from the 2017 Work Session

Non-Regulatory Proposals and Excluded ACRs

1. List of non-regulatory proposals
   a. Larry Demmert, limited entry permit violations, EF-F17-054.
   b. Darrell Kapp, request for Board support for CFEC regulatory change, EF-F17-067.
   c. Klawock Tribe, research and assessment needed on Klawock Lake, EF-F16-102.
   d. Gordon Scott, in-season monitoring of Prince William Sound non-commercial shrimp fishery, EF-F17-120.
   e. Homer Fish and Game Advisory Committee, call for proposal process change, EF-F17-122.
   f. Ahtna Tene Nene', establish a checkpoint station in Chitina area, HQ-F17-021.
   g. John Murray and Eric Jordan, establish a task force to review winter troll fishery, HQ-F17-049.
   h. Lisa Grogan, Naha sockeye and pink salmon as stocks of concern, HQ-F17-056.
   i. United Southeast Alaska Gillnetters, establish a task force to allocate enhanced and wild salmon, HQ-F17-75)

2. Excluded Agenda Change Requests
   a. Michael Coons, horsepower limitations on Wasilla Creek
   b. Max Worhatch, Dungeness crab in Southeast
   c. Bruce Rhein, fish wheel live box Upper Copper River
PROPOSAL XXX - 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan. Require in-season monitoring to the Prince William Sound sport shrimp fishery, as follows:

In season monitoring of the non-commercial fishery harvest should be put in place, such that when the GHL is reached, the fishery shall be closed for the season by E.O., or otherwise modified to achieve but not exceed the GHL.

What is the issue you would like the board to address and why? Overharvest of the GHL by very big percentages has been regularly happening in the non-commercial PWS Shrimp fisheries. The main reason is that The Department does not receive the catch data until late February, more than 5 months after the fishery closes, and more than 10 months after the fishery opens. This does not allow ADFG to regulate the fishery while it is open for 5 months.

PROPOSED BY: Gordon Scott

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(EF-F17-120)
Good morning Glenn

Thank you for your consideration, and I think including my emails would probably be appropriate for the Board's understanding that this was meant as more than a memo.

And by the way, I googled the address on the 8/2 letter to see if it exists, and it is the address of the MatSu Borough offices!

Once again, many thanks to you for your timely and considerate responses.
Gordon

On Tue, Feb 6, 2018 at 8:13 AM, Haight, Glenn E (DFG) <> wrote:

Good morning,

We will endeavor to get Proposal 218 revised.

Regarding EF-F17-120, my apologies for the incorrect mailing address. I'm not sure how I managed that. I will again put the proposal into the board's workbook under the miscellaneous section and inform the board of its inclusion. Unless you would like to provide additional public comment, I can add your email below. Please advise.

Please let me know if you have questions.

Glenn

Glenn

Thank you for your prompt analysis and reply about the error and omission.
I can see where you were mislead by the Regulation Citation in the text of the 218 proposal, which was in conflict with the text of the proposal. I (and the rest of Whittier AC) appreciate your effort to get it corrected and appropriate notice to the Board.

As far as the proposal which I submitted (EF-F17-120), unfortunately your August 2 response was addressed to the wrong address (the correct address is included in the proposal), and therefore I did not receive it until today (Feb 4, 2018) (via your email response).

And I can see that your office review decided it did not fit the criteria of a proposal. This is likely because I purposefully did not make a recommendation of HOW the goal of in-season monitoring should be accomplished. The purpose of the proposal was to point out that in order for effective and proper management of the fishery, something needs to be done in order to not blow past the GHL and potentially harm the public resource. The ability of the Department to control the fishery within the confines of the GHL has proven to not be effective for the most part in recent years.

My goal was to get this on the table with the Board so that the need for this could be demonstrated, and then a means for this could be crafted. This has been on the table before, and the Department stated that it is possible to do this, potentially in the near future (stated at BOF in 2015).

In the past at least one very similar proposal has been on the table (Proposal 248 in 2015), with a specific recommendation of how to accomplish the goal. It did not pass. I was trying to bring it back with more of the “let’s figure out a way this can work” approach. This is not an unusual approach in the recent history of the Board of Fisheries proposals. As far as I know, the fact that something has been proposed before is not a selected criteria to deny it’s being proposed again. And the fact that it passed the criteria previously should allow it to be on the Table again as a proposal.

Because of the above stated reasons, and the fact that I was denied a timely response about your office’s decision to not include this in the proposal booklet, I would appreciate a second look at the issue, and would like the opportunity to address this before the Board, as if it were a Proposal.

And lastly, I very much appreciate the opportunity Alaskans are allowed to be involved in the regulatory process of our Fish and Game management, and know it is an important and well run, but also difficult process.

Thank you for your consideration

Gordon Scott

On Mon, Feb 5, 2018 at 6:22 PM, Brett Roth wrote:

Hello Glen, Jessalyn and Gordon,

The modified Proposal 218 looks good to me. Thank you for your assistance in the correction! In the future I will have to better acquaint myself with the CFR sections for non-commercial regulations as maybe that is what caused the confusion. Is there a booklet of Sportfish CFR’s on the Department website? I can find out on my own so don’t feel the need to answer that question. I really appreciate you resolving all of this so quickly and hope that the message gets out to the AC’s before meetings which are occurring this week.

Incidentally, I glanced at the letter on Gordon’s proposal and hopefully some good discussion can be had on that also, maybe it’s best that it be between fishers and managers but it sounds like the board is also at least aware of the concern and might want to know what people are thinking even if it isn’t being taken up this session. Not looking for any comments back on that either, as I know you are all very busy.

thank you again,

Brett Roth
On Feb 5, 2018, at 3:23 PM, Haight, Glenn E (DFG) <> wrote:

Hello Gordon,

I received your call as well and was looking into it. I’ve also heard from Sherry on this and from Jessalynn on Proposal 218. Here’s what I have –

The proposal that isn’t in the book (EF-F17-120) is asking for improvements in reporting requirements. It isn’t a regulatory proposal so we didn’t include it in the book. It’s a department responsibility and the board doesn’t have authority. That said, we included it in the board member’s workbook for the October work session so that the issue would be before them and receive some review by the public. The board did not discuss it at that time. We sent you a letter (attached) last summer describing this action and our proposed plan. My apologies as it sounds like the message didn’t make it to you.

Regarding Proposal 218, we will work on some corrective language. As submitted the proposal cited commercial fishing regulations and despite hearing from Brett back in May and side discussions with the divisions, it still came out citing the commercial regulations. We will revise the proposal and add a memo to the board’s file letting them know of the change. On further review, it appears the sport fishery regulation the Whittier AC is proposing to amend is 5 AAC 55.022(b)(5)(A). Jessalynn quickly revised it as the attached if you wouldn’t mind looking it over.

Thank you,

Glenn

From: early times [  
Sent: Monday, February 5, 2018 2:48 PM  
To: Haight, Glenn E (DFG) ; Brett Roth  
Subject: BOF Proposal Error and Omission  

Glenn

I have been speaking with Sherry Wright today about 2 issues that just became known to me yesterday.

On 4/11/17, 2 proposals were submitted and confirmed of which one is in the Proposal book incorrectly, and the other one is not in the book at all.

These are both about PWS Shrimp which is on the table for the March BOF meeting in Anchorage.

Proposal 218 in the book was submitted as a NON Commercial Fishery proposal, but is written in the book as a COMMERCIAL Proposal.

Log Number EF-F17-096 shows it was received as a NON COMMERCIAL Proposal.

Also a proposal was sent in and received for the NON Commercial Shrimp fishery which is NOT in the Proposal book.

This is confirmed by Log Number EF-F17-120.
I do not remember any further correspondence about this proposal.

Could you please look into these matters and correct them, or advise what the options there would be for the Proposers to have these issues on the Table correctly at the March BOF Meeting.

Sincerely,

Gordon Scott

<Gordon Scott letter re BOF proposal.pdf><218_revised.docx>