

On Time Public Comment List

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RECEIVED

AUG 22 2011

BOARDS

P.O. Box 7482,
Ketchikan,
AK 99901,

16th August 2011

**Southeast & Yakutat Finfish Meeting,
Southeast & Yakutat Crab, Shrimp, Miscellaneous Shell Fish Meeting,**

Proposal 141, Proposal 142, Proposal 143, Proposal 144,

WE OPPOSE ALL OF THE ABOVE PROPOSALS.

My wife and I live in Naha Bay. We own/operate a small lodge with a maximum capacity of 6. Typically our bookings are groups of 2 to 4 fishermen. There is also another small lodge on Naha Bay with a capacity of just 8. Neither lodge can be described as a large scale operation.

We spend 6 months of the year here and look directly over the entire bay. We can testify that there is no significant sport fishing activity in the area for salmon or bottom fish. Also, this year was the first time in over 20 years that Naha Bay was opened to the commercial trolling fleet. Sometimes we go several days without seeing any other skiffs or boat fishing in the bay. When we do see the odd boat, they typically do not spend more than an hour or two in the bay. The simple fact is the price of fuel discourages most people from running this far, and there is great fishing all along Clover Pass. When I operate charters I typically do not fish in the bay as our guests like to be taken to other nearby spots such as Grant Island, Camino Point, Helm Point to name a few. Also, most of our self-guided guests fish outside the bay at Grant Island and Indian Point. In addition, we have never seen the other lodge fish in Naha Bay in the entire time they have been in business.

We can testify that the fish stocks in the bay are good and our neighbors and residents of Naha Bay regularly catch halibut and snapper along with all species of salmon.

The group which calls itself Naha Conservation (previously known as the Naha Bay Preservation Coalition) does not represent the residents of Naha Bay. Naha Conservation is the voice of Lisa Grogan, and her mother Dolores Cogswell. Apart from these two people we do not know of any other members of this "organization". In fact residents of Naha Bay have written to Sitnews (a local on-line newspaper) in the past to distance themselves from this organization and to express their concerns about their behavior towards "new comers" to the area.

Delores Cogswell lives in the bay for about 10 months of the year. Ms. Grogan spends a couple of months here each summer. Both people spend enough time here to know that there is no significant fishing pressure in Naha Bay and the surrounding area. Therefore both know that their claim that Naha Bay and the surrounding area has been over fished is false.

Lisa Grogan and her mother object to the new comers such as us who have moved to the area and established businesses here. They are following a course of action designed to damage these businesses and to drive people away. Tactics to date have

also included direct harassment and verbal racist insults directed at my wife and children. They have also targeted our guests with repetitive non-consensual contact. More recently this also included rude and hostile signs on the public dock and broad walks and interfering with people's photographic opportunities. I have included some pictures of their most recent activity this summer. These incidents have been reported to the State Troopers who have now warned them on several occasions about their anti-social behavior.

The objective of Lisa Grogan is to use fish issues to damage our home and business by stopping our guests from fishing in the bay whilst keeping the bay open for herself and her family – Hence her proposal for a “limited conservation zone” in which residents of Naha Bay such as herself can fish but not visitors from out of state. Her limited conservation zone also extends beyond Naha Bay along Clover Pass and to Bushy Point. This will also damage other lodges, and the marina and resort in the area.

Ms. Grogan also alludes to the fact that the islands along Clover Pass already part of a protected conservation zone and it is only a small step to expand a “limit conservation area”. This is a misleading statement. The Islands are owned and managed by the US Forest service on behalf of the American people in accordance with the Tongass Forest Management Plan. They do not have any other special designation or protections outside of the forest management plan.

Ms. Grogan makes statements regarding crab and shrimp populations in the area, yet we have never seen Ms. Grogan shrimping or crabbing. We do not believe that she even owns crab or shrimp pots. Therefore it is hard to believe that her statements are based on personal experiences. Some of our neighbors who have lived here for decades have advised us to the cyclical nature of the crab stocks with some good years and bad years, i.e: natural swings in populations not over fishing by non-residents. We regularly crab and shrimp along with other neighbors and regularly harvest sufficient crab for our own personal use. We do not take more than we need and often we put crab back. Shrimp stocks do appear to have declined, and in response Alaska Fish and Game have restricted fishing to personal use inside a line from the north end of Betton Island to Indian Point that covers a large area of Ms. Grogan's proposed “limited conservation area”.

The simple facts are as follows. The bottom fish stocks in Naha Bay and the surrounding areas are strong. There is no scientific evidence to support the opinion that bottom fish stocks have been depleted and closure is required for stocks to re-build. Sport shrimp and crab activity in the area is already controlled by AK Fish and Game regulations.

The proposal to stop non-residents from fishing in the area whilst allowing residents to continue to fish shows the true intent of Lisa Grogan's proposal which is little more than an attempt to damage small businesses in the area.

Please reject these proposals.

**Mark & Miriam Edwards,
Residents of Loring / Naha Bay, Alaska**

A handwritten signature in black ink that reads "Mark & Miriam Edwards". The signature is written in a cursive style and is positioned to the right of the typed name.



September 15, 2011

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

Re: PROPOSAL 166 – “Oppose”

This proposal reopens a fishery that had been closed during the summer because it does not utilize the resource to the maximum and is not sustainable in Districts 1 and 2. The Village of Kasaan had to take the BOF to court to get this wasteful Dungeness summer fishery stopped in District 2. Sad to say the summer fishery took place for the past 3 years in District 1 after having been closed for nearly 25 summers because it was so wasteful. For every 3 Dungeness crab caught in the summer commercial fishery, one was wasted.

This fishery was taking place in the winter and there was enough for all users. When it shifts to the wasteful summertime (which this proposal provides for) the Crab are Molting and reproducing and there are not enough to go around for all users as the stock is lost very quickly and slow to return in Districts 1 and 2. We have deep water fjords with small concentrations of crab unlike the areas around Wrangell and Petersburg with untold amounts of large flats and huge, vast areas of crab habitat.

The Alaska Department of Fish and Game (ADF & G) were at one time on record as being against this fishery. After the Board reopened it, against their recommendation, the ADF & G by statute has to support the BOF decision. The misguided ADF & G knows this wasteful summer fishery is not a sustainable or a maximum use fishery and has to say, go ahead and hold the fishery, waste the resource, as long as the Commercial catch numbers are within guidelines. We all wonder what the Alaska Seafood Marketing Institute must think about it being acceptable to waste such a valuable resource just because there are enough to waste. Even they should be embarrassed.

Commercial Dungeness Fisherman always give us the tired old line that they have a season just like the folks everywhere else on the west coast. It is a lie. The Seasons everywhere else are determined by on the water area sampling for crab quality, affect on molting, and shell thickness, and in Alaska it's done by calendar dates. Every else except Alaska the Summer Crab openings and closures, in all areas, are set by the crab quality. In Alaska when the dates come the Dungeness Fisherman go out and catch as many as they can disregarding the horrible waste with no ADF & G sampling. There is great doubt if ADF & G knows how or has the ability to perform the necessary sampling like everywhere else. When many fisheries are started the Legislature has no time to budget money for management.

This proposal leaves open a fishery shifted to the summertime, when it is so wasteful, that was suppose to only be open for 3 years. Unlike it was promised, ADF & G did not do any research on the fishery as they did not have any money budgeted or even look for funding. What a disgrace and how bad this makes them look. Also, this fishery did not spread out the Crab fleet as there are so few crab in districts 1 and 2 it just couldn't happen. It was said the reason the crab fleet had to fish in districts 1 and 2 was because of the Sea Otter decimating the crab population in other areas and concentrating the fleet. How stupid is it then to waste more crab fishing them in the summer and possibly wiping out the stocks in Districts 1 and 2. This whole fishery is a joke. It's a perfect example of managing a fishery by only looking at the numbers caught by the commercial fisherman.

Who cares how other users are affected? Who cares how many are wasted? As long as the catch numbers are acceptable to the commercial fleet.

To be very clear – this fishery was taking place in the winter, it isn't like anybody is asking a fishery to be stopped. Just do it in the winter when you don't waste the resource, have maximum use and don't threaten sustainability of the stock. And again – were only talking about Districts 1 and 2 not the huge Dungeness fishery going on around Wrangell and Petersburg.

The City and Borough of Ketchikan are against this fishery. The Organized Village of Saxman and the Ketchikan Indian Community are against this fishery. For sure Kasaan is against this summer fishery. This wasteful summer Dungeness fishery could begin a cycle of hate and discontent that may never be overcome. In a time when all Alaskans need to work together this really sucks. It appears Commercial Dungeness fisherman in Wrangell and Petersburg (and commercial Dungeness fisherman from down below) are greedily lining their pockets and wiping out the crab stocks in districts 1 and 2 at the expense of all of us who live in those districts. Whatever happened to the idea of equal access to the resources.

A good example of the thought process of entitlement is the person who wrote the proposal. He ignores and does not list all those who will suffer if the commercial fleet continues the wasteful summer fishery that could wipe out many stocks of Dungeness Crab in districts 1 and 2. And then the guy has the audacity to suggest that subsistence and personal use Alaskans should go without, be made to suffer, and have no access to the few leftovers, after the Commercial crab fleet has completed their destructive assault on the available stock in districts 1 and 2.

I would really like to see all **Commercial** Dungeness crab fishing closed forever in all of districts 1 and 2 in Area A because of the small concentrated stocks, minimal habitat, and inability of fish and game to correctly manage the resource. And mostly because the commercial guys are unwilling to fish in the winter like they used to when they could maximize use and eliminate waste.

I oppose Proposal 166 and hate the fact that I have a Commercial Dungeness Crab Fisherman on the BOF representing me and everyone else in Districts 1 and 2 in Area A. This is the same guy who voted against the BOF even considering the Village of Kasaan's Subsistence rights. How do you suppose this is all going to work out with him on the Board? It's time for a change.

Lloyd Gossman
P.O. Box 9238
Ketchikan, Alaska 99901

cc. Governor Sean Parnell
Senator Bert Stedman
Representative Kyle Johansen
Ketchikan Gateway Borough Mayor Dave Kiffer
City of Ketchikan Mayor Lew Williams
Organized Village of Kasaan
City of Saxman
Ketchikan Indian Community
Alaska Seafood Marketing Institute
SEAGO

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DEC 08 2011

BOARDS

Attention BOF COMMENTS

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

RE: Proposal #166-Fishing Seasons for Registration Area A—OPPOSE

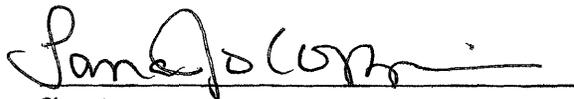
Tana Coppin a resident of Kasaan, Alaska, do oppose proposal #166. I oppose it as it will further affect the low levels of Dungeness crab in district #2.

Since the summer commercial Dungeness crab fishery in district #2 I find it impossible to get my customary and traditional levels of crab. With the already low levels of Dungeness crab in district #2, specifically Kasaan Bay, Skowl Arm, Polk Inlet and Twelve Mile Arm and with the high cost of fuels I cannot get my much needed crab. You must let this fishery "Sunset" and not reopen it. Should you open this district to summer Dungeness fishery it will not only be bad for subsistence users but also for the commercial industry in general.

I cannot get my level of crab since the Summer Dungeness crab fishery was opened in District #2 using the same pots, same type of bait and setting in the same areas. I can only get about 20 % of what I use too get!

A Summer Dungeness fishery in District #2 will further damage the already low levels of Dungeness crab. Both the laws and the state constitution say that "all resources will be managed in a sustainable yield" and this fishery Proposal #166 does not do that.

Respectfully,



Signature

Tana Jo Coppin

Name

Box 352, Kasaan, AK 99950-0340

Address

Phone # (optional)

tana@kasaan.org

E-mail (optional)

Attention BOF COMMENTS

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

RE: Proposal #166-Fishing Seasons for Registration Area A—OPPOSE

I Terry West a resident of Kasaan, Alaska, do oppose proposal #166. I oppose it as it will further affect the low levels of Dungeness crab in district #2.

Since the summer commercial Dungeness crab fishery in district #2 I find it impossible to get my customary and traditional levels of crab. With the already low levels of Dungeness crab in district #2, specifically Kasaan Bay, Skowl Arm, Polk Inlet and Twelve Mile Arm and with the high cost of fuels I cannot get my much needed crab. You must let this fishery "Sunset" and not reopen it. Should you open this district to summer Dungeness fishery it will not only be bad for subsistence users but also for the commercial industry in general.

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A Summer Dungeness fishery in District #2 will further damage the already low levels of Dungeness crab. Both the laws and the state constitution say that "all resources will be managed in a sustainable yield" and this fishery Proposal #166 does not do that.

Respectfully,

Terry L West
Signature

Terry West
Name

P.O Box KXA - Kasaan, AK 99950-0340
Address

907-542-2200
Phone # (optional)

kasaacityclerk@aptalaska.net
E-mail (optional)

Attention BOF COMMENTS

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

RE: Proposal #166-Fishing Seasons for Registration Area A—OPPOSE

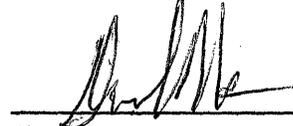
I DARL K. WEST a resident of Kasaan, Alaska, do oppose proposal #166. I oppose it as it will further affect the low levels of Dungeness crab in district #2.

Since the summer commercial Dungeness crab fishery in district #2 I find it impossible to get my customary and traditional levels of crab. With the already low levels of Dungeness crab in district #2, specifically Kasaan Bay, Skowl Arm, Polk Inlet and Twelve Mile Arm and with the high cost of fuels I cannot get my much needed crab. You must let this fishery "Sunset" and not reopen it. Should you open this district to summer Dungeness fishery it will not only be bad for subsistence users but also for the commercial industry in general.

I cannot get my level of crab since the Summer Dungeness crab fishery was opened in District #2 using the same pots, same type of bait and setting in the same areas. I can only get about 20% of what I use too get!

A Summer Dungeness fishery in District #2 will further damage the already low levels of Dungeness crab. Both the laws and the state constitution say that "all resources will be managed in a sustainable yield" and this fishery Proposal #166 does not do that.

Respectfully,



Signature

DARL K. WEST

Name

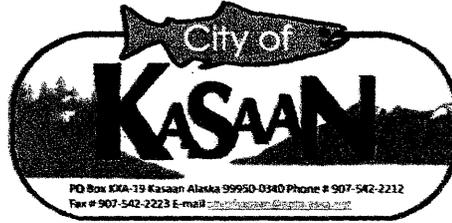
PO BOX 5 KXA

Address

KETCHIKAN, AK 99950-0340

Phone # (optional)

E-mail (optional)



RESOLUTION NO 12-021

A RESOLUTION OF THE CITY OF KASAAN, ALASKA TO SHOW OPPOSITION FOR PROPOSITION 166

WHEREAS, the Kasaan City Council is the governing body for the municipality of the City of Kasaan, Alaska; and

WHEREAS, in 2009 commercial summer crabbing was allowed in Area A, Region 1 and 2; and

WHEREAS, as identified by Alaska Department of Fish and Game, the Dungeness crab is the #2 resource (Deer being #1) used by households in Kasaan, and is relied on heavily for our food resource; and

WHEREAS, for Kasaan community, harvesting of Dungeness crab occurs primarily in Kasaan Bay which has been closed to summer commercial fisheries starting mid-1980, except for a brief season in 2009, because of evidence suggesting an impact to sustainability; and

WHEREAS, once again, there is a proposition coming forward from Alaska Department of Fish and Game, to start commercial summer crabbing again; and

WHEREAS, the residents and council of Kasaan, Alaska and the surrounding area are opposed to proposition 166 which is trying to bring back summer commercial fishing that will cause a negative impact on our community harvesting.

NOW, THEREFORE BE IT RESOLVED that Kasaan City Council adamantly opposes proposition 166.

PASSED, APPROVED AND ADOPTED by a duly constituted quorum of the Kasaan City Council this 13th day of December, 2011.

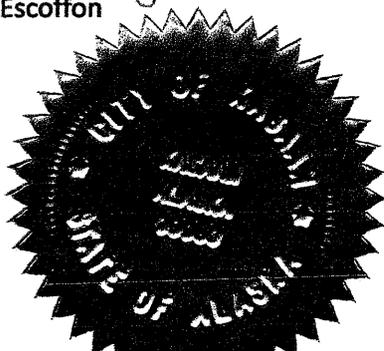
SIGNED:

Mayor Audrey Escoffon
Audrey Escoffon

ATTEST:

City Clerk Terry West
Terry West

Seal



PROPOSAL 166 - 5 AAC 32.110. Fishing seasons for Registration Area A. Revise season dates for commercial Dungeness fishery in Southeast Districts 1 and 2 as follows:

5 AAC 32.110 FISHING SEASONS FOR REGISTRATION AREA A. In Registration Area A, male Dungeness crab may be taken or possessed only as follows:

(1) in Section 13-B, except the waters of the Sitka Sound Special Use Area described in 5 AAC 32.150(10), [AND BEGINNING FEBRUARY 29, 2012, IN DISTRICTS 1 AND 2,] except the waters of Whale Passage described in (2) of this section, from 12:00 noon October 1 through 11:59 pm February 28,;

ISSUE: At the last Board of Fish meeting Districts 1 & 2 season dates for commercial Dungeness crab fishing were changed to coincide with the summer and fall season of the majority of Southeast Alaska for a three year period at which time it would be reevaluted using current data. Following that District 2 was reconsidered at another meeting and returned to a winter fishery only due to concerns that subsistence needs had not been fully considered during the original board cycle. We would like to remove the sunset date on district one and district 2 with a area (to be determined) around Kassan closed for commercial and sport fishing to protect the interests of the Village of Kassan residents. The request for this area to be opened three years ago pointed out that the commercial Dungeness crab fishermen have lost area due to sea otters, personal use area and the closure of Glacier Bay. Having Districts 1 & 2 open during the summer and fall season will help spread out the fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? We will go back to the old status quo of a winter only season for District 1 & 2.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? All Dungeness crab fishermen.

WHO IS LIKELY TO SUFFER? None.

OTHER SOLUTIONS CONSIDERED? Closing District 1 & 2 to sport Dungeness crab fishing. If concern over the stock still exists that commercial fishing in the summer is inappropriate then all Dungeness crab fishing should be closed in these 2 districts.

PROPOSED BY: Clay Bezenek (HQ-F11-215)

PROPOSAL 167 - 5 AAC 32.170. Lawful gear for Registration Area D. Reduce number of Dungeness crab pots allowed on vessels in Yakutat Area as follows:

We would like to reduce the Dungeness crab pot limit from 400 pots per vessel to 60 pots per vessel in the Yakutat area.

December 9, 2011

Re: Support for Proposal 154 (Prohibit the use of square pots in SE brown crab fishery)

To: Chairman Johnstone and Members of the Board of Fisheries:

From: Gerry Merrigan, 2C halibut QS holder, Petersburg, Alaska

I would like to express my support for Proposal 154 in order to reduce halibut bycatch mortality in the SE brown crab fishery. **Summary:** The IPHC attributes 303,000 net lbs/yr in halibut bycatch mortality to SE crab fisheries with a specific focus on the brown crab fishery. According to past IPHC and ADF&G research, side-entry crab pots (squares) have a much higher halibut catch rate than top-entry crab pots (such as cones). IPHC research (Williams 1982) indicates that side-entry pots catch 36 X more halibut than top-entry pots. According to ADF&G for the 2010/11 SE brown crab fishery, only 11% of the participants used square pots. Fishermen have known for years that squares catch more halibut than cone gear. The BOF should establish a phase-out date for square side-loading pots in this fishery. Additionally, the BOF should request ADF&G to supply the IPHC with more recent and accurate estimates of halibut bycatch and gear composition in the SE brown crab fishery. The IPHC has not revised its estimates for SE crab fisheries since the mid-1990s and is likely overestimating halibut bycatch in these fisheries.

Discussion: Each year the IPHC makes an estimate of halibut bycatch mortality in commercial fisheries in SE Alaska. Since 1996, the IPHC estimate for halibut mortality in the combined SE crab pot and shrimp trawl fisheries has been **303,000 net pounds per year** (or 404,000 round pounds or 183 metric tons round weight). This bycatch amount comes directly off the CEY (constant exploitation yield) and reduces the amount available for the directed halibut fisheries.

Table 2. Estimates (thousands of pounds, net weight) of bycatch mortality of Pacific halibut (*Hippoglossus stenolepis*) by year, area, and fishery for 2001 through 2010. Estimates for 2010 are preliminary and subject to change as new information becomes available.

Region and Area	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
AREA 2A										
WA/OR Groundfish Trawl	796	572	206	221	476	401	347	345	416	416
Shrimp Trawl	25	25	0	0	0	0	0	0	0	0
Fixed gear	16	38	54	65	61	177	40	77	93	93
Total	837	635	260	286	537	578	387	422	509	509
AREA 2B										
BC Domestic Trawl	177	244	244	251	346	294	320	143	213	213
Total	177	244	244	251	346	294	320	143	213	213
AREA 2C										
SEAK Crab Pot/Shrimp Trawl	303	303	303	303	303	303	303	303	303	303
Groundfish Trawl	0	0	0	0	0	0	0	0	0	0
Hook & Line (non-IFQ)	2	1	2	23	1	2	3	7	5	2
Hook & Line (IFQ)	3	3	3	3	3	3	3	3	3	3
Chatham Str. Sablefish	8	8	8	8	8	8	8	8	8	8
Clarence Str. Sablefish	25	25	25	25	25	25	25	25	25	25
Total	341	340	341	362	340	341	342	346	344	341
AREA 2 Subtotal	1,355	1,219	845	899	1,223	1,213	1,049	911	1,066	1,063

There is very little halibut bycatch in the shrimp beam trawl fishery. Effort in SE has been greatly reduced and the trawl speed of one knot (or less) results in very little halibut bycatch. Almost all of the 2C bycatch occurs in the SE crab pot fisheries and the IPHC specifically focuses on and references the “*pot fishing for brown crab in the deep waters of Chatham Strait which occurs in the winter months*”¹. Halibut are found in deeper waters in winter months, as are brown king crab.

The bycatch attributed by the IPHC to the SE crab pot/shrimp trawl fisheries represents 89% of all halibut bycatch in Area 2C. That estimate of bycatch mortality is then included in the total halibut removals for 2C and is deducted off the top from the CEY before the calculation of the commercial halibut catch limit. A decrease in the amount of halibut bycatch in 2C would increase the amount available for both commercial and charter halibut harvest in SE (under the CSP). Since 2006, the commercial catch limit in 2C has been reduced -78% and the charter harvest GHL has been reduced since 2008 due to lower abundance. For reference, a 300,000 pound reduction in bycatch in 2011 in 2C would have theoretically resulted in a +13% increase in the commercial catch limit. At \$6.60/pound this represents \$2.0 million increase in ex-vessel value – except this poundage is currently being used as bycatch (i.e. bait) in the SE brown crab fishery.

1

The research conducted by the IPHC compared side-entry pots (squares) to top-entry pots (pyramids). The area of research was Yakutat Bay in August, 1982. This area was chosen due to reports of large incidental halibut catches in crab pots in the 1979-80 Tanner crab season. The depth fished ranged from 14 to 90 fathoms. While this research is in a different area, in a different season, and at different depth than the SE brown crab fishery, the rates may differ. However, the overall conclusion is directly applicable to the brown crab fishery. “*Halibut catches are substantially lower in top-entry crab pots than in side-entry crab pots.*”² In this study, top-entry crab pots had 0.04 halibut per pot lift while side-entry pots had 1.43 halibut per pot lift. In other words, the side-entry pots caught 36X more halibut than the top-entry pots.

The IPHC has not revised its estimate of halibut bycatch in the SE crab pot fisheries since the mid-1990s. The IPHC does acknowledge that, “*Top entry pots have shown to have low halibut incidence rates (Williams et al 1982) so that any significant effort by top-entry pots in the fisheries....would result in lower bycatches than other wise estimated [by the IPHC].*”³

Given that the 89% (34 out of 38) of the participants in the SE brown crab fishery use top-entry gear, it is highly likely that the IPHC may be overestimating halibut bycatch in the SE brown crab fishery by using outdated estimates of gear composition. If ADF&G could supply updated estimates of gear composition and other relevant data, it is hoped that the IPHC would reduce its estimate of halibut bycatch mortality in the SE brown crab fishery, particularly when coupled with this action by the BOF to ensure that the gear composition would eventually become 100% top-loading gear.

¹ P. 284, IPHC 2010 RARA “Incidental catch and mortality of Pacific halibut, 1962-2010..

² P. 24, “A Comparison of Pacific Halibut and Tanner Crab Catches in (1) Side-Entry and Top-Entry Crab Pots and (2) Side-Entry Crab Pots With and Without Tanner Boards”, Williams et al 1982, IPHC Technical Report No. 19.

³ P. 47, “Incidental Catch and Mortality of Pacific Halibut, 1962-1986”, Williams et al 1989, IPHC Technical Report No. 23

A phase-out of side-loading squares could be accomplished over the next two to three seasons. This would allow the participants the opportunity to sell/move this gear for use in other fisheries where bycatch rates are lower (due to target species, region, depth, and area fished) and where squares are more commonly used gear. There is a market for squares in other crab and pot cod fisheries in Alaska. For example, IPHC research⁴ shows that the average incidence of halibut caught in crab pots is the highest in SE but two orders of magnitude lower in Bering Sea, and significantly lower in the Aleutian Islands, WGOA and CGOA. But make no mistake about this, the fishermen that use square pots were well aware of this longstanding bycatch issue in the brown crab fishery, but continued to use this gear. Some are even replacing these pots with new squares. It is time to end this practice and reduce unnecessary bycatch.

In order to rebuild the halibut stocks, it is going to take conservation efforts by all user groups (as well as some form of stability by the IPHC). The NPFMC – including the State of Alaska - is considering halibut bycatch reductions in the federal groundfish fisheries of the GOA. However, the State of Alaska could appear to be arbitrary and capricious – if pursuing bycatch reductions in one forum (NPFMC) – while turning a blind eye to halibut bycatch in state-managed crab fisheries.

Thank you for your consideration in this matter. Unfortunately I will be unable to attend the BOF meeting in Petersburg, as the dates coincide with the Alaska Marine Science Symposium in Anchorage and a meeting of the NPRB (North Pacific Research Board).



Gerry Merrigan
PO Box 1065
Petersburg, AK 99833

⁴ P. 45, Table 28, "Incidental Catch and Mortality of Pacific Halibut, 1962-1986", Williams et al 1989, IPHC Technical Report No. 23

December 27, 2011

To: Alaska Board of Fisheries

From: Gerry Merrigan, Petersburg Alaska (2C halibut QS holder)

RE: Additional comment in support of Proposal 154 (Prohibit square pots in brown crab)

Mr. Chairman and members of the Board of Fisheries,

I previously submitted comments (12/9/11) on this proposal and would like to supplement those comments with additional information for consideration by the BOF. I support this proposal (with a phase-out) as it significantly reduces a long standing halibut bycatch issue in the SE brown crab fishery. The local Petersburg Advisory Committee has also voted to support this proposal (with a phase-out date) at its December 15, 2011 meeting. The local Petersburg AC also supported this proposal in 2008.

IPHC: The BOF should consider inviting the IPHC (International Pacific Halibut Commission) to send a staff representative to the January, 2012 BOF meeting in Petersburg. While ADF&G may supply updated estimates of halibut bycatch in SE crab fisheries at the BOF meeting, only the IPHC can answer what the IPHC will do with these bycatch estimates. The IPHC could assist the BOF in arriving at a more informed decision by providing an explanation for:

- The IPHC objective to reduce halibut bycatch.
- The annual process the IPHC uses to estimate halibut bycatch in state-managed crab fisheries that are the responsibility of the BOF.
- The IPHC process for setting catch limits as well as explaining how halibut bycatch in SE crab fisheries reduces the halibut fishery CEY and the 2C commercial halibut catch limit.

The main issue is that square pots catch more halibut than cone pots. Joint IPHC/ADF&G research indicates that the catch rate of halibut in square pots can be as much as 36 times higher than that of cone pots. Squares are sometimes referred to as "self-baiting" pots. Fishermen should be required to take reasonable efforts to reduce bycatch. In this case, there is alternative gear available (cones) that allows prosecution of the brown crab fishery – but minimizes halibut bycatch.

In 2010, 34 of 38 permit holders in the SE brown crab fishery used cone gear. Unfortunately, the four fishermen that use squares are still replacing lost gear with more squares, and one fisherman (who previously fished both cones and squares) has recently replaced the cones with all squares. Of these four fishermen using squares, only one fishes halibut in Area 2C (SEAK). As you are aware, the commercial catch limit for the halibut fishery in SEAK (IPHC Area 2C) has declined -78% since 2006, [Figure 1].

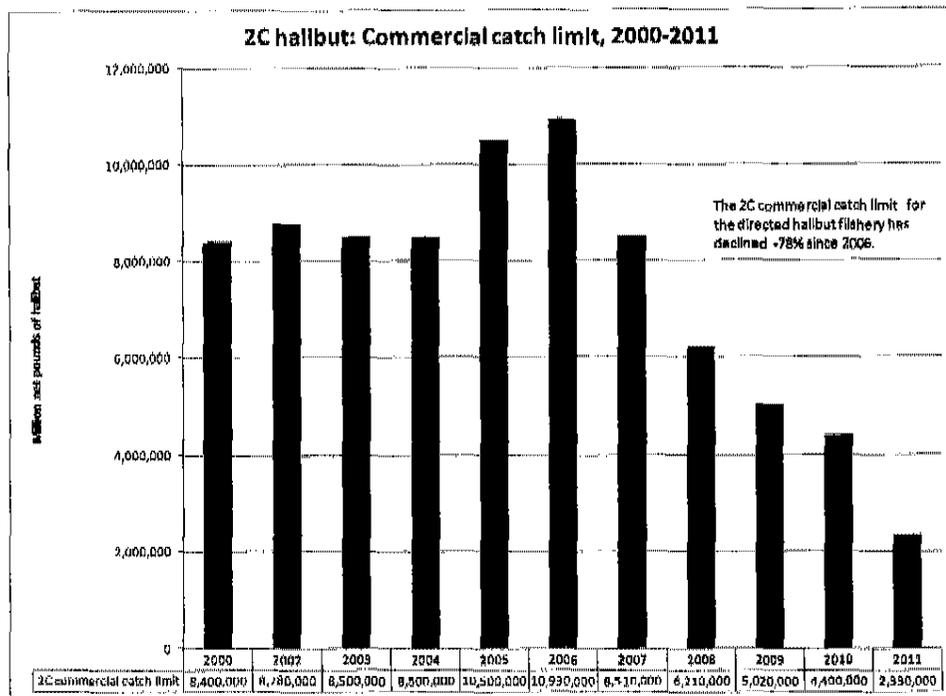


Figure 1: Commercial halibut catch limit for IPHC Area 2C (2000-2011). The commercial catch limit has declined -78% since 2006. Source: IPHC.

Each year the IPHC makes estimates for bycatch in each management area. The estimate for bycatch in SE for the combined crab pot/shrimp trawl fisheries is 303,000 net pounds of halibut mortality per year. This bycatch estimate is then subtracted from the Total CEY (constant exploitation yield) and effectively reduces the fishery CEY (and the potential commercial catch limit) by the same amount, [Figure 2]. The halibut bycatch in the SE crab fisheries comprises 89% of the total halibut bycatch estimate in Area 2C¹.

The IPHC estimate for bycatch in crab pot fisheries in SE is the highest of all IPHC management areas. The IPHC attributes the high bycatch estimate in SE crab pots due to the fact that the halibut incidence rate was significantly higher in SE than all other areas². In 2010, the IPHC estimated the amount of halibut bycatch in crab pot fisheries in the following management areas:

- Area 2A (WA/OR) = zero;
- Area 2B (Canada) = zero;
- Area 2C (SEAK) = **303 M net lbs**
- Area 3A (CGOA) = 250 M net lbs
- Area 3B (WGOA) = 50 M net lbs
- Area 4 (Bering Sea/Aleutian Islands) = 300 M net lbs.

¹ P. 287, Table 2, "Incidental catch and mortality of Pacific halibut, 1962-2010", IPHC RARA (Report of Assessment and Research Activities, 2010).

² P. 45, Table 28. "Incidental catch and mortality of Pacific halibut, 1962-1986", IPHC Technical Report No. 23, 1989.

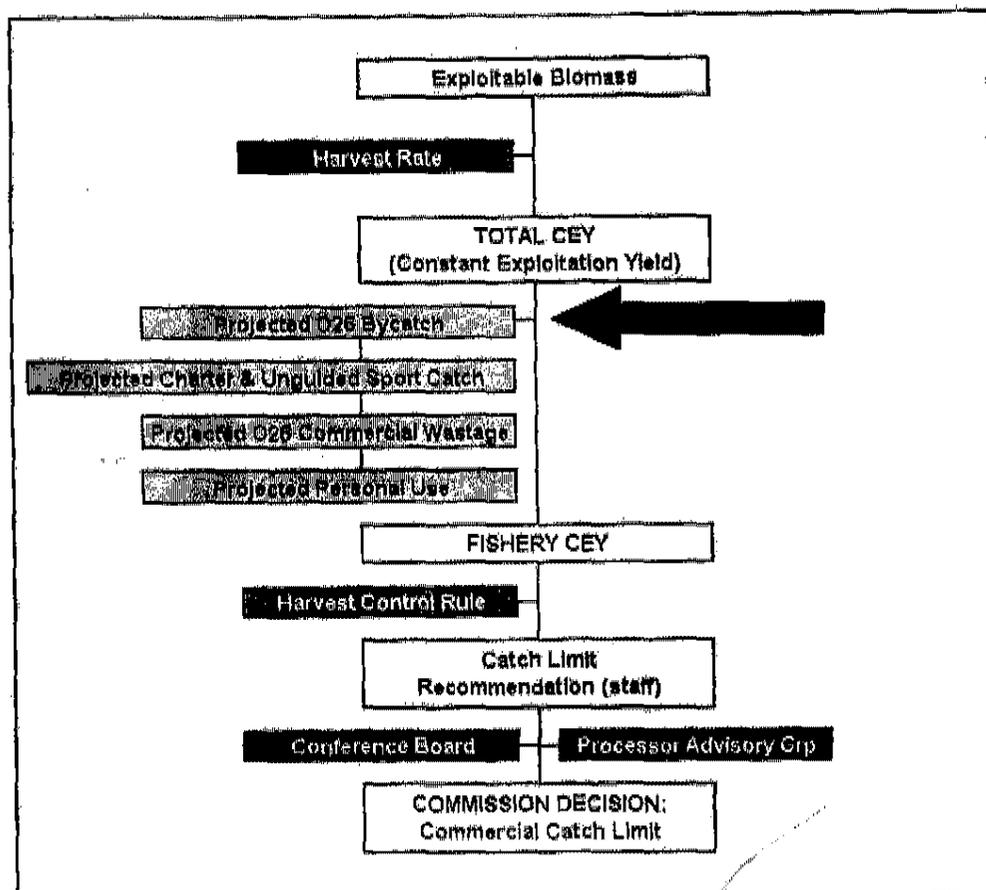


Figure 2: IPHC stock assessment and commercial catch limit setting process. The bycatch in crab pot fisheries is accounted for in the category of “Projected O26 Bycatch”. O26 bycatch refers to all halibut bycatch over 26 inches in length.

If the bycatch in the crab pot fisheries in 2C had been eliminated in 2011, the catch limit for the commercial halibut fishery could have potentially been increased by +13%, [Figure 3]. The IPHC bycatch estimate has been a constant 303,000 net lbs/yr (since 1996), and as the 2C commercial catch limit declines, the amount of total removals then also declines, so that the proportion (percentage) of total removals attributed to bycatch then increases.

Under the CSP (catch share plan) passed by the NPFMC in October 2008, reductions in bycatch would proportionately increase the amount of halibut to both the charter sector and the commercial halibut fishery. However, the CSP has yet to be implemented, and the charter halibut fishery remains under GHM management. Under GHM management, the guideline harvest for charter halibut harvest is based on the total CEY, so the charter sector would not receive any potential increase in allocation from reduced bycatch. That would change upon implementation of the CSP.

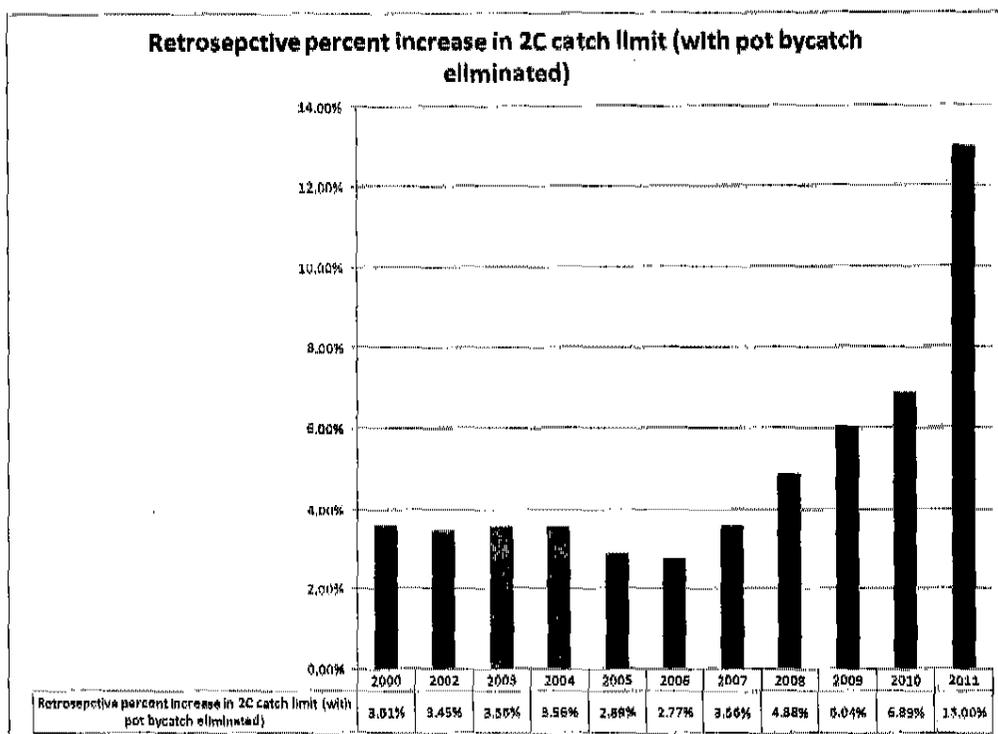


Figure 3: Retrospective percent increase in 2C commercial halibut catch limit (with crab pot bycatch eliminated).

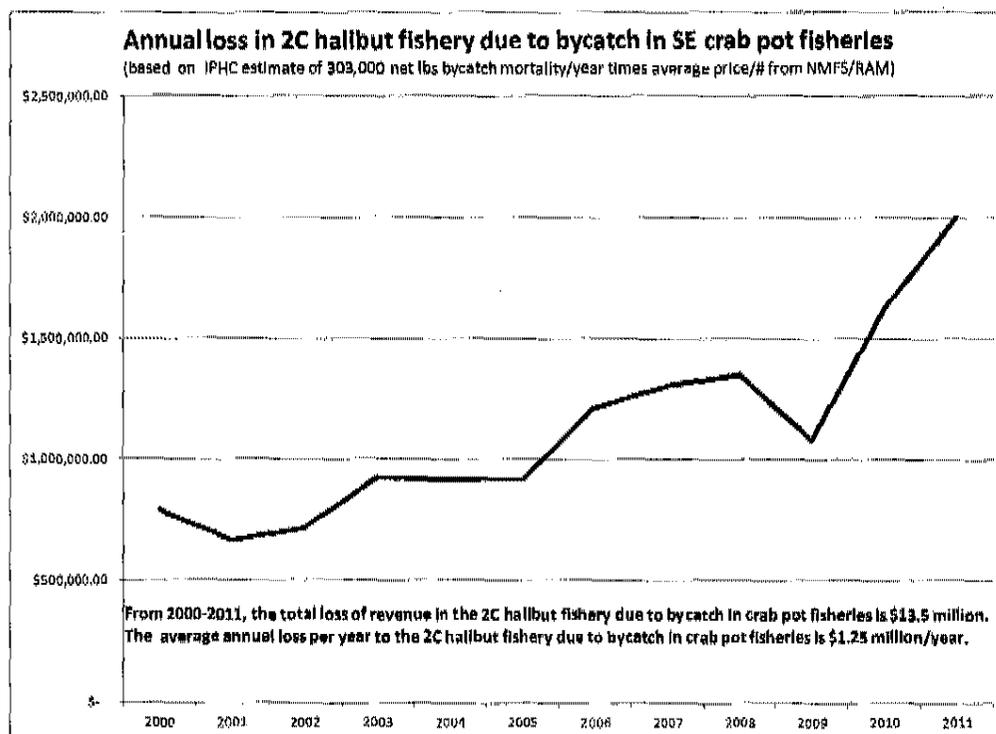


Figure 4: Annual loss in revenue to the 2C commercial halibut fishery due to bycatch in the SE crab pot fisheries.

Since 2000, the bycatch in the SE crab pot fisheries has resulted in a loss of revenue to the directed halibut fishery in 2C of approximately **\$13.5 million** (total for 2000-2011). This is based on 303,000 net lbs times the average price paid for halibut in Petersburg in a given year (according to the NMFS/RAM IFQ fee database). The average annual loss due to crab pot bycatch is **\$1.25 million** per year (2000-2011 average). However, the halibut price has increased in recent years, so that the annual loss of revenue in 2011 (due to bycatch in the crab pot fishery) has reached an all time high of **\$2.0 million** for 2011, [Figure 4].

The IPHC 2010 bycatch report references only one particular crab fishery in SE AK: "*Bycatch fisheries include pot fishing for brown crab which occurs in the deep waters of Chatham Strait during the winter months.*"³ The IPHC also states that changes in gear composition (proportion of effort in top-loading cones) would have a bearing on estimation of bycatch.⁴

However, one of the brown crab fishermen (who does not fish 2C halibut) fished a string of both squares and cones in 2010. Recently, this fisherman has decided to retire the cone gear and switch to all squares (i.e. resulting in increased halibut bycatch). A reasonable question to ask is – given the common knowledge of the increased rate of halibut bycatch by squares – why would a fisherman change to squares? And what is the rationale for changing gear in a year when SE shellfish is on the BOF agenda and there is a proposal to eliminate squares? This is not a new proposal and was submitted in the previous cycle. The Petersburg Local Advisory Council (AC) also supported the proposal at that time (2008).

Since there is currently no regulation preventing fishermen from switching to square gear (and increasing halibut bycatch), BOF action is necessary in order: 1.) to reduce current halibut bycatch (and use of halibut as bait), and 2.) to prevent increased halibut bycatch due to fishermen switching to square gear.

Recommended action(s):

- 1.) The first action the BOF should consider is to request ADF&G to supply the IPHC with updated estimates of gear composition in the crab fisheries in SEAK, particularly the brown crab fishery.
- 2.) The second action the BOF/ADF&G should consider is to request the IPHC to actually use this information in making bycatch estimates. The IPHC has not updated its bycatch estimates since 1996.
- 3.) The BOF should adopt Proposal 154 with a phase-out date. The time period to phase squares out of the fishery should be based on the time necessary to reasonably acquire new gear and should include a date certain deadline.

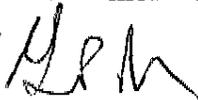
³ P. 284, "Incidental catch and mortality of Pacific halibut, 1962-2010", IPHC RARA (Report of Assessment and Research Activities, 2010).

⁴ P. 47, "Incidental catch and mortality of Pacific halibut, 1962-1986", IPHC Technical Report No. 23, 1989.

In determining an appropriate phase-out period, the BOF might consider the following:

- 1.) Unless the IPHC revises its bycatch estimate, each year the halibut bycatch in the SE crab fisheries continues, the cost to the commercial halibut fishery will be up to \$2 million per year. Additionally, when the CSP is implemented (as currently written), the bycatch will also proportionately reduce the amount of halibut available to the charter halibut fishery.
- 2.) "Grandfathering" in those participants using squares in the brown crab fishery is not appropriate as this would be essentially "grandfathering" in bycatch. Additionally, this would also result in unequal treatment of participants in the brown crab fishery, where a subset of fishermen could use one type of gear, while other fishermen with the same permit card could not use that gear.
- 3.) If the BOF chooses a long drawn out phase-out period (say longer than five years), there is little deterrence to prevent fishermen currently using squares to replace lost gear with more squares. There is also nothing to prevent fishermen from switching from cones to squares in the interim period (as this has already occurred). If this change back to squares continued to occur over the interim time period, the BOF is likely to be hearing the same arguments (regarding the cost of switching gear) all over again in the future as the time of the delayed deadline approaches.
- 4.) Some may suggest that the BOF consider requiring the fishermen currently using squares to replace them with cones as the squares go through attrition (loss or damaged beyond repair). While this may sound reasonable, even losing pots at the rate of ten per year, this could take up to ten years or more to switch to cones. Additionally, this attrition method would seem extremely difficult to enforce. ADF&G would have to determine annually just how many squares and cones each fisherman could be allowed to fish each year. But how would enforcement determine inseason just how many squares and cones each fishermen is actually fishing?
- 5.) A date certain deadline appears to be the most readily enforceable management action. A deadline in the near future (three to four years) is more likely to serve as a deterrent to fishermen from acquiring more squares in the interim time period.

Thank you for considering these comments. Again, I apologize that I will be unable to attend the BOF meeting in Petersburg due to a conflicting meeting of the North Pacific Research Board at the Alaska Marine Science Symposium in Anchorage. The AMSS provides an overview of the most recent marine and fisheries research in the GOA, BSAI, and Arctic. I would encourage the BOF to consider attending this annual event in the future if your scheduling could accommodate it.



Gerry Merrigan
Petersburg, Alaska



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



FWS/OSM11092.SF

DEC 05 2011

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

DEC 13 2011

BOARDS

Dear Chair Johnstone:

The Alaska Board of Fisheries (Board) is scheduled to meet January 15-21, 2012, to deliberate proposals that address Southeast and Yakutat commercial, sport, personal use, and subsistence crab, shrimp, and miscellaneous shellfish fisheries. We have reviewed the approximately 60 proposals the Board will be considering at this meeting.

The U.S. Fish and Wildlife Service, Office of Subsistence Management, working with other Federal agencies, does not believe adoption of any of these proposals would affect Federal subsistence users and fisheries in this area. Therefore we will not be submitting written comments on any of these proposals. Additionally, we do not plan on having a representative at this meeting for several reasons: 1) we have not yet filled our vacant State Subsistence Liaison position; 2) there is a Federal Subsistence Board meeting beginning January 17, 2012; and 3) we have a reduced travel budget this fiscal year. If issues or questions concerning Federal subsistence management arise during the meeting, please contact Stephen Fried at either 907-786-3824 (office) or 907-717-6129 (cell).

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 other issues.

Sincerely,

Peter J. Probasco
Assistant Regional Director

cc: Cora Campbell, ADF&G
Tim Towarak, Chair FSB
Jeff Regnart, ADF&G, Anchorage
Hazel Nelson, ADF&G, Anchorage
Charles Swanton, ADF&G, Juneau
Jennifer Yuhas, ADF&G, Anchorage

Don Roach, ADF&G, Fairbanks
James Hasbrouck ADF&G, Anchorage
George Pappas, ADF&G, Anchorage
Lisa Olson, ADF&G, Anchorage
Monica Wellard, ADF&G, Juneau
Interagency Staff Committee



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BOARDS

Proposal #163

I oppose this proposal as this proposal would allow for the Lodge Owners that use Excursion Inlet to fish Dungeness crab exclusively for there nonresident clients. The largest lodge located a short distance south of Excursion Inlet has a long history of illegal activities of which I have first hand knowledge. The attempt by this group to capitalize on this resource by hiding behind the sport fish regulations is very apparent.

I've fished Commercial for Dungeness Crab for 43 years. I have a resident crew, we deliver my crab to local processors and markets I also own property and lived in Swanson Harbor since 1985 and pay property tax to the Haines Borough as does the only other resident who is also a Commercial Dungeness crabber.

Not only do the personal use, subsistence and sport crabbers have no closed season and a very liberal bag limit they can and do keep "soft" or "lite" crab that commercial crabbers cannot.

There is a pretty simple solution to all of these "sport sanctuaries" and I intend to propose it at the next Board Meetings. That is to allow commercial crabbing in all of the closed areas in the fall season October 1 through November. This would allow sport crabbing all year as usual but would prevent any wasted resource and as very little sport fishing occurs in winter there would be little or no conflict.

However in my view we need to stop designating more and more exclusive areas for sport fishing for Dungeness crab as it is clear if these closures continue there will be no more commercial crabbing in Southeast Alaska a resource that generates on average 6 – 10 million dollars a year and is almost all resident Alaskan crabbers.



Dick Gregg
F/V Sunrise

Proposal #162

I am against this proposal by the nonresident sport fishermen (Territorial Sportsmen and Juneau Yacht Club). I own property and until 2 years ago was the only resident of Swanson Harbor . My home burned down and I've not rebuilt yet. The only other property owner in Swanson Harbor is also a Commercial Dungeness Fisherman. I've fished Dungeness crab in Swanson Harbor since 1968 and continue to fish there. A portion of my catch is sold "live" in Juneau where I maintain a "live" tank in Auke Bay and the crab are available from June 15 to until September 1st, seven days a week. We sell on average about 200 crab per week or approximately 4 to 5 thousand pounds each summer. If this proposal is passed I will no longer be able to make these crab available to the people of Juneau and surrounding areas because there are already six other exclusive areas closed to commercial crabbing closer to Juneau. It will no longer be practical for me to travel to Auke Bay to satisfy this local market.

I also oppose Proposal #161 and 163, the same reasons for my opposition to this proposal holds true for the other proposals to reallocate crab to user groups that already have more exclusive areas to fish than they need.


Dick Gregg
F/V Sunrise

PROPOSAL # 161

Concerning this proposal to close Dungeness crab fishing in Taku Harbor I am against this idea – the Territorial Sportsmen as most people know is the political action group for the Charter Boat Fleet that guides nonresident sport fishermen. The Juneau Yacht Club is also made up of many charter boat guides. So by closing Taku Harbor to Commercial Fishermen it would only reallocate the resources to nonresident sport fishermen. Two other factors need to be considered also.

First there is no closed season for subsistence personal use or sports fishermen while the commercial fishermen can only fish June 15 – August 15 and the 8 weeks in the late fall October 1 through November 31. Also there is a very liberal bag limit of 20 crab per day.

Second – Taku Harbor is located 25 miles south of Juneau and there are already six separate areas closed adjacent to Juneau and the surrounding area. These areas in the past have produced approximately 100,000 lbs of Dungeness crab per year. I know that as I fished Dungeness crab since 1968 and before those areas were closed. The request by the Territorial Sportsmen for more exclusive areas continues to expand and their claim the need for more and more resources I am sure will continue. How much is enough?


Dick Gregg
F/V Sunrise

Proposal 154-5 AAC 34.125. Lawful gear for Registration Area A
Prohibit the use of square pots for golden (brown) king crab.

December 17, 2011

Alaska Board of Fisheries Members,

After careful consideration, I would like the BOF to consider an amendment to the proposal I have previously submitted (154). I would like to add a phase out period of 4 years, so that these pots would be eliminated by January 1, 2016 for use in the golden (brown) king crab fishery. I believe that this phase out would help ease any financial burden that may be placed on the fishermen already using square pots at this time. The phase-out period would allow these fishermen a reasonable opportunity to sell this gear (which has marketable value for use in other fisheries in Alaska) and then acquire top-loading pots.

Sincerely,



Steve Thynes
PO Box 193
Petersburg, AK 99833

Proposal 154-5 AAC 34.125. Lawful gear for Registration Area A
Prohibit the use of square pots for golden (brown) king crab.

Alaska Board of Fisheries Members
and other interested parties,

There are a number of reasons that I have re-submitted this proposal requesting the elimination of square pots (side loaders) in the golden (brown) king crab fishery. But the main reason is the continuing decline of the halibut stocks in area 2C. This decline has caused a significant decrease in the quota in 2C. My son and I personally have seen our IFQ poundage go from 25,000 lbs the first year of the IFQ program down to 5,000 lbs this past year.

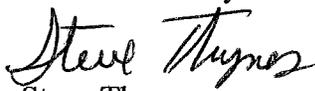
After my proposal was voted down last time for lack of back up data, I was given a copy of the IPHC's technical report No. 19 in which part II is a comparison of halibut bycatch in side entry (square) pots, top entry (cone or pyramid) pots and side entry pots with and without tanner boards, which shows that the side loaders do catch more halibut than top loaders and the tanner boards only kept out larger halibut but not brood stock. I've included a copy of that report in case you have not had a chance to read it. In doing further research I found that IHPC has done other studies (technical report no. 23 and a 2010 IHPC RARA report on bycatch) and the conclusion is that in Area 2C the main cause of bycatch mortality is crab pot and shrimp trawl fisheries, with shrimp trawl being minor and crab pots are mainly king and tanner pots, as few halibut get caught in Dungeness gear. This has led the IHPC to deduct 303,000 lbs off the commercial 2C quota for the last 10 years. That's a significant loss to the commercial fishermen and the communities and businesses that rely on their revenue. I recognize that these numbers from IHPC need to be further studied and possibly adjusted but "dock talk" continues about the amount of halibut being caught in these square pots and thus the nickname "self-baiting pots".

I believe that the Board needs to address this issue now as the number of boats using squares at this time is low (I know of only 3 boats that fish square pots exclusively in the Petersburg area). But I have seen that some fishermen are replacing their lost pots with squares, and the average I've been given for lost pots per boat in any where from 5 to 10 per year. If those lost pots are squares they will continue to catch and kill halibut until the cottons fail. So the sooner we get the squares phased out the better it will be for the crab fishermen who would need to replace pots.

As a side note; Were you aware that it is illegal to fish or have king or tanner pots onboard while longlining halibut? We found this out last year after we had tangled a lost pot in our longline, after struggling to save all our gear and wrestling the pot aboard, we took it town with us to dispose of it. While we unloading our halibut we were warned that we could be ticketed for having that pot on board. Why? Because they catch halibut.

Thank you for looking over this information and if you have a questions; I would be happy to try to answer them for you.

Sincerely,



Steve Thynes

PO Box 193 Petersburg, AK 99833

Table 2. Estimates (thousands of pounds, *net weight*) of bycatch mortality of Pacific halibut (*Hippoglossus stenolepis*) by year, area, and fishery for 2001 through 2010. Estimates for 2010 are preliminary and subject to change as new information becomes available.

Region and Area	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
AREA 2A										
Groundfish Trawl	796	572	206	221	476	401	347	345	416	416
Shrimp Trawl	25	25	0	0	0	0	0	0	0	0
Fixed gear	16	38	54	65	61	177	40	77	93	93
Total	837	635	260	286	537	578	387	422	509	509
AREA 2B										
Domestic Trawl	177	244	244	251	346	294	320	143	213	213
Total	177	244	244	251	346	294	320	143	213	213
AREA 2C										
Crab Pot/Shrimp Trawl	303	303	303	303	303	303	303	303	303	303
Groundfish Trawl	0	0	0	0	0	0	0	0	0	0
Hook & Line (non-IFQ)	2	1	2	23	1	2	3	7	5	2
Hook & Line (IFQ)	3	3	3	3	3	3	3	3	3	3
Chatham Str. Sablefish	8	8	8	8	8	8	8	8	8	8
Clarence Str. Sablefish	25	25	25	25	25	25	25	25	25	25
Total	341	340	341	362	340	341	342	346	344	341
AREA 2 Subtotal	1,355	1,219	845	899	1,223	1,213	1,049	911	1,066	1,063
AREA 3A										
Crab Pot/Shrimp Trawl	250	250	250	250	250	250	250	250	250	250
Groundfish Trawl	2,404	1,685	2,407	3,033	2,664	2,339	2,347	2,381	2,141	2,161
Hook & Line (non-IFQ)	203	128	389	244	149	239	102	293	197	111
Hook & Line (IFQ)	119	119	119	119	119	119	119	119	119	119
Groundfish Pot	23	2	5	15	28	18	15	13	5	12
Pr Wm Sd Sablefish	10	10	10	10	10	10	10	10	10	10
Total	3,009	2,194	3,180	3,671	3,220	2,975	2,843	3,066	2,722	2,663
AREA 3B										
Crab Pot/Shrimp Trawl	50	50	50	50	50	50	50	50	50	50
Groundfish Trawl	1,320	1,508	1,341	866	862	926	795	979	865	752
Hook & Line (non-IFQ)	171	248	198	205	69	299	136	190	256	272
Hook & Line (IFQ)	116	116	116	116	116	116	116	116	116	116
Groundfish Pot	18	2	29	37	29	9	18	18	7	37
Total	1,675	1,924	1,734	1,274	1,126	1,400	1,115	1,353	1,294	1,226
AREA 3 Subtotal	4,684	4,118	4,914	4,945	4,346	4,375	3,958	4,419	4,015	3,889
AREA 4										
Crab Pot/Shrimp Trawl	300	300	300	300	300	300	300	300	300	300
Groundfish Trawl	5,322	5,591	5,589	5,499	6,454	6,269	5,841	4,897	4,774	4,330
Hook & Line (non-IFQ)	1,300	1,058	556	617	666	593	659	936	1,160	893
Hook & Line (IFQ)	60	60	60	60	60	60	60	60	60	60
Groundfish Pot	13	17	28	6	2	8	7	7	3	8
CDQ Trawl	57	131	187	176	128	187	309	223	0	0
CDQ Hook & Line	68	116	102	77	82	74	86	131	0	0
CDQ Pot	0	0	0	0	0	0	0	1	0	0
AREA 4 Subtotal	7,120	7,273	6,822	6,735	7,692	7,491	7,262	6,555	6,297	5,591
GRAND TOTAL	13,159	12,610	12,581	12,579	13,261	13,079	12,269	11,885	11,378	10,543

INTERNATIONAL PACIFIC HALIBUT COMMISSION

Established by a Convention Between
Canada and the United States of America

Technical Report No. 19

**I. Reducing the Incidental Catch of Prohibited Species
in the Bering Sea Groundfish Fishery Through Gear Restrictions**
by

Vidar G. Wespestad, Stephen H. Hoag, and Renold Narita

**II. A Comparison of Pacific Halibut and Tanner Crab
Catches in (1) Side-Entry and Top-Entry Crab Pots and (2) Side-Entry
Crab Pots With and Without Tanner Boards**
by

Gregg H. Williams, Donald A. McCaughran,
Stephen H. Hoag, and Timothy M. Koeneman

Seattle, Washington
1982

II. A Comparison of Pacific Halibut and Tanner Crab
Catches in (1) Side-Entry and Top-Entry Crab Pots and
(2) Side-Entry Crab Pots With and Without Tanner Boards

by

Gregg H. Williams, Donald A. McCaughran,
Stephen H. Hoag, and Timothy M. Koeneman

ABSTRACT

Catch rates of Pacific halibut (*Hippoglossus stenolepis*) and Tanner crab (*Chionoecetes bairdi*) by several types of crab pot were compared. Top-entry crab pots had substantially lower catch rates of halibut than side-entry pots. Catch rates of legal Tanner crab in top-entry pots were only slightly lower than in side-entry pots, but the sample sizes were considered too small to clearly demonstrate this difference. "Tanner boards", which are placed horizontally across the upper half of the tunnel opening, reduced the catch rate of halibut by side-entry pots by 63%. In addition, the catch of halibut over 90 cm long was almost eliminated. Tanner boards also reduced the catch rate of Tanner crab by side-entry pots, but overall crab catches were not large enough to provide meaningful results. Further research is recommended on crab pot modifications, and an observer program is recommended to establish halibut incidence rates in the commercial crab fisheries.

II. A Comparison of Pacific Halibut and Tanner Crab Catches in (1) Side-Entry and Top-Entry Crab Pots and (2) Side-Entry Crab Pots With and Without Tanner Boards

by

Gregg H. Williams¹, Donald A. McCaughran¹,
Stephen H. Hoag¹, and Timothy M. Koeneman²

INTRODUCTION

Although Pacific halibut (*Hippoglossus stenolepis*) are fished commercially with setline gear, they are subject to incidental capture by several types of gear. Pacific halibut fishery regulations prohibit the retention of halibut caught by nets and pots (International Pacific Halibut Commission 1981), but mortality of the incidentally-caught fish can be high, resulting in a substantial loss to the commercial fishery. Incidental catches have contributed to the decline of the halibut stocks in the north Pacific Ocean and eastern Bering Sea (Hoag 1976), but previous research has centered on the foreign groundfish fisheries (Hoag and French 1976).

Although quantitative information on the incidental catch of halibut in the crab fisheries is limited, reports from fishermen and research surveys by the Alaska Department of Fish and Game (ADF&G) suggest that the incidental catch is substantial. Using incidence rates collected on ADF&G crab research surveys, Williams (unpublished)³ estimates that 3.9 million pounds of halibut were caught in the king (*Paralithodes* spp.) and Tanner (*Chionoecetes* spp.) crab fisheries in the north Pacific Ocean during the 1979-1980 season.

Crab fishermen have indicated that halibut incidence varies with crab pot type. Fishermen from Yakutat, Alaska, reported large incidental catches during the 1979-1980 Tanner crab season and that the incidental catch was much higher in side-entry pots (rectangular in shape) than in top-entry pots (pyramid or conical in shape). They requested ADF&G to prohibit the use of side-entry pots to reduce incidental halibut catches, but data were not available to document these reports.

It has also been reported that "Tanner boards" reduce the catch of halibut by side-entry crab pots. A Tanner board is a wooden board that is placed across the upper half of the tunnel opening, reducing the height of the opening to no more than five inches, usually three to four inches. Its primary purpose is to keep king crab from entering the pot. It also keeps Tanner crab in the pot and, reportedly, reduces the incidental catch of halibut. However, quantitative data on the effects of Tanner boards on halibut incidental catch are lacking.

Consequently, ADF&G and the International Pacific Halibut Commission (IPHC) proposed that the North Pacific Fishery Management Council fund a study comparing the incidence of halibut and catch rates of Tanner crab in top-entry and side-entry crab pots. Funding by the Council was approved in July, 1980 and the study was conducted in August. In addition to testing the two pot types for crab catches, the effect of Tanner boards on the catch of halibut was also compared. The results from these studies are provided in this report.

¹/International Pacific Halibut Commission.

²/Alaska Department of Fish and Game, P.O. Box 667, Petersburg, Alaska 99833.

³/Williams, Gregg H. 1981. Estimates of the incidental catch of halibut by the king and Tanner crab fisheries. International Pacific Halibut Commission, Seattle, Washington. 10 p.

METHOD

Materials

The side-entry pots used in the study belonged to ADF&G, whereas the top-entry pots were leased from a commercial Tanner crab fisherman (Figures 1 and 2). The ADF&G pots, which are used in annual crab index surveys, are 80 inches (203 cm) square on the top and bottom and are 30 inches (76 cm) in height. These pots weigh approximately 750 pounds (340 kg) each. The top-entry pots are 68 inches (173 cm) square at the base, 34 inches (86 cm) square at the top and have a height of 30 inches (76 cm). They weigh approximately 200 pounds (91 kg) each. Tunnel opening dimensions are 8 inches by 36 inches (20 cm by 91 cm) on the side-entry pots; the top-entry pots have round tunnels, 23.5 inches (60 cm) in diameter at the top and 15 inches (38 cm) in diameter at the bottom, and a vertical depth of 9 inches (23 cm). Webbing is 3.5-inch (9 cm) stretch mesh on the side-entry pots and 7-inch (18 cm) stretch mesh on the top-entry pots. The Tanner boards used in this study were made of spruce and were 4 inches by 38 inches (10 cm by 97 cm) in size.

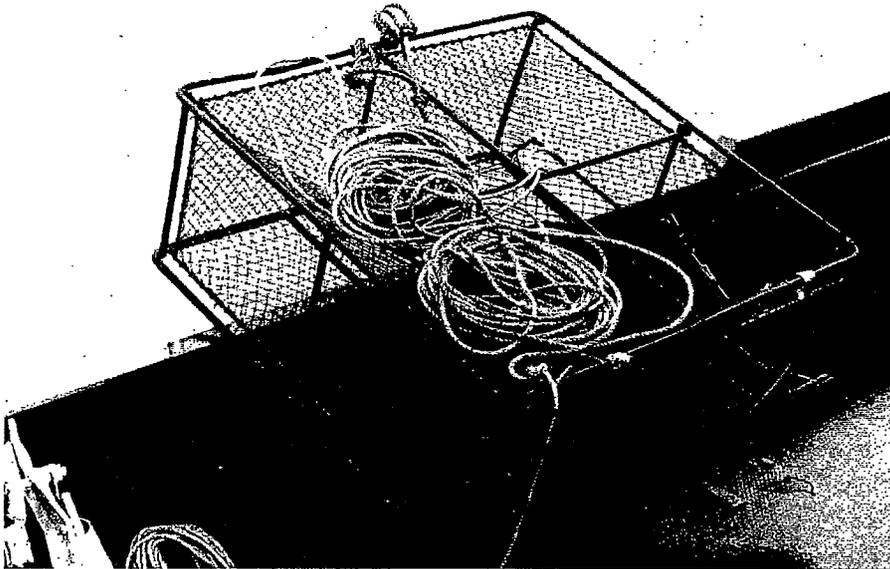


Figure 1. Side-entry crab pot as used in Experiments I and II. This pot has no "Tanner boards" over the tunnel openings.

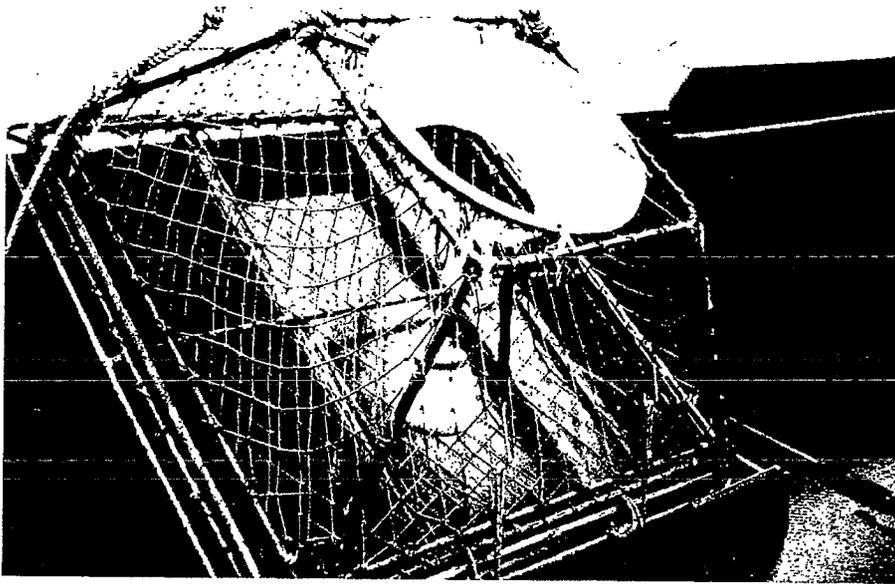


Figure 2. Top-entry crab pot as used in Experiment I.

Design

The study was conducted in Yakutat Bay and south along the coast to Dry Bay (Figure 3) during August. This area was chosen because of reports of large incidental halibut catches in crab pots during the 1979-80 Tanner crab season.

The operation was divided into two experiments. Experiment I examined the differences in the halibut and Tanner crab (*Chionoecetes bairdi*) catches in top-entry and side-entry crab pots and consisted of five days of setting and hauling pots (setting preceded hauling by one day). The depths fished ranged from 16 to 171 meters (9 to 94 fathoms). Experiment II examined the differences in the halibut and Tanner crab catches in side-entry pots with and without Tanner boards and consisted of three days of setting and hauling pots. Depths ranged from 25 to 164 meters (14 to 90 fathoms).

The pots were usually set from 1300 to 1500 hours and hauled back the following morning from 0730 to 1200 hours. Soak time generally averaged 19 hours. Two one-quart plastic containers holding chopped herring were used for bait.

In Experiment I, the pots were laid out in a 4 x 10 Latin rectangle design. Each pot type occurred in each row and column an equal number of times, allowing the effects of depth and horizontal changes in habitat to be removed from the comparison of pot type. A total of 40 pots were fished each day, resulting in a total of 100 observations for each pot type (not adjusting for lost or unbaited pots). The schematic arrangement was:

X	O	X	O	X	O	X	O	X	O
O	X	O	X	O	X	O	X	O	X
X	O	X	O	X	O	X	O	X	O
O	X	O	X	O	X	O	X	O	X

where "X" designates a side-entry pot and "O" designates a top-entry pot.

In Experiment II, the pots were arranged in a 2 x 10 Latin rectangle design. Side-entry pots with Tanner boards and without Tanner boards were placed in equal number in each row and column to allow the analytical removal of the depth effect and the effect of any

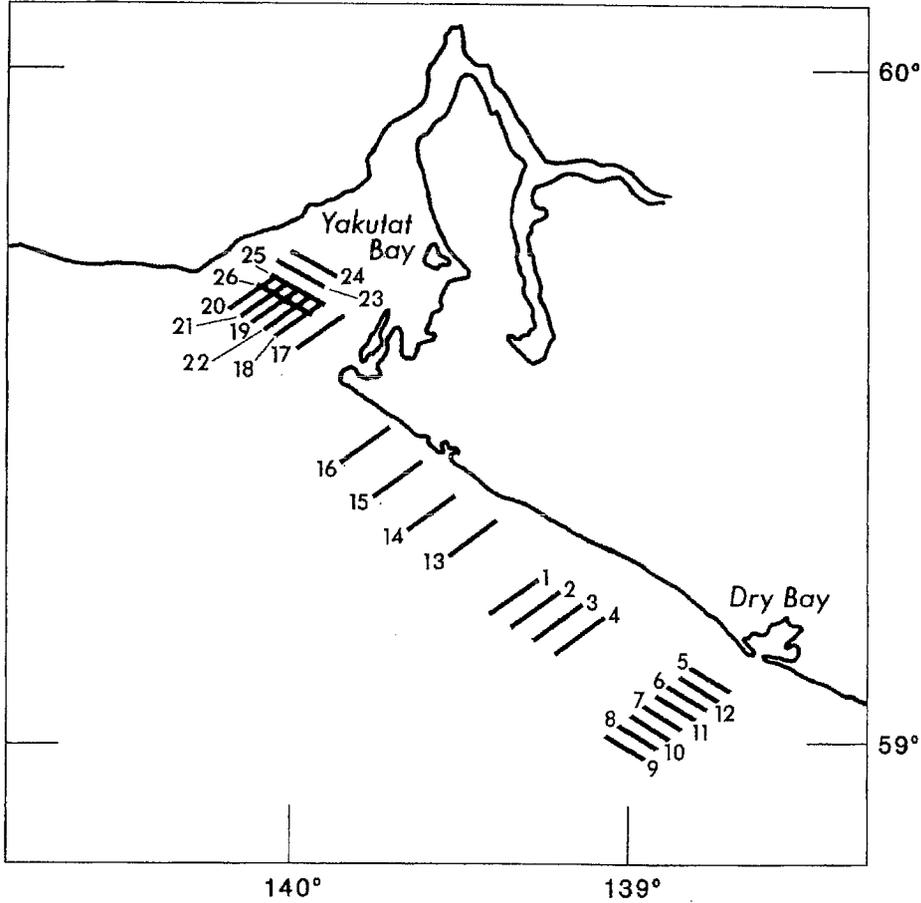


Figure 3. General area of operation and line locations during Experiments I and II.

horizontal change in habitat. Twenty pots were fished each day, resulting in a total of 60 observations. The schematic arrangement was:

X	O	X	O	X	O	X	O	X	O
O	X	O	X	O	X	O	X	O	X

where "X" designates a side-entry pot with Tanner boards and "O" designates a side-entry pot without Tanner boards.

The distance between lines and pots in both experiments was held constant within each day but varied slightly among days. The pots were set along C-Loran lines and the distance between lines varied from 4.2 to 9.3 kilometers (2.25 to 5 nautical miles). The distance between pots within a line varied from 0.5 to 0.93 kilometers (0.25 to 0.5 nautical miles).

All of the halibut and Tanner crab were counted and measured, and those halibut alive were tagged. The left otolith was removed from the dead halibut to determine age. Shell condition, carapace width, and sex were recorded for all Tanner crab. All other species caught in the pots were counted and economically-important species such as lingcod (*Ophiodon elongatus*) and Pacific cod (*Gadus macrocephalus*) were measured.

ANALYSIS

An analysis of variance was performed on each day's results. Since the location of the experiment was changed each day, each day's data cannot be considered as a replicate in a larger experiment. Replicates are identically distributed independent random variables and since the experiment was moved each day, the observations cannot be modeled as identically distributed. No suitable transformation of the data was obvious, so reliance was placed on the robust properties of the analysis of variance. Although the testing was performed on each day separately, an overall statement of significance was desired. An overall significance level of 0.05 was chosen; hence, the individual test level for the five tests is α that satisfies $0.05 = 1 - (1-\alpha)^5$, that is $\alpha = 0.01$.

In Experiment I, data for an unbaited pot and a lost pot were filled in by use of a missing plot formula. In Experiment II one pot was lost, and the column that contained the missing pot was deleted in the analysis.

RESULTS

Table 1 summarizes the overall results from Experiments I and II. Table 2 summarizes the daily results and indicates significant differences as shown by the analysis of variance tests. Detailed information on the halibut and Tanner crab catch in each pot is given in Appendix Tables 1 and 2. Summaries of the size composition of the Tanner crab catch for each experiment are in Appendix Tables 3 and 4. Appendix Table 5 shows the catch of species other than halibut and Tanner crab. Results of the analysis of variance tests are in Appendix Tables 6 and 7.

Experiment I: Side-Entry Pots versus Top-Entry Pots

The results from Experiment I clearly show a much higher incidence of halibut in side-entry pots than in top-entry pots: the overall number caught per pot-lift was 1.43 ± 0.11 ($\bar{X} \pm SE$) for side-entry pots, compared to 0.04 ± 0.02 for top-entry pots (Table 1). The average size of halibut was lower for top-entry pots (6.0 pounds versus 16.1 pounds), but the sample size (four fish) was small. The analysis of variance tests showed that top-entry pots caught significantly fewer halibut on each of the five days of the experiment (Table 2), a definite indication that the catch rate of halibut is much lower in top-entry pots than in side-entry pots.

Overall, side-entry pots caught more Tanner crab than top-entry pots. The average catch was 2.78 ± 0.57 crab per pot-lift for top-entry pots and 3.85 ± 0.39 crab per pot-lift for side-entry pots (Table 1). Review of the individual day's experiments shows a nonsignificant increase in crab catches by top-entry pots on Days 1 and 3 (Table 2). The other three days had higher crab catches in side-entry pots, but only two of the three were statistically significant. The five separate analyses were combined into one analysis by combining the sums of squares and computing an overall "F" ratio. The resulting F ratio of 2.22 indicates the overall results are not significantly different.

The results may be biased by the larger mesh on the top-entry pots, which would allow some female and smaller male crab to escape. Examining the overall catch of legal Tanner crab (those 140 mm and larger in carapace width) shows that side-entry pots caught an average of 0.76 crab per pot-lift and that top-entry pots caught an average of 0.68 crab per pot-lift. These results suggest that side-entry pots have a higher catch rate but much larger sample sizes than used here are needed to clearly demonstrate it.

Another method of comparison between the two pot types is made by examining the ratio of the number of halibut per legal Tanner crab. In this experiment, side-entry pots

Table 1 Summary of data collected during pot comparison studies. Halibut weight is expressed in net pounds and length is fork length in centimeters.

	Experiment I		Experiment II	
	Side-Entry	Top-Entry	Side-Entry With Boards	Side-Entry Without Boards
Number of potlifts*	98	100	30	29
No. halibut per legal crab	1.89	0.06	0.26	0.72
<u>Halibut</u>				
Number	140	4	18	47
Catch per potlift	1.43	0.04	0.60	1.62
Average weight	16.1	6.0	10.6	15.8
Average length	88.5	65.5	79.2	88.4
<u>Tanner Crab</u>				
Number	377	278	466	300
Catch per potlift	3.85	2.78	15.53	10.34
No. of legal crab	74	68	69	65
Catch per potlift	0.76	0.68	2.30	2.24

*Excludes lost and unbaited pots.

Table 2. Mean number of halibut and Tanner crab per potlift for each day of Experiments I and II. An asterisk indicates a significant difference between the two means at the 0.01 significance level.

	Experiment I		Experiment II	
	Side-Entry	Top-Entry	Side-Entry With Boards	Side-Entry Without Boards
<u>Day 1</u>				
Halibut	1.70*	0.05*	1.09*	4.70*
Tanner Crab	1.25	1.45	41.70	26.30
<u>Day 2</u>				
Halibut	1.65*	0.05*	0.80	1.30
Tanner Crab	0.25*	0.00*	15.88	8.78
<u>Day 3</u>				
Halibut	1.60*	0.05*	0.50*	1.80*
Tanner Crab	0.25	0.30	24.40*	10.80*
<u>Day 4</u>				
Halibut	0.70*	0.00*		
Tanner Crab	11.80*	7.75*		
<u>Day 5</u>				
Halibut	1.35*	0.05*		
Tanner Crab	5.30	4.40		

caught 1.89 halibut per legal Tanner crab and top-entry pots caught 0.06 halibut per legal Tanner crab (Table 1).

Experiment II: Side-Entry Pots With and Without Tanner Boards

In Experiment II, the use of Tanner boards reduced the overall average halibut catch 63%. The overall average catch was 0.60 ± 0.12 per pot-lift for pots with Tanner boards and 1.62 ± 0.21 per pot-lift for pots without Tanner boards (Table 1). Halibut catches were reduced by using Tanner boards in all three individual experiments (Table 2) but in only two of the experiments was the reduced catch statistically significant. The nonsignificant difference on Day 2 was the result of high variability in the catch. The three individual analyses were combined and resulted in an overall F ratio of 8.97, which is highly significant. These results clearly indicate a reduced halibut catch when the tunnel opening on side-entry pots is reduced in size.

In addition, halibut caught in pots with Tanner boards averaged smaller in length than those caught in pots without Tanner boards (Table 1). A Student's t-test of the average length of fish caught by the two pot types indicated a significant difference ($P = 0.036$). A detailed examination of the length frequencies shows that Tanner boards reduced the catch of all sizes encountered in the study, but almost eliminated the catch of halibut over 90 cm in length. The catch per pot-lift by length group was as follows:

	Length group (cm)					
	<u>≤ 70</u>	<u>70-79</u>	<u>80-89</u>	<u>90-99</u>	<u>100-109</u>	<u>>109</u>
Without boards	0.10	0.45	0.31	0.34	0.04	0.21
With boards	0.07	0.23	0.23	0.03	0.03	0.00

Side-entry pots with Tanner boards caught 33% more Tanner crab than pots without Tanner boards (Table 1). The overall average catch of all sizes of Tanner crab for the three experiments was 15.53 ± 2.43 crab per pot-lift for pots with Tanner boards and 10.34 ± 2.05 crab per pot-lift for pots without Tanner boards. Overall average catch rates of legal Tanner crab show little difference between the two pot types: pots with Tanner boards caught 2.30 per pot-lift, whereas pots without Tanner boards caught 2.24 crab per pot-lift. A review of the individual experiments shows that Tanner boards increased the catch of Tanner crab in each experiment, but on only one of the three days is the increased catch statistically significant. The combined analysis resulted in an overall F ratio of 2.50, indicating the overall catches are not significantly different. However, with the large variability observed in Tanner crab catches, larger sample sizes are required to obtain consistent statistical significance when the difference in the catch rate between the two pot types is of this magnitude.

The increased crab catches by pots using Tanner boards is likely the result of increased retention of crab by the pots. The tunnel openings face slightly upward in side-entry pots, and crab are able to drop through the opening and escape the pot. Placing the boards over the tunnel opening decreases the size of the opening and makes it difficult for crab to escape the pot in this manner. Hence, more crab are retained by the pot.

The number of halibut per legal Tanner crab was 64% lower when Tanner boards were used. Pots without Tanner boards caught 0.72 halibut per legal Tanner crab and pots with Tanner boards caught 0.26 halibut per legal Tanner crab (Table 1).

Condition of Halibut

Nearly all of the halibut caught suffered from minor abrasions caused by either struggling in the pot or by being in contact with crab. However, most (87%) of the halibut

were tagged and 79% of these were considered to have a high survival potential. The remainder were dead and these were partially eaten by sand fleas.

These results, however, should not be extended to the commercial fishery, where fishing conditions are considerably different. Soak times are generally much longer than in these experiments, resulting in higher mortality. Additionally, higher catch rates of over 100 legal crab per pot will probably reduce the viability of halibut considerably. Also, fishermen reportedly use incidentally-caught halibut for bait in their pots and as food for the crews of the crab vessels, further increasing the loss.

CONCLUSIONS

Halibut catches are substantially lower in top-entry crab pots (0.04 halibut per pot-lift) than in side-entry crab pots (1.43 halibut per pot-lift). Those halibut caught in top-entry crab pots may also average smaller in size, but data collected during this study are not conclusive.

The use of Tanner boards in side-entry pots reduced the catch of halibut by 63% in this study. The catch of halibut over 90 cm in length was almost eliminated.

Total Tanner crab catches were higher in side-entry crab pots than in top-entry crab pots. These results may be biased by a difference in pot mesh size, however. The catch rate of legal Tanner crab, less affected by this bias, was only slightly higher in side-entry pots, but much larger sample sizes are needed to clearly demonstrate a higher catch rate by side-entry pots.

Total Tanner crab catches were 33% higher in side-entry pots when Tanner boards were used. However, catch rates of legal Tanner crab showed little difference between side-entry pots with Tanner boards and side-entry pots without Tanner boards. Because of the large variability observed in the Tanner crab catches, larger sample sizes are necessary to show a higher catch rate when Tanner boards are used in side-entry pots.

RECOMMENDATIONS

In view of the results emerging from the two experiments, the following recommendations are made:

Further gear research should be conducted to determine if side-entry pots can be modified to significantly reduce halibut loss with little cost. Ideas include: (a) an escape opening under the door panel to allow small halibut to leave the pot; (b) a vertical bar half-way across the tunnel opening to prevent large halibut from entering the pot; (c) an escape opening in the top of the pot which would allow fish of all species to escape.

An observer program should be conducted to confirm the results of this study and establish rates of halibut incidence in the commercial fishery.

The commercial fishery should be monitored to determine if existing regulations on the use of Tanner boards are being followed.

ACKNOWLEDGEMENTS

We wish to thank Mr. Marlice Korock, superintendent of Western Seafoods in Yakutat, and the city of Yakutat for the use of their dock and adjacent facilities during the course of this study. We also thank Mr. Lewis Hill, of Westport, Washington, for the use of his top-entry crab pots. Additionally, we thank Keith S. Ketchen and Loh-Lee Low for their review of the manuscript.

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APPENDIX

- Table 1. Detailed catch data from Experiment I: Comparison of Tanner crab and halibut catches in top-entry and side-entry crab pots.
- Table 2. Detailed catch data from Experiment II: Comparison of Tanner crab and halibut catches in side-entry crab pots with and without Tanner boards.
- Table 3. Size composition of the Tanner crab catch in Experiment I by sex and pot type.
- Table 4. Size composition of the Tanner crab catch in Experiment II by sex and pot type.
- Table 5. Catch of species other than halibut and crab by experiment and pot type.
- Table 6. Results from analysis of variance on Experiment I.
- Table 7. Results from analysis of variance on Experiment II.

Appendix Table 1. Detailed catch data from Experiment I: Comparison of Tanner crab and halibut catches in top-entry (TE) and side-entry (SE) crab pots.

Date	Location	Line	Pot Type	Depth (fathoms)	Soak (hh:mm)	Halibut No.	Lengths (cm)	No. of Crab
8/09	59:14N X 139:20W	1	SE	33	22:41	0		0
			TE	35	22:43	0		0
			SE	37	22:46	1	103	0
			TE	41	22:52	0		0
			SE	45	22:55	1	49	0
			TE	50	22:59	0		1
			SE	53	23:03	3	82, 120, 72	1
			TE	56	23:07	0		6
			SE	60	23:12	1	87	18
			TE	63	23:18	1	54	21
8/09	59:12N X 139:17W	2	TE	32	24:08	0		0
			SE	36	24:04	Not Baited		0
			TE	39	23:59	0		0
			SE	43	23:57	2	81, 83	0
			TE	45	23:52	0		0
			SE	47	23:49	2	87, 112	0
			TE	50	23:45	0		0
			SE	53	23:40	0		0
			TE	55	23:35	0		1
			SE	57	23:33	2	83, 107	5
8/09	59:11N X 139:13W	3	SE	30	24:06	6	76, 94, 81, 86, 68, 95	0
			TE	32	24:08	0		0
			SE	35	24:13	2	84, 107	0
			TE	38	24:16	0		0
			SE	40	24:17	1	60	0
			TE	42	24:21	0		0
			SE	45	24:24	2	99, 80	0
			TE	47	24:27	0		0
			SE	50	24:30	2	65, 87	0
			TE	52	24:33	0		0
8/09	59:10N X 139:10W	4	TE	30	24:55	0		0
			SE	33	24:51	2	94, 99	0
			TE	36	24:49	0		0
			SE	38	24:46	2	74, 84	0
			TE	40	24:43	0		0
			SE	42	24:41	2	122, 109	0
			TE	44	24:39	0		0
			SE	45	24:38	2	73, 73	0
			TE	47	24:37	0		0
			SE	50	24:31	1	93	1
8/10	59:06N X 138:46W	5	TE	32	16:51	0		0
			SE	32	16:54	1	58	0
			TE	32	16:55	0		0
			SE	33	16:58	2	83, 111	0
			TE	34	17:01	0		0
			SE	35	17:03	2	- , -	0
			TE	36	17:07	0		0
			SE	41	17:08	1	75	0
			TE	50	17:10	0		0
			SE	57	17:13	2	62, 78	0
8/10	59:04N X 138:51W	6	SE	41	18:06	2	92, 84	0
			TE	42	18:04	0		0
			SE	43	18:00	1	82	0
			TE	45	17:56	0		0
			SE	47	17:53	2	107, 106	0
			TE	50	17:49	0		0
			SE	52	17:46	0		0
			TE	56	17:41	1	85	0
			SE	62	17:37	3	77, 100, 91	0
			TE	75	17:34	0		0
8/10	59:03N X 138:55W	7	TE	47	18:10	0		0
			SE	48	18:13	2	94, 64	0
			TE	49	18:15	0		0
			SE	50	18:16	2	71, 84	1
			TE	52	18:17	0		0
			SE	53	18:19	2	81, 82	0
			TE	55	18:21	0		0
			SE	57	18:23	3	67, 89, 81	0
			TE	61	18:30	0		0
			SE	67	18:31	2	103, -	0

Appendix Table 1. Detailed catch data from Experiment I: Comparison of Tanner crab and halibut catches in top-entry (TE) and side-entry (SE) crab pots.

Date	Location	Line	Pot Type	Depth (fathoms)	Soak (hh:mm)	Halibut No.	Halibut Lengths (cm)	No. of Crab
8/10	59:01N X 138:59W	8	SE	53	19:03	2	61, 75	0
			TE	53	19:00	0		0
			SE	53	18:57	0		1
			TE	54	18:54	0		0
			SE	55	18:51	1	61	2
			TE	55	18:49	0		0
			SE	56	18:46	2	108, 94	1
			TE	58	18:43	0		0
			SE	63	18:39	1	91	0
TE	66	18:34	0		0			
8/11	59:00N X 139:02W	9	SE	56	17:56	1	81	0
			TE	57	17:58	0		0
			SE	58	18:01	1	96	0
			TE	57	18:03	0		3
			SE	59	18:06	3	83, 108, 106	3
			TE	61	18:10	0		3
			SE	62	18:13	1	104	1
			TE	63	18:16	0		0
			SE	64	18:19	2	110, 86	0
TE	67	18:22	0		0			
8/11	59:02N X 138:57W	10	TE	53	19:03	0		0
			SE	53	18:59	2	140, -	0
			TE	54	18:57	0		0
			SE	55	18:55	3	92, 71, 89	1
			TE	55	18:52	0		0
			SE	56	18:49	1	116	0
			TE	58	18:46	0		0
			SE	60	18:43	0		0
			TE	63	18:41	0		0
SE	67	18:37	3	118, 110, 84	0			
8/11	59:03N X 138:53W	11	SE	46	19:03	4	80, 98, 76, 77	0
			TE	46	19:06	0		0
			SE	48	19:09	2	89, 77	0
			TE	49	19:11	0		0
			SE	51	19:13	1	128	0
			TE	53	19:16	0		0
			SE	55	19:18	1	74	0
			TE	59	19:21	0		0
			SE	63	19:23	1	76	0
TE	68	19:26	0		0			
8/11	59:05N X 138:48W	12	TE	40	19:51	0		0
			SE	40	19:49	1	70	0
			TE	40	19:47	0		0
			SE	42	19:44	1	98	0
			TE	45	19:42	0		0
			SE	47	19:39	1	119	0
			TE	50	19:37	1	58	0
			SE	54	19:34	2	112, 82	0
			TE	59	19:31	0		0
SE	71	19:28	1	93	0			
8/12	59:18N X 139:29W	13	TE	25	15:52	0		0
			SE	38	15:55	2	69, 94	0
			TE	50	15:58	0		2
			SE	60	16:03	1	117	5
			TE	66	16:05	0		5
			SE	72	16:08	0		9
			TE	78	16:10	0		18
			SE	83	16:13	0		27
			TE	89	16:14	0		15
SE	91	16:20	0		14			
8/12	59:21N X 139:36W	14	SE	44	16:56	3	61, 61, 76	0
			TE	54	16:53	0		2
			SE	62	16:50	0		6
			TE	67	16:47	0		6
			SE	75	16:44	0		17
			TE	79	16:42	0		14
			SE	83	16:38	0		22
			TE	86	16:34	0		22
			SE	91	16:31	0		32
TE	94	16:28	0		26			

Appendix Table 1. Detailed catch data from Experiment I: Comparison of Tanner crab and halibut catches in top-entry (TE) and side-entry (SE) crab pots.

Date	Location	Line	Pot Type	Depth (fathoms)	Soak (hh:mm)	Halibut No.	Halibut Lengths (cm)	No. of Crab
8/12	59:24N X 139:42W	15	TE	24	17:00	0		0
			SE	38	17:01	2	92,77	2
			TE	44	17:06	0		1
			SE	52	17:09	0		3
			TE	61	17:11	0		2
			SE	69	17:14	Lost Pot		0
			TE	76	17:16	0		7
			SE	82	17:21	0		37
			TE	87	17:25	0		18
			SE	92	17:30	0		24
8/12	59:27N X 139:48W	16	SE	9	17:55	1	110	0
			TE	15	17:54	0		0
			SE	28	17:49	1	86	0
			TE	39	17:48	0		0
			SE	47	17:45	3	69,71,94	0
			TE	55	17:42	0		2
			SE	65	17:40	0		2
			TE	75	17:37	0		6
			SE	80	17:33	1	84	36
			TE	88	17:28	0		9
8/13	59:38N X 139:55W	17	SE	40	17:44	1	117	0
			TE	37	17:48	0		0
			SE	34	17:51	1	84	0
			TE	76	17:52	0		2
			SE	77	18:11	0		11
			TE	65	18:14	0		0
			SE	79	18:16	0		9
			TE	20	18:19	0		0
			SE	18	18:21	1	53	0
			TE	30	18:25	0		0
8/13	59:39N X 139:58W	18	TE	84	19:06	0		3
			SE	82	19:03	0		2
			TE	83	18:59	0		4
			SE	60	18:58	1	100	6
			TE	50	18:56	0		1
			SE	35	18:54	1	110	0
			TE	53	18:50	0		0
			SE	80	18:47	1	101	10
			TE	80	18:43	0		3
			SE	71	18:41	3	74,110,118	1
8/13	59:40N X 140:03W	19	SE	84	19:10	2	77,79	6
			TE	83	19:12	0		8
			SE	46	19:15	2	71,92	0
			TE	55	19:17	0		9
			SE	61	19:20	2	80,81	15
			TE	65	19:22	0		16
			SE	60	19:24	2	82,95	1
			TE	72	19:28	0		18
			SE	71	19:29	3	92,92,134	11
			TE	72	19:31	0		11
8/13	59:41N X 140:07W	20	TE	14	19:57	0		0
			SE	20	19:54	1	91	0
			TE	47	19:51	0		1
			SE	57	19:48	0		9
			TE	50	19:46	0		0
			SE	38	19:44	2	79,115	0
			TE	39	19:42	1	65	0
			SE	64	19:39	2	98,91	15
			TE	64	19:36	0		12
			SE	63	19:34	2	69,71	10

Appendix Table 2. Detailed catch data from Experiment II: Comparison of Tanner crab and halibut catches in side-entry crab pots with (WB) and without (WOB) tanner boards.

Date	Location	Line	Pot Type	Depth (fathoms)	Soak (hh:mm)	Halibut No.	Halibut Lengths(cm)	No. of Crab
8/14	59:40N X 140:05W	21	WB	63	19:39	0		5
			WOB	41	19:41	2	104,-	0
			WB	47	19:44	1	75	2
			WOB	61	19:48	1	94	0
			WB	78	19:50	0		10
			WOB	76	19:53	1	85	17
			WB	72	19:56	0		36
			WOB	41	19:59	2	78, 59	35
			WB	44	19:59	1	69	17
			WOB	45	20:01	1	81	25
8/14	59:39N X 140:01W	22	WOB	40	20:46	2	84, 94	0
			WB	43	20:43	1	77	0
			WOB	56	20:39	4	84, 105, 123, 96	8
			WB	58	20:36	0		3
			WOB	80	20:33	1	94	5
			WB	90	20:29	1	51	15
			WOB	85	20:26	0		10
			WB	80	20:23	1	99	6
			WOB	80	20:19	2	73, 122	23
			WB	81	20:16	0		16
8/15	59:42N X 139:58W	23	WOB	26	20:02	2	83, 79	0
			WB	30	20:04	2	84, 81	0
			WOB	65	20:11	3	96, 73, 70	9
			WB	68	20:12	1	71	22
			WOB	67	20:19	1	68	5
			WB	64	20:23	0		24
			WOB	60	20:27	1	79	4
			WB	58	20:31	0		14
			WOB	55	20:34	1	73	10
			WB	44	20:39	1	70	25
8/15	59:43N X 139:57W	24	WB	39	21:21	2	77, 71	0
			WOB	29	21:16	2	80, 100	0
			WB	30	21:13	0		0
			WOB	61	21:11	1	77	5
			WB	63	21:08	1	106	5
			WOB	58	21:05	0		36
			WB	54	21:02	1	85	19
			WOB	49	20:51	Lost Pot		0
			WB	45	20:49	0		3
			WOB	38	20:44	2	73, 75	0
8/16	59:41N X 139:58W	25	WB	68	21:33	1	81	0
			WOB	81	21:34	2	77, 77	3
			WB	81	21:36	0		33
			WOB	77	21:41	0		0
			WB	68	21:45	0		18
			WOB	71	21:47	3	92, 94, 124	11
			WB	70	21:50	0		18
			WOB	66	21:54	1	89	28
			WB	63	21:57	2	89, 71	28
			WOB	62	22:01	1	80	2
8/16	59:40N X 140:00W	26	WOB	80	22:38	1	97	4
			WB	72	22:35	0		17
			WOB	79	22:33	1	130	9
			WB	88	22:29	1	86	9
			WOB	87	22:24	3	90, 110, 110	7
			WB	65	22:21	1	82	32
			WOB	76	22:14	1	97	29
			WB	71	22:08	0		46
			WOB	67	22:06	5	65, 72, 77, 81, 101	15
			WB	62	22:03	0		43

Appendix Table 3. Size composition of the Tanner crab catch in Experiment I by sex and pot type. Carapace width is in mm.

Carapace Width	Side-Entry		Top-Entry		Carapace Width	Side-Entry		Top-Entry	
	Male	Female	Male	Female		Male	Female	Male	Female
65	0	0	0	0	125	7	0	5	0
66	0	0	0	0	126	9	0	8	0
67	0	3	0	0	127	11	0	8	0
68	0	2	0	0	128	7	0	6	0
69	0	0	0	0	129	14	0	18	0
70	0	4	0	0	130	5	0	13	0
71	0	2	0	0	131	10	0	16	0
72	0	5	0	0	132	11	0	7	0
73	1	5	0	0	133	14	0	12	0
74	0	4	0	0	134	10	0	15	0
75	0	6	0	0	135	13	0	10	0
76	0	2	0	2	136	9	0	12	0
77	1	6	0	0	137	3	0	5	0
78	0	7	0	0	138	4	0	6	0
79	0	4	0	0	139	7	0	8	0
80	0	7	0	1	140	5	0	7	0
81	0	3	0	1	141	5	0	6	0
82	1	1	0	0	142	7	0	5	0
83	0	4	0	1	143	10	0	6	0
84	1	2	0	0	144	3	0	7	0
85	0	2	0	0	145	7	0	5	0
86	1	2	0	0	146	6	0	2	0
87	3	0	0	1	147	4	0	2	0
88	1	5	0	2	148	1	0	4	0
89	0	4	0	0	149	4	0	1	0
90	1	2	0	0	150	2	0	4	0
91	2	2	0	0	151	1	0	3	0
92	0	0	0	0	152	3	0	6	0
93	0	1	0	1	153	4	0	2	0
94	1	0	0	0	154	2	0	2	0
95	2	0	1	0	155	0	0	1	0
96	0	1	0	0	156	3	0	0	0
97	1	1	1	0	157	4	0	1	0
98	3	0	1	0	158	1	0	2	0
99	0	0	0	0	159	0	0	2	0
100	0	0	0	1	160	0	0	0	0
101	0	0	1	0	161	1	0	0	0
102	1	1	0	0	162	0	0	0	0
103	0	0	0	0	163	0	0	0	0
104	3	0	0	0	164	0	0	0	0
105	2	0	0	0	165	0	0	0	0
106	1	0	1	0	166	0	0	0	0
107	2	0	0	0	167	1	0	0	0
108	2	0	3	0	168	0	0	0	0
109	3	0	0	1	169	0	0	0	0
110	2	0	1	0					
111	2	0	1	0					
112	3	0	1	0					
113	1	0	3	0					
114	2	0	2	0					
115	4	0	0	0	No. Sublegal (<140 mm)	215	88	199	11
116	1	0	1	0					
117	1	0	3	0	No. Legal (>139 mm)	74	0	68	0
118	4	0	1	0					
119	5	0	4	0	Total	289	88	267	11
120	4	0	4	0					
121	5	0	5	0					
122	2	0	6	0					
123	7	0	2	0					
124	5	0	8	0					

Appendix Table 4. Size composition of the Tanner crab catch in Experiment II by sex and pot type. Carapace width is in mm.

Carapace Width	With Boards		Without Boards		Carapace Width	With Boards		Without Boards	
	Male	Female	Male	Female		Male	Female	Male	Female
65	0	0	0	0	125	2	0	6	0
66	0	0	0	0	126	7	0	12	0
67	0	0	0	0	127	3	0	16	0
68	0	0	0	0	128	6	0	9	0
69	0	0	0	0	129	11	0	20	0
70	0	0	0	0	130	8	0	12	0
71	0	0	0	0	131	14	0	14	0
72	0	0	0	0	132	9	0	11	0
73	0	0	0	0	133	4	0	14	0
74	0	1	0	0	134	9	0	22	0
75	0	0	0	0	135	9	0	11	0
76	0	0	0	1	136	10	0	12	0
77	0	0	0	0	137	10	0	13	0
78	1	1	0	1	138	5	0	10	0
79	0	0	0	2	139	6	0	3	0
80	0	0	0	0	140	3	0	3	0
81	0	0	0	2	141	5	0	5	0
82	0	0	0	1	142	3	0	4	0
83	0	1	0	2	143	3	0	5	0
84	0	5	0	9	144	3	0	0	0
85	0	2	0	3	145	5	0	6	0
86	0	2	0	1	146	5	0	2	0
87	0	3	0	4	147	3	0	7	0
88	0	2	0	4	148	4	0	1	0
89	0	1	1	3	149	9	0	4	0
90	0	5	0	5	150	1	0	4	0
91	0	5	1	7	151	1	0	4	0
92	0	6	1	4	152	1	0	4	0
93	0	4	1	3	153	4	0	3	0
94	0	4	1	8	154	3	0	4	0
95	0	3	1	4	155	2	0	2	0
96	0	6	0	3	156	2	0	3	0
97	0	6	4	7	157	0	0	2	0
98	0	4	1	4	158	0	0	0	0
99	0	3	0	3	159	2	0	1	0
100	0	1	0	3	160	1	0	0	0
101	1	0	2	5	161	2	0	0	0
102	0	0	2	7	162	2	0	2	0
103	0	2	4	2	163	1	0	2	0
104	1	1	3	0	164	0	0	1	0
105	0	0	5	1	165	0	0	0	0
106	0	0	0	0	166	0	0	0	0
107	0	0	1	0	167	0	0	0	0
108	2	1	3	2	168	0	0	0	0
109	0	0	2	0	169	0	0	0	0
110	0	1	4	0					
111	1	0	1	0					
112	2	0	4	2					
113	2	0	2	0					
114	2	0	2	0					
115	0	0	5	0	No. Sublegal (<140 mm)	165	70	294	103
116	1	0	3	0					
117	2	0	3	0	No. Legal (>139 mm)	65	0	69	0
118	8	0	5	0					
119	3	0	7	0					
120	3	0	4	0	Total	230	70	363	103
121	5	0	6	0					
122	6	0	8	0					
123	8	0	7	0					
124	4	0	15	0					

Appendix Table 5. Catch of species other than halibut and crab by experiment and pot type.

Species	Experiment I		Experiment II	
	Side-entry	Top-entry	With boards	Without boards
Cottids (<i>Hemilepidotus</i> spp.)	1	—	—	—
Lingcod (<i>Ophiodon elongatus</i>)	15	—	—	—
Pacific cod (<i>Gadus macrocephalus</i>)	27	2	1	2
Sablefish (<i>Anoplopoma fimbria</i>)	2	—	—	—
Skate (<i>Raja</i> spp.)	1	—	—	—
Spiny dogfish (<i>Squalus acanthias</i>)	1	—	—	1
Turbot (<i>Atheresthes stomias</i>)	3	—	—	—
Walleye pollock (<i>Theragra chalcogramma</i>)	—	—	2	—
Yelloweye rockfish (<i>Sebastes ruberrimus</i>)	1	—	—	—

Appendix Table 6. Results from analysis of variance on Experiment 1.

Source	Degrees of freedom	Catch of Halibut														
		Day 1			Day 2			Day 3			Day 4			Day 5		
		Sum of squares	Mean square	F	Sum of squares	Mean square	F	Sum of squares	Mean square	F	Sum of squares	Mean square	F	Sum of squares	Mean square	F
Total	40	91.00			193.80			71.00			30.00			54.00		
Mean	1	30.62			68.00			27.23			4.90			19.60		
Row	3	2.87			30.20			0.27			0.90			3.40		
Column	9	4.13			32.00			2.03			6.10			3.40		
Pot type	1	27.23	27.23	26.96*	54.50	54.50	155.71*	24.03	24.03	35.87*	4.90	4.90	9.61*	16.90	16.90	41.22
Residual	26	26.15	1.01		9.10	0.35		17.44	0.67		13.20	0.51		10.70	0.41	
Catch of Tanner Crab																
Total	40	830.00			7.00			29.00			8595.00			2162.00		
Mean	1	72.90			0.63			3.03			3822.02			940.90		
Row	3	151.70			1.08			7.07			427.07			330.90		
Column	9	209.10			1.13			5.73			3150.23			303.10		
Pot type	1	0.40	0.40	0.03	1.25	1.25	11.36*	0.03	0.03	0.06	164.03	164.03	4.14*	8.10	8.10	0.36
Residual	26	395.90	15.23		2.93	0.11		13.14	0.51		1031.25	39.66		589.00	22.65	

*Significant at p = 0.01

Appendix Table 7. Results from analysis of variance on Experiment II.

Sources	Degrees of freedom	Catch of Halibut								
		Day 1			Day 2			Day 3		
		Sum of squares	Mean square	F	Sum of squares	Mean square	F	Sum of squares	Mean square	F
Total	20	42.00			37.00			59.00		
Mean	1	24.20			24.50			26.50		
Row	1	0.80			0.50			0.50		
Column	9	8.80			7.00			17.00		
Pot type	1	5.00	5.00	12.50*	1.40	1.40	2.75	8.50	8.50	10.49*
Residual	8	3.20	0.40		3.60	0.51		6.50	0.81	

Catch of Tanner Crab										
Sources	Degrees of freedom	Sum of squares	Mean square	F	Sum of squares	Mean square	F	Sum of squares	Mean square	F
Total	20	5170.00			3623.00			10,010.00		
Mean	1	2737.80			1549.40			6,195.20		
Row	1	192.20			53.40			245.00		
Column	9	1539.20			1367.10			1,951.80		
Pot type	1	7.20	7.20	0.08	46.70	46.70	0.54	924.80	924.80	10.67*
Residual	8	693.60	86.70		606.40	86.60		693.20	86.65	

*Significant at $p = 0.01$

Note: On Day 2, the degrees of freedom for the total, main effects and residual are 18, 1, 1, 8, 1 and 7, respectively.

Personal Comments: Tad Fujioka

Dec 18 2011

Proposals: 149: Oppose, 183-189: Comment, 198: Oppose

Note: I am the chairman and trapping representative of the Sitka AC, but these comments are my own, not official AC positions. I have about 30 years experience as a non-commercial user of the Southeast shellfish resources.

Proposal 149 Personal Use and Subsistence Crab Ring Limits: I have harvested Dungeness, tanner & red king crab for personal and family consumption for many years using both pots and rings. I have fished both the Juneau and Sitka areas- most extensively in 11-A (Juneau). Proposal 149 is a combination of several different changes that ideally would have been considered separately. While perhaps one of these changes may be needed, other aspects of the proposal are not necessary, or are otherwise flawed. Specifically the proposal seeks to:

- a) Establish a standard ring limit of 10 rings per person and 20 per boat in all non-commercial shellfish fisheries. In most of the Southeast region, there is no need for a specific limit on the number of rings and if there was a need for such a limit, 10 and 20 are far too high to be meaningful. Unlike pots, rings by their nature do not accumulate additional crab when allowed to soak for extended periods of time. In order to be effective, rings must be actively fished. A boat that is running 20 rings will not be able to turn them over quickly enough to gain any advantage over a boat running half as many (or even less). *Running an excessive number of rings is a disadvantage.* The more rings that you run, the more bait that you need, the longer the time at the beginning of the day before you can harvest your first crab and the greater the opportunity for crab to have stolen bait off a ring. It takes at least 5 to 10 minutes to pull and re-deploy a ring and then move on to the next buoy. If there are enough crab in the area to be worth ringing for them, the rings will be at capacity within 20-45 minutes. Thus, there is no advantage to running more than six to nine rings. Any additional rings will not increase your total catch. Crab fishermen know this, and do not fish 20 (or even 10) rings at a time.

This proposal calls for a lengthy addition to existing regulations. In addition, to unnecessarily cluttering up the regulation book (Note that the proposal itself covers nearly three pages in the proposal book.) with a rule that makes about as much sense as prohibiting a flyfisherman from simultaneously using more than three flyrods, the imposition of ring limits is actually harmful to the crab resource. Rings, because they do not restrain the crab, do not lead to the cannibalistic actions that can occur in pots when too many crab are caught or when some soft-shelled crab are mixed with hard shelled crab. Rings, unlike pots, do not ghost-fish when they are lost, nor do they ever catch so many crab that great numbers are thrown back. For all of these reasons, rings cause less harm to the unharvested crab stocks and thus fishermen should be encouraged to use rings over pots whenever ringing is feasible. One of the ways to do this is to limit the number of pots, but not limit the number of rings that may be used.

While at times there may be a need to use EO authority to restrict the number rings allowed in the area 11-A Personal Use king crab fishery in order to keep the pace of the fishery at a manageable level, such a limit should:

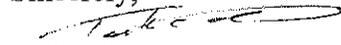
- i) be sufficiently liberal in comparison to the pot limit so as to encourage the use of rings over pots for the reasons mentioned above, and
 - ii) *not* be used as a reason to apply ring limits to other less competitive crab fisheries in Southeast that do require slowing the fishery down for management reasons.
- b) Reduce the limit on the number of pots (and rings) that may be used to take Personal Use Dungeness and tanner in area 11-A to the number of king crab pots (or rings) allowed in that area. If there was no legal or practical distinction between a king crab pot and a pot used to take the other species of crab, I could understand the reason for this change. However, 5 AAC 77.664 f. requires that "A pot used to take king crab... must have at least two escape rings... not less than 6-1/4 inches inside diameter." As any pot with such large escape holes would not retain a Dungeness or tanner crab that wanted to leave, there is no need to reduce the pot limits for the latter species. Additionally, standard non-commercial Dungeness and tanner pots are not large enough to be very effective on king crab. While there may be a need for a highly restrictive limit on the number of king crab pots in area 11-A in order to slow down the fishery, this limit only needs to apply to pots that are legal for king crab. There is no need to similarly limit Dungeness or tanner fishermen simply because they are fishing during the same time of year when the gear used is so different.

Proposals 183-189 Spreading Out Commercial Geoduck Harvest: While each of these proposals is unique, they share the common goal of making the commercial geoduck fishery less competitive. The Sitka Advisory Committee spent several hours discussing the current state of the fishery and how it could be improved. (Please see Sitka AC comments for this discussion.) The two main problems with the current competitively fishery that the *Sitka Geoduck Marketing Association* brought to our attention are that 1) the concentrated harvest floods the live clam market and devalue their product and 2) the competitiveness of the fishery further sacrifices diver safety in what is already a highly dangerous fishery. The latter concern looms much larger for me personally than the former. We should not be requiring these divers to work in conditions that we know to be unsafe when we can easily address at least some of the problem. While equal shares (proposals 183 & 184) would be one way to do this, any proposal to reduce the competitiveness (most specifically proposals 187, 188 & 189) of the fishery would help. As for the economic issue, my major concern is that historically when highly competitive fisheries have become non-competitive through regulation, (i.e. IFQ's) the permit holders do very well financially, but the wealth is not evenly shared with other stakeholders- like deckhands. I would like the BOF to include some manner of assuring that the people who have historically worked as dive tenders in this fishery are provided for if the fishery goes to equal shares.

Proposal 198 Close Subsistence Razor Clam fishery in Sitka Sound Special Use Area: There is little argument that the razor clam levels in Sitka Sound are currently much lower than in the past. Furthermore, most people understand that the clam population to remain low until the sea otter population declines significantly (whenever that may be). However, it is important to realize that there still is a viable clam population. While a small fraction of what once existed, there are still clams on the beaches- fewer and smaller than in the past, but still present. I agree that they are not numerous enough to justify allowing for an intensive fishery, but neither are the clams currently so imperiled as to justify a complete closure of the subsistence fishery.

While perhaps not abundant enough to allow for a harvest of nutritional significance, there are enough clams to allow for a token subsistence fishery- say a harvest of 5/day with perhaps an annual limit as well. Keeping a subsistence fishery on the books has multiple benefits. First there is the spiritual importance to the participants, but also there is a benefit to the resource by having harvesters in the field to keep an eye on the population and able to spot changes in the clam levels. *A resource with no users is a resource that is forgotten.* The department has been unable to fund a razor clam survey in the area for the past 9 years, with no particular hope for a change to that situation in the foreseeable future. If the area is entirely closed and there are no future surveys, who will watch it? How will we know if the clams come back, or if they disappear entirely?

Sincerely,



Tad Fujioka

Proposal 166

I am in favor of this proposal . I participated in the commercial Dungeness fishery in area 2 in 2009 and in area 1 in 2010 and 2011. I have also harvested Dungeness commercially in areas 3,6,8,11 and I have seen no noticeable differences in the quality of crab. There is not a magic line running from Lemesurier Point to Narrow Point that makes all the crab south of it soft. I saw very very few soft crab fishing in area 1+2, far less than I normally see in area 6.

Leaving area 1 open and reopening 2 will be good for the fishery as a whole. The Dungeness crab fleet is being pushed into a smaller and smaller area putting more pressure on the crab stocks in those areas that have not been closed or have been devastated by the increasing otter population. Leaving area 1+2 open will help spread out the fleet .

As for subsistence use area 1+2 produce far more crab than is needed to support a subsistence lifestyle . Granted there will be fewer legal crab while the area is open for commercial use. However, if you can't catch enough crab for dinner you are not going to find commercial guys there. Also subsistence users are able to fish any time of year if they want to fish when the crab are more abundant .

Another thing to consider is the fact that there are subsistence users in the rest of Southeast Alaska. Are we going to shut down all the other areas in the summer so that they can have the resources all to themselves? I am sure those in Coffman cove would like area 5 and I'm sure there is some in Duncan Canal that would like to have all of area 6 to themselves .

I live in area 2 and I have gear in the water right now, Dec 26, which I am going to pull out even though I am still catching crab. This is a bad time of year to be fishing, there are females full of eggs in every pot as well as soft shell crab. If we are actually concerned with the health of the resource then why is it open right now?

Some subsistence users are going to claim that they can only catch 20% of what they used to. However, if we look at the stats for all of area A the total catch cycles from just over 2 million pounds to over 7 million pounds. Would it not make sense for area 1+2 to cycle as well again? These are the same crab as the rest of Southeast.

If you do find it necessary to close a small area for the village of Kasaan I would recommend Kina Cove. It has sufficient stocks to support their needs and would be easy to designate.

Thank you for considering my thoughts when making your decision .
Gary Adkison jr

Proposal 165:

Changing the wording of the law to 'similar' would be a huge relief. I am sure I could be fined right now if the troopers wanted to. A small skim of ice can alter the shape of a buoy or scrape some of the paint off. It is impossible to have identical buoys. There are not enough buoys on the market for all crabbers to have their own distinguished buoy pattern without painting part of or all of a buoy. If you do use paint it is going to get scuffed leaving one buoy different than another. Other fisheries don't even require the buoys be similar. I have seen shrimp boats with 20 buoys all different shapes colors and sizes.

Thank you for considering my thoughts when making your decision .
Gary adkison jr

Petersburg Vessel Owners Association

PO Box 232

Petersburg, AK 99833

Phone & Fax: 907.772.9323

pvoa@gci.net • www.pvoaonline.org

December 27th, 2011

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

RE: BOARD OF FISHERIES 2012 SOUTHEAST SHELLFISH PROPOSALS

Dear Chairman Johnstone and Board Members,

PVOA is a diverse group of over 100 commercial fishermen and businesses operating primarily in Southeast Alaska. Our members provide millions of meals to the public annually by participating in a variety of fisheries statewide including salmon, herring, halibut, cod, crab, blackcod, shrimp, and dive fisheries. Many PVOA members are also active sport, personal use, and subsistence fishermen who depend on sustainable and conservative management of Alaska's fishing resources to ensure healthy fisheries for the future. We appreciate the opportunity to comment on 2012 Southeast Board of Fish shellfish proposals. PVOA members reached general consensus on the following proposals:

SPORT, PERSONAL USE AND SUBSISTENCE SHELLFISH

#140- SUPPORT, Harvest record required, annual limit. Establish a catch reporting system for subsistence, personal use, and sport shellfish. PVOA members are committed to improving record keeping and reporting whenever possible as accurate accounting is a cornerstone of sustainable fisheries management in Alaska. Recognizing that improved record keeping and reporting for the personal use, subsistence and sport fisheries will increase costs associated with managing these fisheries, we are fully supportive of advocating for these funds at the State Legislature.

#141- OPPOSE, Prohibit bottomfishing and shellfish near Cache Island by all users. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area. Closing areas to personal use and commercial fishing forces further crowding into areas traditionally fished by personal use and commercial harvesters.

#142 – OPPOSE, Prohibit nonresidents from fishing for bottomfish and shellfish in a portion of Behm Canal. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area

#143 – OPPOSE, Prohibit nonresidents from fishing for bottomfish and shellfish in a portion of Naha Bay. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area

#144- OPPOSE, Prohibit nonresidents from fishing for bottomfish and shellfish near Cedar Island. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area

#145- SUPPORT, Reduce the shrimp pot limit for sport shrimp fishery. PVOA supports actions that establish reasonable limits for sport harvest. The bag limit under this action remains unchanged, it is simply reducing the pot impact of sport harvesters.

#146- SUPPORT, Close sport fishing for Dungeness crab in areas closed to commercial fishing. In order to truly protect opportunity for local harvesters (subsistence and personal use), all areas closed to commercial fisheries need to be closed to the sport fisheries as well. PVOA would also strongly support re-opening areas closed to commercial harvest where no biological reason for closure exists.

KING AND TANNER CRAB

#148- OPPOSE, Allocate all harvest of king crab in Section 11-A (Juneau area) to the personal use fishery. The current allocation between commercial and sport in Section 11-A is 40% commercial and 60% sport. 2011 was the first year a commercial fishery for red king crab had been conducted since 2006, and the allowed amount of crab harvested by the commercial fleet in Section 11-A was set very low at 9,000 pounds. The commercial fishery in Section 11-A was also limited to only 24 hours. A season opening of one day and only 9,000 pounds to be harvested in Section 11-A is an extremely conservative measure and ensured that the 60% allocation of red crab to the personal use fishery would be protected. The Department/industry collaborative survey has taken great strides to help improve biomass estimates of red king crab and PVOA is committed to ensuring that these survey efforts be expanded to the Juneau area to help gain a better understanding of the population in Section 11-A.

#149- SUPPORT, Establish ring net limits on personal use and subsistence crab harvest. This Department generated proposal establishes reasonable means of harvest without restricting harvest. Currently, no ring net limits are in

place for most of these fisheries. This proposal will also create consistency with the Section 11-A personal use red king crab fishery and allow for more effective management of crab throughout Southeast Alaska.

#150- SUPPORT, Establish king and Tanner crab size limits in the personal use and subsistence fishery. This Department generated proposal would create consistency between personal use and subsistence size limits of crab ensuring less confusion for harvesters. Consistent regulations would result in fewer unnecessary violations for harvesters. PVOA is supportive of regulations that ensure that female and immature crab are left in the water to contribute to the biomass.

151- SUPPORT, Amend live holding regulations for personal use and subsistence king and Tanner crab fisheries. This Department generated proposal would strengthen existing regulations and would discourage individuals from subverting bag and possession limits.

#152 & 153- NEUTRAL, Revise the Southeast Red King Crab Management Plan to allow equal quota harvest for commercial permit holders when the threshold of available biomass is below 200,000 pounds. PVOA members were unable to reach consensus on this issue, however they were supportive of removing the arbitrary 200,000 pound threshold for the red king crab fishery. This proposal is potentially allocative if red king crab biomass falls below the 200,000 pound threshold established to hold a fishery. If an equal quota harvest fishery was established for red king crab under the threshold, there is potential for the EQS fishery to become the status quo as an EQS fishery creates a precise and highly controllable overall fishery. However, the 2011 red king crab opening has shown that areas can be managed individually. The fishery was broken down into four areas, each with their own harvest objective. Given the ability to manage individual areas to separate harvest objectives, an overall red king crab threshold of 200,000 pounds is arbitrary. Originally, harvesters and processors petitioned the Board for a 300,000 pound threshold for economic purposes as harvesters and processors needed 300,000 pounds to justify a fishery. As the price of crab rose, harvesters and processors once again petitioned the Board for an economic threshold which created the 200,000 pound threshold currently in regulation. There is no biological reason for the current threshold in the red king crab fishery as this crab is harvestable surplus.

#154- OPPOSE AS WRITTEN, Prohibit the use of square pots for golden king crab harvest in registration area A. Square pots are not widely used throughout the golden king crab fleet. Catch of halibut is minimal compared to other removals with square pots. Eliminating square pots from the golden king crab fishery will not likely achieve the desired result of increasing halibut biomass. However, if the Board selected a future sunset date for the use of square pots in the golden king crab fishery, it would give the small number of participants using square pots time to acquire new gear. *PVOA members would support a sunset date of January 2022 (10 years from now) for the use of square pots in the golden king crab fishery.* Allowing a 10 year sunset would also provide

opportunity for the development of halibut excluder devices for square pots. Excluders effectively reduce bycatch in other pot fisheries, and similar methods could be developed for the golden king crab fishery in area A.

#155 OPPOSE, Reduce the pot limit in the golden king and Tanner crab fisheries in Area A. The fleet needs the ability to remain competitive, and setting arbitrarily low pot limits reduces that ability. The current pot limits for both golden and Tanner crab work. Ex-vessel prices of golden king crab are high and the live market has developed around the current pace of the fishery.

#156- SUPPORT, Clarify when six and one-half inch male golden king crab may be retained. This Department generated proposal would refine regulations to state male golden king crab six and one-half inches or greater in width of shell may be taken or possessed only during specified periods opened by emergency order. Confusion by harvesters, enforcement and the Department would be reduced.

#157- OPPOSE, Redefine the start date for Tanner and golden king crab. The current regulations are clear, the start date for the golden and Tanner fisheries shall be on the smallest Juneau tidal range between February 10th and 17th. Given the clarity of the regulations and also the internet providing the ability to research tide tables years in advance, the Department could consider issuing a news release in November of each year stating the opening of the golden and Tanner crab fishery well enough in advance for proper planning by the fleet, processors, and the Department. *This date could be reviewed a year in advance at the King and Tanner Task Force Meeting using online tide tables.*

#158- SUPPORT, Add additional Language that defines how weather delays may impact Tanner and king crab fishing. This Department generated proposal is consistent with regulations in other fisheries and sets in regulation an effective and necessary protocol for the Department to follow in the case of extreme weather similar to other fisheries throughout the state.

#159- NO CONSENSUS. Amend regulation to allow 120 pots for vessels with two Tanner permit holders onboard. Some PVOA members cited concern over the loss of crew jobs and vessels in the fishery that has been operating effectively with the current level of permits and vessels fishing. Concern was also raised over the need for most permit holders to purchase an additional permit just to remain competitive with the rest of the fleet. Members were also concerned that by allowing permit stacking it would encourage latent permits to be fished which currently aren't fishing. In 2011, 48 out of the 82 permits fished which indicates that significant latent permit effort could be realized if permit stacking is allowed. Other PVOA members felt that increased efficiency is something the fleet should strive for, and permit stacking has the potential to increase efficiency. If permit stacking resulted in less vessels fishing, permit holders could see an increase in revenue and catch rates while decreasing the amount of gear in the water.

#160- NO CONSENSUS, Allow for the use of additional pots in the king and Tanner fisheries for vessels with two permits. PVOA members felt that the proposal may be more appealing if it were only for red crab, given it is a marginal fishery with only 65 permit holders. General consensus indicated that there is interest in discussing this proposal further at the King and Tanner Task Force meeting and providing direction in that forum.

DUNGENESS CRAB

#161- OPPOSE, Close commercial Dungeness crab fishing in Taku Harbor. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area. Closing areas to commercial fishing forces further crowding and consolidation into areas traditionally fished by other commercial harvesters. PVOA is opposed to action that restricts commercial fishing and allows the continuance of sport fishing which in some cases matches or exceeds commercial harvest. Although we are opposed to closing areas to only commercial fishing, we feel that more appropriate proposals would close areas to commercial AND sport, therefore leaving true opportunity for local residents and subsistence harvesters.

#162- OPPOSE, Close commercial Dungeness crab fishing in Swanson Harbor. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area. Closing areas to commercial fishing forces further crowding and consolidation into areas traditionally fished by other commercial harvesters. PVOA is opposed to action that restricts commercial fishing and allows the continuance of sport fishing which in some cases matches or exceeds commercial harvest. Although we are opposed to closing areas to only commercial fishing, we feel that more appropriate proposals would close areas to commercial AND sport, therefore leaving true opportunity for local residents and subsistence harvesters.

#163- OPPOSE, Close commercial Dungeness crab fishing in Excursion Inlet. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area. Closing areas to commercial fishing forces further crowding and consolidation into areas traditionally fished by other commercial harvesters. PVOA is opposed to action that restricts commercial fishing and allows the continuance of sport fishing which in some cases matches or exceeds commercial harvest. Although we are opposed to closing areas to only commercial fishing, we feel that more appropriate proposals would close areas to commercial AND sport, therefore leaving true opportunity for local residents and subsistence harvesters.

#164- OPPOSE, Close commercial Dungeness crab fishing in Ketchikan area. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no

biological reason to close an area. Closing areas to commercial fishing forces further crowding and consolidation into areas traditionally fished by other commercial harvesters. PVOA is opposed to action that restricts commercial fishing and allows the continuance of sport fishing which in some cases matches or exceeds commercial harvest. Although we are opposed to closing areas to only commercial fishing, we feel that more appropriate proposals would close areas to commercial AND sport, therefore leaving true opportunity for local residents and subsistence harvesters.

#165- SUPPORT, Amend regulation regarding buoy markers in the Dungeness crab fishery. Requiring that all buoy markers be identical is unrealistic and overly burdensome in a fishery where up to 300 pots can be fished by individuals. Creating and maintaining an identical string of buoy setups is impossible. By replacing the word identical with similar, it will allow for small yet acceptable variances in buoy setups.

#166- SUPPORT, amend the season dates for the commercial Dungeness crab fishery in Districts 1 and 2. There is no biological or conservation reason to have any district closed to Dungeness crabbing in the summer season. There are NO other areas in Southeast that are closed to the summer fishery besides District 2. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area. Closing areas to commercial fishing forces further crowding and consolidation into areas traditionally fished by other commercial harvesters. PVOA is opposed to action that restricts commercial fishing and allows the continuance of sport fishing which in some cases matches or exceeds commercial harvest. Although we are opposed to closing areas to only commercial fishing, we feel that more appropriate proposals would close areas to commercial AND sport, therefore leaving true opportunity for local residents and subsistence harvesters.

SHRIMP

Proposal #168 Revise management plan for the southeast pot shrimp fisheries allowing extra fishing time per subdistrict. PVOA is supportive of the concept, however defers this shrimp action to the Shrimp Task Force for further definition, clarification, and stakeholder input. PVOA highly encourages the Shrimp Task Force to meet to discuss all shrimp proposals.

Proposal #169 Establish section subdivisions in all districts of shrimp fisheries. PVOA is supportive of the concept, however defers this shrimp action to the Shrimp Task Force for further definition, clarification, and stakeholder input. PVOA highly encourages the Shrimp Task Force to meet to discuss all shrimp proposals.

Proposal #170 Revise the commercial southeast Pot Shrimp Fishery Management Plan utilizing inseason catch data. PVOA is supportive of the concept, given the uncertainty of shrimp biomass due to lack of adequate

surveys, this proposal would utilize catch data to help determine closures. However, PVOA defers this shrimp action to the Shrimp Task Force for further definition, clarification, and stakeholder input. PVOA highly encourages the Shrimp Task Force to meet to discuss all shrimp proposals.

Proposal #171- Establish a spawner index system for the southeast spot prawn fishery. PVOA is supportive of utilizing a spawning index to manage the shrimp fishery, however we refrain from taking a position on these proposals until more stakeholders provide input and the Department finalizes their comments. Support was expressed for utilizing a spawning index as the Canadian fishery is currently managed under a similar program. Members felt that the successful Canadian model may be a better way to manage the Southeast shrimp fishery. Concern was raised regarding adoption of these proposals due to the potential ability of shrimpers to then participate in the Dungeness crab fishery which would create additional effort in a fully-utilized fishery.

Proposal #172 – OPPOSE, Close the commercial shrimp fishery in the vicinity of Skagway from September 1 to March 1. PVOA is opposed to actions that close areas to fishing when there is no conservation concern for the overall stock of the area, or where there is no biological reason to close an area. Closing areas to commercial fishing forces further crowding and consolidation into areas traditionally fished by other commercial harvesters. PVOA is opposed to action that restricts commercial fishing and allows the continuance of sport fishing which in some cases matches or exceeds commercial harvest. Although we are opposed to closing areas to only commercial fishing, we feel that more appropriate proposals would close areas to commercial AND sport, therefore leaving true opportunity for local residents and subsistence harvesters.

Proposal #173 – OPPOSE, Revise the opening dates for the shrimp pot fishery in Registration Area A. PVOA members felt that moving the season date back by one month would not improve quality enough to justify starting a fishery in the harsh November weather. Starting the shrimp fishery in November would also allow shrimpers to fish the fall Dungeness fishery further constraining the fully utilized Dungeness fishery. PVOA defers this shrimp action to the Shrimp Task Force for further definition, clarification, and stakeholder input. PVOA highly encourages the Shrimp Task Force to meet to discuss all shrimp proposals.

Proposal #174 – OPPOSE, Establish set times for deploying or retrieving shrimp pots in Registration Area A. By allowing the shrimp fishery to be prosecuted from 6 a.m. to 6 p.m. instead of 8 a.m. to 4 p.m. it would allow harvesters to “double haul” pots in a day which would be harder on shrimp stocks and would likely not result in the ability to avoid adverse weather as the proposal is attempting to address. PVOA members felt that the current 8 a.m. to 4 p.m. hauling time is sufficient.

Proposal #175 – OPPOSE, Revise marking requirements for shrimp pots in Registration Area A. The current regulation allowing for shrimp pots deployed

on a longline consisting of more than five pots to have at least one buoy attached to each end of the longline is adequate. By having two buoys marking shrimp gear, it makes gear more visible therefore reducing the frequency of gear entanglements and subsequently lost and fouled gear.

Proposal #176 – SUPPORT, Prohibit registration for the commercial beam trawl shrimp and Dungeness crab fishery at the same time. PVOA supports this Department generated proposal that will prohibit a permit holder from concurrent registration in the beam trawl and Dungeness fisheries as this will correct an oversight that previously allowed beam trawl fishing and Dungeness crab fishing at the same time with the same gear.

DIVE FISHERIES

#178-194 - PVOA defers to SARDFa on all dive-related proposals.

ABALONE FISHERIES

#195- SUPPORT, Reduce the bag and possession limits from 50 to 10 in the personal use and subsistence abalone fishery. This Department generated proposal will help protect vulnerable abalone stocks that have already been depleted by sea otter predation. This proposal will also create reasonable size and harvest restrictions for abalone while potentially preventing the complete closure of abalone harvest by personal use and subsistence harvesters.

#196- NO CONSENSUS, Restrict the subsistence, sport and personal use abalone fisheries. PVOA members are looking forward to information provided by the Department regarding potential impacts of this proposal on subsistence and personal use harvesters.

Thank you for the consideration of our comments on these proposals. We look forward to further discussing these proposals at the January 2012 meeting in Petersburg where PVOA members will be available to provide additional information. If we can answer any questions or provide any further details, please feel free to contact us.

Sincerely,

Julianne Curry
Director

December 28, 2011 OPPOSING proposal 166

To whom it may concern:

I seems silly that I feel like I have to write to you again, after just going through a major summer crab loss experience in 2009, but these crab are just to important to myself and all the people in district 2 for me to quietly let it happen.

The proposal to open district 2 feels like an attempt to weaken our people. It doesn't seem right that the issue should keep coming back to the table for reopening. The Kasaan people have used the entire district 2 area for hundreds of years for all subsistence activities and continue to do so. We also let the Hydaburg people subsist in this area as well as other Prince of Wales people. Proposal 166 suggests that seaotter are one of the big reasons to propose desperate measures. I suggest that if seaotter are the problem then perhaps measures should be taken to manage them rather than make things worse by devastating district 2 with a summer crab opening.

It is well known that a crab could hardly be found in the early eighties. My family wouldn't even try to catch them because we couldn't get enough for a meal and we didn't want to further damage the resource. Because of this depletion the summer crab fishery was closed in this area. It took many, many years for the crab population to reach healthy numbers.

During the summer opening in 2009 the effect was immediate. People weren't able to get any legal crab. Myself and others repeatedly set pots and came up with just a few small soft crab, some with signs of damage. When walking on the beaches I noticed a more than normal amount of dead Dungeness along the high water mark. These soft summer crab, whether large or small are easily damaged or killed by commercial fishing operations.

Without analyzing every detail to state the reasons why, I will just state the very simple facts.

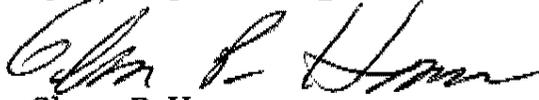
The summer crab fishery is devastating to our people, and the crab, in both short and long term.

The summer crab fishery gives the commercial crabbers a short term fix, and is devastating to them in the long term. This was well evidenced in the 1980's.

The winter commercial crab fishery has been working very well for many years now, to everyone's benefit, with both subsistence and commercial users meeting their needs.

I pray every day that you will keep the summer crab fishery in district 2 closed permanently.

Thank you for protecting our resources,



**Glenn P. Hamar
PO BOX KXA-4
Kasaan Ak, 99950**



ORGANIZED VILLAGE OF KASAAN

P. O. Box 26-Kasaan
(907) 542-2230

* Ketchikan, Alaska 99950-0340
* (fax) 907-542-3006

Attn: BOF Comments
Boards support section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811-5526

Re: Proposal 166 - "Oppose"

We the Organized Village of Kasaan adamantly oppose proposal 166 as it will interfere with our customary and traditional levels of Dungeness crab. The one summer Dungeness commercial season that took place has already damaged our ability to get our customary and traditional levels of Dungeness crab.

With our catch rate down and the price of fuel it is already difficult to gather our levels. If the Summer Dungeness crab season was to continue in district #2 it would have made it impossible to compete with the commercial fleet while fishing the same areas at the same time.

in Polk Inlet I personally set my Dungeness prior to, during and after the summer Dungeness crab commercial fisheries. Please see my outcome of these efforts below.

I Ronald Leighton do hereby state that on June 10th 2009 near latitude 55.20.12 and longitude 132.25.28 located near Rock Creek in Polk Inlet I placed 3 baited crab traps at about 7 p.m.. On June 11th 2009 at about 7:30 p.m., I pulled the same three crab traps and inventoried the crab that they caught as follows.

- (15) Soft shelled Dungeness crabs.**
- (2) Female Dungeness crabs.**
- (3) Under sized Dungeness crabs.**
- (13) Legal hard shelled Dungeness crabs.**
- (33) Total Dungeness crabs.**

On July 24th 2009 at about 10 a.m. near latitude 55.20.12 and longitude 132.25.28 located near Rock Creek in Polk Inlet I placed 3 baited crab traps at about 6.20

pm. On July 25th at about 6:50 p. m., I pulled same three crab traps and inventoried the crab they caught as follows.

- (4) Soft shelled Dungeness crabs.**
- (1) Female Dungeness crab.**
- (2) Under sized Dungeness crabs.**
- (2) Legal hard shelled crabs.**

By this time last year I would have at least 80 Dungeness crab put up and frozen vacuumed packed for the year. I don't fish when the commercial fishery is going on and I don't fish in the winter months. I normally fish in July when the picking is good and when the crab is hard shelled.

I also set 3 baited crab pots in Little Goose bay near lat & long 55.23.15 and 132.23.00 on 8/19/2009 at about 5 p.m. and pulled same on 8/20/2009 at about 6p.m.. The catch was horrible 8 soft-shelled, 1 female, 2 undersized and 2 legal size hard-shelled.

In years past I would only keep the very biggest 20 and would catch about 15-20 crabs per trap with ease.

I saw in June this bay was peppered with commercial pots.

On June 7th 2011, at about 10a.m., I set the same three Dungeness crab traps baited with the same manner as they were in my test sets in 2009. The traps were placed at latitude 55.20.12 and longitude 132.25.28 and on June 8th 2011, I pulled and inventoried these pots. It was not good there were only 2 undersized Dungeness crab, 1 female and nothing else in the traps. I set these same traps in little goose bay on June 8th at about 11a.m. and pulled them at about 9a.m. on June 9th, there were 3 females 2 undersized males and 3 soft-shelled males. There were 5 legal sized male keepers. Again this was not good as in the past prior to the summer commercial Dungeness crab fishery being fished in district #2, I would have at least 20 very large keepers.

When the Yakutat Dungeness commercial crab fishery was closed down in 2001 the area that was set aside to no commercial fishing and geared only to subsistence was also damaged for whatever reason. It was probably wiped out by large numbers of predators moving into the area because of the lack of food in the commercial depleted areas! None the less this shows that areas set aside from being fished commercially do not always work.

For these reasons that show that this summer commercial Dungeness season that was opened in 2009 in district #2 has already damaged our ability to gather our

our customary and traditional catch levels. By opening this district #2 to Summer Commercial Dungeness crab fishing it will be outside the states constitution and laws and will further damage our abilities to gather our Dungeness crab. It will also have a drastic effect on the fall Dungeness Commercial crab fishery, this shows in the catch level.

I have spoken with many of the residence in Kasaan and in the surrounding areas and all have realized a drastic drop in their catch levels of subsistence Dungeness crab

For all of these reasons we will hope your review of this proposal #166 that it be voted down from further action by the boards January 2012 shellfish meeting.

Yours Truly,



Ronald Leighton

Vice-President

Chairman for the customary and traditional use committee

Organized Village of Kasaan



ORGANIZED VILLAGE OF KASAAN

P. O. Box 26-Kasaan
(907) 542-2230

* Ketchikan, Alaska 99950-0340
* (fax) 907-542-3006

RESOLUTION OVK-12-01-001

A Resolution of the Organized Village of Kasaan, in opposition of Proposal #166 of the January 15th-22nd State Board of Fisheries Yakutat Southeast Shellfish Meeting in Petersburg.

WHEREAS, the Organized Village of Kasaan is a federally recognized Tribe organized pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) and May 1, 1936 (49 Stat. 1250); and

WHEREAS, the Corporate Charter of the Organized Village of Kasaan (Ratified October 15, 1938) states in its Purpose and Existence, "In order to further the economic development of the Indians residing in the neighborhood of Kasaan, Alaska, by conferring upon the Organized Village of Kasaan corporate rights and powers; and to enable this Village and its members to undertake enterprises designed to secure for the members of the corporation an assured economic independence..."; and

WHEREAS, the Organized Village of Kasaan (hereinafter "OVK") is governed by a Council of elected representatives composed of a President and six members who act in accordance with the powers granted to it by its Constitution and By-Laws (Ratified on October 15, 1938); and

WHEREAS, the OVK recognizes Dungeness Crab as being our No. 2 food resource tied with venison, and also that our tribal members have experienced difficulty in obtaining their customary and traditional levels ever since the 2009 Summer Commercial Dungeness Crab Fishery which too place over our objections; and

WHEREAS, the Summer Commercial Dungeness Crab Fishery in District 2 was stopped during an out of cycle agenda change request and after the presentation of new consideration and evidence review; and

The Organized Village of Kasaan is committed to promoting, preserving, and protecting indigenous Haida identity and values. For our elders and youth, we look to the future in unity, by developing economic opportunities, promoting education, and utilizing our cultural, natural, and social resources.

a federally recognized tribe

WHEREAS, it is our attention that our Tribal members and members of Kasaan realize and experienced a drastic drop in their catch rate to about 20 percent of what was normal prior to the Summer Opening in District 2 to commercial harvest of Dungeness Crab; and

WHEREAS, given the damage that has already taken place of our Dungeness Crab resource since the Summer 2009 opening and with the past stopping of the Summer Dungeness Crab Fishery in the 80s it is clear and convincing evidence that if a Summer Commercial Dungeness Crab Fishery was to open in District 2 through Proposal #166, further damage will result; and

WHEREAS, the Board of Fish through both the state constitution and its laws and regulations cannot open a fishery that has shown it is unsustainable and has demonstrated that it has done undeniable long lasting damage to the resource; and

WHEREAS, it is known that subsistence only set asides, do not work if the area open to commercial fishery surrounding it collapses as the predators of Dungeness Crab move from the collapsed area to the set aside area and because of the sheer volume of predication will cause collapse and damage to the resource there.

WHEREAS, the OVK through our constitution has to protect our resources and our Tribal citizen's rights to their customary and traditional harvest levels and will take all steps necessary to assure that their ability to harvest is not further damaged.

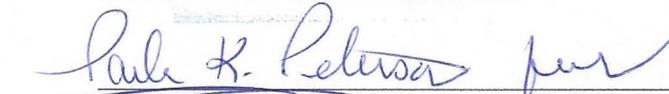
NOW THEREFORE BE IT RESOLVED, that the Organized Village of Kasaan Tribal Council requests that the Alaska State Board of Fish disapprove Proposal #166 and not open any portion of District 2.

CERTIFICATION

APPROVED, PASSED AND ADOPTED by a duly constituted quorum of the OVK Tribal Council on this 4 day of January 2012; by a "Telephone Poll"/Roll Call Vote: Della Coburn: absent, Julia Coburn: yes, Glenn Hamar: yes, Ronald Leighton: yes, Frederick Olsen: yes, and Paula Peterson: yes.



Richard J. Peterson - President



Della A. Coburn - Council Secretary

ATTESTED:

**Dan & Liz Williams
Box KXA
Ketchikan, Alaska 99950**

December 29, 2011

**Shannon Stone
Alaska Board of Fisheries
P O Box 115526
Juneau, Alaska 99811-5526**

Subject: Objection to Proposal #166 – 5 AAC 32.110. Fishing Seasons for Registration Area A. Revise season dates for commercial Dungeness fishery in Southeast Districts 1 and 2.

We have attached the letter we wrote in February of 2010 supporting the closure of the summer Dungeness Crab Fishery in Area A, District 2. We would again like to have that letter put in the record as part of our objection to Proposal 166. It documents the depletion of the resource of the Dungeness crab after only 1 year of opening the summer fishing of Dungeness crab in Area A, District 2.

Our crabbing this year was once again dismal. We first set pots in our favorite spots in Mckenzie Inlet but after 4 sets, all water hauls, except for one female which we returned. We then tried Polk Inlet with a little more success. In our first two sets of 3 pots each we ended up with 13 legal but not large crabs and this was the pattern of our catch in 2011. Compared to prior years, pathetic!

It is obvious the crab resource in Area A, District 2 has not recovered from the first summer fishery opening in 2009 and we can't find any report that shows that any study has been done to show this area could support a summer fishery and maintain a healthy crab resource.

In reading Proposal 166, we cannot find anywhere that there is any concern whether or not this area would support a summer Dungeness crab fishery and still retain the long term health of the resource. What we do see in the reasoning behind Proposal 166 is that the resources in other areas have been depleted (very possibly by over fishing) so the commercial crab fishermen are looking for other harvest areas with more regard for short term financial gain than the regard for a long term viability of the resource. Mr. Bezenek's proposal to open the summer fishery for a three year period and then reevaluate is a lot like closing the barn door after the horse has been stolen.

We are adamantly opposed to the reopening of the summer crab fishery in Area A, District 2. If only one summer season can deplete the fishery to what we see now how long would it take for the repopulation of the Dungeness crab after the proposed 3 years?

Sincerely,

Dan Williams
Liz Williams
Dan & Liz Williams

**Dan & Liz Williams
Box KXA
Ketchikan, Alaska 99950**

February 26, 2010

**James Marcotte
Executive Director
Alaska Board of Fisheries
P O Box 115526
Juneau, Alaska 99811-5526**

**Subject: Support of Proposal #195 for the Closure of the Commercial
Summer Dungeness Crab Fishery in Area A, District 2**

We live in Saltery Cove, Skowl Arm, Prince of Wales Island. In years past it has been our practice to secure crab for our personal use in the following 3 areas, the Karta River, Polk Inlet and Mckenzie Inlet.

Our subsistence fishing ended up with some pretty dismal results this year. Our normal practice is to set 3 pots, let them soak overnight, pull them, take the largest and return the females and small (though legal) crabs to the water. In the past this has given us enough crab to eat fresh and to can some for winter eating. This summer we set 3 crab pots near the Karta River, let them soak overnight, pulled them and got 1 legal crab. We went up Polk Inlet to crab and there were so many pots blanketing the area that we did not attempt to fish there. In Mckenzie Inlet we ended up with 3 legal size crab. We gave up trying to get crab in 2009 because the amount of crab we caught was not worth the time and fuel invested to catch them.

We believe that the summer crab fishery was instituted without any science or prior study applied to protect the long term viability of the Dungeness crab in this area and that the continued summer fishery of Dungeness crab in this area is destructive and should be ceased immediately.

Sincerely,
Dan Williams
Liz Williams
Dan & Liz Williams

State of Alaska

Sean Parnell, Governor

Commercial Fisheries Entry Commission

8800 Glacier Hwy, #109

P.O. Box 110302

Juneau, AK 99811-0302

MEMORANDUM

To: Monica Wellard, Executive Director
Alaska Board of Fisheries
Alaska Department of Fish and Game

Date: December 29, 2011

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



From: Commercial Fisheries Entry Commission
Bruce Twomley, Chairman
Peter Froehlich, Commissioner
Benjamin Brown, Commissioner

Subject: Proposals 159 and 160: Southeast
and Yakutat Crab, Shrimp, and Misc.
Shellfish; January, 2012 meeting.

This memorandum provides comments by the Commercial Fisheries Entry Commission (CFEC) on Proposals 159 and 160 that the Alaska Board of Fisheries (Board) will consider at their January, 2012 meeting in Petersburg.

Each of these proposals was heard by the Board in January, 2009 (then identified as Proposals 184 and 185, respectively). At that time, the Board tabled each proposal and referred them to the Board's Restructuring Committee. We recognize our role to assist the Board with restructuring proposals and as such respectfully submit our comments.

Proposals 159 and 160 each contain elements in common with "dual permit" operations. CFEC has helped disseminate the idea of dual permit operations as an option for restructuring Alaska's salmon fisheries.¹ In typical dual permit operations, two permit holders fish concurrently on one vessel. The vessel is then allowed to deploy more gear than a single-permit operation. The Board has implemented dual permit regulations in the salmon drift gillnet fisheries in Bristol Bay and Cook Inlet, and in the Southeast roe herring gillnet fishery.² Proposals 159 and 160 are similar in that they would increase the number of pots that could be fished from one vessel in the Southeast Alaska king or Tanner crab fisheries if two permit holders are on board.

Under some conditions, dual permit regulations may serve as an important means of fleet consolidation, and to reduce fishing effort. To the extent this may help sustain the long-term economic viability and conservation of the fishery resource, CFEC supports such options.

However, for Proposals 159 and 160, we defer to the comments and data provided by the Department of Fish and Game in 2009, and more recently in December, 2011. In particular, we share the Department's concern that adoption of one or both proposals could induce currently-inactive permit holders to reenter the fisheries, thereby increasing the amount of gear in the water and shortening the season. This information leads us to

¹ For example, see *Outline of Options for Fleet Consolidation in Alaska's Salmon Fisheries*. A special report prepared for the Governor's Salmon Forum. Commercial Fisheries Entry Commission; December, 1998.

² In the Bristol Bay and Cook Inlet salmon drift gillnet fisheries, single permit vessels are allowed to fish up to 150 fathoms of gillnet, whereas dual permit vessels may fish up to 200 fathoms. In the Southeast roe herring gillnet fishery, single permit vessels are allowed up to 50 fathoms of gillnet; dual permit vessels may fish up to 75 fathoms.

conclude that dual permit regulations, as currently suggested in these proposals, may not be appropriate for the king and Tanner crab fisheries in Southeast Alaska at this time.

Nevertheless, if the Board were to adopt these proposals, either as written or in an amended form, we would like to call attention to 5AAC 39.130 (c), which lists the requirements for data that should appear on fish tickets. This regulation was recently amended to include provisions for collecting data on dual permit operations. The regulation includes a requirement to record the CFEC permit number of the second permit in a dual operation. Because Proposals 159 and 160 appear to fit the definition of dual permit use, we believe appropriate data would need to be collected on fish tickets for these fisheries if one or both proposals are adopted.

Thank you for accepting these comments. As always, we are ready to support the Board. We are interested in other comments submitted to these and other proposals, and will monitor them. We will also be reviewing the proposals for future Board meetings held in 2012, and we expect to submit comments for some of those as well.

I do not support proposal 270.

Members of the Board,

This proposal seems reasonable on the surface but it is not. It is just another example of the culture within the process that unfairly favors commercial fishing interests over ordinary Alaskans' personal use.

I will give you an example to illustrate my point.

In the past ADF+G had a justified biological concern over Rock Scallops, and submitted a proposal to limit their bag limit to 4. At the board meeting in Sitka a commercial fisherman in the audience suggested weather vane scallops also be limited. The board responded by assigning a "stakeholders" group out of audience members and asked them to recommend bag limits for rock and weathervane scallops.

The "stakeholders" group consisted of several people in the commercial fishing industry, an ADF+G biologist, and a Wildlife Trooper. There was no one in the group, on the Board, or from ADF+G representing the interests of ordinary resident Alaskans.

There was no information offered to justify any action in regards to the personal use harvest of weathervane scallops. The "stakeholders" group arbitrarily recommended a bag limit of 10 and the board adopted it as a regulation without comment.

The meat from 10 weathervane scallops does not justify the time and expense required to go diving for them. This unjustified regulation effectively eliminated the personal use fishery for weathervane scallops to satisfy the whim of a single commercial fisherman.

This unfair, unjustified, regulation has been in effect for over 10 years because the Board and ADF+G disregarded the interests of ordinary resident Alaskans in favor of the commercial fishing lobby.

Proposal 270 is the same thing. It is ADF+G responding to the unfair demands of the commercial fishing lobby.

In 2010 commercial fishermen sold over 9 million pounds of sablefish from waters that are largely unfishable by ordinary Alaskans. And, they retained all they wanted for their own personal use. Yet, they want to add more restrictions on ordinary resident Alaskans who are trying to efficiently fulfill their personal use needs.

Mike Fox
Juneau

PO Box 55
Tenakee, AK 99841
27 Dec 2011

RECEIVED
DEC 30 2011
BOARDS

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

Dear Board of Fish Members:

Several months ago I received from ADFG a rather hefty booklet containing a number of proposals. It is my understanding that you will be considering each of those proposals at some point in the near future. I offer each of you my thanks (and condolences) for expending the energy to wade through all of those proposals. I have only skimmed through the booklet, but there were a number of proposals that caught my attention. I hope my comments are of some value to you in helping you measure how these proposals could affect Alaskans and in deciding which proposals are worthy of adoption.

For the record, I am an Alaskan resident. I am also a commercial fisherman. Sometimes I am also a sport or subsistence fisherman. I live in rural southeast Alaska.

PROPOSAL 140 - Harvest record required; annual limit

I agree with the general thrust of this proposal. As a commercial fisherman, I have been concerned for some years that recreational harvest levels of many species are unknown. I believe something similar to this proposal is already being done in some places (for example, for red king crab in the vicinity of Juneau).

At the same time, I am concerned about mandating the ADFG do this for every species of shellfish as that might be costly and could be unnecessary for some underutilized species.

It is unclear to me whether ADFG already has the authority to require recreational catch reporting on a discretionary basis or whether they require Board of Fish authority for each species. If not, I would encourage you to extend them that authority so that such arrangements can be made in the future on an immediate basis, however, I'm reluctant to see them forced into requiring a reporting system.

PROPOSAL 145 - Reducing shrimp pot limit for sport shrimp fishery

Support. With the bag limit being reduced there is no need to allow so many pots. The bag limit was reduced by 70%. If adopted the pot limit would only be reduced by 50%. Would cut back on mortality and "temptation."

PROPOSAL 148 - Reallocation of king crab in Section 11-A (Juneau area)

Oppose. I see no compelling reason for such a reallocation. Both personal use and commercial fisherman share responsibility for the state of the resource in this district. Reallocating to personal use fishers is not likely to improve the health of the resource. Any additional crab freed up by such action will be caught by personal use fishers. They won't survive to procreate.

PROPOSAL 152 - Allow equal quota harvest for red king crab commercial fishermen below certain biomass threshold

I am not a crab fisherman, but I would be concerned about the potential legal problems with something that basically sounds like an IFQ system. Or maybe I misunderstand the proposal.

PROPOSAL 162 - Close commercial dungeness crab fishing in Swanson Harbor

Oppose. No need to close the area. Swanson Harbor is not local to any established community. There are other months in which recreational crabbers can set their pots. Swanson Harbor is not the only place available to recreational crab fishermen. In my opinion, they can try other places and/or other times if they have poor luck in Swanson.

PROPOSAL 161 - Close commercial dungeness crab fishing in Taku Harbor

Oppose. See above.

PROPOSAL 165 - Amend regulation regarding buoy markers in Dungeness crab fishery

Support. Department of Public Safety's interpretation of "identical" is unachievable. My only concern is the vague nature of the word "similar." If that could be tightened up I would like the proposal even more.

PROPOSAL 168 - Revised management plan for southeast pot shrimp fishery

Oppose. The language in the proposal contains the word "shall" which ties the hands of ADFG and forces them to leave subdistricts open. Frankly, from my experience in this fishery, I believe this would be a good idea 90% of the time. However, from conversations with area managers, I also think there are situations where it would not be good for the resource. If the word "shall" was changed to "may" I would support this proposal.

PROPOSAL 170 - Revised Pot Shrimp Fishery Management Plan utilizing inseason catch data

I would defer to ADFG on this. I doubt they can manage the resource any better using the types of data mentioned (catch data of effort, daily catch rates, shrimp size, and gear saturation) than what they already have in place. Currently no mechanism in place to measure shrimp size, unless the author envisions ADFG having personnel present in all district to conduct the measurements themselves and I see this as unlikely due to cost. Gear saturation seems a particularly bad metric upon which to base season length and it is unclear how this could be measured (buoys per square mile?). ADFG currently conducts preseason surveys in many areas of high abundance, and uses that information to set GHGs for those areas. If ADFG thinks this is a good proposal, then I'm all for it, but it sounds poorly thought out to me.

PROPOSAL 171 - Establishing a spawner index system for Southeast Alaska pot shrimp fishery

Tentatively oppose.

A good idea, and probably the best proposal I see in the shrimp section. I would support the interim step of testing the method within selected fishing areas. One concern I have is that the spawner index might be different here than in Canada (different shrimp populations and fishery occurs at different time of year). It would be good to test and get local data.

I wouldn't go any further at this point.

Valid concerns exist regarding funding. The system is industry-funded in Canada. Our fishery is much smaller than Canadian fishery and we would generate a fraction of what they do. The spawner index system requires many local managers to be in touch with the fleet on a daily basis, sampling catch. None of them work for free. I doubt whether it could be a viable system in this region. I think it would be fair to ask the author of this proposal to estimate the cost of implementing a spawner index system for all of southeast Alaska. Those ramifications would need to be discussed more fully before I could support the proposal.

PROPOSAL 172 - Closing the commercial shrimp fishery in the vicinity of Skagway from September 1 to March 1 annually

In general I have no problem with creating small recreational use "sanctuaries" near to small rural communities. However, I'm not familiar enough with the Skagway area to know if that is what this proposal would accomplish (or if it is just another attempted resource grab). It would be helpful to know what percentage of the commercial shrimp harvest in District 15 currently comes from the proposed area. It would also be helpful to know what the historical effort (and harvest) has been in the proposed area from local recreational fishermen (hmm...perhaps another reason to support Proposal 140). District 15 has been closed to all commercial harvest for the past three seasons and it would also be helpful to know how that has affected the shrimp populations local to Skagway. Overall I would say the case as presented by the sponsors is less than compelling. Based on the proposal as written I would oppose. If they presented additional evidence that it would be a significant asset to the local community while only minimally affecting the commercial fishery, then I could change my mind.

I should add that leaving an area open to commercial harvesters between March 1 and September 1 is unlikely to be helpful at all to commercial fishermen as there is generally no open season during those dates.

PROPOSAL 173 - Changing the opening date for shrimp pot fishery

Oppose. Poorly written and a terrible idea. Not all parties would benefit. Weather is a big factor in the fishery, and the weather is generally worse in November than October. This might not affect anyone with a large boat, but

anyone with a smaller boat would suffer from having to fish in the winter. There is also no justification for the assertion that quality would be higher in November. That has never been my experience.

PROPOSAL 174 - Changing set times for deploying or retrieving shrimp pots

Oppose. The proposal rather sneakily tries to add a provision that pots may only be hauled or retrieved once per day. This represents a very big departure from current practice. Anyone who hauls more than once a day would suffer from this proposal, but the author either ignores or fails to consider this. Department of Public Safety would have a very difficult time enforcing the once per day aspect of this proposal.

The authors are correct that an 8 hour window sometimes seems short. Having said this, I believe they overstate their case. No one is "forced" to fish in severe weather, and sometimes discretion is the better part of valor.

PROPOSAL 175 - Revise marking requirements

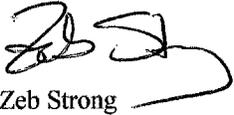
Vehemently oppose. Poorly written and a terrible idea. It is unclear how two buoy lines are unsafe. I actually feel the exact opposite is true. Strings of gear that are only marked at one end are a higher risk of tangling with other fishermen (because someone else can only make an educated guess at where the other end is likely to be located). They are also twice as likely to become lost pots, because you don't get a second chance to recover them if you break your line. The last thing the shrimp fishery needs is more lost pots and more conflict over gear tangles created by single-buoy strings. The author claims that no one is likely to suffer if this proposal passes, but I disagree. Anyone who fishes around a single-buoy numbskull fisherman is going to suffer.

PROPOSAL 312 - Management of coho salmon troll fishery

Unless there is a clear pattern of evidence that ADFG has mismanaged due to their discretion in this matter, I would prefer to leave any questions regarding closure length in their hands. The authors have offered no such evidence so I would tentatively oppose.

That is all.

Sincerely,



Zeb Strong
zebstrong@yahoo.com

RECEIVED
DEC 30 2011
BOARDS

Board of Fish,

I would like to make a few comments on proposals 161, 162, and 163. I have been a commercial fisherman for over 25 years and have been involved in many different fisheries over my career. I bought into the Dungeness fishery five years ago. I have huge concerns over the proposed closure of the areas mentioned in these three proposals, and the future of the Dungeness fishery.

First off, as you are well aware, the Dungeness fishery and other shellfish fisheries are facing some very large problems with sea otter predation. The sea otters are pushing in from the coast and are cleaning out Dungeness populations. As they move inward, the commercial fleet is forced to move farther inward as well, (away from the sea otters.) This creates challenging problems for more than just a few fishermen. It affects the entire fleet because areas farther inland from the coast are becoming more and more crowded with pots due to less area available to fish.

Secondly, as the sport fishing populations in our local communities grow the pressure on our local Dungeness populations get hit harder. Years ago in Juneau areas were taken away from the commercial fleet to compensate for this increased local pressure. As these areas are taken away, we get pushed farther away from the local communities. The information provided by the sponsor of one of these proposals states, "Commercial crabbers blanket the harbor with pots at the beginning of the opening period and remove all harvestable crab in the first week or two." This is simply not true. We fish the same areas all summer long with production going up and down all summer as the crab come out of the mud.

Therefore, the commercial fleet is getting pushed from both directions to smaller and smaller areas: inward away from the coast, and outward away from communities. Every spot taken away means the fleet is condensed to even smaller areas over-crowded with more pots. The pressure on the crab populations in these areas is increasing dramatically, and could eventually have adverse effects on the overall crab populations of Southeast Alaska. Effective management should focus on reducing the number of pots in the water, not reallocating areas to different user groups.

Voting in favor of these proposals could set a trend of closing destination bays and harbors that are steadily increasing with sport fishing and becoming more populated with cabins and campers. Our commercial grounds are getting smaller and smaller every year and we can't afford to give up valuable crab grounds that are destination spots for the growing size of the local sport crabbers. Thanks for your time.

Steve Box
4401 Abby Way
Juneau, AK. 99801
worthyseafoods@gmail.com
907-780-6164



RECEIVED

December 22, 2011

DEC 30 2011

To the Juneau Douglas F&G Advisory Committee and the Alaska Board of Fisheries

Part I:

I am a commercial Dungeness crab fisherman in Southeast Alaska and would like to comment on Shellfish Proposals #161, #162 and #163. I have not crabbed in the waters mentioned in proposal #161, but have twenty years of summer and fall seasons in the waters mentioned in #162 and #163.

Responding to the proposals as a whole, loss of access to these areas combined with loss of areas due to sea otter encroachment significantly impacts all crabbers' livelihood. There is already crowding and displacement in the fleet without any strategies in place to decrease the number of pots in the water. Taking more area away can only result in increased pressure on already heavily crabbed areas. In addition, if these proposals are successful we would likely see numerous other proposals attempting similar results in the future.

Coming off a poor catch of 2.6 million pounds for 2011 and increased expenses, many crabbers are already struggling to make ends meet. Crabbers contribute to the large and small town economies and the economic health of Southeast Alaska. Supporting the closure of more grounds, is a vote against small entrepreneurial businesses and job creation.

Effective management should focus on reducing the numbers of pots in the water, not reallocating areas to different user groups. Reallocating would just send the problem down the road creating the same problem in a new area.

Part II:

I would like to respond briefly to the individual proposals.

#161: As I have not crabbed in Taku Harbor, I would defer to my above statements why this proposal is a bad idea. More than a few crabbers would be hurt as "ex Taku pots" would be squeezed into other bays.

#162: Closing Swanson Harbor in the Couverden chain of islands to commercial crabbing would be a significant set back to me. I have twenty-two years of crabbing in this area. Swanson Harbor is one of my constant producers and I don't agree with the sponsor's statement, "Commercial crabbers... remove all harvestable crab within the first week or two." This is not accurate. Crab are available all season. They are not mopped up in two weeks. A person might not fill a pot overnight, but with effort crab can be caught.

#163: I also have twenty years of experience crabbing in Excursion Inlet. The first thing to say is that I am the only commercial crabber to have made an effort in

2009, 2010, and 2011. And in the past three years my efforts have lasted less than three weeks out of a possible sixteen per year. Commercial crabbers are not the reason locals cannot catch crab. Sea Otters and cyclic populations are.

I would also like to address the sponsors accusations of lines being cut, pots lost, crab theft, etc... This is not an issue. This proposal has many incorrect statements, false accusations and is not believable.

In summary:

Dungeness crabbers are being displaced and squeezed into smaller areas as sea otter numbers increase. Any additional ground lost will exasperate the problem.

There are already healthy non-commercial zones where crab are plentiful and personal or sport limits can be met. Please don't expand these zones at the expense of commercial crabbers.

Thank you,

A handwritten signature in black ink, appearing to read 'P. Ord', with a long horizontal flourish extending to the right.

Peter Ord

williwaw@earthlink.net

907-321-2700

~~Deborah D. Rudis~~

ATTN: BOF COMMENTS
Boards Support Section
Alaska Dept of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526

Fax: 907-465-6094

29 December 2011

Dear Board of Fisheries,

I am writing to **support proposal 148**, which would allocate all harvest of king crab in Section 11-A near Juneau, to the personal use fishery. This proposal would spread the harvestable surplus king crab among the 3,000 households that participate in this popular local fishery, versus allowing commercial harvesters to further deplete this stock. Out of Juneau's approximately 13,000 households (CBJ Housing Needs Assessment, November 2010, p. 8), almost a quarter of them participate in this limited crab fishery.

In recent years, legal king crab have been difficult to find for many personal use crabbers, in particular because during the last several years, seasons and bag limits have been eliminated or severely restricted for local crab harvest. Commercial interests have been given priority. With little opportunity for local, personal use participants to catch king crab, this is a disservice to Southeast Alaska residents. I find it disturbing that only 5 commercial vessels (most from out of state) participated in the 2011 season and harvested the 9,000-pound quota in one 24-hour opening. The crab population has suffered recent population declines, and by allowing a commercial harvest of 9,000 pounds, the breeding stock has had little chance of recovery. In contrast, a personal use fishery in Section 11-A would harvest a small fraction of the king crab, allowing the king crab population a better chance of recovery.

I **oppose proposals 152 and 153**. Both of these proposals would allow commercial harvest of king crab when less than 200,000 pounds of crab are estimated to be available. These proposals both fail to recognize that personal use fishers and commercial crabbers will lose king crab harvest opportunities if recovery of depressed stocks is further delayed.

Thank you for your consideration of these comments.

Sincerely,



Deborah Rudis
Juneau, AK

ATTN: BOF COMMENTS
Boards Support Section
Alaska Dept of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526

Fax: 907-465-6094

12/29/2011

Dear Board of Fisheries,

I am writing to express my **support for proposal 148**, which would allocate all harvest of king crab in Section 11-A near Juneau to the personal use fishery. I believe that this proposal would serve the greatest good to the people of Alaska by spreading the harvestable surplus among the 3,000 households that participate in this popular local fishery. Juneau is a community of approximately 13,000 households (CBJ Housing Needs Assessment, November 2010, p. 8). Thus, nearly a quarter of the local households attempt to harvest crab in this fishery.

Over the last several years, seasons and bag limits have been eliminated or severely restricted, and legal crab have been difficult to find, for many personal use crabbers. To allocate any of the harvestable surplus to commercial interests, in the face of this overwhelming demand from local, personal use participants, is a disservice to the residents of Alaska. This is particularly true when one considers that only 5 commercial vessels (most from out of state) participated in the 2011 season, harvesting the 9,000-pound quota in one 24-hour opening. The same 9,000 pounds would have had far greater benefits if left available for Alaskan families to harvest and eat, or as breeding stock to help this crab population recover from recent population declines.

I **oppose proposals 152 and 153**. Both would allow commercial harvest of king crab when less than 200,000 pounds of crab are estimated to be available. This is likely to delay recovery of depressed stocks that should support far more robust personal use fisheries than they currently do. These proposals both fail to recognize that personal use fishermen and commercial crabbers are both likely to suffer if recovery of depressed stocks is delayed.

Thank you for your consideration of these comments.

Steve Brockmann
Auke Bay, Alaska

Dennis O'Neil
F/V Banter Bay
PO Box 1083
Petersburg, AK 99833

12/29/11

Attn: BOF Comments

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

FAX: 907 465-6094

pages including this: 1

Dear State of Alaska BOF:

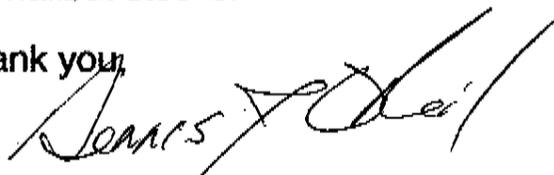
I am in opposition to proposal # 154. There are alternative measures that can be taken before considering such drastic action. I fish squares and do not catch halibut in the amounts some believe we do using the allowable bycatch as a measure.

The allowable bycatch established years ago is too high and does not take into account the changes in the fishery. I strongly believe that the allowable bycatch should be recalculated to reflect today's effort and season duration.

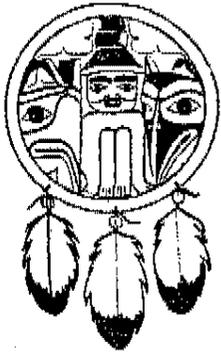
We release all halibut caught in our gear with as little stress to them as possible. As I am sure the longline fleet does when the catch undersized.

Halibut excluder devices are used elsewhere in the State and that should be looked at first. I have alot invested in my gear and the cost to replace it would create a hardship. And in my opinion not significantly help increase the halibut stocks.

Thank you,



Dennis J. O'Neil



Klawock Cooperative Association, Tribe

310 Bayview Blvd.
P.O. Box 430
Klawock, Alaska 99925

PHONE: 907-755-2265
FAX: 907-755-8800

FACSIMILE TRANSMITTAL SHEET

DATE: Dec 29, 2011 TOTAL NO. OF PAGES 4

TO: ATTN: BOF COMMENTS

COMPANY: Board Support Section, AK DEPT of Fish and Game

FAX NUMBER: (907) 465-6094

FROM: Klawock Cooperative Association Tribal Council

KCA Resolution 11-57
REGARDING: Opposition to Proposal 276-5AAC 01.710

NOTES/COMMENTS: FISHING SEASONS CHANGE the

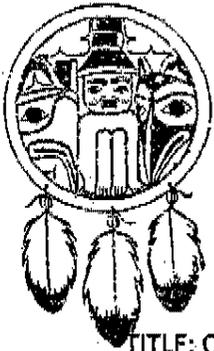
SUBSISTENCE SOCKEYE FISHERY IN THE Klawock RIVER

FROM FIVE TO SEVEN DAYS PER WEEK.

Any questions please contact:

HENRIETTA KATO, KCA OFFICE MANAGER

Henrietta



Klawock Cooperative Association, Tribe

810 Bayview Blvd.
P.O. Box 480
Klawock, Alaska 99925

Phone: 907-755-2265
Fax: 907-755-8800

RESOLUTION NO. 11-57

TITLE: Opposition to Proposal 276-5 AAC 01.710. Fishing Seasons. Change the Subsistence sockeye fishery in the Klawock River from five to seven days per week.

WHEREAS: The Klawock Cooperative Association, (hereafter "TRIBE"), is a duly constituted Indian Tribe organized pursuant to the authority of Section 16 of the Act of Congress of June 18, 1934 (48 Stat. 984), amended May 1, 1936 (49 Stat. 1250), and

WHEREAS: The Klawock Cooperative Association Tribal Council is a duly elected governing body of the Tribe, authorized to act by and on behalf of its members, and

WHEREAS: The Klawock Cooperative Association adamantly opposes the Proposal 276 5 AAC 01.710. Fishing Seasons. Change the Subsistence Sockeye Fishery in the Klawock River from five to seven days per week, and

NOW THEREFORE BE IT RESOLVED THAT: The Klawock Cooperative Association adamantly opposes the Proposal 276 5 AAC 01.710. Fishing Seasons. Change the Subsistence Sockeye Fishery in the Klawock River from five to seven days per week, and

BE IT FURTHER RESOLVED THAT: A majority of the nine (9) Tribal Council whose signature appears next to their name will constitute approval of this resolution.

A Webster Demmert 12/27/11
A. Webster Demmert, President Date

Donald Nickerson, Jr. 12/27/2011
Donald Nickerson, Jr. Vice-President Date

Ann M Wyatt 12/27/11
Ann M. Wyatt, Secretary Date

Helen M. Jackson
Helen M. Jackson, Treasurer Date

Brenda Leask 12/29/11
Brenda Leask Date

Frank Demmert, Jr.
Frank Demmert, Jr. Date

Byron V. Skinna, Jr. 12-28-11
Byron V. Skinna, Jr. Date

James S. Williams 12-27-11
James Williams Date

Patricia Cottle Date

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Subsistence users that only own outboards greater than 35 horse power.

WHO IS LIKELY TO SUFFER? No one should suffer horse power is not a large factor. This regulation was originally to eliminate power skiffs.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Michael Douville (IIQ-F11-174)

PROPOSAL 276 - 5 AAC 01.710. Fishing Seasons. Change the subsistence sockeye fishery in the Klawock River from five to seven days per week as follows:

Klawock subsistence sockeye fishery open July 7th to August 7th.

ISSUE: Klawock subsistence fishery July 7th August 7th Monday thru Friday.

WHAT WILL HAPPEN IF NOTHING IS DONE? Those users that work Monday thru Friday will continue to be deprived of opportunity to fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Subsistence users that work week days will be able to fish.

WHO IS LIKELY TO SUFFER? No one should suffer if week end is open.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Michael Douville (HQ-F11-171)

PROPOSAL 277 - 5 AAC 77.682. Personal use salmon fishery. Allow for use of dip nets in the Taku River for personal use as follows:

Allow taking of personal use salmon on the Taku River with dip nets in addition to set nets.

ISSUE: Personal use fishery congestion on the Taku River because there are few suitable sites (3) for set nets on the Taku.

WHAT WILL HAPPEN IF NOTHING IS DONE? Personal use fisher conflicts will increase, safety at the few sites can be an issue depending on river flow levels.

PLEASE READ CAREFULLY
REVIEWER LETTER

Dear Reviewer:

August 2011

The Alaska Board of Fisheries will consider the attached book of regulatory proposals at its **October 2011 through March 2012** meetings. The proposals concern changes to the State's fishing regulations. Members of the public, organizations, advisory committees, and ADF&G staff timely submitted these proposals. The proposals are published essentially as they were received.

The proposals in this book are presented as brief statements summarizing the intended regulatory changes. In cases where confusion might arise or where the regulation is complex, proposed changes are also indicated in legal format. In this format, bolded and underlined words are **additions** to the regulation text, and capitalized words or letters in square brackets [XXXX] are deletions from the regulation text.

You are encouraged to read all proposals presented in this book. Some regulations have statewide application and some regulations may affect other regions or fisheries of the state. Also, some proposals recommend changes to multiple fisheries within an area or region.

In this book the proposals are first grouped by the meeting to which they pertain (see *Proposal Index* for each meeting). Within each meeting the proposals are then organized by region, fishery or species. These proposal lists are not in roadmap order for the meeting. The board will generate a roadmap for deliberations prior to each meeting when committee assignments are made. The roadmap may be changed up to and during the meeting. Agendas for each Board of Fisheries meeting will also be available prior to the meeting.

Before taking action on these proposed changes to the regulations, the board would like your **written comments and/or oral testimony on any effects the proposed changes would have on your activities.**

After reviewing the proposals, please send written comments to:

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

Public comment, in combination with advisory committee comments and ADF&G staff presentations, provide the Board of Fisheries with useful biological and socioeconomic information. Written comments become public documents. The following are recommendations for providing written comments:

Timely Submission. Submit written comments by mail or fax so that they are received no later than two weeks prior to the meeting during which the topic will be considered (see *Tentative Meeting Schedule* on Page v). Written comments received after the two-week deadline will still be accepted but will not be inserted in board member workbooks until the beginning of the meeting or cross-referenced with individual proposals.



TONGASS BUSINESS CENTER

618 Dock St.
Ketchikan, AK 99901
907-225-9015 or 1-800-478-9015
FAX: 907-225-9014
ACCOUNTING DEPT. FAX: 907-247-9018

FACSIMILE TRANSMITTAL

ATTENTION: Board of Fish Comments - Boards Support Section

AT: AK Dept. Fish & Game P.O. Box 115526 Juneau, AK 99811

FAX: 907-465-6094

RE: Comments on upcoming B of F meeting proposals

DATE: December 30, 2011

TIME: 1:15 pm

NUMBER OF PAGES 6 (INCLUDING THIS COVER SHEET)

COMMENTS: Included are responses (support/oppose)
to 8 proposals: 181, 183, 184, 187,
188, 189, 192, 193

Submitted by Andrew Lindner
Box 845 Ward Cove, AK
99928
907-617-5791

Have a nice day!

PROPOSAL 181 - 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.
Amend allowable daily dive time for the sea cucumber fishery in areas north of Sumner Strait

OPPOSE

As shown in sunrise/sunset data (http://aa.usno.navy.mil/cgi-bin/aa_rstablew.pl) Juneau receives 11 fewer minutes of sunlight than Ketchikan in October, 20 minutes fewer in November, and 45 fewer minutes in December. In October and November, when the bulk of the cucumber fishery takes place, daylight hours are ample throughout Southeast for an 8-3 Monday and 8-12 Tuesday fishery. This is the current schedule, and it allows fishermen throughout the region fair and equal amounts of fishing time. If extending fishing hours north of Sumner Strait is a possibility, a solution more reflective of actual daylight hours lost should be considered, for example; 8-3 Monday (as it is presently) and 9-1:30 Tuesday (instead of 8-12 as it is presently). Under no circumstances would adding 3 additional dive hours per week be necessary.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

Proposal 183 5 AAC 38.142 Southeastern Alaska Geoduck Fishery Management Plan
Establish an equal share harvest program

OPPOSE

My name is Andrew Lindner and I have fished in southeast Alaska for 21 years, participating in dive fisheries every season for each of those 21 years. My family relies on the dive fisheries for our livelihood and annual income and I oppose creating an equal share harvest program at this time.

I and the people I have fished next to on the grounds every week, every season, year after year have heavily invested our lives into this fishery. We have been out there whether the price was 75 cents or \$16 a pound. We base our lifestyles, our households, our mortgages, college tuition for our kids, all on the dive fisheries.

I believe IFQs could potentially be an option for the geoduck fishery, but at this point they are not. There has not been sufficient dialogue between SARDFa, processors, ADF&G and permit holders. The idea of IFQs has come up time and time again by a small but vocal group, but has not been embraced by the majority of the geoduck fleet due to so many variables and unanswered questions. For example:

- there are many unused non-transferrable permits, would they receive an equal share?
- what about the people who have acquired permits only in the last few years, but have gone out for every single opener since acquiring a permit?
- would permit holders who have never dove, but leased their permit out for medical reasons be given quota?
- would non-transferable permits become non-transferable quota?

Logistically it would be incredibly difficult to fairly distribute shares if this became an IFQ based fishery. The only way to fairly issue shares would be to do so based on historic participation and landings of permit holders. As of now the thought and conversation necessary to undertake such a huge change to a fishery has not been nearly thorough enough.

Our fishery is facing so many complications right now, such as:

- sea otter predation
- diminishing quotas
- accurate stock assessment
- recruitment
- PSP testing protocol
- an uncommonly high ongoing PSP event
- world seafood market, Chinese economy, inherent volatility of fish prices

With so many issues, we all need to be focusing on maintaining a sustainable fishery in the face of these daunting obstacles.

Thank you for your time and attention to this letter
Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

PROPOSAL 184 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan. Under an equal-share harvest program, require preseason registration for the Southeast Alaska geoduck fishery

OPPOSE

(same response for proposals 184 & 189)

Requiring pre-season registration, weekly registration, and in-season registration is not only impractical, but would make an already time-constrained fishery even more difficult. Given their limited time and resources, requiring ADF&G to keep track of each diver every single week of the year is not a practical idea. Keeping track of which sub-area a diver plans to fish, how much of their quota they plan to use, how much they actually harvest and pro-rating diver poundage requests every week only after all requests have been turned in would be nearly impossible.

In another fishery without PSP testing this could be a possibility, but as of now, we have 5 days to harvest from an area after PSP samples are taken from that area. It generally takes at least 3 days to just get results and find out which areas are safe to fish. This leaves us with 2 or fewer days to travel to the open areas, sometimes having to travel up to 24 hours and work around weather and other factors. To require these extra weekly registrations would grind the fishery to a halt or require ADF&G to hire another person for the sole purpose of monitoring weekly geoduck registrations. If anything this would exasperate the "derby" mentality, slowing

the process so fisherman had 1 day or less to run to an open area once the weekly allowable harvest for every single diver participating could be determined. Before something like this could be practical, a solution needs to be found for the issue of getting more timely PSP results.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

PROPOSAL 187 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan. Establish a trip limit program for the Southeast Alaska Geoduck Fishery as follows:

OPPOSE

The market problems this proposal would claim to eliminate are either non-existent or have already been addressed by SARDFA. A main concern in this and other geoduck related proposals is that our GHL is increasing, which is flooding the market and decreasing the market value of Alaska geoducks. Unfortunately, due to otter predation, the GHL is not increasing. By contrast, GHL has consistently *decreased* in the last several years and will likely continue to go down as otter predation problems increases. This makes overloading the market, a recurring argument for IFQs and a year round fishery a non-issue.

Another recurring theme in many proposals is that Alaska geoducks are decreasing in price due to the current style of harvesting. In reality, though, we have seen nothing but consistent increases in the price of our product in recent years. The 2011-2012 season is seeing dock prices as high as \$22 A POUND, which is up from only \$7 two years ago. The issue of getting live geoducks out on planes in a timely manner has all but been obliterated by a much more streamlined process implemented by buyers. In years past this was a problem, but improved communication between divers and buyers has made this a bygone problem.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

PROPOSAL 188 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan. Amend number of harvest days and times for the Southeast Alaska geoduck fishery to allow for preseason control of harvest for the fishery as follows:

OPPOSE

During the season, the SARDFA geoduck committee meets regularly to determine the amount of time fished according to the market and other variables. An example of this was in the fall of 2011, it was decided mid-season to stay at 1 day a week rather than change to 2 after Thanksgiving as we have done in past years because market prices were high and we did not want to overload the market. Market, airport bottlenecking, etc were issues several years ago, but these issues have been resolved as the fishery has matured.

We already have a democratic system in place with representatives from all regions and aspects of the fishery (fisheries management, processors, and fishermen) and can decide how

many days to fish in order to negate overloading the world market The SARDFA geoduck committee (in partnership with ADF&G) was set up specifically to address things like trip limits and harvest control. Many of the proposals put forth this session seem to negate, or want to go beyond an organization we already have put in place to address these very issues.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

PROPOSAL 189 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan. Establish a weekly rate of harvest schedule for the Southeast Alaska Geoduck Fishery as follows:

OPPOSE

(same response for proposals 184 & 189)

Requiring pre-season registration, weekly registration, and in-season registration is not only impractical, but would make an already time-constrained fishery even more difficult. Given their limited time and resources, requiring ADF&G to keep track of each diver every single week of the year is not a practical idea. Keeping track of which sub-area a diver plans to fish, how much of their quota they plan to use, how much they actually harvest and pro-rating diver poundage requests every week only after all requests have been turned in would be nearly impossible.

In another fishery without PSP testing this could be a possibility, but as of now, we have 5 days to harvest from an area after PSP samples are taken from that area. It generally takes at least 3 days to just get results and find out which areas are safe to fish. This leaves us with 2 or fewer days to travel to the open areas, sometimes having to travel up to 24 hours and work around weather and other factors. To require these extra weekly registrations would grind the fishery to a halt or require ADF&G to hire another person for the sole purpose of monitoring weekly geoduck registrations. If anything this would exasperate the "derby" mentality, slowing the process so fisherman had 1 day or less to run to an open area once the weekly allowable harvest for every single diver participating could be determined. Before something like this could be practical, a solution needs to be found for the issue of getting more timely PSP results.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

PROPOSAL 192 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan. Establish a minimum distance of 200 yards between vessels in the Southeast Alaska Geoduck Fishery as follows

OPPOSE

In every single geoduck opener, many boats are located within a very small nearshore area. How far away from one another they are depends on tides, wind, potential of boats swinging, etc. More limiting than anything is the size and density of the geoduck beds. In large

beds boats are more spread out and in smaller beds or places with stronger currents boats are going to be closer together. It is not at all unusual to have a line of boats, all 50 yards or so apart along a shore diving during an opener. This is a practical, accepted aspect of the geoduck fishery. Most geoduck divers are experienced, safety-conscious fishermen that know the limits of both themselves and their vessels.

This proposal would effectively shut out at least half the fleet in high density fishing areas. Aside from this, ADF&G does not have the resources to place a policing vessel in every open area every single week.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

PROPOSAL 193 - 5 AAC 38.054. Unlawful use of dive fishing gear. Prohibits divers from using gear in commercial openings following unauthorized use of gear and allow divers to dive on aquatic farm sites as follows:

SUPPORT

As a permit-holder, I absolutely support this. In a recent court case, geoduck poachers were given nothing more than a small fine and a slap on the wrist. With the explosive value of the fishery, the consequences for harvesting illegally need to be much more severe in order to deter poaching. Putting seafood on the market that has been illegally harvested from areas not tested for PSP, a practice that could be potentially fatal to consumers, should be taken far more seriously than it is. Not allowing someone to dive for 28 days following unauthorized use of gear is a good start to deterring this practice.

Andrew Lindner
Geoduck and Sea Cucumber Permit Holder

TO
ATTN: BOF COMMENTS
ADFG
JUNEAU, AK
FAX # 907-465-6094

FROM
Ron Opheim
PO Box 2118
Wrg, ak 99929
907-874-2245
907-305-0992

Comments to 2012 shellfish proposals

Shellfish Comments 2012

Proposal: 161,162,163,164 **OPPOSE**

There are already enough areas closed to commercial harvest & with the steady influx of Sea Otter many more areas are as good as closed !

Proposal: 165 **SUPPORT**

The use of the word Identical in this regulation needs to be changed ! Identically buoyed dungy pots was a attempt to keep folks honest, then 10+ years ago we added the requirement to have buoy tags (if you have a 150 pot permit you get 150 tags issued by the dept for that year!) so now you have Identical & buoy tags to keep folks honest.

The problem with IDENTICAL is its impossible to even get identical buoys from the one USA manufacture that is left SPUNGEX. There buoys very in size up to 1 inch & it seems that every production run has something different, Capt Kane says identical means that even the knots need to be the same!!!! (quoted from a email from him) some folks paint there buoys every year (different paint design) I myself use a stock buoy color but after 2-3 years are finding that sun fade (even though Spungex claims UV protection) makes my colors less then identical, one time the troopers will tell you "this is a warning your buoy color is not identical" , the next trooper will say I can tell your buoy color is the same BECAUSE I looked down the line hole "away from the sun fade" So I have a question If we are going to be identical as in Capt Kane's eyes wouldn't attaching buoy tags with different numbers cause us to be NOT IDENTICAL ? I like my buoy setups to be similar makes then easy to spot when you are fishing around guys.

Sincerely

Ron Opheim / F/V Chatham
P O Box 2118
Wrangell, AK 99929
907-874-2245
907-305-0992



Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

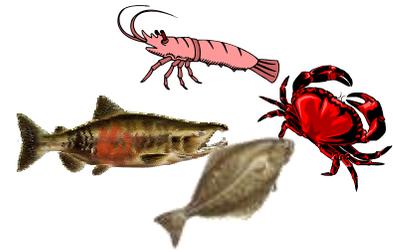
Juneau, AK 99801

Phone: 907-586-6652

Fax: 907-523-1168

Email: seafa@gci.net

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



December 30, 2011

Alaska Dept of Fish and Game

Boards Support Section

PO Box 115526

Juneau, AK 99811-5526

RE: Southeast Shellfish Proposals - Petersburg Meeting

Dear Chairman Karl Johnstone & Board of Fish Members,

Thank you for this opportunity to provide written comments on the upcoming Southeast Shellfish board proposals. We will be at the meeting to testify, provide additional and clarify if necessary our position on proposals and participate in the committee process.

Southeast Alaska Fishermen's Alliance is a multi-gear and multi-species membership based, non-profit commercial fishing organization. Our 275+ members and business associates participate and or support the salmon, crab, shrimp and longline fisheries primarily in Southeast Alaska.

Proposal # 139: Support.

We support ADFG's proposal to clarify when personal use regulations are in effect compared to subsistence fisheries. We agree that the current regulations can be very confusing to the public in determining what regulations that they are allowed to fish under.

Proposal #140: Support (in concept)

SEAFa supports accurate and timely accounting of all fishery resources in order to manage for and maintain sustainable fisheries. While we understand that the Board of Fish cannot pass a regulation that obligates

the Alaska Dept. of Fish and Game to spend money, accurate accounting is critical to abundance based management. We need to learn from the lessons of other west coast states, for example Washington State uses harvest records similar to what this proposal recommends for adoption. We would support a letter from the Board of Fish to the Alaska State Legislature supporting the need for this type of accounting concept. Our members are commercial fishermen who also participate in sport, personal use and subsistence fisheries and in the past when we have viewed the statistics of personal use and subsistence fisheries it appears the amount of resources harvested has been greatly underestimated.

Proposal #141: Oppose

SEAFSA opposes the establishment of a Marine Conservation Zone around Cache Island and the prohibition of fishing by non-residents for bottom fish and shellfish. The proposal does not provide sufficient justification or information on the affect a marine conservation closure would have on the area. If fish resources are depleted to the extent that a marine conservation zone is necessary, than the prohibition on bottom fishing and shellfish should be for all users not for non-residents only. If the intent is to close an area to allocate harvest for subsistence and personal use only then the proposal should state that is the basis of the proposal and state how it would affect each of the users.

Proposal #142: Oppose

SEAFSA opposes the establishment of a Marine Conservation Zone in a portion of Behm Canal and the prohibition of fishing by non-residents for bottom fish and shellfish. The proposal does not provide sufficient justification or information on the effect a marine conservation closure would have on the area. If fish resources are depleted to the extent that a marine conservation zone is necessary, than the prohibition on bottom fishing and shellfish should be for all users not just non-residents.

Proposals #143: Oppose

SEAFSA opposes the establishment of a Marine Conservation Zone in the Naha Bay to Donnelly Point to Cache Island to Indian Point and all places in between and the prohibition of fishing by non-residents for bottom fish and shellfish. The proposal does not provide sufficient justification or information on the effect a marine conservation closure would have on the

area. If fish resources are depleted to the extent that a marine conservation zone is necessary, than the prohibition on bottom fishing and shellfish should be for all users not just non-residents.

Proposals #144: Oppose

SEAFAs opposes the establishment of a Marine Conservation Zone in the Naha Bay to Donnelly Point to Cache Island to Indian Point and all places in between and the prohibition of fishing by non-residents for bottom fish and shellfish. The proposal does not provide sufficient justification or information on the effect a marine conservation closure would have on the area. If fish resources are depleted to the extent that a marine conservation zone is necessary, than the prohibition on bottom fishing and shellfish should be for all users not just non-residents.

Proposals #145: Support

SEAFAs supports the Wrangell Advisory Fish and Game Advisory Committee proposal to reduce the number of sport fish shrimp pot limits. 10 pots per vessel or 5 pots per person provides the opportunity to harvest the allowable daily bag limit while reducing unnecessary handling mortality. Alaska residents will have plenty of opportunity to harvest shrimp under personal use regulations.

Proposal #146: Support

SEAFAs supports this proposal and has supported it during the previous Board of Fish cycles when submitted by Advisory committees. The intent of closures for commercial Dungeness crab fishing near local communities was to provide for local resident use and subsistence needs and not for the sport fisheries.

Proposal #147: No position/comment

SEAFAs understands what the proposer is asking for in this suggested change to the George Inlet Super-exclusive Guided Sport Ecotourism Dungeness crab fishery but would hope if the Board of Fish does consider changes to address this issue that the final regulation continue to require that there still be requirements to:

- Business registration and the number of vessels to be used by January 30th at the latest.
- Registration of the guide operating the vessel (can occur at any time

and change in-season but the guide operating the vessel must be registered before operating the vessel and cannot participate in any other fishery guiding clients while registered for this fishery.

Proposal #148: Oppose

SEAFa strongly opposes this proposal that would allocate all the allowable harvest in District 11-A to the personal use fishery. Commercial, personal use and subsistence harvest of crab is important to the local communities. Commercial harvest provides locals that don't privately fish the opportunity to purchase local crab while personal use and subsistence allows an individual an opportunity to harvest their own crab. District 11-A is prime habitat for king crab and there are already large sections of the district that are closed to commercial fishing to provide areas for the personal use fishery and local use. District 11-A is a non-subsistence area. The current allocation already provides for 60% of the allocation to the local personal use fishery and 40% to the commercial sector. The 2011 commercial fishery was very conservative in providing for only a 24 hour opening to harvest the GHL of 9,000 lbs.

Proposal #149: Support

SEAFa supports ADFG's proposal to establish ring net limits for subsistence, sport, and personal use Dungeness, king and tanner crab fisheries. This proposal would create consistency amongst the various fisheries and clarify regulations. Since the crab fisheries are managed by a combination of size, sex, season and gear to provide for a sustainable fishery, this regulation should be adopted.

Proposal #150: Support

SEAFa supports this ADFG proposal to establish king and tanner crab size limits in the personal use and subsistence fisheries. Having consistent size limits between the different fisheries will help the public and enforcement in the prosecution of the fishery.

Proposal #151: Support

SEAFa supports ADFG's proposal to prohibit live holding facilities being utilized to accumulate or pool multiple bag limits. This proposal would provide consistency between the Dungeness, Tanner and King crab fisheries for the personal use and subsistence fisheries in Southeast Alaska and

Yakutat.

Proposal #152 & 153: Support concept of harvesting allowable sustainable limits every year. King crab is managed on a size, sex and season basis to protect the resource. The 200,000 lb threshold and the previous 300,000 threshold is an arbitrary number that was chosen and has no biological basis. In fact when the 200,000 lb threshold was chosen the King and Tanner task force had asked for the Dept to provide information that would allow for a biological threshold to be adopted but the information wasn't provided. An equal share fishery is one option that would allow for some harvest to occur every year but is controversial between different permit holders. Another option is the Dept was able to manage the fishery for different GHL and fairly small GHL limits in different sections/districts of Southeast Alaska this year and therefore proved that it would be possible to manage a smaller fishery under 200,000 lbs on a competitive basis.

Proposal #154:

SEAFSA has members on both side of this issue. The halibut bycatch removals of 330,000 lbs from the Southeast crab pot fishery is likely over-estimated as it has not been reviewed since the early 1990's. SEAFSA does support the review of and minimizing or eliminating bycatch that affects another fishery significantly where feasible. SEAFSA would like to review the ADFG data before commenting further on this proposal but has reviewed past IPHC data on by-catch rates of square pots.

Proposal #156 Support

SEAFSA supports ADFG's proposal to clarify when 6-1/2" male golden king crab may be retained.

Proposal #157

SEAFSA agrees that the current regulation for the start time needs to be better defined. There has been controversy several times over the date picked whether it was the intent to be the rising or falling portion of the tide. Some permit holders would prefer a set date, some like the idea of picking the date on the smallest tide. Since the smaller tides have been picked there is more participation to start in the Golden king crab fishery rather than the tanner fishery since they can fish immediately at the start of the fishery without having to worry about the tide pulling the pots under

water.

Proposal #158: Support

SEAFAs support clarifying in regulation the policy regarding delays in the opening of the Tanner and Golden King crab for weather. This can be very controversial depending upon where you plan to fish and if the weather was bad there or not. The other complaint in past years was being in an area where you don't hear the announcement of the delay. The regulation should also consider specifying how the announcements of delays will be made.

Proposal #159 & 160: Support

SEAFAs support and participated in the King and Tanner Task Force. There are efficiencies that can be gained by fishing two permits on one vessel while allowing for less overall pots to be fished which benefits all permit holders.

Proposal #161: Oppose

SEAFAs oppose closing commercial Dungeness crab fishing in Taku Harbor. There are already significant closed areas in Juneau for local personal use harvest. Now Juneau residents are asking to maintain the closed local areas but also want their weekend destination area closed for their personal use. Commercial crab grounds are already being squeezed by the sea otter predation on crabs. There is not a biological need for this closure.

Proposal #162: Oppose

SEAFAs oppose closing commercial Dungeness crab fishing in Swanson Harbor. There are already significant closed areas in Juneau for local personal use harvest. Now Juneau residents are asking to maintain the closed local areas but also want their weekend destination area closed for their personal use. Commercial crab grounds are already being squeezed by the sea otter predation on crabs. There is not a biological need for this closure.

Proposal #163: Oppose

SEAFAs oppose closing commercial Dungeness crab fishing in Excursion Inlet. Many of the pots in Excursion Inlet are pots used by clients from local lodges. Most of the property owners live in locations other than Excursion Inlet as the 2000 census had a population of 10 with a population

growth of 20% for a total of 12 people in 2010. See comments on proposal #162.

Proposal #164: Oppose

SEAFa opposes closing commercial Dungeness crab fishing in Ketchikan in the vicinity of Helm Bay and Traitors Cove. There is not a biological need for this closure. There are already closed waters in District 1 for personal use.

Proposal #165: Support

SEAFa submitted this proposal regarding Dungeness crab buoys to be similar instead of identical. Enforcement has been giving warnings and tickets to fishermen for having buoys that are not identical. One maker of crab buoys Spongex in communication with me has stated that a box of brand new buoys would not be exactly identical because their machines allow for a tolerance that allows difference between buoys. Also buoys will fade differently dependent upon the amount of sun that hits a buoy. If a fisherman has to replace a single pot there is no way that you could just purchase a single buoy for the replacement pot you would have to replace all the buoys for your whole string of pots. We might have more information to provide during public testimony and the committee process. Just the regulation that requires a tag on the Dungeness crab buoy since the tags all have different numbers makes the buoy set up not meet the definition of identical.

Proposal #166: Support

SEAFa supports having Districts 1 & 2 Dungeness crab season be the same as the remainder of the region. ADFG last board cycle testified that Districts 1 & 2 crab were the same biologically as the rest of the region and no reason to have a separate season. We would support a closure area around Kassan for personal use and subsistence. SEAFa feels that any area closed to commercial should also be closed for sport Dungeness crab fishing and give the greatest protection to the subsistence and personal use fisheries. If this area is closed to commercial for the summer season because of concern over soft crab and handling mortality it should also be closed to sport fishing for the same reasons.

Proposal #167: Support

SEAFa supports the Yakutat Fish and Game Advisory Committee proposal to lower the number of Dungeness crab pots in regulation. This area has been closed for a number of years and preparations should be made for the day when the fishery can be re-opened. The Alaska State Legislature funded money last year for a new survey to be conducted in this region.

Proposal #168 & 169: Support

SEAFa supports these proposals to change the management of the shrimp fishery on a sub-district level to spread out the effort.

Proposal #170: Support in concept

SEAFa supports the use of in-season indicators to manage the fishery and not just the pre-season GHL. We support ADFG working with the Shrimp Task Force to further refine proposals 167-170 and come up with a consensus approach that both the fishermen and ADFG can agree to.

Proposal #172: Oppose

SEAFa opposes the closure of commercial shrimp fishing in the vicinity of Skagway between Sturgill's Landing and Burro Creek. If there is a need for a shrimp closure to create a reproductive refuge then the area should be closed year round to ALL users not just one user. The proposal does not provide biological justification for how this proposal and the dates used would serve as a reproductive refuge.

Proposal #173: Oppose

SEAFa opposes changing the start and ending date of the commercial shrimp season. Changing the start date to later in the winter creates more of a safety issue and weather hazards. The February to May closure date was created for biological reasons and should not be changed. In addition, starting a month later would create additional pressure in the full Dungeness crab fishery as many of the participants own permits in both fisheries.

Proposal #174:

SEAFa is withholding their comments on this proposal until after having a chance to read the comments submitted by ADFG and Enforcement.

Proposal #175: Oppose

SEAFa opposes this proposal to revise the shrimp pot marking requirements

from five pots to ten. The Board of Fish and industry representatives in the committee process spent time discussing the appropriate length of gear/number of pots to require buoys on both ends.

Proposal #176: Support

SEAFa supports ADFG's proposal to clarify that it is illegal to be registered for the commercial beam trawl fishery and Dungeness crab fishery at the same time.

Thank you for the opportunity to comment on these proposals. We look forward to the opportunity to further discuss these proposals with Board members and the opportunity to provide oral testimony and participate in the committee process at the Board of Fish meeting in Petersburg. If you have any questions about our position on any proposal, please let us know and we will further discuss the issue with you individually during the meeting.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hansen" followed by a long horizontal line extending to the right.

Kathy Hansen
Executive Director