



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Commercial Fisheries Entry Commission

8800 Glacier Highway, Suite 109
PO Box 110302
Juneau, Alaska 99811-0302
Main: 907.789.6160
Licensing: 907.789.6150
Fax: 907.789.6170

To: Glenn Haight, Executive Director
Alaska Board of Fisheries
Alaska Department of Fish & Game

Date: January 8, 2018

From: Bruce Twomley, Chairman
V. Fate Putman, Commissioner
Commercial Fisheries Entry Commission

Subject: Comments on Proposals 54/55, 93, 107,
115, and 119/120/121 for the 2017/2018
Southeast meeting

This memorandum provides comments on proposals the Board of Fisheries will consider at the January 2018 meeting for Southeast in Sitka.

Proposals 54 and 55

These proposals seek to alter the maximum number of pots now authorized for the Southeast Dungeness crab pot gear fishery.

Proposal 54 seeks to reduce the Board's maximum from 300 to 240 pots. In general, CFEC favors regulation changes which reduce fishing pressure and so help conserve the fishery resource.

Proposal 55 seeks to increase the Board's maximum from 300 to 400 pots, and further requests that if additional CFEC permit holders are registered to fish from the same vessel, each additional permit holder be allowed to operate only one-third of his/her authorized pot level. There could be any number of permit holders involved in an operation under this proposal as written, but perhaps a dual operation is the easiest to use as an example. If two D9AA permit holders were registered to one vessel, the primary permit holder could fish the maximum number of pots authorized by that permit holder's limited entry permit, but the second permit holder registered to the vessel could fish only one-third of the pots authorized by his/her limited entry permit. The proposal includes the additional restriction: 'no more than 400 Dungeness crab pots may be operated from a single vessel to take Dungeness crab under any circumstances'.

Notwithstanding the above example where permit holders elected to fish a dual operation, permit holders could still elect to fish singly. Under the proposed maximum of 400 pots, if permit holders fished singly at the number of pots authorized by their limited entry permit, the result could be an increase in the grand total of Dungeness crab pots in the fishery.

Under some conditions, multiple permit regulations may serve as an important means of fleet consolidation and reducing fishing effort. The multiple permit option also provides a means for an entry-level person to participate in the fishery without incurring the costs of obtaining a boat and other gear. Achieving such results may help sustain the long-term economic viability and conservation of the fishery resource, and CFEC supports that.

CFEC's regulation restricts fishing capacity of each Southeast Alaska Dungeness crab pot permit under four tier levels of participation, as follows:

20 AAC 05.764. Fishing capacity restrictions for Southeast Alaska Dungeness crab pot permits

(a) Interim use permits issued under AS 16.43.210 and entry permits for the Southeastern Alaska Dungeness crab pot fishery will have restrictions on the number of pots that the permit holder can use in the fishery. These restrictions will be based upon the participation of the applicant in the fishery before the qualification date.

(1) a permit will be restricted to one of the following tier-levels:

Tier Level	Maximum Pots The Permit Holder Can Use
A	300 pots or 100% of the board's maximum, whichever is less
B	225 pots or 75% of the board's maximum, whichever is less
C	150 pots or 50% of the board's maximum, whichever is less
D	75 pots or 25% of the board's maximum, whichever is less

(2) tier-level pot restrictions placed on limited entry permits at initial issuance will remain with the permit thereafter.

Were Proposal 54 to be adopted as written, 20 AAC 05.764 would continue to provide four tier levels of participation (A – D), but would change the fishing capacities to 240, 180, 120, and 60 pots as per the 'whichever is less' clause.

Were Proposal 55 to be adopted to change to a 400 pot maximum, CFEC's regulation would have to be modified (possibly by striking the 'whichever is less' clause). Additionally, under Proposal 55 if adopted, CFEC's regulation would need to be modified to impose the additional one-third capacity restraint on additional permit holders registered to the same vessel.

Proposal 93

Proposal 93 seeks to establish a fishery for market squid (*Doryteuthis opalescens*) in Southeast Alaska. To provide some background information on existing opportunities for *Doryteuthis opalescens*, fishermen with a market in place to sell *Doryteuthis opalescens* can currently apply for a 'Commissioner's Permit' from ADF&G. A Commissioner's Permit is first required to obtain a CFEC permit **O99B – Statewide Squid/Octopus Experimental Fishery**. The O99B permit is available for a nominal fee, and would allow development of the proposed *Doryteuthis opalescens* fishery.

Proposal 107

Proposal 107 seeks to allow a herring spawn-on-kelp pound opportunity for the unharvested herring over 1500 tons in Sections 13-A or 13-B in the Southeast sac roe herring purse seine fishery. CFEC is neutral on the proposal. Such a herring spawn-on-kelp pound opportunity in Sitka Sound is possible under CFEC regulation 20 AAC 05.230(a)(9) which defines the Northern Southeast spawn-on-kelp pound area to include Section 13-A and 13-B.

Proposal 115

Proposal 115 seeks to establish a spiny dogfish shark fishery in the Gulf of Alaska. To provide some background information on existing opportunities for spiny dogfish shark, fishermen having a market in place to sell spiny dogfish shark can currently apply for a 'Commissioner's Permit' from ADF&G. A Commissioner's Permit is first required to obtain a CFEC permit **M99B– Statewide Miscellaneous Finfish Experimental Fishery**. The M99B permit is available for a nominal fee, and would allow development of the proposed spiny dogfish shark fishery.

Proposals 119, 120, and 121

Proposal 119 seeks to change the season dates for ADF&G's Southern Southeast Inside Sablefish Fishery and also allow the option of using longline or pot gear within portions of the season. Proposal 120 seeks to allow the option of fishing with longline or pot gear for the entire season. Proposal 121 seeks to allow all permits in ADF&G's Southern Southeast Inside Sablefish Fishery the option of using longline or pot gear, and then subject any continued use of longlining to a reduction of sablefish. There are 2 CFEC permit types for this fishery: the C91C permit for Southern Southeast sablefish pot gear, and the C61C permit for Southern Southeast sablefish longline gear. Effective May 11, 2017, C61C permit holders can choose to fish with longline gear or with pots fixed together with longline gear.

The current regulation defines a distinct and separate seasonality according to what gear is actually being fished: longline fishing is open from June 1 through August 15, while pot gear fishing (either with a C91C permit or pots fixed together with longline gear under a C61C permit) is open from September 1

through November 15. Thus, all permit holders, either C91C or C61C, currently have the ability to fish pots during the pot gear season from September 1 through November 15.

Both CFEC permit types are limited; there are currently 20 C61C fixed gear permits and 3 C91C pot gear permits. CFEC is neutral with respect to these proposals.

Thank you for accepting these comments. We are interested in other comments submitted to these and other proposals, and will monitor the information presented at the meeting.