

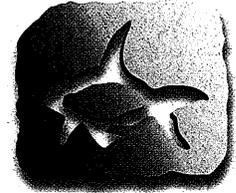
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December 10, 2010

Mr. Webster  
Chairman of the Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, Ak 99811-5526

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**KONIAG**  
INCORPORATED

Dear Mr. Webster and members of the Board;

In a September 2, 2010 letter to the Board, Koniag Inc. recommended that the Board designate Karluk King Salmon as a stock of concern. We were pleased that the Board did so. A stock of concern designation allows for a review of stock status and associated fisheries management actions. Enclosed please find the following documents and tables for your consideration:

- **Koniag Position Paper:** recommending changes in management of the sport fishery, status quo management for commercial fisheries and suggestions for research and rehabilitation efforts that should be included in any Action Plan that is developed.
- **Negative Impact Table:** detailing past situations whereby in-season closures were used as a management tool per regulation only to be immediately followed by re-openings thereby causing significant harm to industry and fisherman.
- **Analysis of the Benefits of a Sport Fish Optimal Escapement Goal (OEG):** explaining how an OEG would help management of the sport fishery, and
- **Escapement and Harvest Data:** providing statistics on Karluk River King Salmon escapement and surrounding harvest..

As stated in previous correspondence with the Board, Koniag will continue to engage in the Board process so that we can provide maximum input into the stock of concern issue. In addition to above information we plan to participate in any work groups that the local advisory committee may appoint as well as provide testimony to the Board when it meets in Kodiak this January.

Thank you for work on this issue;

William Anderson, Jr.  
President & CEO

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Kodiak, Alaska 99615  
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Alaska Board of Fisheries  
Karluk River King Salmon Stock of Concern  
Koniag Position Paper

December 10, 2010

Introduction

Koniag, Inc., owning over 65,000 acres of land in the Karluk River drainage and representing the Alutiiq people who have occupied the area for over 10,000 years, has a vested interest in the health of all the salmon populations returning to the Karluk River. Shareholders in all user groups harvest these fish; subsistence, sport and commercial. Koniag is the majority land owner along the shores of Karluk Lake and River and is the grantor of the Karluk River Conservation Agreement to the US Fish and Wildlife Service and the State of Alaska. This agreement protects habitat and directs the development of the Karluk river sport fishery within the easement boundaries. The easement agreement states that Koniag will regulate and permit the allowed guided sport fishing effort and limits the infrastructure in terms of cabins and lodges. The easement agreement and 17(b) easements provide the public access and use of the area. Koniag is committed to managing its lands in a manner that affords sustainability for fish and wildlife stocks; opportunity for the communities of Karluk and Larsen Bay; and suitable management of such a valued asset of our shareholders.

Koniag supports the Alaska Board of Fisheries designation of the Karluk River king salmon as a stock of concern at their October 13-14, 2010 work session. Karluk king salmon meet the criteria for the designation because the escapement goal has not been met for five consecutive years. The benefit of a stock of concern designation is that an Action Plan, which contains management and research actions, can be created, which should help the stock recover. Koniag will be active during the Board of Fisheries process to insure input is provided for any Action Plan that is developed.

Rebuilding of the Karluk River king salmon stock will require fisheries management actions that will restrict fisheries in ways that will increase the king salmon spawning escapement, to approximate the spawning goal range of 3,600 – 7,200. This conservation burden will likely have to be shared by all user groups. Koniag's primary interest is with the Karluk River sport fishery, insuring that fisheries restrictions are accomplishing their objective of increasing the spawning escapement without being overly burdensome or out of balance. The designation of stock of concerns allows for a review of the current management program.

## Current Sport Fish Management Review

The Karluk king salmon return started to decline in abundance in 2001. With the decline in abundance also came erratic run timing. As a result, the return size was misjudged in 2003 and 2005. It did not appear that the escapement goal would be achieved and so the sport fishery was completely closed, only to be reopened 6 days later when the fish unexpectedly showed up late. In season closures are very disruptive to remote sport fisheries like the Karluk, where anglers have to make travel plans long in advance. A fisher person's plans usually include securing vacation time, buying airline tickets and making arrangements with guides. An operator's demands include substantial investment in marketing, logistics and opportunity cost years in advance of the season. In season Emergency Order closures cause trips to be cancelled and not rescheduled, even if the fishery is reopened.

The Karluk River king salmon fishery closed in-season in late June 2008 and was closed preseason and remained closed for the 2009 and 2010 season. The 2010 spawning escapement of 2,917 was 83 fish below the new escapement goal of 3,000 – 6,000. ADFG does not have emergency order authority to allow catch and release fisheries if the escapement goal will not be achieved. Under current management practices, the Karluk sport fishery will remain closed, even if in-river returns are very close to the escapement goal.

Koniag is interested in establishing a management system that will allow the in river king salmon sport fishery to be conducted in a consistent and predictable fashion without significantly impacting king salmon spawning escapement. The current management system does not accomplish these objectives because it:

- Completely closes the fishery when the run size is misjudge and then reopens several days later and;
- Does not allow a sport fishery to occur when a run occurs that is just a small fraction under the goal.

## Proposed Management Solution

The proposed management solution is to allow catch and release fishing for king salmon during years when it is projected that at least half of the escapement goal will be achieved. The catch and release fishery would not allow the use of bait nor would it allow fish to be removed from the water. Creation of a catch and release fishery balances the benefits of allowing the sport fishery to proceed with the need to increase spawning escapement. A

catch and release fishery also balances the conservation burden among user groups because it is a non consumption management tool.

The fact that the Karluk River is remote, difficult to access, effort is capped by a conservation easement, and ADFG and the Kodiak National Wildlife Refuge monitor the fishery at the two exit locations makes it an excellent candidate for a catch and release fishery. The amount of mortality associated with a baitless catch and release fishery in this low effort, highly monitored fishery would be insignificant, so the spawning escapement would be lowered very little. (*ADFG studies in Kenai River on king salmon, show hooking mortality averaged 7%, that is about 70 fish per 1000 released.*) The proposed management solution would close the fishery if less than ½ of the escapement goal is projected; recognizing that in years of extremely low abundance, even small removals become more significant and the fishery should be closed for conservation purposes.

### Catch and Release Fishery

Regulations say that the **Department of Fish and Game does not have the authority to authorize catch and release fisheries when the escapement goal will not be reached:** “5AAC 75. Emergency order authority (1) (B) the recreational harvest must be curtailed in any fishery for conservation seasons; the department may issue a “catch and release only” emergency order when the estimated hooking mortality is not projected to reduce the population of fish below the level required for spawning escapement.”

**The Board of Fisheries must establish an Optimal Escapement Goal to allow for a catch and release fishery when escapement goals are not projected to be met.** The authority for the Board to take this type of action is provided in 5AAC 39.222 Policy for the management of sustainable salmon fisheries. (f)(25) “optimal escapement goal: or “(OEG)” means a specific management objective for salmon escapement that considers biological and **allocative factors** and may differ from the SEG or BEG; and OEG will be sustainable and may be expressed as a range with the lower bound above the level of SET, **and will be adopted as a regulation by the board;** the department will seek to maintain evenly distributed escapements within the bounds of an OEG;”

In this case **the Board would be making an allocation to the sport fishery,** by allowing it to operate a catch and release fishery when the full biological escapement goal was not expected to be achieved. The Board would be acknowledging the benefits of allowing a sport fishery to proceed outweigh the negative consequences of removing an insignificant amount of fish due to the associated hooking mortality.

## Proposed Fisheries Management Provisions for Other Users

The current management of the commercial fishery, during years of low early Karluk River sockeye abundance, is working well and does not allow a large harvest of king salmon. Under this management, set netters and purse seiners fishing in the North West District and Island wide are allowed to retain king salmon. Purse seiners fishing in the Inner and Outer Karluk sections are required to release king salmon over 28" in length. Due to very limited fishing time in 2008, 2009 and 2010, incidental king harvest has been very low.

Controlling the incidental harvest of king salmon in years of high sockeye abundance will be more challenging. As fishing time increases to harvest abundant sockeye salmon the incidental harvest of king salmon is also bound to increase. Koniag is currently supportive of status quo management of the commercial fishery, especially since early run Karluk sockeye are expected to be low in abundance for several years. However, if sockeye abundance increases in the future and king returns stay depressed, additional management actions may need to be considered to reduce the incidental commercial harvest of king salmon.

## Research and Rehabilitation Elements of the Action Plan

At a minimum, Koniag supports the continuation of current research programs. For ADFG these activities include escapement sampling for age and sex, which is used to refine escapement goals. In addition, anglers interviewed at the weir provide information on catch rates and can be used to estimate hooking mortality as well as other fisheries parameters. For the Kodiak National Wildlife Refuge, continued enforcement of the conservation easement, including checking for permits and adherence to sport fishing regulations.

Koniag is continuing to monitor returns of king salmon, hoping that the habitat protection assured in the conservation easement and obtaining adequate spawning escapement will allow the king return to rebuild naturally, however if returns remain low and do not rebuild, rehabilitation such as hatchery efforts should be considered.

**Kodiak River King Salmon Sport Fish  
In-season Closures\*  
Followed by Reopenings  
Escapement Goals Achieved**

<u>Year</u>	<u>River</u>	<u>Closure Date</u>	<u>Reopening Date</u>	<u>Weir Count At Closure</u>	<u>Projected Final Weir Count</u>	<u>Actual Spawning Escapement</u>	<u>Goal</u>
2003	Karluk	6/23	6/28	6/21=2,269	3,403	6,986	3,600 - 7,300
2005	Karluk	6/30	7/5+7/12	6/27=2,568	3,132	4,684	“ ”
2007	Ayakulik	6/27	7/2	6/24=2,482	3,350	6,410	4,800 - 9,600
2010	Ayakulik	6/26	7/7	6/22=2,183	4,120	5,310	“ ”

**PROBLEM:**

1) **Inseason closures are very disruptive** to the sport fishery. 80% of visitors live out of state and have made extensive long range plans (purchased plane tickets, vacation dates, guide deposits), which all have to be cancelled when the fishery is completely closed.

2) **ADFG does not have the authority to allow for a catch and release fishery** if it appears the escapement goal will not be achieved. *(5AAC 75. Emergency Order Authority (1) (B) ...the department may issue a “catch and release only” emergency order when the estimated hooking mortality is not projected to reduce the population of fish below the level required for spawning escapement).*

**SOLUTION:**

The Board creates an Optimum Escapement Goal (OEG) as authorized under Chapter 39, Sustainable Salmon Fisheries. **The OEG would permit a catch and release fishery to occur if at least 50% of the lower end of the escapement goal range is projected to be achieved.**

Establishing an OEG would allow for fisheries to be put on catch and release instead of completely closed. Karluk is a good candidate for this type of management action because it is remote, expensive and difficult to access, has a conservation easement which restricts the number of anglers allowed on the river. All of these factors help ensure that mortality associated with catch and release will be insignificant, due in part to low fishing effort.

**\*Had OEGs been in effect, none of the above fisheries would have been mistakenly closed. If an OEG is not established, the list of unnecessary closures will grow.**

# **Benefits of a Sport Fish Optimal Escapement Goal (OEG)**

## **Catch and Release**

### **King Salmon Fishing in the Karluk River**

- 1) A Catch and Release OEG would eliminate the continuation of unnecessary / error closures for fisheries that are in progress.**
- 2) A Catch and Release fishery would remove very few fish from the spawning population.**
- 3) An OEG would more equitably distribute the burden of conservation.**
- 4) Allows a fishery to occur, when at least 50% of the lower range is projected**

#### **1: Elimination of unnecessary / error closures.**

Kodiak king salmon stocks began to decline in abundance in 2001 and at the same time run timing became erratic and unpredictable. As a result, it was difficult for ADFG to accurately predict whether the escapement goal would be achieved or not. In 2003, 2005, 2007 and 2010 king salmon sport fisheries in either the Karluk or Ayakulik River were closed in season by emergency order, only to be reopened an average of six days later, after the fish unexpectedly arrived and escapement goals were achieved. In hindsight these closures were not necessary to achieve the escapement goal. These closures adversely impacted the sport fishery, because 80% of the visitors live out of state and have to cancel all their travel plans, including plane tickets, vacation dates, and stays with lodges/guides. Implementing a catch and release fishery, instead of a complete closure, would give ADFG more time to evaluate the return before making what could prove to be an unnecessary closure. If an OEG which allowed for catch and release fisheries when the escapement goal was not projected to be achieved, the unnecessary closures implemented in 2003, 2005, 2007 and 2010, would not have occurred.

#### **2: Small impact on stock reproduction due to OEG**

The Karluk River is very remote, difficult and expensive to access, all of which limits effort. Participation is additionally capped by the terms of a Conservation Easement between the land owner (Koniag Native Corp.), the Kodiak National Wildlife Refuge and the State of Alaska. Permits are required within the easement area and are limited to 70 visitors on any day, 60% of which must be under the supervision of a guide. Participation also drops when trends in king salmon abundance are low. All of the factors above indicate that low effort can be expected in this fishery.

Catch rates will also be low when abundance is low and bait is removed from the fishery, which always occurs in catch and release fisheries.

Hooking mortality was estimated at 7% in a 3 year intensive study of catch and release king mortality on the Kenai River. Due to low effort, low catch rates and small mortality associated with release, the number of fish removed from the spawning population will be very small, probably in the magnitude of one to two hundred fish. The impact of this small removal on stock reproduction is impossible to quantify because it is so small/insignificant. The lower end of the escapement goal range

has changed three time in the past 10 years and has fluctuated by more than 1,500. This indicates the difficulty of access the impact 1,500 fish on maximum sustain yield. The Board of Fish has authority to establish a Catch and Release OEG, if it determines that the benefit of allowing a sport fishery to continue in a predictable/orderly fashion outweighs the impact of removing an insignificant amount of fish from the spawning population.

### 3) More equitable distribution of Conservation Burden:

The following users harvest Karluk King salmon with the associated restrictions:

- 1) Kodiak Set Nets: (closest legal water is 10 miles from Karluk R) **No Restrictions**
- 2) Kodiak Seine Fishermen: If goal is not achieved, in the Inner/Outer Karluk Sections only, large king salmon **must be released, kings 28" and smaller may be harvested.**
- 3) Trawl fisheries: King salmon **may not be retained**
- 4) Saltwater sport fisheries: **Harvest Guideline** of 11,000 and associated mgmt. plan.
- 5) Subsistence Fishing: Traditional area remains open, when goal will not be achieved, king salmon **must be released.**
- 6) Karluk River Sport Fishery: **COMPLETE CLOSURE** when goal is not achieved.

A Karluk River catch and release sport fishery produces one of the smallest mortalities in any of the fisheries that occur, but is the most heavily restricted. It is the only fishery which completely closes, when the goal is not achieved. All other fisheries are allowed to continue. An OEG allowing for catch and release would be a fairer distribution of the Conservation Burden.

### 4) Allows for Fishery to Occur

The Karluk River King Salmon Spawning escapement in 2010 was 2, 917 and the sport fishery was closed for the entire season. The lower end of the new spawning goal range is 3,000 fish. If the 2010 return repeated year after year, according to current management practices, the sport fishery would never be allowed to operate. Creating an OEG, where a no-bait catch and release fishery was allowed if 50% of the lower end of the escapement goal range was projected, would allow for a fishery. The spawning escapement would only be reduced by several hundred fish due to hooking mortality but a fishery could occur.

<u>OEG</u>	<u>2010 Escapement</u>	<u>Sport Fishery</u>
No	2,917	Closed All Season
Yes	2,713*	Open to Catch and Release All Season

\*estimated hooking mortality is 204 fish, if every fish was caught and released with a 7% hooking mortality

## Karluk River King Salmon Escapement and Surrounding Area Harvests

YEAR	ESCAPE <sup>1</sup>	Karluk River Sport Harv.	I & O <sup>2</sup> KARLUK SECTION	NW DIST. PURSE SEINE <sup>3</sup>	NW DIST. GILLNET <sup>3</sup>	AREA COMM <sup>4</sup>	AVE. WEIGHT	AREA SALT SPORT HARV <sup>5</sup>
1980-89	7,650							
1990	13,742	700	0	-	-	-	-	
1991	12,423	1,599	0	654	250	22,234	12	
1992	8,745	856	264	2,092	1,502	24,299	14	
1993	12,310	1,634	3,082	3,910	3,660	41,029	12	
1994	10,566	1,483	5,114	3,569	1,579	22,576	14	
1995	11,373	1,284	1,794	2,370	1,576	18,704	14	
1996	8,356	1,695	1,662	868	1,940	13,071	14	
1997	11,869	1,574	1,445	702	1,505	18,728	10	
1998	9,066	1,173	252	1,874	1,761	17,341	14	2,519
1999	11,297	1,766	1,067	758	1,197	18,299	13	4,097
2000	7,879	2,581	693	1,178	942	12,293	15	6,167
2001	3,149	1,304	2,588	1,085	1,955	23,827	14	5,576
2002	6,574	716	1,262	3,158	2,071	19,263	10	4,561
2003	6,965	563	1,336	3,685	2,137	18,531	10	8,024
2004	6,805	690	2,249	3,551	3,751	28,899	11	9,787
2005	4,611	363	349	2,382	2,713	14,411	12	8,278
2006	3,351	670	900	2,693	3,789	20,283	10	10,333
2007	1,609	205	313	1,602	1,357	17,222	10	10,626
2008	752	0	13	6,214 <sup>6</sup>	1,122	17,176	8	9,408
2009	1,306	0	0	324	173	7,219	9	8,773
2010	2,917	0	0	510	293	14,550	8	NA

- 1 Number of spawning fish (weir count – sport harvest above weir)
- 2 Inner and Outer Karluk Sections of the SW. District. Legal Gear is purse seine.
- 3 Data from commercial fisheries division fish ticket run 11/17/10. North West District, stat areas used: all 253s, all254s and 259-30-39 only. Dates are from June 1-July 15. NW District includes waters between Termination and Rocky Point
- 4 Kodiak Area commercial king harvest. Inner and Outer Karluk Sections and NW district harvest figures are included in the area harvest
- 5 Kodiak Area Saltwater King Harvest. Most of the harvest occurs in Chiniak Bay, adjacent to the town of Kodiak.
- 6 These fish averaged 6 pounds.



IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199



FWS/OSM 10085/BOF KMA

DEC 16 2010

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

Dear Chair Webster:

The Alaska Board of Fisheries will deliberate 2010/2011 regulatory proposals that address Kodiak Management Area commercial, sport, and subsistence finfish fisheries beginning January 11, 2011. We understand that the Board will be considering approximately 31 proposals at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, has reviewed these proposals and developed the enclosed preliminary comments on proposals which may have an effect on Federal subsistence users and fisheries in this area. We may wish to comment on other proposals if issues arise during the meeting which may have an effect on Federal subsistence users and fisheries.

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

Sincerely,

Peter J. Probasco  
Assistant Regional Director

cc: Cora Campbell, ADF&G  
Tim Towarak, Chair FSB  
Sue Aspelund, ADF&G, Juneau  
Dr. Jim Simon, ADF&G, Fairbanks  
Charles Swanton, ADF&G, Juneau  
Jennifer Yuhas, ADF&G, Juneau  
Steve Honnold, ADF&G, Kodiak  
James Hasbrouck ADF&G, Anchorage  
George Pappas, ADF&G, Anchorage  
Lisa Olson, ADF&G, Anchorage  
Jim Marcotte, ADF&G, Juneau  
Interagency Staff Committee

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

**State of Alaska  
Board of Fisheries Meeting  
January 11-14, 2011  
Kodiak, Alaska**

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### Federal Comments

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

**Proposal 60** requests that owners, operators, or employees of a lodge, charter vessel etc. be prohibited from furnishing subsistence taken finfish to its guests or clients.

#### **Existing State Regulation:**

*No regulation.*

#### **Relevant State Regulation:**

#### **Kodiak Area-Subsistence Shellfish**

##### **5 AAC 02.499. Prohibitions**

*(a) An owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or guide services may not furnish to a client or guest of that enterprise, shellfish that has been taken under this chapter, unless the*

- (1) client or guest is in possession of a valid Kodiak Area subsistence permit;*
- (2) shellfish has been taken with gear deployed and retrieved by the client or guest;*
- (3) gear has been marked with the client's or guest's name and address, as specified in 5 AAC 02.010(e); and*
- (4) shellfish is to be consumed by the client or guest or is consumed in the presence of the client or guest.*

*(b) The captain and crew members of a charter vessel may not deploy, set, or retrieve their own gear in a subsistence shellfish fishery when that vessel is being chartered.*

*(c) Repealed 7/1/2006.*

**Existing Federal Regulation:**

*No regulation.*

**Relevant Federal Regulation:**

**§ \_\_.27(13)(ii) Subsistence taking of fish.**

*(13) No sale to, nor purchase by, fisheries businesses.*

*(ii) If you are required to be licensed as a fisheries business under Alaska Statute AS 43.75.011 (commercial limited-entry permit or crew license holders excluded) or are a business as defined under Alaska Statute 43.70.110(1), you may not purchase, receive, or sell fish, their parts, or their eggs taken under the regulations in this part as part of your business transactions.*

**§ \_\_.28 Subsistence taking of shellfish.**

*(j)(1) An owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or guide services may not furnish to a client or guest of that enterprise, shellfish that has been taken under this section, unless:*

*(i) The shellfish has been taken with gear deployed and retrieved by the client or guest who is a Federally-qualified subsistence user;*

*(ii) The gear has been marked with the client's or guest's name and address; and*

*(iii) The shellfish is to be consumed by the client or guest or is consumed in the presence of the client or guest.*

*(2) The captain and crewmembers of a charter vessel may not deploy, set, or retrieve their own gear in a subsistence shellfish fishery when that vessel is being chartered.*

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

While fisheries proposal 11-14, submitted by the Kodiak/Aleutians Federal Subsistence Regional Advisory Council (Council), requested the same changes to Federal subsistence fishing regulations for the Kodiak Management Area as State Proposal 60, it was withdrawn and will not be considered during the January 18-21, 2011, meeting of the Federal Subsistence Board. This Federal proposal was initially developed by Kodiak National Wildlife Refuge staff with input from ADF&G staff to address concerns about guides or lodge owners who are Alaska rural residents and are providing subsistence caught fish to their clients or guests. The Kodiak/Aleutians Council withdrew FP11-14 during its September 23, 2010, meeting because the staff analysis pointed out that, except for providing additional clarity, adoption of the proposal would have no other effect since

it is already illegal for commercial service operators to provide subsistence-caught salmon to paying clients under existing Federal regulations.

**Impact to Federal subsistence users/fisheries:** No. Adoption of this proposal would have no effect, as the practice of commercial service operators providing subsistence-caught salmon to paying clients is already prohibited under Federal regulations. The Federal Subsistence Board did adopt a similar regulation for subsistence caught shellfish, which only served to emphasize that these practices are illegal under Federal regulations. Adoption of Proposal 60 by the Alaska Board of Fisheries would align State and Federal regulations for this practice, make regulations less confusing and simplify enforcement.

**Federal Position/Recommended Action:** Support. The Federal Subsistence Management Program supports conservation of the resource. The Kodiak/Aleutians Council submitted a similar proposal to the Federal Subsistence Board, and stated that adoption of this proposal would protect salmon populations that are experiencing low returns, like the Chinook salmon stocks in the Karluk and Ayakulik rivers (FWS 2010. Pages 56-59). While the Kodiak/Aleutians Council withdrew FP11-14 during its September 23, 2010, meeting, it did so only because this concern was already addressed by existing Federal regulations.

If adopted, this proposal would align Federal and State regulations, reduce regulatory complexities and simplify enforcement concerns. Furthermore, we recommend that if the State adopts this proposal it incorporates modified language to prohibit this practice by all guide services not just “sport fishing” guide services as proposed.

**Proposals 61 and 62** request that regulations regarding the recording of subsistence caught fish in the Kodiak Management Area on permits be amended.

**Existing State Regulation:**

**Kodiak Area**

**5 AAC 01.530. Subsistence fishing permits.**

*(c) A subsistence fishermen shall keep a record of the number, or if for herring, the number of pounds, of subsistence fish taken by that subsistence fisherman each year. The number or pounds of subsistence fish taken shall be recorded on the reverse side of the permit. The record must be completed immediately upon landing subsistence-caught fish, and must be returned to the local representative of the department by February 1 of the year following the year the permit was issued.*

**Existing Federal Regulation:**

**Kodiak Area**

§ \_\_\_\_\_.27 (i) (9) (vi) *You must record on your subsistence permit the number of subsistence fish taken. You must complete the record immediately upon landing subsistence-caught fish, and must return it by February 1 of the year following the year the permit was issued.*

**Is a similar issue being addressed by the Federal Subsistence Board (FSB)?** Yes. Fisheries Proposal 11-13 mirrors portions of State Proposals 61 and 62 and requests, among other changes, that recording of harvests on all subsistence permits for the Kodiak Management Area be done prior to leaving the fishing site rather than immediately upon landing fish. The Kodiak/Aleutians Council, which submitted the proposal, stated that the intent of the Federal proposal is to make recording of harvest less burdensome to users while still providing accurate harvest information to fishery managers. The Office of Subsistence Management (OSM) staff recommendation to the Federal Subsistence Board is to support FP11-13 with modification, including the stipulation to allow Federally qualified subsistence users to record all harvested fish prior to leaving the fishing site. The OSM staff justification was this change would be less burdensome to these users and should not affect the accuracy of harvest reporting or hinder enforcement. The Federal Subsistence Board will consider FP11-13 during its January 18-21, 2011, meeting in Anchorage.

**Impact to Federal subsistence users/fisheries:** Yes. Any specific impacts to Federal subsistence users/fisheries will depend on what, if any, changes are made by the Federal or State boards. Federally qualified subsistence users residing in the Kodiak Management Area are currently required to record harvests on their subsistence fishing permits immediately upon landing subsistence caught fish. The Federal Subsistence Board will take action on FP11-13 during its January 18-21, 2011 meeting.

If Federal and State regulations diverge it could increase regulatory complexities and enforcement concerns.

**Federal Position/Recommended Action:** Support. The Federal Subsistence Management Program supports reducing the burden on subsistence users, while still providing accurate harvest information, and not hindering enforcement efforts or adversely impacting the resource.

Mr. Vince Webster, Chair

Alaska Board of Fisheries

My name is Pete Hannah , my wife and I each own a Kodiak set net permit. I have lived and fished in Kodiak for over 30yrs and I am writing in to oppose the extension of proposal 58 allowing Kodiak set netters to own and fish two complete permits worth of gear. There are 187 set net permits in Kodiak and nearly all of them have been fully utilized over the years. Proposal 58 does nothing to help this fishery, it doesn't reduce the amount of gear on the grounds, it does nothing to increase the quality of the fish, and it doesn't help fish and game manage the fishery. The only thing this proposal does is reduce the amount of permit holders, it also opens up allocation problems when other groups i.e. seiners wish to own more permits and fish more gear. When that happens, every set netter will be placed at a disadvantage and the historical allocation that has evolved over the years will be drastically changed creating allocation fights in the future. Prior to proposal 58 all set netters were equal, now we are not. Why? This proposal promotes and encourages people to own dual permits by awarding them more rights than others. This proposal at least needs to be changed so that dual permit holders are allocated a smaller amount of gear.

In the recent elections the governor and the legislators all stressed the need for jobs for Alaskans. There have been special programs to promote young fishermen to get into different fisheries, so why would we want to pass a rule that would reduce the amount of people who would share in the profits of ownership, raise the capital cost of entry into the fishery and in general reduce jobs and opportunities for Alaskans? Kodiak is not Bristol Bay; nothing has been done to suggest a need to reduce participants in this fishery. I can understand why some fishermen like this proposal, but I can't understand why a fisheries manager would want to promote less ownership, less jobs higher entry prices and really absentee fishermen, but I have a open mind and if anyone on the board could tell me what's so good about this proposal I'm really ready to listen. Thanks for the opportunity to express my feelings.

-Pete Hannah

RECEIVED  
DEC 2 8 2010  
BOARDS

Public Comment #3

December 22, 2010

ALASKA DEPARTMENT OF FISH AND GAME  
Boards Support Section  
P.O. Box 115526  
Juneau, AK 99811-5526  
(907) 465-4110

RECEIVED  
DEC 26 2010  
BOARDS

My family has operated a salmon set net on Kodiak Island since 1978 and taken advantage of the dual permit system since its inception in 2008. Although I 'hung up my boots' and turned my permit over to my children in 2000 I still provide support to the operation in a variety of ways. The system has allowed my three children to expand the operation and to make the operation at least marginally financial feasible during the downturn of the salmon fishery on the West side of Kodiak Island. The economics of the times no longer support a single set gillnet fishing operation.

Perhaps you can sympathize with the importance that participation in a family set net operation affords a family like ours. The fishing is a way of life as well as means of producing an income. The dual permit system allows my adult children to maintain this traditional lifestyle even when obligations may pull them away from the site for short stints of time. The dual permit system has allowed our family to continue fishing and manage our lives away from Larsen Bay without compromising the fishing operation for the rest of the family.

I worry that revoking the dual permit system has the potential to cause undue strain on the fishing operation that my family runs and has the potential to destabilize our efficient management of that business. I urge you to consider the permanent installment of laws permitting individuals to hold dual permits, and consider how important this temporary law have been in sustaining my families ability to continue fishing during these trying times.

Respectfully,



Jane Petrich  
PO Box 2842  
Kodiak, Alaska 99615

Vince Webster  
PO Box 121  
King Salmon, AK 99613

RECEIVED  
DEC 23 2008  
BOARDS

Vince,

My family has taken advantage of the dual permit system since its inception in 2008. I feel we were very lucky to be fishing during this time period, not because the fishing in our region was spectacular, but because the dual permit system allowed us to remain operational during the unprecedented collapse in our fishing stocks. The economics of the times no longer support a single set gillnet fishing operation. As our young and growing family tries to support our respective lives composed of fishing that has always been part of our family, and our other lives away from the fish camp which demands ever more time and money to maintain, the dual permit system is integral to this successful duality of life.

I'm sure you can sympathize with the importance that participation in a family set net operation affords. Fishing is more of a way of life than a job, as most people would understand it. The primary important of the dual permit system is that our family is better able to navigate the turmoil life throws at us, to maintain our fishing and other life obligations. Maintaining this fragile balance demands that we support each other when one or more of the family requires leave away from the site. The dual permit system has allowed our family to continue fishing and manage our lives away from Larsen Bay without compromising the fishing operation for the rest of the family.

I worry that revoking the dual permit system has the potential to cause undue strain on the fishing operation that my family runs and has the potential to destabilize our efficient management of that business. I urge you to consider the permanent installment of laws permitting individuals to hold dual permits, and consider how important this temporary law has been in sustaining my family's ability to continue fishing during these trying times.

Thank you,



Erik Obrien

Vince Webster  
PO Box 121  
King Salmon, AK 99613

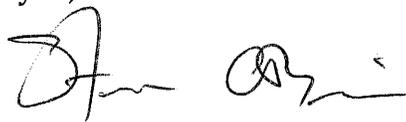
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Thank you,

A handwritten signature in black ink, appearing to read "Stephen O'Brien", written in a cursive style.

Stephen OBrien

Vince Webster  
PO Box 121  
King Salmon, AK 99613

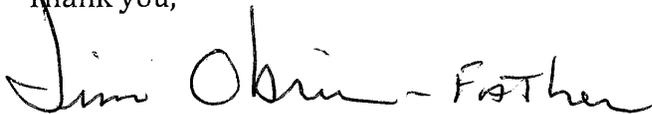
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Thank you,

A handwritten signature in black ink that reads "Jim O'Brien - Father". The signature is written in a cursive, slightly slanted style.

Jim OBrien

Vince Webster  
PO Box 121  
King Salmon, AK 99613

RECEIVED  
DEC 23 2008  
BOARDS

Vince,

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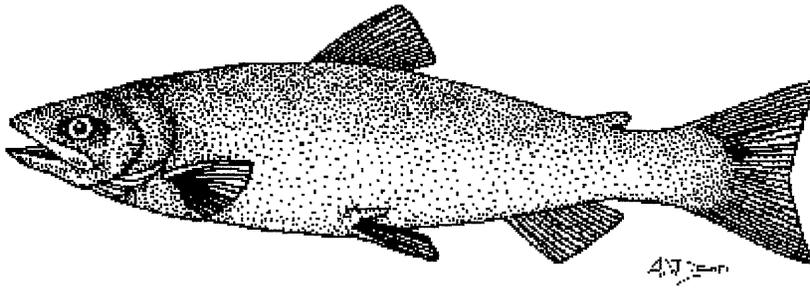
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Thank you,



Erik Obrien

# Fox Island Set Net Camp



RECEIVED  
DEC 28 2010  
BOARDS

Jim & Kim Peterson\*Owners/Operators

P.O. Box 240102  
Douglas, Alaska 99824  
(907)364-3643  
[sockeye7@acsalaska.net](mailto:sockeye7@acsalaska.net)

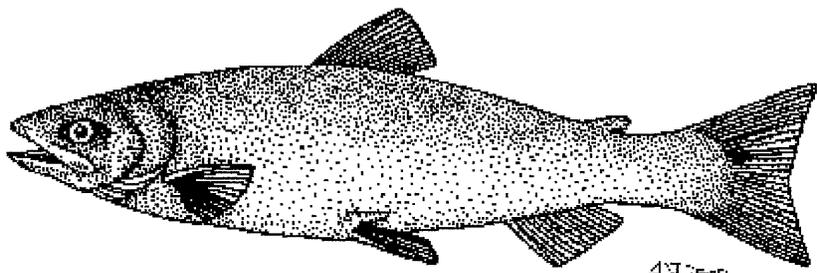
## Board of Fish Members:

In regards to Proposal # 74 we would like to see the staggered openings cease to exist. The original intention of the staggered openings was to get a more fair distribution of the fish to Olga Bay. Well this has not happened. For our camp on the outside even though the seiners don't start until the next day we lose an entire tide by waiting until 6 P.M. Also by this time of the day the westerlys' often become un-workable forcing us to set late or the next morning.

The focus should be put on building run strength and increasing product quality not dividing fishing time amongst gear holders in the same fishery.

Thank-you for your time in considering our thoughts

James R. & Kimberly C. Peterson



Jim & Kim Peterson\*Owners/Operators

RECEIVED  
JUN 10 2010  
BOARDS

P.O. Box 240102  
Douglas, Alaska 99824  
(907)364-3643  
[sockeye7@acsalaska.net](mailto:sockeye7@acsalaska.net)

Board of Fish Members:

As a lifelong Alaskan and Kodiak Island setnetter since 1965 my wife and family would like to throw our support to proposal #71. This proposal gives family run setnet camps the means to keep the sites that they had traditionally fished before limited entry came into effect. To clarify, when I bought my camp it was before limited entry and I bought the sites, gear and cabin. To cover these sites my family needs 4 permits which over the years we have spent transferring back and forth between family and crew and have even once lost a permit to the IRS because of this. Proposal #71 allows my family to legally and safely fish the sites that we have fished ever since I bought the camp in 1965.

I know of no one who has abused this proposal by stockpiling or hoarding these permits. Please look closely at the data pertaining to permit value and transfers since this trial period has started and I believe you will see that the system has not been abused.

Currently to the best of my knowledge all of the productive areas to setnet are legally owned with a permit to cover them as well as a shore lease. The fact is if you don't have a site what good is a permit. To argue that this proposal discourages entry into the fishery is not true as you just don't buy a setnet permit and go fishing. You need a site and a camp or like some a boat to live on. You need gear. Setnetting is a way of life not a way to get rich. Everyone has a second job so they can continue to fish the lean years. Our intention is to fish or sites until we die and then give them to our son. Thank-you for taking the time to consider our point of view.

James R. & Kimberly C. Peterson

*Kimberly C. Peterson*  
*Jim Peterson*  
2 of 2 Public Comment #7

Alaska Dept. of Fish & Game Board of Fisheries

Dear Board Members

I am writing in support of Proposal # 71 .

This proposal is intended allow continuation of S04K permit stacking and dual use in the Kodiak set net fishery.

These are difficult times for the Kodiak set net fishers. I fish in the Alitak area and we have had several weak runs in the past seasons and the West side fishery has also been severely curtailed due to weak runs.

Most of set net camps are small family operations fishing 2 or 3 permits. The distressed economics and long duration of the fishery forces many of us to seek alternate employment to support our families and fishing operations.

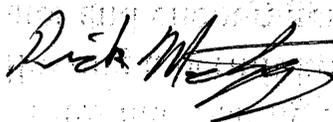
Allowing a permit holder to fish 2 permits keeps the gear in the water and encourages entry level crewmember employment. It takes the same number of hands to fish 300 fathoms whether it is 1 or 2 permit holders. If a permit holder has to leave the fishery for other employment that gear is on the beach with no crew jobs or production for the processors.

I have heard the arguments about creating family dynasties and how permit stacking over inflates the value of permits preventing new entrants into the fishery and how if you can not afford to fish you should sell out at a distressed price to give someone else a chance. I do not buy these arguments

S04k permits have always been the most overvalued (in relation to production) permits in Alaska. They are very rarely sold as stand alone permits. I'm sure that just about any Kodiak operation could be bought at the right price.

The very fact that 1/3 of all S04K permits are now held as dual permits should be testament enough of the need and usefulness of this proposal.

Thank you for your consideration  
Rick Metzger PO Box 5043 Akhiok Ak.



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BOARDS

State Of Alaska Board of Fisheries

Dear Board Members

I am writing in support of Proposal # 67

It is my understanding that the intent of this proposal is to encourage Kodiak staff to quantify the contribution of Alitak bound sockeye in the Westside Kodiak salmon fishery and to manage the Westside fishery so that it does not jeopardize the minimum escapement goals for the Alitak systems.

Past tagging studies and net marked escapement from seasons with no Alitak fishery strongly suggest that Alitak stocks are a very significant portion of the Westside catch.

A analysis of net marked escapement, gillnet efficiency and gillnet seine catch ratios in the west side districts would be helpful as would genetic sampling of west side catches for determining the Alitak contribution.

This is an age old argument that should be laid to rest. Please use this proposal to instruct Kodiak staff to use what ever resources they have to quantify the Alitak bound contribution in the west side fishery and to manage that fishery to insure a viable escapement to all Alitak systems.

Thank you for your consideration  
Rick Metzger  
PO Box 5043  
Akhiok Ak.



RECEIVED  
2002 7 23 AM  
BOARDS

To: State Board of Fish  
907-465-6094

December 27, 2010

From: Marianne Burkholder  
360-263-4123

RECEIVED  
DEC 28 2010  
BOARDS

RE: Comments for Kodiak Finfish proposals

I am a Kodiak set-gillnetter in the Alitak Bay District. I would like to comment on the following proposals:

**#71 "Make into permanent regulation permit stacking"**

I have two suggestions. Either continue the sunset period for another 3 years or make it permanent with a clause stating that each permit that is stacked comes with the Shore Fishery Lease and has to be fished in the District where the permit and Shore Fishery Lease were from.

**#74 "Amend Closure Time"**

The staggered openings and closures for Alitak Bay District has not accomplished what it originally was meant to. The best solution for this issue is to return to having all openings and all closures be the same time for Alitak Bay, Moser Bay, Olga Bay and the Alitak Bay seiners. Openings at noon and closures at 9pm (6 pm in August) is best for all fishermen. Keeping the fish periods as they are (6.1 days of fishing in every 10 day period) is already unfair to Olga Bay. Increasing the days will only bring in more harvest to the outer bays.

Thank you for this opportunity to make comments.

Truly,



December 17, 2010

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DEC 20 2010  
BOARDS

Dear Board of Fish Members,

I am writing in support of Proposal 71. Most setnet sites are family operations and I feel that allowing permit holders to fish two permits is good for families.

Like many of the setnetters we know, we want to raise our children in this way of life and to make a living at it. But poor salmon seasons mean that one or both spouses need to work during the winter months for the additional income and for health insurance, etc. Unfortunately, it's not easy to find work that fits with the salmon season, which, in Kodiak, stretches from June to September. Both the start and end of my teaching schedule overlap salmon openings. If my husband can fish both our permits, we don't have to pull those nets when I go.

Prop 71 also allows some flexibility if one parent needs to bring the children in at the start of the school year, or even for a non-emergency doctor or dentist appointment.

I have been working on a master's degree for several years. The program is low-residency but requires several weeks on campus during July. Without the allowance made for holding two permits, it would have been difficult to justify the loss of fishing time, especially during several slow seasons.

It sounds like a small thing, but the fact that my husband could fish my permit really eased the pressure on our family. I could take our new baby into town for his checkups, complete my degree, and accept a winter job without having a negative impact on our ability to catch salmon. I've been so grateful for that freedom and I hope we can continue to make setnet fishing work for our family by making Proposal 71 permanent.

Thank you for your time,

Sincerely,

Sara Loewen

**To: State Board of Fish  
907-465-6094**

**From: Jacob Carter  
228-860-6359**

**Re: Comments for Kodiak Finfish proposals**

I am a Set-gillnetter in the alitak bay district. I would like to comment on the following proposals:

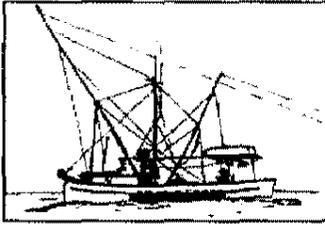
**71. Make into permanent regulation permit stacking:**

Either keep it the way it is and review it every three years or make it permanent with a clause that states that each permit that is stacked must be fished from the shore lease from which it was purchased.

**74. Amend closer times**

The way the openers are now are unfair to Olga Bay, Increasing the days of an opener will only help the outer bays harvest. Olga Bay already has a significant drop off in harvest on the second day of openings when compared to the outer bays. The staggered openings and closing have not at all accomplished what they where set out to, they cause more complications and do not resolve the original issue at hand. The best way to resolve this issue would be to make all openings and closures return to being the same time for Alitak Bay, Moser Bay, Olga Bay and Alitak Bay Seiners. Openers at noon closures at 9 pm, 6 pm in august.

**Thank you,  
Jacob Carter**



## Alaska Trollers Association

130 Seward #205  
Juneau, AK 99801  
(907) 586-9400 phone  
(907) 586-4473 fax

December 27, 2010

Karl Johnstone, Chairman  
Alaska Board of Fisheries  
P.O. Box 115526  
Juneau, AK 99811-5526

### **RE: Proposal 69**

Dear Mr. Johnstone and Board Members:

I am writing to inform you of the Alaska Trollers Association's (ATA) opposition to Proposal 69, which seeks to establish a troll fishery in the Kodiak management area.

ATA represents hook and line salmon fishermen operating in both state and federal waters off Southeast Alaska. Our members are committed to maintaining access to high quality Alaska salmon for consumers worldwide. There are over 2000 hand and power troll permits active in Alaska and about half are fished each year. The troll fleet is 85% resident and roughly 40% live in rural communities. Vessels range in size from 14' skiffs to vessels up to 60'.

Ironically, every troller in Alaska currently holds a *statewide* permit card and for the majority of the fleets' 130 year history trollers were allowed to fish in most all regions. ATA tried for many years to re-establish the troll fishery west of Cape Suckling, which was closed for conservation purposes in the mid-70s and remains closed today due, in part, to allocation concerns expressed by a variety of fishing interests.

For a great many years, both the Alaska Department of Fish and Game and the Alaska Board of Fisheries have insisted that the troll fishery remain limited to the Southeast region due to complications that could erupt within the Pacific Salmon Treaty arena. The US/Canada Salmon Treaty was signed in 1985 and includes a provision mandating no 'new or redirected' fisheries. Since trolling statewide was a pre-Treaty endeavor, we are told that re-opening the troll fishery West of Suckling would constitute a violation of the commitments made by, and between parties within, the United States. To say the least, this has been a disappointment, and the situation would be further aggravated if the state now chose to allow a select group of fishermen the opportunity to troll in areas closed to our fleet.

Makers of the proposal suggest limiting this fishery to coho only, during times when Gulf of Alaska Chinook spawners have passed through Kodiak fisheries. However, the concept side-steps the fact that a mix of feeder kings, from a variety of areas, is known to be present in the area year-round.

Another issue of concern is the matter of allowing Kodiak fishermen to switch their permits between gear types, as opposed to buying a separate troll permit. There are more than 2000 troll permits in Alaska – many unused – why add more? If this fishery is allowed to open, then existing troll permit holders should be free to fish the area, and/or sell their permits to willing buyers. ATA simply can't support such permit conversions and what, in effect, is super-exclusive registration.

ATA appreciates that other fishermen are interested in accessing under-utilized species, improving the quality of their landed catch throughout part or all of the season, and adding more troll product to the market. In fact, we would like to see our own fleet spread out to other regions to accomplish the goals of superior quality and increased access and opportunity for all of Alaska's salmon fishermen. Unfortunately, the current political climate for West Coast salmon fisheries is not conducive to that notion. Nor does it make sense to establish new, exclusive use opportunities for pocket fisheries, which could negatively impact existing, displaced fishermen who have been prevented from fishing the area in question for the past three decades.

If ATA can be of assistance on this or other issues of concern to our fleet and the commercial fishing industry, please don't hesitate to contact me.

Best regards,

A handwritten signature in black ink that reads "Dale Kelley". The signature is written in a cursive, flowing style.

Dale Kelley  
Executive Director

James Pryor  
1012 Steller Way  
Kodiak, AK

Dear Sirs,

The Pryor Fish Camp in Olga Bay, Kodiak Alaska, is in support of fin fish proposal #71. with slight modifications.

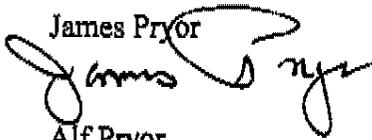
When the original proposal was adopted we opposed it on the grounds that it could consolidate the Kodiak salmon set net fishery into the hands of a small number of deep pocket fishing operations. This would have a twofold detrimental affect on the set net fishery. It could restrict the opportunities for young people to enter the fishery as a permit holder and potentially expand the fishing pressure in areas that are already over-capitalized like the Alitak District.

On the positive side, the stacking of permits allowed our family set net operation to continue fishing our allowed gear this past season. Our son, who is a site partner and permit holder, had to leave for an extended period during the middle of the salmon season. Without the ability to stack the permits, we would have had no recourse but not fish half our gear during an already dismal salmon season, which would have magnified the strain to our family economically.

We would like to see permit stacking

Sincerely,

James Pryor



Alf Pryor



James Pryor  
1012 Steller Way  
Kodiak, AK

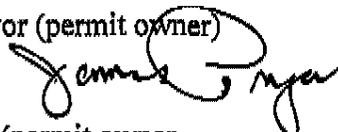
Dear Sirs,

The Pryor Fish Camp in Olga Bay, Kodiak Alaska, opposes fin fish proposal #74. If this proposal is accepted the Board of Fish, through its actions will negatively impact the Olga Bay set net fishery. This proposal would extend fishing time an additional 24 hours in every fishing period which would have the effect of further reducing Olga Bay's salmon market share. Extended openings negatively impact the Olga Bay district as well as the genetic diversity of the dynamic system contained in this unique area. The Board of Fish has acknowledged and recognized that previous actions taken by the board have reduced Olga Bay's catch from historic levels of around 25% to levels now as low as 8%. The Board of Fish recognizing actions taken in the past are responsible for the negative impact, such as the strong run management plan and the notorious "rock set" toe hold regulation, have tried to address this issue by a mandated "pulse fishery" and a "staggered opening" to get additional fish into Olga Bay both for harvest and genetic diversity. The implementation of the staggered opening was for the sole purpose to address the loss of market share of the Olga Bay District. The staggered opening has changed several times through board actions from a twelve hour stagger for Olga Bay to what we have now which is equal fishing time for the three districts but an unequal stagger as Olga Bay and Moser Bay receive a 6 hour stagger and the Alitak district receives 12 hours, which is in total opposition to the original intent of the BOF's goal of addressing Olga Bay's market share. In addition to unequal fishing time with the staggered opening the BOF has created a dangerous situation for Olga Bay fishermen by mandating an opening time of 6 a.m. Previously the BOF recognized that 6 a.m. openings were dangerous for the Alitak District but apparently not dangerous for Olga Bay. Believe me in mid to late August and September 6 a.m. openings are dark and potentially dangerous. The set net fishery is done from skiffs which are not equipped with electronic location devices such as GPS and radar. There have be many openings when we are traveling to our site across Olga Bay at 6a.m. in bad weather and we cannot see where we are going, traveling virtually blind with all the hazards that such nautical travel entails. We would recommend that the staggered openings be pushed back to 8 a.m. in Olga Bay with the other districts timing adjusted accordingly plus and equal stagger of 12 hours for Olga and Moser Bay districts.

Please do not negatively impact the Olga Bay district by accepting proposal #74, but do consider the staggered opening suggestions made.

Sincerely,

James Pryor (permit owner)



Alf Pryor (permit owner)



17 DEC 10

ALASKA DEPARTMENT OF FISH & GAME  
Board Support Section  
PO Box 115526  
Juneau, AK 99811

RECEIVED  
DEC 23 2010  
BOARDS

Dear Alaska State Board of Fisheries:

I Richard Blanc have submitted Proposal #74 to be considered for ratification at the State BOF Meeting 11-14 January 2011 in Kodiak.

Proposal 74 -5 ACC 18.331. Alitiak District Management Plan. Amend closure time as follows:

Prior to BOF action in 2008 there was a 63 consecutive hour (2.6 days) minimum closure in every 10-day period. When this regulation was issued by EO (emergency order) there were 7.4 days of fishing in every 10-day period. After changes were made during the 2008 Board meeting in Kodiak, current regulation provides for a minimum closure of 69 consecutive hours in every 10-day period with staggered openings and closings. As an unforeseen consequence of this action, there can only be 6.1 days of fishing in every 10-day period. I would like the Board to change every 10-day period to every 240 hours (which equals 10 days). This change will allow the ADF&G to manage a minimum closure of 69 consecutive hours and a 7.1 day fishery every 240 hours when deemed necessary.

Accepting this proposal will:

1. Clean up the regulation to read; 69 hour closure every 240 hours. Instead of a closure in hours and the length of the period in days.
2. The original intent of the pulse fishery, 7.4 days fishing in every 240 hours will be realized.
3. ADF&G will have the flexibility to regulate a fishery up to 7.1 days instead of 6.1 days under the present regulation.
4. See attached graphs.
5. ADG&G will have more flexibility to prevent over escapement which occurred during the 2008-2009 seasons in the Dog Salmon-Frazer Lake system.

I urge you to vote in favor of Proposal 74 .

Thank you,



Rich Blanc

17 DEC 10

ALASKA DEPARTMENT OF FISH & GAME  
Board Support Section  
PO Box 115526  
Juneau, AK 99811

Dear Alaska State Board of Fisheries:

Proposal 67 -5AAC 18.362. West side Kodiak Salmon Management Plan. Amend Kodiak Area Westside Management Plan to include escapement goals in the major sockeye systems of Olga Bay.

The Kodiak Area, Westside Management Plan directs ADF&G to manage for the harvest of Olga Bay sockeye (along with other mixed stocks) but there is no goal in the plan to manage for Olga Bay sockeye escapements.

Since, Olga Bay sockeye stocks are harvested in the Westside Management Area some conservation methods should be included in the Westside Management Plan when the minimum sockeye escapement goals are not being achieved in Olga Bay.

I don't know the answer to this situation. I urge you to address this problem.

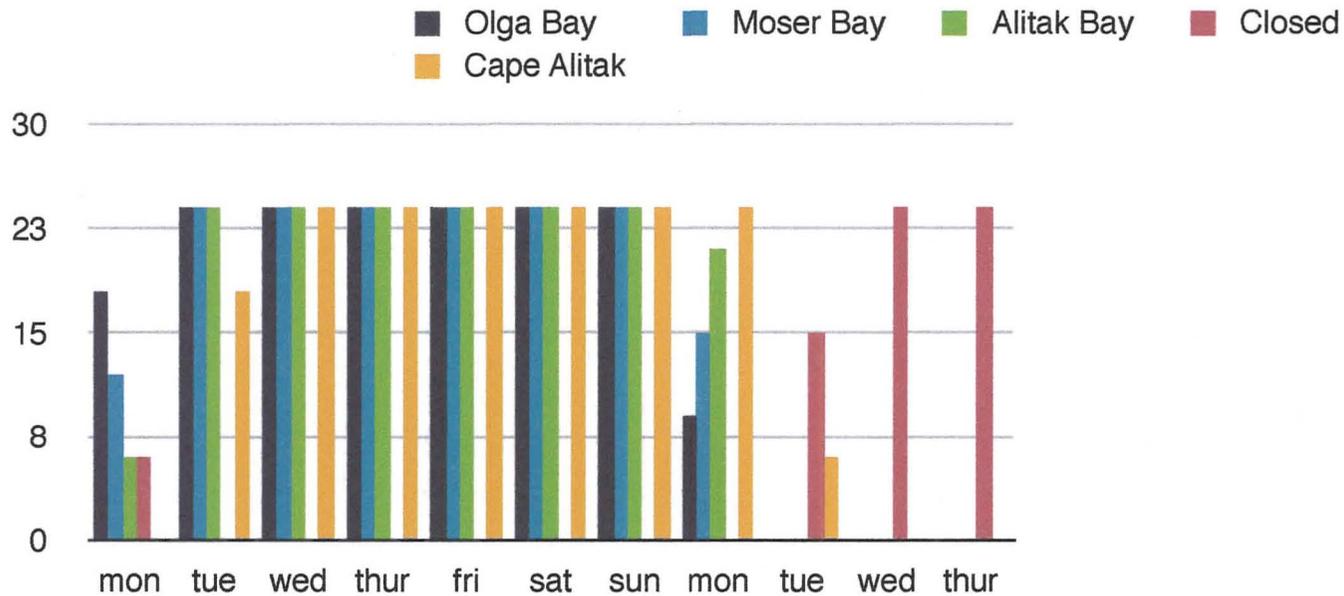
Thank you,

A handwritten signature in black ink that reads "Rich Blanc". The signature is written in a cursive, flowing style.

Rich Blanc

**Proposed 240 hour regulation with differential openings and closings: a mandatory 69 hour closure every 240 hours which equals 10 days.**

Olga Bay starts at 6:00 am on Monday and closes at 9:00 am Monday for 171hours (7.12 days).  
 Moser Bay starts at 12:00 noon on Monday and closes at 3:00 Sunday for 171 hours (7.12 days).  
 Alitak Bay starts at 6:00 pm on Monday and closes at 9:00 pm Sunday for 171 hours (7.12 days).  
 Cape Alit starts at 6:00 am on Tuesday and closes at 9:00 am Monday for 171 hours (7.12 days).

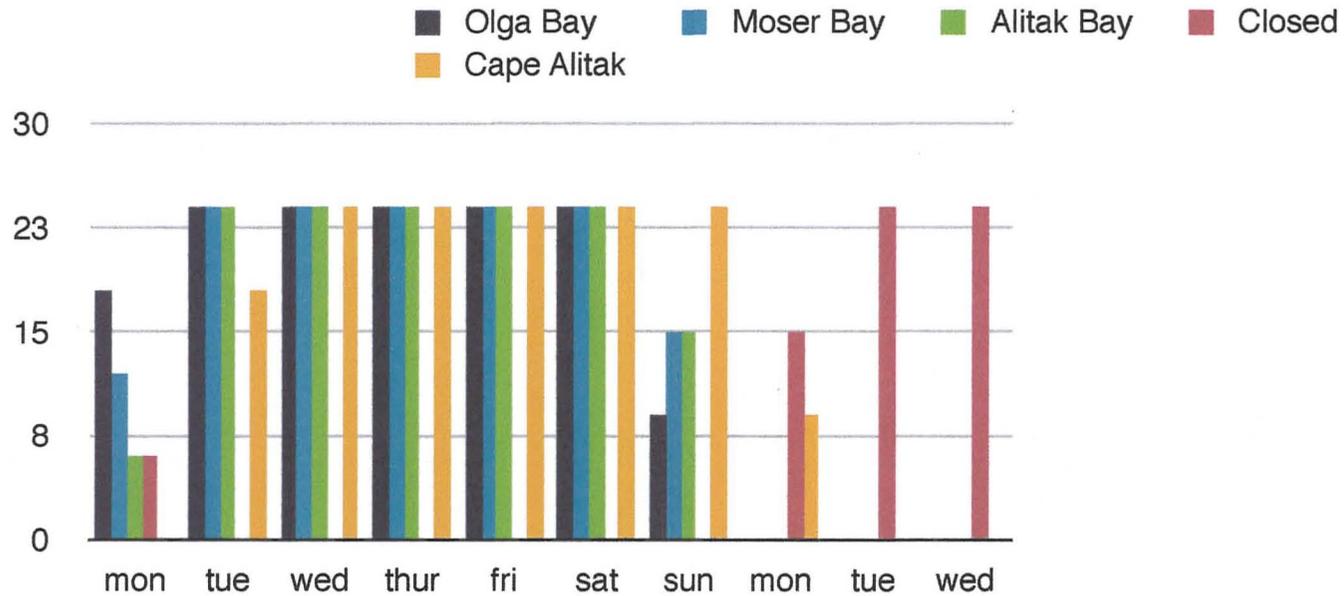


Red = 69 hours (2.87 days) of closure.

Combine 69 hours (2.87 days) of closure with 171 hours (7.12 days) of fishing by Olga Bay, Moser Bay, Alitak Bay, and Cape Alitak Bay and you the original regulation of 2.6 days closure every 10 days (240 hours) And 7.12 days of fishing, which is closer to the Board's original regulation than the present regulation.

**Present 10-day regulation with differential openings and closings: a mandatory 69 hour closure every 10 days**

Olga Bay starts at 6:00 am on Monday and closes at 9:00 am Sunday for 147 hours (6.12 days).  
 Moser Bay starts at 12:00 noon on Monday and closes at 3:00 Sunday for 147 hours (6.12 days).  
 Alitak Bay starts at 6:00 pm on Monday and closes at 9:00 pm Sunday for 147 hours (6.12 days).  
 Cape Alit starts at 6:00 am on Tuesday and closes at 9:00 am Monday for 147 hours (6.12 days).

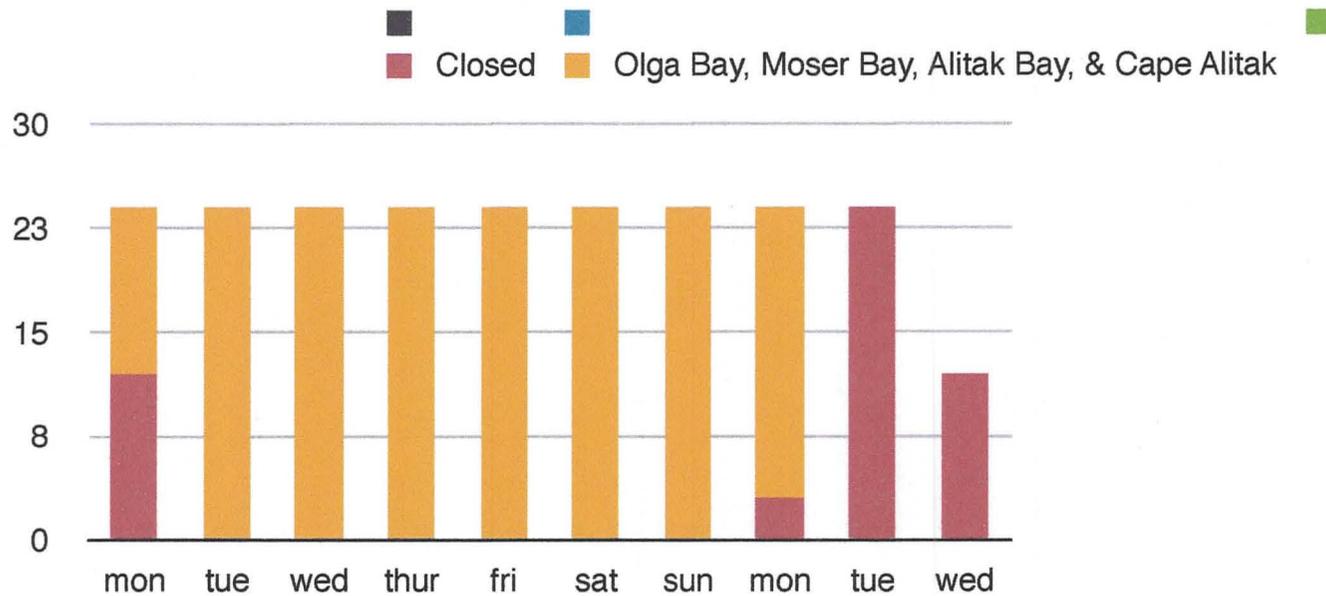


Red = 69 hours of closure in a 10 day period.

**ORIGINAL Board mandated 10-day pulse regulation: 7.4 days of fishing-2.6 day closure every 10 days**

Started at 12:00 noon on Monday and closed 9:00 pm on Monday 7.4 days (177 hours).  
Closure from Monday at 9:00 to Wednesday at 12:00 noon; 2.6 days (63 hours).

RED = 2.6 DAYS (63 HOURS) OF CLOSURE



TAN = 7.4 DAYS (177 HOURS) OF FISHING FOR OLGA BAY, MOSER BAY, ALITAK BAY, AND CAPE ALITAK

Board of Fish Comments  
Boards Support Section  
P.O. Box 115526  
Juneau, AK. 99811

In regards to Proposal 71 – Gillnet specifications and operations. Amend regulation so sunset clause becomes permanent regulation - OPPOSE

To Chairman Webster and members of the Board of Fish,

My name is Theresa Peterson and my family and I have lived and fished out of Kodiak for nearly 30 years. We own and operate a fishing vessel which we use to fish a combination of fisheries including Tanner crab, cod, herring, salmon and halibut. In addition, we own and operate a salmon gillnet site on the South end district of Kodiak. Our 21 year old son currently runs the boat for seining and our 19 year old daughter crews at the set net site. At this juncture, both of our adult children have chosen to remain active in commercial fishing and clearly recognize the opportunity that exists in Alaska's fisheries.

We believe the limited entry system to be an ideal model to manage fisheries in promoting active participation through owner on board requirements. The permit system represents the backbone of a fisheries management policy which supports thriving coastal communities found throughout coastal Alaska. The system provides sufficient entry level opportunity, protected by the State of Alaska Constitution, in providing the maximum number of permits determined appropriate for each limited fishery. It is a system that has proven to work well and thorough review should be conducted for each fishery prior to implementing a significant change in the fishery.

By way of background, in addition for actively fishing for the last 30 years and raising three children in Kodiak, I have previously served on the ADF&G advisory committee as the South end set net representative and currently serve on the Advisory Panel to the North Pacific Fisheries Management Council. I serve on the board of the Alaska Jig Association and work part time for the Alaska Marine Conservation Council. My involvement with fisheries policy is focused on maintaining opportunity for future generations.

I am writing on behalf of myself and my family in regards to Proposal 71 – Gillnet specifications and operations. We oppose amendment of this regulation so that the sunset clause becomes permanent. Prior to making permit stacking permanent in the Kodiak Island set net fishery there is a need to establish policy guidelines to determine social, economic and conservation goals of the action. A 50% potential ownership reduction represents a significant shift in this fully utilized fishery. Without a thorough analysis and clear policy direction, this action is nothing more than a convenience.

The legislative action, HB251, which allowed for permit stacking in the Bristol Bay drift net fishery, was granted to consolidate a large number of unused permits. The objective was to remove latent permits from the fishery using the funds of its participants. To provide incentive to purchase an additional permit, Board of Fish action adopted a regulation that allowed two individual permit holders to fish on the same vessel and their combined operation was allowed to fish an extra 50 fathom of net. This action was adopted with clear objectives and determined as necessary in the Bristol Bay fishery after an optimum permit study was conducted.

No such objectives or optimum permit study exist for the Kodiak set net fishery. There are few, if any, outstanding permits. There are no benefits to the quality of fish. There is no increased opportunity for crew. In fact, I believe the action has resulted in a reduction of crew opportunity. For example, in the South End set net fishery, there are instances of one person fishing two permits without crew. A crew member would have had a job if the holder wanted to fish 2 permits prior to the use of dual permits. At a time when we have a 9 ½ % unemployment rate in the nation and the federal government is offering tax rebate for hiring, why unnecessarily reduce opportunity in a fishery? Consequentially, this action has also resulted in a safety issue. Fishermen are known to push it to the limit of regulation and the new found ability to operate 2 full 150 fathom nets with no crew presents a safety risk. Granted it is a choice to fish alone, however, this action provides the opportunity. In addition, since the implementation of permit stacking in the South End district, there have been complaints phoned into troopers about nets late in the water. This may be a result of fishing four permits with only two crew members picking fish, as in this particular case, but it is difficult to know for sure.

In short, it is difficult to quantify the impacts of this action as no prior study was conducted. Before making this a permanent action, a clear set of objectives and goals needs to be established. In addition, an optimum permit study needs to be conducted to provide the necessary guidelines from which an informative decision can be made. It is a privilege to participate in the limited entry fisheries in Alaska and there is a fine balance to provide economic opportunity for those engaged in the fishery while providing opportunity for those willing to put heir boots on and go fishing. Before disrupting a functioning fishery which allows for maximum participation, conduct the studies to illustrate why the action is needed.

Thank you for your careful consideration of this issue and we look forward to discussing the matter further during your visit to Kodiak.

Sincerely,



Theresa Peterson and family

December 28, 2010

Fish and Game  
Boards Support Section  
PO Box 115526  
Juneau, AK 99811

Re: Dual Permit Proposal 71

Dear Board of Fish,

We are writing this letter in support of the dual permit system, we have been fishing dual permits since it's inception in 2008.

We have been set-netting in the Uyak bay area since 1965, and this has been one of the best things to come along in many years.

With the way the fishery is going in our area, the dual permit systems allows one of us to seek work elsewhere, and still be able to fish both our permits. We don't have to worry about transferring our permit and taking the risk of losing it.

In the Kodiak district, how is this dual permit law going to affect the fishery in a negative way?

This law helps keep the permit holder at the set-net site with the permit, if we go back to the way it was, you will (and I stress will) have fisherman, fishing permits and not being at there set-net site. There will also be an increase in medical transfers, so they don't have to put the permit into someone else's name permanently.

We urge you to consider the permanent installment of the laws permitting individuals to hold dual permits.

Sincerely,



Wes S. Wiley  
Debra K. Wiley  
Kodiak Set-net Permit Owners  
S04K61439S  
S04K58612H