to more than participation data a political obstacle that would stop forward progress in developing any new system of data collection?

Path 4, which involves including unique crew identifiers to fish tickets and/or eLandings, raises a variety of practical issues relating to how difficult this change would be. Examples of these issues include, but are not limited to, the following:

- Can fish tickets physically hold more information? Some participants indicated that the fish ticket has reached its functional limit in the amount of information it can collect.
- How much time and effort would be required of permit holders and/or crew to include this information?
- What additional burden would be placed on processors who, at present, bear responsibility for the accuracy of the information on fish tickets?

These issues were raised by the work group, and were cited as potential arguments against this approach. Without more information, the extent to which they are valid or significant concerns is unclear.

We need to ensure accuracy and completeness of current data first

The work group expressed varying levels of faith in the accuracy and completeness of data currently collected from crewmembers. However, there was consensus within the work group that a logical and

prudent first step in any process to improve crew data collection would be to ensure that the current system collects accurate and complete data. One fact that came to light during the work group session was that license holders are not required to show photo identification when purchasing a license. While checking an individual's driver's license or other means of identification would seem to be a logical step in ensuring the accuracy of collected data, there was some concern from ADF&G work group participants that vendors would be unwilling to demand that applicants provide some means of personal identification.³

The work group discussed several steps to ensuring the accuracy and completeness of current data:

- Checking the photo identification of crew license applicants to ensure that data recorded on licenses are accurate
- Automating the current license application system to include better online options and encourage more online participation
- Creating a professional crew license containing a barcode that could be used to record participation in fisheries

Understand how the current vendor system is important to stakeholders

The work group repeatedly heard concerns about the current vendor system for issuing commercial crewmember licenses. The system is composed of many small and large retail vendors. Licenses are recorded on paper and copies are forwarded to ADF&G for data processing. Although this low-tech approach makes licenses easy to acquire and replace even in the most remote locations, it requires extensive labor both for the vendor and ADF&G. Key questions that need to be answered include:

- Is the state willing to allow the vendor system to change? Does the system serve the licensing program or does the licensing program serve the vendor system?
- How expensive would it be to replace or modify the vendor system with a system that would issue more durable licenses that can interact with modern technology?
- Would there be long-term cost savings by replacing paper licenses that need hand data entry with an all electronic system?

In recent years, licenses have also been available on the Internet. If an applicant purchased a license in previous years, the Internet application automatically completes the applicant's address if he or she enters the exact name and birth date used in prior years. Thus, ADF&G is already using an option that could affect the current vendor system. The authors note that if the system is capable of retaining an individual's address from year to year than it also might be capable of retaining a permanent identification number from year to year.

³ The same vendors also sell recreational fishing licenses and photo identification is required to purchase these licenses.



**Commercial Fishermen and Crew Members,
Seafood Industry, and Community Leaders:**

ADF&G is requesting your participation on an advisory committee to discuss options for developing a Fishery Crew Information System.



Why the Fishery Crew Information System is needed:

The seafood industry in Alaska, as a whole, is the largest private sector employer in the state, and provides more jobs than any other industry sector. Yet direct statistics on the participation and economic contribution of fishery crew members are not routinely or systematically collected. Currently, identification and basic demographic data are collected from those purchasing commercial fishing crew licenses, but no further data are collected and associated with the license holder. This means that participation and earnings by license holders in specific fisheries, as well as their contribution to local and regional economies, are unknown. Collecting data associating crew member activity with specific fisheries is a necessary step in ultimately estimating the full economic contribution of commercial fisheries to Alaska and in gauging economic impacts to the industry.

What has been done so far:

Many people in state and federal agencies, the fishing industry, and Alaska communities have long recognized the need for better fishery crew member economic information. A major step forward was taken by the Southwest Alaska Municipal Conference (SWAMC) which commissioned a study to assess the current status of and need for fishery crew economic information, and possible data collection methods. Northern Economics Inc. completed the study with a report, "Improving Seafood Harvesting Labor Data Collection in Alaska Fisheries," in 2007. This report identified four possible pathways to improving fishery crew economic information, ranging from keeping the status quo to bringing crew member data collection to the same standard (and possibly into the same system) that currently applies to permit holders.

Another major step forward was made when the Commercial Fisheries Division of the Alaska Department of Fish & Game (ADF&G) secured funding in 2008 to conduct a full scoping project for the fishery crew information system. The purpose of the scoping project is to evaluate methods, costs, and potential legal and technical issues associated with several alternative data collection systems and recommend the best alternative.

In January 2009, about 25 people from state and federal agencies and the University of Alaska met to discuss the fishery crew information project. A broad range of needs and potential uses for the system were identified, the foremost being information necessary to evaluate the economic contributions of fishery crew members, and the potential impacts of fisheries management and other decisions on crew members and their communities. Agency personnel also recognized that many fishery crew members need to be able to document their fishing

activity in order to apply for various kinds of benefits. Agency committee members agreed that essential characteristics of a crew information system include compatibility with the existing crew licensing system, assignment of a unique, permanent ID to each crew license holder, ability to link with existing fishery data systems, and avoidance of duplicate data collection. Most of the needed data are already being collected within the license system on one hand, and the state and federal fisheries landings databases on the other. The problem lies in linking crew member information with specific landings. The agency committee discussed various scenarios for reporting crew member activity that could provide the necessary linkage.

What's next:

We need to form a committee of fishing industry participants and other stakeholders in a crew information system. This committee will meet to review and comment on system features and possible scenarios, following the recommendations of the agency committee; it will provide input on business constraints, costs, and other considerations. The meeting date and location are to be determined, but will probably be in Anchorage during early to mid March. We will also provide for open public comment on the documents and proposals that come out of these work sessions.

How to get involved:

If you are interested in serving on the industry-stakeholder advisory committee, please contact Jan Conitz at 907-465-4125 (email: jan.conitz@alaska.gov) or Geron Bruce at 907-465-6151 (email: geron.bruce@alaska.gov). Besides your basic contact information, please let us know which particular fishery or fisheries, industry sector, gear group, business association, community, or region you represent. Please distribute this announcement to others who may be interested.

For more information:

The following list provides references to some reports and other background information that served as a starting point for the Fishery Crew Information project.

1. Northern Economics Inc. March 2007. Improving seafood harvesting labor data collection in Alaska fisheries. Prepared for the Southwest Alaska Municipal Conference. This report is available through SWAMC (<http://www.swamc.org>), and an article about the project can be found at <http://www.northerneconomics.com/relevance/quarterly/>.
2. Shirley, S.M. 2005. State of Alaska data collection programs and needs: a report to the salmon industry restructuring panel. Alaska Department of Fish and Game, Special Publication No. 05-05, Anchorage (<http://www.sf.adfg.state.ak.us/FedAidPDFs/sp05-05.pdf>).
3. Alaska Commercial Fisheries Entry Commission analyses of crewmember license data:
 - a. Cathy Tide, "A Unique Identifier for Commercial Crewmember License Data," CFEC Report No. 08-1N, January 2008 (<http://www.cfec.state.ak.us/RESEARCH/08-1n/08-1N.pdf>).
 - b. Cathy Tide, "License Longevity, Alaskan Community, and Age of Commercial Crewmember License Holders," CFEC Report No. 08-9N, November 2008 (http://www.cfec.state.ak.us/RESEARCH/08_9n/08-9n.pdf).

4. Alaska Economic Trends report from the Dept. of Labor and Workforce Development: Brigitta Windisch-Cole and Josh Warren, "Employment in Alaska's Fisheries," November 2008 issue (<http://labor.alaska.gov/research/trends/nov08ind.pdf>).

5. ADF&G commercial crewmember license statistics, 10-year recap January 8, 2008: <http://www.admin.adfg.state.ak.us/admin/license/10yr2007comm.pdf>.

6. Poster presentation: Courtney Carothers and Jennifer Sepez, "Commercial Fishing Crew Demographics & Trends in the North Pacific: 1993-2003," from Conference Managing Our Nations Fisheries: Focus on the Future, Washington, D.C., Mar 2005 (ftp://ftp.afsc.noaa.gov/posters/pCarothers01_comm-fish-crew-demographics.pdf).

7. NOAA Alaska Fishery Science Center, Resource Ecology and Fisheries Management Division, Economics and Social Sciences Research Division Quarterly Report for July–September 2008:

a. Brian Garber-Yonts and Ron Felthoven, "BSAI Crab Economic Data Report (EDR) Documentation and Data Quality Review," (<http://www.afsc.noaa.gov/Quarterly/jas2008/divrptsREFM2.htm#bsai>).

b. Ron Felthoven, "Crew Participation Data Collection System for Commercial Fisheries off Alaska," (<http://www.afsc.noaa.gov/Quarterly/jas2008/divrptsREFM3.htm#crew>).

c. Brian Garber-Yonts and Ron Felthoven, "Comprehensive Socioeconomic Data Collection for Alaska Fisheries," (<http://www.afsc.noaa.gov/Quarterly/jas2008/divrptsREFM3.htm>).

In the news:



Fish Factor

Labor data project

By LAINE WELCH

January 21, 2009
Wednesday

A project aimed at compiling labor data on Alaska's fishing crews is gaining traction as a mix of state and federal agencies get down to business this week.

It's estimated that about 20,000 crew members work out on Alaska's fishing grounds throughout each year, but as self-employed workers, no wage reports are collected by the state. The lack of job data means deckhands have fallen through the cracks in terms of recognizing their economic importance to the fishing industry.

"All we know is that someone buys a crew license. We don't know if they fish, what they fish for, how many fisheries they participate in, for how long - any of that kind of stuff," said Geron Bruce, deputy director of the state commercial fisheries division.

"You can't really estimate the total economic impact of commercial fishing unless you know something about the earnings and employment patterns for the crew members, who are such an important part of the work force," he added.

"It makes it difficult for both harvesters and communities to apply for economic assistance or benefit from other state and federal programs," echoed Mike Catsi, director of the Southwest Alaska Municipal League. SWAMC has championed the crew counting effort and helped get a \$150,000 appropriation from the legislature last year to jump start the project. The federal government, which co-manages several of Alaska's largest fisheries, is also providing funding.

The lack of deckhand data results in an incomplete picture of how commercial fishing compares to other industries. It also means fishermen have been on the losing end of new management plans that dole out shares of the catch.

"Individual crew members want to be able to document their participation in certain fisheries so that if future rationalization programs come along, they have a better basis to make their case," Bruce said. "They will be able to show that they are also dependent on these fisheries and should get some share of the quota, that their interests need to be considered more than they have been in the past."

"I think it's a great idea. This is a legitimate job," said Tyler O'Brien, a Kodiak fisherman. "But a lot of guys won't want to provide any information because they don't want a paper trail for the IRS," he cautioned,

Deckhand Isaac Milligan agreed. "All the fish passes through our hands. We need to be given credit for our contributions, even if some fishermen don't want to be counted," he said.

The crew data could be collected via fish tickets or electronic landing reports already in place. Bruce said the next step is to form an advisory committee of up to 15 industry stakeholders that represents a good cross section of Alaska fisheries, from small skiffs on the Yukon to big Bering Sea crab boats.

"And we really need to broaden the discussion to include more regions," said Bruce. "Basically, it has been focused in Kodiak and the Aleutians areas, but for many other regions, it's not even on their radar screen. But it's going to be a statewide program and will affect everyone. That's why we want to have a lot of involvement in the process, so we can start building a basis of support and understanding from the very beginning."

Jan Conitz of Juneau has been named project leader. At its January 21 meeting, the multi-agency committee will begin developing a framework on data collection options to present to the stakeholders group this spring.

137: Why a 2 fish daily bag limit for sablefish is the right thing to do:**Consider:**

- In commercial fisheries in Alaska the rule is that unless there is limit there is no fishery – this is precautionary
 - in sport fisheries if there isn't a specific limit there is unlimited take – this is unacceptable, particularly for species that already are targeted by other users
- All other states on the West Coast of the US have a combined bag limit for groundfish species that are not otherwise regulated.
- Clientele from the lower 48 expect and accept bag limits as a reasonable regulatory tool, southeast residents can take these fish through subsistence
- Current daily bag limits in Southeast allow an angler to take 29 fish plus unlimited sablefish, Pacific cod, flatfish, sculpins. Surely imposing a 2 fish bag limit on sablefish is in no way preventing an angler from the opportunity to sportfish.
- ADF&G does not sample remote lodges and obviously has no estimate of how many sablefish are taken (their creel data listed 7 total sablefish in 2008, yet the web is full of photos from numerous lodges of daily catch far exceeding 7).
 - Sablefish (blackcod) is an important subsistence and commercial fish that is fully utilized by these historic fisheries.
 - State managed sablefish is in a period of steep decline, with quotas reduced more than 50% this decade.
 - Federally managed sablefish is also declining, 15% this year following a decline in 2008 as well.
 - Sablefish has not been a targeted “sport fish” primarily because they are a deep water fish and are not usually accessible by standard sport gear. Commercial mechanical jigging machines and electronic reels are being used to access very deep water.

A bag limit will help to promote sustainable fishing and protect the historic fisheries that depend on this resource. The SE sablefish fisheries are the most valuable groundfish fisheries managed by the State of Alaska. Clearly this is an opportunity to put reasonable sport limits in place acknowledging the importance of this fishery to the state.

Washington: 15-bottomfish aggregate bag limit, which includes a sub limit of 10 rockfish and 2 lingcod, but does not include halibut (which has a daily bag limit of 1). Retention of canary and yelloweye rockfish is prohibited, regardless of area caught.

Oregon: The marine daily bag limit for 2008 is six fish (including rockfish, greenling and other marine species) and two lingcod and 15 surfperch. Remember: yelloweye rockfish and canary rockfish may not be retained.

Substitute language on back side of this page

Substitute language 137:

5 AAC 47.020. General provisions for seasons and bag, possession, annual and size limits for the salt waters of the Southeast Alaska Area.

(17) other [SALTWATER FINFISH and] shellfish species not specified in this section, may be taken from January 1 – December 31, no bag, possession, annual or size limits;

(18) sablefish may be taken from January 1 – December 31, 2 daily bag limit in possession and no annual limits;

(19) herring, smelt, capelin, and eulachon may be taken from January 1- December 31, no bag, possession, annual or size limits;

(20) other saltwater finfish not specified in this section, may be taken from January 1 – December 31; 6 fish bag limit combined , 1 daily bag limit in possession and no annual limits.

2048

Comments to Board of Fish-- Southeast and Yakutat finfish--Feb. 2009

My Proposal 295 is not meant to become a regulation and is not meant to harass or hinder the sport charter operators. I look at it as advisory in nature. My hopeful outcome would be to have a workgroup formed or have the Board of Fish charge the ADF&G sport staff to come up with a plan to work on issues surrounding catch and release in the sport charter industry.

My reasons for writing this proposal are:

1) first and foremost is the conservation of our Chinook and Silver salmon stocks, the two species most sought after and highly utilized in Southeast Alaska's hook and line sport and troll fisheries.

2) to reduce mortality in order to move more spawners up their natal rivers or streams with the potential of more salmon in the future. This could ease allocation issues.

3) to reduce conflict between the charter and commercial fleets. Creating more salmon and opportunity should reduce conflict.

4) to "raise the bar." There are charter fishermen who currently use techniques which reduce handling and undue catch and release mortality. What needs to be done is to make these techniques the common practice for the sport charter industry.

5) to urge the ADF&G staff and the charter industry to take a more proactive role on this issue. If catch and release is to be a legal and common practice, the managers and users should look at being progressive in the way sport fishing is done.

FYI: There are four proposal's dealing with catch and release and mortality (222,295,301,302) mine being the only one that doesn't call for regulatory action.

Lastly Alaska's management of it's fish resources is looked upon as some of the best in the world because of the Board of Fish process, Fish & Game Advisory Committees, ADF&G staff and the many users who work to keep our stocks healthy and abundant. To my way of thinking this proposal is a step in that tradition, a wise use of the resource and a good management decision.

John Murray, F/V Loran
224 Observatory Street, Sitka AK 99835

RC49

I have to proposals that I am going to speak to today.

The first one is the incursion into Salisbury Sound of the Sitka Sac Roe Fisheries, the Present Sac roe fishing area goes from Aspid Cape to a line in Olga Straights and over around Hayward Straights, this is the area know as 13 B, there was no mention of a fisheries in the 13 A area, because that school was to small to sustain a fisheries at the time.

There is some speculation that the Salisbury Sound Herring were a bleed over from the Sitka Sound Stocks, I have taken some time to talk to a few elders about this and find that there has always been herring in Salisbury Sound, this bleed over theory is just speculation on the part of the Department of Fish and Game.

What I read in the Alaska Statutes is that when a new area is opened, there needs to sound scientific study to show that there will be know damage to the stocks in this new area, a few fly overs are not a study by any expression of the term.

With herring depletion clearly expressed at, Foggy Bay, Cat Island, Auke Bay to name a few of the outstanding examples, care needs to be taken on new area's, especially an area that is as big as 13 a, no matter what is said to day by arbitrary lines that the Department of Fish and Game proposes to day, I can see in the near future that those line can be discontinued and the sac roe fisheries will be extended to Liseanski Straights, then because there is some herring in Hoonah ect, ect.

Many of believe there is a problem here in Sitka Sound with depleted stocks already, because there seems to be no 3-4 year old herring in the stocks.

I also am concerned about the hook and release fisheries that has been going on for some years, many people call it kill and throw away, this is a method unthinkable to most of us that utilize these fish, down stream from the hook and release the next day a person walking these streams can count the dead.

The same can be said about the king salmon fisheries, the first study I saw on sport hook and release was put at between 80-90 percent.

Rather than hook and kill, we need to set a bag limit that is strictly adhered to, it will stop large mortalities that are wasted, allowing a person to legally take home fish, improving the Department of Fish and Games relations with the community and with the communities children.

RALPH GUTHRIE
380 KAAGWAANTAAN
SITKA, ALASKA 99835

Chaos and the Catch of the Day

There are fewer fish in the sea than ever. Complexity theory, argues mathematician George Sugihara, provides a counterintuitive way to revitalize the world's fisheries **BY PAUL RAEBURN**

When George Sugihara reads about credit crises and federal bailouts, he is inclined to think about sardines—California sardines, to be precise.

A few decades after the Great Depression, the sardine fishery in California was suffering from a similarly devastating collapse. Fishers who had generally landed more than 500,000 tons of sardines annually during the 1930s caught fewer than 5,000 tons during the worst years of the 1950s and 1960s. Whereas a few Cassandras might have warned of trouble in each case, nobody could have predicted exactly when each collapse would come or how severe it would be.

The sardine collapse puzzled fisheries experts. Some blamed overfishing. Others suspected environmental swings—shifting wind patterns or cooling sea-surface temperatures. But nobody could prove either case. Eager to prevent another such collapse, California set up a monitoring system that has been collecting data on sardine larvae for the past 50 years.

Sugihara, a mathematician and theoretical ecologist at the Scripps Institution of Oceanography in La Jolla, Calif., analyzed that data and came to a surprising conclusion: both potential explanations of the sardine collapse were wrong.

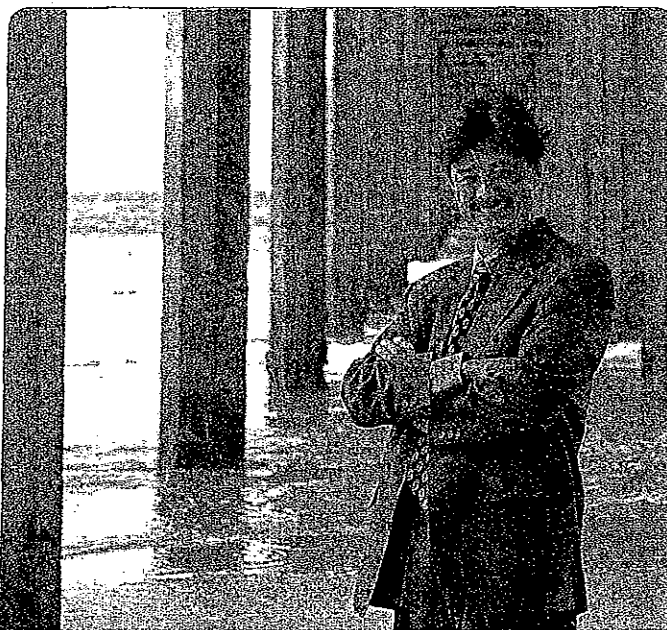
His conclusion, in a study published in *Nature* in 2006,

was that the problem was the harvesting of too many big fish. Fishing boats were leaving behind a population of almost all juveniles. Sugihara showed that mathematically such populations are unstable. A slight nudge can create a boom—or a catastrophic collapse.

Imagine, Sugihara says, a 500-pound fish in an aquarium. Feed it more, and it gets fatter. Feed it less, and it gets thinner. The population (of one) is stable. But put 1,000

half-pound fish in that aquarium, and food shortages could result in the deaths of hundreds, because the small fry have less stored body fat—and therefore cannot ride out a short famine. Food abundance does not necessarily mean all the fish get bigger, either; it could encourage reproduction and a population boom—which might in turn overwhelm the food supply and lead to another bust. It is an unstable system. “That’s the reality of fisheries, of economies, of a lot of natural systems,” Sugihara says. The recent history of the sardine fishery illustrates that instability: fishers along the West Coast from Canada to Mexico are now harvesting a million tons of sardines annually.

But this instability is not understood by people who run fisheries, Sugihara insists. By law they manage fisheries for “maximum yield.” The notion that such a maximum yield exists implies that fish grow at an equilibrium rate and that the harvest can be adjusted in accordance with that growth to keep yields stable. In contrast, Sugihara sees fisheries as a complex, chaotic system, akin to financial networks. They are so alike that the global financial giant Deutsche Bank lured Sugihara away from academia for a time; there, from 1996 to 2001, he successfully used the analytical techniques that he would later call on for his sardine work to make short-term predictions about market fluctuations.



GEORGE SUGIHARA

FOOD FOR THOUGHT: Using complexity theory, he has shown that standard fisheries practices produce unstable populations that can boom or bust even when food is abundant.

FISHY ADVICE: That fishers teach their children to throw the little ones back is exactly wrong when it comes to fisheries health, he says.

ON LIVING WITH CHAOS: “Most fisheries management is based on the idea that these systems are stable. Watches are like that. Transistors are like that. But ecosystems are not.”

Although both marine ecosystems and financial markets might look random, Sugihara explains, they are not. That means making short-term predictions is possible, as it is with the weather. The eminent ecologist Robert M. May of the University of Oxford calls that predictability "the flip side of chaos." May oversaw Sugihara's doctoral work at Princeton University when he was a visiting professor there and is now a frequent collaborator. "George was one of the first to see this as a recipe for making predictions," he says.

Sugihara's research comes at a time of enormous concern about the future of the world's fisheries. Perhaps the most alarming report came in late 2006, when Boris Worm, a marine conservation ecologist at Dalhousie University in Nova Scotia, reported in *Science* that for 29 percent of currently fished species, the catch had dropped to less than 10 percent of the historical maximum. If the trends continue,

he reported, all fisheries around the globe will collapse by 2048.

Others think the future is not nearly so gloomy. "It's very dependent on where you are," comments Ray Hilborn, a professor of fisheries management at the University of Washington. The U.S., Canada and some other developed countries have cut fishing rates, and the future looks brighter, he says. But Asia and Africa lack effective fisheries management, and even European countries have failed to agree on solid management plans. Fisheries in those regions are in far greater peril, Hilborn states.

The practical implications of Sugihara's work are clear. Current fishing regulations usually have minimum size limits to protect smaller fish. That, Sugihara maintains, is exactly wrong. "It's not the young ones that should be thrown back but the larger, older fish that should be spared," he explains. They stabilize the population and provide "more and better

quality offspring." Laboratory experiments with captive fish back up Sugihara's conclusions. For instance, David Conover of Stony Brook University found that harvesting larger Atlantic silversides from his tanks over five generations produced a population of smaller individuals.

Sugihara has also shown that populations of different fish species are linked. Most regulations consider each species—sardines, salmon or swordfish—in isolation. But fishing, he says, is like the stock market—the crash of one or two species, or a hedge fund or mortgage bank, can trigger a catastrophic collapse of the entire system.

Sugihara has also used his combined experience in ecology and finance to work on new kinds of fisheries management schemes. One is the notion of tradable "bycatch" credits. Bycatch refers to the turtles, sharks and other animals that fishing fleets do not seek but catch accidental-

EXERCISE IN EXACTLY 4 MINUTES PER DAY

How can this be true when experts insist that you need at least 30 minutes of cardio?

\$14,615



The so called "experts" have been wrong all these years. The length of a cardio workout depends on the level of oxygen consumption during the activity.

Walking consumes only 7 milliliters of oxygen per kg of bodyweight per minute (7 ml oxygen consumption / kg / min) and therefore must be done at least for 85 minutes to get an adequate cardio workout. Jogging produces 14 ml / kg / min and therefore only requires 35 minutes. Running at 6.5 miles per hour requires only 12 minutes and running at 4 minute mile speed requires only 3 minutes.

Our ROM machine is so designed that it will give anyone

from age 10 to 100 an excellent cardio workout in only 4 minutes. The next complaint from people is usually the \$14,615 price. It turns out that the ROM is the least expensive exercise by a wide margin.

Find out for yourself at www.PleaseDoTheMath.com. We have sold over 4800 ROM machines factory direct from our 82,000 sq. ft. factory in North Hollywood, CA.

Over 90% of our machines go to private homes, the rest to commercial uses such as gyms, doctor offices, military installations, and offices for the employees to use. Comes fully assembled, ready to use.

RENT A ROM FOR 30 DAYS. RENTAL APPLIES TO PURCHASE.

Order a FREE DVD from www.FastWorkout.com or call (818) 301-6450

PROUDLY MADE IN THE U.S.A. SINCE 1990

ROMFAB, 8137 Lankershim Blvd., North Hollywood, CA 91605 • Fax: (818) 301-0319 • Email: sales@FastWorkout.com

The typical ROM purchaser goes through several stages:

1. Total disbelief that the ROM can do all this in only 4 minutes.
2. Rhetorical (and sometimes hostile) questioning and ridicule.
3. Reading the ROM literature and reluctantly understanding it.
4. Taking a leap of faith and renting a ROM for 30 days.
5. Being highly impressed by the results and purchasing a ROM.
6. Becoming a ROM enthusiast and trying to persuade friends.
7. Being ignored and ridiculed by the friends who think you've lost your mind.
8. After a year of using the ROM your friends admiring your good shape.
9. You telling them (again) that you only exercise those 4 minutes per day.
10. Those friends reluctantly renting the ROM for a 30 day trial. Then the above cycle repeats from point 5 on down.

The more we tell people about the ROM the less they believe it.

From 4 minutes on the ROM you get the same results as from 20 to 45 minutes of aerobic exercise (jogging, running, etc.) for cardio and respiratory benefits, plus 45 minutes weight training for muscle tone and strength, plus 20 minutes stretching exercise for limberness and flexibility.

ly. In the tradable bycatch credits plan, fishing boats could be allocated a certain number of credits. As they used those credits, they would need to stop fishing or buy more credits on the open market. As the bycatch increased, the number of outstanding credits would fall, and their price would increase. Fishing boats would thus have financial incentive to minimize their bycatch—because by doing so, they could keep fishing longer.

Sugihara's work on fisheries has not met with universal acceptance. Roger Hewitt, assistant director of the National Oceanic and Atmospheric Administration's Southwest Fisheries Science Center in La Jolla, remarks that Sugihara's work is "a bit disconcerting" to people in fisheries management. "In fisheries, the classical approach is to model populations based on first principles. We know how fast [individual fish] are growing, how fast they are reproducing, how old they are when they mature,



NET OUTPUT: Sardine fishing sees good times and bad. Throwing the big ones back may help tame this unstable, complex system.

how many babies they have," Hewitt explains. "George's approach is an entirely different one. He looks at past behavior to see if he can predict future behavior." In a crude sense, Sugihara does not need to know about growth rates, reproduction or mortality.

Barry Gold, leader of the marine conservation effort at the Gordon and Betty Moore Foundation in San Francisco, de-

scribes Sugihara's analytical tools as "important for understanding how we manage fisheries." But he thinks that Sugihara's analysis needs a real-world test: "Until it's in the field and we see how the fishing industry responds to it, we won't know how it's going to work."

Partly in response to Gold and others about the lack of convincing field tests, Sugihara is now negotiating with fishing industry groups to try to put his work into practice. "Once you've stopped imagining that the world is a watch, that it's extremely predictable, you can make relatively good short-term forecasts," he states. "I have a lot of faith in human ingenuity. But the first step is acknowledging the reality."

Part of a 12-step program for fisheries ecologists? "Yes," Sugihara says. "It feels a little bit like that."

Paul Raeburn is a freelance science writer based in New York City.

JONATHAN S. BLAIR/National Geographic/Getty Images

Need Auto & Body Parts at Rockin' Prices?

Price Comparison

1994 TOYOTA PICKUP SR5 Timing Belt Component Kit

Parts Store	Part Brand	Price
RockAuto	Gates	\$127.79
O'Reilly	Gates	\$142.99
Autozone	CRP	\$179.99
Advance	Gates	\$197.99
Checker, Schucks, & Kragen	Gates	\$197.99
NAPA	NAPA	\$204.00

(as of 12/11/2008) RockAuto price is regular price, NOT a special sale price created for this comparison

ROCKAUTO.COM

ALL THE PARTS YOUR CAR WILL EVER NEED

GO TO WWW.ROCKAUTO.COM 1-866-ROCKAUTO (762-5288) ROCKAUTO, LLC - MADISON, WI USA

SCIENTIFIC AMERICAN

Subscriber alert!

Scientific American has been made aware that some subscribers have received notifications/subscription offers from companies such as United Publishers Network, Global Publication Services, Publishers Access Service, Lake Shore Publishers Service, Publishers Consolidated, Platinum Publishing Service, Publishers Service Center and American Consumer Publishing Association. These are not authorized representatives/agents of Scientific American. Please forward any correspondence you may receive from these companies to:

Christian Dorbandt
Scientific American
415 Madison Ave.
New York, NY 10017

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

February 2, 2009

Dear Chairman Jensen and Board Members,

My name is Eric Jordan. I am a lifelong Alaskan fisherman and conservationist. Thank you for your service and I look forward to seeing you and working with you when you come to Sitka later this month. While I am known only to a couple of you on the Board now I have been making proposals to and attending Board of Fisheries meetings since 1973. I served a short time on the Board in 2002-2003.

My interests in the fisheries are diverse as my family has subsisted, commercial, and sport fished for a living and for the joy of it my whole life. My primary focus over the years has been on regulations and policies which conserve the resource. I troll salmon and sometimes dinglebar lingcod for a living.

I also have had the great honor of being asked to facilitate problem solving fisheries task forces and committees in Sitka for the Advisory Committee, Northern Southeast Regional Aquaculture Association, and for the Board of Fisheries. We have been blessed to receive national awards and recognition both for our group work and as an individual.

I know your time is precious and the amount of reading you have before the Board meeting here in Sitka is stupendous. So while I have opinions on most of the proposals before you I am going to limit my written comments to the few that are of the most interest to me. I will be at the meeting and am interested in serving on committees on troll management, hatchery allocation, definition of sport possession limits, and use of power to retrieve sport caught fish.

Thank you for your service again and thank you for reading my comments.

Eric Jordan
F/V I GOTTA
I GOTTA SEAFOOD
103 Gibson Place
Sitka, AK 99835
907-747-6743

*My Son Karl,
A salmon troller
for 4 years also
wrote supporting
position on the
Dinglebar position on 2/4*

Proposal 286 and 287. Redefine sport limits to include "preserved fish until returning to domicile."

I helped write the ATA proposal several years ago and thought the Board of Fisheries appointed a Board task force to work on this issue between the last SE finfish meeting and this one. I thought we would see a proposal from the Board of Fisheries on this issue for this Board cycle. This is one of the most important issues before the Board of Fisheries this year because it involves what I see as the most serious SE fisheries conservation problem; the inability of our State and Federal fisheries management systems to recognize a big and growing problem with, adequately account for, and manage the guided sport fishery.

The failure of our management system to deal with this problem led us to initiate a successful local collaboration in Sitka a number of years ago to deal with localized depletion of halibut. While ATA, a commercial interest group, and I, a commercial salmon troller, have initiated these proposals this year the problem transcends guided sport fish/commercial allocation disputes. The disappointment in Sitka and other SE communities with the failure of our Federal and State fishery managers to address the guided sport fish growth and circumventing of sport fish "possession" limits and other management efforts like the National Marine Fisheries Service regulation to manage the guided sport halibut catch in SE Alaska has led to a social attitude problem toward the guided sport fish industry.

Bumper stickers like Charter Fishing is an Organized Crime have become popular in Sitka. Others have been seen that are more hostile. The Alaska Longline Fisherman's Association, Sitka Marine Stewardship Roundtable, and Sitka Trollers organized a forum with representatives from enforcement, coast guard, and fish & game to try and minimize problems on the fishing grounds in 2007. While conflicts were less noticeable in 2007 there are still deep seated resentments in Sitka as fishing guides continue to resist halibut conservation measures and a local fish box export tax.

I reported a local charter operator to enforcement after he maliciously ran over my starboard float bag with his 24 foot fiberglass guided sport fishing boat at about 25 knots. In addition to endangering himself and his clients he endangered my crew and damaged my equipment. When I cautiously trolled by him later in the day thinking an apology might be forthcoming my crew and I were assaulted with a barrage of foul language that impressed even this salty Alaskan fisherman.

From my perspective as a marine conservationist, a successful leader of numerous community and fishing group collaborative efforts, and a lifelong resident of SE Alaska with grandchildren growing up here, it is critical to the health of our resources and our communities that the Board of Fisheries send a clear message that you are going to manage the guided sport fishery.

I just read the Staff comments on this proposal. For one of the very few times in my long career of getting along with Fish & Game staff I am outraged by their comments. The staff claims "*.....it is unable to determine how such a regulation could be successfully monitored and enforced.*" Numerous other states have changed their possession limits to prohibit preserved fish. (Sample, courtesy of SEAFSA, attached). I include a list of countries and states that have staff who have successfully figured out how to monitor and enforce this regulation.

Proposal 296 (Eric Jordan personal comment)

Proposal 296 -5 AAC 75.020 Sport fishing gear.

Amend the regulation to define allowable sport fishing gear for Southeast Alaska as follows:

(d) Sport fishing gear for finfish in Southeast Alaska will consist of a fishing rod that is a tapering often jointed rod equipped with a hand greip and line guides: upon which is mounted a hand powered reel used to deploy and retrieve the fishing line. A downrigger may be used in conjunction with a fishing rod but a downrigger may not be used in conjunction with a troll gurdy.

A downrigger is defined as a device designed to be used with a fishing rod to deploy a line to a selected depth and retrieve the downrigger line and weight. A hand powered, electric, hydraulic or power assisted downrigger is not legal sport fishing gear unless is is used in conjunction with a fishing rod and the fishing rod is used to retrieve the fish. Sport fishing gear shall be operated in a manner conforming to its basic design.

Here is why I am so concerned. Some of us trollers, including former SPC Board Chair, Bob Schell, worked very hard a number of years ago to allow sport fishing for salmon off of our commercially licensed trollers. For many of us it is the primary source of our home king salmon pack.

The particular language I am so concerned about is "**....but a downrigger may not be used in conjunction with a troll gurdy.**" It seems to me that this language is not necessary to prohibit the use of power to retrieve sport hooked fish and is directed primarily at trollers using their gurdies as downriggers.

I suggest you consider the following alternate language that was adopted by the Sitka Fish & Game Advisory Committee after a great deal of discussion and work on the wording.

Proposal 296 -5 AAC 75.020 Sport fishing gear.

The use of power to retrieve sport hooked fish is prohibited.

Except as authorized by 5AAC 75.038.

(And make it less onerous for a handicapped person to obtain a permit under 5AAC 75.038.)

I actually thought quite a bit about the difference between "caught" and "hooked". I concluded it was better to be specific to hooked.

Proposal 320 (Personal comments by Eric Jordan)

Move uncaught winter king quota into spring troll fisheries instead of all into the summer.

I support this proposal. I have authored numerous proposals over the years to try and improve troll opportunity during May and June when we are catching the highest percentage of Alaska Hatchery Chinook. Several years ago the Alaska Trollers Association supported improvements to the various guideline caps and percentages were improved by BOF action. This has helped provide better access and improved our Alaska Hatchery Harvest.

Fred's proposal asks the Board of Fisheries to continue their trend of making more treaty Chinook available when they are more valuable and when they contribute to helping harvest Alaska Hatchery Harvest. These moves provide more revenue to Alaska, help with the troll shortage of their allocated share of SE enhanced salmon, and give the department a little more flexibility in opening areas when and where hatchery Chinook might be available to trollers.

This does not take any fish away from the summer share as in most years the winter quota has been caught or nearly caught. What it does do is give us more and better opportunity to harvest Alaska hatchery Chinook.

Along those lines, Yakutat is very interested in participating in the Spring Fisheries. While they don't have a significant number of hatchery fish coming by they do have some. Adopting this proposal and directing the Department to make some available for Yakutat for an "experimental" spring fishery conducted in a manner to protect Sitkuk Chinook stocks would be a great idea.

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

<u>Number</u>	<u>Name</u>	<u>Organization/Subject</u>
1	Kathy Hansen	SEAFSA – All proposals
2	Andy Rauwolf	Proposals 199 and 217 – Ketchikan Area Herring Action Committee
3	Russell Thomas	Self- King Salmon Management plan
4	<u>Yakutat AC</u>	KC Mapes, Jeff Fraker and Jonathan Pavlik speaking for Yakutat AC – Set Net Troll
5	Mary Purvis	Herring – Speaking for self and Sitka Tribe of Alaska
6	Evelyn Brown	Proposal 203&204 – Sitka Tribe/Ketch. Area Herring Action Committee
7	Vince Patrick	Sitka Tribe of AK – Proposal 203, 204
8	Larry Edwards	Greenpeace – Proposals 203,204,234,200
9	Donald Westlund	Proposal 226 & 335 - RC41
10	Archie Nielson	Sitka Tribe - Subsistence
11	Steve Hendershot	<u>Edna Bay AC</u> - RC42
12	John Blair	SEAGO – Proposal 137, 138 and 368
13	Carter Huges	Proposal 310, 311,312,313,307 and 308
14	James John Nielsen Sr.	Subsistence, speaking for self.
15	Paul FitzGibbon	Proposal 286, 287, 341, 343, 344, 307, 308 – speaking for self
16	Signud Rutter	Allocation Issues – speaking for self
17	Clarence Jackson	Herring – speaking for Sealaska Corp.
18	John Brooks	Sitka Charter Boat Operators Assoc. – proposals 307, 308, 311-313
19	George Ridley	Sitka Sound herring egg harvest – self
20	John Murray	Proposal 295 – self
1	NR Guthrie	Self – Personal

DID NOT TESTIFY

DID NOT TESTIFY

1 of 9

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

- ~~22~~ Nels Lawson Herring Fisheries – speaking for Sitka Kaagwaamtaan
- ~~23~~ Herman Kitka, Sr. Sitka Kaagwaamtaan – Herring
- ~~24~~ Andy Wright Proposal 255 – Self
- ~~25~~ Harvey Kitka Proposal 299, 203, 204, 235, 234 – Self
- ~~26~~ Jeremy Merrill Lodge freezer access – Self
- ~~27~~ Larry Edfelt Territorial Sportsmen – King Salmon Mgt. Plan
- ~~28~~ Steve Merritt Craig AC – AC12
- ~~29~~ Steve Merritt Self – Proposal 288 and 339
- ~~30~~ Herman Davis Self – Proposal 203, 204, and 235
- ~~31~~ Patricia Phillips Pelican AC – AC1
- ~~32~~ Gerry Hope Alaska Native Brotherhood – Sitka, speaking to proposals 203, 204, 234, 200, 235, and 217
- ~~33~~ Fred Fayette Self – Proposal 320
- ~~34~~ Lance Preston Self – Trolling and conservation
- ~~35~~ Harriet Beleal T&H Sitka Chapter – Herring egg use
- ~~36~~ Joel Hanson Self – charter fisheries
- ~~37~~ Bruce Gipple Self – Sport/charter fisheries
- ~~38~~ Joe Kulavik Self – sportfishing
- ~~39~~ Johnny ^{DUNWAD} Dunwu Self – Herring
- ~~40~~ Valentino Burattin Klukwan AC – RC31
- ~~41~~ Jim Roesch Self – charter fishing
- ~~42~~ Mike Keating Self – Proposal 297, 298
- ~~43~~ Marc Moats Self – Proposal 137
- ~~44~~ Bill Lucey City and Borough of Yakutat – Tsiu River Fisheries DID NOT TESTIFY

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

- | | | |
|------------------|--------------------------|--|
| 15 | Victoria O'Connell | Self – Sport and Groundfish regs, PC50, RC55 |
| 46 | Mark Roberts | Self – 227, 228 and 322 |
| 47 | Tad Fujioka | <u>Sitka AC</u> – AC2 |
| 48 | Mike Reif | Self – DSR allocation and closures |
| 49 | Kim Elliot | Self – Herring Fisheries |
| 50 | Kevin Kristovich | Self – Proposals 199, 203, 204, 209, 234, 235 |
| 51 | Wade Martin | Self – Herring Fisheries, Subsistence |
| 52 | Gregg Bigsby | Lynn Canal Gillnetters – SE Allocation Plan for Enhanced Fish |
| 53 | Jeff Wedekind | Ketchikan Guided Sportfish Assoc. – Proposals 286-289, 309 and 269 |
| 54 | Richard Powers | Self – Impact of Regs. On Angoon economy |
| 55 | Heather Meuret-Woody | Sitka Tribe of AK – Proposal 203, 204, 200 and 217 |
| 56 | Peter Naoroz | Kootznoowoo Village corp. <i>RC 86</i> |
| 57 | Otto Florschutz | Self – proposal 257, 258 |
| 58 | Jim Moody | Self – Coho Limits |
| ES 59 | Eric Van Gise | Self – Proposals 286, 287, 288 – RC65 <i>DO NOT TESTIFY</i> |
| 60 | LaVonne Grun | Self – Props. 286-289 |
| 61 | Breck Titus | Sitka Tribe of AK – proposals 203, 204, 234 – RC62 |
| 62 | Jessica Perkins | Sitka Tribe of AK – Reasonable Opportunity – RC63 |
| 63 | Helen Dangel | Sitka Tribe of AK – C&T harvest survey – RC64 |
| 64 | Charles Fogle | Self – Herring Proposals |
| 65 | Volney Smith | Self – Trolling |
| 66 | Kirk Thomas | Self – Coho issues |
| 67 | Greg Kain | Self – Sportfish/Charter |

3 of 9

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

- ~~38~~ Rick Bierman Juneau Charter Boat Operators Assoc. — prop. 309-368 — RC71
- ~~69~~ Richard Riggs Sitka Herring Sac Roe Fishery — RC74
- ~~(P)(S) 70~~ ~~Tom Pridatel~~ Tsiu River — PC10 *Did NOT TESTIFY*
- ~~71~~ Dan Ernhart Tsiu River — PC10, RC75
- ~~72~~ Ron Porter SHA Sitka Herring ACCo, Sitka Sound Herring Issues
- ~~73~~ John Woodruff Icicle Seafoods — Sitka Herring
- ~~74~~ Tom McLaughlin Seafood Producers Coop. — Proposal 296
- ~~75~~ Thomas Fisher Self — Troll Issues for enhanced fish allocation
- ~~76~~ Sarah Jordan Self — chum Trolling, RC82
- ~~77~~ Eric Jordan Chum Trollers Accoc. — SE Enhanced Salmo Plan Industry Concensus — RC83 (Power PT)
- ~~78~~ Walter Pasternak Self — King Salmon Mgmt Plan
- ~~(P)(S) 79~~ ~~Matthew Streemer~~ Self — Hatchery Issues concerning Power trollers *DID NOT TESTIFY*
- ~~80~~ Michael Bauer Self — Limited entry for Charter industry
- ~~81~~ Sally Burattin Self — Herring roe Hoolian, Chum
- ~~82~~ Michael Sullivan Self — Props. 307 and 308
- ~~83~~ Darrell Kapp Self — Proposal 86, 253, and herring bag limit
- ~~84~~ Stan Malcom SE Alaska Guides Assoc. — Prop. 137
- ~~85~~ Floyd Kokesh SE RAC — Fed. Rep. RC87
- ~~86~~ Tony Moran AK Indep. Tendermans Assoc. — Prop 208, 209 and 210
- ~~87~~ Richard Yamada AK Charter Assoc. — prop. 137, 296, 297, 298 — RC76
- ~~(P)(S) 88~~ ~~Dick Curran~~ Self — RC47 *Did NOT TESTIFY*
- ~~(P) 89~~ Robert Nielsen Self — Herring, Sockeye Redoubt Lake
- ~~90~~ Rick Lindbloiu SEAS — Joint RPT agreement
- ~~91~~ Wendy Alderson Self — sportfish issues

4 of 9

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

- ~~92~~ Greg Brown JDAC – AC13, props 288, 230 and 231
- ~~93~~ Jim Martinez Klawock AC – RC26, Prop. 195-264
- ~~94~~ John Burke SSRAA – Joint RPT, prop 226, 229, 270, 294 – PC21
- ~~95~~ Bryan Benkman Self – JRPT agreement
- ~~96~~ Randy Stewart Self – RPT Agreeent, Proposals 261-265
- ~~97~~ Alexander Allison Self – Herring *DID NOT TESTIFY*
- ~~98~~ Richard Hofmann Self – Prop 244
- ~~99~~ Chip Treinen Sitka Herring Assoc. – Herring Proposals
- ~~100~~ Ryan Kapp Self – Proposals 86 and 253
- ~~101~~ Jude Pate Self – Herring Proposals, amount necessary for sub.
- ~~102~~ Alan Reeves Self – Charter issues
- ~~103~~ Krovina Self – Herring
- ~~104~~ Chuck McNamee Self – Coho limits and DSR Allocation
- ~~105~~ Jeremy Serka Self – Sportfishing *DID NOT TESTIFY*
- ~~106~~ Steve Reifensstuhl Silver Bay Seafoods – Salmon Allocation, Herring, RC 68 and RC 69
- ~~107~~ Chuck Haydu Self – PC85, Proposals 307, 308, 288-289
- ~~108~~ Robert Fredrickson Self – Prop. 223, 225, 226, 229
- ~~109~~ Charles Skultka Self – Sac roe Herring
- ~~110~~ Dave Otte Self – Prop 325, 327 – RC73
- ~~111~~ Kenneth McGee Self – Proposals 230, 231, 227
- ~~112~~ Joel Kawahara Self – Prop. 298, 299
- ~~113~~ Linda Behnken AK Longline Fishermen's Assoc. – Groundfish props. – RC 84, RC 85
- ~~114~~ Ed Gray Self – Herring
- ~~115~~ Clara Gray STA – Prop 235

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

- ~~116~~ Michael Baines Sitka Tribe of AK – Herring and Subsistence, RC88
- ~~117~~ Lisa Gassman Sitka Tribe of AK – Surveys vs. Permitting – RC90
- ~~(P) 118~~ Paul Southland Self - Prop. 258 *DAD NOT TESTIFY*
- ~~119~~ Mark Vinsel Raincountry Flyfishers / United Fishermen of AK – Prop. 288, 289, 316, 305, 297, 298
- ~~120~~ Douglas Chaney Self – Prop 260
- ~~121~~ Bruce Wallace Self – JRPT agree
- ~~122~~ Gary Haynes Self – JRPT
- ~~123~~ Joe Lidholm Self – Prop 209, 210, 86
- ~~124~~ Jeffrey Longridge Self – proposal 286, 287, 288, 289, 310 and 368
- ~~125~~ Mark Kaelke Trout Unlimited
- ~~126~~ Dale Kelley Alaska Trollers Assoc.
- ~~127~~ Clayton Nellis Self – Charter Issues
- ~~128~~ Mike Yanak Self – Sportfish
- ~~129~~ Matt Donohoe Self – Lingcod Mgmt. Props. 333, 334, 335, 337, 339 and 340
- ~~130~~ Mitch Eide Self – Enhanced Salmon Alloc. Herring Mgmt.
- ~~131~~ Kelsey Skordahl Self – Sportfishing
- ~~132~~ Aurora Skordahl Self – Sportfishing
- ~~133~~ Lucas Skordahl Self – Sportfishing
- ~~134~~ Steve Runniou Self – Demersal Shelf rockfish
- ~~135~~ Keith Shuler Self – Prop. 307
- ~~136~~ Jev Shelton Self – Prop. 230-231 and 261
- ~~137~~ Bert Bergman Self – Prop 244, 245
- ~~138~~ Frank Balovich Self – Sportfishing
- ~~139~~ Ken Dole Self- Possession limits, rockfish

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

- ~~140~~ Kevin McNamee Self – Sportfishing
- ~~145~~ Peter Hanson Self – Sportfishing
- ~~146~~ Paul Olson Sitka Conservation Society – prop. 310
- ~~147~~ Aaron Bean Self – Prop. 307-308
- ~~(E) 148~~ ~~Chan Richards~~ Windfall Business being effected by charter restrictions. DID NOT TESTIFY
- ~~149~~ Bev Minn Charter fishing
- ~~150~~ Robert Thorstenson SE AK Seiners Assoc. - RPT Agreement
- ~~(P) 151~~ ~~Dan Moreno~~ Self – Mgmt. DID NOT TESTIFY
- ~~152~~ Steven Seydana Herring
- ~~153~~ Chris Hashiguchi Self – Sportfishing
- ~~154~~ Jeff Franker Self – prop. 329
- ~~155~~ Floyd Tomkius Self – Herring, conservation, charter
- ~~56~~ James Phillips Prop 137
- ~~157~~ Casey Gould Self – sportfishing
- ~~(V) 158~~ Susan Suarez Self – sportfishing
- ~~159~~ Robert Suarez Self – sportfishing
- ~~160~~ Theresa Wilser Sitka Charter Boat Op. Assoc.
- ~~(X) 161~~ Phil Nielsen Self – Herring
- ~~162~~ Jerry Dahl PVOA, Self – 212, 224, 229
- ~~163~~ Julianne Curry PVOA
- ~~164~~ Paul Ipock Self
- ~~(E) 165~~ ~~Charles Wilber~~ Self, prop 286 DID NOT TESTIFY
- ~~166~~ Al Wilson Prop 203, 235 – RC92
- ~~167~~ Richie Davis Self – proposals 227, 230, 231, 244, 245, 286, 334, 335
- ~~68~~ Fabian Grutter Self – Gillnet deep inlet, rockfish, lingcod

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

169	Jim Michener	Self – 301, 307, 341
170	Scott Miller	Charter
171	Robi Craig	Sitka Tribe- RC90
172	Brennon Eagle	SEAFA – PC89
173	Norman Hughes	United SE AK Gillnetters- prop 236, 238, 240, 305, 306, 307, 308
174	Klinton Chambers	Self – charter fisheries
175	Tony Phillips	SEAGO – comments
176	Donald Didrickson	Sitka Tribe of AK – herring
177	James Becker	Self – prop. 230-231
178	Dean Haltiner	Self – Herring prop 209-210
179	Mike Miller	Self – prop. 234, 235
180	Polly Bass	Sitka Tribe AK – 203
81	Jeff McKean	USAG/United SE Gillnetters Assoc. prop. 264, 265
182	Evening Grutter	Self – Electric Reels, licod, rockfish
183	Jeromey Campbell	Self prop 307-308
184	Linda Danner	Self – allocation of enhanced salmon
185	Chris Kight <i>KNIGHT</i>	United SE AK Gillnetters Assoc. – prop 230-231, 227, 261, 325, 327
186	Anthony Haskins	Self – prop 307, 368
187	Jeff Farvour	Self – sportfish
188	Mary Miller	Self – Herring
189	Gia Hanna	Prop – 234, 235
190	Arnold Enge	United SE Gillnetters
191	Libby Watanabe	SEARHC – support ind. Harvest
192	Teresa Moses	Self – prop 235 and others
93	Roger Ingman	Self

PUBLIC TESTIMONY SIGN-UP LIST — BOARD OF FISHERIES, SITKA, 2/09

RC51

194	John Littelfield	Self – Herring
195	Louise Brady	Self – Herring
(F) 196	Lyle Hilde	Self – Herring
(F) 197	Larry Demmert	Self
198	John Scoblic	<u>Ketchikan AC</u> – AC10
199	Tom Ohaus	SEAGO – prop 287, 368, 341 – RC93
200	Seth Bone	SEAGO – DSR (POWER POINT)
201	Randy Lantiegne	Icicle Seafoods – prop. 203-204 (POWER POINT)
202	Jim Beard	<u>EPOW AC</u> – AC15 (EAST PRINCE OF WALES AC)
203	Arnold Enge	<u>Petersburg AC</u> – AC8
204	Cheyne Blough	<u>Icy Straits AC</u>
205	Otto Florschutz	<u>Wrangell AC</u> – AC9
206	Mike Saunders	<u>ULC AC</u> – AC4 (UPPER LUNN CANAL AC)

NO RC 52

1 ATTN: BOF COMMENTS
2 Boards Support Section
3 Alaska Department of Fish and Game
4 PO Box 115526
5 Juneau, AK 99811-5526
6

7 Date: February 17, 2009
8 Proposals: 199, 200, 203, 204, 209, 210, 217
9

10 Chairman Jensen and Members of the Board:
11

12 This testimony addresses seven proposals on herring:

13 203 is support as amended; 200 and 204 are supported; 217 is opposed.

14 199 is noted and its origins and motivations are recognized and appreciated, however, the proposal is
15 NOT supported as written.

16 209 and 210 are acknowledged and the spirit and intent of both is supported; an amended proposal
17 of this type is judged to be critically important for favorable near-term outcomes; support
18 requires major and substantive amendments.

19 This testimony is supplementary to that of Dr. Evelyn Brown.
20

21 **How can so many things all go wrong at the same time?**

22 I have chosen to speak to these seven proposals as a unit because this provides a way to bring to the
23 attention of the Board their common origins. Each proposal is the product of a decade of more and
24 more things "going wrong" with herring. Each proposal individually is a patch for one part of
25 something larger, but that larger context is very hard to see from the perspective of any single patch.
26 The first step is to provide the Board with at least a partial list of things "gone wrong" with Sitka
27 herring during the past decade. "Gone wrong" is shorthand for (1) data that had always been
28 corroborating becoming incompatible, (2) population properties attaining historical record values and
29 continuing into never before seen values, (3) population properties moving to values and configurations
30 never before seen in Sitka herring and (4) population properties taking values never before seen in the
31 species.
32

33 1. The much-noted but still unexplained "strong" recruitment every fourth year that began in 1976
34 ended with a "replacement" size recruitment in 1992. For all but one of the next six years, Sitka herring
35 reproduced close to replacement so that by 1998 stock size was at its long term mean value. This
36 reassuring stability ended and things started to "go wrong" in 1999. (See Figure 1.) According to egg-
37 deposition and ASA, 1999 was the beginning of a series of 20% annual increases for Sitka herring
38 biomass. In 2000, biomass had reached the record biomass of 1988, increased another 20% in 2001 and
39 did not stop until leveling off at over twice the long term mean and 50% greater than the highest
40 recorded stock biomass since statehood. This biomass bloom considered in isolation looked great, but it
41 was in contradiction to just about everything else.
42

43 2. Beginning in 1999, egg-deposition measurements began an ever growing divergence from the long-
44 corroborating mile-spawn index. For two decades, these two measures had been strongly
45 corroborating. The fact that the more sophisticated egg-deposition alone was used for stock estimation

46 never came to mind because mile-spawn had always been a carbon copy of egg-deposition. Since 1998,
47 mile-spawn has stayed close to the long term mean, namely, pre-fishery biomass of 40,000 metric tons
48 (44,000 short tons).
49

50 3. In 2002, well into the biomass bloom, Sitka Tribe of Alaska experienced the first of what was to
51 become a recurring inability to reach its long running subsistence harvest of herring eggs doing what it
52 had always done in its traditional harvest areas. The disconnect of super-record biomass and
53 subsistence shortfall was so atypical that it triggered major efforts by the Tribe and ADF&G, jointly
54 and separately, to try to find a solution. The problem remains unsolved today.
55

56 4. About this same time, the age-3 and age-4 fractions of the adult populations began declining.
57 Typically, this is an indication of lower recruitment and a subsequent decline in population biomass.
58 How could the stock be increasing without recruitment?
59

60 5. One of the important contributions of age structured analysis is as a source of reality check. The
61 ASA does what it does by using the year to year change to estimate natural mortality and to estimate
62 within the model the immature part of the population, i.e., maturation rates, since both immature and
63 mature are needed to apply natural mortality and compute a forecast. The ASA assumes that natural
64 mortality rates and maturation rates persist. The experience is that this is a useful approximation. The
65 rates change only when something big happens, like an oil spill or a major epizootic. The ASA works
66 much like balancing a checkbook. If things don't balance, then one of two things have happened: The
67 input data is in error or the rates used in the ASA are no longer good approximations. There is no way
68 to tell which is correct within the ASA. The only way to tell is by additional observations. But one can
69 use the magnitude of the rate change as a reality check.
70

71 Something clearly big happened with the biomass bloom because the ASA had to change in major
72 ways. Throughout the entire decade of the biomass bloom, ADF&G has sided with the correctness of
73 the ever-growing egg-deposition, has dismissed the disconnect with mile-spawn, and has turned to the
74 inner rates of the ASA to balance the books. The first change came in 1998. To keep up with the
75 rapidly rising egg surveys with the apparent absence of recruitment, it sufficed to improve natural
76 survival from 64% to 85% annual survival, all age classes. This was inconsistent with the changes in
77 the real world, namely growing humpback whale population and reported declines from salmon
78 fishing. But the new value was not "impossible."
79

80 However, this fix soon ran out of gas and the ASA needed another rate change to keep up with
81 increasing egg-deposition. Since survival had no room for change, the remaining fix was to delay
82 maturity. In 2001, 93% of age-4 herring were mature; in 2002, this degree of maturation was realized
83 only by age-7 fish. This revised schedule brought the books back into balance and preserved
84 unchanged the biomass according to egg-deposition, but with a price. Beyond the fact that this revision
85 is the opposite of the change to earlier maturity in Prince William Sound, the change involves some
86 other more remarkable features. The revised maturation schedule is something never seen anywhere
87 for any herring. But the most dramatic of all is the need to have inside the ASA reverse maturation in
88 2002. For example, in 2001, the 1997 cohort had 13 million immature; in 2002 it had 51 million
89 immature. This is widely held to be impossible. The maturation change inside the ASA described
90 changes in the stock that could be measured. For example, in 2001, only 29% of the stock were
91 immature. In 2002, 61% were immature. Such large changes in a population are typically detectible.
92

93 6. Chasing consistency with egg-deposition finally ended in 2008. It had been possible to bring the
94 ASA into balance with rate changes through the increase to twice historical mean. But the result of ten
95 times historic mean in 2008 from egg-deposition was far too great. But the jump from two times to ten
96 times urges us to pay attention, tells us that there really are things "going wrong" with Sitka herring.

97
98 7. The rate changes for survival and maturity are much smaller if the mile-spawn index is used as the
99 biomass indicator instead of egg-deposition. Little or no change is needed for the maturation schedule.

100
101 8. At the same time as the biomass bloom, Sitka herring changed its spawning behavior. For the four
102 decades prior to 2002, the dominant spawning distribution was the east and northern shores of Sitka
103 Sound. Throughout that period, there were only three years in which there was a disjoint, separate
104 spawning areas on the west side, i.e., the east coast of Kruzov Island. 2002 brought the first of
105 5 years in which there were disjoint, separate spawning areas on the west side of Sitka Sound. The
106 most dramatic of this sequence was 2008. In 2008, the distribution of spawning was largely a total
107 abandonment of the historic east side spawning grounds in favor of the west side.

108
109 **How much has to "go wrong" to begin a search for the source of the problems?**

110 Each of the proposers knows most of the above. The proposals cannot speak to the problem as a
111 whole because there is no framework in the management paradigm to address it. The limitations of the
112 present paradigm are described in the testimony by Evelyn Brown.

113
114 Here we look at the seven proposals jointly to see what can be done with what we have.

115
116 **203.** The need for the revised threshold described in 203 is obvious from even a casual glance at the
117 official data for Sitka herring. Because of the non-recovery of Prince William Sound herring, there has
118 been a strong interest in the stability of herring populations for both high abundance and in low
119 abundance modes. Sitka herring have become an important resource in this inquiry. Figure 1 shows
120 clearly the high and low configurations and the clear separation between the two. It is likely an
121 oversight that the threshold for sac roe harvest was set at a value never exhibited by Sitka herring ever.
122 We can correct this in short order.

123
124 First, the basis for the threshold has to be a spawning biomass consistent with sustaining itself in the
125 higher population configuration. The smallest spawning biomass ever recorded for the higher state is
126 21.5kmt (ASA estimate) or 23.7k short tons. Clearly, from all existing data, this is at or close to the
127 "edge" of the region stability for the larger biomass state. Setting the threshold 15% higher than this
128 edge would seem to be the minimum acceptable margin of safety, that is, say, 24.5kmt or 27k short tons
129 for escapement spawning biomass. If we assume that 10% extraction is allowed at this lowest level,
130 then the threshold for fishing in terms of forecast mature biomass is 27.2kmt or **30k short tons**. See
131 Figure 2.

132
133 To address the harvest rates above threshold, we have to look more broadly. From Figure 1, if mile-
134 spawn is closer to reality than egg-deposition, in 2007 the difference between the 24.5kmt threshold
135 and escapement biomass was just 5kmt. The consequences of an error at this point are very serious.

136
137 The history of this problem parallels a major change in the sac roe fishery, the advancement of the
138 fishing schedule from entirely after first spawning used up to 1996 to before first spawning. See
139 Figure 3. In recent years, this advancement has the form of the officially stated goal of 75% of the

40 quota before spawning.

141

142 Herring harvests, whether food & bait or sac roe, have been understood to be something different than
143 other fisheries. The target is a pelagic forage fish that is a primary gateway in the trophic web between
144 zooplankton and everything above it. This special feature alone is not part of the management plan.

145 The sac roe fishery takes things a major step further because the extraction is carried out at the most
146 critical time in the entire life cycle. Unlike midwater trawling for pollock, sac roe fishing is a
147 participant in the regeneration process itself. The revised, advanced schedule for sac roe fishing has
148 been implemented with no review, no impact assessment. There is no basis to assume this change was
149 benign. Indeed, the synchrony between the change to pre-spawning fishing and the numerous "bad
150 news" outcomes above suggest just the opposite. The correspondence suggest that the schedule
151 changes begun in 1996 are strong candidates as causes for the perturbation of spawning behavior, the
152 shortfall in subsistence harvest, the lost recruitment, and for the divergence between egg-deposition and
153 mile-spawn.

154

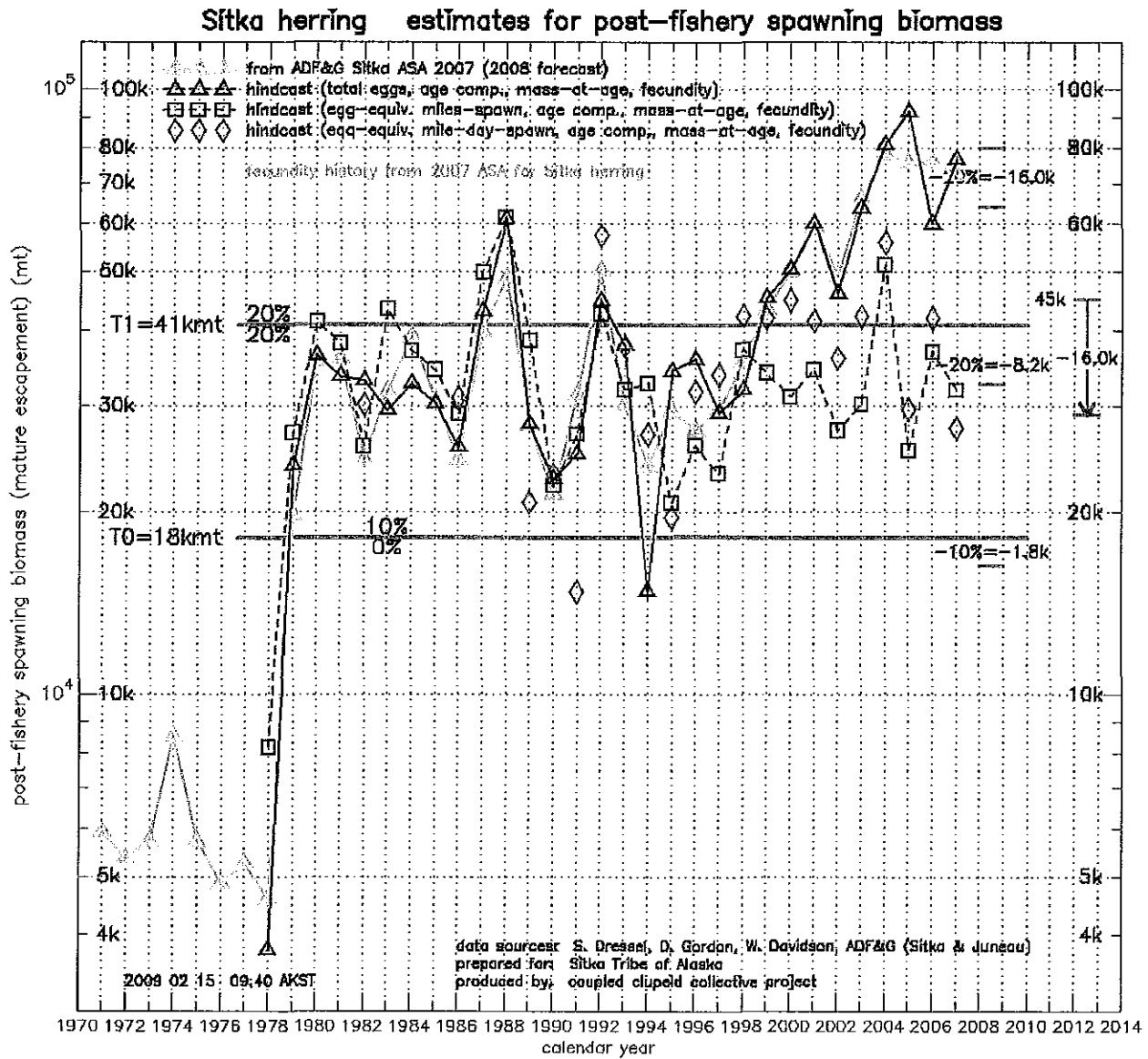
155 The need to proceed carefully and wisely is immediate. It is for this reason that one looks to proposals
156 209 and 210 as vehicles for all to join together in a plan that protects the legacy entitlement of the seine
157 fleet but not at the expense of everyone else. The permit holders have themselves been wrestling with
158 these matters and have brought proposals like these two to the board. But the situation for conservation
159 and sustainability is now much clearer and much starker. These two proposal offer a path for the near
160 term while a more structured path for the long term can be constructed.

161

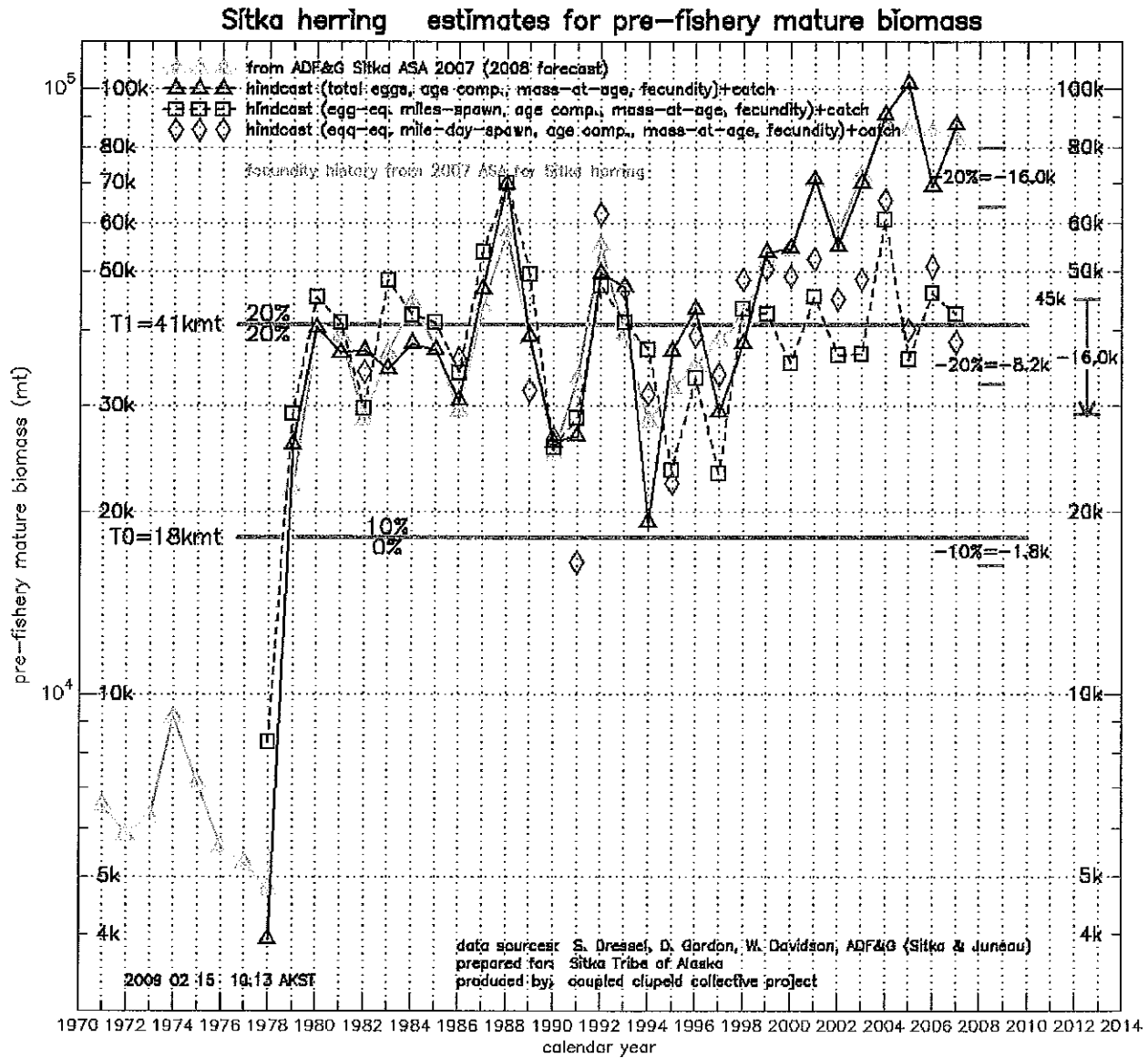
162 Vince Patrick

'63 PO Box 1991

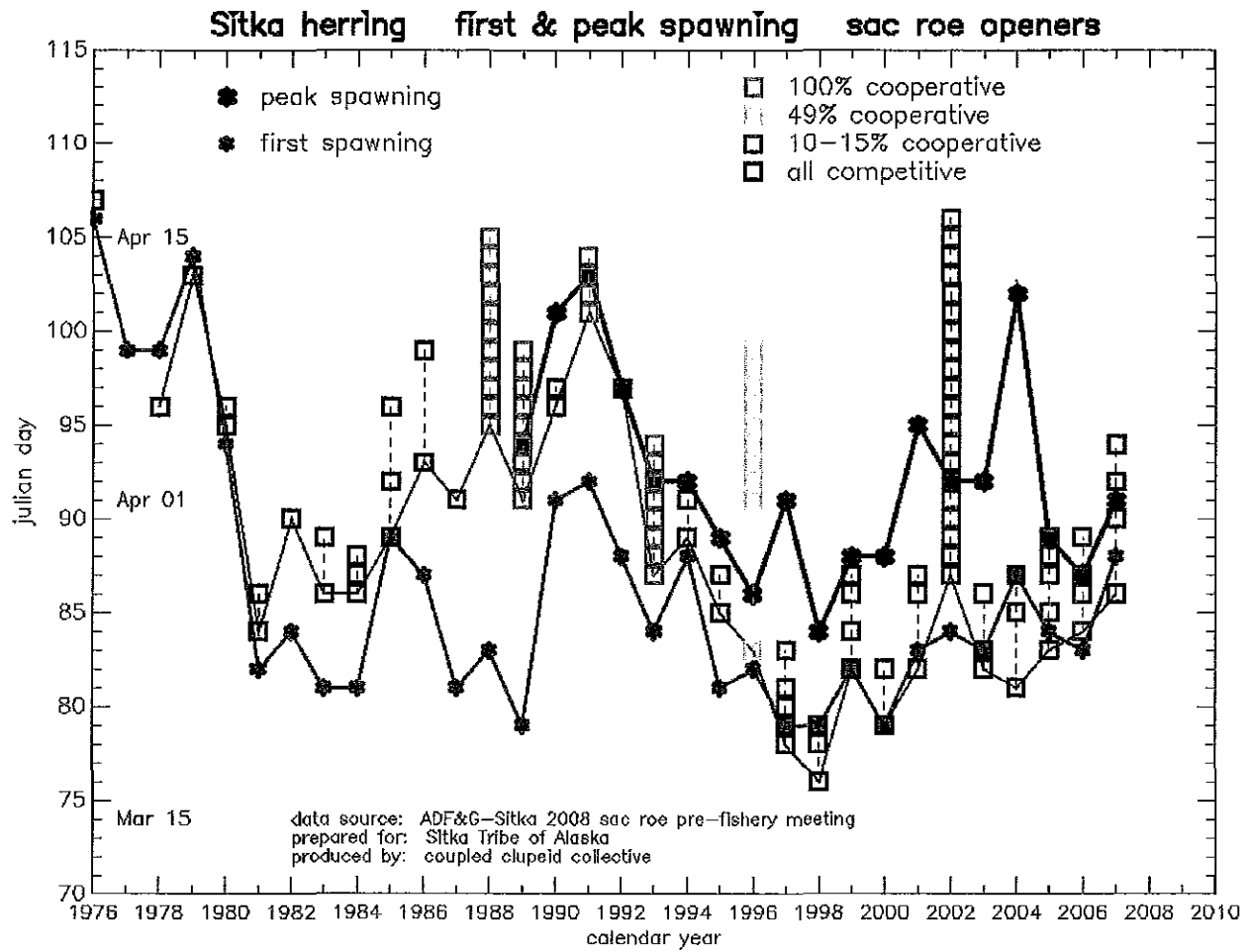
64 Cordova, Alaska 99574



162 Figure 1. Post-fishery mature spawning biomass (escapement) (metric tons) from 2007 ASA and from
 163 direct inversion from egg-deposition and from eqq-equivalent scaling of mile-spawn and mile-day-
 164 spawn using 1978 to 1999 for scaling. Data source: ADF&G 2007 ASA; 2008 Management reports;
 165 special presentation by D. Gordon to Advisory Committee, Dec 2008.



166 Figure 2. As Figure 1, but for pre-fishery biomass (metric tons).



167 Figure 3.

GREENPEACE

702 H Street, NW, Suite 300, Washington, DC 20001
Tel: 202-462-1177 • Fax: 202-462-4507
800-326-0959 • www.greenpeaceusa.org

RC54

Testimony on Proposals 203 & 234 (Regarding the Sitka Sound Herring Sac Roe Fishery)

At the Alaska Board of Fish meeting in Sitka, Alaska, February 17, 2009

Thank you for this opportunity to testify. My name is Larry Edwards, and I have been a resident of Sitka for 32 years. I am employed by Greenpeace, and am here today to speak for the organization about Proposals 203 and 234 regarding the Sitka Sound herring sac roe fishery.

Greenpeace generally avoids involvement in coastal fisheries issues, focusing instead on large-scale, open ocean ones of global importance such as high-seas drift gillnetting and factory trawlers. Our interest in the Sitka Sound sac roe fishery is therefore a special case that arises for the following reasons. Sitka Sound has the strongest remaining herring stock in the region. It is an important stock because of that status, because of the weak condition of other stocks in the region, because of the great importance of herring in the marine food web, and because of the great importance of herring as a cultural and traditional resource. At least one of the younger age classes of the Sitka Sound stock is known to be quite weak. This raises both a significant question about the health of the stock and a significant concern for the other reasons stated. We believe more conservative management of the Sitka Sound herring stock for at least the next few years would be wise, and that in the interim scientific studies should be conducted toward resolving the outstanding questions over status and management. Also, we also believe the subsistence needs documented by Sitka Tribe of Alaska need to be provided for.

Proposal 203 (Herring harvest rate of not more than 10%, and a 10,000 ton cap)

We ask the Board to adopt Proposal 203 as at least an interim measure that can be revisited in three years, changing the maximum harvest rate to 10% and placing a cap at 10,000 tons. Several concerns lead us to make that request. First, the proposal adds a factor of safety to help avoid degradation or a collapse of the stock due to unforeseen circumstances and possible incomplete understanding of the stock or imperfect modeling. Second, this more conservative management can be expected to increase the biomass of the herring stock, thereby benefiting several fisheries as well as the ecosystem itself. Third, the continual conflict and controversy over the sac roe fishery, which has gone on for decades, hopefully will be alleviated. And fourth, we believe that under the changes that Proposal 203 would bring, the sac roe fishery would continue to be a substantial economic boon to both the community of Sitka and the permit holders.

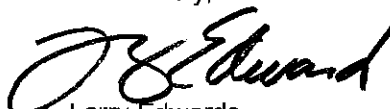
We believe 203 is a reasonable proposal that is good for the resource and will help reduce long-standing controversy in Sitka, and we ask the Board to adopt it and try it for three years.

Proposal 234 (Increasing the amount of "herring spawn necessary for subsistence" in Areas 13-A & 13-b)

We believe Proposal 234 is clearly necessary and important. Depletion of herring stocks in other traditional areas has heightened region-wide reliance on Sitka area herring spawn for customary and traditional purposes, causing the subsistence harvest rate in Sitka to increase. This needs to be accommodated. We ask the Board to adopt Proposal 234.

Thanks again for the opportunity to testify.

Sincerely,



Larry Edwards

O'Connell 2/17/05

REPORTS

15. R. N. Holdaway, C. Jacomb, *Science* 287, 2250 (2000).

16. K. J. Gaston, in *Encyclopedia of Evolution*, M. Pagel, Ed. (Oxford Univ. Press, New York, 2002), vol. 1, pp. 344–349.

7. R. N. Holdaway, in (12), pp. 189–238.

18. D. A. Roff, R. J. Roff, *Evol. Ecol. Res.* 5, 759 (2003).

19. N. P. Ashmole, N. J. Ashmole, K. E. L. Simmons, in *Seabirds on Islands: Threats, Case Studies and Action Plans*, D. N. Nettleship, J. Burger, M. Gochfeld, Eds. (BirdLife International, Cambridge, 1994), pp. 94–121.

20. I. A. E. Atkinson, in *Conservation of Island Birds: Case Studies for the Management of Threatened Island Species*, P. J. Moors, Ed. (Technical Publication No. 3, International Council for Bird Preservation, Cambridge, 1985), pp. 35–81.

21. S. L. Pimm, M. P. Moulton, L. J. Justice, in *Extinction Rates*, J. H. Lawton, R. M. May, Eds. (Oxford Univ. Press, Oxford, 1995), pp. 75–87.

22. J. M. Diamond, in *Extinctions*, M. H. Nitecki, Ed. (Chicago Univ. Press, Chicago, 1984), pp. 191–246.

23. J. M. Diamond, in (11), pp. 824–862.

24. T. M. Blackburn, P. Cassey, R. P. Duncan, *Ecography* 27, 124 (2004).

25. R. H. MacArthur, E. O. Wilson, *The Theory of Island Biogeography* (Princeton Univ. Press, Princeton, 1967).

26. Materials and methods are available as supporting material on Science Online.

27. T. J. Case, *Biol. Conserv.* 78, 69 (1996).

28. I. A. E. Atkinson, T. J. Atkinson, in *Invasive Species in the Pacific: A Technical Review and Draft Regional Strategy*, G. Sherley, Ed. (South Pacific Regional Environment Programme, Apia, Samoa, 2000), pp. 19–84.

29. D. Tilman, C. L. Lehman, K. T. Thomson, *Proc. Natl. Acad. Sci. U.S.A.* 94, 1857 (1997).

30. BirdLife International, *Threatened Birds of the World* (Lynx Edicions and BirdLife International, Barcelona and Cambridge, 2000).

31. A. Balmford, *Trends Ecol. Evol.* 11, 193 (1996).

32. R. C. Littell, G. A. Milliken, W. W. Stroup, R. D. Wolfinger, *SAS System for Mixed Models* (SAS Institute Inc., Cary, NC, 1996).

33. K. P. Burnham, D. R. Anderson, *Wildl. Res.* 28, 111 (2001).

34. We thank D. P. Armstrong, L. Birch, R. L. Boulton, J. G. Ewen, and G. R. and K. B. Cassey. Supported by the Leverhulme Trust (grant no. F/00094/AA), a British Ecological Society small ecological project grant (no. 2264), and Foundation for Research, Science & Technology contract no. C09X0004.

Supporting Online Material
www.sciencemag.org/cgi/content/full/305/5692/1955/DC1
 Materials and Methods
 Table S1
 References and Notes

17 June 2004; accepted 12 August 2004

The Impact of United States Recreational Fisheries on Marine Fish Populations

Felicia C. Coleman,^{1*} Will F. Figueira,^{2†} Jeffrey S. Ueland,^{3‡} Larry B. Crowder²

We evaluated the commercial and recreational fishery landings over the past 22 years, first at the national level, then for populations of concern (those that are overfished or experiencing overfishing), and finally by region. Recreational landings in 2002 account for 4% of total marine fish landed in the United States. With large industrial fisheries excluded (e.g., menhaden and pollock), the recreational component rises to 10%. Among populations of concern, recreational landings in 2002 account for 23% of the total nationwide, rising to 38% in the South Atlantic and 64% in the Gulf of Mexico. Moreover, it affects many of the most-valued overfished species—including red drum, bocaccio, and red snapper—all of which are taken primarily in the recreational fishery.

Many of the ecological and political problems associated with fishing in U.S. waters historically have been attributed to foreign fishers (1, 2). This perspective led to the passage of the Magnuson Act nearly 30 years ago to eliminate foreign competition, which set in motion a wave of expansion for U.S. commercial fishing fleets. By 1996, it was clear that removing the foreign fleets had not resulted in sufficient conservation (3), and amendments to the Magnuson Act more

strongly emphasized reducing the fishing pressure of domestic fleets.

In the years following the amendment, the public focused on stock depletion, bycatch, and habitat damage caused by commercial fisheries (4, 5) but paid little attention to the recreational sector. The perception that recreational fishing had little influence on stock declines derived from estimates that it contributed only 2% to U.S. landings (6). However, marine recreational fishing effort has increased by over 20% in the past 20 years (7), rivaling commercial fisheries for many major fish stocks, including summer flounder (*Paralichthys dentatus*), scup (*Stenotomus chrysops*), and red snapper (*Lutjanus campechanus*) (8).

We examined data from the National Marine Fisheries Service (NMFS) online databases (9), because we assumed that these readily accessible data sets were used to produce the existing estimates of recreational landings. Using these data, we produced a similar estimate. However, substantial inconsistencies in the online databases cloud the relevance of the number, such as the in-

clusion of commercially caught freshwater species and the exclusion of recreational data sets, such as data from the southeastern headboat sector (table S1).

We developed a comprehensive landings database (10) with data provided by the Marine Recreational Fisheries Statistics Survey (MRFSS), NMFS science centers and fishery management councils (FMCs), multistate marine fisheries commissions, and state natural resource agencies (table S2). We included landings data only and did not include fish discarded at sea either as regulatory discards (for commercial and recreational fisheries) or as a result of catch-and-release (exclusively a recreational fishing practice). After standardizing the data to allow for reasonable comparisons of these diverse data sets (tables S1 to S3), we assimilated a 22-year (1981 to 2002) time series of commercial and recreational landings.

We conducted analyses for the continental United States at national and regional levels, the latter based on the management jurisdictions of the following FMCs: Northeast (combining Northeast and Mid-Atlantic FMCs, Maine through Virginia), South Atlantic (11) (North Carolina through the east coast of Florida), Gulf of Mexico (the west coast of Florida through Texas), and Pacific (Washington through California, including Alaska only in the nationwide comparisons).

The nationwide analyses included three successively smaller groups of species: all federally managed marine fish; all marine fish, excluding walleye pollock (*Theragra chalcogramma*, used to produce frozen fish products) and menhaden (*Brevoortia tyrannus* and *Brevoortia patronus*, used almost exclusively to produce fish meal); and all “populations of concern” [i.e., those populations listed by NMFS (12) as either overfished or experiencing overfishing]. Menhaden and pollock were excluded because they have little or no recreational value and they are not considered overfished (12), although they comprise more than half of all U.S. fisheries landings: pollock landings approximate 1.8 million metric tons

¹Department of Biological Science, Florida State University, Tallahassee, FL 32306–1100, USA. ²Nicholas School of the Environment and Earth Sciences, Duke University, 135 Duke Marine Lab Road, Beaufort, NC 28516–9721, USA. ³Department of Geography, Florida State University, Tallahassee, FL 32306–2190, USA.

*To whom correspondence should be addressed. E-mail: coleman@bio.fsu.edu

[†]Present address: Department of Environmental Sciences, University of Technology Sydney, Westmead Street, Gore Hill, NSW 2065, Australia.

[‡]Present address: Department of Geography, Clipping Lab 122, Ohio University, Athens, OH 45701, USA.

(4 billion pounds) annually, and menhaden landings approximate 0.454 million metric tons (1 billion pounds). The regional analyses focused only on the populations of concern.

Our database indicates that the percentage of all U.S. landings of marine finfish attributable to recreational fishing in 2002 is actually about 4%, averaging 5% over 22 years (Fig. 1A). Excluding pollock and menhaden raises the recreational contribution to 10% of the total landings in 2002 (Fig. 1A), and focusing on the most relevant populations—the populations of concern—raises it to 23% (Fig. 1B). The regional differences in landings of populations of concern are pronounced (Fig. 1, C to F). In the Gulf of Mexico, 64% are taken recreationally (Fig. 1C); in the South Atlantic, 38% (Fig. 1D); along the Pacific Coast, 59% (averaging 14% over 22 years) (Fig. 1E); and in the Northeast, 12% (Fig. 1F) (13).

Current management of recreational fisheries focuses on controlling the landings of individual fishermen without restricting the number of individuals allowed to fish. In this

open access scenario, control is limited to bag limits and size limits, which increases regulatory discards, thereby increasing fishing mortality (14–20) and sublethal effects on growth and reproduction (21–24). Increased fishing mortality also occurs with nonregulatory discards caused by high grading (wherein fishermen limited by quotas or bag limits discard small, less-valued fish to replace them with larger, more-valued fish) and catch-and-release in recreational fisheries. Discards are not included in this analysis, so these results underestimate likely impacts. Current regulatory methods have done little to constrain recreational fisheries, and for some major fish populations, recreational landings in the United States outstrip commercial landings, notably for red drum (*Sciaenops ocellatus*) in the South Atlantic (93% recreational), bocaccio (*Sebastes paucispinus*) on the Pacific Coast (87%), and red snapper (*Lutjanus campechanus*) in the Gulf of Mexico (59%).

Commercial and recreational fishing have similar demographic and ecological effects on

fished populations. They truncate size and age structures, reduce biomass, and alter community composition (25–31). Whereas commercial fisheries fish intensely on both lower levels (e.g., menhaden and anchovies) and upper levels (top-level predators) of the food web, the recreational sector concentrates on the latter. All these fishery removals can cause cascading trophic effects that alter the structure, function, and productivity of marine ecosystems (1, 32–37). Where recreational fishery landings rival those of commercial fisheries for major stocks of concern, sometimes even replacing them, they can have equally serious ecological and economic consequences on fished populations. If the goal of fishery management is to sustain viable populations and ecosystems, then recreational as well as commercial fishing requires effective regulations.

References and Notes

1. R. A. Myers, B. Worm, *Nature* 423, 280 (2003).
2. D. Pauly, V. Christensen, J. Dalsgaard, R. Froese, F. Torres, *Science* 279, 860 (1998).
3. NMFS, "Our living oceans" NOAA Tech. Memorandum NMFS-F/SPO-19 (1996).
4. S. F. Thrush, P. K. Dayton, *Annu. Rev. Ecol. Syst.* 33, 449 (2002).
5. National Research Council, *Effects of Trawling and Dredging on Seafloor Habitat*, N. R. Council, Ed. (National Academy Press, Washington, DC, 2002).
6. National Research Council, *Sustaining Marine Fisheries*, N. R. Council, Ed. (National Academy Press, Washington, DC, 2002).
7. J. Sutinen, R. J. Johnston, *Mar. Policy* 27, 471 (2003).
8. NMFS defines major stocks as those having annual landings >200,000 pounds (90,909 kg).
9. The database for commercial landings is available at www.st.nmfs.gov/st1/commercial/; the database for recreational landings is available at www.st.nmfs.gov/st1/recreational/queries/index.html. Note NMFS disclaimers on these sites.
10. Materials and methods are available as supporting material on Science Online.
11. The South Atlantic refers to the Atlantic off the southeastern United States.
12. NMFS, "Annual report to Congress on the status of U.S. fisheries, 2003" (U.S. Department of Commerce, NOAA/NMFS, Silver Spring, MD, 2004).
13. Although NMFS listed Pacific hake (*Merluccius productus*) as overfished in 2003 (12), they reversed the designation in March 2004. Thus, we excluded this species from the populations of concern. Pacific hake is an industrial fishery comprising 25% of the Pacific Coast landings. It has virtually no recreational value.
14. M. R. Collins, J. C. McGovern, G. R. Sedberry, H. S. Meister, R. Perdieck, *N. Am. J. Fish. Manage.* 19, 828 (1999).
15. M. I. Muoneke, W. M. Childress, *Rev. Fish. Sci.* 2, 123 (1994).
16. G. R. Gitschlag, M. L. Renaud, *N. Am. J. Fish. Manage.* 14, 131 (1994).
17. D. V. Guccione, *Technical Report No. 98-FEG-02* (Fisheries Grant Project, Raleigh, NC, 1999).
18. M. H. Malchoff, *Technical Report No. NA36FD0102* (U.S. Department of Commerce, NOAA/NMFS, Gloucester, MA, 1995).
19. J. C. McGovern, M. R. Collins, O. Pashuk, H. S. Meister, *N. Am. J. Fish. Manage.* 22, 1151 (2002).
20. R. R. Wilson, K. M. Burns, *Bull. Mar. Sci.* 58, 234 (1996).
21. N. W. Pankhurst, D. F. Sharples, *Aust. J. Mar. Freshw. Res.* 43, 345 (1992).
22. S. P. Quinn, *N. Am. J. Fish. Manage.* 9, 86 (1989).
23. R. G. Taylor, J. A. Whittington, D. E. Haymans, *N. Am. J. Fish. Manage.* 21, 70 (2001).
24. D. F. Clapp, R. D. Clark, *N. Am. J. Fish. Manage.* 9, 81 (1989).
25. M. Westera, P. Lavery, G. Hyndes, *J. Exp. Mar. Biol. Ecol.* 294, 145 (2003).

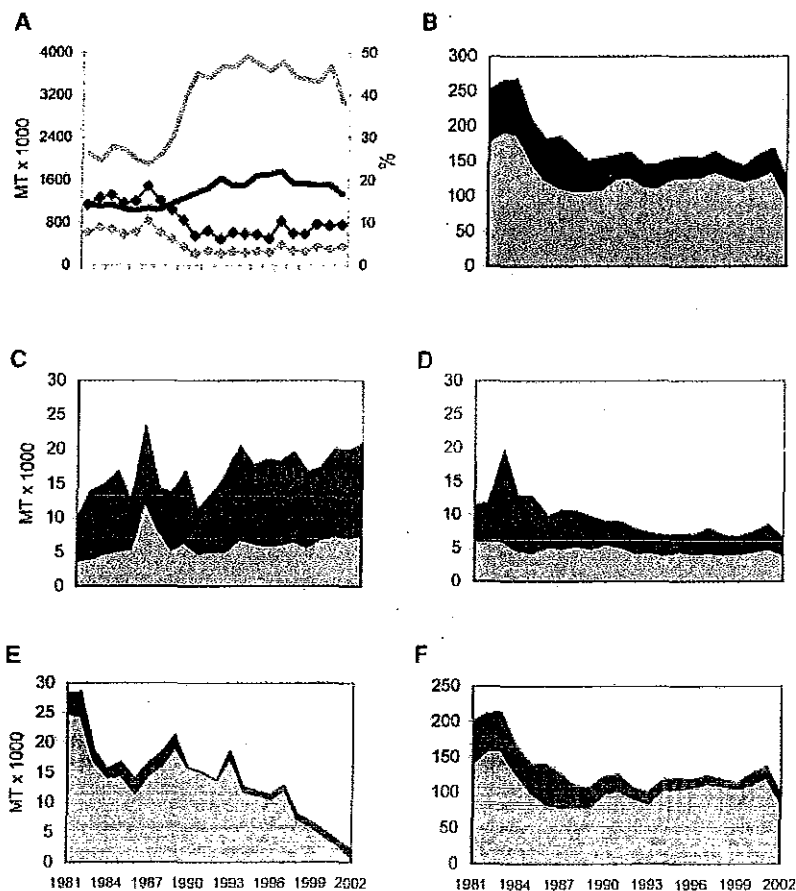


Fig. 1. Time series of marine fisheries landings from the continental United States in metric tons (MT) × 1000. (A) Total combined commercial and recreational landings (left y axis, solid lines) with recreational percentage of the total (right y axis, diamonds). The total, including all species, is shown in gray and the total, excluding menhaden and pollock, is in black. (B to F) Total (cumulative) landings of populations of concern separated into commercial (gray) and recreational (black) components for (B) all regions combined, (C) Gulf of Mexico, (D) South Atlantic, (E) Pacific Coast (excluding Alaska), and (F) Northeast. On the Pacific Coast, no complete sets of recreational data were collected for the years 1990 to 1992 from any of the federal or state organizations that maintain these databases.

REPORTS

26. D. M. Schroeder, M. S. Love, *Calif. Coop. Oceanic Fish. Invest. Rep.* 43, 182 (2002).
27. C. D. Buxton, J. R. Clarke, *S. Afr. J. Mar. Sci.* 10, 285 (1991).
28. B. A. Bennett, *S. Afr. J. Mar. Sci.* 13, 1 (1993).
29. R. D. Sluka, K. M. Sullivan, *Fish. Bull.* 96, 388 (1998).
30. J. Y. Jouvenel, D. A. Pollard, *Aquat. Conserv. Mar. Freshw. Ecosyst.* 11, 1 (2001).
31. G. C. Young, B. S. Wise, S. G. Ayvazian, *Mar. Freshw. Res.* 50, 633 (1999).
32. J. B. C. Jackson *et al.*, *Science* 293, 629 (2001).
33. D. Pauly, *Trends Ecol. Evol.* 10, 430 (1995).
34. P. M. Vitousek, H. A. Mooney, J. Lubchenco, J. M. Melillo, *Science* 277, 494 (1997).
35. L. W. Botsford, J. C. Castilla, C. H. Peterson, *Science* 277, 509 (1997).
36. D. Pauly, J. Maclean, *In a Perfect Ocean* (Island Press, Washington, DC, 2002).
37. A. M. Friedlander, E. E. DeMartini, *Mar. Ecol. Prog. Ser.* 230, 253 (2002).
38. We thank the following for providing assistance: D. Van Voorhees, L. Donniger-Few (MRFSS, Silver Spring, MD); J. MacClellan (Alaska Fish and Game); T. Kerns (Atlantic States Marine Fisheries Commission); G. Kobyinski, J. Robertson, J. Paulo Serpa (California Department of Fish and Game); S. Atran (Gulf of Mexico FMC); D. Donaldson, R. Lukens (Gulf States Marine Fisheries Commission); C. Evans, B. Dixon, D. Vaughan (NMFS, Beaufort); J. Poffenberger (NMFS, Miami); M. Fogarty, S. Murawski (NMFS, Woods Hole); J. Palmer (NOAA and Northeast Fisheries Science Center); L. Paramore (North Carolina Division of Marine Fisheries); J. O'Leary (New England FMC); J. Seabourne (Oregon Department of Fish and Wildlife); W. Daspt (Pacific Fisheries Information Network); W. Van Buskirk (Recreational Fisheries Information Network); K. Iverson (South Atlantic FMC); J. Bennett; P. Phares (NOAA Southeast Fisheries Science Center); M. Fisher, V. Swan (Texas Parks and Wildlife); D. Gombert, L.

Hoines, G. Lippert, M. Stanley (Washington Department of Fish and Wildlife); and J. O'Driscoll and J. McMillon (Florida State University). R. Myers (Dalhousie University), R. Hilborn (University of Washington), and three anonymous reviewers who provided comments on the manuscript. This study was supported by The Pew Charitable Trusts.

Supporting Online Material

www.sciencemag.org/cgi/content/full/1100397/DC1

Materials and Methods

Tables S1 to S3

References and Notes

17 May 2004; accepted 9 August 2004

Published online 26 August 2004;

10.1126/science.1100397

Include this information when citing this paper.

Amazonian Ecology: Tributaries Enhance the Diversity of Electric Fishes

Cristina Cox Fernandes,^{1,2*} Jeffrey Podos,¹ John G. Lundberg³

Neotropical rivers support a diverse array of endemic taxa, including electric fishes of the order Gymnotiformes. A comprehensive survey of the main channels of the Amazon River and its major tributaries (>2000-kilometer transect) yielded 43 electric fish species. Biogeographical analyses suggest that local mainstem electric fish diversity is enhanced by tributaries. Mainstem species richness tends to increase downstream of tributary confluences, and species composition is most similar between tributaries and adjacent downstream mainstem locations. These findings support a "nodal" or heterogeneous model of riverine community organization across a particularly extensive and diverse geographical region.

Biogeographers since Alfred Russel Wallace (1) have observed that the distribution of many terrestrial plant and animal species concords with the geography of major river systems. In the Amazon basin, for example, river and tributary channels appear to limit the ranges of taxa such as primates and lowland-forest birds [(2, 3) but see (4)]. Similarly, divides between river basins can circumscribe the distribution of aquatic taxa such as freshwater fishes (5). Less clear, especially for large river systems such as the lowland Amazon, is the relationship between the structure of rivers [including channel geometry, network configuration, and geomorphology (6, 7)] and the distribution of aquatic species.

Previous studies of fishes in temperate

regions have suggested that local species diversity along main river channels is relatively high at tributary confluences (8, 9). Tributaries might enrich mainstem fish diversity by providing access to the mainstem for migrating fishes, offering refugia for early life stages of mainstem species, or enhancing local ecological heterogeneity and thus augmenting local niche diversity (6, 10). The potential impact of tributaries on fish distribution and diversity, however, has never been tested on as broad a spatial scale as that of the Amazon River basin.

Here, we report on the diversity and distribution of electric fishes (Teleostei, Gymnotiformes) along the Amazon mainstem and its major tributaries. Electric fishes are a distinctive and moderately diverse clade endemic to the freshwaters of South and Central America (11–13). These fishes are best known for their electroreceptive sense and production of electric fields for near-field orientation and electrocommunication (14). Recent taxonomic studies of these fishes have revealed an impressive degree of diversity, with 46 new species described within the past quarter century (15). In 1992, two of us

(C.C.F. and J.G.L.) initiated the "Calhamazon Project," designed to document the fish fauna of the principal river channels of the Brazilian Amazon. Our field operations produced large samples of fishes trawl-netted in the deep main channels along >2,000 km of the Brazilian Solimões-Amazon mainstem, and in the lower reaches of major tributaries from the Içá River downstream to the Tocantins River (Fig. 1) (16). From these collections, we have recently described two new species of a new genus (17), identified 11 additional undescribed species, and resolved taxonomic errors caused by pronounced sexual dimorphism (18, 19). These efforts set the stage for the present analysis of species diversity and distribution.

We focus here on three questions: (i) How many species of electric fishes are there in the mainstem channels of the Brazilian Amazon River and its major tributaries? (ii) What is the contribution, if any, of major tributaries to electric fish species diversity in the Amazon mainstem channels? (iii) How do patterns of electric fish diversity vary along the extent of the Amazon River?

Based on morphological criteria, we identify in our collections 43 electric fish species: 29 *Apteronotidae*, 8 *Sternopygidae*, 5 *Rhamphichthyidae*, and 1 *Hypopomidae* (table S1). The cumulative number of species collected, plotted as a function of the number of individuals sampled [in which sample order was randomized with the use of EstimateS (20)], yields a curve that is asymptotic (Fig. 2). Thus, our survey of channel species was arguably complete within the limits of our sampling method, and an accurate estimate of species richness was reached after about 16,000 individuals were captured. We do not imply that there are no additional electric fish species in the Amazon; other species are certainly present in microhabitats that were not sampled with our deep-water gear and possibly present in substrate depressions, among the branches of submerged trees, or in shallows near islands or the riverbank.

¹Department of Biology and Graduate Program in Organismic and Evolutionary Biology, University of Massachusetts, Amherst, MA 01003, USA. ²Instituto Nacional de Pesquisas da Amazônia, Alameda Cosmeira, 1756 Caixa Postal 478, CEP 69083, Manaus, Brazil. ³Department of Ichthyology, The Academy of Natural Sciences, Philadelphia, PA 19103, USA.

*To whom correspondence should be addressed. E-mail: cristina@bio.umass.edu

2156

Kevin Kristovich
Box 6343
Sitka, Ak, 99835
e-mail:haidaboy1@yahoo.com

State of Alaska
Division of boards support

Chairman Jensen and Board Members,

My name is Kevin Kristovich. I am here before you today to testify in regards to herring proposals 199, 203, 204, 209, 234 and 235.

Proposal, # 209 is one of great importance. The commercial sac roe fishery in Sitka sound has evolved from a gentlemen's fishery to a feeding frenzy for lawsuits due to the Department of Fish and Game conducting "Olympic style" openings which has caused damaged nets, vessel collisions and the risk of possible loss of life. This proposal was brought before the Board during the last southeast cycle in Ketchikan and failed.

Just recently in the Sitka paper, there was an article about a vessel insurance pool suing a vessel owner for a collision during an opening last year. How can one exercise the rules of the road when many vessels are crammed into an area where normal, safe fishing cannot be conducted? I myself have been involved as a defendant in a lawsuit in this fishery and found it to be ridiculous that we, as fishermen could be sued by other fishermen for damaged gear when neither parties benefited financially. It has come down to where the vessels participating in this chaotic style of fishing will need a video crew and a lawyer onboard their vessels to protect themselves from potential suits if problems do indeed occur.

If this proposal # 209 could pass, better quality sac roe herring could be harvested. The fishermen would have less test setting, Proposal # 204 would come into play as test hauls with roe quality of 10% maturity or greater would be applied to the GHL. There would be less harassment of herring schools. Tenders would still be needed to pump fish from vessel's nets and transport product to processing plants in other outlying communities, as there is not enough processing or holding capacity here in Sitka to handle most of the quota caught during openings, which in turn causes the fleet to stand down from fishing while the processors catch up. This could cause the remaining quota to be lost if a major spawn occurs.

I ask the Board, as many other permit holders and fishermen have in the past asked for support in passing this proposal. I am also asking the Board to take action on the following proposals: 199, no action; 203, no support; 234, ~~support~~ 235, oppose.

I thank you for you time.

No Action

Kevin Kristovich



**ALASKA DEPARTMENT
OF
FISH AND GAME**

DIVISION OF SPORT FISH

MEMORANDUM

TO: Alaska Board of Fisheries

DATE: December 29, 2008

THRU: Jim Marcotte
Division of Boards

FILE: /KSMP_PST15pctEffect.doc

FROM: Brian Frenette
SEAK Regional Supervisor

TELEPHONE: 465-8590

SUBJECT: 15% PST Reduction &
Effect on the SEAK Sport Fishery
under the King Salmon Management
Plan

Southeast Alaska King Salmon Management Plan—Executive Summary

The Southeast Alaska (SEAK) King Salmon Management Plan (5 AAC 47.055) was adopted by the Alaska Board of Fisheries (BOF) in 1992, and subsequently modified by the BOF in 1994, 1997, 2000, 2003 and 2006. The plan establishes four key objectives. Those objectives state that the sport fishery will be managed by the Department to accomplish the following:

- (1) manage the sport fishery to attain an average harvest of 20% of the annual harvest ceiling specified by the PSC, after subtraction of the allocation specified in 5 AAC 29.060;
- (2) allow uninterrupted sport fishing in salt water for king salmon while not exceeding the sport harvest ceiling;
- (3) minimize regulatory restrictions on resident anglers; and
- (4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

The SEAK King Salmon Management Plan has seen numerous changes since inception in 1992, and changes over the past ten years (1999-2008) have continually worked toward keeping sport harvests within the 20% allocation. In 2002, the BOF established and charged a task force to work toward developing a suite of 'tools' within the context of the Plan that would keep the sport fishery within their allocation given growing concerns of increasing non-resident angler participation in the SEAK sport fishery, and to address an apparent pattern of consistent overages of the allocation. The task force worked diligently for over a year to come to consensus on a set of management measures within the context of the Plan for presentation to the BOF. The BOF adopted these measures in 2003.

A new agreement on fishery arrangements under the Pacific Salmon Treaty was reached between the U.S. and Canada in May 2008. One of the key elements to reaching that agreement was a 15% reduction in allowable catch of king salmon in SEAK. This reduction could have significant implications for management of the sport fishery; especially at lower levels of abundance.

Current Plan Background

Since the ratification of the Pacific Salmon Treaty (PST) in 1985, Southeast Alaska (SEAK) has been allowed a specific number of "treaty" king salmon for harvest (king salmon from Alaska hatchery facilities are not counted as treaty fish). The harvest quota allocated to SEAK varies annually, and is solely dependant upon the preseason abundance index (AI) generated by a complex statistical model based on biological information collected on numerous Pacific Coast king salmon stocks.

The king salmon harvest quota for SEAK fisheries under terms of the PST is allocated domestically by the Alaska Board of Fisheries (BOF) under 5 AAC 29.060 as follows:

Purse seine fishery; 4.3 % of the annual harvest ceiling (quota);

Drift gillnet fishery; 2.9% of the annual harvest ceiling (quota); and

Set gillnet fishery; 1,000 fish.

The remainder are allocated to the commercial troll and sport fisheries under 5 ACC 29.069 as follows:

Troll; 80%;

Sport: 20%.

The SEAK sport fishery is further managed by the King Salmon Management Plan (Plan) established in 1992 (5 AAC 47.055). The Plan has been modified by the BOF on a number of occasions since inception, and the most current version was adopted in 2006. The Plan specifically directs the Department to:

- (1) manage the sport fishery to attain an average harvest of 20% of the annual harvest ceiling specified by the PSC, after subtraction of the allocation specified in 5 AAC 29.060;
- (2) allow uninterrupted sport fishing in salt water for king salmon while not exceeding the sport harvest ceiling;
- (3) minimize regulatory restrictions on resident anglers; and
- (4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

In order to meet these objectives, the Plan lists specific management measures that may be applied to the sport fishery at specified ranges of abundance, and directs the Department to establish specific region-wide regulations that will either liberalize or restrict harvest. The plan triggers management action based on the preseason Abundance Index (AI), a value generated by the Chinook Technical Committee under the PST, from which a specific harvest level for the SEAK commercial and sport fisheries is derived. Depending on the level of the preseason AI, regulations could include implementing measures such as: bag limits for resident and non-resident anglers; annual limits for non-resident anglers; minimum size limits; and periods of non-retention. A current objective of the Plan is to ensure regulatory stability of the sport fishery once the season has commenced.

There are seven AI ranges in the current Plan that have specific, corresponding management 'actions' for use in keeping the sport fishery within the directed allocation. Those seven AI ranges equate to harvest ranges in numbers of king salmon allowed to be taken by the sport fishery.

Historical Performance of the Sport Fishery

Based on the preseason AI under the 1999 PST (and resulting allocation to the sport fishery under 5 AAC 29.060), sport angler harvest averaged 17.4% during 2003 to 2007, the period in which the current management plan has been in place. Due to the extremely low preseason AI in 2008 (1.07), severe management measures were implemented consistent with the existing Plan, and Emergency Regulations adopted by the BOF in April, 2008. Preliminary estimates show that these actions had the effect of keeping the sport harvest below the 20% allocation (16.4%) by nearly 6,000 fish.

2009 PST Agreement Effect in SEAK Fisheries

In May 2008, the Pacific Salmon Commission reached agreement to renew various fishery arrangements under the PST for the next ten years (2009-2018). One significant change is the reduction of 30% and 15% respectively in existing allowable catch levels of king salmon in the fisheries off the coasts of British Columbia and SEAK. This 15% reduction of the SEAK harvest will have an impact on both the commercial and the sport fisheries, especially in years of low abundance like that observed in 2008. The Plan triggers management actions for the sport fishery that will limit harvest to the level allowed at a specified AI. Since the new PST agreement reduces harvest at any given AI by 15%, it raises a question of whether the management actions as currently specified in the Plan are necessary or sufficient to meet the Plan's objectives.

Upcoming Board of Fish Meeting (February 2009)

The BOF received five proposals for consideration at the February 2009 meeting that, if adopted, would modify management of the king salmon sport fishery under the Plan. This is in sharp contrast to the previous Southeast BOF meeting (2006) when 23 proposals were submitted asking for changes to the Plan. Four of the five proposals up for consideration in 2009 seek to modify the existing management measures; the remaining proposal requests an allocation within the sport fishery between guided and non-guided anglers.

The 15% reduction to the allowable catch of king salmon is not addressed in any of the proposals received which is likely due to the timing associated with reaching the new PST vs. the deadline for submitting proposals for the 2009 BOF meeting.

Distribution:	C. Swanton (HQ-SFD)	J. Hilsinger (HQ-CFD)
	R. Bentz (HQ-SFD)	S. Aspelund (HQ-CFD)
	D. Bedford (CO)	G. Williams (CO)
		S. Kelley (SEAK Reg.-CFD)
	B. Chadwick (SEAK Reg.-SFD)	B. Davidson (SEAK Reg.-CFD)

NO RC58

THROUGH

RC 64

RC65

To: Alaska Board of Fisheries

17 February 2009

From: Eric T. Van Cise – F/V New Hope – Power Troll
403 Verstovia Ave.
Sitka, AK 99835 (907) 738-6002

Re: Support for BOF Proposals 286, 287 & 288.

Dear Alaska Board of Fisheries members,

First off, thank you for your time and efforts in working with the various concerned user groups and the many proposals before you today.

My name is Eric Van Cise, I reside here in Sitka, I am the owner/operator of the fishing vessel New Hope participating in the Power Troll fisheries. I am here to voice my support for Proposals 286, 287 and 288.

My near half century of life has been one directly tied to the sea for both my income and recreation. Our family maritime heritage dates back centuries, much of this related to harvesting the fisheries resources of which today are in jeopardy.

An area of biggest concern to me is the unchecked growth of the guided sport sector. I am a strong supporter of individuals who desire to make a living from the sea, however I feel all of us who profit from the bounty must be held accountable for what we are allocated and what we actually take.

Currently there exists too many loopholes that allow for some, not all, guided sports operators or companies to exceed their daily possession limits. Many operations fillet, freeze and vacuum seal their clients fish in such a way that it is impossible to know if they have been in compliance with existing laws. Our slip located here in Crescent Harbor is right in the heart of the guided sport fleet. As I watch tote after tote loaded onto flatbeds, day after day, many without any official oversight or accountability, I wonder just how much this sector is staying within their harvest limits.

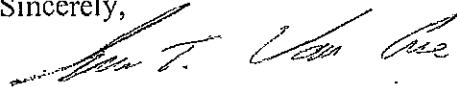
This summer my youngest son, who is 8 years old, and I unloaded our troll caught fish at Sitka Sound Seafoods. He witnessed how are fish were counted, weighed and inspected and he proudly carried our paper work back to our boat. At the harbor he watched as load after load of fish were hauled up the ramp, this was just one day in one summer in one town, in one harbor. What I remember most was him looking at me and asking in a sincere voice "Dad? Are there gonna be any fish left for me to catch when I get my boat?" I don't break easy, but I nearly did when I looked at how earnest he was in his request.

As members of the Board of Fisheries, you represent the gear groups who harvest the bounty of the sea. What I ask of you is to please put the resource first, based on science, not politics, so that others, like my son may get a chance to do the things I have done. The guided sport industry extracts a fish resource for a profit, that is perfectly clear. There fore I ask that this industry be brought under the umbrella of a commercial fisheries. To further this I would strongly support limited entry to assure the resource is able to handle the number of extractors. I understand these topics are not being directly addressed at this time, however I do ask that you be receptive to input on this in the future.

My efforts are not one of exclusion. I know a few of the local guided sport operators here in Sitka and can say without hesitation they are concerned and conscientious in their operations, but there are drastically the minority. There has been a profound shift from science based decisions being made to ones being made due to politics. Top gun lawyers, lobbyists and politicians alike are driving our fisheries resource decisions more and more. One can complain and be vocal to lost number of clients, loss of revenue etc. it is all a moot point if there is no resource. I ask for the board to approve measures that increase accountability and scrutiny of the guided sport fisheries just as it exists right now for those of us holding a commercial card. These issues are tearing our communities apart, pitting neighbor against neighbor. We can do better and we must do better, for too long the commercial sector has bore the brunt of these inequities.

Thank you for your time,

Sincerely,



Eric T. Van Cise – Owner/operator F/V New Hope – Sitka, AK – Power Troll

RC66

Federal Subsistence Management Program response to the Alaska Department of Fish and Game (ADF&G) Regional Information Report No. RJR-1J-08-24

(ADF&G comments on Proposal 290 before the Alaska Board of Fisheries during February 17-26, 2009 in Sitka, Alaska)

Proposal 290

We have concerns with a number of the Alaska Department of Fish and Game's (ADF&G) comments on this proposal as the comments relate to the Federal Subsistence Management Program (FSMP). Our most significant concerns are with the following statements:

- 1) *Compliance with federal permit requirements is believed to be poor.*
- 2) *A recent ADF&G study identifies problems with the federal permit system that indicates significant lack of compliance in acquiring permits and underreporting of harvest.*
- 3) *These federal subsistence regulations may meet subsistence priority required under federal law, but do not ensure sustainability of steelhead populations.*
- 4) *ADF&G staff have repeatedly tried to engage federal staff to address conservation issues that may occur due to federal management of the subsistence steelhead fisheries in Southeast Alaska, but have had limited success.*
- 5) *Written and verbal comments submitted by the state identifying potential conservation issues with liberalized federal subsistence fisheries were generally dismissed by the Federal Subsistence Board.*

Regarding 1 and 2 above – Federal Permit compliance and reporting for the three Southeast Alaska Federal subsistence steelhead fisheries is at or near 100% (US Forest Service 2008).

The ADF&G study mentioned in 2 above was not cited. The FSMP believes a proper citation is needed so the public and others can read the source material and reach their own conclusions about the merits of the study. We believe the study referenced in 2 above is "*Prince of Wales Island Subsistence Steelhead Harvest and Use Pattern*" by Michael Turek (ADF&G Technical Paper 293, June 2005), and request it be cited. A copy of the "Turek report" should be available for review at this meeting. This study used key respondent interviews to document the subsistence use and harvest of steelhead, methods and means of that harvest, and contemporary harvest patterns.

The State continues to imply that individuals taking steelhead without obtaining a Federal subsistence permit are Federal subsistence users that are not complying with permit requirements. The fact is anyone taking steelhead without a valid permit (license) and without abiding by the permit stipulations is breaking the law and illegally taking steelhead. Some individuals may have a State fishing permit/license in their possession during this act, but that does not mean they are sport fishing. These individuals are simply people breaking the law, and the combined efforts of Federal, State and local law enforcement are needed to minimize illegal take, especially on Prince of Wales (POW) Island with over 1,500 miles of road accessibility.

Federal managers have made a substantial effort to monitor and enforce fishing regulations. This has included on-site monitoring by biologists, as well as increased and coordinated Federal and State law enforcement presence on steelhead streams during the subsistence fishing season. There is more enforcement effort and on-site monitoring of steelhead fishers now than there was before the implementation of the Federal subsistence fishery in 2003. Despite extensive time in the field by both biologists and law enforcement personnel, there have been very few steelhead fishing violations observed.

Regarding 3 above - The FSMP believes that the Southeast Alaska Federal subsistence steelhead harvest as documented from permit harvest reports is sustainable. The Federal harvest is small when compared to State-allowed fisheries and mortality sources as displayed below (FWS 2005, 2009):

2004-2006 Average Annual State Sport Harvest	167
2004-2006 Average Annual State Catch and Release Mortality (est. @ 3%)	117
2004-2006 Average Annual Commercial Harvest (Incidental harvest in SE Troll plus District 8 Chinook gillnet fishery)	63
2004-2006 Average Annual Commercial Harvest (Incidental harvest other than SE Troll & District 8 Chinook gillnet)	unknown
2004-2006 Average Annual State subsistence incidental catch	1
TOTAL	348+
2004-2006 Average Annual Federal subsistence harvest	38

The largest mortality is likely the unknown and undocumented mortality of steelhead from State commercial net fisheries, other than the District 8 Chinook salmon gillnet fishery. During the years 1972 – 1990, when reporting of commercial net caught steelhead was required, the average annual harvest of commercial net caught steelhead was 3,027 fish (FWS 2005, 2009). The origin of those fish is unknown.

Federal subsistence steelhead harvests are orders of magnitude less than that of State sanctioned mortalities of steelhead. It is difficult to understand the ADF&G rationale for submitting proposal 290 based on sustainability concerns considering the small, fully-documented Federal subsistence harvest of steelhead.

Regarding 4 and 5 above – Every specific documented conservation issue regarding steelhead brought to the attention of Federal fisheries managers by ADF&G has been responded to positively. The Federal permit stipulations put in place by Federal managers include (but are not limited to): increased minimum size limits and gear limited to rod and reel without bait for Petersburg Creek and the road systems of Ketchikan, Petersburg, Wrangell, Sitka, and Juneau. In addition, small streams on the road system of Prince of Wales Island are further restricted by a reduction in harvest limit, the prohibition of the use of bait, and other gear restrictions. Federal fisheries managers are willing to take further actions to ensure conservation of steelhead populations based on specific and documented conservation concerns now and into the future.

Federal managers believe that some additional research regarding steelhead is warranted. There is a need to monitor the commercial net harvest of steelhead and its origin. Historical data

indicate that commercial net fisheries have the greatest impacts on local Southeast Alaska steelhead stocks (FWS 2005, 2009).

In addition, a well designed and scientifically credible study of catch and release mortality associated with the steelhead sport fishery in Southeast Alaska streams is needed to accurately measure the actual sport take and provide some indication of the disturbance to local steelhead stocks. This information is crucial to understanding the true impacts of the sport fishery and to establish proper management regulations.

In conclusion, the FSMP is neutral on whether proposal 290 should be adopted. However, the FSMP believes this proposal is unnecessary for the conservation of steelhead populations in Southeast Alaska at this time. Further, the FSMP disagrees with the proponent's justification that the proposal is needed because of the impacts or potential impacts of the Federal subsistence steelhead fishery in Southeast Alaska.

LITERATURE CITED

FWS. 2005. Staff Analysis FP05-29. Pages 278-287 in Federal Subsistence Meeting Materials January 11-13, 2005. Office of Subsistence Management, FWS. Anchorage, AK. 472 pages.

FWS. 2009. Staff Analysis FP09-03. Pages 32-62 in Federal Subsistence Meeting Materials January 13-15, 2009. Office of Subsistence Management, FWS. Anchorage, AK. 265 pages.

RC67

Yakutat Fish and Game Advisory Committee Meeting

Tuesday, January 6, 2009, 7pm at City Hall

Call to order: 7:05pm

Approved amended agenda: Items # 5 and # 6 will immediately follow item # 2

- 1) Elect five members whose terms are up (plus one vacancy left by Goldman whose term is up in 2010)
 - a. Current members (6 seats) whose terms are up include: Moses, Bill Lucey, Jeff Fraker, Gary Gray, Reg Krkovitch, Anthony Schmidt, and Goldman
 - b. People nominated: Loren Clark, Jeff Fraker, Jeremiah Pavlik, Wayne Gray, Casey Mapes, Reggie Krkovich, Moses, Bill Lucey, Jonathan Pavlik, and Anthony Schmidt
 - c. Elected: Jonathan Pavlik, Casey Mapes, Wayne Gray, Jeremiah Pavlik, Jeff Fraker, Loren Clark (alternate), and Reg Krkovich (term up 2010)
- 2) Elect new officers
 - a. Nominated Chair: Dave Stone
 - b. Nominations for Vice Chair: Casey Mapes
 - c. Nominations for Secretary: Eileen Henniger
 - d. All nominated were voted in as officers
- 3) (originally agenda item # 5) Interception Fishery: Proposals 124 and 125
 - a. Board already went discussed all proposals in previous meeting.
- 4) (originally agenda item # 6) Yakutat proposals 241, 248, 266, 314, and 320.
 - a. Proposal 241-submitted by Gordie Woods, ADF&G—regards wording of subsistence gillnetting on Situk River.
 - b. Proposal 248-submitted by ~~Walter Johnson~~ ^{UN-COUPLE GILLNET/TROLL OPENINGS} ~~trout king summer opening~~
 - c. Proposal 266-submitted by Jonathan Pavlik—increase gillnet length from 15 to 75 fathom between Situk River and Point Carew. In previous meeting to determine Yakutat Advisory Committee support for this proposal, there was no quorum to take a vote.

- i. Motion to add a letter of addendum to the Committee's comments to Board of Fish. The motion was seconded. Comments must be submitted by February 3rd.
 - ii. Gordie Woods clarified that this proposal was an issue of fisheries allocation by area. Must choose between Situk River, Alsek, or marine area fishery allocation. Bay has caught far more fish historically.
 - iii. All committee members voted yes to support proposal 266, with one abstention by Greg Indreland.
 - iv. Jonathan will draft AC letter regarding this proposal.
- d. Proposal 314-submitted by Bill Lucey (?)—Begin sport fish season sockeye bag limit at 3 fish. If sockeye expected to safely reach escapement, then the bag limit can be raised with a limit of 6.
- e. Proposal 329 ~~submitted by Walter Johnson~~—Increase # of troll lines to 4 lines in outside waters. ^{HAND} ~~Walter Johnson and Heidi Corbett will~~ ~~passed a resolution supporting this proposal.~~
- i. Casey Mapes was asked ~~by Walter Johnson~~ to represent Yakutat trollers at the Board of Fish meeting.
- f. Walter Johnson is leading an effort to have Board of Fish open spring (May-June) King troll fishery in Yakutat. The petition regarding this effort will be discussed at the Board of Fish meeting.
- g. Discussion of need to have more Yakutat representative at Board of Fish meeting to provide testimony. One representative cannot only attend one session at a time, but there are many sessions that overlap. Everyone agreed that more than one person should attend meeting to represent and give testimony on our proposals and others.
- h. Voted to send Co-chair-passed
- i. Voted to pursue local organizations, including City, Yakutat Community Corporation, and Yakutat Tlingit Tribe, for donations toward paying another person's way to Board of Fish meeting.
- 5) Pick someone to represent us at the Board of Fish meeting.
- a. Nominated: Jeff Fraker, Casey Mapes, and ~~Walter Johnson~~. ^{JONATHAN PAULIK}
 - b. Voted: 8 for Casey Mapes (paid by ~~ADA~~) and 2 for Jeff Fraker ^{ADFG}

SONATHAN PAVLIK

c. Nominations for Alternates: Jeff Fraker and ~~Walter Johnson~~

d. Vote: passed

6) Work on LAMP

a. Scott Chadwick-haven't seen anyone come forward to serve on LAMP.
No progress.

Motion to adjourn 9:02pm

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite, Sitka, Alaska 99835 - Tel. No. 907-747-7996 . Fax No. 907-747-7998

RC68

Board of Fisheries Testimony

Thank you Chairman Jensen and board members for this opportunity to testify. My name is Steve Reifentuhl, Silver Bay Seafoods Fleet Manager and Scientist. I will speak to 2 issues today – the Southeast Alaska Salmon Allocation Plan and the Sitka Sound herring fishery.

Salmon Commercial Net Fisheries

Previous to working for Silver Bay Seafoods I worked at Northern Southeast Regional Aquaculture Association for 29 years and as part of my duties I worked on the Southeast Alaska Salmon Allocation Plan and therefore have a decent working knowledge of the process. I also participated in the Southeast Allocation Task Force. NSRAA's Data Analyst Chip Blair and I worked closely together in development of the data base for evaluation of southeast allocation which is used by ADF&G and the Joint Regional Planning Team.

The data base contains all enhancement production and programs in southeast Alaska, including NSRAA, SSRAA, and DIPAC production and as well as other non-regional hatchery programs. The data base, model runs, and outputs, were presented at the Regional Planning Team (RPT) in December 2008 and is the basis for the consensus agreement among the gear groups – contained in RC 25 submitted by the department.

I represented NSRAA at the RPT for over 20 years and worked closely with the troll, gillnet, and seine representatives. I am willing to present the model information that NSRAA developed in the committee process. I believe that information is critical to understanding the allocation of enhanced fish status. I would like to serve on the committee as a resource regarding the allocation regulations as well as a resource for the specifics of enhancement projects and what they can and cannot do.

In light of the forgoing comments I

Support the 1994 BoF Allocation of Enhanced Fish Finding 94-02-FB as written and I

- support the consensus position endorsed by troll, gillnet, and seine gear groups at the December 2008 Joint Regional Planning Team RC 25
- this consensus agreement addresses Board of Fish proposals 267,268, 271, 273,& 274

Regarding the Sitka Sound Sac Roe Fishery proposals:

I am opposed to proposals 199, 200, 203, & 204 which in various forms seek to restrict or close the Sitka Sound herring fishery. There is no biological justification for such requests; quite to the contrary, National Marine Fisheries Service studies which I


submitted in RC 20 and the ADF&G Commissioner's assessment, RC 14 conclude that the Sitka Sound herring population is robust and individual growth performance using a spring gonad-body mass index is the highest of all Southeast stocks. The department has done a good job managing the herring, admittedly a species with a complex life history. The department's biological assessment, biometrics, and management are the envy of west coast fisheries. There is general agreement in the scientific community whether at the Auke Bay Lab, University of Alaska, or ADF&G that the herring biomass is increasing and the stock is robust. Species that depend on the herring are increasing – in fact humpback whales at 5% per year, Steller Sealions, and local king salmon stocks in Sitka Sound are at an all time high.

I support the department's proposal 217 to include Salisbury Sound in the Herring Management Plan; I also support proposal 235 requiring permits for subsistence harvest in order to ascertain actual harvest which will help establish minimum utilization thresholds. Unlike commercial fisheries, the subsistence harvest is poorly documented and needs to be understood with the same precision as commercial herring fisheries.

I oppose proposal 208 seeking to disallow herring fisherman the opportunity to tender a portion of their own catch, and I oppose proposal 234 which asks to increase the subsistence threshold. The lower threshold has been met 4 of the last 7 years. You wouldn't designate a salmon run a stock of concern after only slightly missing the lower escapement range in only two of the past four years.

Thank you for time.

Sincerely,



Steve Reifensuhl

References:

- Blair, C. February 2009. Northern Southeast Regional Aquaculture Association, Chinook Salmon Marine Survival. Personal Communication.
- Calambokidis, J., et. al. May 2008. SPLASH: Structure of Populations, Levels of Abundance and Status of Humpback Whales in the North Pacific. Final report for Contract AB133F-03-RP-00078, Cascadia Research,.
- Fritz, L. W., K. Sweeney, C. Gudmundson, T. Gelatt, M. Lynn and W. Perryman. 2008. Survey of Adult and Juvenile Steller Sea Lions, June-July 2008. Memorandum to the Record, NMFS Alaska Fisheries Science Center, 7600 Sand Point Way NE, Seattle WA 98115. <http://www.afsc.noaa.gov/nmml/pdf/SSLNon-Pups2008memo.pdf>.

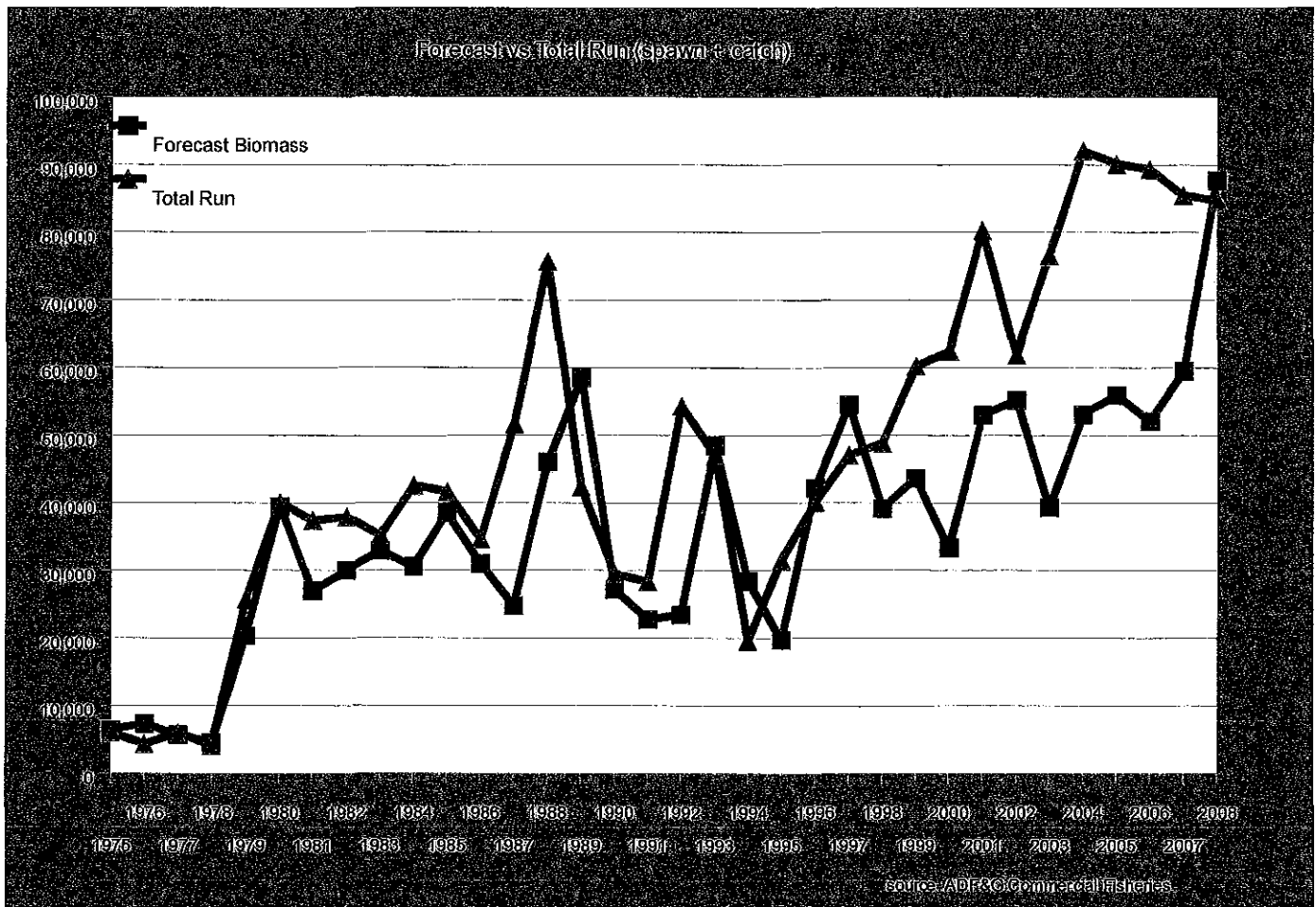


Figure 1. Sitka Sound Sac Roe fishery forecasted biomass (pre-season) plotted against the actual run biomass based on harvest plus escapement (post-season). The pre-season forecast has underestimated the biomass in most of the past 28 years but is most dramatic in 9 of 10 years from 1998 to 2008.

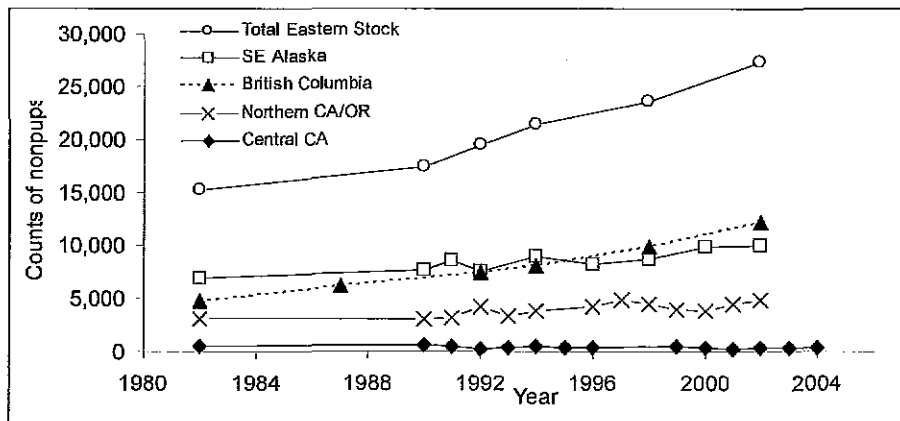


Figure 2. Counts of adult and juvenile Steller sea lions at rookery and haulout trend sites throughout the range of the eastern U.S. stock, 1982-2004. Data from British Columbia include all sites.

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite B. Sitka, Alaska 99835 - Tel. No. 907-747-7996 . Fax No. 907-747-7998

RC69

February 18, 2009

Mr. John Jensen, Chairman
Board of Fisheries
PO Box 115526
Juneau, AK 99811

**Re: Supporting Information to Testimony Regarding Salmon Proposals 267, 268,
271, 273, & 274**

Dear Mr. Jensen:

Attached is supporting documentation to my testimony regarding the Southeast Alaska Enhanced Salmon Allocation Plan. This document contains the underlying information used for the basis of 'Consensus Agreement' at the Joint Regional Planning Team on December 8, 2008 in Ketchikan, Alaska.

This information can also be displayed in slide presentation form in committee if you desire.

Thank you for the opportunity to testify and provide information.

Sincerely,



Steve Reifenzahl
Fleet Manager & Scientist
Silver Bay Seafoods, LLC
4400 Sawmill Creek Rd, Ste. B
Sitka, AK 99835
907-747-7996 Office
907-747-7998 Fax
907-747-5347 Mobile
steve.reifenzahl@silverbayseafoods.com

NORTHERN



SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION, INC.

(907) 747-6850
FAX (907) 747-1470
EMAIL steve_reifenstuh@nsraa.org

1308 Sawmill Creek Road Sitka, Alaska 99835

November 17, 2008

New Southeast Alaska Enhancement Allocation Model with Preliminary 2008 Data

Dear RPT members:

Modern salmon enhancement began in the 1970's and allocation of enhanced fish has been a contentious step-child every step of the way. In accordance with AS 16.10.375, an historic record of how enhancement programs were to be developed and shared by the three commercial gears groups can be understood beginning with the Comprehensive Salmon Plan for Southeast Alaska, Phase I (1981); the Phase II Comprehensive Salmon Plans (1982 & 1983); and the most recent 2004 Comprehensive Salmon Plan for S.E. Alaska: Phase III. Through a three year period in the early 1990's the Southeast Alaska Allocation Task Force (SATF) developed a formal enhanced fish sharing protocol adopted by the Board of Fisheries in 1994 as finding #94-02-FB (5 AAC 33.364).

This current regulation directs the joint RPT to evaluate the allocation of enhanced fish and make recommendations to the ADF&G commissioner that will have bearing on imbalances in the allocation plan. At the spring 2008 joint RPT meeting fishermen representatives asked if a model could be developed that would encompass all southeast region enhancement projects by species, harvest type, gear type, and value. Logically the ADF&G PNP office would perform this task since enhanced fish allocation data and graphic output has been their bailiwick since 1994. Additionally, ADF&G had a rudimentary model they developed in 2001, although it became apparent the PNP office would not perform the work. Considering the regulatory mandate and strong desire of the joint RPT to meet its responsibilities, NSRAA volunteered to take on the task of constructing a model for the regional planning team.

It is important to note that NSRAA staff is only the *messenger* and not the agenda driver in this process. NSRAA uses the same data that ADF&G uses for reporting enhanced allocation, that is CFEC data, and ADF&G data from agency Annual Reports, but the model also includes project data supplied directly from the producing agencies when available. For transparency the model developed by Chip Blair, NSRAA data analyst, may be shared and scrutinized by ADF&G, RPT members, and enhancement producers. NSRAA staff has received numerous calls from fishermen requesting a variety of scenarios run through the model and we have attempted to provide the requested information. The following report includes a description of the model and provides potential results for BoF proposals pertaining to enhanced allocation; data in the model for 2008 is preliminary.

I believe the model provides an important tool for predictive scenarios that will aid the joint RPT in evaluating changes and how those changes may impact the allocation of enhanced fish. Consider the model a work in progress, open for tweaks, serious modification, or the trash can.

Sincerely,

Steve Reifenstuhl,
Operations Manager, NSRAA

SE Alaska Enhanced Salmon

Allocation Model

1994-2008*

New for 2008:

- Updated format allowing data analysis
- Preliminary analysis of numerous allocation rebalancing options

Comments:

- *2007 & 2008 contribution data are preliminary
- *2008 price and weight data are preliminary
- Data in previous model was by species/gear/Agency; new model adds Project level resolution. In the process of splitting out the data, some data were updated. While there are numerous changes to the dataset, the new model closely approximates the older version – resulting in only minor changes in the allocation percentages.
- This model was created by Chip Blair, NSRAA Data Analyst, with input from ADF&G, NSRAA, SSRAA, DIPAC and AKI staff. The model is an adaptation of the original model created by ADF&G.
- Please note that this is a work in progress, not a finished product.

Contents

- 1) Model description.
- 2) Current allocation situation after the 2008 season.
 - a. Review of season
 - b. Discussion of a method of quantifying the degree on imbalance
 - c. Other features of the model
- 3) Proposals to rebalance, including a first stab at quantifying shifts in fish numbers and value among gear groups. These have been split up into these categories:
 - a. BOF proposals – analysis of data relative to various BOF proposals pertaining to allocation issues. Most of these are proposals to alter management of existing THA or SHA fisheries.
 - b. Management options – other management possibilities outside of BOF proposals.
 - c. New (or increased) Production – a look at some options.
 - d. Marine survival considerations – some “what-if” scenarios.
 - e. Adjustments to current model – a look at the possibility of adjusting allocation percentages.
- 4) Rebalancing worksheet. A summary worksheet allowing any mix of proposals to be reviewed as to how they would collectively adjust the allocation imbalance.
- 5) Appendix.
 - a. Value by project for each gear group, 2004-2008 (with 2007-08 preliminary data)
 - b. Worksheets showing data for possible project changes, including BOF proposals.

1. Model description

At the spring 2008 joint RPT meeting a proposal was made to update the current allocation model and review Marianne McNair's 2001 forecasting model. Steve Reifenthul volunteered that NSRAA would attempt to take on this task.

Upon initial review of the existing ADF&G model, it became apparent to me that the data needed to be re-worked into a more manageable format, and that a lot of data that had been lumped together needed to be split out. The existing model was fine for tracking the allocation percentages and rolling 5-year averages, but it was nearly impossible to review the underlying data. It seemed to me that updating changes to the data and error checking were quite difficult with the existing model. Further, there was a huge amount of underlying data that if put into a different (actually simpler) format could be extremely helpful in sorting out and analyzing the allocation situation.

I decided to:

- 1) Transfer existing data into a database format that would separate out contribution, price & weight data.
- 2) Agencies in the model were NSRAA, SSRAA, ADF&G, PNP. I decided to split out PNP into the various agencies (DIPAC, AKI, etc).
- 3) Split further to the Project level, so contributions for various projects could be analyzed.
- 4) Focus on the allocation model and not Marianne's forecasting model, which was extremely complex. I believe all of the forecasting in her model can be incorporated into the new model.

Current Status:

- 1) NSRAA, DIPAC, AKI have been split out to the project level for all years.
- 2) SSRAA data is split out to the project level for the past 5 years (2004-08; previous years have all projects lumped together). SSRAA will update earlier years as time allows.
- 3) Other PNP data needs to be split out.
- 4) Roe sales need to be addressed. (There are about \$1.1M value in roe sales that need to be split out by project; this is a very small percentage of the overall value.)
- 5) Overall, the dataset is in fairly good shape; with adequate detail to analyze the major projects and get a good read on the balance between gear groups.

Structure of Model

Without getting into too much detail, the data is in an Excel database, which can be accessed using Excel Pivot tables. A few details:

- 1) Contribution estimates come directly from PNP Annual Reports Schedule C or F.
- 2) Price and weight data come from CFEC. The data is available by port (Ketchikan, Petersburg, Juneau, Sitka, etc) or by ALL SE combined. For simplicity, I chose to use the ALL SE dataset.
- 3) It is relatively easy to update the model annually and to error check.
- 4) Once updated it is easy to generate an assortment of "canned" reports and charts, including the traditional 5-year rolling average for each gear group you are used to.
- 5) Customized reports are also easy to create.

2. Current allocation situation after the 2008 season

Season Review

Preliminary data shows 2008 as being a record year, with ex-vessel value of SE Enhanced Salmon topping \$40 million, with the following splits: Troll \$6.5M, Seine \$16.8M, Gillnet \$17.0M. Note that all gear groups had substantial increases from 2007. As a percent of the total value: Troll 16%, Seine 42%, Gillnet 42%.

The following tables and chart show the historical value splits and 5-year rolling averages for each gear group.

Allocation Summary				
SE Enhanced Salmon Value by Gear				
Species	(All)			
Sale Type	(All)			
Sum of Value	Gear			Grand Total
Year	troll	seine	gillnet	
1994	5,382,106	9,381,525	4,072,774	18,836,405
1995	2,938,316	13,972,576	7,068,461	23,979,354
1996	3,589,604	11,817,440	4,585,537	19,992,582
1997	3,579,674	11,336,154	4,748,837	19,664,665
1998	2,200,177	10,947,747	4,330,051	17,477,975
1999	3,808,530	12,063,299	4,581,971	20,453,800
2000	3,448,473	17,174,058	6,398,075	27,020,606
2001	4,153,571	7,792,085	4,855,074	16,800,730
2002	2,500,334	3,698,976	5,061,627	11,260,937
2003	2,554,471	3,717,636	4,194,477	10,466,584
2004	3,687,025	5,561,138	6,269,043	15,517,206
2005	3,573,066	4,299,254	4,931,637	12,803,958
2006	4,203,802	15,037,545	12,191,878	31,433,225
2007	4,839,375	6,544,788	9,134,114	20,518,277
2008	6,470,326	16,772,607	17,006,149	40,249,082
Grand Total	56,928,851	150,116,829	99,429,706	306,475,385
Average	\$ 3,795,257	\$ 10,007,789	\$ 6,628,647	\$ 20,431,692
Percent	19%	49%	32%	100%
Target	27-32%	44-49%	24-29%	

2006 data is final
Preliminary Contrib (Final Price)
Preliminary Contrib & Price

Data after 5.7.08 corrections - CB
Price & Weight data = ALL SE Average

Table 1. Value estimates by gear for 1994-2008

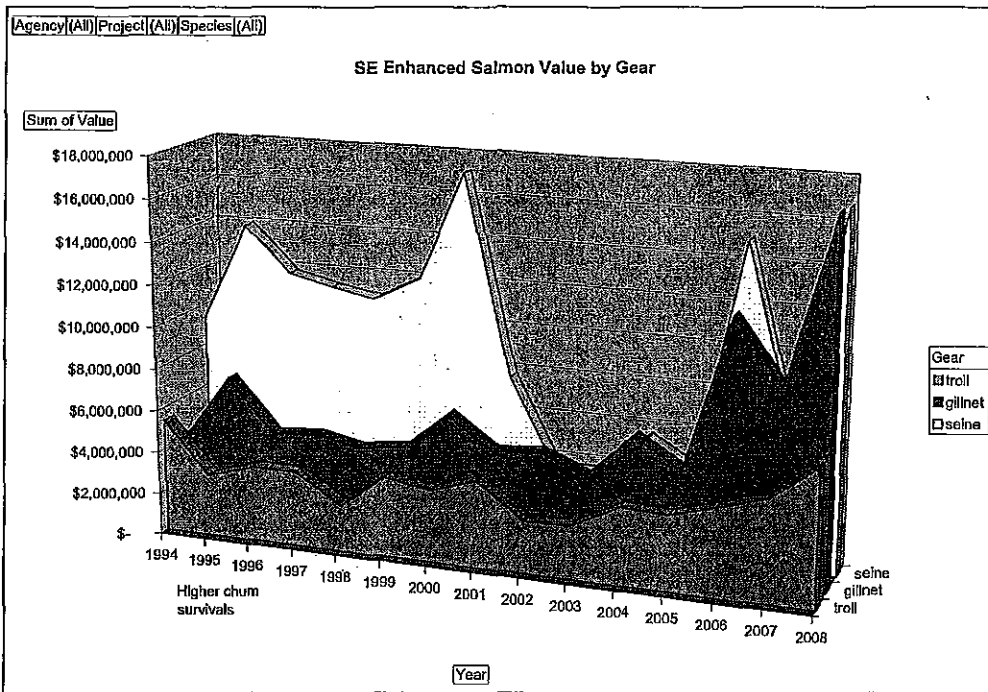


Chart 1. Value estimates by gear for 1994-2008 (Table 1 data.)

5-Year Rolling Averages for Gear Groups

Source: ADF&G ESTIMATES (SE ALLOCATION DATA FROM ADF&G)

Period	SE			TOTAL
	Troll	Gillnet	Seine	
94-98	18%	25%	57%	100%
95-99	16%	25%	59%	100%
96-00	16%	24%	61%	100%
97-01	17%	25%	58%	100%
98-02	17%	27%	56%	100%
99-03	19%	29%	52%	100%
00-04	20%	33%	47%	100%
01-05	25%	38%	38%	100%
02-06	26%	40%	40%	100%
03-07*	21%	40%	39%	100%
04-08*	19%	41%	40%	100%

ALL Years
 94-08* 19% 32% 49%

Target	Troll	Drift	Purse
	27-32%	24-29%	44-49%

Color code: below range, in range, above range.

*2007 data is preliminary
 *2008 data is preliminary

Table 2. 5-year rolling average calculations.

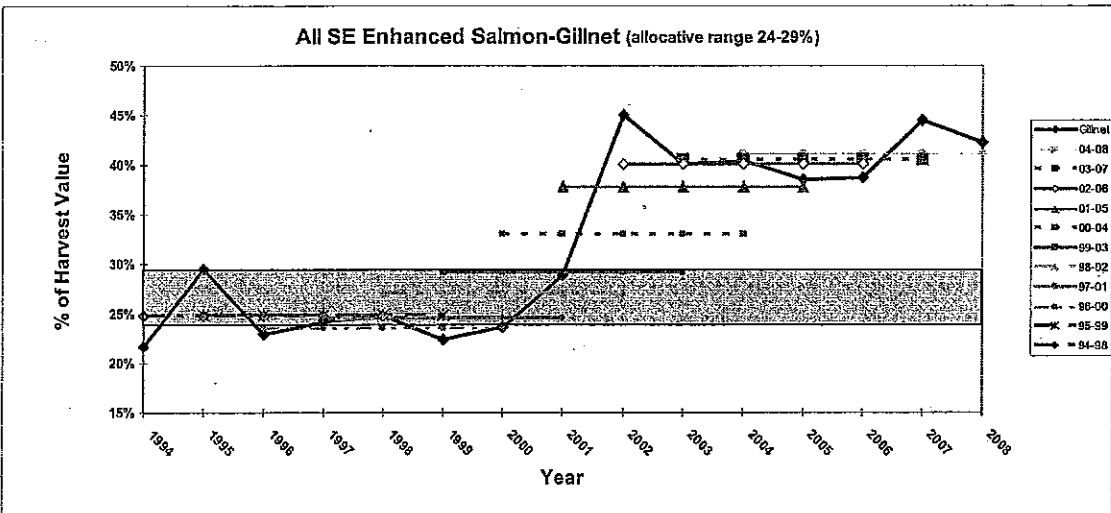
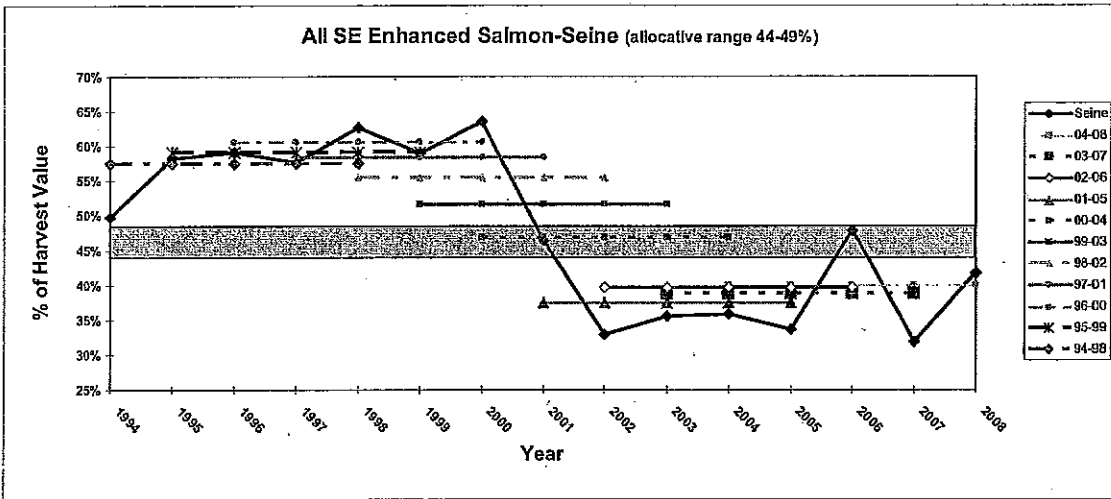
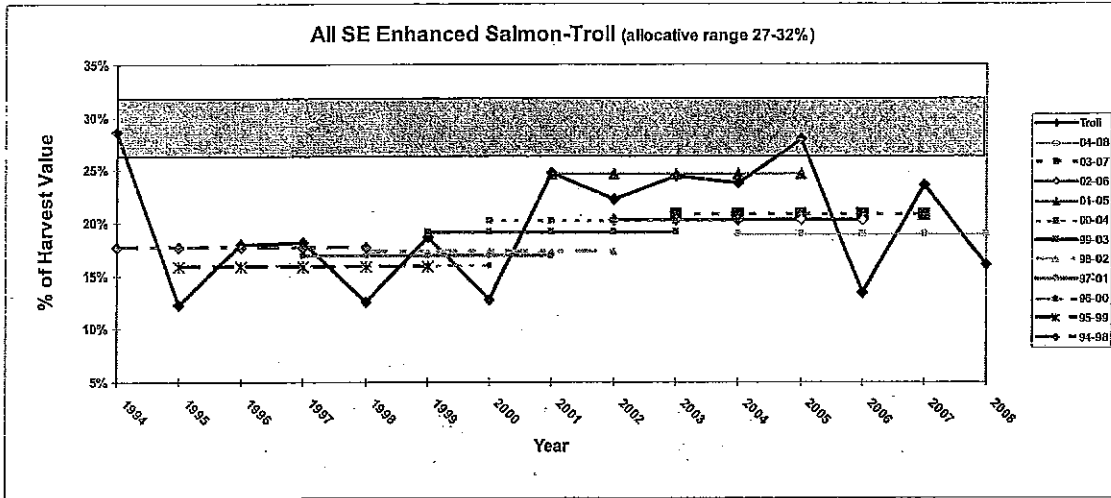


Chart 2. 5-year rolling averages.

Quantifying the Allocation Balance

A quick look at Chart 2 and Table 2 above shows that under the current allocation agreement, there is an imbalance among gear groups. Gillnetters have been above their range for the most recent 6 5-year cycles, seiners below their range for 4 cycles, and trollers below their range for all 5-year cycles (based on preliminary data).

As for the causes of the situation, there are undoubtedly several, among them:

- 1) the success of DIPAC's Late-Large chum program
- 2) SSRAA's change in evaluation methods from CWT to otolith sampling
- 3) lower chum survival rates compared to the 1990s
- 4) higher than anticipated exploitation of Chinook & coho by the net groups in terminal areas
- 5) Others?

A lot of discussion has revolved around the cause of the imbalance, and possible changes to management of fisheries or changing production levels to address the situation, per the allocation agreement. We thought it would be instructive to include in the model a mechanism to quantify the magnitude of the imbalance. In other words, what kind of shift in value would it take among gear groups to rebalance?

Gear	2004-08 Average	Percent	Target Range	MidPoint	Under/Over MidPoint
troll	\$ 4,555,000	19%	27-32%	28.8%	-9.9%
seine	\$ 9,643,000	40%	44-49%	45.4%	-5.4%
gillnet	\$ 9,907,000	41%	24-29%	25.9%	15.2%
Total	\$ 24,104,000	100%		100.0%	

Table 3. Value and percent to gear groups: 5-year average (2004-08)

The above table shows the most recent 5-year value and percent to each gear group. I have taken the mid-point of each target range, and compared that to the 5-year average percent. Notice that for the 5-year period:

- trollers are 9.9% below their midpoint,
- seiners are 5.4% below, and
- gillnetters are 15.2% above.

To calculate the amount of change required to rebalance, I took an assumed value for the upcoming 5-years and split the total among the three gear groups per the mid-point percentages. I call the resulting values the "09-13 target". I subtracted the 2004-08 value splits from this target to get an estimate of the amounts needed to rebalance.

For the upcoming 5 year period (2009-2013) I am using an estimated annual value equal to the previous 5 year average: \$24,104,000. It's the best estimate we have with current production levels, survival rates, price, etc.

This is all laid out in the following table (Table 4.)

Commercial Ex-Vessel Value of All SE Enhanced Salmon					
Calculation of Adjustments needed to bring gear groups back into range.					
<i>The latest 5-year average (2004-08) for total enhanced value is \$24,104,000 per year.</i>					
<i>Using this value as the estimated annual value for the upcoming 5-year period, and applying the Mid-points of the target range:</i>					
Mid-points of target ranges>		28.8%	45.4%	25.9%	100.0%
		SE	SE	SE	
Gear					
Period	PROJECTED	Troll	Purse	Drift	TOTAL
2009	\$ 24,104,000	6,937,000	10,935,000	6,232,000	24,104,000
2010	\$ 24,104,000	6,937,000	10,935,000	6,232,000	24,104,000
2011	\$ 24,104,000	6,937,000	10,935,000	6,232,000	24,104,000
2012	\$ 24,104,000	6,937,000	10,935,000	6,232,000	24,104,000
2013	\$ 24,104,000	6,937,000	10,935,000	6,232,000	24,104,000
5-yr	\$ 120,520,000	\$ 34,685,000	\$ 54,675,000	\$ 31,160,000	\$ 120,520,000
		28.8%	45.4%	25.9%	
09-13 target		6,937,000	10,935,000	6,232,000	24,104,000
04-08*		\$ 4,555,000	\$ 9,643,000	\$ 9,907,000	\$ 24,105,000
Change required		2,382,000	1,292,000	(3,675,000)	
Percent change from 04-08*		52%	13%	-37%	

Table 4. Calculating the change required to re-balance

Results:

It would take a shift of \$3,675,000 of value from the gillnetters to the other two groups to put all groups at the mid-point of their ranges, with \$2.38M going to trollers and \$1.29M to seiners.

Another way of looking at this is with a percent change from the current status: gillnet value would have to drop 37% from 04-08 levels, coupled with increases in value of 52% for trollers and 13% for seiners. Or, (if possible) new production might be added for trollers and seiners while gillnet value remained constant.

McDonald Lake Sockeye Salmon Action Plan, 2009

by
William R. Bergmann,
Scott N. Forbes
Steven C. Heintl,
Bo L. Meredith,
Andrew W. Piston,
and
Scott B. Walker

Month 2009

Alaska Department of Fish and Game

Division of Commercial Fisheries



1/30

Symbols and Abbreviations

The following symbols and abbreviations, and others approved for the Système International d'Unités (SI), are used without definition in the following reports by the Divisions of Sport Fish and of Commercial Fisheries: Fishery Manuscripts, Fishery Data Series Reports, Fishery Management Reports, Special Publications and the Division of Commercial Fisheries Regional Reports. All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figure or figure captions.

Weights and measures (metric)		General	Measures (fisheries)
centimeter	cm	Alaska Administrative Code	fork length
deciliter	dL	all commonly accepted abbreviations	mid-eye-to-fork
gram	g	e.g., Mr., Mrs., AM, PM, etc.	mid-eye-to-tail-fork
hectare	ha		standard length
kilogram	kg		total length
kilometer	km	all commonly accepted professional titles	
liter	L	e.g., Dr., Ph.D., R.N., etc.	
meter	m	@	Mathematics, statistics
milliliter	mL		<i>all standard mathematical signs, symbols and abbreviations</i>
millimeter	mm	at	alternate hypothesis
		compass directions:	H _a
		east	base of natural logarithm
		north	e
Weights and measures (English)		south	catch per unit effort
cubic feet per second	ft ³ /s	west	CPU
foot	ft	copyright	coefficient of variation
gallon	gal	corporate suffixes:	CV
inch	in	Company	common test statistics
mile	mi	Corporation	confidence interval
nautical mile	nmi	Incorporated	CI
ounce	oz	Limited	correlation coefficient
pound	lb	District of Columbia	(multiple)
quart	qt	et alii (and others)	correlation coefficient
yard	yd	et cetera (and so forth)	(simple)
		exempli gratia	r
		(for example)	covariance
Time and temperature		Federal Information Code	cov
day	d	id est (that is)	°
degrees Celsius	°C	latitude or longitude	df
degrees Fahrenheit	°F	monetary symbols (U.S.)	E
degrees kelvin	K	months (tables and figures): first three letters	>
hour	h	registered trademark	≥
minute	min	trademark	HPUE
second	s	United States (adjective)	<
		United States of America (noun)	≤
		U.S.C.	ln
Physics and chemistry		U.S. state	log
all atomic symbols			log ₂ , etc.
alternating current	AC	Jan.,...,Dec	'
ampere	A	letters	not significant
calorie	cal	United States	NS
direct current	DC	(adjective)	null hypothesis
hertz	Hz	United States of America (noun)	H ₀
horsepower	hp	U.S.C.	%
hydrogen ion activity (negative log of)	pH	U.S. state	P
parts per million	ppm		probability of a type I error
parts per thousand	ppt, ‰		(rejection of the null hypothesis when true)
			α
volts	V		probability of a type II error
watts	W		(acceptance of the null hypothesis when false)
			β
			"
			standard deviation
			SD
			standard error
			SE
			variance
			population
			Var
			sample
			var

(no page #s for info on tri page 4)

REGIONAL INFORMANTION REPORT NO. 1J08-XX

TYPE REPORT TITLE HERE

By

William R. Bergmann

Alaska Department of Fish and Game, Division of Commercial Fisheries, Petersburg

Scott N. Forbes

Alaska Department of Fish and Game, Division of Commercial Fisheries, Wrangell

Steven C. Heintz, Bo L. Meredith, Andrew W. Piston, and Scott B. Walker,
Alaska Department of Fish and Game, Division of Commercial Fisheries, Ketchikan

Alaska Department of Fish and Game
Division of Commercial Fisheries, Publications Section
802 3rd, Douglas, Alaska, 99824-0020

XX 2009

This investigation was partially financed by the

The Regional Information Report Series was established in 1987 and was redefined in 2007 to meet the Division of Commercial Fisheries regional need for publishing and archiving information such as project operational plans, area management plans, budgetary information, staff comments and opinions to Board of Fisheries proposals, interim or preliminary data and grant agency reports, special meeting or minor workshop results and other regional information not generally reported elsewhere. Reports in this series may contain raw data and preliminary results. Reports in this series receive varying degrees of regional, biometric and editorial review; information in this series may be subsequently finalized and published in a different department reporting series or in the formal literature. Please contact the author or the Division of Commercial Fisheries if in doubt of the level of review or preliminary nature of the data reported. Regional Information Reports are available through the Alaska State Library and on the Internet at: <http://www.sf.adfg.ak.us/statewide/divreprots/html/intersearch.cfm>.

William R. Bergmann,

*Alaska Department of Fish and Game, Division of Commercial Fisheries,
16 Sing Lee Alley, P.O. Box 667, Petersburg, AK 99833, USA*

Scott N. Forbes

*Alaska Department of Fish and Game, Division of Commercial Fisheries,
215 Front Street, P.O. Box 200, Wrangell, AK 99929, USA*

*Steven C. Heintz, Bo L. Meredith, Andrew W. Piston, and Scott B. Walker,
Alaska Department of Fish and Game, Division of Commercial Fisheries,
2030 Sea level Drive, Suite 205, Ketchikan, AK 99901, USA*

This document should be cited as:

Bergmann, W. R., S. N. Forbes, S. C. Heintz, B. L. Meredith, A. W. Piston, and S. B. Walker. 2009. McDonald Lake sockeye salmon action plan, 2009. Alaska Department of Fish and Game, Regional Report Series No. 1JYY-XX, Douglas, Alaska.

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA) of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write:

ADF&G ADA Coordinator, P.O. Box 115526, Juneau AK 99811-5526

U.S. Fish and Wildlife Service, 4040 N. Fairfax Drive, Suite 300 Webb, Arlington VA 22203

Office of Equal Opportunity, U.S. Department of the Interior, Washington DC 20240

The department's ADA Coordinator can be reached via phone at the following numbers:

(VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, or (FAX) 907-465-6078

For information on alternative formats and questions on this publication, please contact:

ADF&G, Sport Fish Division, Research and Technical Services, 333 Raspberry Road, Anchorage AK 99518 (907) 267-2375.

TABLE OF CONTENTS

	Page
LIST OF TABLES	iii
LIST OF FIGURES	iii
ABSTRACT	4
SYNOPSIS	4
INTRODUCTION	4
Stock Assessment Background.....	5
Fishery Management Background	6
Southern Southeast Purse Seine Fisheries.....	6
District 1 Purse Seine Fishery	7
District 2 Purse Seine Fishery	7
District 5 Purse Seine Fishery	8
District 6 Purse Seine Fishery	8
District 7 Purse Seine Fishery	9
District 6 Drift Gillnet Fishery	10
McDonald Lake Sockeye in the Southern Southeast Alaska Fisheries.....	10
Management Actions.....	11
Non-Commercial Harvest	13
STOCK OF CONCERN RECOMMENDATION	13
Outlook	13
Alaska Board of Fisheries Action	13
ESCAPEMENT GOAL EVALUATION.....	14
Escapement Goal History.....	14
Revised Sustainable Escapement Goal.....	14
Alaska Board of Fisheries Action	15
MANAGEMENT ACTION PLAN OPTIONS FOR ADDRESSING STOCK OF CONCERN AS OUTLINED IN THE SUSTAINABLE FISHERIES POLICY	15
McDonald Lake Sockeye Salmon Management Plan Review/Development	15
Current Stock Status.....	15
C&T Use Finding and the Amount Necessary	16
Habitat Factors Adversely Affecting the Stock.....	16
Do New or Expanding Fisheries on this Stock Exist?	16
Existing Management Plans.....	16
ACTION PLAN DEVELOPMENT.....	16
Action 1. Management Plan	16
Objective.....	17

Specific Actions Recommended to Implement the Objective	17
Cost/Benefit Analysis	17
Terminal Fishery Considerations	18
Performance Measures	18
Action 2. Research Plan	18
Objective.....	18
Specific Actions Recommended to Implement the Objective.....	18
Cost/Benefit Analysis	18
Subsistence Issues/Considerations	18
Performance Measures	18
Current Research Projects.....	18
Proposed Research Projects	19
REFERANCES CITED.....	20
TABLES.....	21
FIGURES	24

LIST OF TABLES

Table	Page
Table 1.—Average annual purse seine salmon harvest in Districts 1 through 7, by species, 1989–2008.	22
Table 2.—Average annual drift gillnet salmon harvest in Districts 1 and 6, by species, 1989–2008.....	22
Table 3.—Distribution of coded wire tag recoveries of McDonald Lake sockeye salmon (expanded for fishery sample size) in the commercial fisheries of Southeast Alaska, 1985, and 1989–1991.	23
Table 4.—Distribution of coded wire tag recoveries of McDonald Lake sockeye salmon (expanded for fishery sample size) in the District 1 commercial fisheries, 1985, 1989, and 1990 (does not include West Behm Canal). Note that expansions are based on few tag recoveries: 19 tags in 1985, 8 tags in 1989, and 25 tags in 1990.....	23

LIST OF FIGURES

Figure	Page
Figure 1.—Commercial fishing areas in southern Southeast Alaska, and the areas in Districts 1 through 7 delineated for potential restrictions in the McDonald Lake Action Plan.	25
Figure 2.—Estimated McDonald Lake sockeye salmon spawning escapement, 1981-2008. Black bars represent escapements and portions of escapements that were not affected by lake fertilization. Bold black lines represent the recommended new sustainable escapement goal range of 55,000 to 120,000 spawners.	26
Figure 3.—Estimates of age-0 sockeye salmon fry in McDonald Lake, 1983–2008, compared to the estimated brood-year escapement of adult sockeye salmon one year prior. Note that McDonald Lake sockeye salmon fry were hatchery-reared and back-planted into the lake in 1989 (3.5 million fry) and 1990 (1.0 million fry).....	26
Figure 4.—Recoveries of coded-wire tagged McDonald Lake sockeye salmon in the District 6 drift gillnet fishery, expanded for fishery sample size, 1989.....	27
Figure 5.—Recoveries of coded-wire tagged McDonald Lake sockeye salmon in the District 6 drift gillnet fishery, expanded for fishery sample size, 1990.....	27
Figure 6.—Run timing of McDonald Lake sockeye salmon into the outlet stream, Wolverine Creek, based on daily weir counts in 1981, 1983, and 1984.	28
Figure 7.—Average run timing of McDonald Lake sockeye salmon into the spawning stream at Hatchery Creek, based on foot surveys conducted on the indicated dates, 1980–2007.....	28
Figure 8.—McDonald Lake sockeye personal use harvest and permits fished, 1985–2008.....	29
Figure 9.—Yes Bay personal use area.	30

ABSTRACT

McDonald Lake, located on the Southeast Alaska mainland, approximately 40 miles north of Ketchikan, has been considered the largest sockeye salmon (*Oncorhynchus nerka*) producing system in southern Southeast Alaska. Coded-wire tagging studies in the 1980s showed that this stock was harvested primarily in the District 6 drift gillnet fishery, with the next largest portions of the run harvested in the District 1, 2, and 4 purse seine fisheries. This stock was also harvested in a terminal purse seine fishery in upper West Behm Canal in 1991–1993 and 1996–2001, and there is an ongoing personal use fishery in Yes Bay (at the outlet of McDonald Lake). The department has completed three years of studies (2005–2007) to improve escapement estimates at McDonald Lake, and updated the escapement goal for the system based on these improved estimates of escapement. ADF&G recommends a new Sustainable Escapement Goal of 55,000 to 120,000 sockeye salmon. Sockeye salmon escapements have been below this recommended escapement goal in four of the last five years, and are not anticipated to meet the escapement goal in upcoming years. As a result, McDonald Lake sockeye salmon were identified as a candidate stock of concern in a memo to the Board of Fisheries in the fall of 2008 based on the definition of “management concern” contained in Alaska’s Sustainable Salmon Fisheries Policy. This action plan for McDonald Lake is intended to rebuild the McDonald Lake sockeye salmon run back to levels that attain the current escapement goal range. The rebuilding plan includes measures to reduce harvests and improve stock assessment.

Key words: Action Plan, commercial fisheries, escapement goal, gillnet, McDonald Lake, *Oncorhynchus nerka*, purse seine, sockeye salmon, stock of concern.

SYNOPSIS

In response to the guidelines established in the Sustainable Salmon Fisheries Policy (Sustainable Salmon Fishery Policy; 5 AAC 39.222), the Alaska Department of Fish and Game (ADF&G) identified the McDonald Lake sockeye salmon (*Oncorhynchus nerka*) stock as a candidate stock of concern in a memo to the Board of Fisheries in the fall of 2008. Identification of McDonald Lake sockeye salmon as a candidate stock of concern is based on the definition of “management concern” contained in the policy: “a concern arising from a chronic inability, despite use of specific management measures, to maintain escapements for a salmon stock within the bounds of the SEG, BEG, OEG, [sustainable, biological, and optimal escapement goals] or other specified management objectives for the fishery” (5 AAC 39.222 (f) (21)). The policy defines “chronic inability” as “the continuing or anticipated inability to meet escapement thresholds over a four to five year period” (5 AAC 39.222 (f) (5)). Escapements of sockeye salmon at McDonald Lake had been below the existing sustainable escapement goal range of 70,000 to 100,000 fish in seven of the last eight years, 2001–2008. The department recently completed studies to improve estimates of total escapement for the McDonald Lake stock (Heinl et al. *in press*) and has established a new sustainable escapement goal of 55,000 to 120,000 fish, based on a spawner-recruit analysis using the improved escapement estimates (Eggers et al. *in press*). These improvements in stock assessment do not change the department’s recommendation that the McDonald Lake sockeye salmon stock be considered a candidate for stock of concern status, because escapements have been below this new goal range in four of the last five years, and are not anticipated to meet the escapement goal over the next few years.

INTRODUCTION

McDonald Lake is located on the Southeast Alaska mainland, approximately 40 miles north of Ketchikan (Figure 1). The McDonald Lake sockeye salmon run has been considered the largest sockeye salmon producing stock in southern Southeast Alaska (Geiger et al. 2004). Like most other major sockeye salmon systems in Southeast Alaska, the McDonald Lake run has a history of commercial exploitation and hatchery operation during the late 19th and early 20th centuries

(Roppel 1982). Runs were thought to exceed 100,000 sockeye salmon in 1909 and 1911, and more than 200,000 in 1910 (Johnson et al. 2005). More recently, McDonald Lake was the target of a long-term enhancement project initiated by the Alaska Department of Fish and Game (ADF&G) in the late 1970s, and carried out via lake fertilization from 1982 to 2004. Over most of the enhancement period, runs of sockeye salmon to McDonald Lake were strong, with many escapements in excess of 100,000 fish. The stock was actively managed during the 1990s, and fish that were expected to be in excess of the escapement goal were harvested in directed, near-terminal purse seine fishery in District 1 in upper west Behm Canal. Peak harvests were 150,000 sockeye salmon in 1993, worth an exvessel value of \$0.75 million, and 250,000 sockeye salmon in 1996, worth an exvessel value of \$1.5 million (catch numbers included all sockeye salmon harvested in subdistricts 101-80, 101-85, and 101-90). The McDonald Lake stock has supported the largest personal-use fishery in southern Southeast Alaska, with a maximum reported harvest of more than 10,000 fish in 1994. McDonald Lake sockeye salmon were also used as a brood source for stocking projects at a number of other sites in southern Southeast Alaska (Johnson et al. 2005). The stock began a decline after 2001, however, despite lake fertilization.

STOCK ASSESSMENT BACKGROUND

McDonald Lake was the subject of a lake fertilization enhancement effort for more than two decades. Fertilizer was applied to the lake weekly between mid-May and early September in every year from 1982 to 2004. A variety of limnological and fisheries assessment information was collected at McDonald Lake during the 1980s and 1990s when the lake was fertilized, including information on smolt size and age (1980s), coded-wire tagging of smolts (returns in 1985, 1989, and 1990) rearing fry abundance, the lake's chemical composition (phosphorus and nitrogen levels), physical characteristics (light and temperature), and primary and secondary production (chlorophyll concentration, zooplankton species composition, density, and biomass), and the adult escapement (abundance and age) (Johnson et al. 2005). The ADF&G, Commercial Fisheries Division, and the Fisheries Rehabilitation and Enhancement Division (FRED) initiated these programs. The State of Alaska eliminated FRED in the mid-1990s, along with most of its programs. The Southern Southeast Regional Aquaculture Association (SSRAA) assumed or assisted with operation of many aspects of the program through 2003.

The sockeye salmon escapement to McDonald Lake was estimated through weir counts from 1981 to 1984, and, since 1985, through a foot-survey method based on calibrations from the 1983 and 1984 weir counts (Johnson et al. 2005). The department recently completed a project to improve the escapement estimation at McDonald Lake through comparison of weir counts (1981, 1983, and 1984) and mark-recapture estimates (2005, 2006, and 2007) to peak foot surveys conducted in those years (Heinl et al. *in press*). The previous method of estimating the escapement produced estimates that were generally biased low (e.g., accounted for only 82% of the escapement on average) compared to estimates of escapement derived from six years of weir counts and mark-recapture studies. These new studies allowed the department to re-cast the estimated escapements to McDonald Lake based on the peak annual foot survey (Heinl et al. 2008, Heinl et al. *in press*), and to update the escapement goal using spawner-recruit methodology (Eggers et al. *in press*). Escapements averaged greater than 100,000 fish from 1980 to 2001; since that time, however, the estimated escapement has averaged less than 50,000 fish, and was below the new sustainable escapement goal range in four of the last five years (Figure 2).

Poor escapements at McDonald Lake since 2004 have resulted in very low fall fry abundance. The estimated fall fry abundances during 2005–2007, were the lowest in the history of the McDonald Lake fall fry assessment (Figure 3). Based on the dominant age at return for McDonald Lake sockeye salmon (age 5), adult fish from fry populations in 2005–2007 will return in 2008–2011. Therefore, it is likely that depressed runs of McDonald Lake sockeye salmon will continue in the near future, and annual runs are not anticipated to meet the escapement goal over the next few years.

Most of the information on the contribution and distribution of the McDonald Lake sockeye salmon in the Alaska traditional commercial harvest comes from coded wire tag studies conducted by ADF&G in 1982–1985, and 1986–1991 (Johnson et al. 2005). Useful information provided by these studies is limited to only three years of adult returns: 1985, 1989, and 1990. Coded-wire tag returns in 1991 were compromised by a very low rate of tagging in 1988, and the fact that tags were not applied throughout the entire smolt outmigration period. Fewer than 6,000 smolts were tagged (compared to 22,000 in 1986, and 38,000 in 1987), 51% of which were tagged during the last three days of the six-week tagging period (Johnson et al. 2005). Tag recovery information for 1991 is included here for completeness, but it must be pointed out that the information is badly biased and almost certainly not representative of the entire run.

The Department has recently implemented a multi-year, genetic stock identification project to help identify areas of potential catch of McDonald Lake sockeye salmon from 2007 to 2009. Weekly samples will be collected from the District 6 drift gillnet fishery and the District 1 purse seine fishery (along the Gravina Shore, Subdistrict 101-29), as well as other purse seine fisheries in Districts 2, 5, 6, and 7, when available. Preliminary data are available for 2007. The information from this project, once analyzed, will be used to update the coded-wire tagging studies and provide improved information about the time and area distribution of McDonald Lake sockeye salmon in those fisheries.

Although it was long thought that the lake fertilization enhancement effort was highly successful and increased the survival rate of rearing fry, the recent downturn in the escapement has occurred entirely during the lake fertilization period (Figure 2). The first “non-fertilized” adults (2-ocean age class) did not return to McDonald Lake until 2008. In addition, escapements from 1981 to 1985 were unaffected by lake fertilization, yet averaged 91,000 per year (range 51,000 to 130,000). Only two years of lake chemistry data were collected prior to the lake enhancement, and none have been collected since 2003; thus, little comparative information exists with which to adequately assess the affects of the lake enrichment effort. The habitat in the McDonald Lake drainage is considered pristine and there are no habitat-related concerns identified for this stock.

FISHERY MANAGEMENT BACKGROUND

Southern Southeast Purse Seine Fisheries

All commercial salmon fisheries conducted in Southeast Alaska harvest mixed stocks, except in the most terminal harvest locations. Commercial purse seine fisheries are managed primarily to harvest pink salmon. While there are some exceptions, such as fisheries directed at returning hatchery stocks or fall chum salmon fisheries, most management decisions are based on pink salmon escapement levels, harvest levels, and fishing effort. Overall, pink salmon make up approximately 91% of the annual Southeast Alaska harvest (in numbers of fish), chum salmon account for 5% of the harvest, sockeye salmon 3% of the harvest, and coho salmon 1% of the

harvest. (Unless otherwise noted, all of the data discussed here will cover the most recent twenty fishing seasons from 1989 through 2008.)

Southern Southeast Alaska includes all fisheries in Districts 1 through 8. Approximately 69% of the purse seine harvest of sockeye salmon in southern Southeast Alaska is taken in District 4. The majority of those sockeyes (70 to 80%) are made up of Canadian fish bound primarily for the Skeena and Nass Rivers. Early season management in District 4 is greatly influenced by the Pacific Salmon Treaty, which was officially put in place in 1985. The Treaty has placed severe restrictions on the first three to four weeks of the season in that district. While the intent of the Treaty is to pass Canadian sockeye salmon, it also has the effect of passing other early run salmon through the district. The average annual harvest of salmon in the southern Southeast Alaska purse seine fishery (Districts 1 through 7) from 1989 through 2008 was 27 million pink salmon, 1.5 million chum salmon, 800,000 sockeye salmon, and 270,000 coho salmon (Table 1).

District 1 Purse Seine Fishery

District 1 encompasses Revillagigedo Channel, portions of East and West Behm Canal, and the eastern portion of southern Clarence Strait. Commercial purse seine vessels congregate near the mouth of Boca de Quadra, Point Sykes, and Point Alava at the entrance to East Behm Canal, the southeast shore of Revillagigedo Island, the Percy Islands, and the west shoreline of Gravina Island.

The southern section of District 1 opens on the first Sunday in July to target early returning pink salmon. Fishers concentrate on Point Alava, Point Sykes, and the Percy Islands during the early part of the season. Sockeye salmon have accounted for an average of 9.3% of the total catch of salmon by the purse seine fleet in District 1. In most years, after the initial openings in District 1 to harvest pink salmon traveling through southern Clarence Strait, the fishing area is expanded north to include the Gravina Island shoreline.

Limited coded-wire tagging information suggests that statistical weeks 29, 30, 31, 32, and 33 are the weeks when the greatest numbers of McDonald Lake sockeye salmon move through District 1. A large portion of the McDonald Lake sockeye salmon harvested by the purse seine fleet in District 1 probably occurs along the Gravina Island shoreline (subdistrict 101-29), the area closest to West Behm Canal. The harvest of sockeye salmon accounted for approximately 2.5% of the total catch of all species of salmon in subdistrict 101-29. During 2007 and 2008, the total sockeye salmon catch accounted for 0.09% and 0.02% of the total catch of all salmon species in this subdistrict respectively.

McDonald Lake sockeye conservation measures implemented in the District 1 purse seine fishery have been in the form of area restrictions on the upper portion of the Gravina Island shoreline (Subdistrict 101-29). In 2006, 2007, and 2008, purse seine fishing on the Gravina shoreline was restricted to the area south of the latitude of Cone Point during statistical weeks 29, 30, and 31. In 2006 and 2008, these conservation measures were not needed, because similar restrictions were instituted due to poor pink salmon runs in those years. There have been no directed fisheries for McDonald Lake sockeye salmon in West Behm Canal since 2001.

District 2 Purse Seine Fishery

District 2 encompasses the waters of Clarence Strait on the southeast shore of Prince of Wales Island south of Narrow Point, and also the western shore of the Cleveland Peninsula, between Lemesurier Point and Caamano Point. Pink salmon fisheries in District 2 begin on the first

Sunday in July in the southern sections of the district. Northern portions of District 2 may open as early as week 30 in years of high pink salmon abundance, or not at all in years of poor pink salmon abundance. Samples of sockeye salmon harvested in this fishery are sometimes difficult to obtain because they are often mixed aboard salmon tenders with deliveries of fish from Districts 1 and 4. Subdistrict 102-80 is the closest portion of District 2 to the entrance of Behm Canal, and is directly south of District 6 where McDonald Lake sockeye salmon are known to be harvested. The stocks harvested in subdistrict 102-80 are probably similar to those harvested in the adjacent gillnet fishery in Clarence Strait (106-30). ADF&G has managed this area conservatively during the past three years to make certain McDonald Lake sockeye salmon conserved in Districts 5, 6, and 7 are passed through upper District 2. The average sockeye salmon harvest in Subdistrict 102-80 for 2007 and 2008 was 586 fish. The total catch of sockeye salmon accounted for approximately 3% of the total catch of all salmon in Subdistrict 102-80 during the last two seasons.

District 5 Purse Seine Fishery

District 5 encompasses the waters of western Sumner Strait, approximately 50 miles southwest of the community of Petersburg. Fisheries occur either inside the major bays, which include Affleck Canal, Port Beauclerc, Shakan Bay, and Shipley Bay, or in the more exposed waters along the eastern side of District 5 between Cape Pole and Point Baker.

Fisheries normally begin in District 5 during the first or second week in August. Those fisheries are all directed at harvesting pink salmon, or occasionally chum salmon, and they are often confined to inside bays. Since 1989, sockeye salmon comprised less than 1% of the average annual harvest of salmon in District 5. Occasionally, the area just south of the District 6 gillnet area is opened and when that occurs the percentage of sockeye salmon is slightly higher. That shoreline area (subdistrict 105-41) from Point Baker south to Ruins Point has been opened three years during statistical week 31. Statistical week 31 starts between July 24 and July 30. Harvests during those three years have averaged slightly less than 3% sockeye. Harvests of sockeye salmon in this fishery are so small that no attempt has been made to sample them; however, the stocks harvested are probably very similar to those harvested in the adjacent gillnet fishery in Sumner Strait. Restrictions, during what is expected to be the peak timing of the McDonald sockeye run through the fishery (statistical weeks 29, 30, and 31), have not been necessary. Poor pink salmon returns in that area have not warranted opening the area since 2003. One of the unique things about the incidental sockeye harvest in District 5 is that 66% of the sockeye harvested in that district since 1960 were harvested during only three seasons, 1993, 1995 and 1997; however, because of the large pink salmon harvests during those years, the average sockeye salmon harvest was still less than 2% of the total harvest of salmon. Large sockeye salmon harvests also occurred during those three years in the District 6 gillnet fishery and the District 4 seine fishery.

District 6 Purse Seine Fishery

District 6 is split into four sections. Purse seining is limited to Sections 6-C and 6-D, which are located between 15 and 30 miles southwest of Wrangell. Section 6-D includes most of the waters of northern Clarence Strait and the southern portion of Stikine Strait. Section 6-C is a small diamond shaped area adjacent to Screen Island and Lincoln Rock. Section 6-C together with the adjacent Screen Island shoreline of Section 6-D are the only waters in Southeast that, at times, may be fished simultaneously by the purse seine and drift gillnet fleets.

Fisheries normally begin in District 6 during the first or second week in August. Those fisheries are all directed at harvesting pink salmon. Since 1989, 0.7% of the average annual harvest of salmon in District 6 has been comprised of sockeye salmon. Openings occur in three general areas of the district. The earliest fisheries often occur along the western shoreline of Etolin Island in two of those areas, which include the Quiet Harbor to Screen Island shoreline and the area off the mouths of Mosman/Burnett/McHenry Inlets and the western side of Onslow Island. The third area is the Ratz Harbor shoreline, which usually opens between the second and third week in August. Harvests of sockeye salmon in this fishery are small, so it is usually difficult to obtain samples from them; however, the stocks are probably similar to those harvested in the gillnet fishery in Clarence Strait.

The Screen Island shoreline has been opened once during week 30 and three times during week 31 in the past 20 years. The percentage of sockeye salmon in the total harvest during week 30 was 2.3%, while during week 31 it was 0.4%. After week 31, the percentage of sockeye salmon was less than 0.2% of the total harvest.

The Mosman/Burnett/McHenry/Onslow area has been opened once during week 30 and 4 times during week 31 during the past 20 years. The percentage of sockeye salmon in the total harvest during week 30 was 0.25%. The percentage of sockeye salmon during week 31 was 1.9%. After week 31, the percentage of sockeye salmon was 0.5% or less of the total harvest.

The Ratz Harbor shoreline has only been opened twice during week 31. Sockeye salmon comprised 4.3% of the total harvest during those two openings. After week 31, the percentage of sockeye salmon was 1.3% or less of the average total harvest.

District 7 Purse Seine Fishery

District 7 encompasses the waters of Ernest Sound, Bradfield Canal, Zimovia Strait, and Eastern Passage. Purse seining primarily takes place in the waters of Ernest Sound, 20 to 40 miles south of the community of Wrangell. District 7 is divided into the early and middle run northern portion (Section 7-A), which is known as the Anan fishery, and a later run into lower Ernest Sound (Section 7-B). Until recently, the area was primarily a pink salmon harvesting area. Beginning in 1997, chum salmon from enhancement facilities entered the district in large enough numbers to attract additional purse seiners to the area.

Fisheries normally begin in District 7 the first Sunday in July when Section 7-A (Anan) is open for purse seining. Those fisheries are all directed at harvesting pink salmon. Since 1989, 1.0% of the average annual harvest of salmon in District 7 has been comprised of sockeye salmon. Harvests of sockeye salmon in this fishery are small, so it is usually difficult to obtain samples from them; however, the stocks are probably similar to those harvested in the gillnet fishery in Clarence Strait.

Seine fisheries in Section 7-A (Anan) start the first Sunday in July. Openings occur most consistently during week 28 and 29, and by week 31 and 32 Section 7-A is open about one out of every four years. Between weeks 27 and 31, sockeye salmon make up an average of 0.6% to 0.7% of the total catch.

Seine fisheries in Section 7-B (lower Ernest Sound) normally start between statistical week 30 and 32. Section 7-B was opened once during week 29, three times during week 30, and six times during week 31. The percentage of sockeye salmon in the total harvest during week 29 was

0.6%, during week 30 it was 3.3%, and during week 31 it was 1.7%. After week 31, the percentage of sockeye salmon was 1.0 % or less of the total harvest.

Area closures have been implemented as McDonald Lake sockeye salmon conservation measures in the seine fisheries. The pink salmon run was poor in Districts 5, 6, and 7 in 2006, so no conservation measures were necessary. In 2007, the Union Bay portion of District 7 was closed during two 39-hour openings in statistical week 32. The Screen Island shoreline also remained closed for one 39-hour opening in week 32. In 2008, the Union Bay portion of District 7 was closed during two 39-hour openings in statistical week 32.

District 6 Drift Gillnet Fishery

The District 6 drift gillnet fishery takes place in Section 6-A in Sumner Strait, 6-B, 6-C, and a portion of 6-D in Clarence Strait. Harvests in District 6 consist of species of mixed stock origin. Management of District 6 is usually based on sockeye salmon stock assessment from early June to the end of July, pink salmon stock assessment throughout August, and coho salmon stock assessment from September through the end of the season. Although these salmon stocks largely dictate the management decisions for weekly openings, fishermen also target summer coho and chum as well as fall chum salmon during the season. The contribution of Stikine River sockeye salmon is estimated inseason, and the sockeye fishery is largely driven by provisions of the Pacific Salmon Treaty. Preseason forecasts of the Stikine River sockeye salmon run are used to guide the initial openings while inseason forecasts generally become available by the end of June or early July. In-season catch rate data are used throughout the sockeye fishery to further assess run strength. The sockeye salmon harvest in District 6 is typically dominated by Stikine River sockeye salmon until early July, at which point other sockeye salmon stocks, including local island stocks, represent the majority of the harvest. The average annual gillnet harvest of salmon in District 6, from 1989 through 2008, was 382,500 pink salmon, 207,000 chum salmon, 172,100 coho salmon, and 145,800 sockeye salmon (Table 2). Since 1989, sockeye salmon accounted for 16% of the total salmon harvest in the District 6 gillnet fishery. During statistical weeks 29, 30, and 31, the average percentage of sockeye salmon in the District 6 harvests ranged from 20% to 22%.

MCDONALD LAKE SOCKEYE IN THE SOUTHERN SOUTHEAST ALASKA FISHERIES

Because much of the commercial harvest of the McDonald Lake stock takes place in distant, mixed-stock fisheries, we do not have the same kind of comprehensive commercial harvest information for this stock that we have for some other sockeye stocks in the state. Some information regarding the distribution of McDonald Lake sockeye salmon in U.S.-Canada boundary area fisheries was provided by joint U.S.-Canada mark-recapture studies conducted in 1982 (Hoffman et al. 1983), and 1983 (Hoffman et al. 1984). The best information that we have is limited to adult returns from coded wire tagging studies in 1985, 1989, and 1990. Tagging information from both studies showed that the McDonald Lake stock migrates around Prince of Wales Island through Sumner and Clarence straits to the north, and Dixon Entrance to the south, and is harvested in all the Alaskan commercial net fisheries from Districts 1 through 7, and in British Columbia Areas 1 and 3 (Geiger et al. 2004). Commercial fisheries in British Columbia were not sampled for coded wire tagged sockeye salmon so estimates of the contribution of McDonald Lake sockeye salmon to Canadian fisheries are not available. McDonald Lake sockeye salmon have also been harvested in directed purse seine fisheries in upper west Behm Canal, ADF&G test fisheries in west Behm Canal, and a personal-use fishery in Yes Bay.

In 1985, 1989, and 1990, coded-wire tagged McDonald Lake sockeye salmon were recovered from the commercial fisheries from early July to early September. Coded-wire tagged McDonald Lake sockeye salmon were harvested primarily in the District 6 drift gillnet fishery, followed by the District 1 and 4 purse seine fisheries (Table 3; Johnson et al. 2005). Coded wire tag recoveries in 1991 suggested that the McDonald Lake stock was harvested primarily in the District 101 fisheries; again, however, we note that the 1991 tag estimates were plagued by very low initial rates of tagging and were not representatively tagged with respect to the smolt outmigration period.

In the District 6 drift gillnet fishery, coded-wire tagged fish were recovered between statistical weeks 27 and 35. There were sufficient tag recoveries to examine the weekly run timing in the District 106 drift gillnet fishery in 1989 and 1990 (Johnson et al. 2005). In 1989, tagged McDonald Lake sockeye salmon were recovered in District 6 during statistical weeks 27–33, and in 1990 during statistical weeks 27–35; Figures 4 and 5); however, in both years approximately 90% of the tags were recovered over a 5-week period during statistical weeks 28 through 32. The longer run timing in 1990 may have reflected the greater abundance of McDonald Lake sockeye salmon in 1990.

In District 1 coded-wire tagged McDonald Lake sockeye salmon were recovered in both the drift gillnet and purse seine fisheries between statistical weeks 29 and 35, but there were not enough recoveries to examine weekly run timing. The maximum number of coded-wire tagged McDonald Lake sockeye salmon recovered were nine in the purse seine fishery in 1985 (not including West Behm Canal), seven in the drift gillnet fishery in 1990, and 14 in the Metlakatla Indian Community fisheries in 1990. Tag recoveries expanded for fishery sample size are presented by statistical week in Table 4.

Fishery samples are often difficult to obtain from the District 2 purse seine fishery, because purse seiners often deliver to tenders, and their catch is often mixed with fish from other districts prior to delivery at the dock. Coded-wire tag recoveries of McDonald Lake sockeye salmon were limited to three in 1985, five in 1989, and five in 1990. Coded-wire tagged fish were recovered during statistical weeks 28 through 35.

Fisheries were sampled for genetic stock identification in 2007, to determine the time and distribution of McDonald Lake sockeye salmon in areas where that stock was likely to be harvested. Preliminary results corroborate coded-wire tag findings in subdistricts 106-41 and 106-30 drift gillnet fisheries, and in subdistricts 101-29 and 107-10 purse seine fisheries. This project is a three-year study, so final analysis of the results will not be available until after the 2009 fishing season.

Management Actions

The overall management strategy for Southeast Alaska purse seine fisheries is to protect the terminal areas first and not to change management in districts that are farther away from the spawning systems. The State of Alaska has for many years fought these types of mixed-stock fishery closures in more remote districts in the Pacific Salmon Commission forum. While the department acknowledges the difficult task of passing McDonald Lake sockeye salmon through the purse seine and drift gillnet fisheries that target other stocks, it has taken steps in recent years when it looked as though management action was appropriate. The Department implemented management actions in 2006, 2007, and 2008, that included time and area closures in the District 1, 2, 5, 6, and 7 purse seine fisheries and the District 6 gillnet fishery.

McDonald Lake sockeye conservation measures implemented in the District 1 purse seine fishery have been in the form of area restrictions on the upper portion of the Gravina Island shore (Subdistrict 101-29). Beginning in 2006, purse seine fishing on the Gravina shore was restricted to the area south of the latitude of Cone Point during statistical weeks 29, 30, and 31. In 2006 and 2008, these conservation measures were not needed, because similar restrictions were instituted due to poor pink salmon runs in those years. In 2007, fishing was also restricted to the area south of the latitude of Cone Point on the Gravina Island shore until statistical week 32, due to the late timing of the pink salmon run. There have been no directed fisheries for McDonald Lake sockeye salmon inside of West Behm Canal since 2001. Subdistrict 102-80 is the closest portion of District 2 to the entrance of Behm Canal, and is directly south of District 6 where McDonald Lake sockeye salmon are known to be harvested. ADF&G has managed this area conservatively during the past three years to ensure that McDonald Lake sockeye salmon conserved in Districts 6 and 7 are passed through upper District 2.

The main McDonald Lake sockeye conservation measures implemented in the District 6 gillnet fishery have been in the form of time restrictions. In 2006, the District 6 gillnet fishery was limited to two days during statistical weeks 30 and 31. Poor pink salmon returns during this season also resulted in minimal two-day openings from statistical weeks 32 through 35. In 2007, the District 6 gillnet fishery was limited to two days from statistical weeks 30 through 32 for McDonald Lake sockeye conservation. On top of this, a significant closure was implemented in statistical week 31 that closed the vast majority of Sumner Strait, the main fishing area in District 6. In 2008, another three-week McDonald Lake sockeye conservation period was utilized resulting in two-day openings from statistical week 29 through 31 throughout District 6. Another poor pink salmon return resulted in minimal two-day openings from statistical weeks 32 through 35.

The closures and time modifications that were used moved the nearest commercial net fisheries to approximately 40 miles away from McDonald Lake. These time and area closures were based on a limited amount of coded-wire tagging data, since it is not possible to discern the actual harvest of McDonald Lake sockeye salmon on an inseason basis in the common property fisheries. Returns to McDonald Lake are also unknown until stream surveys are completed in September. Run-time information suggests returns to the natal streams occur primarily after the peak of the commercial purse seine season. Weir data from the early 1980s showed that sockeye salmon entered McDonald Lake in large pulses, primarily after the beginning of August (beginning statistical week 32; Figure 6). Sockeye salmon do not enter the spawning stream until early September (Figure 7).

While the department realizes that area and time closures will pass some amount of McDonald Lake sockeye salmon, it also realizes that closures in these areas during the peak of the salmon season will result in significant foregone harvest of other healthy stocks, in some cases this may mean hundreds of thousands of pink salmon in the purse seine fishery and tens of thousands of sockeye and chum salmon from healthy stocks in the gillnet fishery.

There are several obvious complications regarding management options for reducing the harvest rate on McDonald Lake sockeye salmon. First, the migratory timing of these fish broadly overlaps the timing of other pink, chum, sockeye, and coho salmon stocks. Second, McDonald Lake sockeye salmon are a minor contributing stock in all intercepting fisheries, at least in recent seasons. Finally, the migratory patterns of these fish can vary from year to year. Small numbers of coded-wire tagged McDonald Lake sockeye salmon were recovered in the District 1 drift

gillnet fishery, District 1 purse seine fisheries south of the Gravina Island shore, and in the District 1 Metlakatla Indian Community trap, drift gillnet, and purse seine fisheries. It is certainly possible that in some years a larger portion of the run migrates to inside waters around the southern end of Prince of Wales Island and north through Clarence Strait, rather than through the District 6 drift gillnet fishery along the north end of Prince of Wales Island.

Non-Commercial Harvest

McDonald Lake sockeye salmon caught in non-commercial fisheries are primarily harvested by personal use fishers in the Yes Bay terminal area. From 1985 to 1999, fishers were required to return permits together with a record of their catch and, since 2000, have been required to report their catch from the previous year before they can be issued a new permit. Reported catches may have been underestimated, particularly prior to 2000, but even if the recorded harvest represents a substantial undercount, the personal-use harvest must typically represent less than 10% of the entire run. Reported personal-use catches averaged about 5,600 fish from 1985 to 2005, with a range of about 1,100 in 1985 to 10,000 in 1994 (Figure 8). The personal use harvest has averaged less than 1,000 fish per year since 2006. The bag limits were gradually reduced between 2002 and 2007. The bag limit was 50 fish per person (75 fish per household) per day through 2002. In 2003, the daily limit was reduced to 40 fish per person per day (with no designation for household). In 2005, the bag limit was further reduced to a daily limit of 25 fish per person. Finally, in 2007, the bag limit was changed to a seasonal limit of 20 fish per person and the season was shortened from a starting time of June 1 to a starting time of July 1. The sport fish harvest was assumed to be around 200 fish annually (Geiger et al. 2004), and likely accounted for a very small fraction of the total annual run.

STOCK OF CONCERN RECOMMENDATION

Given that the McDonald Lake sockeye salmon stock has not met the newly established sustainable escapement goal for four out of the past five years, and is not expected to meet the escapement goal in the very near future, the department judges this stock to be a candidate stock of concern as defined in the Sustainable Salmon Fishery Policy. The policy defines a management concern as “a concern arising from a chronic inability, despite the use of specific management measures to maintain escapements for a stock within the bounds of [an escapement goal]...’Chronic inability’ means continuing or anticipated inability to meet objectives over a four- to five-year period...” The department assesses the level of concern for the McDonald Lake sockeye salmon stock as a management concern. Escapements have been below the sustainable escapement goal range in four of the last five years.

OUTLOOK

No formal forecasts of McDonald Lake sockeye salmon are made; however, fry populations have mirrored the decline in adult population. As noted earlier, the estimated fall fry abundances during 2005–2007, were the lowest in the history of the McDonald Lake fall fry assessment (Figure 3). Based on the dominant age at return for McDonald Lake sockeye salmon (age 5), these fish will return in 2009–2012. Therefore, it is likely that depressed runs of McDonald Lake sockeye salmon will continue for some time, and annual runs are not anticipated to meet the escapement goal over the next few years.

ALASKA BOARD OF FISHERIES ACTION

[To be determined]

ESCAPEMENT GOAL EVALUATION

ESCAPEMENT GOAL HISTORY

The first escapement goal for McDonald Lake was set at 85,000 sockeye salmon in 1989, based on habitat considerations—specifically, the euphotic volume model developed by Koenings and Burkett (1987), which related physical water features of the lake to carrying capacity in other sockeye salmon lakes throughout Alaska. In 1993, the escapement goal was changed to a range of 65,000 to 85,000 sockeye salmon, based on an early Ricker analysis that was not formally documented (Geiger et al. 2004). The McDonald Lake escapement goal was most recently updated in 2005, to a sustainable escapement goal of 70,000 to 100,000 sockeye salmon, based on a brood-year yield analysis by Johnson et al. (2005).

REVISED SUSTAINABLE ESCAPEMENT GOAL

As noted earlier, ADF&G recently completed work to provide improved estimates of the sockeye salmon escapement at McDonald Lake based on foot surveys, which have been conducted annually since 1980. Escapements to McDonald Lake were estimated from the peak foot survey counts using a multiple regression calibration estimated from comparison of paired peak foot survey counts to total escapements, and September precipitation as described in Heintz et al (*in press*). Total brood year returns from 1980 to 2002 were reconstructed using the recalibrated escapements, and assumed a constant distant water mixed-stock commercial fishery harvest rate of 41%. The assumed average harvest rate of 41% was based on the results of coded-wire tag returns from 1985, 1989, and 1990.

The stock-recruit data were subsequently used to develop a hierarchy of Ricker-type stock-recruit relationships to account for the effect of spawner density, auto-correlation, and fry plants on recruits (Eggers et al. *in press*). The hierarchical model with the spawner-density and fry-plant terms was selected as the best model. This model was considered the most biologically meaningful, as it accounted for the bias in assessing wild stock production due to added production from stocking of fry that occurred in 1989 and 1990. Based on this analysis, we are recommending a new sustainable escapement goal of 55,000 to 120,000 spawners. The escapement goal is the escapement range that is predicted, on average, to produce 90% or more of maximum sustained yield. This goal is defined as a *sustainable escapement goal* because McDonald Lake was fertilized nearly continuously over the extent of the stock-recruit data set. It is uncertain what affect fertilizing had on lake productivity (due to a lack of pre-fertilization baseline data and the fact that the run declined despite fertilization); however, the stock recruit model reflects a fertilized condition that is no longer the case for McDonald Lake.

One stated purpose of the current McDonald Lake-stocking program is to provide a measure of restoration to the declining run; therefore, an *optimal escapement goal* that included hatchery-produced fish could be considered for the McDonald Lake stock. There are, however, some good reasons to carefully consider whether stocked fish should be counted toward the escapement goal or not. For example, in 2003 the department established an optimal escapement goal at Hugh Smith Lake in order to count hatchery-reared sockeye salmon that were back-planted into the lake toward the escapement goal (5 AAC 33.390). The stocked fish were reared to pre-smolt size in net pens at the outlet of the lake from 1999 to 2003, and returned as adults from 2002 to 2007. This stocking program was successful at returning adult fish to the lake: stocked fish made up an

average of 61% of the escapement, and escapements quadrupled and were in excess of the optimal escapement goal range from 2003 to 2007 (Piston 2008).

Despite the dramatic increase in adult runs at Hugh Smith Lake, the subsequent smolt production remained relatively flat (i.e., the smolt population did not quadruple in step with the brood year escapement), and it was apparent that stocked fish likely did not produce as they were expected to. The stocked fish were reared at the outlet of the lake, far from the spawning tributaries, because of concerns over transmittal of infectious hepatic necrosis virus (IHNV); as a result, a large but unknown portion of the returning stocked fish appeared to home to the outlet of the lake rather than to suitable spawning habitat (Piston et al. 2006 and 2007; Piston 2008). The escapement of wild fish at Hugh Smith Lake increased over the same period, and the escapement of wild fish alone met the escapement goal from 2005 to 2007. Had the wild run remained depressed, however, we would have witnessed a situation where the *optimal escapement goal* was technically met, or even exceeded, despite the fact that the “effective” escapement did not meet the escapement goal.

The current lake stocking program at McDonald Lake calls for releasing full-term smolt as close as possible to the spawning tributary so that smolt can properly imprint on the spawning stream, and migrate from the lake shortly thereafter. This strategy has not been previously employed in Southeast Alaska. Although the current McDonald Lake stocking program may contribute adult fish to the escapement, we recommend that the new escapement goal remain a *sustainable escapement goal*, rather than an *optimal escapement goal*, until it is proven that stocked fish contribute to salmon production in the lake as determined from stock assessment studies.

ALASKA BOARD OF FISHERIES ACTION

[To be determined]

MANAGEMENT ACTION PLAN OPTIONS FOR ADDRESSING STOCK OF CONCERN AS OUTLINED IN THE SUSTAINABLE FISHERIES POLICY

MCDONALD LAKE SOCKEYE SALMON MANAGEMENT PLAN REVIEW/DEVELOPMENT

Current Stock Status

In response to the guidelines established in the Sustainable Salmon Fisheries Policy (5 AAC 39.222), the department identified McDonald Lake sockeye salmon as a candidate for stock of management concern status. The Board of Fisheries, after reviewing stock status information and public input during the February 2009 regulatory meeting, classified McDonald Lake sockeye salmon as a stock of management concern. This determination was based on the inability, despite the use of specific management measures, to maintain escapements for a salmon stock within the bounds of the sustainable escapement goal during the last five years.

C&T Use Finding and the Amount Necessary

[To be determined]

Habitat Factors Adversely Affecting the Stock

The habitat in the McDonald Lake watershed is considered pristine (e.g., there has been virtually no logging in the drainage) and there are no identified habitat related concerns identified for this stock.

Do New or Expanding Fisheries on this Stock Exist?

Presently there are no new or expanding fisheries on this stock.

Existing Management Plans

There is no existing management plan specific to McDonald Lake sockeye salmon. The current regulations pertinent to sockeye salmon in McDonald Lake are:

5 AAC 33.360 DISTRICT ONE PINK SALMON MANAGEMENT PLAN.

On and after the third Sunday in July in District 1, when a purse seine fishery is harvesting pink salmon stocks subject to concurrent salmon fishing by drift gillnets in Section 1-B, the following time formula applies:

- (1) when the purse seine fishery is open for any portion of one day during a fishing week, the drift gillnet fishery must be open for 48 hours during the same fishing week;
- (2) when the purse seine fishery is open for any portion of two days during a fishing week, the drift gillnet fishery must be open for 96 hours during the same fishing week;
- (3) when the purse seine fishery is open for any portion of three or more days during a fishing week, the drift gillnet fishery must be open for 120 hours during the same fishing week.

[Other to be determined]

5 AAC 33.350. CLOSED WATERS.

[To be determined]

ACTION PLAN DEVELOPMENT

The goal of this Action Plan is to rebuild the McDonald Lake sockeye salmon run back to levels that attain the current escapement goal range. The rebuilding plan will include measures to reduce harvests and improve stock assessment. Note that the fishery management portion of this action plan will remain flexible with respect to any new information provided on where and when McDonald Lake sockeye salmon are harvested—new information that would allow the department to improve fisheries actions designed to pass more McDonald Lake sockeye salmon through the commercial fisheries.

ACTION 1. MANAGEMENT PLAN

Reduce the commercial harvest of McDonald Lake sockeye salmon.

Objective

Modify historic purse seine and drift gillnet fisheries to reduce the harvest of McDonald Lake sockeye salmon in the District 1, 2, 5, 6, and 7 purse seine and District 6 drift gillnet fisheries so that the McDonald Lake sockeye escapement goal range can be achieved.

Specific Actions Recommended to Implement the Objective

Conservation measures will be put into place in the form of reduced openings in Districts 1, 2, 5, 6, and 7. These reduced openings will occur in a four-week time span to allow more McDonald Lake sockeye to pass through the fisheries when these fish are present in the most significant numbers in the waters of those fisheries based on historical coded wire-tag and GSI data.

1. District 1 purse seine—From statistical weeks 29 through 31, the purse seine fishery on the western shore of Gravina Island will be closed north of the latitude of Cone Point.
2. District 2 purse seine—From statistical weeks 29 through 32, the purse seine fishery on the western shore of the Cleveland Peninsula (within 3 nautical miles of the shoreline) will be closed.
3. District 5 purse seine—From statistical weeks 29 through 31, the District 5 purse seine fishery along the northwest corner of Prince of Wales Island between Point Baker and the Barrier Islands will remain closed.
4. District 6 purse seine—From statistical weeks 29 through 31, the District 6 purse seine fishery along the west side of Etolin Island between Point Stanhope and the latitude of Round Point will remain closed. From statistical weeks 29–31, the District 6 purse seine fishery along the east side of Prince of Wales Island between Luck Point and Narrow Point will remain closed.
5. District 7 purse seine—From statistical weeks 29 through 31, the District 7 purse seine fishery in Section 7-B will remain closed. If pink salmon runs are extremely strong, the northern portion of section 7-B, north of Union Point may be open during statistical week 31. If this occurs, restrictions may occur in that area south of Union Point into statistical week 32 to reduce the overall interception of sockeye salmon.
6. District 6 drift gillnet—From statistical weeks 29 through 31, the District 6 drift gillnet fishery will open for a maximum of two days. Additional area closures are not perceived at this time, however, ongoing GSI studies may highlight certain areas and time that McDonald Lake sockeye salmon are more susceptible to harvest in this fishery and modifications to these conservation measures would proceed accordingly.

Cost/Benefit Analysis

There would be an immediate loss of fishing opportunity and potential harvest of pink, chum, and other sockeye salmon stocks by the purse seine fisheries in Districts 1,2,5,6, and 7 and the drift gillnet fishery in District 6. However, if the escapement goal range is consistently reached as a result of the actions, the need for future management actions could be reduced due to improved returns. A rebuilding of the McDonald Lake sockeye salmon stock would also result in more harvestable sockeye salmon in southern Southeast Alaska fisheries.

Terminal Fishery Considerations

Management measures have been taken to limit the personal use fishery in Yes Bay (Figure 9). The department has not conducted a directed purse seine fishery on McDonald Lake sockeye salmon in the terminal area in front of McDonald Lake since 2001. The department will continue to monitor the commercial fisheries to determine if additional measures are needed.

Performance Measures

The sustainable escapement goal range for McDonald Lake sockeye salmon would be met annually.

ACTION 2. RESEARCH PLAN

Conduct a review of the McDonald Lake sockeye salmon stock assessment programs.

Objective

Ensure that stock assessment programs operated on the McDonald Lake sockeye stock are appropriate and effective, while minimizing biological risk to the stock.

Specific Actions Recommended to Implement the Objective

Conduct reviews of the goals, objectives, methods, and results of existing stock assessment and smolt stocking programs to identify possible changes or improvements to the programs.

Cost/Benefit Analysis

Review of the stock assessment and stocking programs may result in efficiencies and improvements, at minimal cost.

Subsistence Issues/Considerations

None.

Performance Measures

Improve the long-term stock assessment database.

Current Research Projects

The following programs are currently being conducted to gather information about McDonald Lake sockeye salmon:

- McDonald Lake Adult Escapement Monitoring—ADF&G recently completed a project to improve the escapement estimation at McDonald Lake (Heinl et al. 2008). The escapement to McDonald Lake is currently estimated based on the peak annual foot survey, calibrated to weir counts in 1981, 1983, and 1984, and mark-recapture estimates in 2005, 2006, and 2007 (Heinl et al. 2008). Foot surveys are conducted annually on September 10, 20, and 28. The escapement is sampled annually for age, sex, and size composition. Approximate cost of annual escapement estimation and sampling is \$8,000.
- McDonald Lake Juvenile Sockeye Monitoring—Hydroacoustic surveys are conducted annually in the fall to estimate fall fry abundance in the lake, in conjunction with tow netting to provide species apportion of counts. Approximate cost of annual hydroacoustic and tow netting program is \$2,000.
- McDonald Lake Harvest—The Department has implemented a multi-year, genetic stock identification project to identify time and area of potential catch of McDonald Lake sockeye

salmon in 2007, 2008, and 2009. Weekly samples are collected from the District 6 drift gillnet fishery and from the District 1 purse seine fishery, and from peripheral fisheries as available. These data, once analyzed, will be used to update the coded-wire tagging studies and provide improved information about the time and area distribution of McDonald Lake sockeye salmon in the commercial net fisheries closest to McDonald Lake. Approximate annual cost of the stock identification program is \$130,000.

- McDonald Lake Egg Takes and Fry Plants—Southern Southeast Regional Aquaculture Association (SSRAA) was recently permitted by ADF&G to conduct a lake stocking program at McDonald Lake. SSRAA was permitted to take up to 450,000 eggs annually from the McDonald Lake sockeye salmon run for three years, 2007–2009. These fish will be reared at SSRAA’s Burnette Inlet Hatchery and full-term smolt will be returned to McDonald Lake in the springs of 2009–2011. The full-term smolt will be put into net pens located at the mouth Hatchery Creek at which time they are expected to immediately smolt after imprinting on the spawning creek. All of these fish will be thermally marked, allowing them to be tracked through the fisheries when they return as adults in 2011–2014. These fish will presumably exhibit the same migratory behavior of wild McDonald Lake sockeye salmon, and it is thought that this project would also provide a measure of restoration, should the adults return to the lake and spawn with the wild population as intended. Total cost to SSRAA \$201,900.

Proposed Research Projects

- Spawning Stock Assessment—A full stock assessment program will need to be implemented in 2011, to include a mark-recapture/radio-telemetry study to estimate the total escapement. Thermal-mark sampling of the escapement will be conducted, both at the tagging site (i.e., at the lake outlet) and on the spawning ground, to identify the proportion of wild and hatchery fish in the escapement and determine whether fish from the SSRAA stocking program return and spawn as anticipated. Annual costs of this program are estimated to be \$110,000.
- McDonald Lake Harvest—A multi-year project will be conducted (2011–2014) to sample the purse seine and drift gillnet fisheries for otolith-marked McDonald Lake sockeye salmon from the SSRAA stocking program. This information will be used to update the coded-wire tagging and genetic stock identification studies and provide improved information about the time and area distribution of McDonald Lake sockeye salmon in the commercial net fisheries closest to McDonald Lake. Approximate annual costs of this program are \$60,000.
- Lake Productivity Sampling—Although a great deal of limnological information was collected at McDonald Lake over the course of the fertilization project, the lack of long-term pre-fertilization data made it impossible to properly assess the effects of fertilization. To better understand freshwater population parameters of McDonald Lake sockeye salmon and to provide information necessary to assess the effectiveness of past (and potentially future) lake fertilization enhancement activity at the lake, a study of the lake’s physical and biological parameters should be implemented. This program could potentially include a) assessment of the lake’s physical and chemical characteristics, b) estimate zooplankton abundance and species, c) estimate approximate mortality rates of sockeye fry, from early summer to spring pre-smolt stage, d) assessment of smolt age and condition, and e) retrospective analysis of historical information. This work would potentially be designed and conducted in cooperation with the University of Alaska Fairbanks. Approximate annual costs of this program are to be determined.

REFERENCES CITED

- Eggers, D. M., S. C. Heinl, and A. W. Piston. *In press*. McDonald Lake sockeye salmon escapement goal recommendations. Alaska Department of Fish and Game, Fishery Data Series, Anchorage.
- Geiger, H. J., M. A. Cartwright, J. H. Clark, J. Conitz, S. C. Heinl, K. Jensen, B. Lewis, A. J. McGregor, R. Riffe, G. Woods, and T. P. Zadina. 2004. Sockeye salmon stock status and escapement goals in Southeast Alaska [in] Stock Status and Escapement Goals for Salmon Stocks in Southeast Alaska. H. J. Geiger and S. McPherson, editors. Alaska Department of Fish and Game, Divisions of Sport and Commercial Fisheries, Special Publication 04-02.
- Heinl, S. C., A. W. Piston, T. A. Johnson, and H. J. Geiger. 2008. Sockeye salmon mark-recapture and radio telemetry studies at McDonald Lake, 2005–2006. Alaska Department of Fish and Game, Fishery Data Series No. 08-42, Anchorage.
- Heinl, S. C., D. M. Eggers, and A. W. Piston. *In press*. McDonald Lake: stock status report and escapement goal recommendations. Alaska Department of Fish and Game, Fishery Data Series, Anchorage.
- Hoffman, S. H., L. Talley, and M. C. Seibel. 1983. 1982 U.S./Canada research pink and sockeye salmon tagging, interception rates, migration patterns, run timing, and stock intermingling in southern Southeast Alaska and Northern British Columbia. [in]: Final Report 1982 salmon research conducted in Southeast Alaska by the Alaska Department of Fish and Game in conjunction with joint U.S.-Canada Interception investigations. Contract No. NASO-82-00134.
- Hoffman, S. H., L. Talley, and M. C. Seibel. 1984. 1983 sockeye and chum salmon tagging, notional contribution rates, migration patterns, run timing, and stock intermingling research in southern Southeast Alaska and northern British Columbia. [in] Final Report. 1983 salmon research conducted in Southeast Alaska by the Alaska Department of Fish and Game in conjunction with National Marine Fisheries Service Auke Bay Laboratory for joint U.S.-Canada Interception Studies. Contract No. WASC-83-ABC-00157.
- Johnson, T., S. C. Heinl, and H. J. Geiger. 2005. McDonald Lake: stock status report and escapement goal recommendations. Alaska Department of Fish and Game, Fishery Manuscript No. 05-07, Anchorage.
- Koenings, J. P., and R. D. Burkett. 1987. Population characteristics of sockeye salmon (*Oncorhynchus nerka*) smolts relative to temperature regimes, euphotic volume, fry density and forage base within Alaska lakes, p. 216–234. [in]: H. S. Smith, L. Margolis, and C. C. Wood, editors. Sockeye salmon (*Oncorhynchus nerka*) population biology and future management. Canadian Special Publication Fisheries and Aquatic Science 96: 486.
- Piston, A. W. 2008. Hugh Smith Lake sockeye salmon adult and juvenile studies, 2007. Alaska Department of Fish and Game, Fishery Data Series No. 08-43, Anchorage.
- Piston, A. W., S. C. Heinl, H. J. Geiger, and T. A. Johnson. 2006. Hugh Smith Lake sockeye salmon adult and juvenile studies, 2003 to 2005. Alaska Department of Fish and Game, Fishery Data Series No. 06-51, Anchorage.
- Piston, A. W., S. C. Heinl, and H. J. Geiger. 2007. Hugh Smith Lake sockeye salmon adult and juvenile studies, 2006. Alaska Department of Fish and Game, Fishery Data Series No. 07-58, Anchorage.
- Roppel, P. 1982. Alaska's salmon hatcheries, 1891-1959. National Marine Fisheries Service, Alaska Historical Commission Studies in History No. 20.

TABLES

Table 1.—Average annual purse seine salmon harvest in Districts 1 through 7, by species, 1989–2008.

	Species				Total
	Sockeye	Coho	Pink	Chum	
District 1	116,594 2%	34,035 1%	6,308,765 96%	348,739 5%	6,538,132 100%
District 2	45,075 1%	50,659 1%	4,537,315 89%	459,887 9%	5,092,936 100%
District 3	25,825 1%	30,111 1%	4,055,505 96%	127,731 3%	4,239,172 100%
District 4	581,173 5%	127,913 1%	9,544,804 90%	367,611 3%	10,621,502 100%
District 5	6,086 1%	3,948 1%	655,324 96%	20,473 3%	685,831 100%
District 6	7,296 1%	11,222 1%	967,221 96%	17,793 2%	1,003,531 100%
District 7	14,984 1%	8,083 1%	1,343,386 88%	158,246 10%	1,524,699 100%
Total	797,032 3%	265,971 1%	27,142,320 91%	1,500,481 5%	29,705,804 100%

Table 2.—Average annual drift gillnet salmon harvest in Districts 1 and 6, by species, 1989–2008.

	Species				Totals
	Sockeye	Coho	Pink	Chum	
District 1	137,702 14%	44,402 4%	526,089 52%	308,937 30%	1,017,130 100%
District 6	145,828 16%	172,144 19%	382,542 42%	207,019 23%	907,533 100%
Total	283,530 15%	216,546 11%	908,631 47%	515,957 27%	1,924,663 100%

Table 3.—Distribution of coded wire tag recoveries of McDonald Lake sockeye salmon (expanded for fishery sample size) in the commercial fisheries of Southeast Alaska, 1985, and 1989–1991.

	Proportion Harvested by Area and Gear				Average
	1985	1989	1990	1991 ¹	
Total Tags Recovered	47	90	190	32	
Total Expanded Tags	203	370	670	112	
District 101-11 Gillnet	7%	2%	2%	26%	9%
District 1 Annette Island Gillnet	4%	2%	7%		3%
District 1 Seine	40% ^a	8%	9%	15%	18%
District 1 Annette Island Seine	3%	---	---	5%	2%
District 1 Annette Island Trap	1%	---	---		<1%
District 2 Seine	9%	17%	9%	16%	13%
District 3 Seine	---	---	<1%		<1%
District 4 Seine	10%	13%	17%	32%	18%
District 6 Gillnet	28%	57%	56%	6%	37%
District 7 Seine	---	1%	---		<1%
District 2 Troll	---	---	<1%		<1%

¹ Tag recovery information for 1991 is included here for completeness, but it must be pointed out that the information is badly biased and probably not representative. Coded-wire tag returns in 1991 were compromised by a very low rate of tagging in 1988, and the fact that tags were not applied throughout the entire smolt outmigration period. Fewer than 6,000 smolts were tagged (compared to 22,000 in 1986, and 38,000 in 1987), 51% of which were tagged during the last three days of the six-week tagging period (Johnson et al. 2005).

Table 4.—Distribution of coded wire tag recoveries of McDonald Lake sockeye salmon (expanded for fishery sample size) in the District 1 commercial fisheries, 1985, 1989, and 1990 (does not include West Behm Canal). Note that expansions are based on few tag recoveries: 19 tags in 1985, 8 tags in 1989, and 25 tags in 1990.

Year	Fishery	27	28	29	30	31	32	33	34	35
1985	Gillnet			3		3		9		
	Seine			3	3	4	6	4	10	
	MIC ¹				2	6	6		3	
1989	Gillnet					7				
	Seine			13	7		9			
	MIC	3				3	2			
1990	Gillnet			3			3	7	3	
	Seine				14	8	12	23		
	MIC					35		5	3	1
Average		3	0	5	7	10	6	10	5	1

¹ MIC = Metlakatla Indian Community trap, drift gillnet, and purse seine fisheries.

FIGURES

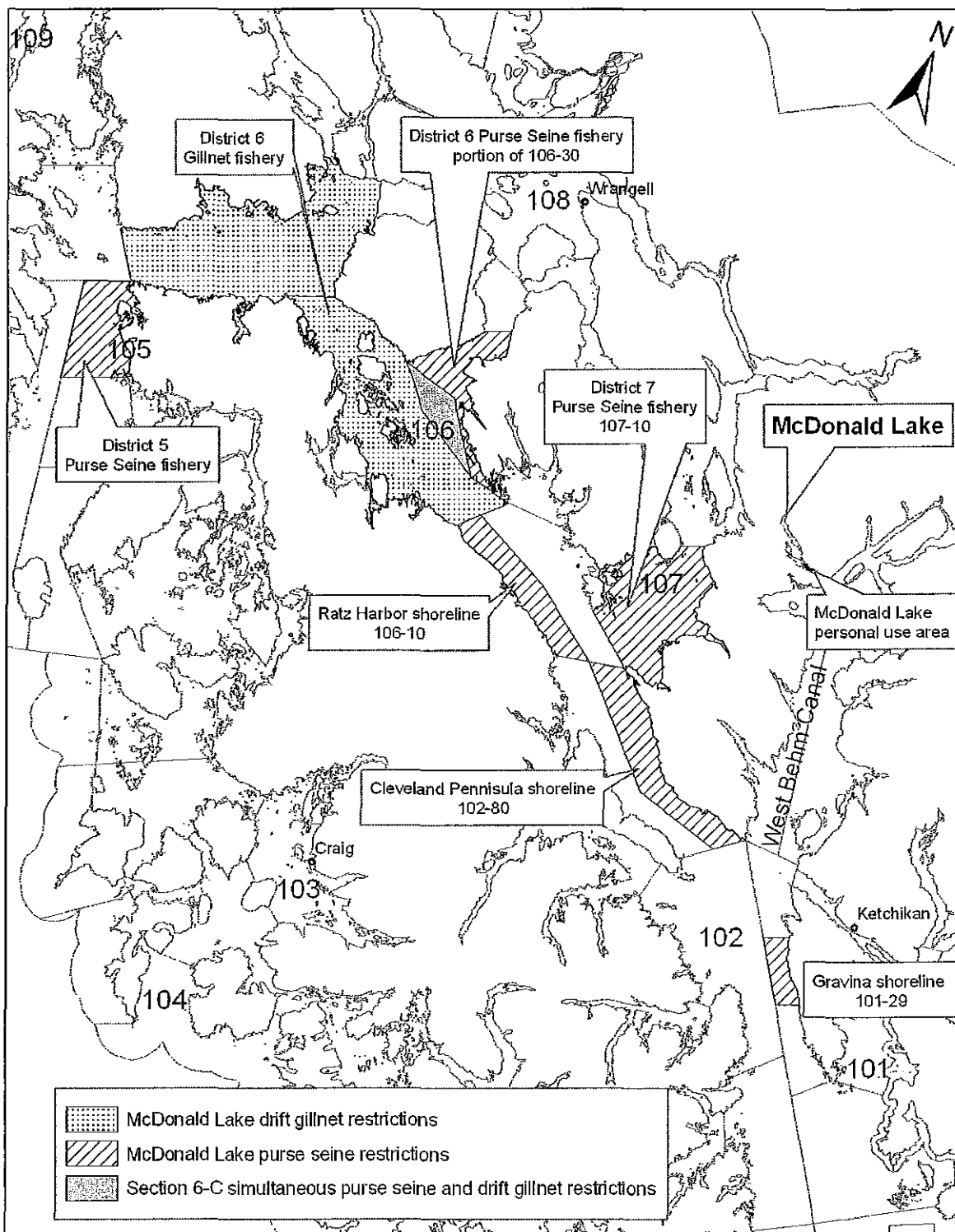


Figure 1.—Commercial fishing areas in southern Southeast Alaska, and the areas in Districts 1 through 7 delineated for potential restrictions in the McDonald Lake Action Plan.

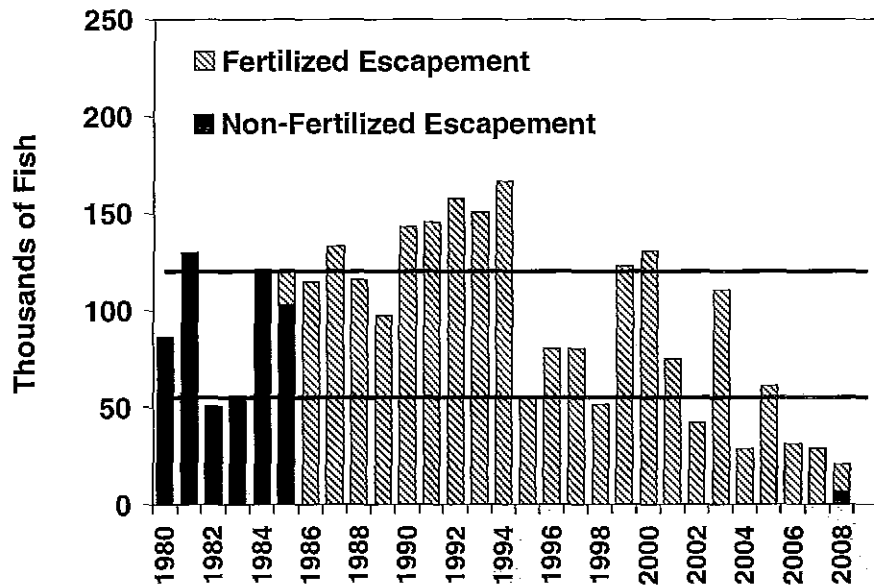


Figure 2.—Estimated McDonald Lake sockeye salmon spawning escapement, 1981–2008. Black bars represent escapements and portions of escapements that were not affected by lake fertilization. Bold black lines represent the recommended new sustainable escapement goal range of 55,000 to 120,000 spawners.

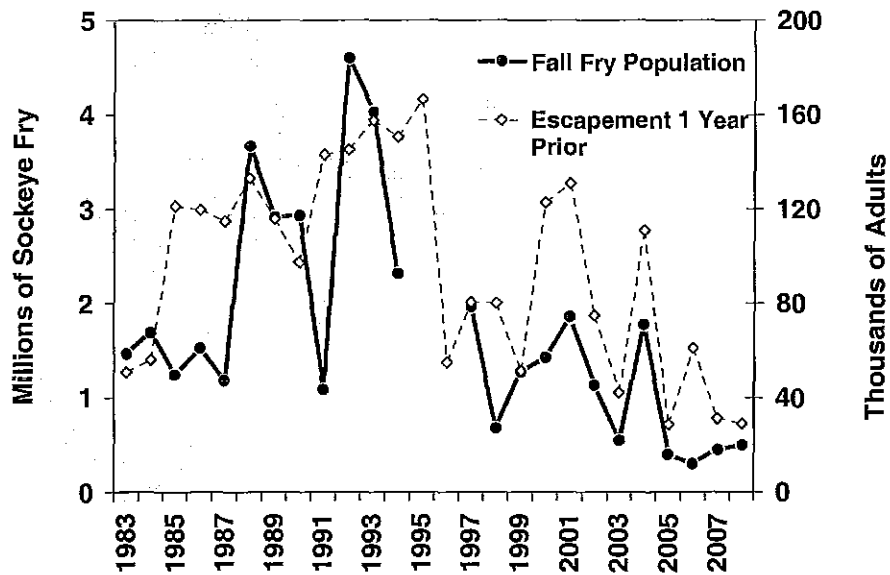


Figure 3.—Estimates of age-0 sockeye salmon fry in McDonald Lake, 1983–2008, compared to the estimated brood-year escapement of adult sockeye salmon one year prior. Note that McDonald Lake sockeye salmon fry were hatchery-reared and back-planted into the lake in 1989 (3.5 million fry) and 1990 (1.0 million fry).

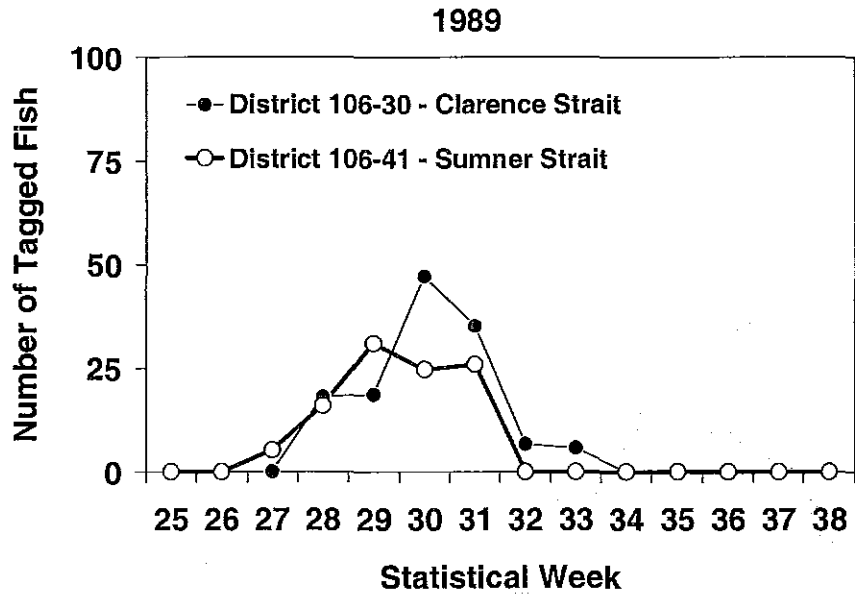


Figure 4.—Recoveries of coded-wire tagged McDonald Lake sockeye salmon in the District 6 drift gillnet fishery, expanded for fishery sample size, 1989.

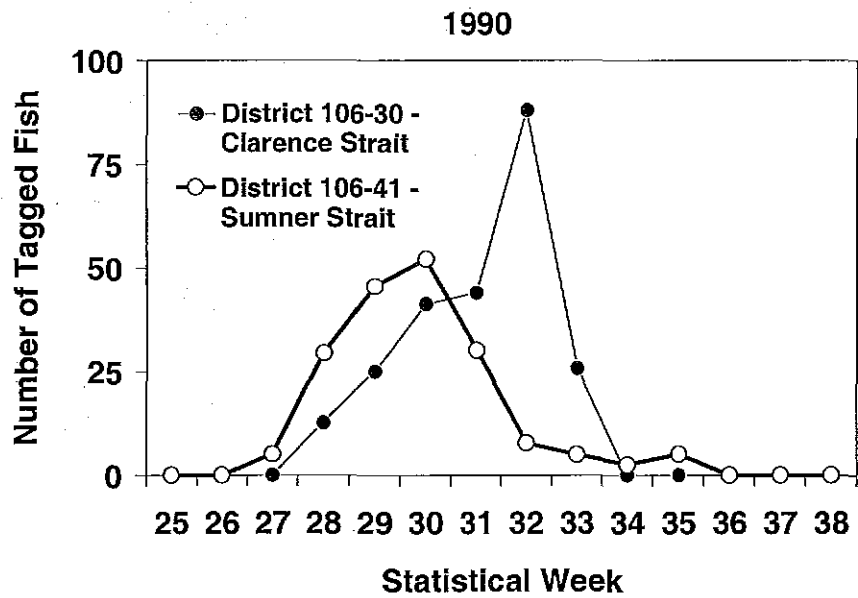


Figure 5.—Recoveries of coded-wire tagged McDonald Lake sockeye salmon in the District 6 drift gillnet fishery, expanded for fishery sample size, 1990.

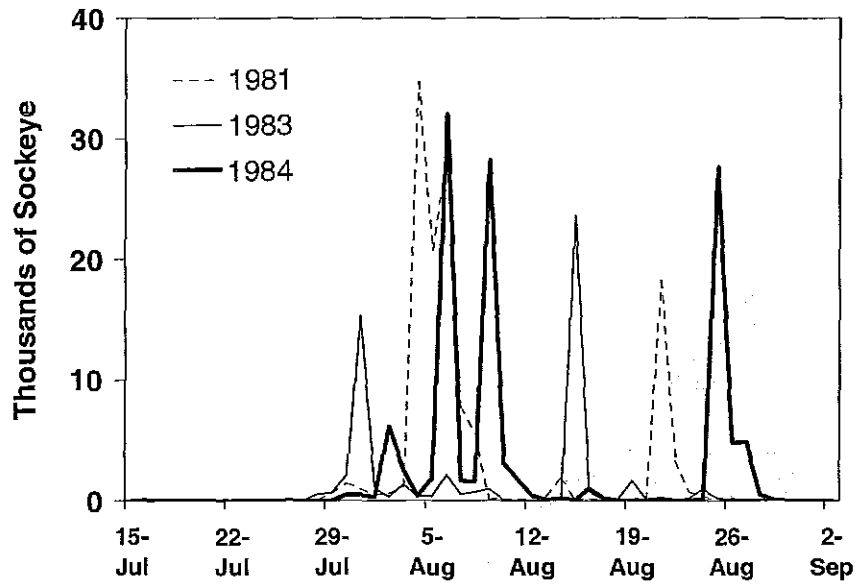


Figure 6.—Run timing of McDonald Lake sockeye salmon into the outlet stream, Wolverine Creek, based on daily weir counts in 1981, 1983, and 1984.

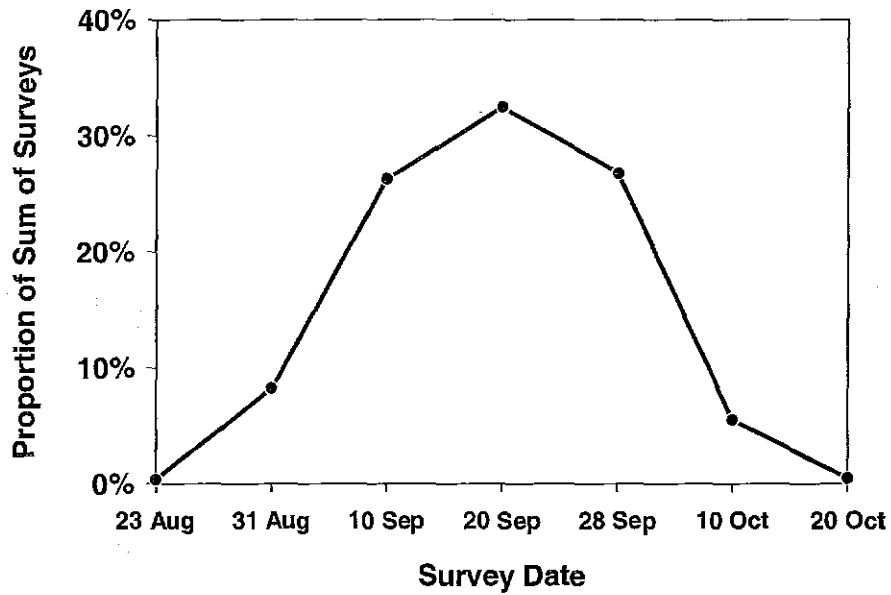


Figure 7.—Average run timing of McDonald Lake sockeye salmon into the spawning stream at Hatchery Creek, based on foot surveys conducted on the indicated dates, 1980–2007..

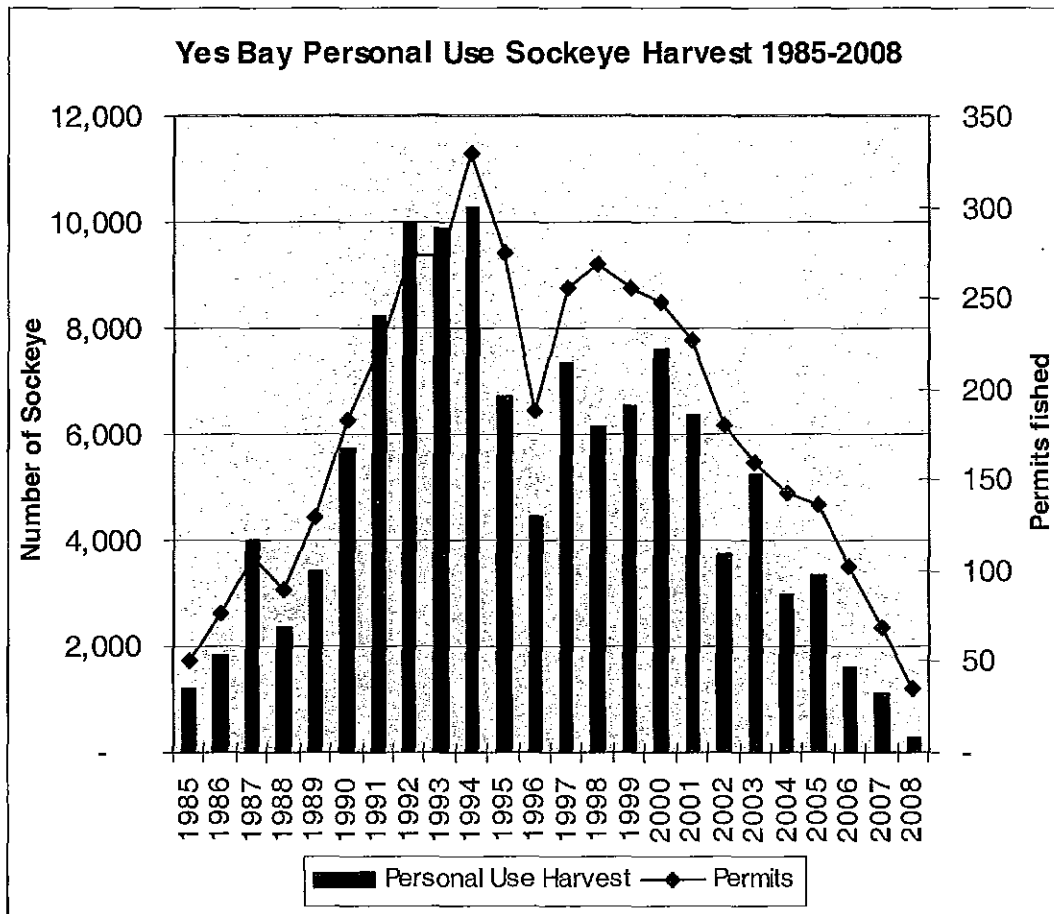


Figure 8.—McDonald Lake sockeye personal use harvest and permits fished, 1985–2008.

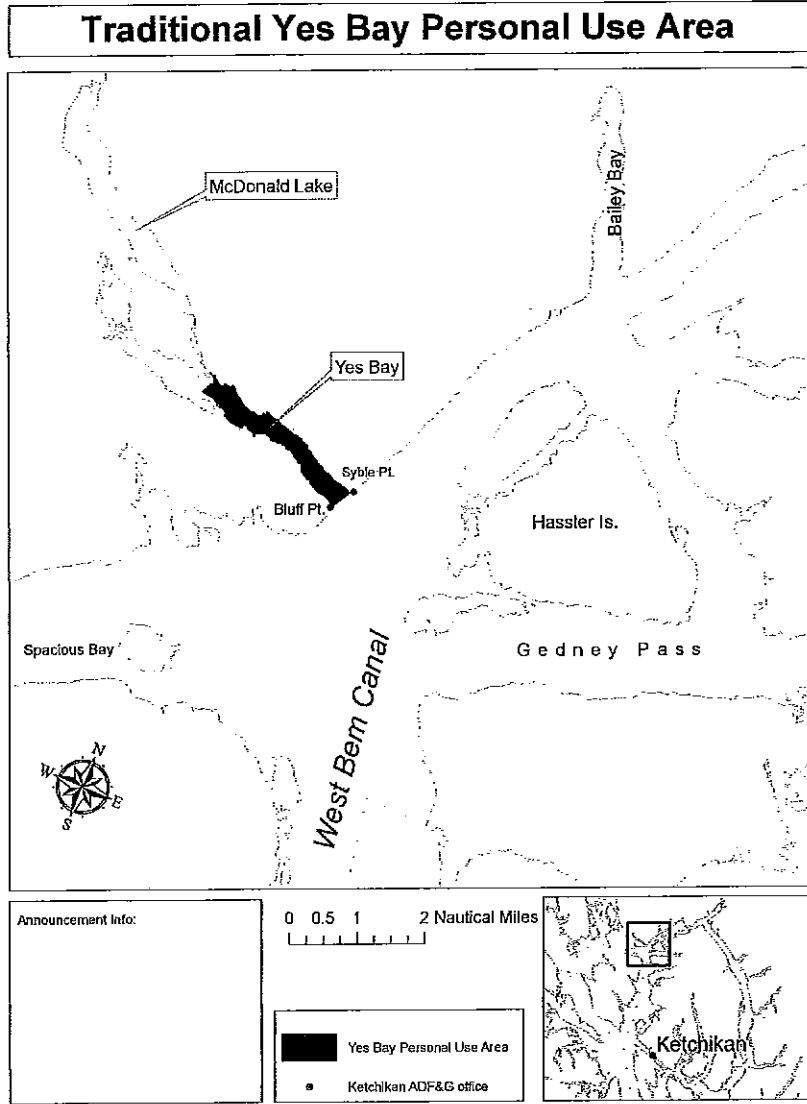


Figure 9.—Yes Bay personal use area.

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

RC71

February 12, 2009

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

Re: Proposal 309, 368, in opposition.

To Alaska Board of Fishery Members:

The Juneau Charter Boat Operator's Association (JCBOA) would like to submit comments for consideration regarding proposals 309 and 368. We feel a Coho annual bag limit is not justifiable at this time and will cause further harm to our member businesses and the Southeast Alaska economy for the following reasons.

1. Non-resident sport fishermen take fewer than 6% of the total Coho catch while the commercial harvest averages 89%. These harvest levels do not reflect a need to restrict non-resident harvest to protect other users. Coho abundance levels show no conservation concerns that require an annual limit on Coho for non-residents.

	Number of Salmon Caught in Southeast Region							
	Sport			Commercial			Percent Comm	
	Coho ¹	King ¹	Total	Coho ²	King ²	Total	Coho	King
2000	192,951	63,173	256,124	1,974,427	232,536	2,206,963	91%	79%
2001	321,106	72,291	393,397	3,300,932	243,225	3,544,157	91%	77%
2002	277,150	69,537	346,687	3,242,516	386,384	3,628,900	92%	85%
2003	322,882	69,370	392,252	2,498,375	416,684	2,915,059	89%	86%
2004	330,651	80,572	411,223	3,084,663	483,330	3,567,993	90%	86%
2005	409,303	86,575	495,878	3,002,784	441,363	3,444,147	88%	84%
2006	209,577	85,794	295,371	2,091,875	366,862	2,458,737	91%	81%
2007	261,445	82,848	344,293	2,062,603	353,997	2,416,600	89%	81%

1 - Data Provided by ADFG, Robert Chadwick
 2 - Fishery Management Report No. 08-34, ADFG, June 08

A non-resident annual limit on Coho, with no allocation or resource mandate, will deprive Alaskans employed in the recreational fishing industry the maximum benefit of non-resident angler dollars. Denying these Alaskans the "maximum" economic benefit of fishery resources is contrary to Article Eight of the Alaska Constitution

Article 8,

§ 1. Statement of Policy

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

2009 Board of Directors

Todd Wicks
President

Peter Wright
Vice President

Jackie Yamada
Secretary

Ole Bartness
Treasurer

Edwin Haney
Member at Large

Kevin Burchfield
Member at Large

k Bierman
Member at Large

Chris White
Member at Large

Chris Conder
Member at Large

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

2009 Board of Directors
<i>Todd Wicks</i> President
<i>Peter Wright</i> Vice President
<i>Jackie Yamada</i> Secretary
<i>Ole Bartness</i> Treasurer
<i>Edwin Haney</i> Member at Large
<i>Kevin</i> <i>Burchfield</i> Member at Large
<i>Rick Bierman</i> Member at Large
<i>Chris White</i> Member at Large
<i>Chris Conder</i> Member at Large

§ 2. General Authority

The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

§ 3. Common Use

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

2. This proposal will cause undo harm to the non-resident and guided recreational fishing industry in Southeast, which in turn will cause great harm to the economies of all sectors in Southeast Alaska communities. According to the recently completed Southwick Study non-resident sport fishing injects \$175,000,000 directly to the Southeast economy annually. This in turn drives a total benefit of \$236,759,645. 1,662 jobs are directly involved in non-resident sport fishing in Southeast with a total direct and indirect benefit of 2,272 jobs. Income generated directly from nonresident angling in Southeast is \$50,987,336, with a total income benefit to the region of \$71,825,687. (See Southwick Study, page 280, attached.)

According to NMFS the one halibut daily bag limit will reduce the recreational fishing economy in Southeast by 30% causing guided halibut anglers to relocate their trips to South Central, Alaska or Canada. This 30% loss is the impact of one species, only on *guided* anglers. If NMFS's calculations are correct the one halibut rule, under ideal economic circumstances, will cost the Southeast economy 681 jobs, \$21,547,706 in lost wages; a total of \$71,102,789 in overall economic benefits.

This proposal seeks to place yet another limit, but this time on *all* non-resident anglers. An annual limit for non-residents on Coho will exacerbate the loss of economic opportunity caused by the one halibut rule in Southeast. It will create even more discrepancies in bag limits between Southeast and south central causing even more nonresidents and multi-day charter clients to "go north" or go to Canada for their fishing experience. This action, if taken by the Board of Fisheries, would be contrary to the Mission Statement of the Alaska Department of Fish and Game, which reads as follows:

To protect, maintain, and improve the fish, game, and aquatic plant resources of the state, and manage their use and development in the best interest of the economy and the well-being of the people of the state, consistent with the sustained yield principle.

3. Should these proposals be adopted into regulation, the angler will be required by law to record the catch *immediately* upon landing it. Alaska Wildlife Enforcement uses a strict interpretation of the word *immediately* and holds both the client and the guide responsible. A violation requires the client to return to Alaska for a

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

2009 Board
of Directors

Todd Wicks
President

Peter Wright
Vice President

Jackie Yamada
Secretary

Ole Bartness
Treasurer

Edwin Haney
Member at
Large

Kevin
Burchfield
Member at
Large

Nick Bierman
Member at
Large

Chris White
Member at
Large

Chris Conder
Member at
Large

mandatory court appearance and if guided, the guide faces a fine of over a thousand dollars, jail time and the loss of his guide license. The chaotic action of a Coho bite will force non-resident anglers into unintentional violation situations with little benefit to the Department, enforcement officers, the economy, residents, non-residents, management objectives or the resource. Because commercial fishermen, who take the lion's share of the catch, are not required to log their catch via fish ticket until it is unloaded to a tender or at the processing plant, this provision is particularly punitive towards sport anglers.

4. Return clients are the foundation of any recreational angling business. An annual limit discourages anglers from retuning. Nonresidents visit Southeast Alaska in good and bad Coho years. Many times they do less than expected. It is the good years that keep them coming back. If annual limits on Coho are implemented non-residents will be forced to share the pain in bad years and be denied the gain in good years. The recreational fishery in Southeast will change from a premium dollar sport fishing destination to a low end cruise ship based half-day tour as the higher spending lodge and multi-day anglers go where they are treated well.
5. These proposals generate on no viable catch data collection benefit. The State Saltwater Charter Vessel Verifiable Log Book provides undisputable accountability and data for guided anglers. It is provided to the State in a timely manner and is considered by the Department as the best available science at this time. Additionally the Creel Census and Statewide Harvest Survey provide non-guided non-resident data to the Department at the same level as resident information.
6. There are already management tools in place that can control the non-resident Coho harvest in times of low abundance. Abundance itself has successfully regulated sport catch as illustrated by the table above. During the years 2000-2007 Coho harvest by sport anglers has remained stable between 9-11% even though the total Coho harvest fluctuated more than 1.25 million fish during those same years. This fact alone disproves the argument that current limits will allow the sport fishery to harm the resource in years of low abundance. Additionally, in-season Emergency Orders continue to be available to the Department as a means of addressing extraordinary circumstances and scientifically-supported conservation issues that present themselves

The authors and proponents of these proposals are fond of asking, "How many fish does a non-resident angler really need?" as justification for stricter limits and the enactment of these proposals. As you read this, the guided recreational fishing industry in Southeast Alaska is already suffering from halibut bag limit restrictions that are predicted to decrease revenues by 30%. Current indicators suggest tourism in Alaska for the 2009 season are down 40% to 60%.

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

2009 Board
of Directors

Todd Wicks
President

Peter Wright
Vice President

Jackie Yamada
Secretary

Ole Bartness
Treasurer

Edwin Haney
Member at
Large

Kevin
Burchfield
Member at
Large

k Bierman
Member at
Large

Chris White
Member at
Large

Chris Conder
Member at
Large

The question the Board should be asking is, "How many non-resident Coho does Southeast's economy need to maintain a viable sport fishery?" The answer is the status quo.

- The status quo, no annual limit, has provided a viable Coho fishery for the net fleet, for the troll fleet, for resident and non-resident, guided and non-guided anglers.
- There are no conservation issues driving an annual limit on Coho.
- Non-resident angling is a major component in southeast Alaska's economy and will be harmed by any annual limit on Coho.
- A bag limit differential between Southeast and south central will drive non-resident anglers away.
- Non-resident anglers will be forced to share the pain in low abundance years and be denied the gain in years of high abundance.
- Recording the catch will be burdensome on anglers.
- There are no reporting benefits from angler catch cards.
- Management tools are already in place to address conservation concerns when necessary.

These proposals are nothing short of an attempt by commercial fishing interests to move fish from the sport fishery into the commercial fishery. While allocation issues are the purview of the Board, we respectfully submit that drastic changes to ANY current fishing regime could have severe and irreparable consequences on the economy of Southeast Alaska. We need the same bag limits here in Southeast as south central has to maintain our economic base. Non-resident sport fishing has filled the economic void left by the timber industry collapse. Proponents of these proposals have provided no verifiable scientific data and ADF&G has no stated conservation concerns regarding Southeast's Coho stocks. Our industry takes a small, but economically significant, portion of a healthy fishery and despite claims to the contrary, our percentage of the catch has been stable despite rising and falling abundance. Please help Alaskans, dependent on recreational fishing for their livelihoods, continue to maximize the resource by allowing non-resident anglers status quo access to Coho in Southeast Alaska. No annual limit on Coho.

Thank you for your consideration in this matter,

Sincerely,



p.p. Todd Wicks
President

RB/JY

RC72

2-17-09

RE: Support for Amended language, Proposal 259

Chairman Jensen, Board Members,

Proposal 259 with amended language as submitted by the Petersburg Advisory Committee is a compromise position between the original proposal and the status quo.

The amended language would maintain the Monday morning gillnet openings, as specified in the District 8 King Salmon Plan, in District 8 through the third Monday in June. The intent of this change is to lessen the conflicts between the gillnet fleet and sport fishers during the weekends.

When the treaty agreement was reached with Canada through the Pacific Salmon Commission process allowing this new directed king salmon fishery to take place, one of the provisions in the District 8 King Salmon Management Plan was to minimize disruption of the sport fishery during the weekends. In order to accomplish that, the weekly fishing periods for both gillnet and troll was established in regulation to begin on Monday mornings. The problem comes after the Department goes to Sockeye Management on the second Sunday of June. During Sockeye management, the Department opens the fishery at noon on Sundays by regulation. This creates the conflict on Sundays the King Salmon Plan was trying to avoid.

Participation in this new King Salmon fishery has been much higher by the gillnet fleet than was originally anticipated. Department estimates during the development of the District 8 KS Plan put the level of expected effort at 30-40 vessels. Actual participation has been 80-100+ vessels. In addition, since there are no maximum mesh restrictions imposed after the beginning of sockeye management, gillnetters have continued to target king salmon for the first week or two of the sockeye fishery. This continued effort on king salmon has kept the fleet size in District 8 much larger than is normally experienced during the sockeye fishery and is contributing to the conflicts with sport fishers on the weekends.

Weekly sockeye gillnet openings are generally less than 3 days per week during June so no fishing time will be lost. Continuing with Monday openings as called for in the District 8 King Salmon Management Plan for an additional two weeks will not disadvantage the gillnet fleet but will help resolve the conflicts between the two user groups.

Thank you for your consideration.



Stan Malcom
Member, Petersburg Advisory Committee

RC73

BOARD OF FISH TESTIMONY 2009

MR. CHAIRMAN AND MEMBERS OF THE BOARD. THANK YOU FOR THIS OPPORTUNITY TO SPEAK TO YOU TODAY. MY NAME IS DAVE OTTE AND I AM ON THE BOARD OF BOTH THE ALASKA TROLLER ASSOCIATION AND THE SOUTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION. HOWEVER I AM SPEAKING FOR MY SELF AND NOT THESE ORGANIZATIONS. I AM AND HAVE BEEN A TROLLER FOR ABOUT 30 YEARS.

I AM HERE TODAY TO SUPPORT PROPOSALS 325 AND 327. THESE PROPOSALS BOTH AFFECT THE LATE SEASON COHO FISHERY. PROPOSAL 325 WOULD LEAVE THE COHO FISHERY OPEN UNTIL SEPTEMBER 30TH RATHER THAN SEPTEMBER 20TH. OF COURSE IF THE DEPARTMENT HAS CONSERVATION OR ESCAPEMENT CONCERNS THEY CAN ALWAYS SHUT THIS FISHERY DOWN EARLIER THAN THIS. IF THE DEPARTMENT IS UNCOMFORTABLE WITH LEAVING THE ENTIRE FISHERY OPEN AT THE VERY LEAST SOME OF THE INSIDE CORRIDORS SHOULD BE LEFT OPEN UNTIL THE END OF SEPTEMBER. IN LATE SEPTEMBER THESE FISH ARE MATURE AND OFTEN THERE IS FAIRLY GOOD FISHING IN THESE COORIDORS. THE GILLNET FLEET AND SPORTFISHERY IS ALLOWED TO HARVEST THESE FISH. WHY AREN'T TROLLERS? PROPOSAL 327 IS AN ATTEMPT TO TRY AND ACCESS SOME OF THE NEETS BAY COHO RETURNING TO THE HATCHERY. ALTHOUGH THE TERMINAL HARVEST AREA IS OPEN THESE FISH DO NOT BITE WELL WHEN THEY ARE THAT NEAR THE TERMINAL AREA AND WE WOULD LIKE TO SEE SOME OPPORTUNITY TO CATCH THES FISH FURTHER OUT FROM THE HATCHERY. IDEALLY THIS AREA WOULD BE THE CLEVELAND PENNISULA AND GRAVINA SHORE UP BEHM CANAL TO NEETS BAY.

I HAVE DONE SOME RESEARCH AND FOR THE PAST THREE YEARS AND THESE FISH AT THE TIME OF OUR CLOSURE HAVE JUST PEAKED OFF OF SITKA AND ARE JUST STARTING TO MOVE INTO CLARENCE STRAITS IN DECENT NUMBERS. IT SEEMS RIDUCULOUS TO TROLLERS IN THIS AREA THAT JUST AS THESE FISH HAVE SHOWN UP THAT THE FISHERY IS CLOSED.

THE REGIONAL PLANNING TEAM HAS ALSO SUPPORTED THIS PROPOSAL. THIS WOULD HELP THE TROLL FLEET TO TRY AND GET A LITTLE BIT MORE OF THE ENHANCED FISH ALLOCATION PERCENTAGE THAT WE NEVER HAVE BEEN ABLE TO REACH SINCE THIS ALLOCATION WAS PUT IN EFFECT IN THE EARLY 1990'S. THERE IS CERTAINLY NO SILVER BULLET TO FIX THE ENHANCED FISH ALLOCATION PROBLEM BUT THINGS LIKE THIS ALL HELP.

I SEE THIS AS AN AREA MUCH LIKE THE SPRING HATCHERY OPENINGS THAT WE ALREADY HAVE FOR CHINOOK. IF THE IDEA OF GROWING FISH IS TO CATCH THEM THEN WE NEED THE OPPORTUNITY TO DO SO.

THANKS ONCE AGAIN FOR THIS OPPORTUNITY TO SPEAK TO YOU.

SILVER BAY SEAFOODS, LLC

4400 Sawmill Creek Road, Suite, Sitka, Alaska 99835 - Tel. No. 907-747-7996 . Fax No. 907-747-7998

RC74

Board of Fisheries Testimony: February 2009

Thank you Chairman Jensen and board members for this opportunity to testify. My name is Richard Riggs, CEO for Silver Bay Seafoods. My testimony is directed towards many of the Sitka Sound Herring Sac Roe Fishery proposals being considered by the Board.

Consistent with the constitutional mandate, Alaska's fisheries are managed by ADF&G and the Board of Fisheries according to sustained yield principles. This includes the management of the Sitka Sound Herring Sac Roe Fishery.

The analytical data supports that the Department has managed the Sitka Sound Herring Sac Roe Fishery based on good science and sustained yield principles. There is general consensus in the scientific community, including the Auke Bay Lab, University of Alaska, and ADF&G, that the subject herring biomass is increasing and the stock is healthy. The historical data also supports that ADF&G has conservatively managed the commercial harvest, with the pre-season forecasted biomass (the basis of determining the commercial quota) under running the post-season biomass (harvest plus escapement) 10 of the last 11 years dating back to 1998, with an average under forecast of 23,494 tons per year for the period.

As such, based on the analytical data, the consensus in the scientific community supporting the science used to date, and the evidence supporting ADF&G's management methodologies being based on sustained yield principles, I am opposed to proposals 199, 200, 203, and 204, all of which seek to restrict or close the Sitka Sound Herring Sac Roe Fishery.

I would also like to take this opportunity to express my support of proposal 217 as it relates to including Salisbury Sound in the Herring Management Plan.

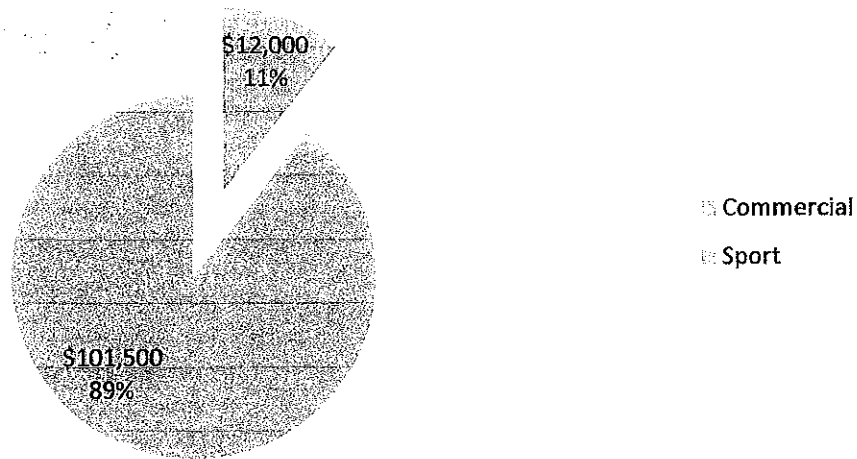
Lastly, I would like to address Proposal 234 and Proposal 235 as they relate to subsistence harvest. As an individual with four generations of Sitkans in my family, and one who has great respect for the subsistence lifestyle and the importance it has, I was encouraged by the overwhelming number of receptive comments at the Advisory Committee meeting in December 2008 supporting industry working in concert with those that have subsistence needs as it relates to harvesting and/or receiving herring eggs. I am confident that the two groups will work collaboratively, in a way that both achieves adequate levels of subsistence harvest and promotes the traditional subsistence culture. With these two groups expressing their willingness to work collaboratively, I suggest that Proposal 234 should be deferred until such time that a formal and well documented permit system, as provided in Proposal 235, is implemented and the resulting data assessed.

Thank you for time.

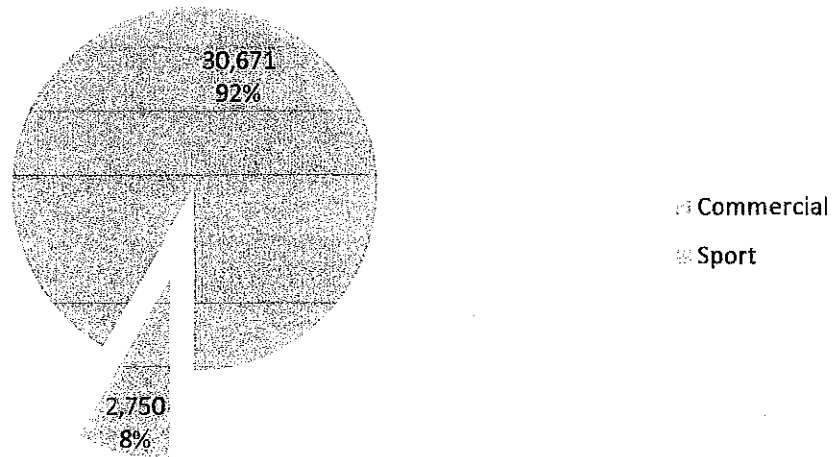
Tsiu River revenue and use as documented by

Sheinberg Associates Executive Summary Feb 2009

2007 Tax and Lease Revenue



2007 Number of Fish Harvested



Sitka Sound Herring Sac Roe Fishery Data - 1971 to Present

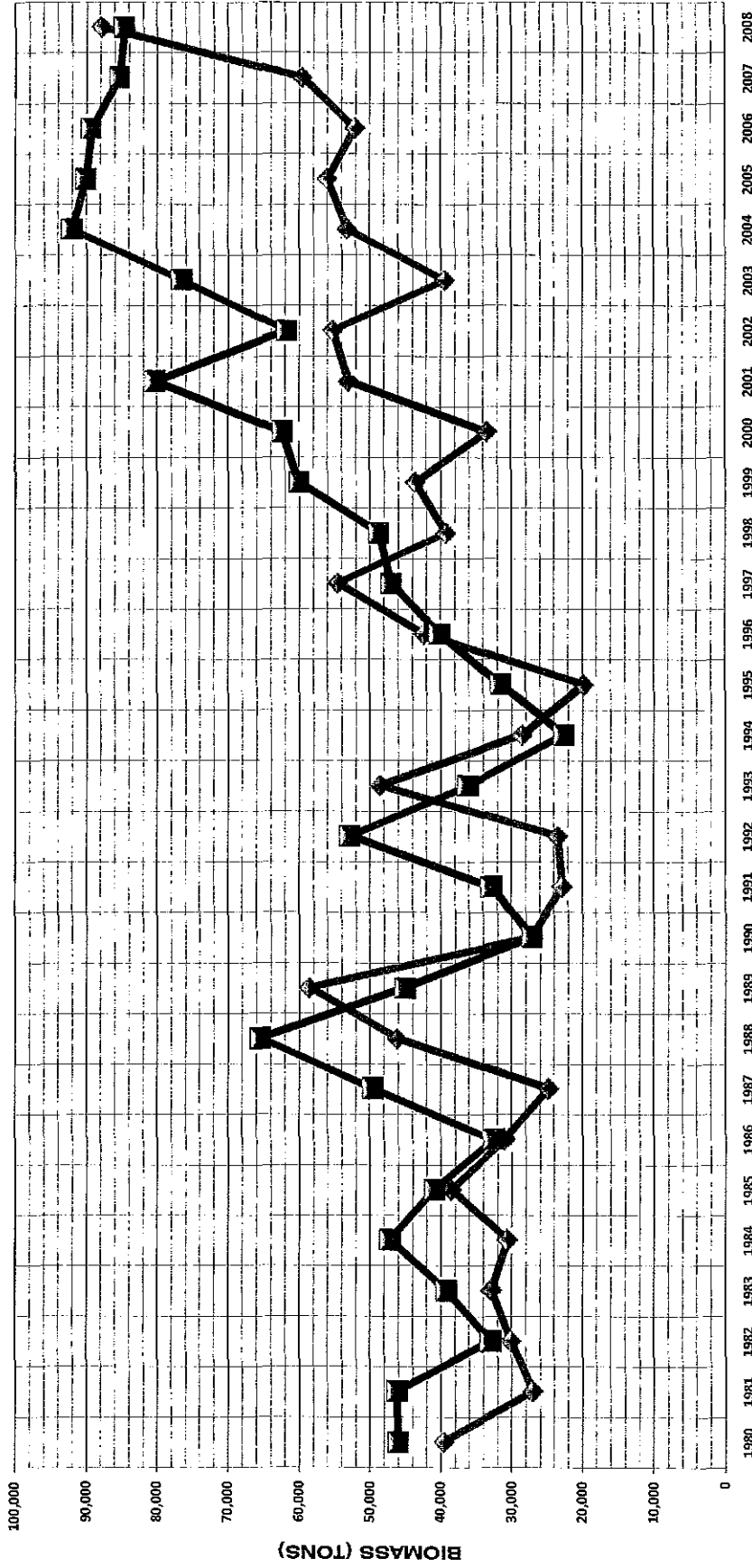
1	2	3	4	5	6	7	8	9	10
YEAR	FORECAST BIOMASS	QUOTA (TONS)	SAC ROE HARVEST (TONS)	UNDER / (OVER) HARVEST (TONS)	UNDER / (OVER) %	ESTIMATED ESCAPEMENT	POST-SEASON TOTAL BIOMASS (7+4)	HIND CAST QUOTA	DIFFERENTIAL BETWEEN POST-SEASON BIOMASS & PRE-SEASON FORECASTED BIOMASS
1971	-	750	278	472	63%	4,798	5,076		
1972	-	850	603	247	29%	7,620	8,223		
1973	-	600	537	63	11%	5,645	6,182		
1974	-	600	712	-112	-19%	5,645	6,357		
1975	6,400	550	1,484	-934	-170%	4,516	6,000		
1976	7,300	780	795	-15	-2%	3,477	4,272		
1977	5,650	0	0	0	0%	5,904	5,904		
1978	4,500	250	238	12	5%	3,850	4,088		
1979	20,300	2,000	2,559	-559	-28%	23,144	25,703		
1980	39,500	4,000	4,445	-445	-11%	41,523	45,968		
1981	27,000	3,000	3,506	-506	-17%	42,603	46,109		
1982	30,000	3,000	4,363	-1,363	-45%	28,489	32,852		
1983	32,850	5,500	5,416	84	2%	33,734	39,150		
1984	30,550	5,000	5,830	-830	-17%	41,299	47,129		
1985	38,500	7,700	7,475	225	3%	33,407	40,882		
1986	30,950	5,029	5,443	-414	-8%	27,094	32,537	5,426	
1987	24,750	3,600	4,216	-616	-17%	45,312	49,528	9,906	
1988	46,050	9,200	9,390	-190	-2%	56,012	65,402	13,080	
1989	58,500	11,700	11,831	-131	-1%	33,171	45,002	9,000	
1990	27,200	4,150	3,804	346	8%	23,307	27,111	4,129	
1991	22,750	3,200	1,838	1,362	43%	30,874	32,712	5,471	
1992	23,450	3,356	5,368	-2,012	-60%	47,362	52,730	10,546	
1993	48,500	9,700	10,186	-486	-5%	25,864	36,050	6,350	
1994	28,450	4,432	4,758	-326	-7%	17,811	22,569	3,164	
1995	19,700	2,609	2,908	-299	-11%	28,535	31,443	5,152	
1996	42,265	8,144	8,144	0	0%	31,882	40,026	7,474	
1997	54,500	10,900	11,147	-247	-2%	35,772	46,919	9,384	
1998	39,200	6,900	6,638	262	4%	42,058	48,696	9,739	9,496
1999	43,600	8,476	9,217	-741	-9%	50,806	60,023	12,005	16,423
2000	33,365	5,120	4,630	490	10%	57,709	62,339	12,468	28,974
2001	52,985	10,597	11,974	-1,377	-13%	68,223	80,197	16,039	27,212
2002	55,209	11,042	9,788	1,254	11%	51,970	61,758	12,352	6,549
2003	39,378	6,969	7,051	-82	-1%	69,477	76,528	15,306	37,150
2004	53,088	10,618	10,490	128	1%	81,437	91,927	18,385	38,839
2005	55,962	11,192	11,366	-174	-2%	78,615	89,981	17,996	34,019
2006	52,059	10,412	9,967	445	4%	79,243	89,210	17,842	37,151
2007	59,519	11,904	11,571	333	3%	73,711	85,282	17,056	25,763
2008	87,715	14,723	14,386	337	2.3%	70,183	84,569	16,914	-3,146

1998 - 2008 AVERAGE BIOMASS DIFFERENTIAL: POST SEASON VS. PRE-SEASON FORECAST:

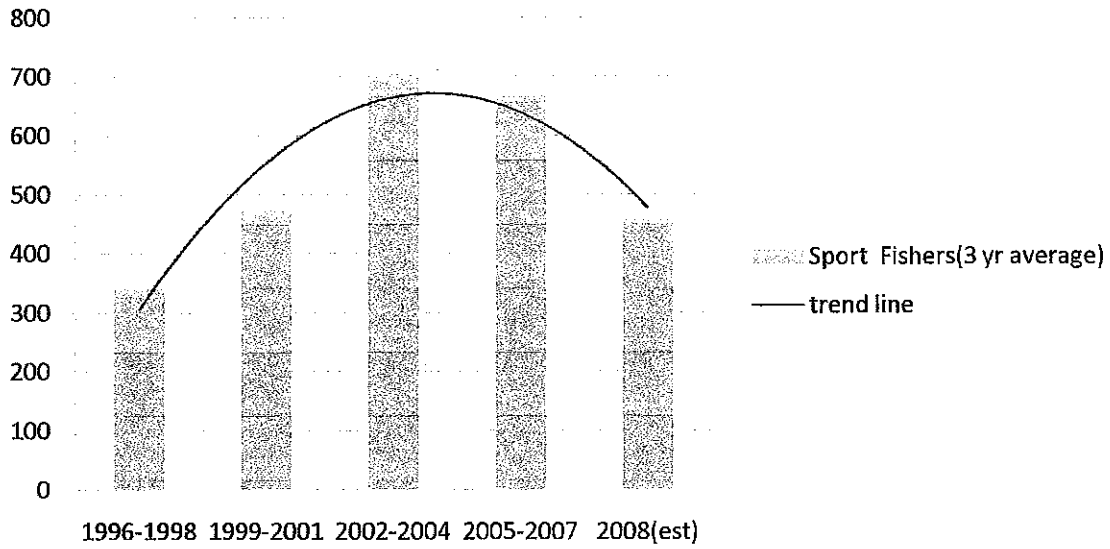
23,494

SITKA SAC ROE FISHERY: FORECASTED BIOMASS VS. ACTUAL BIOMASS 1980 - 2008

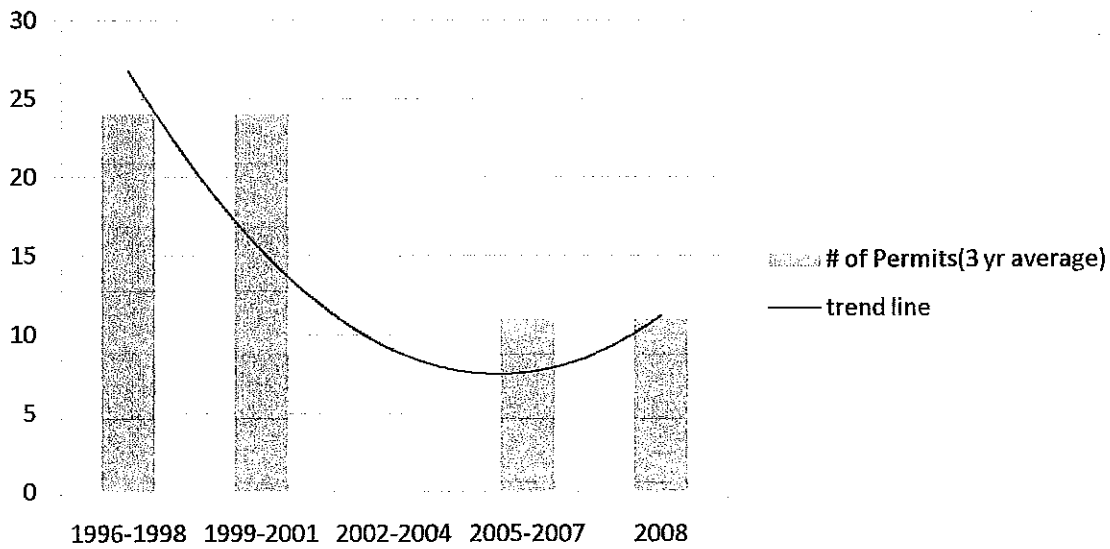
—◆— FORECASTED BIOMASS —■— ACTUAL BIOMASS



Sport Fishers(3 yr average)



of Permits(3 yr average)



RC 76

Recorded Comment
Proposal 297/298

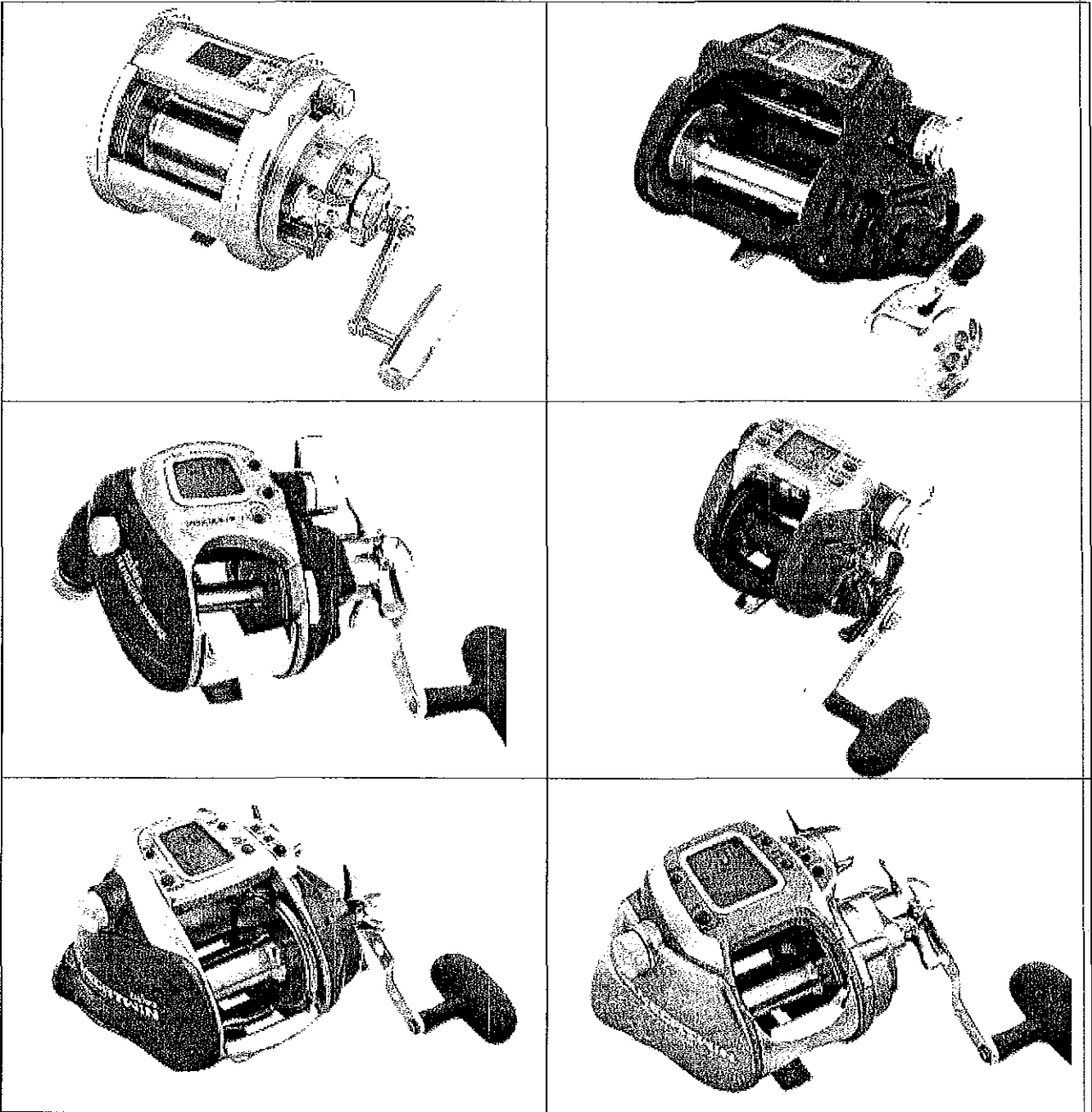
Proposal: 297/298 - Amend the definitions of allowable sport fishing gear for Southeast Alaska. Allow the use of a hand operated or electric reel in the Southeast Alaska sport fishery.

Submitter: Southeast Alaska Guides Organization, (SEAGO) representing 25 sport fishing guides and lodges throughout Southeast Alaska

Summary: We SUPPORT this proposal. Place electric reels into law. The elderly and the physically challenged need this gear to fish deep water. If there is an issue with the harvest of deep water species, deal with it directly via bag limits rather than adding more layers of regulation and red tape.

Explanation:

Daiwa Electric Reels





Daiwa Corporation

Daiwa Eastern Operations Center
1108-F Continental Blvd.
Charlotte, North Carolina 28273
Phone: (800) 736-4653 Fax: (704) 583-0499

February 9, 2009

To whom it may concern:

Daiwa's power assist reels are not designed or intended for commercial use, but are portable, battery powered reels intended for use by sport fishermen on normal sport fishing rods. They cannot be compared directly to the fixed hydraulic and electric units used by commercial fishermen.

Their purpose is to enhance the sport fishing experience by reducing the drudgery of retrieving the heavy weights and rigs required to fish at greater depths. Manually winding up eight, ten or more pounds of sinker from hundreds of feet deep to check baits is extremely hard work and impractical to do manually. The reels help reduce that effort, allowing sport fishermen easier access to previously inaccessible depths and species, access that would otherwise be denied to youth, elderly and female anglers.

Daiwa's power assist reels also feature an adjustable drag and manual winding handle. The idea is to let the electric part take care of the drudgery of retrieving baits, yet after the hookup, fight a fish on the handle as with ordinary sport fishing reels. Of course, fish with swim bladders stop fighting as the bladder expands when they are brought up. The power retrieve helps insure they are brought to the surface within a reasonable time, meaning less time for hooks to work loose and potentially cause loss of the fish.

We are unaware of any state in America that has banned use of these reels.

Sincerely,

Bill Liston

Vice President, Advertising & Promotion
Daiwa Corporation



RCTI

To whom it may concern:

I have fished the Alaskan Southeast waters outside of Craig, Alaska since 2001 with fishing boat chart C-Track by Captain Mike Stump.

I very much support proposal 341 but am totally opposed to 286,288,and309. These are "death nolls" for us "out of staters" who enjoy the experience of your state each year.

We not only support the local fishing charter industry but also spend money at the local restaurants, grocers, and tourist oriented shops each year we fish with C-Track. Last year alone, I spent over \$1,000 on tackle, transport, food, fees, and entertainment in Craig.

We would be hard pressed to continue spending our monies in the Southeast, and anywhere in Alaska for the matter, if the fishing restrictions proposed were put in place. We love to experience Alaska and support your communities, but would most likely have to discontinue our annual fishing trips to Craig if these restrictions are put into place.

Our guides are very aware of the fish populations and every year Captain Stump make me and my friends who join us cognizant of the need to ensure the sustainability of the fish populations in Southeast Alaska. They are very responsible fisherman who are extremely exceptional steward of the state's natural resources.

I think the proposed restrictions, 286, 288, and 309 are too extreme and would deter us from continuing to patronize your state and C-Track as our fishing adventure for the year. The Chesapeake Bay is but a 45 minute drive from our house, but the experience we have in Craig keeps us returning year after year.

I strongly oppose proposal 286, 288 and 309 and hope you will vote against them.

Thank you for your consideration.

Adam Schafer
10101 Grosvenor Pl.
Unit #401
N. Bethesda, MD 20852
301-530-1080



RC 18

New Text Document

TESTIMENT FOR SUBSISTENT

My name James John Nielsen Sr. I was born in Sitka Alaska, June 1929 my father was Peter C. Nielsen of the Kiksadi tribe the first people of this area in the begining of time immoral. My mother Dora B. Howard Nielsen was Choo Kaneidi Eagle clan which I follow my mother's lineage at present I'm the clan leader of the Iceberg house.

I was raised in Sitka Alaska all my life grew up in Subsistant way of life as a young boy we used to go to fish camp in Ushk Bay and put up a lot of foods we had a very large smoke house enough for four families we had four fires going all at once.

I had four brothers and two sisters then World war II broke out in 1941 three older brothers went in to military service two in the Army and one in the Navy at that time we as family didn't go to fish camp in Ushk bay later in years logging industry came around and logged in all major fish streams. equipment trashed all our housing our big smoke house also ruining the spawning beds therefore no fish ever returned U.S. Forrest service said they would replace the stuctures we said that wouldnt work because there was no fish in the three rivers in the bay ,besides most all fish streams in this area were ruined so much for ECONOMY.

Through years I have seen drastic changes on spawning habits mostly on a decline in Sitka sound and all the coast line in Alaska at the time for herring to spawn the coast line was visualized as far as you could see now its just a few miles this trend keeps up we wont have any to speak of you know B.O.F. does not have a recovery program therefore I'm in favor of proposition 199 untill further notice.

The subsistence users are not at fault they should not be regulated we do have a trust responsibilty with Federal Government. (No 234)

Without herring the salmon and halibut and all other fishes will show a drastic decline lets protect whats left also all other wild life if we get down to a dangerous level the wildlife will do rest lets hope this wont happen.

James John Nielsen Sr



Obama'08

BarackObama.com

BARACK OBAMA'S PRINCIPLES FOR STRONGER TRIBAL COMMUNITIES

"Perhaps more than anyone else, the Native American community faces huge challenges that have been ignored by Washington for too long. It is time to empower Native Americans in the development of the national policy agenda." Barack Obama

The hundreds of Indian tribes in America face a unique set of challenges. Issues like sovereignty, health care, and education—issues that are central to tribes' future prosperity and embedded in the federal government's responsibility—are often neglected. Barack Obama is committed to tribal nation building and enforcing the federal government's obligations to Indian people.

SOVEREIGNTY, TRIBAL-FEDERAL RELATIONS AND THE TRUST RESPONSIBILITY: Native American tribal nations are sovereign, self-governing political entities and enjoy a government-to-government relationship with the United States federal government that is recognized expressly in the U.S. Constitution.

Self-Determination: Barack Obama supports the principle of tribal self-determination, with recognition that the federal government must honor its treaty obligations and fully enable tribal self-governance.

Consultation and Inclusion: In furtherance of the government-to-government relationship, Barack Obama will include tribal leadership in the important policy determinations that impact Indian Country. Obama will appoint an American Indian policy advisor on his senior White House staff so that Indian Country has a direct interface at the highest level of the Obama Administration. In addition, Obama will host a White House "Tribal G8" – an annual meeting with Native American leaders to develop a national Indian policy agenda.

Honoring the Trust Responsibility: Barack Obama recognizes that honoring the government-to-government relationship requires fulfillment of the United States' trust responsibility to tribes and individual Indians. More specifically, Obama is committed to meaningful reform of the broken system that manages and administers the trust lands and other trust assets belonging to tribes and individual Indians. Further, he is committed to resolving equitably with both tribes and individual Indians litigation resulting from the past failures in the administration and accounting of their trust assets.

HEALTH CARE: The Indian Health Service estimates that it receives only 55 percent of the federal funding it requires. Federal per-capita funding for Indian health care amounts to about half of the federal per capita health funding for federal prisoners. Indians are the most at-risk minority group for health problems like diabetes, which they suffer from at a rate 249 percent higher than the national average. Moreover, Indians have the nation's highest death rates for tuberculosis and suicide. After Haiti, men on the Pine Ridge and Rosebud Reservations in South Dakota have the lowest life expectancy in the Western Hemisphere.

Indian Health Services: Barack Obama voted in the Senate to provide an additional \$1 billion for IHS to address these disparities. Additionally, he was an original cosponsor of the Indian Health Care Improvement Act of 2007 which mandates modernization of the Indian health care system and strengthens urban Indian health facilities. Obama has fought against the Bush Administration's attempt to eliminate urban health care for Indians not living in reservation communities. Obama opposed a federal land acquisition program that would

have diverted funds from the Special Diabetes Program for Indians and the Alcohol and Substance Abuse program. Obama supports sufficient funding for IHS and proper staffing and maintenance for IHS facilities.

EDUCATION: Education is the key to improving the lives of Native Americans and empowering tribal nations to build a better future. Educational policies in the 1970s attempted to reverse past federal policies aimed at eradicating Native American languages and cultures, but Native Americans still suffer from some of the lowest high school graduation and college matriculation rates in the nation. We must continue to honor our obligations to Native Americans by providing tribes with the educational resources promised by treaty and federal law.

Indian Language Education: Tribes are struggling to preserve their languages. It is estimated that by 2050 only 20 of the over 500 Native languages once spoken will remain. Research shows that instruction in tribal language increases Native American academic performance in other areas like math and science. Barack Obama supports funding for Native language immersion and preservation programs.

No Child Left Behind: The goal of the No Child Left Behind Act is the right one – ensuring that all children meet high education standards – but the law has significant flaws that need to be addressed, including in Indian Country. Unfulfilled promises, ineffective implementation, and shortcomings in the design of the law itself have created countless obstacles for tribal educators. Barack Obama would fund No Child Left Behind and reform the law to better incorporate Title VII, the law's Indian, Hawaiian, and Alaskan education provision. Obama's plan would provide greater flexibility in integrating Native languages, cultures, and communities into school programs in a manner consistent with principles of tribal sovereignty.

Early Childhood Education: Research shows that half of low-income children start school up to two years behind their peers in preschool skills and that these early achievement gaps continue throughout elementary school. Barack Obama supports increasing funding for the Head Start program, including the American Indian and Alaska Native Head Start Programs, to provide American Indian preschool children with critically important learning skills. He also appreciates the role of parental involvement in the success of Head Start and has called on states to replicate the Illinois model of Preschool for All. Tribes should also be given the opportunity to implement culturally appropriate versions of this program.

Indian School Construction: Many government-funded Indian schools are dilapidated, and many are simply too small to meet the needs of growing Indian populations. A safe, comfortable place to learn is critical to receiving a proper education. Barack Obama is committed to repairing and building Indian schools.

Tribal Colleges: Tribal colleges have played a critical role in improving the lives of Native Americans. Obama supports increased funding for operations and facility construction, as well as the removal of bureaucratic impediments so tribal colleges can thrive.

RELIGIOUS FREEDOM AND CULTURAL PROTECTION

Cultural Rights and Sacred Places Protection: Native American sacred places and site-specific ceremonies are under threat from development, pollution, and vandalism. Barack Obama supports legal protections for sacred places and cultural traditions, including Native ancestors' burial grounds and churches.

ECONOMIC & INFRASTRUCTURE DEVELOPMENT: Native Americans experience some of the most severe socioeconomic conditions in the United States. Poverty and its effects are pervasive, with more than quarter of all Native Americans living in poverty and unemployment rates reaching 80 percent on some reservations. Obama's experience as a community organizer working in poor neighborhoods plagued by high unemployment has taught him that there is no single solution to community poverty. Therefore, he supports using a comprehensive approach that includes investment in physical, human and institutional infrastructure, increased access to capital, the removal of barriers to development, and above all, authentic government-to-government relationships between the federal government and tribes.

Minimum Wage: Barack Obama believes that people who work full time should not live in poverty. In 2007, Obama supported legislation that increased the Federal minimum wage for the first time in 10 years. Even though the minimum wage will rise to \$7.25 an hour by 2009, the minimum wage's real purchasing power will still be below what it was in 1968. As president, Obama will further raise the minimum wage to \$9.50 an hour by 2011, index it to inflation and increase the Earned Income Tax Credit to make sure that full-time workers can earn a living wage that allows them to raise their families and pay for basic needs such as food, transportation, and housing – things so many people take for granted.

Housing: The federal government has a moral and legal responsibility to assist tribes in providing housing. Yet, Native Americans suffer from some of the worst housing conditions in the nation. Some 14 percent of all reservation homes have no electricity, and on some reservations, as many as 20 individuals are forced to live in a single-family home. Barack Obama supports increased funding for the Indian Housing Block Grant and other Indian housing programs as well as improving the effectiveness of these programs.

Gaming: The Supreme Court has upheld the right of tribes, as sovereign entities, to operate gaming operations on Indian reservations. A total of 225 of the 558 federally recognized Indian tribes operate gaming facilities, creating 670,000 jobs nationwide and paying \$11 billion to the federal and state governments through taxes and other revenue. The vast majority of Indian gaming operations are small enterprises providing jobs to tribal members. Because most tribes continue to suffer from high rates of poverty and unemployment, Barack Obama believes that gaming revenues are important tribal resources for funding education, healthcare, law enforcement, and other essential government functions.

Energy: Tribal nations have joined in America's quest for alternative, renewable energy. Because of their rural land bases and access to natural resources, many tribes have made great strides in economic development in the energy sector. Tribes have successful operations producing gas, solar, and wind energy. In addition to harnessing and producing energy, tribes have an interest in energy rights-of-way. Barack Obama encourages energy companies and Indian tribes to negotiate in good faith to ensure tribes receive just compensation and in furtherance of carrying sustainable energy to all communities.

WOMEN'S HEALTH: Indians are often subject to unusually harsh conditions when it comes to women's health. A recent study by Amnesty International details the alarming rates at which Native women are subject to violence. The report states that one in three American Indian women will be raped in their lifetime, and they are more than three times as likely to be raped or sexually assaulted than other women in America.

Reproductive Health: In the past, IHS has been criticized for performing forced sterilizations of Indian women. More recently, many Native women have been pushed to receive one type of contraception instead of more suitable alternatives. Although these women often have no alternative to IHS, the program often does not provide them with adequate reproductive health care, and many women are often denied equal access to birth control, and prenatal care. Barack Obama supports the reproductive health rights of American Indian women, and supports ensuring that they receive equal opportunities to make healthy reproductive choices.

Violence against Women: Violence in Indian country is committed at alarmingly high rates, and all too often Indian women are the victims. Medical facilities are few and far between, and are often not adequately prepared to deal with assault victims. Also, because of the unique jurisdictional scheme on reservations, law enforcement can be slow and difficult to come by. If the perpetrator is non-Indian, then the tribe does not have jurisdiction over the crime. This is alarming when more than 86 percent of assaults against Indian women are committed by non-Indians. State and federal law enforcement officials are often far removed from the situation, and the tribes are left without the authority to protect their people. Barack Obama will reexamine the legal framework that allows such injustices, and supports empowering tribes to combat violence against Native women irrespective of whether the perpetrators are Indian or non-Indian.

Law Enforcement: Barack Obama also supports fully funding the Community Oriented Policing Services (COPS) program that many tribal law enforcement agencies have come to rely upon. He also recognizes the important role tribal courts play on the reservation. Obama will continue to support additional resources to strengthen tribal courts as well as correction by statute of the jurisdictional gaps that currently inhibit tribes' ability to protect their communities..

Detention Centers: There is a demonstrable need for facility improvements and expansions of detention centers in Indian Country. Barack Obama understands that federal funding of such improvements is essential to enable tribes to effectively protect their communities.

METHAMPHETAMINES: In a 2006 survey, 74 percent of tribal law enforcement officials reported methamphetamines to be the leading threat to their tribes' livelihood. The same survey reported dramatic increases in cases of domestic violence, child neglect, sex crimes, and weapons charges.

Combat Meth Act of 2005: Barack Obama supported the Combat Meth Act of 2005, major parts of which became law in 2006. The act puts federal funds into the fight against methamphetamine, provides assistance to children affected by meth abuse, and places restrictions on the sale of the ingredients used to make the drug.

Tribal empowerment: Barack Obama believes that funding tribal police programs and tribal courts and resolving longstanding jurisdiction issues will enable tribal authorities to deal more effectively with the causes and effects of this and other crime problems on Indian land.

VETERANS AFFAIRS: Native Americans serve in the armed forces at a higher rate than any other minority group in America. Native Americans have served in every war, and their special place in American military history is widely recognized. The first woman to die in combat in the Iraq war was a young Native American woman. World War II's Codetalkers are the most celebrated examples of how Indians have been critical to the success of American efforts overseas. As a member of the Senate Veterans' Affairs Committee, Obama supports several Veteran measures, including the sheltering and rehabilitation of homeless veterans, securing veterans' benefits, and easing service members' transition back into society.

HUNTING AND FISHING: Hunting and fishing are important to many tribes' diet, culture, and spirituality. Protecting hunting and fishing rights ensures that tribes are able to carry on those aspects of their traditional way of life.

Fishing Rights: The fishing rights of Indian tribes are guaranteed not only by 150 year-old treaties, but by the Supreme Court's affirmation of the *Boldt* decision as well. It is our shared duty to uphold these obligations and protect fisheries in such a manner that allows tribal and non-tribal fishing to continue into the future.

The path to equitable fishery management is paved with good science. Barack Obama supports initiatives to improve the science and our understanding of our nation's fish stocks. Through improved science, we can better guide decisions about how to protect the health of fish stocks, and, in turn, ensure a better, more secure and predictable future for our nation's fishermen.

"We've got to make sure we are not just having a BIA that is dealing with the various Native American tribes; we've got to have the President of the United States meeting on a regular basis with the Native American leadership and ensuring relationships of dignity and respect." Barack Obama, Elko, NV, January 18, 2008



2079

Law Offices of
MICHAEL HALLEY
A Professional Corporation

State Bar #49489
1101 - 15th Street
P. O. Box 1052
Modesto, CA 95353-1052
Telephone: (209) 527-3650
Facsimile: (209) 527-5818

February 17, 2009

Alaska Board and Fisheries

Sent via facsimile (907) 465-6094

Re: Meeting in Sitka Feb 17-26
Regulations affecting sport fishing

Gentlemen:

I have recently become aware of the proposal before the board pertaining to halibut and silver salmon. Frankly, I am amazed that these proposals would even come before the board.

I have been fishing in Alaska for the past ten years. I annually fish out of Craig. Historically, we have been able to harvest two halibut per day and six cohos per day.

The proposed modification of the regulations to one halibut per day per fisherman and a limitation of twelve coho per season per fisherman seems completely unreasonable to me and certainly a serious threat to the charter industry, which is significant in your state.

In the event these regulations pass as proposed, no doubt the charter industry will vanish along with significant income both from their activity as well as nonresident fisherman.

The purpose of my writing this letter to you is to request that you consider the overall picture as it pertains to out of state fisherman as well as to a significant segment of your population who are in the charter fishing business. Specifically, I am requesting that you not limit the halibut limit to one and that you not change the regulations that pertain to coho salmon.

In the unhappy event that these proposals pass, I along with my group of three other persons will no longer see it viable to come to your state and fish as we have been doing for the past years. This would be very unfortunate from my personal point of view.

I urge you to not pass the proposed bills that pertain to the limitation on halibut and coho salmon.

Very truly yours,

MICHAEL HALLEY

RECEIVED TIME FEB. 17. 10:00AM

PRINT TIME FEB. 17. 10:01AM

RC80

My name is Mike Bauer and I live in Wrangell, Alaska. I have been an Alaska resident for 33 years. My wife Lori and I have owned and operated Coastal Island Charters for the last 16 years. We do week long overnight trips for 4 to 6 people out of Wrangell and Sitka. This is our sole income.

As members of a rapidly growing industry, some of us recognize such a high demand on one resource cannot come without costly consequences. We have to act now. We cannot allow this growth within our industry to continue. In 1995 there was time and money spent to develop a limited entry fishery, and then it was dropped. Had this been implemented we wouldn't be in this predicament. Our current situation is too many fishing guides for the amount of resource we have. If we continue the growth without some kind of "cap", we will be facing the grim reality of business not being able to operate as they are currently. If the majority of the proposals that are directed toward the charter industry are adopted it will kill this industry. If that happens, Craig, Ketchikan, Wrangell, Petersburg, Hoonah, Sitka and Juneau will suffer economic hardships more than they are now. Limited entry will optimize the economic benefits from our fish and wildlife resources. Action now is imperative. . Something has to be done, it's not that we can't do it, we just need to. Lessons should have been learnt from our past history as well as the demise of the fishing industries along the California, Oregon and Washington coasts.

Limited entry will help provide adequate resources for the industry, thus creating an added value to businesses and communities. All other fisheries are limited, certain aspects of this will not please everyone including myself, but it has to be done.

It will help all gear groups to work together, something we need more than ever and is also essential to the resource, the state and our communities. We ask you to help us promote a better managed fishery to our clients, and assist us in a way so that our businesses remain viable and continue to be an economic provider for our families and communities. Please help us make a change.

We can look back at history and see what has been done with this fishery. Nothing.

With limited entry of the charter boat industry will come more revenues to help with state funded enhancement programs. Which at this time, we are not a part of. We have to start being responsible for the enhancement of our fisheries. We can no longer afford to just take. We come to you today with a mind-set toward change within our own industry and teamwork with the commercial fleet. The time has come for collaboration amongst gear groups, not separation. We realize as a charter industry that we cannot continue to operate with the unwillingness to recognize the writing on the wall. You have the ability to help us remain an integral part of local economies, be proud of the business we have worked hard to build and be contributors to a resource. Alaska salmon resources cannot produce a livelihood for an unlimited number of fishermen, nor can they be successfully managed in this manner. Limited entry for the purpose of resource, conservation and preventing economic disasters amongst this fishery is the only way to go.

As a charter captain concerned about the resource, when I retire I would like to have a resource for my family and I to use. If there is any committee or task force assigned to this issue we would like to be a part of it.

Thank you.

The Elfin Cove Advisory Committee (ECAC) has asked a friend of Elfin Cove, a fellow fisherman and respected longtime fisheries advocate, Mr. Eric Jordan, to read this testimony prepared by ECAC. This testimony is in addition to the published information for your consideration in the proposal book concerning proposal 324. Over the course of his lengthy career, Eric has fished the entire Cross Sound area, knows the dynamics of the fishery, the fishermen and seafood processors involved and is familiar with the residents of Elfin Cove. ECAC has full confidence in his knowledgeable perspective and endorse his capability to discuss the issues or answer any questions you might have.

ECAC regrets we were not able to send an ECAC member to present this testimony due to the present severity of the winter conditions in our area. Record snowfall and cold windy temperatures require extra work, skill and diligence to keep the water running, the firewood stocked, snow shoveled, skiffs operated for transportation of mail, etc., much less do any fishing. The members' wives vote was unanimous- "Ain't no husband of mine going to Sitka and leaving me home alone under these conditions!"

ECAC with this testimony will present for your consideration the components that led to the submittal of proposal 324 to open the June Cross Sound pink and chum fishery seven days a week: background of the pink and chum troll fishery in Cross Sound from 1960s to present day and the relationship between the Community of Elfin Cove Non-Profit Corporation (CECNPC), Cross Sound Marketing Association (CSMA), and the economy of the Cross Sound area.

In your board packet, ADF&G has included with their comments on proposal 324 a Figure 324-1. This shows us the Cross Sound Pink and Chum 114-21 area. Cross Sound is open to the ocean swells and can have very strong tidal current velocities. In fact, where Cross Sound narrows to the East and becomes the North Inian Pass and South Inian Pass the tidal currents are so strong that the Passes have been identified as one of Alaska's premier spots for future large scale tidal power generation. So the strong currents and ocean swells makes it challenging to troll the area successfully. Many trollers that fish the area

now in August and September for cohoes can attest to the difficulty of fishing the famous Three Hill troll drag in the 114-21 area. Yet in the 1960's and early 1970's there were fishermen who chose to fish the area because they, for whatever their reasons, chose not to fish in the outside coastal waters or offshore. As availability of kings in the area was limited, they began to target pinks, chums, and sockeyes prior to arrival of cohoes later in the summer. They had to develop special troll fishing gear in order to catch these fish and find the best troll speed to induce the fish to bite. They also had to perfect their cleaning routine to handle all the fish. One locally famous boat during the 60s,70s and 80s, was the Sandy Andy, captained by Roy Clements, known to all as Uncle Roy the Humpy King because he used to catch so many humpies. Whether it was the adoption of the limited entry permit system in 1975, or other factors, there began a turnover in the fleet. Older fishermen moved on and a younger crowd began fishing around Elfin Cove. These younger and not so experienced fishermen turned to what was called humpy fishing. It was like the entry level to trolling. The boats used were generally older smaller boats not as well suited to fish in the weather on the outside coast. In those days, before the widespread use of Loran navigation, and of course GPS had not yet been applied to fishing, the main king drags on the outer coast were primarily fished by the use of landmarks. The king fishermen closely guarded the secrets of the use of the landmarks. So quite a number of boats based in Elfin Cove regularly fished pinks in June and July prior to the coho runs. They also began to perfect the catching of chums and sockeyes by learning about the gear the Canadians were using in their troll sockeye fisheries. Many pounds of pinks and chums were caught and delivered to the buyer in Elfin Cove during the late 1970s and on into the 1980s. A pioneering change came about in the mid-1980s when a few humpy fishermen began to slush ice their pinks and began to sell them round, in other words not dressed. Pelican Seafoods began buying in the round and soon after Excursion Inlet Packing also. This proved popular with fishermen, and a good quality product was being produced.

By 1981 the management of the troll fishery was changing dramatically. The Pacific Salmon Treaty (PST) was about to be ratified. ADF&G began to close off Alaskan stock kings for conservation purposes gradually fazing out fishing in May and June and by 1987 had moved to a July 1 start date for the summer troll fishery. We knew there were pinks, chums, sockeyes and cohoes to be caught in June, in fact the

chum catch numbers were increasing due to enhanced stock contribution. In 1988, ECAC proposed that the Cross Sound pink/chum experimental fishery be created. The fishermen wanted to be able to access the hatchery chums that Hidden Falls was producing and harvest wild runs of pinks. The run timing would have those chums returning through the area in June. At that time we saw it as a chance to get a return for our aquaculture assessment tax and have a fishing opportunity in June. The fishery area was carefully chosen to minimize king incidental catch in order to stay under the incidental 500 fish limit. By-and-large fishermen cooperated in this effort by using gear that would minimize the king catch. ADF&G's figures show that the fisherman's control of the incidental king catch to be a success. The amount of effort in the fishery fluctuates as does the price of fish. In 1989, the Exxon spill disaster put Alaskan salmon prices into a downward spiral and the growing farmed fish industry was coming on strong in the marketplace. Fish prices, permit values and numbers of permits fished declined throughout the 1990s and early 2000s. Fish companies were going out of business. Then a turn-around began to happen in the marketplace. Alaskan salmon quality was desired and farmed fish quality was damaged by reports of disease, pollution, and additives. By the 2000s we were seeing the results of sound management and of conservation and enhancement efforts such that there were more fishing opportunities in May and June in the Spring King fisheries. Prices improved for spring kings such that the effort was low in the pink and chum fishery as kings were being targeted concurrently in the recently opened spring king areas. But the big prices can decline as can availability and access to king stocks that are managed by PST mandates. The pink and chum fishery of seven days a week in June coupled with the spring king fisheries would provide a stable base for the economy of the Cross Sound area.

This brings us to an important aspect of what the pink and chum fishery has to offer to the local fishermen and economy.

The economy of Elfin Cove has always been based on the fisheries, specifically salmon trolling. From the early trollers and fish buyer in the 1930s to today's mix of commercial fishing people and sport charter operators, fish are what fuel the local economy and the ability of people to work and live in Elfin Cove.

The Community of Elfin Cove non-Profit Corporation (CECNPC) is the

local governmental entity. CECNPC owns and operates the electrical utility, the fuel dock and fuel tank farm and owns a multi-purpose building which houses the US Post Office, a museum, a medical room, a large multi-purpose room, offices, a shop, a warehouse and a firehall. When the Federal Government removed commercial fishing from Glacier Bay, buy out settlement money was paid and CECNPC received some compensation. In 2002, CECNPC members voted to grant half of the Glacier Bay funds to a group of local fishermen who formed what is known as Cross Sound Marketing Association. CSMA used those funds and also funds awarded by a Murkowski fisheries enhancement grant from the state to purchase land in Elfin Cove from the Wards Cove fish company, which was disposing of their Alaskan properties. The purchase included the one and only general store which sells groceries, fishing gear and liquor, a laundry and shower facility, a cafe, a warehouse, several housing rentals, tidelands with pilings, and a long dock and a fish buying scow. CSMA's mission is to connect local fishermen with markets for fresh, high quality hook-and-line caught fish, and to sustain Elfin Cove as a commercial fishing community. One can learn more about CSMA at their website, www.fairweatherfish.com. Since 2002 CSMA has successfully operated the businesses mentioned. CSMA has also organized a salmon roe marketing opportunity that for two seasons paid fishermen a return five times the dock price for roe. CSMA knows that there is a good fishing and marketing opportunity for the June pink and chum salmon and roe.

The Board's action of allowing this established fishery to remain open seven days once it begins would encourage processors' interest and their ability to keep their fish tenders operating in the most cost effective manner during that portion of the salmon season. ECAC received the enclosed letter from Juneau based Alaska Glacier Seafoods supporting the adoption of proposal 324.

I will read that letter now.

In closing, ECAC urges the adoption of Proposal 324 because we want to see younger inexperienced fishermen getting started and learning how to catch fish. Please allow them to participate in this fishery much the same as many of us began doing thirty years ago. The influx of boats attracted to the fishery translates to dollars spent at Elfin Cove

businesses. Adoption of proposal 324 by the Board of Fish truly would help sustain Elfin Cove as a commercial fishing community. In fact, it would help sustain Elfin Cove as a viable community.

ECAC thanks you for your attention to this issue important to us.

RC82

Testimony to State of Alaska Board of Fish
February 18, 2009

My name is Sarah Jordan, 103 Gibson Place, Sitka. I'm here today representing myself.

I have been a troller since 1973, but I'm now known as the "Backdeck Grandma" in our coding group. I'm on the boat between 80 and 100 days a year.

Hatchery kings and chums are important to me for two reasons:

First, we have rebuilt the hold of our troller, putting in slush tanks so that we are able to deliver a quality product. Every 3-4 days for kings and daily for chum salmon.

Second, being able to fish inside for hatchery kings and chums is a blessing to me because I have a problem: I get seasick easily. I like fishing in the lee. In fact, Leigh is my middle name.

Income from hatchery fish is also very important to both of my sons. My younger son is a troller, and his older brother crews for him.

I support the industry consensus on S. E. enhanced salmon sharing with the amendment including chum salmon as part of the troll opportunity.

Thank you for the opportunity to express my concerns.

LC83

Chum Trollers Association

Eric Jordan, Secretary
Public Comment 102

Chum Trollers are a group of 10-20 trollers who have been targeting chums in SE Alaska since 1988.

"Our mission is to enhance and defend chum troll opportunity and markets."

Trollers can catch chums!!

Year	Chum troll harvest at Deep Inlet	Troll %
1994	271,369	28.29%
1995	190,790	16.99%
1996	321,331	13.71%
1997	290,216	12.81%
1998	100,894	3.82%
1999	67,348	2.05%
2000	449,625	13.93%
2001	188,700	22.34%
2002	80,585	14.59%
2003	87,582	10.59%
2004	145,858	9.17%
2005	165,046	14.23%
2006	139,291	7.38%
2007	166,602	44.22%
2008	51,271	8.72%
Total 94-08	2,716,508	11.48%

- Since 1994 trollers have caught 2,716,508 chums at Deep Inlet alone.
- This represents 11.8% of the total value of troll harvest of enhanced salmon since 1994.
- In 2007 trollers harvested 44% of the commercial harvest of chums at Deep Inlet.

Troll chums are an important part of the SE enhanced salmon allocation sharing puzzle.

Chum trollers would like the Board of Fisheries to reiterate their support for the SE Enhanced Salmon Allocation Plan and state

their support for the Industry Consensus statement of December 9, 2008.

After meeting with seiners, gillnetters, and trollers we are asking for ***just one word*** to be added to the consensus.

"Chum"

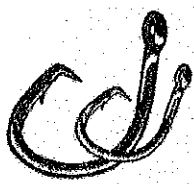
2) Encourage facility operators and ADF&G to identify additional times and areas where enhanced coho, chum, and Chinook could be harvested by trollers without affecting wild stocks.

I would like to represent Chum trollers on the Troll Committee.

I have a personal proposal (287) and would like to represent myself on the sport fish committee.

Thank you very much!





Alaska Longline

FISHERMEN'S ASSOCIATION

Post Office Box 1229 / Sitka, Alaska 99835 907.747.3400 / FAX 907.747.3462

RC 84

*From: Linda Behnken
To: Alaska Board of Fisheries
Subject: Fishery Conservation Network
Date: February 18, 2009*

In February 2006, longline fishermen made a commitment to the Board of Fisheries to work toward controlling rockfish bycatch. Since 2006, the longline fleet has remained below its rockfish allocation in all target fisheries. We are proud of that record, but committed to building resilience in coastal fisheries through strong conservation initiatives. To ensure we continue to fulfill our commitment to the Board and to more actively support resource conservation, ALFA has spent the past year developing and securing funding to launch an innovative Fishery Conservation Network.

Ready to launch in 2009, the **Fishery Conservation Network (FCN)** is designed to foster community-based stewardship of ocean resources. The FCN will assist fishermen in controlling rockfish bycatch rates by identifying areas of high rockfish abundance through stock assessment information and a real-time bycatch reporting network that allows fishermen to share information on rockfish bycatch rates. The FCN will also connect fishermen working to avoid and discourage sperm whale depredation on longlines, acting as an information clearing house. FCN fishermen will benefit from the data gathered by all participants, allowing information to be shared between fishermen and between generations.

Participating fishermen will be provided with:

- GIS maps identifying areas of consistently high rockfish bycatch rates from the halibut and sablefish stock assessment fisheries;
- Continuous enhancement of GIS maps as bycatch rate data are gathered from participating halibut and sablefish fishermen;
- An interactive sperm whale sighting and reporting system to assist fishermen in avoiding sperm whale depredation on longlines and to facilitate an information exchange on effective deterrents;
- Financial and expert assistance with installing bathymetric mapping equipment and sharing collected data to enhance "clean" fishing strategies;
- Access to premium seafood markets where consumers recognize and support the efforts of fishermen dedicated to the sustainable harvest of high quality seafood. The FCN will work with local processors to expand existing markets and strengthen coastal economies.

The Alaska Longline Fishermen's Association (ALFA) is a non-profit association of independent commercial longline vessel owners and crewmembers who are committed to continuing the sustainable harvest of sablefish, halibut and groundfish, while supporting healthy marine ecosystems and strong coastal communities through resource stewardship and participation in federal, state, and local forums.

Executive Summary

The commercial harvesting and processing of fish and other seafood products is part of Alaska's historical heritage dating back well over 100 years. The industry started with cod, halibut, herring and salmon in the late 1800s and early 1900s and has grown to include today's sophisticated offshore fisheries for pollock, cod, crab, and other species. As a major player in global markets, Alaska's seafood industry is an economic engine for the state and the nation. If Alaska were an independent country, it would rank in the top 10 of seafood producing nations. On the national scale, Alaska produces over half the United States' seafood landings. Alaska has 8 of the 20 largest seafood ports nationally (based on ex-vessel value of product): Unalaska/Dutch Harbor (2nd); Kodiak (3rd); Naknek-King Salmon (7th); Seward (9th); Sitka (10th); Cordova (11th); Homer (13th); and Petersburg (16th). Additionally, Unalaska/Dutch Harbor has been one of the nation's highest volume seafood ports for years. Within Alaska, the industry is the largest private sector employer, and provides jobs and revenues to communities throughout the state.

The seafood industry in Alaska is dependent on a healthy marine ecosystem and access to sustainable stocks of fish and shellfish. Management is science-driven and conservation comes first. Alaska's fishery management systems are held up as examples to fisheries around the world. The Pew Ocean Commission, as well as the United States Commission on Oceans Policy found that Alaska's fisheries are some of the best managed fisheries in the country, citing the role of science in setting catch limits, efforts to control bycatch and protect habitat. National Geographic (Bourne, 2003) identified Alaska as one of the three best managed and most sustainable fisheries in the world.

The mosaic of fisheries in Alaska is complex. State fisheries include salmon, herring, shellfish, and other species harvested within three miles of shore and in Alaska's vast network of rivers and lakes. Federal fisheries are those harvested beyond 3 miles, in federal waters out to the 200 mile limit. Federal fisheries include some of the nation's largest, such as pollock, cod, and crab. All of these fisheries, both federal and state, contribute to the economic and social well-being of Alaska's coastal communities, its urban cities, and the state as a whole.

Some highlights of the economic importance of the Alaska seafood industry include:

Importance of Alaska to the Global Seafood Market

If Alaska were a nation, it would place 9th among seafood producing countries.

The groundfish fishery in the waters off Alaska is among the largest fisheries in the world. Alaska landings of traditional global groundfish species groups (including cod, pollock, hake, and haddock) and flatfish accounted for about one-fifth of the world harvest of these species groups in 2006.

In the same year, around 42 percent of the world capture production of species in the "salmon, trout, smelt" group occurred in Alaska waters.

Alaska is the top producer of wild, high-value salmon, producing nearly 80 percent of the world supply of wild king, sockeye and coho.

Importance of Alaska Seafood to the U.S.

In 2007, Alaska accounted for over 62 percent of the volume of the commercial seafood harvested in the United States.

Alaska as a single state led all other multi-state regions in the US in terms of ex-vessel value with over 37 percent of the US total. The five New England States combined for a distant second at with 21 percent, followed by the five states on the Gulf of Mexico with 16 percent.

In terms of volume, Alaska's pollock fishery is the largest in the U.S., accounting for more than one-third of total U.S. fisheries landings.

Alaska also accounted for 96 percent of total U.S. commercial landings of salmon in 2007, and approximately one-third or more of total U.S. crab catches. U.S. domestic production of king and snow crab comes entirely from Alaska.

Alaska landings accounted for over 90 percent of the U.S. Pacific Ocean herring harvest and over 75 percent of the US commercial catch of Pacific Halibut in 2007.

Since 1997, Dutch Harbor-Unalaska has been the leading U.S. fishing port in quantity of commercial fishery landings. In 2006, the port had record landings for quantity at a U.S. port, with more than 414,200 mt of seafood.

In 2007, Alaska had two of the country's three top fishing ports ranked by total harvest value. Dutch Harbor-Unalaska ranked second (after New Bedford, MA) with a harvest value of \$174 million; Kodiak moved was ranked third with \$126 million in harvest value.

In the list of top 100 U.S. ports based on volume for 2007, Alaska had 14 including: Unalaska/Dutch Harbor(1st); Kodiak (4th); Naknek-King Salmon (11th); Cordova (12th); Ketchikan (17th); Petersburg (18th); Seward (19th); Sitka (22nd); Juneau (37th); Homer (41th); Kenai (57th); Wrangell (53rd); Yakutat (64th); Anchorage (78th). Were it not for confidentiality restrictions for ports with 3 or fewer companies, Akutan, King Cove, and Sandpoint would all be listed in the top 20.

Importance of Alaska Seafood to Alaska

The total estimated ex-vessel value of Alaska's commercial harvest was \$1.55 billion in 2007.¹

The additional value added by Alaska's seafood processing sector brought the total wholesale value of Alaska's commercial seafood industry to over \$3.6 billion in 2007.

It is estimated that the seafood industry's \$3.6 billion in wholesale value generated an additional \$2.2 billion in indirect and induced economic output for a total contribution of \$5.8 billion to Alaska's economic output. The seafood industry also generated a total of 78,519 direct, indirect and induced jobs and \$1.75 billion in direct, indirect and induced payments to labor and income.

While data for 2007 are not available it is estimated that in 2006, the wholesale value generated by the seafood industry represented over 9.4 percent of the \$36.4 billion basic sector activity in Alaska's economy. The basic sector, because it brings money into the state from outside, is the driving force behind all economic activity in the state.

The seafood industry ranks third in importance behind the North Slope oil and gas industry and federal government in terms of generating basic economic activity in Alaska.

According to ADCCED (2007), seafood is Alaska's top international export—seafood exports accounted for half of the State's total export value.

In 2006, seafood processing accounted for about 80 percent of all manufacturing jobs in the state.

With an estimated workforce of 56,606, the seafood industry employs more workers than any other industry sector in Alaska. The retail and wholesale trade sector follows with a workforce of 56,445.

With the concentration of major fishing ports in the Aleutian and Pribilof Islands region, seafood processing accounted for 65.4 percent of all private sector payments to labor in that region in 2007.

¹ This estimate includes the imputed ex-vessel value of the crab and groundfish that are harvested by vessels that both catch and process seafood, i.e. catcher processors. Because these vessels process their own catch they do not make payments for their unprocessed fish, nor do they report the unprocessed value of their catch.

The seafood processing industry is estimated to have accounted for over 33 percent of private sector payments to labor in Bristol Bay and 39 percent of private sectors payment to labor in Kodiak.

The Community Development Quota (CDQ) Program augments the important role of the seafood industry in Western Alaska. Sixty-five Bering Sea communities participate in the CDQ Program.

From 1992 through 2005 the CDQ Program generated over \$362 million in net income.

The value of CDQ group assets in the aggregate increased from about \$13.3 million in 1992 to over \$415 million in 2005.

RC80

Proposal 262 to amend 5 AAC 33.366 Northern Southeast Seine Salmon Fishery Management Plan

Submitted by Kootznoowoo, Inc
for the
February 17-26, 2009 Board of Fisheries Meeting, Sitka, Ak.
February 6, 2009

The Problem:

1. Commercial purse seine fishing in the highly mixed stock Icy Strait and Chatham Strait corridor must be moderated to avoid over-harvesting weak and less productive salmon stocks and species.
2. There is a wide overlap in the timing of pink and sockeye salmon returning to Chatham area streams, i.e.:
 - a. In 2008, sockeye migrated into the lower Kanalku River from early-June to mid-August.
 - b. In 2005, 2006, and 2007, 80% of the Kook Lake (Basket Bay) sockeye salmon entered the lake from July 2 to September 4.
 - c. In 2002 to 2005, 80% of the Neva Lake (Excursion Inlet) sockeye salmon entered the lake from July 12 to September 9.
3. In recent years there have been increases in purse seine fishing effort in the Icy Strait and Upper Chatham Strait area (Figure 1).
4. In recent years there have been declines in the subsistence harvest and escapement of sockeye salmon in some Upper Chatham Strait area stocks (see Tables 262-1, 2, and 3 in ADF&G's staff comments, Davidson et al. 2009 RIR 1J08-24).
5. Angoon residents are now having a difficult time meeting their subsistence sockeye needs.

The Solution:

1. The preferred solution is for State fishery managers to manage non-subsistence fisheries to achieve the amounts necessary for subsistence by location and species as requested in Proposal 236.
2. The alternate solution proposed here is to Revise 5 AAC 33.366 to moderate the purse seine fishing effort in the highly mixed stock fishing areas of sub-district 114-27 (Port Fredrick), 112-14 (Point Augusta), 112-16 (W. Mans. Peninsula), 112-17 (Angoon to Hepburn), and 114-80 (Excursion Inlet) to help maintain sockeye subsistence opportunities for residents of Angoon and Hoonah.

The Proposed Regulation: (new wording is underlined in bold type)

5 AAC 33.366 Northern Southeast seine salmon fishery management plans

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only **after July 9 and only** those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider **address** conservation concerns **and the amounts necessary for subsistence** for all species in the area; [The sockeye harvest by week and year, 1979 to 2008, is presented in Table 1 to help understand the need and impact of this proposed change]

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 wild sockeye salmon are taken; hatchery-produced sockeye salmon will not count against the 15,000 sockeye salmon harvest limit; all wild sockeye salmon harvested by seine vessels that the department identifies as fishing north of Point Marsden during any July fishing period when other areas are open concurrently will be counted against the 15,000 sockeye salmon harvest limit under this paragraph; during the openings, the department will use aerial flyovers, on-the-ground sampling, and interviews to estimate the sockeye salmon harvest north of Point Marsden.

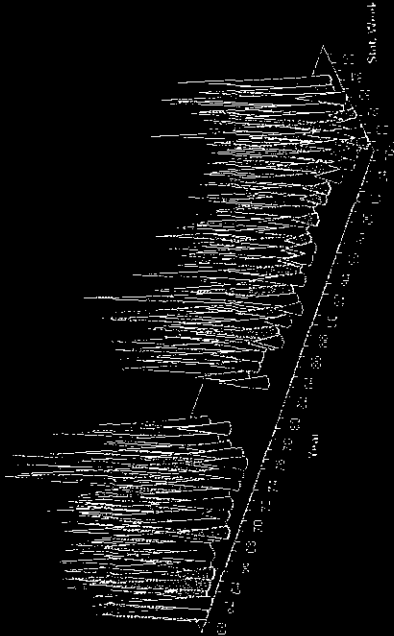
(b) Salmon may be taken during emergency order openings **to target harvestable surpluses of fall run** for chum salmon in Excursion Inlet **only in September**, only in waters of Section 14-C north of the latitude of the northern tip of the Porpoise Islands; the department may open the area by emergency order only after **addressing conservation and subsistence obligations** ~~consideration of concerns for chumsockeye and coho salmon conservation.~~ [Table 2]

(c) the department may open the seine fishery in District 12, sub-district 14, no earlier than July and no more than 15 hours a week. The open area may not exceed one mile along the shore and extend no more than on-third of a mile from the shore. This sub-district may only be open concurrently with other seine openings in the area. [Table 3]

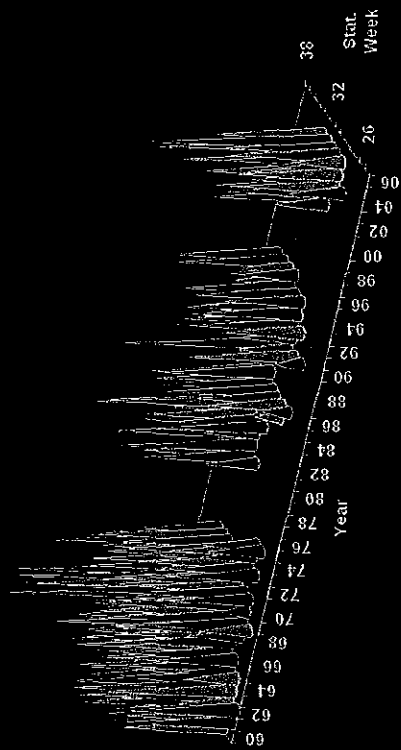
(d) The department may open the seine fishery in District 12, sub-district 17, only after August 7. [Table 4]

(e) the department may open the seine fishery in District 114, sub-district 27, only after July 15 and no more than two days a week. [Table 5]

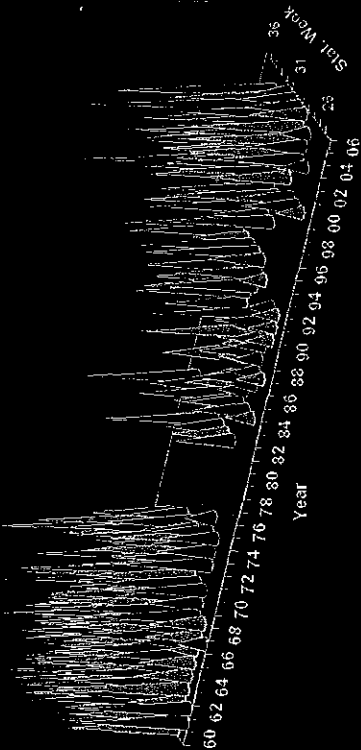
Sub-Dist. 112-16 Seine Days Fished by Week, 1960 to 2006



Sub-Dist. 112-17 Seine Days Fished by Week, 1960 to 2006



Sub-Dist. 114-27 Seine Days Fished by Week, 1960 to 2006



Sub-Dist. 112-14 Seine Days Fished by Week, 1960 to 2006

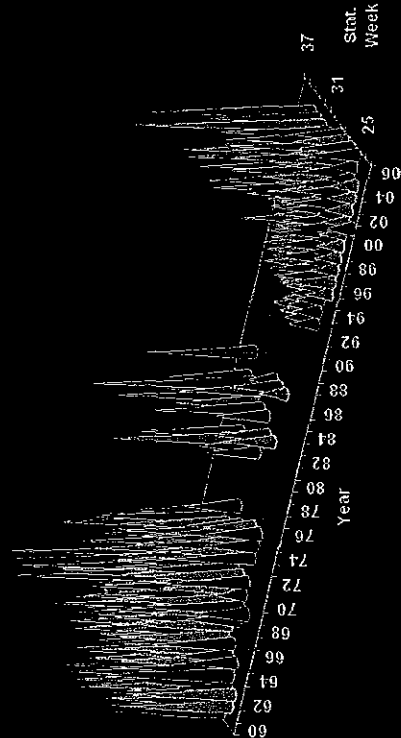


Figure 1. Days fished by statistical week and year, purse seine, Sub-districts 114-27, 112-14, 112-16 and 112-17, 1960 to 2006. (data from ADER.G, 11/2005 and 10/2006)

Table 1. Purse seine harvest of sockeye salmon in subdistrict 112-16 by week and year, 1979 to 2008. Proposal 252 would not have allowed fishing during the shaded weeks. "(c) the department may open the area [District 12 north of Point Marsden] only after July 9 ...". (Data from ADF&G, public website, February 3, 2009).

Year	Average mid-week date												Total
	6/18	6/25	7/2	7/9	7/16	7/23	7/30	8/6	8/13	8/20	8/27	9/3	
	Statistical Week												
	25	26	27	28	29	30	31	32	33	34	35	36	
1979								401	172	2			575
1980									454	101	78		633
1981					7,429		5,938	948	210	37			14,562
1982							21	7,128	1,661	1,182	752	29	10,773
1983								5,120	2,431	3,534	472	351	11,908
1984						2,071	4,208	7,410	262	1,301	54		15,326
1985					1,531	3,684	2,212	13,776	5,450	2,973	23	164	30,013
1986								1,195	3,274	247			4,716
1987					9,228	12,201	10,855	2,928	4,661	20	7		39,900
1988									303				303
1989				3,200	13,301	7,879	5,728	2,885	974	1,470	113		35,550
1990								3,553	1,984	4,176	1,432	252	11,397
1991					5,086	7,102	2,941	2,827	1,341	3,311	477		23,095
1992								12,529	6,471	6,391	4,660	1,063	31,104
1993					6,120	5,332	12,181	7,967	8,548	2,535	357		43,060
1994					5,760	7,448	4,943	13,740	6,816	3,560	2,510		45,797
1995								2,105	220	618			2,943
1996						3,069	8,702	2,674	429	428	189		15,511
1997							4,041	1,489	2,510	3,660	840		12,560
1998						839	3,307	4,721	3,054	2,830	668	73	15,492
1999							5,876	5,868	7,350	6,068	1,968	1,234	28,414
2000								3,857	3,481	1,507	124		8,769
2001					10,579	9,853	9,268	3,710	1,201	1,263	132		36,003
2002						3,877	4,039	4,941	517	651	110		14,135
2003				8,755	12,754	8,574	5,296	2,852	3,540	3,995	1,029		44,795
2004				3,427	14,063	40,891	31,920	18,183	13,375	5,325	5,059	118	132,061
2005				2,110	9,533	9,994	8,590	6,060	8,873	22,156	6,678	27	74,111
2006			4,767	3,531	3,177	1,128		4,471					17,074
2007						5,501	8,939	6,926	5,361	1,574	1,808	16	31,925
2008													

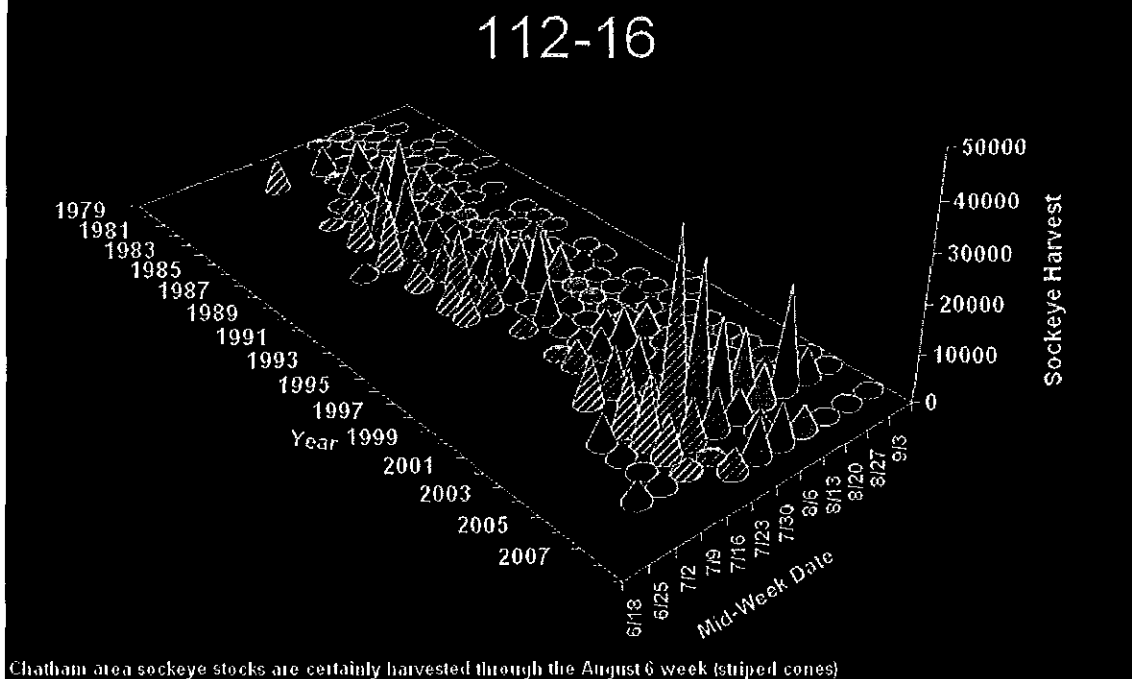


Table 2. Fresh seine harvest of Chin and sockeye salmon in Subdistrict 114-80, by week and year, 1976 to 2003. Proposed 2012 mid-week date is a shaded gray during the shaded for the 2010 salmon may be taken during emergency in the upper range to limit harvest to the abundance of fall run chin in the chin division set only in February. Data from ADPRC's public website, Feb. 13, 2009.

Species	Year	Average mid-week date										Total	
		8/5	8/13	8/20	8/27	9/3	9/10	9/17	9/24	9/31	10/7		
Chin	1976							35,399				5,111	40,510
	1978												
	1979										3,453	3,453	
	1980		31,243		85,153		20,453	22,325				139,034	
	1981		55,449		72,574			23,337				151,360	
	1982												
	1983							11,033				11,033	
	1984		17,155	17,775	21,349	37,383		5,129				62,431	
	1985		2,533		23,473							26,006	
	1986			23,563	5,853						19,173	49,029	
	1987		9,057	1,379		31,320	18,017	28,633				83,376	
	1988			13,059				23,424				36,483	
	1989		1,970									1,970	
	1990		8,352	10,023			3,819					22,194	
	1991				5,079	17,141	8,424					30,644	
	1992		5,512	3,239		8,558	4,747					22,056	
	1993			304								304	
	1994			9,940								9,940	
	1995												
	1997			1,721		416						2,137	
	1998												
	1999		141			17,111	14,522	3,108				34,782	
	2000				32,387	8,621	10,034	21,445				72,487	
	2001					1,245	1,248					2,493	
	2002					1,714						1,714	
	2003				653		1,452					2,105	
	2004							1,413				1,413	
	2005												
	2006				10,393	7,751						18,144	
	2008												
Sockeye	1976							21				21	
	1977												
	1978												
	1980		1,843			37		5			2	1,932	
	1981			179		89		3				271	
	1982												
	1983												
	1984							66				66	
	1985		703	297		314	73				4	1,387	
	1986		453			43						496	
	1987			97		70					1	168	
	1988		271	36			12	11		6		336	
	1989			953				14				967	
	1990		114									114	
	1991		559	1,585			233					2,377	
	1992				557		52	164				1,163	
	1993		605	1,387		505	277					2,674	
	1994			216								216	
	1995												
	1996			164								164	
	1997												
	1998			457		51						508	
	1999					41						41	
	2000		64					1	71			136	
	2001				214			1		71		356	
	2002					15		4				19	
	2003					36						36	
	2004							3				3	
	2005												
	2006												
	2007				326	7						333	
	2008												

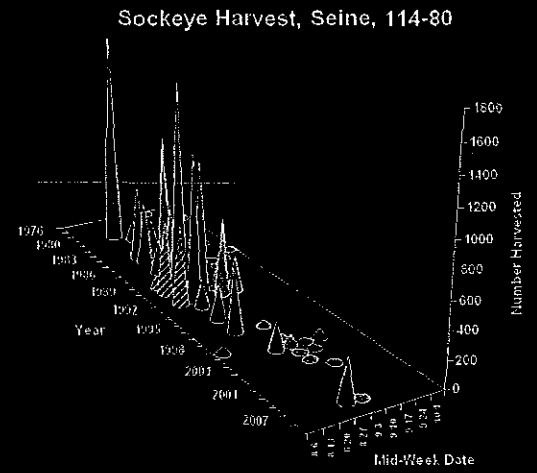
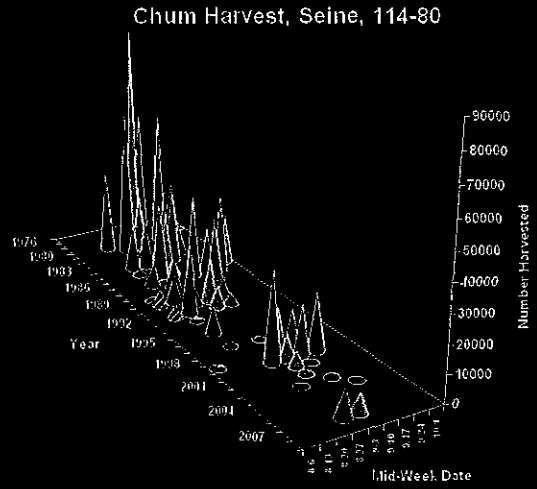


Table 3. Purse seine harvest of sockeye salmon in subdistrict 112-14 by week and year, 1979 to 2008. Proposal 262 would not have allowed fishing during the shaded weeks: "(c) the department may open the seine fishery in District 12, sub-district 14, no earlier than July ...". (Data from ADF&G, public website, February 3, 2009).

Year	Average mid-week date												Total
	6/18	6/25	7/2	7/9	7/16	7/23	7/30	8/6	8/13	8/20	8/27	9/3	
	Statistical Week												
	25	26	27	28	29	30	31	32	33	34	35	36	
1979								5					5
1980													
1981					390	390							720
1982							136	512	192	102	124		1,066
1983									175	272	7		454
1984													
1985					16	44	54				48		162
1986													
1987													
1988													
1989													
1990													
1991													
1992			236	257	362	212							1,067
1993			53	135	428								616
1994			138	247	674	1,484							2,543
1995		272	294	389	780	731							2,436
1996		541	633	1,276	1,401	1,308							5,159
1997		70	253	696	570	477							2,066
1998		209	118	722	299	268							1,616
1999		109	435	1,047	950	3,526							6,067
2000		196	393	656	1,573	1,045	1,133						4,895
2001	147	516	516	1,094	5,538	3,064	2,411	183		15			13,483
2002		60	880	536	783	1,288							3,517
2003		29	366	1,672	2,877	1,425	521	418	124				7,432
2004		93	20	438	112	1,224	2,426	146					4,461
2005			219	1,023	1,171	1,101	182	783	537	256	169		6,481
2006		160	1,113	572	375	602		290					3,112
2007	17	136	800	594	982	2,579	896	879	492		352		7,737
2008			784	304	952	204		340					2,584

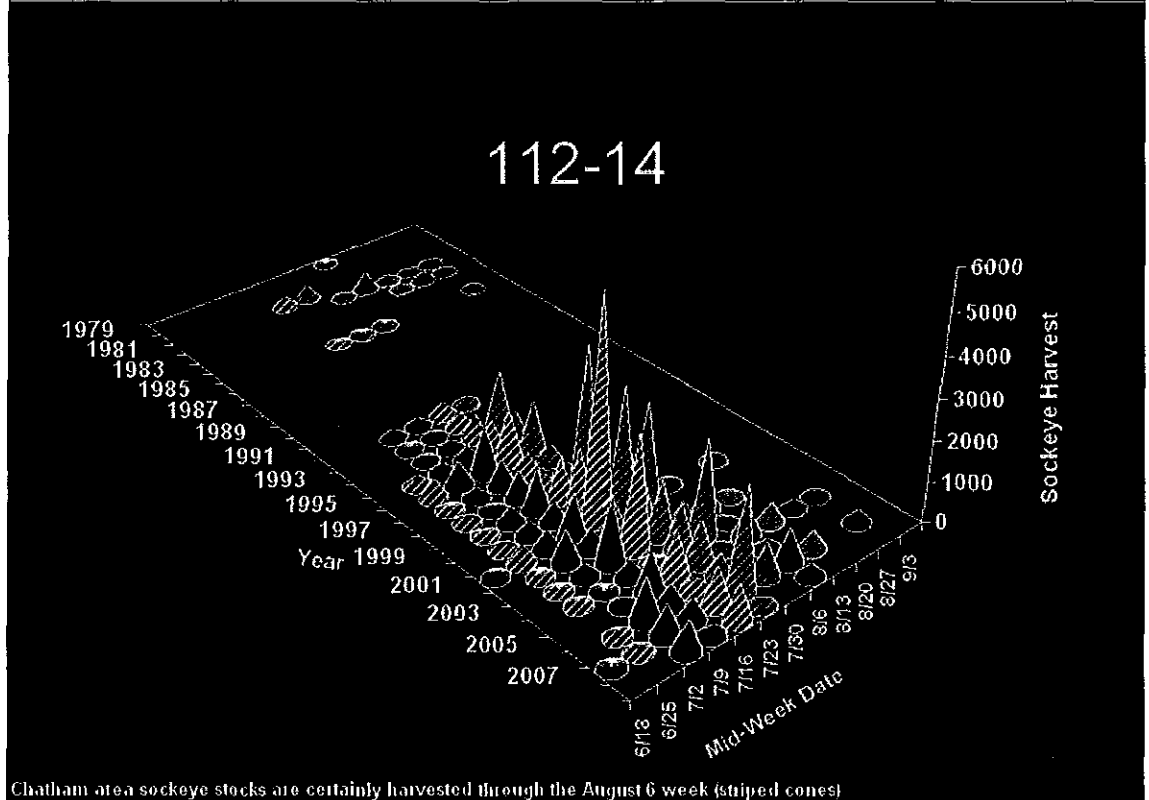


Table 4. Purse seine harvest of sockeye salmon in subdistrict 112-17 by week and year, 1979 to 2008. Proposal 262 would not have allowed fishing during the shaded weeks: "(d) the department may open the seine fishery in District 12, sub-district 17, only after August 7." (Data from ADFG, public website, February 3, 2009).

Year	Average mid-week date												Total
	6/18	6/25	7/2	7/9	7/16	7/23	7/30	8/6	8/13	8/20	8/27	9/3	
1979											3		3
1980									9			1	10
1981									10			22	32
1982								15	7	84			106
1983													
1984													
1985						207	72	37	283	93	48		740
1986													
1987													
1988													
1989					476	676	1,111	35					2,148
1990							423						423
1991						100	604						704
1992							53						53
1993							1,632	1,249	768	1,171	38		4,858
1994									208	36			245
1995													
1996													
1997													
1998													
1999													
2000													
2001							110	53					163
2002							171	119	3	37			320
2003					456	1,733	2,141	702	476	103			5,697
2004						2,375	1,243	3,541	304	1,211			9,259
2005						91	2,032	1,621	541	948	7		6,440
2006													
2007								104	210	127			441
2008													

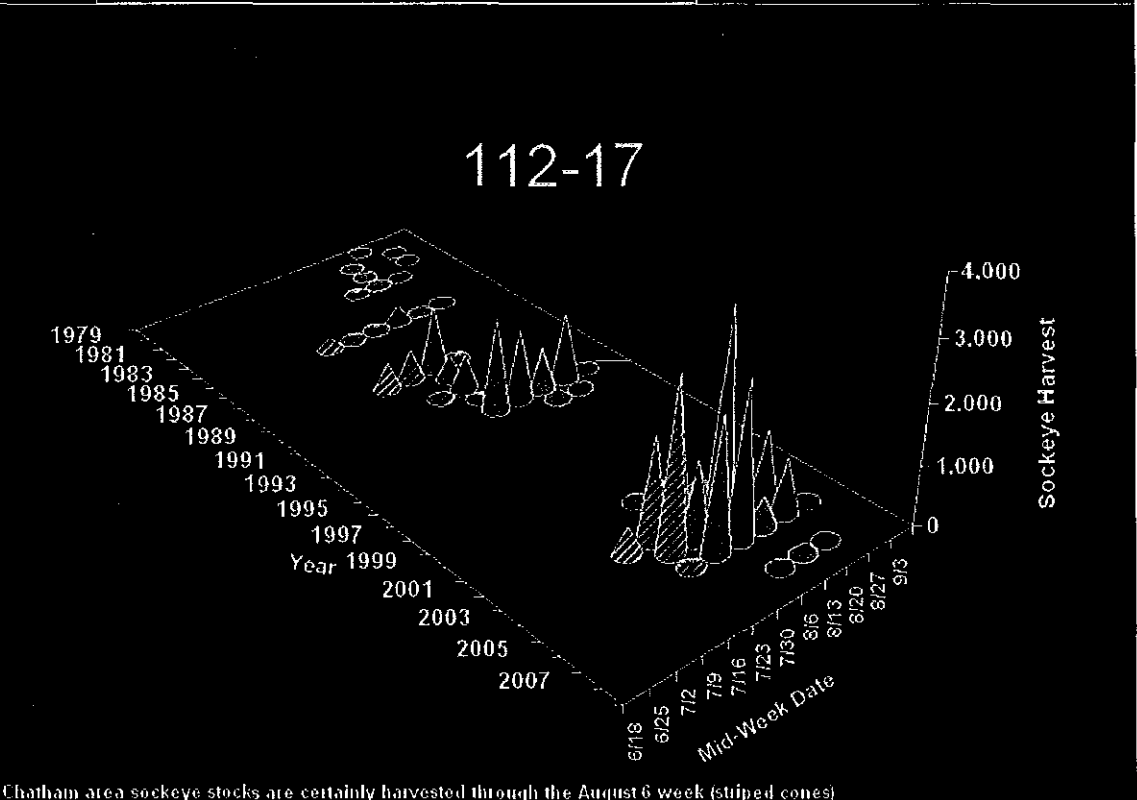
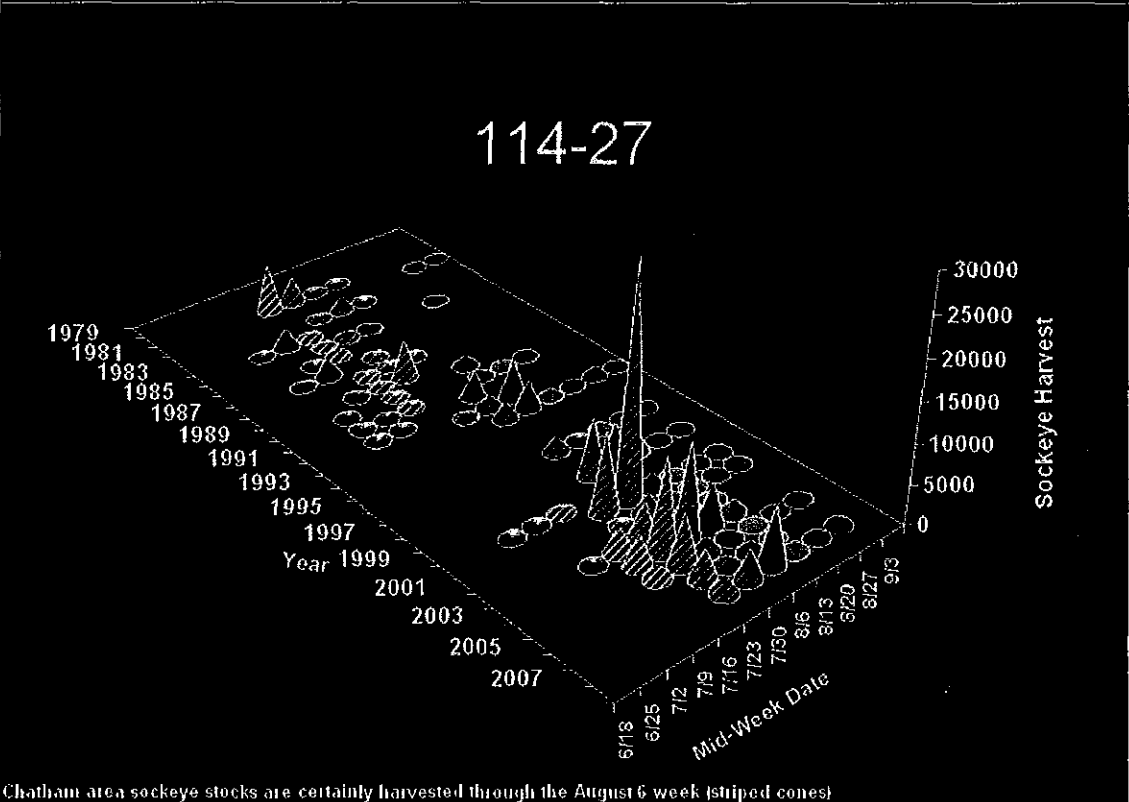


Table 5. Purse seine harvest of sockeye salmon in subdistrict 114-27 by week and year, 1979 to 2008. Proposal 262 would not have allowed fishing during the shaded weeks: "(e) the department may open the seine fishery in District 14, sub-district 27, only after July 15 and no more than two days a week." (Data from ADF&G website, February 3, 2009)

Year	Average mid-week date												Total
	6/18	6/25	7/2	7/9	7/16	7/23	7/30	8/6	8/13	8/20	8/27	9/3	
	25	26	27	28	29	30	31	32	33	34	35	36	
1979													
1980													
1981					8,426	3,596	311	39					10,372
1982											134	100	234
1983						340	1,968	38					2,336
1984			14	2,675	271								2,900
1985					446	1,008	520			195			2,169
1986				83	1,338								1,298
1987			475	2,522		83							3,080
1988					39	27	52						118
1989				87	313	5,000							5,690
1990		236			83			1,477					1,763
1991			58	934	268			891	287	1,101			2,970
1992			17	11				3,527					3,555
1993						527	1,863	5,039					7,429
1994							2,377	3,717	1,277	1,141	1,583	441	10,536
1995													
1996													
1997							2,234	191	846	762	383		4,416
1998													
1999							7,366	5,386	2,855	834	131		16,572
2000			11	61	506								701
2001						10,181	29,167	2,134	356	3	3		41,824
2002						337	2,594	863	457	293	2		4,546
2003				175	3,227	4,915	2,203	515	45				11,080
2004					4,036	11,794	12,017	6,516	1,891				35,254
2005					1,370	6,564	1,968	1,085	328	274	52		12,141
2006						3,899	1,299	1,616	191				7,005
2007						2,476	3,827	7,379	1,495	622	810		16,609
2008													



RC 87

PREPARED STATEMENT OF

Floyd M. Kookesh

VICE-CHAIRMAN

Southeast Regional Advisory Council

ANGOON, ALASKA

Presented to the Board of Fisheries

February 2009

My name is Floyd Kookesh and I am the Federal representative for the Southeast Regional Advisory Council (SERAC) on Subsistence here at the invitation of Fish and Game Commissioner Denby Lloyd. As the Federal representative, I welcome the opportunity and look forward to providing federal input on issues that are before you. Our goal is to make certain that the policy; "subsistence is the highest priority" is implemented fairly in accordance with Title 8 of ANILCA.

To give you a little background about myself I am an Alaskan Native of Mexican decent born and raised in Angoon, Alaska. I am a life long subsistence user/sport fisherman; a Charter boat captain for over 20 years and former Mayor of Angoon and currently the Tribal Administrator for Douglas Indian Association. I have been a member of the SERAC selected from Angoon since 1999; recently selected to a new 3 year term. I am also an active participant of the local Fish and Game Advisory committee (F&GAC) of Juneau/Douglas.

We welcome this opportunity to be part of this process; a process that is there to serve all user groups and allows for the sustainability of the resources that we (native and non-native) all depend upon. The SERAC always advocates that this be about protecting a resource for the people and to see to it that our children and grandchildren can also continue to enjoy Alaska's once abundant resources. These resources we are all dependent upon must be protected through proper management so that it will be available when we (you and I) are long gone.

The native community is very compassionate about subsistence management and their traditional way of life and will always be strong advocates not only because of the nutritional values the food has but because it is their customary and traditional food and culture we are talking about.

To express the views of the SERAC we need to be open and transparent about all that we are doing. Especially since it is the people's resource we are dealing with. If our dialogue is not open, sincere and honest we are not doing the people's work; are being subjective and that is wrong.

The native community has always enjoyed these special, priceless is more the word, resources for centuries. They depend on it for the nourishment that it provides and the community that it makes for them.

The SERAC are concerned that at the rate we are allowing the resource to be managed we will, in our lifetime, see the end of that which has been here for centuries; the "Fishes and the Games." This cannot be allowed to happen as the alternative is unacceptable.

As someone new to this process of yours we need to understand where you are coming from and what your goal is. Is it to provide for all of the "residents" of this state or is it to provide for the commercial interest or is it to make for a sustainable resource? The SERAC perspective is we need to have this resource we all depend on to be managed," for abundance while allowing for escapement" where we satisfy the subsistence user, the personal use and the commercial user.

Many perspectives exhibit themselves in our fisheries management. Some would like to see that our fishery provide for all of the residents of this state and not just one user group while others would prefer the advancement of their own interests- for example commercial Seiners. I welcome this opportunity to see how this board balances those perspectives or priorities.

The observation of the SERAC is we are not working toward that means as is evidenced by the actions of the Department of Fish and Game and the State Boards of Fish and Game and even the Federal Subsistence Board.

There is a real divide between what the Board of Fish and the Board of Game wants and what the SERAC wants and also what the other user groups want.

There are Two (2) issues that need to be addressed that pertain to this meeting so that I can have a better understanding of how you function.

The First is Title 16.05.094 as it pertains to Makhnati Island and the Sitka herring fishery.

The SERAC has been dealing with the Sitka Makhnati herring egg issue for many years and there is an expressed concern that the State Fisheries managers are saying one thing and the subsistence user are saying something else. What we are seeing is a diminishment of a subsistence lifestyle for the benefit of a commercial. We at the SERAC level recognize that the *Traditional Ecological Knowledge (TEK)* that is passed down from one subsistence user to another (generation to generation) is not being given Due Deference. The SERAC places a very high value for those users who have and do live a subsistence lifestyle. The concern is the impact the commercial fishery is having on the subsistence Herring egg harvest in Sitka Sound and when are we going to actually do something about it. Surely there has got to be something wrong with the taking of the herring by the commercial fleets especially if the subsistence priority is not being met.

At the last SERAC meeting the Sitka Tribes of Alaska (STA) fisheries biologists were very convincing on the herring populations, genetic differences and sub species while the ADF&G biologist didn't provide specifics on the same subjects or anything other than anecdotal evidence on historical runs.

As I was going through files the other day at Douglas Indian Association I came across a letter dated May 31st 2001 from the STA expressing a concern about the subsistence herring egg harvest in the Sitka Sound area. This is an issue that cannot be allowed to continue on as if there is nothing wrong.

The State of Alaska has a subsistence regulation on the books, it is Title 16.05.094. I have 2 (two) question for you," **How exactly are you utilizing Title 16.05.094 in your decision making when it comes to the management of the commercial fishery resources?**

My second question is based on the State of Alaska's Subsistence Department Technical paper 173 **Subsistence harvest of Herring eggs in Sitka Sound** which was done by Matt

Kookesh and Robert Schroeder in 1990. My question is," When you set the Commercial quota how exactly are you determining the impact to the subsistence user based on Title 16.05.094?

My reason for asking is based on the fact that as a member of the SERAC we are required to follow 3 criteria whenever a proposal is before us and as someone new to this process I look forward to seeing what kind of criteria you follow. Our criteria used in decision making consists of three things 1) Is the recommendation supported by substantial evidence 2) that it does not violate recognized principles of fish and wildlife conservation 3) would it be detrimental to the satisfaction of subsistence users.

The Second: Memorandum of Understanding- State of Alaska and the Federal Subsistence Board

The Federal Subsistence Board and the State of Alaska recently entered into a Memorandum of Understanding. As a representative who falls under the Federal side and you as a representative on the States side we need to make the document work for all of us. Implement what has been put in place. Don' let it go, we need to have something that is great in theory and excellent in practice. What is the value of the MOU if it is business as usual and we do not work with each other? It has taken over 7 years for this document to be signed off by both parties let us put value to it and make it work for all of us.

Board of Fish Proposals 203, 204, 234, 199, 200

The SERAC has always supported the subsistence herring egg harvest in Sitka Sound and recognizes that if any one knows herring it is the *Traditional Ecological Knowledge (TEK)* of the Sitka people. If they support proposal 203, 204, 234, 199, 200 then they most certainly know what they are talking about. We recognize at the SERAC level that local knowledge and local management is very important to the success of any species whether it be fish or game. Who knows better than those most closely associated with their own issues; how best to deal with it. We support Sitka Tribes in their efforts to close Makhnati Island and just allow for a subsistence take only. Remember subsistence is our highest priority. If we do not make a

correction now the herring fishery, as we know it, will disappear and everything else will follow.

Board of Fish proposals 236 and 262 By Kootznoowoo Inc. Angoon's Village Corporation

We are more aware of these proposals as they were presented to us at our last meeting and for the record we do support them. These proposals are intended to address this community's subsistence needs and commercial pressure on Sockeye and Coho. All they are doing is asking the State of Alaska to follow their own laws and adjust the commercial purse seine fishery to avoid over harvesting of weak and less productive salmon. We are aware the community in which these proposals came from has been having a voluntarily closure on their Sockeye fishery since 2001.

In closing, we welcome this opportunity to be a part of this process and as we celebrate the first 50 years of statehood I hope we can work together and make the next 50 even better. As leaders we have a responsibility for the management of a priceless resource. We cannot turn a blind eye to what is occurring around us. It is our responsibility, both yours and mine, to manage the resource for the benefit of all Alaskans.

Former Legislator Jack Coghill's comment on Statehood was, "we wanted to create a government that serves everyone". Let us make this 50 year event an "all" Alaskan event where we all celebrate a victory full well knowing our state is being managed well and we are all beneficiaries of statehood and its equality provision, especially when it comes to the resources.

We urge you to be receptive to what is being put before you. What they said about state hood was that we couldn't do it but as you can see that never stopped anyone and now look at us now. The same can be said about our co-operating and making state and federal relations/regulations work for all of us, if State hood was such a monumental task then cooperative management is possible.

Let us not regulate a customary traditional way of life away as this is a fight for both the commercial, sport, and subsistence user. This is not about one user group going against one another. Clearly, we are doing it for everyone especially when you look at the big picture. "Sustainable management with a subsistence preference is achievable."

NO RC88

RL 89

Otto Florschutz
Wrangell AC

Chairman John Jensen
Board of Fish Members

The following letter was read into our meeting minutes by John Yeager one of our AC members. It was then mistakenly left out of our comments that were sent on to you. This letter and subsequently Johns desire to bridge the gap between the commercial fishing and the commercial guide industry has been monumental in the Wrangell AC work on these proposals.

Good evening.

Tonight I would like to take just a moment of our meeting time to express what I feel is so important to all of us; a resource that is utilized fairly and equitably. Salmon, Halibut, Lingcod or Rockfish for example, all make up this important resource that cannot afford to be mistreated or over-utilized by the charter fleet. There is a monumental wall that divides the commercial gear groups and the sport charter industry without a doubt. There are 3 sport charter representatives on our Wrangell AC board that would like to see that wall come down. We undeniably recognize that the sport charter industry is in dire need of more regulation, more manageable limits and possibly restrictions in order to be a viable and contributing business instead of promoting a renegade fishery that takes advantage of everyone's right to fish. We want to make changes within our industry that goes against most charter operator's ideals however; we feel that our voice is strong enough to make a difference.

So, I pose this question to all members of the Wrangell AC, will you please help us? We are asking for your input and advice on how we can better regulate our charter industry. We want to see a cap placed on the number of licensed guides in Alaska, we'd like to have an annual limit on Silver salmon and better tracking methods such as punch tickets or writing your catch on the back of your license for example, we would also like an opportunity to contribute to fishery enhancement programs. We want to work parallel with the commercial fishing industry, not against it. It is our honest opinion that the Wrangell AC can be the vessel to make a huge difference. After speaking with Kathy Hansen in Juneau, our opinions and ideas are what a lot of people have been waiting to hear. Sure, we are going against the mainstream mentality and ideals of the majority of those in our industry, but we strongly feel that if nothing is done to gain better control of this situation, small operations like ours will surely die a slow and painful death and moreover, the continued abuse of a great resource will go un-policed.

Some of our ideas can be handled in the proposals that we will discuss tonight and some of our ideas may need your help outside of an AC setting. Regardless of where we meet, our voice cannot be heard without your help. The charter fishermen that sit along side of you are committed to changing our industry and are tired of the current attitude that is so prevalent to us all. I urge you all to help us get our words to the right people. Results will not come instantly, but if our ideas, opinions and suggestions do not get supported by our own AC board, then we have truly missed the opportunity to make a difference. Please help us continue this momentum through allowing us to work in parallel with you, objectively and in concert with keeping the true essence of our job in the forefront. Preserving the resource for our future.

Thank you.

John Yeager

No RC96

RC91

Mr. Chairman and members of the Board of Fish,

Welcome to my home and thank you for serving on the Board of Fisheries. My name is Bert Bergman and I have run my own trolling vessel for 20 years. Although I am involved in a few other fisheries, for my wife and 2 young kids trolling is the largest component of our family's income.

I am a proud Seafood Producers Cooperative fisherman and land about 90% of my fishing income through our Sitka plant. SPC's high end value added processing facility in Sitka contributes as much as any other gear group to the financial health of our city. Regionally SPC is the largest buyer of troll salmon with many buying operations in rural towns. Salmon trolling has consistently offered some of the highest dock prices available in the state of Alaska.

If you look at any harbor in Sitka you will see clusters of trolling poles, perhaps thicker than any other port on the west coast. In SE Alaska you can find trolling poles in just about every harbor in the region. For many smaller coastal communities trolling is the live-blood for a life-style. The percent of financial impact of trolling in small coastal communities is an important allocation criteria for SE Alaska king salmon.

Politics is a constant for trollers. It is unfortunate that Alaska was once again the scapegoat in the recent Pacific Salmon Treaty agreement. In the big picture of water rationing politics, power generation interests, habitat destruction or modification, and pollution, Southeast Alaska's troll and charter fishermen seem to be the weakest link. I sometimes wonder if salmon are not reluctant to leave the rich feeding grounds of Alaska for the sea lice infested waters of BC or the dry, polluted culverts of the lower 48. I do not think that latest agreement was good to Alaska but it is what happened for better or worse. Hopefully the king salmon quota numbers will increase this year to provide some relief for everyone.

Although charter operators and trollers share the same ocean and same fish there always is conflict. We depend on the same marine facilities like fuel docks and harbors, gear stores and mechanics. However this decrease in the king quota has accentuated how now more than ever that charter boat limited entry is needed in SE Alaska. Especially when you consider that the North Pacific Management Council has established a moratorium on halibut charter boats. It stands to reason that any new entrants to this region's charter fishery will have to target salmon and ground fish, making existing allocation problems only worse. Low abundance or a bad economy is not the best growth management tools for the charter fleet. When you leave Sitka please support charter boat limited entry. There should be no change in any allocations until the charter industry in SE Alaska is capped.

I sure am thankful to have hatchery fish to catch. Recently hatchery fish have made up an increasing part of my trolling operation. I would not like to see any change in the allocation of hatchery fish between gear groups. I am opposed to proposals 244 and 245.

As a member of Alaska Trollers Association and Alaska Longline Fishermen Association I will defer my time to comment on specific proposals to their knowledgeable representatives and the BOF committee process. I hope that you enjoy your stay in Sitka.

RC 92

Al Wilson
P. O. Box 597
Sitka, AK 99835
February 17, 2009

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

Dear Chairman Jensen and Members of the Board:

I am writing in support of Proposal Number 203 – 5AAC 27.160 (g) - Quotas and Guideline Harvest Levels for Southeastern Alaska submitted by Sitka Tribe of Alaska (STA). This proposal essentially reduces the harvest level by changing the model presently used by Alaska Department of Fish and Game (ADF&G) to forecast the GHL.

None of the proposals submitted by STA say they are against a commercial herring fishery. They are concerned with conserving the resource and see ADF&G taking commercial harvest levels to an all time high at a time when subsistence harvest levels have fallen to an all time low. Added to this is new scientific information, such as the lack of recruitment of three year old herring and slower maturity rates, which indicates commercial harvest has been taken to a perilous level which may result in total collapse of the resource or a lower stable biomass. There is little or no confidence in the information put out by ADF&G concerning stock assessment. We see whenever the price of the product goes down the GHL goes up. We see the market for the product is disappearing and everyone scrambling to make hay. We read reports, such as one from ADF&G herring expert, Dr. Sherri Dressel, stating that herring stocks are falling as we see the GHL soaring. The 2007 report from ADF&G says egg deposition is the highest ever recorded when STA is recording the lowest level and poorest quality of subsistence harvest.

The ADF&G gave a report of Southeast Alaska Herring Fisheries to the Alaska State Legislature House Fisheries Special Committee on February 6, 2009. Not once was the word subsistence used in the report given, nor is it mentioned in the handout passed out at the time of the presentation. Thus is the plight of subsistence herring and herring roe gatherers in Sitka. The State regulations say ADF&G will disperse the commercial fishery if necessary to allow for a reasonable opportunity for subsistence harvest. All we have received is lip service. There is no management strategy in place to correct for low subsistence harvest other than deny the low reports of harvest to be true.

This is what I believe needs to be done:

1. Act favorably on this proposal. This will err on the side of conservation. The ADF&G needs to recognize the value of new scientific information reported by others. The ADF&G has already stated they need and requested additional science help but that request was cut

from their budget. Moreover, there is a limited market demand for the product and any unmet market demand in Sitka will not be lost as it will move to Kodiak and/or Chignik. In a perfect world the market demand would be divided equally amongst the three areas. Sharing the fishery with outlying villages would be consistent with the Governor's desire to bolster the economics of those areas at a critical time and would be done without cost to the State.

2. Disperse the fishery not only geographically but also by time. The STA has fought vigorously to disburse the fishery away from the core subsistence area. The commercial harvesters, by their own testimony, have taken fifty per cent of their quota from this core area since inception of the fishery. Dispersal away from the core subsistence area has been attempted the last two years, although test sets that disperse herring away from here have continued, but it is too little too late and it may take several years of continuing this practice before any improvement is seen. Working against improvements from this geographic dispersal attempt is commercial fishing's new strategy that intercepts herring coming to the core subsistence area by fishing earlier than before. The last successful subsistence harvests occurred in the years 2002 and 2003 when no fishing was done until the herring were on the spawning sites. We need to go back to this strategy and stop early harvest of herring.

Everyone knows the National Marine Fisheries Service, reacting to concerns over herring depletion voiced throughout the Southeast Region, is considering listing the Southeast Alaska herring stocks as threatened or endangered. This would render any proposal submitted to this Board related to herring moot, and leave not only all of us here losers but would adversely affect other industries and municipalities in the Southeast region. In the face of this, ADF&G is flagrantly posting all time record harvest levels. What kind of message does that send?

I am also writing in opposition to Proposal 235 - 5AAC 01.730- Subsistence Fishing Permits. This proposal imposes permitting and reporting requirements for the process of setting branches to gather herring roe which has been done by a people without restriction forever. There is no need to impose a harvest limit of this gathering process as the branches are set in the intertidal zone. If the branches were not there, most of the herring would spawn in the intertidal zone of nearby beaches and the spawn would be lost for use by anyone. There is little or no effect on the herring resource related to this gathering process. The only need to put a number out there is to determine if the Sitka people have had reasonable opportunity to harvest the herring eggs as guaranteed by law. Simply put, if herring and herring roe subsistence needs have not been met, it follows that reasonable opportunity to harvest these resources has not been provided which is in violation of State law. The Sitka Tribe of Alaska, (STA), already conducts a seasonal gathering of data to estimate the quantity, quality and distribution of herring and herring eggs in the greater Sitka Sound area. This is done in conformance to the Memorandum of Agreement, (MOA), between the STA and the State of Alaska Department of Fish and Game, (ADF&G), as agreed to by the Board of Fisheries in actions taken January 14, 2002. As stated in the MOA, the purpose of the customary and traditional harvest monitoring is for use by ADF&G to plan and implement commercial harvest activities. Additionally, at the same time STA gathers other data pertinent to the preservation and protection of what they consider their most valuable resource. As this data is gathered the information is shared with ADF&G on a timely basis even before a final report is published. Thus, if a permitting and reporting system by others were put in place as suggested by this

Al Wilson
P. O. Box 597
Sitka, AK 99835
February 18, 2009

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

Dear Chairman Jensen and Members of the Board:

I was raised on the shores of Auke Bay here in southeast Alaska. Our family was deeply involved and dependent on subsistence gathering of herring and herring eggs. This abundant resource had been gifted to us since the beginning of time as we knew it and we felt it would be there forever. At the time, we heard all manner of arguments to continue the herring fishery there. One of the most compelling was their statement that there were eight huge biomasses of herring out there and they were taking only one small corner of one biomass. As such, they said nothing they were doing would adversely affect the sustainability of the resource. Forever came when commercial seine fishermen over fished the herring stocks wiping them out and they have never since come back.

This same story is told in Yakutat, West Behm Canal, Craig-Klawok, Kake, Kah Shakes, and other places in Southeast and other regions of Alaska. All of these great herring runs are gone. Contrary to statements from State agencies they have not just gone somewhere else they have been wiped out as where they may have gone to has never been found.

This leaves the last great herring run in the Southeast region to be here at Sitka where I have lived for over forty years. In those early years I needed to put out only one set of branches to satisfy our needs including the boxes of eggs we shipped out to those who were no longer able to harvest eggs in their area. The number of sets put out has steadily increased over the years to get that same amount of eggs. Last year we put out twelve sets and the year before thirteen sets. We consider ourselves lucky if two or three of the sets are usable and the branches we do harvest are never as thick with eggs as they were before. In this early time, I also dove extensively throughout Sitka Sound using SCUBA and snorkel diving apparatus for work, subsistence gathering, and commercial endeavor. From this, I can attest to the heavy spawn deposition that occurred throughout Sitka Sound from Goddard Hot Springs to Redoubt Bay; from Cape Buranof to Silver Point, an exceptionally heavy spawn area; from the islands close to the town of Sitka and out along the Halibut Point roadway and from there along the island chain leading out to Promicilla Bay; from Maknati Island out through the islands including Kasiana Island, Middle Island, Gagarin Island and Crow Island; from Guide Island to Hayward Strait, and from Hayward Strait along the east shore of Kruzof Island to Shoals Point. Herring spawned heavily in all of these places every year. I was stunned to read statements from the Alaska Department of Fish and Game (ADF&G) that said only since 1975 have herring stocks substantially increased. Where were they in 1960? They were, obviously, not here in Sitka and they are most certainly measuring from a sadly depleted stock.

A herring stock assessment report published by ADF&G states the herring stocks are falling based on numbers of fish. On the other hand, ADF&G says the herring biomass in Sitka Sound is up based on weight of the fish and based on this say herring stocks are healthy. In either case, no recruitment of three year old herring are reported to be present. I am told by biologists this lack of recruitment may foretell a disaster or a much lower stable biomass. I am not a biologist but I know STA has repeatedly reported poor harvest of herring roe on branches and kelp. I know herring have disappeared

completely or have been substantially diminished in many areas of Sitka Sound. I know hatchery rearing pens release millions of salmon fry three weeks to a month after the herring spawn when the herring larvae are ideal size to be feed for the salmon fry. I know these hatchery rearing pens are placed in deep bays and inlets which are important rearing sites for immature herring as stated in ADF&G publications. I know new hatcheries are placed in these same bays and run their untreated waste into these prime herring rearing sites. I know a new processing plant along side the new hatchery flushes tons of raw fish waste into one of these major bays and that the new fish waste will attract new scrap fish that will feed on immature herring in the off season. I know that most of the land not already occupied in the core subsistence area is owned by the State and they plan to sell this land in the near future creating potential pollution problems. I know the resident whale population has boomed and I have not seen this new increased predator take on herring reflected in the construction of the guideline harvest level. The point of all of this, is that herring are under a lot of stress not just from seine fishermen and that all of this needs to be put in the mix when considering what conservation measures are necessary to protect the herring stocks.

As a means of offsetting poor harvest of herring roe in recent years, seine fishers and fish processors have offered to set branches and harvest herring roe for Native subsistence gatherers. In fact, the offer was made and accepted by some STA members during 2008. They say this would remedy the causes of the poor harvest which are: 1) bad weather prevented setting or harvesting branches; 2) No boat was available or few could afford the fuel cost to operate the boat; 3) Natives that gather herring eggs are getting too elderly to do this anymore and the younger generation is not interested in harvesting herring eggs.

My answer to their offer is this. 1) Periods of bad weather in every season of the year have occurred here forever. If our people could not deal with bad weather we would not be here today. 2) At any one time, there have been some of our people without an adequate vessel but no more today than in the past. When growing up on the shores of Auke Bay, my family rowed our skiff two miles to harvest our herring eggs, we rowed three and a half miles to the nearest sockeye stream, we rowed four miles to the halibut grounds hand trolling for salmon the way out, and we rowed three miles to tend our garden plot. Before us, our people traveled in canoes carved from trees on their land. We need no one to take us by the hand and do our work for us or provide a means of doing our work. Further, in response to those in need, Sitka Tribe of Alaska already sets and harvests branches for herring eggs to distribute to elderly Natives and those without means to do this themselves; 3) It has been stated and taught to us by our elders, and has been the foundation of federal law, that our subsistence rights goes to the very heart of who we are as a people. These essential rights cannot be sold, bartered away, or be allowed to diminish. If, the younger generation is indeed becoming disinterested in a subsistence harvest as important as this one is to us, then it falls on us to revitalize our teachings.

Several bad years preceded 2008 which to date is the worst year on record for our traditional herring harvest. Allowing others to do our subsistence gathering for us was an anomaly and an example of how extreme things have become. We must not follow this path that will lead us to the end of our culture. Further, I personally find the suggestion those commercial interests of the herring sac roe fishery do our subsistence gathering for us offensive and demeaning. We are not seeking a welfare program that smacks to us of rattling a tin cup. We are seeking entitlements to a resource guaranteed by law. Moreover, I find this suggestion to be merely a charlatan's means of diverting attention away from the real problem by pointing to another fabricated out of thin air. The real problem is herring spawn, in the core subsistence area, has diminished to the point we can no longer be assured of fulfilling our subsistence needs and it appears the entire herring resource is headed toward a total collapse, as has occurred everywhere else in southeast Alaska. Nothing has ever been seriously done by ADF&G to address the problem of low subsistence harvest. There is no strategy in place to correct falling subsistence herring harvest other than to call us liars. Rather than dispersing the commercial fishery, ADF&G has allowed commercial seine fishermen to concentrate their fishing effort in the core

subsistence area. Efforts to improve subsistence harvest by dispersing the fishery away from the core area have been thwarted by commercial harvesters being allowed to fish in a manner that allows them to intercept herring coming to spawn in the core subsistence area.

I believe immediate action is necessary to conserve our herring stocks and that ADF&G needs to drop their adversarial role regarding subsistence herring harvesters and take meaningful steps to improve subsistence herring harvest

Sincerely,

Al Wilson

2/18/2009

RC93

RE: Proposal 334

Southeast Alaska Guides
~~SEAGO~~ Organization wishes to
withdraw ~~from~~ Proposal
334.

We no longer support this
proposal.

Tom Chau
President SEAGO

RC94

1. Introduction: My name is Dan Ernhart. I have been a guide and ^{have} managed a lodge on the Tsiu ^{River} for the past 14 years. ^{This river} has become a world class, worldwide, sport fishing destination. Considered to be the greatest place to angle for silver salmon in the world. I'm here to convince you ^{guys} to do a river specific, board generated proposal to ^{Prohibit} stop the practice of herding of fish with powered boats on the Tsiu River.

2. the tsiu is not a suitable river for this type of activity.

- Short(3-3.5 miles), shallow(less than 2 ft average depth)
- Single Channel River – not braided
- A Narrow channel, the channel width is always less than length of net used to harvest.
- 100 miles to closest town, ^{Enforcement of law} law enforcement is a problem (law does not have money or man power to patrol area)
- Coho and steelhead are the only viable runs of fish we have.

3. herding by the use of boats is not necessary to harvest on this river.

- allowed 90ft of net (easily able to cover the entire channel.)The fish have no choice but swim into nets.

- The river is 100% accessible by ATV and trailer. No high cliffs or banks. No trees or vegetation along banks.Practically zero rise in elevation.

- when Herding with the boats, harvesters are able to clean out the river in 3 -4 hours. It's always a 24 hr or more opener. If they tended the nets the entire opener they could realistically catch the same amount without boats.

- blocking the river with Nets actually help anglers by creating large schools behind the net -- and when fish are hooked it spooks the school into net.

4. herding fish with boats is impacting other business and the safety of anglers

- the boats are intimidating and extremely dangerous to anglers wading out, trying to reach the fish in the single channel available. There have been countless incidents where these high powered, flat bottom jet boats have circled, weaved in and out of a line of anglers and have literally come within just a few feet of people wading, cutting lines and frightening them.

- ~~The temptation to illegally harassing anglers out of a hole to harvest fish is far too~~
great.

- The constant whining of 90 hp motors is noisy and obnoxious, completely ruining any kind of aesthetic value for the angler. Plus scare away any wildlife in the area.

- Sport anglers, who pay thousands of dollars for an Alaskan fishing experience, will not put up with these types of encounters ~~with commercial harvesters~~. As shown by our 30% drop in guests since the herding started again three years ago.

- The temptation to illegally harass anglers out of a hole to harvest fish is far too great

- ~~Believe~~ the archaic practice of commercially herding fish into nets with boats, on a river of this type, is incompatible with sport anglers who also have a right to fish.

5. What type of physical, social and economical changes have occurred to the Tsiu River area?

- 15 years ago – an estuary above marker- filled in with sand from storms, dramatically reducing the sport fishing area.

- 15 years ago we were a small tent operation. The only sport fishing operation there.

- 15 years later there are 6 leased and permitted lodges on the Tsiu and the day fly-ins are increasing. The number of anglers has grown enormously while the harvesters have dwindled and on some years have completely disappeared.

- The laws and management need to be updated to reflect how the resource is being utilized to unlock its potential without sacrificing user groups.

6. Why is this all of a sudden a problem? Why haven't we heard anything about this before?

- For the last three years I have reported violations many, many times to the local fisheries manager and state troopers.
- However, this has not worked. I actually received negative feedback and indications of support for the illegal activities I was calling about.
 - it is much easier for the sport fisher to move and change spots.
 - you need to give them some time to fish. You have all week/they only fish 2 days.
 - I don't have time to babysit you guys.
 - im gonna suggest banning sport fishing on the days there is harvesting.

7. Has there been any other alternatives discussed?

- I believe that by stopping the herding of fish with boats will virtually eliminate all illegal activities and greatly reduce the social problems we are encountering.
- There has been some discussion to the fact of chopping up the river. Cordoning off areas to separate the user groups. I have a big list of reasons why that won't work.

Native Village of Kobuk
Kobuk Traditional Council
Po Box 51039 Kobuk, Alaska 99751
Phone (907) 948-2203 Fax (907) 948-2123

RCAS

Resolution 09-05

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

- WHEREAS:** Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and
- WHEREAS:** Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and
- WHEREAS:** Congress enacted the Alaska National Interest Land Conservation Act Title VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and
- WHEREAS:** Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and
- WHEREAS:** Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and
- WHEREAS:** The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and
- WHEREAS:** Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and
- WHEREAS:** The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXXX (currently 20,000 tons but needs to be increased); and
- WHEREAS:** The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED THE KOBUK TRADITIONAL COUNCIL supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds.

SUBMITTED BY: Rosie Ward DATE: 02-12-09

CONTACT NAME: Agnas Bernhardt PHONE: 907-948-2203



Tlingit & Haida Indians of the City and Borough of Juneau

P.O. Box 020770
Juneau, Alaska 99802



A Tlingit & Haida Community of the Central Council of Tlingit and Haida Indian Tribes of Alaska

Resolution THICBJ 2009-01

Title: Supporting ADF&G Board Proposal 203, Change of the Harvest Level and Harvest Rate for the Sitka Herring Sac Roe Fishery

WHEREAS, Tlingits & Haidas residing within the boundaries of the City & Borough of Juneau, Alaska are organized under a Constitution of the Tlingit & Haida Indians of the City & Borough of Juneau (THICBJ), last adopted and amended May 10, 2007 and have a tribal enrollment of 5770 members; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Juneau's Tlingit & Haida tribal members, fishermen, and families rely on the annual harvest of herring eggs that are gathered by Sitka Tribal members and others for their household needs, for potlatches, and community traditional and cultural events; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a Juneau and a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

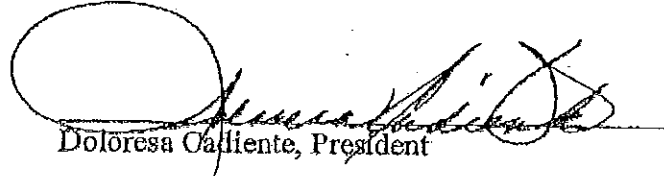
WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska (STA) has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than necessary to support cultural and traditional uses; and

NOW THEREFORE BE IT RESOLVED that the Tlingit & Haida Indians of the City & Borough of Juneau hereby supports Alaska Board of Fisheries Proposal 203, which would change the harvest level and harvest rate for the Sitka herring sac roe fishery to protect the subsistence harvest of herring eggs.

Adopted this 12th day of February, 2009.

CERTIFIED


Doloresa Caliente, President

ATTEST


Teresa Germain, Secretary

**Tlingit & Haida Indians of the City and Borough of Juneau**

P.O. Box 020770
Juneau, Alaska 99802



A Tlingit & Haida Community of the Central Council of Tlingit and Haida Indian Tribes of Alaska

Resolution THICBJ 2009-02

Title: Supporting ADF&G Board Proposal 204, that Would Include Herring Taken in Test Fishery in the Guideline Harvest Limit in the Sitka Sound Herring Sac Roe Fishery

WHEREAS, Tlingits & Haidas residing within the boundaries of the City & Borough of Juneau, Alaska are organized under a Constitution of the Tlingit & Haida Indians of the City & Borough of Juneau (THICBJ), last adopted and amended May 10, 2007 and have a tribal enrollment of 5770 members; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

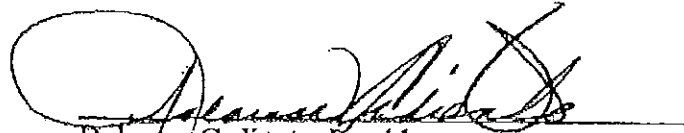
WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, Sitka Tribes of Alaska (STA) has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality.


NOW THEREFORE BE IT RESOLVED that the Tlingit & Haida Indians of the City & Borough of Juneau support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery.

Adopted this 12th day of February, 2009.

CERTIFIED


Doloresa Cadiante, President

ATTEST


Teresa Germain, Secretary



Tlingit & Haida Indians of the City and Borough of Juneau

P.O. Box 020770
Juneau, Alaska 99802



A Tlingit & Haida Community of the Central Council of Tlingit and Haida Indian Tribes of Alaska

Resolution THICBJ 2009-04

Title: Supporting ADF&G Board Proposal 234, Change the Harvest Level and Harvest Rate for the Sitka Herring Sac Roe Fishery

WHEREAS, Tlingits & Haidas residing within the boundaries of the City & Borough of Juneau, Alaska are organized under a Constitution of the Tlingit & Haida Indians of the City & Borough of Juneau (THICBJ), last adopted and amended May 10, 2007 and have a tribal enrollment of 5770 members; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Juneau's Tlingit & Haida tribal members, fishermen, and families rely on the annual harvest of herring eggs that are gathered by Sitka Tribal members and others for their household needs, for potlatches, and community traditional and cultural events; and

WHEREAS, in the last few years herring eggs coming from Sitka Sound to the Juneau tribal community have been thin on the branches and the delivered poundage has substantially decreased; and

WHEREAS, the need and demand for herring eggs for tribal Elders, families, community events, and ceremonial purposes requires a much greater supply than has been available; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

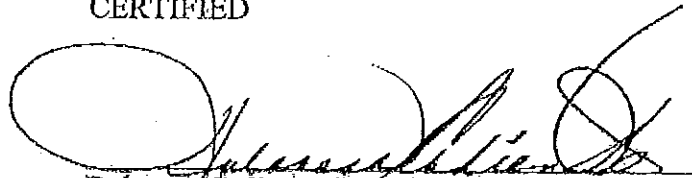
WHEREAS, the subsistence use of herring eggs is a Juneau and a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska; and

WHEREAS, Sitka Tribes of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that the Tlingit & Haida Indian Tribes of the City & Borough of Juneau hereby supports the efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234, which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.


Adopted this 12th day of February, 2009.

CERTIFIED

A handwritten signature in black ink, appearing to read 'Doloresa Cadiente', written over a horizontal line.

Doloresa Cadiente, President

ATTEST

A handwritten signature in black ink, appearing to read 'Teresa Germain', written over a horizontal line.
Teresa Germain, Secretary



Tlingit & Haida Indians of the City and Borough of Juneau

P.O. Box 020770
Juneau, Alaska 99802



A Tlingit & Haida Community of the Central Council of Tlingit and Haida Indian Tribes of Alaska

Resolution THICBJ 2009-03

Title: Opposing ADF&G Board Proposal 235, to Expand Permit and Reporting Requirement for All Harvest of Herring Spawn in Sitka Sound Area

WHEREAS, Tlingits & Haidas residing within the boundaries of the City & Borough of Juneau, Alaska are organized under a Constitution of the Tlingit & Haida Indians of the City & Borough of Juneau (THICBJ), last adopted and amended May 10, 2007 and have a tribal enrollment of 5770 members; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Alaska Natives believe that it is their right to gather and harvest herring eggs - therefore, requiring a permit to access the gathering and harvest of herring eggs would diminish this right; and

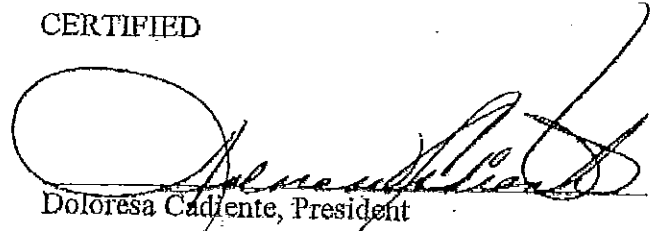
WHEREAS, the requirement of a permit would be impractical and difficult to report and/or enforce - therefore, it would be in the State of Alaska's best interest to co-manage the herring egg gathering and harvest as has been undertaken in the past; and

WHEREAS, as a result of the enactment of HR 39-Title VIII of ANILCA, Alaska Natives strongly believe and assert their rights to priority use and access to gather, hunt, and fish Alaska's natural resources and its fish and wildlife.

NOW THEREFORE BE IT RESOLVED that the Tlingit & Haida Indians of the City & Borough of Juneau support efforts to protect the subsistence harvest of herring eggs by strongly opposing Alaska Board of Fisheries Proposal 235 to Expand Permit and Reporting Requirement for All Harvest of Herring Spawn in the Sitka Sound Area.


Adopted this 12th day of February, 2009.

CERTIFIED



Doloresa Cadente, President

ATTEST



Teresa Germain, Secretary



SEARHC

SouthEast Alaska Regional Health Consortium

Your Partner in Health

2/18/09

Mt. Edgecumbe Hospital
222 Tongass Drive, Sitka, AK 99835
907.966.2411 - www.searhc.org

State of Alaska Board of Fisheries,

In her cookbook titled "Tlingit Recipes of Today and Long Ago", Pauline Duncan describes in vivid detail the Sitka Herring spawn. She reports that "The herring spawn is a traditional Southeast Alaska harvesting event that occurs in March or April, depending on when the herring lay their eggs." Her cookbook depicts the preparation for and harvesting of the herring eggs as it has been done by the Native Tlingits of Southeast Alaska for hundreds of years. Pauline further reports that "The herring eggs can either be dried, salted, or stored in zip lock bags and frozen, to be brought out and used for traditional events all during the year. They can be eaten fresh out of the water, or taken home and dipped in hot water for a few seconds before eating. Natives use them for herring egg salad and other traditional native recipes."

Herring eggs are traditional Alaskan Native foods that are rich in many nutrients and a precious food that is not available in all regions of Southeast Alaska. The table that I have created illustrates the nutrient content of herring eggs that are rich in: protein and low in saturated fat, sodium (salt) and contain small amounts of Vitamin A, Iron, Calcium, and in the case of Herring eggs on macrocystis kelp, contain good amounts everything listed and are a better source of Calcium. I have referenced Helen Hooper Drury's "Nutrient Analysis of Twenty Southeast Alaska Foods" study published in 1984 in the Journal of Ethnobiology. Helen was a dietitian who served Alaskan Natives with her work here at SEARHC for many years before she retired in the 1990's.

Food Item	Serving Size	Protein (gm)	Fat (gm)	Carb. (gm)	Sodium (mg)	Calcium (mg)	Iron (mg)	Vitamin A IU	Vitamin C (mg)	Calories
Herring Eggs, Plain	3.5 oz	9.6	1	4.4	61	19	2.7	57	0.6	56
Herring Eggs on Macrocystis Kelp	3.5 oz	11.3	0.8	2.6	-	161	3.4	89	-	59
Herring Eggs, Air Dried	3.5 oz	60.4	6.6	2.8	-	29	-	-	-	294

I fully support the Sitka Tribe of Alaska's **Proposal 234** stating that: "The amount reasonably necessary for subsistence, current set at 105,000-158,000 pounds for Sitka be increased to 265,000-324,000 pounds based on the documented needs of subsistence herring egg consumers in Sitka and around the state." When the herring return to Sitka Sound we see traditional herring gatherers from throughout the state who travel here to harvest herring eggs and truly are the major provider of herring and herring roe for the state of Alaska. Please consider this as you consider regulation changes that would affect us.



SouthEast Alaska Regional Health Consortium

Your Partner in Health

Mt. Edgecumbe Hospital
222 Tongass Drive, Sitka, AK 99835
907.966.2411 - www.searhc.org

I would like to note that Alaskan Native elders^{ask} us to use the terminology: "traditional food gathering" rather than subsistence food harvesting because it implies the historical and traditional use of our foods and is our preferred terminology.

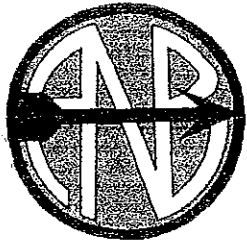
This leads perfectly into my full support of another request by the Sitka Tribe of Alaska: that reads that "STA Opposes **Proposal 235** which would require harvesters of herring spawn to obtain a permit and report harvest." As I mentioned previously, Alaskan Natives have been traditionally harvesting herring, herring roe and herring roe on various forms of kelp since time immemorial. It is unthinkable to imagine that *our* State would require us to obtain herring harvest permits in order to legally harvest our traditional food. I strongly urge you to reconsider this proposal and hear the voices of traditional herring and herring egg harvesters.

Finally, I wish to speak in support of Sitka Tribe of Alaska's **Proposal 203** stating that "Certain modifications be placed on the commercial fishery based on documented impacts of the commercial fishery on the subsistence opportunity. Proposal 203 requests that a cap be placed on the harvest rate percentage at 10%, the conservation threshold be raised above 20,000 tons^{ts}, and the GHJ be capped at 10,000 tons." I support this proposal because when speaking with elders it becomes clear that previous communities in southeast Alaska had historically enjoyed herring harvesting, but now do not. We do not wish that to happen here and since Sitka is the last major provider of herring to the world, we are in a good position now to reduce our commercial fishing harvest to preserve our natural fish stocks and allow the herring to not be over fished. Last year the community of Sitka was extremely worried that we would not be able to traditionally harvest herring eggs after a large and successful commercial fishery. This was a worrisome place to be in and we worried that perhaps we had already over fished our herring stocks. Luckily, the herring rallied and we later were able to traditionally harvest herring eggs, but this did cause us to look at how we collectively manage our herring stocks and analyze whether we are doing a good enough job at that. Again, I strongly urge you to consider proposal 203 and it's very important implications to our fish stocks and generations of traditional and commercial fish harvesters that will follow us.

For all of the reasons that I have reviewed, I believe that it is vital to protect the herring fish stocks now so that they continue to provide us with bountiful supplies of herring and herring eggs, and so that we can all preserve our rich natural resources within Southeast Alaska.

Gunal.cheesh, How'aa, Dock'shyn,

Elizabeth "Libby" Watanabe, MPA, RD, LD
Chief Dietitian



Grand Camp
Alaska Native Brotherhood

2097

RESOLUTION NO. #36-08

TITLE: AUTHORIZATION AND SUPPORT FOR BOARD OF FISHERIES PROPOSAL #203 TO CHANGE THE GUIDELINE HARVEST LEVEL FOR THE HERRING SAC ROE FISHERY IN AREA 13-A AND 13-B TO NOT EXCEED 10,000 TONS, AND CHANGE THE HARVEST RATE PERCENTAGE TO NO MORE THAN 100%, AND TO INCREASE THE CURRENT CONSERVATION THRESHOLD OF 20,000 TONS

WHEREAS, the Alaska Native Brotherhood (ANB) has supported and advocated for Customary and Traditional (i.e., Subsistence) access and use for Alaska Natives in practice for thousands of years; and

WHEREAS, the ANB continues to support and advocate for Subsistence harvest of food and resources, including the change of guideline harvest levels for the herring sac roe fishery in Area 13-A and 13-B; and

WHEREAS, the ANB recognizes the Sitka Tribe of Alaska (STA) has taken scientific and governmental steps to protect the Subsistence harvest of herring and herring spawn; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act (ANCSA) of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act (ANILCA) TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Alaska Native Brotherhood; realizes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Alaska Native Brotherhood has suffered from an inability to achieve a normal harvest three of the last four years for subsistence herring roe, and other communities which depend on receiving Sitka herring eggs for their traditional lifeways are suffering as well; and


WHEREAS, the commercial fleet continues to harvest record catches because the 20% harvest rate allows for it, while the Sitka Sound herring biomass declines, and subsistence harvesters' needs are not met; and

WHEREAS, the Alaska Native Brotherhood has proposed to change the guideline harvest level for the herring sac roe fishery in Area 12-A and 13-B to not exceed 10,000 tons and change the harvest rate percentage to no more than 10%, and to increase the current conservation threshold of 20,000 tons.

NOW THEREFORE BE IT RESOLVED THAT, by the Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp Convention support efforts Sitka Tribe of Alaska's effort to protect the subsistence harvest of herring eggs and support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal #203 which would change the guideline harvest level for the herring sac roe fishery in Area 13-A and 13-B to not exceed 10,000 tons, and change the harvest rate percentage to no more than 10%, and to increase the current conservation threshold of 20,000 tons.




ANB Grand President



ANS Grand President

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention at Ketchikan, Alaska, during the week of October 7-11, 2008.



ANB Grand Secretary



*Grand Camp
Alaska Native Brotherhood*

RESOLUTION NO. #37-08

TITLE: AUTHORIZATION AND SUPPORT FOR BOARD OF FISHERIES PROPOSAL #234 TO INCREASE THE AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE USE OF HERRING SPAWN IN AREA 13-A AND 13-B FROM 52.5-79 TONS TO 132.5-162.5 TONS

WHEREAS, the Alaska Native Brotherhood (ANB) has supported and advocated for Customary and Traditional (i.e. Subsistence) access and use for Alaska Natives in practice for thousands of years; and

WHEREAS, the ANB to support and advocate for Subsistence harvest of food and resources, including the amount reasonably necessary for subsistence use of herring spawn; and

WHEREAS, the ANB recognizes the Sitka Tribe of Alaska (STA) has taken scientific and governmental steps to protect the Subsistence harvest of herring and herring spawn; and

WHEREAS, the ANB support STA in their effort to address the Subsistence harvest of herring and herring spawn at the state Board of Fisheries; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claim to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska Native Interest Land Conservation Act TITLE VII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Sitka Tribe of Alaska; realizes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to the lack of quality spawn while commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has suffered from an inability to achieve a normal harvest three of the last four years for subsistence herring roe, and other communities which depend on receiving Sitka herring eggs for their traditional life ways are suffering as well; and

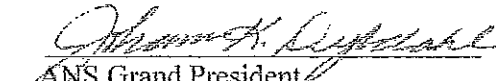
WHEREAS, in order to protect traditional opportunities for subsistence harvest of herring eggs in Sitka Sound, it is becoming increasingly necessary to have more accurate information on harvest levels and usage; and

WHEREAS, the Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 52.5-79 tons to 132.5-162.5 tons, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED THAT, by the Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp Convention support efforts Sitka Tribe of Alaska's efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal #234 which would increase of the Amount Reasonably Necessary for Subsistence (ARNS) herring eggs in Sitka Sound to 52.5-162.5 tons.



ANB Grand President

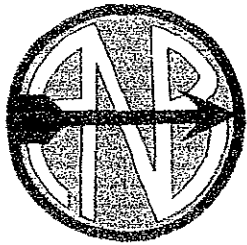


ANS Grand President

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention at Ketchikan, Alaska, during the week of October 6-11, 2008.



ANB Grand Secretary



*Grand Camp
Alaska Native Brotherhood*

RESOLUTION NO. #37-08

TITLE: AUTHORIZATION AND SUPPORT FOR BOARD OF FISHERIES PROPOSAL #204 TO INCLUDE HERRING TAKEN IN THE TEST FISHERY DURING THE SITKA SOUND COMMERCIAL SAC ROE HERRING FISHERY IN THE GUIDELINE HARVEST LEVEL

WHEREAS, the Alaska Native Brotherhood (ANB) has supported and advocated for Customary and Traditional (i.e., Subsistence) access and use for Alaska Natives in practice for thousands of years; and

WHEREAS, the ANB continues to support and advocate for Subsistence harvest of food and resources, including strong concerns regarding herring taken in the test fishery during the Sitka Sounds commercial sac roe herring fishery in the guideline harvest level; and

WHEREAS, the ANB recognized the Sitka Tribe of Alaska (STA) has taken scientific and governmental steps to protect the Subsistence harvest of herring and herring spawn; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Alaska Native Brotherhood; realizes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to the lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS, the Alaska Native Brotherhood recognizes the Customary and Traditional (i.e., Subsistence) Harvesters have suffered from an inability to achieve a normal harvest three of the last four years for subsistence herring roe, and other communities which depend on receiving Sitka herring eggs for their traditional lifeways are suffering as well; and

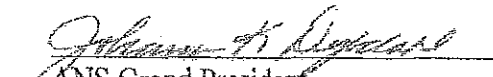
WHEREAS, excessive test setting has been occurring before the Sitka Sound commercial herring sac roe fishery, causing unaccounted mortality and disrupting the natural spawning behavior; and

WHEREAS, the Alaska Native Brotherhood has proposed to include herring taken in the test fishery in the guideline harvest level to reduce disturbance to pre-spawning herring and to reduce the amount of test setting that is occurring in Sitka Sound.

NOW THEREFORE BE IT RESOLVED, that the Alaska Native Brotherhood and Sisterhood Grand Camp Convention support Sitka Tribe of Alaska's effort to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal #204 to include herring taken in the test fishery during the Sitka Sound commercial sac roe herring fishery in the guideline harvest level.



ANB Grand President



ANS Grand President

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention at Ketchikan, Alaska during the week of October 7-11, 2008.



ANB Grand Secretary

RC 98 Jeff Farvour

Hello Mr chair and members of the board, welcome to Sitka, I am grateful for the opportunity to testify at this meeting. My name is Jeff Farvour, I am a year round resident in Sitka. I serve on the Sitka AC but am not representing the AC. I am a commercial longliner and do some commercial salmon fishing as well as sport fishing, personal use, and subsistence fishing.

I believe that if props 137 (bag and possession limits, especially for black cod), prop 286 (defining sport caught frozen fish as part of the possession limit), prop 296 as amended by Sitka AC (which is basically to not use power gear on charter vessels to haul fish and line up), prop 308 (restricting subsistence and personal use by charter and lodge operators), prop 310 (In season fish ticket system for guided sport), props 310-313 are similar (allow lodge inspections), we would be getting closer to better accounting and accountability for the guided sport sector, prop 349 use a decompression device for rock fish in the sport fishery, and prop 353 (retention of all yellow eye until bag limit has been reached).

Since the charter industry is an aggressive, profit driven, consumptive-based fishery, we need management measures for the guided sport fleet that do not displace local fishers, do not increase localized depletion, that do not ask for commercial fishers to give up more when if you look at the history we have given up so much to accommodate the guided sport fishery, which in SE Alaska is a non resident tourism industry, when they have not given up anything but continue to ask for more. We are all affected by the economy, there shouldn't be any special deals for the charter fleet.

I support prop 320 (allow uncaught winter troll fish available to spring troll fishery) as the fish are more valuable in the spring and it is an excellent opportunity for entry-level fishers.

I support proposal 336 that would allow the longliners in CSEO to harvest their allocation of lingcod. And I oppose props 333, 334, 335, 337,338, 339, 340 mostly because of conservation issues.

DSR: Oppose 339 (reallocate commercial DSR to sport fleet), why give the charter fishery more from the commercial sector when they have not proven that they can live with what their allocation is?

I believe that Proposals 137, 286, 308, 310-313, 349, 353 are linked and get us closer to the issues of accountability in the guided sport fishery.

I would also like the opportunity to be on committees. Thank you

Proposals:

-137 ~ Bag and Possession limits for sport fish: Support as amended by Sitka AC

-
- 222 ~ Areas of high abundance closed to guided sport in yrs of low abundance: Support
 - 286 ~ Possession limit definitions to include preserved fish: Support
 - 294 ~ Close THA to salmon harvest by charter industry: Support as amended language by Sitka AC
 - 296 ~ Use of electric reels for sport fishing: Support Sitka AC amended language
 - 302 ~ Retention of 1st legal king and coho in guided sport: Support
 - 308 ~ Restrict subsistence and PU by lodge and charter: Support as amended by Sitka AC
 - 310 ~ Fish ticket system in season for guided sport fish: Support a more timely and accurate accounting in guided sport
 - 311,312,313 ~ Allow full access to lodges for inspections of freezers
 - 320 ~ Uncaught winter Chinook troll quota to spring fishery: Support because the value of chinook is higher in spring and is a great for entry level fishers
 - 333 ~ Adjust Lingcod GHG : Oppose, current GHG has not been caught
 - 334,335 ~ Reallocate lingcod to sport fleet: Oppose
 - 336 ~ Lingcod possession and landing adjustment for halibut fishery in 2C: Support as amended by Sitka AC would allow longliners in 2C to catch and sell their lingcod allocation
 - 337 ~ Surplus dinglebar to troll: Oppose
 - 339 ~ Lingcod trophy fishing: Oppose because it would encourage catch and release high grading
 - 341 ~ Reallocate from commercial DSR to guided fishery: Oppose, if prop 353 is implemented it may help the charter sector from going over.
 - 342 ~ Support Dept house keeping Proposal
 - 345 ~ Adjust DSR bycatch allowance in Halibut fishery: Support , will allow longliners to harvest and sell their allocation
 - 349 ~ Decompression device for sport rockfish: Support
 - 351 ~ Release of commercial rockfish at depth: Oppose we are under our allocation
 - 353 ~ Retention of all yellow eye until bag limit has been reached and reased other rockfish count towards bag limit: Support.

*Charter sector has not come up with their own ways or advocated for effective management measures to keep them within their allocations, instead they just ask for more of someone else's.

*Higher allocation of charter fish results in more localized depletion (they fish close to town) and displacing locals from their customary fishing areas, forcing community familys to go further and further away from town to get away from the charter fleet.

*Need for a system of management that isn't out paced by the guided sectors harvest and growth so there isn't a negative impact on local subsistence, personal use, local sport, commercial. Not let short term economic growth and hardships replace long term sustainability.

2-18-09

2099

RE: Proposal 137, establishing sport bag limits; specifically Blackcod

Chairman Jensen, Board Members,

The commercial sablefish (Blackcod) fishery takes place in two distinct areas, Northern South East Inside (NSEI) and Southern South East Inside (SSEI). There is no published management plan for sablefish. Stock assessment is limited in the NSEI area and non-existent in SSEI. Since 1999 the Total Allowable Catch (TAC) for NSEI has fluctuated between a high of 3,120,000 and a low of 1,488,000 pounds per year. The TAC for SSEI has remained constant at 696,000 pounds per year.

The most recent 10 year harvest records indicate that in the NSEI area commercial fishers have left unfished quota in the water in 8 of the past 10 years with slight overages occurring in 2 of those years. **Underages** left in the water average 21,389 pounds per year over 10 years.

For the SSEI area, **underages** have occurred in each of the most recent 10 years averaging 59,554 pounds per year.

In each of these areas subsistence, personal use (p/u) and sport fisheries are allowed. Longlines are allowed for the subsistence and p/u fisheries with no limits on the amount of gear an individual can set and with no bag limits and no reporting requirements. The sport fishery is limited to a hand held rod and reel with no more than two hooks attached. Sport fishers would be subject to reporting their harvest on the Statewide harvest Survey as well as being checked by creel census personnel.

Proposal 137 specifically mentions Blackcod as a species being targeted by a "significant sport fishery" that is impacting the resource. A few things to consider;

There is no data to show any measurable harvest of Blackcod by the sport fishery.

Blackcod by their very nature make them extremely difficult for sport fishers to target. With the bulk of the biomass inhabiting waters from 1200 to 3000 feet deep, specialized gear and equipment is required to even attempt to target these fish. Even with specialized gear sport fishers will be unable to access a high percentage of Blackcod habitat. Water depths are so great it is impossible to anchor. Drift fishing at these depths is only possible on days when wind and tidal currents will allow the sport angler to reach the bottom. Weather conditions alone will prevent large scale harvest by sport fishers. Sport fishing gear restrictions will also limit the recreational fishers ability to harvest large amounts of Blackcod. Most recreational fishers will never attempt to take Blackcod simply because of the logistics and expense of gear involved.

Allegations of charter operations using the lack of bag limits on Blackcod or any other species to entice clients is unfounded. However, establishing a bag limit could present a "goal or target" for sport fishers resulting in the opposite effect of the proposer's intent.

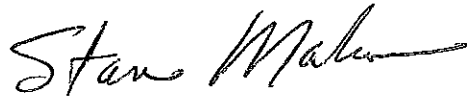
The "underages" left in the water by the commercial fishery are far greater than any sport harvest now or in the foreseeable future.

Allegations of large scale harvest by sport fishers brought forth by commercial fishers who might be impacted by such harvest should not be considered as justification for a regulation to establish bag limits on any species. The first step would be to quantify the sport harvest through verifiable data collection.

The proposers suggest protecting the resource by establishing a bag limit on the user group that extracts the least amount of usage from that resource.

A better protection of the resource for all users might be to establish a management plan for Blackcod coupled with a comprehensive stock assessment program and more complete accounting by all user groups.

Thank you for the opportunity to comment.

A handwritten signature in black ink that reads "Stan Malcom". The signature is written in a cursive style with a long horizontal flourish at the end.

Stan Malcom



Sablefish Fishery Update

Southeast Alaska and Yakutat

Groundfish News Releases

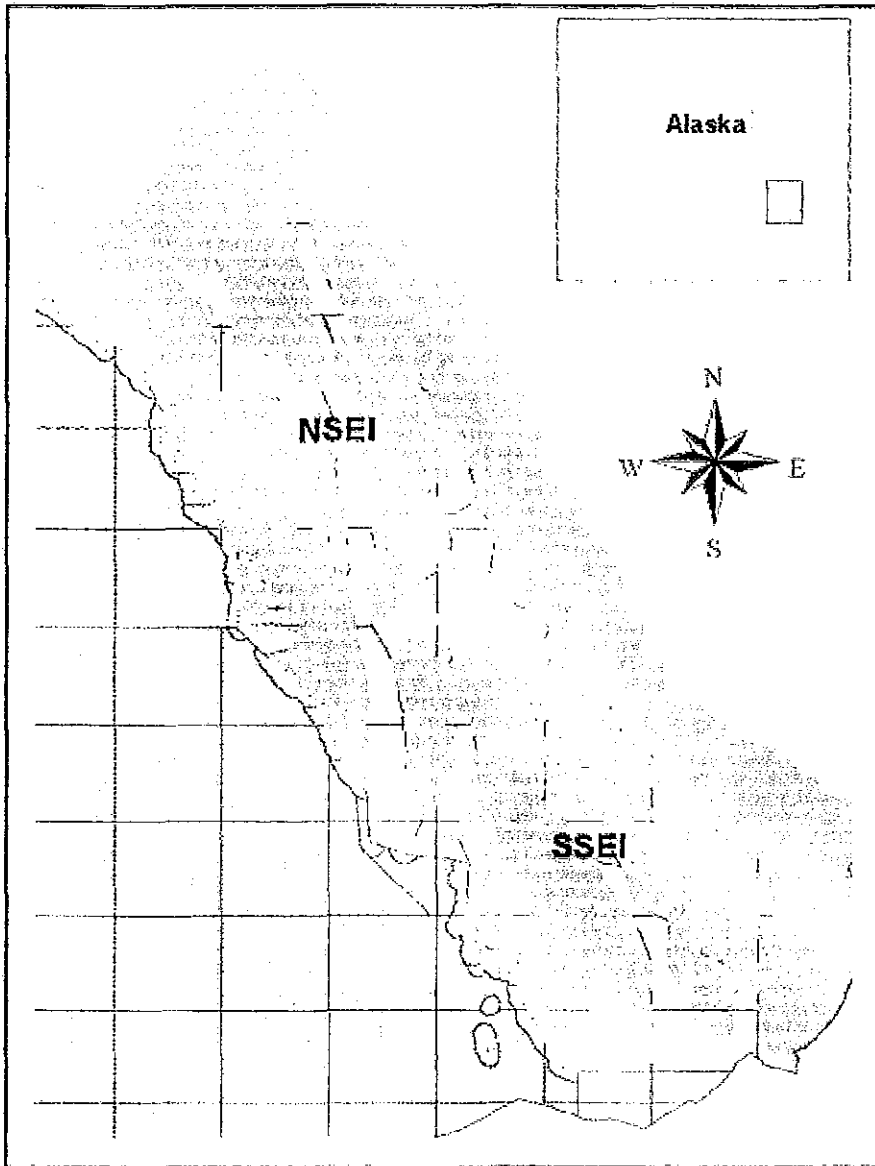
Sablefish Fishery Update for SE Alaska

Year	Fishery	Quotas		Permits Issued	Estimated		Status
		Total	Individual		Catch	Remaining	
2008	NSEI Longline	1,508,000	15,710	96	1,505,049	2,951	Closed
	SSEI Combined	696,000		32	618,033	77,967	
	SSEI Longline		21,750	28	531,866		Closed
	SSEI Pot		21,750	4	86,167		Closed
2007	NSEI Longline	1,488,000	14,450	103	1,501,478	-13,478	Closed
	SSEI Pot		21,750	4	87,038		Closed
	SSEI Combined	696,000		32	620,167	75,833	Closed
	SSEI Longline		21,750	28	533,129		Closed
2006	NSEI Longline	2,053,000	19,550	105	2,033,786		
	SSEI Combined	696,000	21,750	32	624,832		
2005	NSEI Longline	2,053,000	19,400	106	2,026,131		
	SSEI Combined	696,000	24,860	28	639,719		
2004	NSEI Longline	2,245,000	20,787	108	2,229,956		
	SSEI Combined	696,000	24,860	28	650,649		
2003	NSEI Longline	2,005,000	18,565	108	2,001,643		
	SSEI Combined	696,000	24,860	28	656,936		
2002	NSEI Longline	2,005,000	18,400	109	2,009,380		
	SSEI Combined	696,000	24,000	29	650,338		
2001	NSEI Longline	2,184,000	19,600	111	2,142,617		
	SSEI Combined	696,000	24,000	29	650,677		
2000	NSEI Longline	3,120,000	28,600	111	3,081,796		
	SSEI Combined	696,000	24,000	29	591,680		
1999	NSEI Longline	3,120,000	28,000	112	3,043,273		
	SSEI Combined	696,000	24,000	29	661,425		
1998	NSEI Longline	4,800,000	41,700	115	4,689,705		
	SSEI Combined	632,000	20,400	31	578,056		



Sablefish Management Areas

Southeast Alaska and Yakutat





RC100

REPRESENTATIVE CATHY MUÑOZ

February 16, 2009

RECEIVED
FEB 17 2009
BOARDS

Mr. John Jensen
Board of Fish, Chairman
ADF&G
Box 115526
Juneau, AK 99811-5526

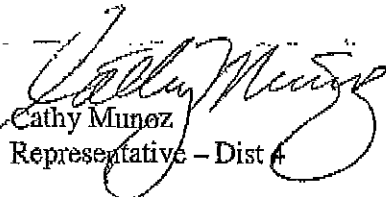
Dear Chairman Jensen:

On February 10, 2009 the House Fisheries committee participated in a hearing on the issue of Southeast Alaska herring. Presentations were made by subsistence gatherers, scientists and a commercial operator.

There is evidence that herring stocks, while plentiful in some areas including the Sitka Sound, are in decline in many areas of the region. It is my hope that the Board of Fish will urge the Alaska Department of Fish and Game to actively work to rebuild herring stocks in areas that are experiencing herring population decline. Healthy herring stocks are vitally important to the long term sustainability of many species including salmon and halibut, and the robust commercial and subsistence fishing industries.

Thank you for the opportunity to provide my thoughts on this issue. I believe that a concentrated effort is timely, and I look forward to working with the legislature to support the necessary funding to support our fisheries scientists at the ADF&G.

Sincerely,


Cathy Muñoz
Representative - Dist 4