



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS  
Office of the Director

5700 East Tudor Road  
Anchorage, Alaska 99507-1225  
Main: 907.269.5509  
Fax: 907.269.5616

December 23, 2021

Chairwoman Carlson-Van Dort  
Alaska Board of Fish  
P.O. Box 115526  
Juneau Ak, 99811-5526

Madam Chair and Board of Fish Members:

The following comments give a brief description of the positions that the Department of Public Safety, Division of Alaska Wildlife Troopers have on the proposals that are up for consideration at the January 2022 Board of Fish meeting in Ketchikan.

AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Further, all management plans rely upon public compliance with regulations to achieve success. Enforcement is a crucial element needed to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and manpower and any new regulation scheme or area restrictions may place an additional burden on AWT.

Comments on specific proposals are included in this letter.

Thank you for your time,

*Aaron Frenzel*

Captain Aaron Frenzel  
Alaska Wildlife Troopers

**Proposal 114:** This proposal would allow the use of fishing rods in conjunction with downriggers by hand trollers.

AWT is neutral on this proposal though there is concern with the possible increase of quasi-commercial fisherman participating in the fishery and having to determine if they are commercial or sport fishing at the time of contact. With allowing fishing rods to be operated in conjunction with downriggers it is likely that both guided and non-guided sport anglers would participate in a commercial fishery to bypass bag limits seen in sport fisheries and still use fishing rods with downriggers. A registered commercial hand troll vessel fishing in waters closed to commercial fishing could claim they are sport fishing when contacted with fishing rods in conjunction with downriggers deployed, creating additional efforts for enforcement to confirm if they are lawfully sport fishing. Though this method is allowed in the winter fisheries, it is less of a concern as the overall effort towards sport fishing is reduced significantly in Southeast during this time. If the board does accept this proposal it should clarify as it does in the winter season under 5AAC 29.120(j)(2) and (j)(3) whether the downrigger must be powered by hand or if other mechanical means can be used.

**Proposal 116:** This proposal would allow commercial salmon trollers to retain king salmon they deem as to be injured during periods of non-retention and sell for \$1.00.

AWT opposes this proposal as it would provide a defense for the unlawful possession of king salmon during times of non-retention. Troopers would not be able to determine the extent of a king salmon's injuries prior to death. This also allows for a fish to be sold for \$1.00 and then to enter commerce either through a processor or by a direct marketer for a significantly increased value, yet the fish would only be \$1.00 of value to the State of Alaska.

**Proposal 276:** This proposal allows commercial fisherman to retain salmon during periods of commercial non-retention when the sport fishery in the area is open for that species.

AWT is neutral on the proposal as it is allocative in nature, but question if the proposal is suggesting the retained salmon be treated as a commercial bycatch species retrained for personal use or a sport fish species that would go against their sport limits. AWT is against allowing any fisherman to possess a species they cannot possess lawfully at any given time. If the retained salmon is considered a "sport fish" the methods and means of sport fishing would need to be followed. Currently sport fish regulations prohibit the sport fishing from commercially licensed vessels while commercially caught salmon are in possession in waters closed to commercial salmon fishing. Sport fish regulations also prohibit sport fishing and commercial fishing for salmon from the same vessel on the same day. Both regulations would have to be modified if this proposal is passed and the salmon is considered a sport fish. Additionally, if the retained fish is considered a sport fish then the prohibited de-heading regulations seen in Southeast sport fisheries would apply during the applicable time periods.

**Proposal 184:** This proposal asks to clarify the practice of long-lining shrimp pots in the sport fishery.

AWT supports addressing whether longlining is intended to be a method of deploying shrimp pots in the sport fisheries of Southeast Alaska. This question has been raised numerous times and as current regulations are written it leans towards being an unlawful method, though the intent on why that might be is unknown to AWT. If the intent of the Board is to allow this method, we would support making it clear in regulation that pots operated to take shrimp may be longlined.

**Proposals 185 and 186:** These proposals both seek to add methods and means that can be used in the sport harvest of squid.

AWT supports clarifying and identifying what methods and means can be used for squid fishing but would prefer the Board take no action at this time and defer to the next statewide meeting. Squid fishing with lights and squid jigs has been occurring for several years and no enforcement action regarding either of these proposals has been taken, though AWT has at times advised people what the current regulations state. AWT supports making a statewide regulation for “sport fishing gear for squid”, like what is seen for herring in 5AAC 75.030. By doing this we will prevent having duplicative regulations written for each area of the state.

**Proposal 199:** This would allow commercial Tanner crab and king crab fishermen to operate subsistence, personal use, or sport shrimp or Dungeness crab pots prior to and during an open Tanner crab or king crab fishery.

AWT opposes this proposal as there is no definition of what a personal use, subsistence, or sport Dungeness crab pot is in terms of configuration or size, absent of escape ring minimum size requirements. Though it is known where Dungeness crab habitat is and the style of pots which are commonly used for Dungeness crab fishing, a pot lawfully configured for Tanner or king crab may be used to take personal use, subsistence, or sport Dungeness crab. By allowing pots to be deployed for Dungeness crab there is a potential for prospecting to occur within 30 days prior to the Tanner and king crab fisheries and for extra gear capable of catching all species of crab to be in the water during these fisheries.

**Proposals 212 and 213:** These proposals are to extend the storage period for Dungeness crab pots in Registration Area A from 72 hours to seven days after a portion of Registration Area A closes.

AWT is neutral on these proposals. Dungeness crab storage requirements are statewide regulations that are uniform across all registration areas and AWT is not aware of widespread issues with fisherman being able to remove stored gear from the water within 72 hours of a partial closure. Current regulations allow for an extension to be granted during times of extreme weather or major vessel breakdowns that would prohibit a fisherman from retrieving their gear.