

1. At the 2018 Statewide meeting the chairman of this board states that the F&G will be opening themselves up to lawsuits by using their EO authority to move the marker. Has the F&G ever been sued for exercising their EO authority in a fishery that is only opened by EO?
2. PC 001 Page 5. Document overstates ex-vessel value by a factor of 20. I have submitted an RC with the real numbers.
3. RC 3 Page 10. The map is now correct. It was initially published in this RC wrong. Make sure you are looking at the right map. It is included in this RC.
4. At the 2018 Statewide meeting UFA falsely stated 3 times during public testimony that the new regulation eliminates the commercial fishery.
5. The commercial fishery is only open 2 days a week. In 2017 the first two weeks the fishery was opened 4 days in a row each week. Along with most other years, the fishery is commonly opened 4-7 days a week as shown in PC 163 Page 5 from 2018 Sitka meeting.
6. The sport users get to fish the whole river 7 days a week. While technically that may be true, lodges do not put their guests in the commercial zone because:
 - (A) The opportunity is not there during openers
 - (B) The danger factors
 - (C) After experiencing the boat rodeo nobody likes it and most don't come back
7. Most sport users are non-residents. 4 of the lodge owners are Alaska residents. 3 of which live in Cordova and Yakutat. So most of the revenue produced by the lodges stay in the local communities.
8. No complaints. I have submitted an RC showing discontent by lodge owners about the marker move. Also, RC 3 Page 4 shows reported conflicts. **Conflicts reported to the SPORTFISH biologist.** Very misleading because that biologist is never onsite. How about the numbers from the Comm fish person that lives on site or the state troopers or the police officer that lives on site?
9. CBY has spent over 100,000 on the cabin and related expenses for the annual get together. While technically that may be true, the lodge taxes went up 25% immediately following the 2013 statewide meeting.
10. There is an agreement between the Board of Fish and CBY. I have never heard of or seen one, nor has any documentation of such agreement been produced to date.

Regulatory Marker Locations on the Tsiu and Tsivat Rivers 2018 Imagery



Revised 04.12.2018

- Department Implemented
- Defined in Regulation Prior to 2018
- Proposed to the Board in 2018



UNIT 3A**TSIU TO DUKTOTH
COASTAL STRIP****Background**

Unit 3A is defined by its importance as coastal habitat for wildlife and as an access area for commercial set net fishing and sport fishing.

Physical features

Unit 3A is a one-mile wide strip of sand dunes, grasslands, and lagoons backed in some places by strips of mature timber on uplifted beach terraces.

Adjoining lands

The Gulf of Alaska pounds the southern edge of the unit. The Yakataga State Game Refuge forms the northern and western boundary. The proposed addition to the refuge and a 1,490-acre tract of university land abut the northeast and east edge of Unit 3A.

Land Status

There are three Native allotments near the Kaliakh River mouth and two near Tsiu River. All other lands are state-owned.

Access

During the commercial fishing season at the Tsiu and Kaliakh rivers, fishermen travel the tidelands on all-terrain vehicles (ATVs) between scattered fish camps and aircraft landing areas. Fish buyers land DC-3 and C-46 aircraft on the flat areas of beach near the river mouth to transport salmon to processing plants in Yakutat and Cordova. Fish buyers need to locate their operations near the airstrip for efficiency.

Access across Unit 3A from the beach to the refuge is important for hunting, sport fishing, and wildlife viewing. This access is particularly important along the four major rivers.

Resources and uses

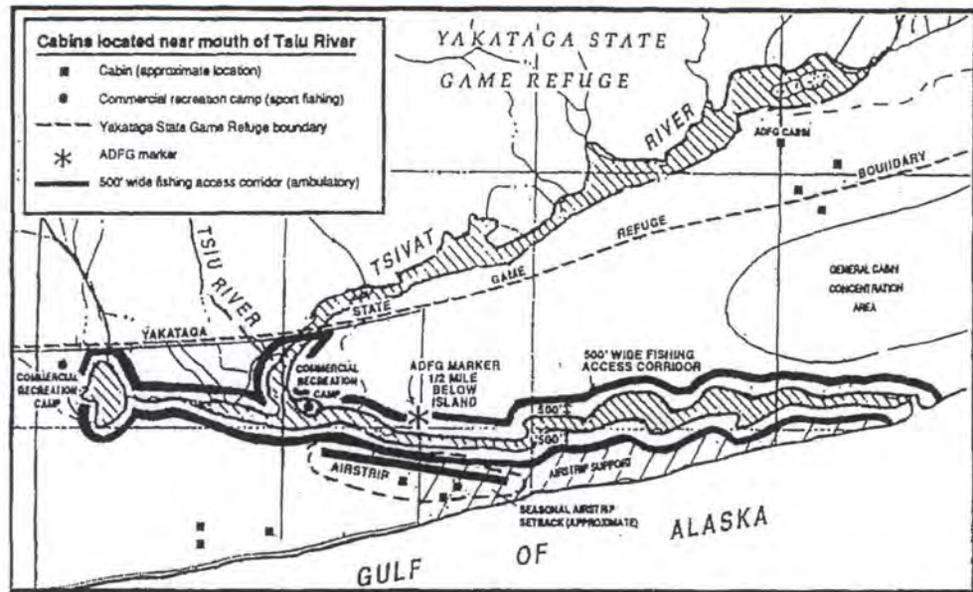
Important habitat in Unit 3A includes harbor seal haulout concentrations in the Tsiu, Tsvat, Kaliakh and Duktorth River mouths, eagle roosting and nesting concentrations, and trumpeter swan nesting concentrations. The Chiuki River is reported to be the most productive nesting and brood-rearing area to trumpeter swans in the state, and the Kaliakh's concentration of eagles is also high, even by Alaska standards. Mature timber stands along these river mouths provide important moose winter habitat and provide cover for bears converging on the coast and rivers to feed. Unit 3A is a vital ecosystem component of the adjoining Yakataga State Game Refuge.

The Tsiu River mouth is the focal point for coho salmon fishing in the western planning area. There is a smaller fishery at Kaliakh River. The set net season runs from late August until October.

Approximately 30 cabins have been built without authorization near the mouth of the Tsiu, and two near the mouth of the Kaliakh.¹ Most of the Tsiu cabins are used by commercial fishers, their crews, or fish buyers. Several are reportedly used by sport guides or for personal or recreational use. Trespass will be enforced under existing authorities. Existing fish camps may be authorized under current

¹ Owners of unauthorized cabins do not have preference rights.

Map 3.5
Tsiu River mouth



lease and permit programs. DNR will implement standard stipulations for fish camps in the Yakataga area after completion of this area plan. Map 3-5, above, shows facilities at the Tsiu River mouth.

Two sport fish camps, with DNR permits, have operated on the west shore of the Tsiu for several years. DNR issued several additional sport camp permits in 1994. DFG maintains a cabin inside the boundary of the refuge to manage the Tsiu fishery.

Management considerations

DNR has received reports of incipient or potential conflict between sport and commercial fish camps. Sport fish camp operators prefer a separation distance to buffer their sites from noise and lights and round-the-clock activity at commercial camps, which may diminish aesthetic and economic values for sport clientele. DNR management concerns at fish camps include: abandoned structures, vehicles, and refuse; potential disturbance of dune vegetation; and improper waste management leading to the killing of bears in defense of life and property.

The shifting dunes, rapidly shifting river channels, and occasional flooding of low areas make it difficult to identify appropriate areas for permanent structures. Land in unstable areas may be lost to erosion or other natural events. The land manager will need to confirm the current location of the Tsiu, Kaliakh, and Duktoth rivers when considering applications for lands near these rivers.

The Yakataga area is seismically very active. Historic seismicity suggests a 67 percent probability of a great earthquake (exceeding 8.2 on the Richter scale) before 2000. Man-made structures on or near active surface faults may be subject to extreme ground accelerations, catastrophic ground failure, or direct displacement. Tsunami hazards are also high.

DNR will not make state timber available for sale or harvest within this management unit until at least December 2014, except for harvest incidental to development of a cabin and trail system.² In addition, before future state timber offerings, DNR must revise the Yakataga Area Plan, including re-examination of land classifications and land use designations. The annual allowable cut for state land must also be recalculated after the area plan is revised.

² See Appendix C for the history and terms of the December 1994 settlement agreement.