Submitted By
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Submitted On
2/16/2022 12:35:27 PM
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Proposal 83 &88 are nothing but a money grab to further take away MY income. I have been a commercial fisherman for salmon since 1992 and have seen nothing but unregulated expansion in the charter fleet industry. Just get a CG licence and then you get open access to book clients and take away my income. Giving them more salmon to catch for their clients will not affect the amount of tourists coming here. And if so they can just raise the price to catch one. Taking away from someone to give to another? Socialism. So tiered of listening to them cry about not having enough "so give me what he has." Anyone with open eyes can see what is going on. This is truly a reason use the overly and wrongfully used "stop the STEAL" stop allowing the charter industry to steal my life away!

Submitted By
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12/24/2021 12:14:56 PM
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Tribal resident

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No vote on commercial herring fishing in Sitka, until southeastern Alaska population increase throughout! At least no power seining in Southeast Alaska like to Todiak,Alaska !!□□

Submitted By
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2/22/2022 1:29:27 PM
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Subsistence harvest herring-Sitka

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With trawl by catch and over harvesting herring, the balance of the fisheries are out of balance. Too many herring are wasted! A fishery can be sustained if the power gear are curbed and hand fishing only! Besides there is no Market for this fishery anyway! A few years we will see population return in the favorable column and maybe market prices return too!Todiak herring is hand only! Help save the spiecies!

Submitted By
Ryan Kelly
Submitted On
2/20/2022 5:59:17 AM
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I adamantly support prop. 81

Submitted By
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I adamantly oppose prop 82.

Submitted By
Ryan
Submitted On
2/22/2022 8:27:17 PM
Affiliation

I am writing in regards to proposal 225. I am a lifelong resident of southeast Alaska and own and operate a boat out of Sitka. I was raised commercial fishing and currently participate in the sablefish fishery in southeast Alaska.

While I have no Issue with increased sport harvest during times of high abundance of sablefish, this proposal is problematic and does not accomplish that in a way that I can support. What I do not like about this proposal is that the baseline limit, or floor for future harvest restrictions, is set at 4 daily 8 annual for non-residents fishing in state and federal waters, based off of sablefish abundance in state waters. That makes no sense.

Additionally, if this proposal is to be truly abundance based then it needs to have the the ability to drop to a lower level of harvest by sport harvest rather than have the minimum sport limit be 4 daily it should have a clause stating that in times of lower abundance the sport fishery may only be able to take 1 or 2 or 3 daily with a predetermined annual limit for nonresidents. Thats how abundance based management works - it has to be able to go up and down with the health of the resource.

Ryan Nichols

Submitted By
Ryan
Submitted On
2/22/2022 7:56:46 PM
Affiliation

I am writing in regards to proposal 83. I am 34 years old and have lived in Sitka my entire life. I was raised on a troller and now own and operate one myself. I do not support this proposal. This proposal is allocative given that we are experiencing years of low abundance for chinook currently and with no end in sight. This proposal would give more chinook to non-residents, at the expense of resident fishermen such as myself, during a time when nobody is getting as many fish as they would like. It also gives managers less flexibility to manage stocks of concern throughout the season.

I do not believe that an average over time will result in better chinook management as abundance varies greatly from year to year. The other issue I see with this proposal is that the troll fishery for chinook salmon is managed carefully to stay within the bounds of the Pacific Salmon Treaty, and in many years is only one to two weeks worth of fishing during the summer season. The sport fishing season has no set season dates for chinook salmon. The proposal states that there is a need to have uninterrupted sport fishing for king salmon during the entire length of the season - if that is the case then the sport fishery could consider restrictions on season dates to manage their harvest instead of going after other gear types.

Lastly, at times of low abundance everyone involved in chinook salmon harvest has to take harvest reductions. There are less to go around overall and proposals like this just creates stress and instability for other users. I am willing to accept harvest cuts for conservation, but I find it much harder to accept when its people wanting more without regards for whats best for the resource and the people that live in the State of Alaska.

Ryan Nichols

Submitted By
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2/16/2022 10:09:06 AM
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I support Proposals 156, 157, and/or 158. Each of these proposals calls for more comservative management of Sitka herring than current practice, More conservative management will benefit not only subsistence users, and ultimately, permit holders, but is justified based on the reliance of many species on herring as food.

Supplemental Sealaska Corporation Comments in Opposition to Proposals 159-161

Submitted to the Alaska Board of Fisheries

Southeast and Yakutat Finfish and Shellfish Meeting
March 10-22, 2022

February 23, 2022

Board Meeting: Southeast and Yakutat Finfish and Shellfish
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1. Introduction

Sealaska Corporation appreciates the opportunity to submit these supplemental comments in opposition to Proposals 159-161. Each of these proposals is being submitted by the Southeast Herring Conservation Alliance (the "Alliance"). The Alliance is a trade group representing purse seiners who conduct an interception fishery upstream of the traditional Sitka herring roe subsistence fishery. Taken together, these proposals would:

- repeal the primary regulation that ADF&G has repeatedly relied upon in court proceedings to demonstrate that it and the Board of Fisheries have provided the "reasonable opportunity for subsistence uses" required by AS 16.05.258;
- allow the purse seiners to invade, to the effective exclusion of subsistence users, heretofore-closed nearshore waters that; (i) currently provide and have historically provided abundant subsistence-harvested herring roe; and (ii) are critically important to Alaska Natives who do not own a boat or who own only a skiff unsuited for the harsh waters of Sitka Sound; and
- impose an unusual individual permit requirement on a communal fishery in which virtually all of the subsistence harvest is shared statewide and, and in so doing, deface the tradition of sharing that lies at the heart of Alaska Native culture.

The Alliance and the Sitka Tribe of Alaska (the "Tribe") have a longstanding adversarial relationship, the most recent manifestation being the Alliance's intervention in the Tribe's litigation challenging ADF&G's management of Sitka's herring populations. [1]/ Given the harsh effect that Proposals 159-161 would have on future subsistence harvests and their underlying cultural traditions, one could hardly be faulted for suspecting that Proposals 159-161 may be rooted in these enduring hard feelings.

Supplemental comments on each of the three proposals are provided in turn. Substantial use is made of ADF&G's December, 2021 report, *The Subsistence Harvest of Pacific Herring Spawn in Sitka Sound, Alaska, 2021*, Technical Paper No. 486 (hereinafter "*2021 Subsistence Report*"). That report contains significant new insights on the inadvisability of Proposals 160 (removing closed areas) and 161 (imposing a subsistence permit requirement) in particular.

2. Proposal 159 (Repeal of 5 AAC 27.195)

In its initial comments, Sealaska documented ADF&G's repeated invocation of this Sitka-specific subsistence-protection regulation as the principal vehicle by which this Board, and ADF&G, achieve compliance with AS 16.05.258's mandate to provide a "reasonable opportunity" for subsistence uses of Sitka herring. [2]/ The Alliance's

[1] / *Sitka Tribe of Alaska v. State of Alaska et al.,* 1SI-18-00212 CI (Alaska Super. Ct.) (hereinafter "*Sitka Litigation*").

[2] / *On Time Public Comments,* PC 318 at 11-12. The other protection relied upon by the agency was the core subsistence area that is currently closed to commercial fishing. *Id.* at 10-11. But the Alliance is also proposing to materially shrink that same closed area in Proposal 160. **Note:** All page references in these comments to on-time public comments are to the "PC" citation in the Board's comment compilation; *not* to the internal page citation within the comment document itself.

comment that §195 is "superfluous" [3]/ is belied by the record in the *Sitka Litigation*. In truth, it is anything but. It was thus rather surprising that ADF&G, in its "Neutral" position on this proposal, would so passively accept removal of its first line of defense in litigation involving Sitka herring management.

Besides disarming ADF&G, the proposal's justification is pretextual. The Alliance argues that the Tribe is seeking to interpret §195(b) as requiring that ADF&G delay the opening of the purse seine fishery until enough herring have spawned to enable the agency to assess the "quality and quantity" of the herring roe. Requiring that significant herring spawn occur before opening the pre-spawning purse seine sac roe fishery would obviously leave considerably less roe for the latter fishery to harvest.

Failure to repeal §195, the Alliance argues, will leave open the question of:

> *…whether the regulation prohibits the department from opening the sac roe fishery prior to the onset of the herring spawn as argued by STA in a lawsuit against the Board and the department. STA contends that in adopting 5 AAC 27.195, the Board intended that the department delay opening the commercial fishery until enough herring have spawned to allow a determination that the subsistence harvest will be sufficient in both quantity and quality to meet subsistence needs.*

Proposal 159*, What is the issue you would like the board to address and why?*

The Alliance's Cassandra prophecy is misplaced for two reasons:

First, the Tribe is not making that argument. In its preliminary injunction pleadings, the Tribe stated:

[3] / *On-Time Comments*, P.C. 335 at 2.

> *Sitka Tribe of Alaska ("STA") is not seeking a preliminary injunction that mandates ADFG take any specific management action in the 2019 herring sac roe fishery, including delaying the commercial opening until after the first spawn. Nor is STA insisting that ADFG must conduct an in-season survey of the quality and quantity of spawn on branches before it can open the sac roe fishery.*

Sitka Litigation, op. cit. n. 1, Sitka Tribe of Alaska's Reply Memorandum in Support of Motion for Preliminary Injunction, Feb. 11, 2019 at 1.

Second, the court in the *Sitka Litigation* expressly held that §195 imposes no such requirement. The court held:

> *There is nothing unreasonable about ADF&G's interpretation that the regulation does not require ADF&G to conduct an inseason assessment of the quantity and quality before making a determination to open or distribute the commercial fishery in a certain way, thus it is entitled to deference if reasonable. The amount of weight ADF&G gives to this important quantity and quality factor, where it derives the data it uses when considering the factor, and precisely how it considers the factor, are entirely committed to the discretion of ADF&G if reasonable. But ADF&G must meaningfully consider the factor in some reasonable way before making such a management decision. The consideration need not be immediately before the decision is made, but the consideration must have some substance.*

Id., Order Granting Renewed Motion for Partial Summary Judgment, Nov. 30, 2020 at 12. Indeed the Alliance concedes as much in its On-Time comments, noting that, in this decision, "the court did not find that the department had failed to comply with the regulation, only that it had not provided adequate explanation of its decision-making." P.C. 335 at 3. [4]/

[4] / The Tribe, it should be noted, did not appeal this aspect of the court's ruling.

One last concern with the Alliance's argument warrants note. The Alliance's superfluity argument rests in substantial part on the Alliance's assertion that "establishment of a 'core' subsistence area… has made 5 AAC 27.195 superfluous." [5]/ Of course, at the same time, the Alliance is urging the Board to materially diminish that same "core area"—a proposal to which these comments now turn.

3. Proposal 160 (Repeal of 2018 Addition to Closed Areas)

The Alliance's rationale for this proposal is two-fold:

- Spawning in the core area has decreased, and therefore the impact on subsistence harvesters would be minimal; [6]/ and
- The 2018 addition to the core area provides "no demonstrated benefits to subsistence users." [7]/

Neither proposition is true.

a. The 2018 core area addition continues to be a critical source of herring roe

It is true, as the Alliance alleges, that in 2019-2020 herring spawn tended to concentrate more on the offshore coastline of Kruzof Island. However, as the *2021 Subsistence Report* demonstrates, that was an aberration. The report concludes:

> *According to these data [historical data covering every study year except 2007-8], harvesters clearly use a core area, which is also where the frequency of herring spawn has usually been the highest…From 2018 through 2020, there was a small*

[5] / PC 335 at 2.
[6] / "Given that the herring spawn of 2019 and 2020 centered around Kruzof Island and at least partially bypassed the core areas," protection of the core areas is no longer necessary to provide a "reasonable opportunity" for subsistence harvest. *On Time Comments,* PC335 at 4.
[7] / Proposal 160, "*What is the issue you would like the board address and why?*"

> *amount of spawning activity within this area [cites omitted].* ***Spawning activity in 2021 was more similar to the years prior to 2017 with increased spawning activity in the core area***.

Id. at 32 (*emphasis added*); *see also* p. 25 ("Compared to recent years, [in 2021] herring spawned closer to town and in what would be considered the 'core' area for harvest."). Maps embedded in the report bear this out. For example, much of the subsistence effort was concentrated on the shores of Crow and Gagarin Islands. *Id.* at 22. Indeed, 26% of the reported subsistence harvest occurred along these shorelines, and 8,252 pounds of the subsistence harvest were taken there. *Id.* at 21. Three-quarters of the Crow Island shoreline, and virtually all of the Gagarin Island coast, were added as core areas in 2018. Another 9% of the total subsistence effort occurred at North Middle Island and the Gavanski Islands group, all of which were also added in 2018. *Id.*

Similarly, ADF&G surveys document a significant number of spawning days (3-4 days) at the north end of South Middle Island and throughout Gagarin Island, both locales being part of the 2018 addition. *Id.* at 30.

Historical data (which, as we have seen, the 2021 harvest most closely mirrors) underscore the importance of the 2018 addition to the subsistence fishery. Portions of the Sitka road system added in 2018 have experienced spawning activity in virtually every year since 1964 (*i.e.* 37-47 years), while ADF&G has documented spawning activity in 26-27 years (again since 1964) along other significant portions of the 2018 addition, including more of the Sitka road system coastline, the north and northeast portions of South Middle Island, and the Gavanski Islands group. *Id.*

b. The nearshore core areas are indispensable to many subsistence harvesters who either own no boat or only a skiff

According to the *2021 Subsistence Report*, "some harvesters do not have access to a boat, so they need to harvest in locations accessible by the road system, regardless of where the herring are spawning. " *Id.* at 32.

Moreover, even for those with access to a boat: "Skiffs and other small boats are commonly used by herring harvesters and wind and rough seas can become dangerous; therefore, protected areas are sought." *Id*. at 32-33. Indeed, 45% of the subsistence harvesters use boats less than 20 feet length, while another 40% use boats in the 20-24 ft. range. *Id.* at 9.

Thus, there is more than a little Marie Antoinette in the Alliance's suggestion that subsistence harvesters should simply navigate 7-10 open water miles of Sitka Sound to Kruzof Island to get their herring roe. *On Time Comments,* PC 335 at 4.

There is another reason for the subsistence fishery's dependence on the nearshore core areas. Because of ocean surge, more open and exposed waters produce lower quality roe. As the *2021 Subsistence Report* explains: "Protected areas are also favored for their likelihood of high-quality spawn because ocean surge can stir up and on the sea floor, thus degrading the quality of the harvest." *Id.* at 33. That is particularly true of Kruzof Island, where beaches are largely comprised of volcanic sand that invariably

becomes entrained in herring roe clusters because of the heavy surge that this coastline regularly experiences, rendering the egg clusters useless. [8]/

In a nutshell, the 2018 addition protects key subsistence areas. And recall, as Sealaska documented in its initial comments (*id.* at 8-9), that ADF&G relied on the 2018 core area addition as one of the key factors (in addition to 5 AAC 27.195 [*see Sec. 2, ante*]) in demonstrating the Board's compliance with the "reasonable opportunity for subsistence" mandate in AS 16.05.258. Indeed, stripping away protection from the productive and heavily relied-upon nearshore waters in the 2018 addition would leave the Board hard pressed to maintain that a reasonable opportunity was being provided.

4. Proposal 161 (Imposing an Individual Permit Requirement on Subsistence Harvesters)

Sealaska's initial comments demonstrated how an individual permit requirement imposed on the Sitka subsistence herring roe fishery would sabotage a foundational element of Alaska Native culture, the tradition of sharing, by converting Alaska's quintessential communal fishery into an individual enterprise. *On Time Comments,* PC 318 at 18-22. The purpose of these supplemental comments is to highlight the conclusion of the *2021 Subsistence Report* that this cultural insult would be inflicted with no countervailing benefits; indeed, an individual permit would materially undermine the one goal that the proposal's sponsors have advanced.

[8] / Sitka Tribe of Alaska, *Subsistence Management Recommendations and Guidance for Implementing 5 AAC 27.195* (March 18, 2021) at 24 (*Attachment 1). Attachment 1* was provided to ADF&G in advance of the 2021 herring roe fisheries. Only the relevant pages of those recommendations are included in *Attachment 1.*

To begin with, "[s]ubsistence fisheries throughout the state of Alaska have varying requirements for harvest reporting: ***the majority do not requirement a permit***…A permit is required to subsistence harvest spawn on kelp in Southeast, *but* ***no other subsistence herring egg fisheries in the state require a permit***." *2021 Subsistence Report* at 1, n. 1; *emphasis added*.

The sole justification for singling out the Sitka fishery for a permit requirement is the asserted need to obtain "accurate and timely information on harvest and participation." [9]/ But as ADF&G's comments and the *2021 Subsistence Report* both make clear, that information is already being provided in a timely manner, and a permit requirement would likely materially diminish the amount of critical management information that is already being provided through the joint ADF&G/Sitka Tribe monitoring program. Specifically:

a. Basic harvest information

According to ADF&G, a permit requirement "would not result in more timely collection of harvest data." [10]/ ADF&G adds that " [r]easonably accurate harvest information can be obtained through the current [ADF&G/Sitka Tribe] monitoring program " *Id.* In fact, the *2021 Subsistence Report* warns that even basic harvest information derived from a permit may be less reliable than the current monitoring

[9] / Alliance, Proposal 161, *What is the issue you would like the board to address and why?*
[10] / Alaska Dept. of Fish and Game, *Staff Comments on Regulatory Proposals…For the Southeast and Yakutat Finfish and Shellfish Alaska Board of Fisheries Meeting, 2021/2022 Meeting Cycle* (Regional Information Report No. 1J21-15) at 181 (*"Staff Comments*").

program, since, "[b]ased on salmon permit programs, [a] permit can underestimate the actual harvest…" *Id.* at 1, n. 1.

On the other hand, the *2021 Subsistence Report* provides a detailed picture of the scope and reliability of the existing ADF&G/Sitka Tribe monitoring system. That program:

- relies on in-person harvester interviews that are managed and evaluated according to accepted international and tribal standards. *Id.* at 2-3. The program "provides a way to increase community buy-in and participation in harvest reporting, build capacity with the community and [the Sitka Tribe], and provide[s] consistent data." *Id.* at 2; and
- In the face of declining participation in the program, in 2021 the Tribe and ADF&G staff "implemented a more formal and robust outreach effort…" *Id.* at 3. The Tribe:

> *.. engaged in outreach activities to increase knowledge of the household survey effort in the community and among tribal members and to encourage participation in the survey by all harvesters. These efforts included a raffle drawing for survey participants and advertising on the STA Facebook page and website, the local newspaper, and the local radio station…Overall, more households were contacted in 2021 than in any of the five previous years of the project.*

Id. at 23. As a result, there was a 44% increase in harvester participation in 2021 (*id.* at 3), with 55 of the 69 identified harvesters being interviewed. *Id.* at 4. [11]/

[11] / ADF&G's multi-part protocol for insuring a reasonably accurate list of all subsistence harvesters is described at pp. 3-4 of the *2021 Subsistence Report.*

The number of responding harvesters was sufficient to allow ADF&G, using standard statistical tools, to estimate total harvest (including both interviewed and not interviewed) at a 95% confidence level with a reasonable margin of error. *Id.* at 6, 11.

b. Other critical fishery management information

Basic harvesting data is one predicate to informed management decisions. It is not the only one—particularly for a communal fishery such as the Sitka subsistence herring roe fishery. As ADF&G staff warned:

> *In addition to estimated harvest amounts, the current harvest monitoring system captures the best available data important to this fishery that would be difficult to accurately capture from returned permits, such as sharing of herring eggs and specific details about harvest effort.*

Staff Comments at 181. The *2021 Subsistence Report* doubles down on this criticism of the limited utility of a permit requirement:

> *[P]ermit data decouple harvest from the broader context in which the resource is harvested. For example, permits do not document information about household demographics, sharing practices, or qualitative assessments about the harvests that provide important explanatory context needed for sensitive allocation decisions.*

Id. at 1, n. 1. Given that widespread sharing according to traditional tribal protocols is the *sine qua non* of this subsistence fishery, [12]/ losing access to any data on "sharing practices"

[12] / The *2021 Subsistence Report* found that 92% of the 2021 harvest was shared outside the harvesters' households and was sent to, among others, "Anchorage, Angoon, Bethel, Coffman Cove, Cordova, Fairbanks, Hoonah, Hydaburg, Juneau, Kake, Ketchikan, Klawock, Kotzebue, Metlakatla, Nome, Palmer, Sitka, Soldotna, Valdez, Wrangell, Yakutat, Utqiagvik, as well as communities in other states." *Id.* at 8, 24. The extent and cultural significance of this remarkable

would seem to irremediably preclude the Board and ADF&G from making "sensitive allocation decisions."

One could hope that, even under the boot of a permit requirement, harvesters might still participate in the voluntary monitoring program. But let's be real here. If forced to comply with a permit requirement, what possible incentive might an individual harvester then have to continue to shoulder the additional burden of voluntary participation in the existing monitoring program?

c. The timing issue

The only possible remaining rationale for a permit requirement is that the admittedly incomplete data retrieved from permit reporting might be more timely received and analyzed than through the monitoring program. *See Staff Comments, op. cit. n. 10* at 181. In past years, ADF&G has indeed been unable to publish its analysis of a year's monitoring data until well after the close of the succeeding season. However, the *2021 Subsistence Report* was released in December, 2021—in ample time to inform decisions about the Spring 2022 herring season. Thus, whether past years' delays were attributable to delayed receipt of data from the Tribe, or untimely analysis of that data by ADF&G staff, is now moot.

sharing system are discussed in depth in Sealaska's initial comments. *On Time Comments,* PC 318 at 18-22.

5. Conclusion

For these reasons, and those set out in Sealaska's initial comments, Sealaska respectfully urges the Board to reject Proposals 159-161.

Attachment 1

Subsistence Management Recommendations and Guidance for Implementing 5 AAC 27.195

EXECUTIVE SUMMARY

Subsistence Management Recommendations:

1. Exercise existing regulatory authority to delay commercial fishery openings in order to ensure a reasonable opportunity for subsistence
2. Prohibit commercial fishery openings near areas with productive subsistence sets
3. Strictly limit the amount and timing of the commercial test fishery
4. Prohibit the commercial fishery from over-fishing large herring, *i.e*., "high grading"
5. Verify the forecasted biomass through in-season ground-truthing and adjustments to the guideline harvest level (GHL)
6. Consult with STA and subsistence harvesters during the commercial season, especially prior to commercial openings to assess impacts on subsistence uses
7. Use the best available information in all management and research decisions
8. Apply the precautionary principle to all management decisions
9. Conduct a Management Strategy Evaluation after the 2021 season in collaboration with STA and subsistence harvesters

Factors for Determining Whether There is a Reasonable Opportunity for Subsistence:

a. The Amount Necessary for Subsistence (ANS)
b. Quantity of Herring Spawn on Branches, Kelp, and Seaweed
    i. The forecast biomass
    ii. The effect of commercial harvests on the quantity of herring spawn available for subsistence harvesters
c. Quality of Herring Spawn on Branches, Kelp, and Seaweed
    i. Location of spawn (substrate)
    ii. Accessibility of herring spawn to subsistence harvesters
    iii. Duration (mile-days) of spawning events in subsistence areas
d. Age and Weight of Spawning Population
e. Effects of the Commercial Fishery on Subsistence Harvests
    i. Proximity of commercial openings to subsistence areas
    ii. Duration and timing of commercial openings
    iii. Test fisheries
    iv. Intensity of commercial effort

locations for subsistence harvesters. (Thornton et al. 2010; Thornton and Kitka 2015). The commercial fishery typically opens before herring spawn, and before subsistence harvesters collect their sets, which means that an overestimate in the forecasted biomass, along with any effects of the commercial fishery, will negatively affect subsistence harvesters after the commercial fishery has ended. ADF&G must consider the effects of the commercial fishery when determining whether subsistence harvesters have a reasonable opportunity for subsistence.

Importantly, the assumption that a large biomass will provide sufficient herring for may be appropriate when applied to ecosystem or commercial fishery needs, but it is inapt when applied to the subsistence harvest. The assumption ignores the practicalities of harvesting herring spawn on branches, kelp, and seaweed. While the commercial fishery is highly mobile and can locate and fish herring schools throughout Sitka Sound, subsistence harvesters rely on fixed locations to place their subsistence sets (hemlock branches). (Schroeder and Kookesh 1990). Subsistence harvesters rely on carefully selected locations that have the appropriate environmental conditions and are accessible according to the harvesters' transportation options. (Schroeder and Kookesh 1990; Shewmake 2013). Subsistence harvesters, by and large, do not have the option of simply harvesting somewhere else; they rely on a sufficient quantity of herring spawn in certain, traditional areas. (ADF&G Subsistence harvest surveys and reports; Shewmake 2013; Thornton 2019) Thus, the assumption that a large biomass of spawning herring will provide a reasonable opportunity for subsistence is fundamentally incorrect.

ADF&G must adopt a more conservative commercial fishery management approach that considers how the amount, timing, and location of commercial openings affect subsistence opportunity. In 2021, ADF&G should not simply assume that the large biomass forecast and the current harvest rate strategy will provide a reasonable opportunity for subsistence. ADF&G must address the commercial fishery's effects on subsistence harvesters when analyzing whether a reasonable opportunity for subsistence exists.

c. Quality of Herring Spawn on Branches, Kelp, and Seaweed

5 AAC 27.195(b) requires ADF&G to consider the *quality* of herring spawn on branches when determining whether there is a reasonable opportunity for subsistence. According to the court, the regulation "imposes a mandatory duty on ADF&G to consider the important factor of *quality* and quantity of herring roe on branches" when making management decisions regarding the commercial fishery.

To date, ADF&G has never considered the quality of herring spawn on branches when managing the commercial fishery. ADF&G has insisted that it does not have data regarding the quality of herring spawn on branches, and thus, it has no analysis of quality to consider when determining whether a reasonable opportunity exists. Nevertheless, the plain language of the regulation requires ADF&G to "meaningfully consider" the quality of herring spawn on branches before opening the commercial fishery, and not doing so in 2021 would be unlawful.

In light of ADF&G's failure to identify how it plans to consider the quality of herring spawn on branches before opening the commercial fishery, STA has identified three physical conditions that are necessary for, and generally indicate high quality herring spawn on branches: the location of spawn (substrate), accessibility of spawning locations, and the duration of spawning events in accessible areas. Those physical conditions may be used as proxies to estimate and analyze the quality of the upcoming subsistence harvest. ADF&G should consider each of those physical conditions, including the effects of the commercial fishery on the quality of herring spawn on branches.

Ultimately, determining the quality of a subsistence harvest depends on individual preferences of harvesters and cultural expectations. Subsistence harvesters may consider the quality of eggs based on thickness, color, sand contamination, etc. (ADF&G Subsistence research data; Thornton et al. 2010, Thornton 2019, Thornton and Moss 2021) Therefore, in addition to considering the physical conditions that are necessary and conducive to producing quality herring spawn on branches, ADF&G should consult with subsistence harvesters regularly throughout the herring season regarding the quality of herring spawn on branches.

i. Location of Spawn (Substrate)

The substrate on which herring spawn is one of the most important conditions that contributes to the quality of herring spawn on branches. Spawn on sandy substrate will likely yield sub-par quality roe because the sand becomes mixed with the eggs. For example, subsistence harvesters have noted that subsistence sets placed on the Kruzof Island shoreline (south of Point Brown) yield harvests that are contaminated with sand and unusable. In contrast, high-quality herring spawn on branches is typically found on protected, rocky coastlines—away from sandy areas and rough waves. Traditional and local knowledge has recognized that the quality of herring spawn on branches is highly

dependent on local conditions (topography, currents, density), and subsistence harvesters carefully choose sites to place their branches accordingly. (Schroeder and Kookesh 1990; Thornton et al. 2010).

Before authorizing a test fishery or opening the commercial fishery, ADF&G should analyze whether those management actions have the potential to disrupt spawning events in areas with productive substrate. Those areas are typically used by subsistence harvesters (i.e., the traditional subsistence areas), and are identified in maps produced by the Subsistence Division. In-season aerial surveys demonstrating a lack of spawn in traditional areas that are likely to have productive substrate should factor into ADF&G's determination of reasonable opportunity, indicating that the subsistence harvest will not have a sufficient amount of quality herring spawn on branches.

ii. Accessibility of Herring Spawn to Subsistence Harvesters

In addition to the substrate beneath spawning events, the location of spawning is important for providing quality herring spawn on branches. ADF&G must consider whether herring spawn is occurring or likely to occur within areas that are accessible to subsistence harvesters before opening the commercial fishery.

As discussed above, subsistence harvesters are typically limited in the areas that they can access in Sitka Sound. Ordinarily diligent harvesters may use skiffs that are not capable of crossing open waters. These harvesters rely on traditional subsistence areas between Dorothy Narrows and Neva Strait, for spawning events commencing in the Core Area, and lasting for three weeks, with "waves" of spawners coming to deposit their eggs on laid hemlock boughs and other substrate. (Schroeder and Kookesh 1990, Thornton et al 2010; Thornton and Kitka 2015).Thus, spawning events that occur in inaccessible areas would not yield "quality" herring spawn on branches. ADF&G must consider the geographic distribution of spawning when determining whether there is a reasonable opportunity for subsistence.

iii. Duration (Mile-Days) of Spawning Events in Subsistence Areas

The duration of herring spawning events in accessible areas has been identified as one of the key indicators of quality herring spawn for subsistence harvesters. Local and traditional knowledge holders report that quality spawn on branches requires 2 to 3 days of spawn in an accessible area. (Thornton et al. 2010) ADF&G should consider in-season

Submitted By
Sharon Sullivan
Submitted On
1/19/2022 7:57:49 AM
Affiliation

Dear Fisheries Managers and Leadership,

I lived in Sitka, Alaska from 2006 to 2019. During that time, I worked as a maternal/child health nurse and lactation consultant for both the Tribal Consortium and also the community hospital. I work with mothers and babies because I see it is one of the most effective ways to advocate for a better future in our communities and on the planet. Working with feeding small humans allows me to see how what we eat, and how we eat, is directly connected to our lifelong health. So, my professional work is related, in the broadest sense, to why I write today to ensure the survival of the herring and to advocate for the proposals set forth by the Sitka Tribe of Alaska: 156, 157 and 158.

I was an active member of the Alaska Native Sisterhood, Camp 4, and through ANS, I had my first exposure to herring and herring eggs as a sacred food. I will always remember preparing herring eggs with Tribal elders and the reverence with which they honored the harvest. The crunch of the eggs and the salty fresh smell was unlike anything I'd ever experienced. Unique,nourishing and delicious. Stories were told of the long-gone times of abundant harvests. We needed to ask for donations from the community at that time, in order to be able to have what was needed for ceremonial dinners and memorials. The amount that we had was stored in the freezer for future events, as precious (and scarce) food to be offered at important occasions.

Many of my patients and friends rely on small family fishing for salmon, for their food and livelihood. If the herring cannot survive, the salmon will also suffer, and our local families will also lose their livelihood. These are people directly connected to the harvest and know the limits of the ecosystem so that resources can be maintained in perpetuity. I know when they tell me they are concerned for the herring, their concern is based in real experience, on the deck of a boat, not in a research lab or library where 'theories' may take hold that do not reflect the actual sober reality of what is happening now.

I now live in Washington State on the Swinomish Reservation. My neighbors also commercial fish for their family's livelihood. The health of the herring in SE Alaska affects the entire ecosystem of salmon in the PNW. So, I also write for my neighbors here.

I myself harvest plants for food and medicine. I know the plants we need to fight drug-resistant bacteria and viruses, so needed in this time of change. I learned this by apprenticing to indigenous healers, and these teachers, most fundamentally, taught about ethical and sustainable harvesting before we learned about the properties, benefits or uses. The principles were always the same: to leave the majority, the vast majority of any plant to grow, before contemplating what you take. My first teacher taught me to walk past the first 7 plants before stopping to consider harvesting one. My other teachers said you had to see at least 30 before you could harvest one. So, by these sustainable ratios, proven by countless generations of medicine people -- as the plants are STILL here -- the most you can take is between 1:7 to 1:30 before the future is affected negatively. I trust in this indigenous wisdom, because it has survived through the ages, and continues to be shared. We see the vulnerability and toxicity of modern industrial agriculture farming just as we see the declining stocks of our sacred herring.

Please support and take action to uphold the Sitka Tribe of Alaska's proposals 156, 157, and 158. Most especially, the taking of no more than 20% of the herring over age 5 is crucial. This 1:5 is still a stretch, taking a yield beyond the 1:7 and 1:30 ratios that have been proven by indigenous science. So, this provision is only a start, but a good first step to getting us back to balance.

I write as a mother, a nurse, an herbalist, lactation consultant and healer, for the future childrens' children: until the sun no longer rises, and the moon no longer sets. Thank you for opening your hearts and minds to the connection we all share. Thank you for your service.

Sharon Sullivan, RNC-OB, IBCLC, Clinical Herbalist

sharon.sullivan.lb@gmail.com

Submitted By
Shawaan Jackson-Gamble
Submitted On
2/23/2022 11:49:33 PM
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Gunalcheesh Alaska Board of Fish for accepting my public comment and I hope to give my public comment in person next month. I am writing this comment so that my future kids, grandchildren and next generations can have sustainable access to harvest herring eggs. The picture I am sharing with you is a photo of me at six months old seeing herring eggs for the first time and I already knew what it was because it is in my DNA to our traditional foods. I grew up harvesting herring eggs with my father Tom Gamble and am grateful to continue to learn from him. My father's people the Kiks.adi have been in Sitka for over 10,000 years and have stories and songs that validate our ties to Sheetka Kwaan (Sitka). The true experts of herring like my dad need to be involved more in this management process.

In my 24 years of being on this earth I have seen a tremendous decline in not only the herring abundance in Sitka sound but the quality and amount of herring eggs we are blessed with each year. The past few years when there hasn't been a commercial fishing industry we have seen a significant difference in not only more nautical miles of herring spawn but also some of the best herring egg quality I have seen. Nearly all of Southeast gets a taste of Sitka Herring eggs each year and is something that has been traded among our villages for time immemorial, Southeast Communities historically had herring spawns each year until it was over harvested from commercial herring fishing like in my other home community of Kake was overharvested due to mismanagement from the State of Alaska. Recently the State of Alaska lost the first round of litigation against Sitka Tribe of Alaska making sure that subsistence needs are met and in my eyes the State of Alaska prioritizes making money over subsistence, but you can't eat money. Once the herring are over fished you will see a direct correlation with the entire ecosystem because herring are a forage fish and a keystone species for everything including salmon, seal, sea lions, sea otters, humans, birds, whales and the list goes on.

I am writing today in support of proposals 156, 157, and 158.

I am opposed to proposals 159, 160, 161, 163, 164, 165, 166.

Proposal 156 should be supported because fishing pressure on herring has never been higher than it is right now and the high Guideline Harvest Levels of recent years leave this fishery vulnerable. The Harvest Control Rule in Sitka Sound currently allows for more aggressive herring harvest at low abundance than was administered prior to herring population collapses at Auke Bay, Kah Shakes, and Prince William Sound, among other locales. This harvest control rule would make herring population collapse less likely by lowering the Sitka Sound Guideline Harvest Level at times of low abundance.

Proposal 157 and 158 should be supported because of the growing consensus of the vast importance of older fish for population resilience. The Sitka Sound Sac Roe herring fishery is designed to select for older herring and the population age structure is precarious and vulnerable as a result. These proposals would avoid over-harvesting big fish in years where smaller fish are particularly dominant in the population.

Proposals 156, 157, and 158 would lead to safer management of the commercial herring fishery in Sitka Sound by better protecting population resilience.

Proposal 159, 160, and 161 are offensive, baseless, bad faith proposals brought by an industry gear group (called "Southeast Herring Conservation Alliance") against indigenous people. These proposals should be withdrawn by the SHCA or otherwise swiftly rejected. ADFG data demonstrates that access conditions for roe-on-branch harvesters have deteriorated considerably in the last 20 years. Each of these proposals would further harm subsistence users.

If I am required to get a permit to harvest herring eggs like proposal 161 proposes than I propose that everyone that goes to church gets a permit to go to church. The State of Alaska might as well make me fill out a permit to traditional dance and sing our songs. Proposal 161 is a direct attack on subsistence users brought forward by the commercial fishing industry and Alaska should not create more barriers to a sustainable cultural and subsistence practice. It is also going against the American Indian Religious Freedoms Act of 1978 which protects the rights of Native Americans to exercise their traditional regions by ensuring access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rights. It also goes against ANILCA Title VIII which mandates that rural residents of Alaska be given a priority for subsistence uses of fish and wildlife.

I am opposed to Proposal 163 and 164, which would institute a quota system, liberalizing the sac roe seine fishery and expanding the entitlements of permit holders in addition to the obligations of ADFG to the fishery. Under these proposals, more high grading is sure to occur across a wider region, leaving more dead, injured, and stressed out fish in the water while severely disrupting the herring spawning event throughout the entire Sitka Sound area. These two proposals are out of scale with the safety problem they purport to address.

I am opposed to both Proposal 165 and Proposal 166, which should not even be considered, given that they represent permit creep of a sort that has no precedent and has been discouraged by the CFEC in recent years. I am opposed to both of these measures to expand the scope of the G01A (Herring Roe, Purse Seine, Southeast) permits.

Proposals 159, 160, 161, 163, 164, and 165, and 166 lack good scientific justification, disrespect subsistence users and modern and traditional Tlingit knowledge, and run the risk of further damaging and reducing herring populations.

Still, I believe that none of these proposals goes far enough to advance respectful stewardship and protect wild abundance for generations to come. Please listen to what the original stewards of these lands and waters have to say, we have been advocating for protection of herring for how many decades now. Think about how this will affect the next generations and the entire ecosystem. Gunalcheesh Haawaa for allowing me to give my testimony even though I had to travel to Anchorage for a Southeast Alaska Board of Fish meeting, I hope the Alaska Native Voices are listened to and incorporated more in these important decision making processes that affect our traditional ways of life.

SAI 2022 - 02
Subsistence Herring Egg
Harvest in Sitka Sound

RESOLUTION OF
THE BOARD OF DIRECTORS
OF
SHEE ATIKÁ, INCORPORATED

WHEREAS, Shee Atiká, Incorporated ("SAI") is an Alaska Native Corporation organized pursuant to the Alaska Native Claims Settlement Act ("ANCSA"), 43 U.S.C sections 1601 et seq. for the Alaska Natives historically residing in and around Sitka, Alaska;

WHEREAS, the Board of Directors of SAI has the authority to oversee the affairs of SAI;

WHEREAS, Shee Atiká Incorporated is an urban Native corporation made up of just under 3,500 Alaska Native shareholders; and

WHEREAS, many of Shee Atiká's shareholders are also tribal citizens of the Sitka Tribe of Alaska and live in Sitka and throughout southeast Alaska; and

WHEREAS, the Sitka Tribe of Alaska is the federally recognized tribal government for the Sitka area and is responsible for the health, safety, and culture for its more than 4,400 tribal citizens: and

WHEREAS, the effects of changing ocean conditions brought about by climate change and the significant increase in the humpback whale population on herring stocks are not fully understood nor adequately addressed in the management of the Sitka Sound herring stock; and

WHEREAS, the amount necessary for subsistence (5AAC 01.716.(b)) for the Sitka Sound subsistence herring egg harvest has not been met consistently for the last several years; and

WHEREAS, it is important to recognize the cultural and traditional ecological knowledge in the ongoing discussions and management of the Sitka Sound and all Southeast Alaska herring stocks; and

WHEREAS, the Sitka Tribe of Alaska has submitted Board of Fisheries proposals that are aimed at conserving the Sitka Sound herring stock and protecting a viable subsistence harvest of herring eggs in Sitka Sound.

NOW THEREFORE BE IT RESOLVED that the Board Directors of Shee Atiká, Inc. hereby shares the Sitka Tribe of Alaska's concerns and stands with them in support of their efforts to conserve the Sitka Sound herring stock and protect the subsistence harvest of herring eggs in Sitka Sound.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon enactment;

BE IT FURTHER RESOLVED, that the officers and agents of the Corporation be and are hereby authorized to take all necessary action to effect the foregoing resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by the Board of Directors of Shee Atiká, Incorporated in accordance with its Articles and Bylaws at a Meeting of said Board of Directors held on January 28, 2022, and said resolution appears in the record of said Meeting as set forth above.

Dated this 31 day of January, 2022.

By: Norma J. Perkins
Norma J. Perkins, Secretary
Shee Atiká, Incorporated

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

February 23, 2022

Alaska Board of Fisheries
Board Support
P.O. Box 115526
Juneau, AK 99811-5526

Re: Supplemental Comments to PC 329

Members of the Board of Fisheries:

The Sitka Tribe of Alaska (STA) submits the following comments for the 2022 Southeast / Yakutat Finfish and Shellfish Board of Fisheries meeting, supplementing and clarifying its December 21, 2021 written comments, found at PC 329.

STA supports an open-pound SOK fishery as a **replacement** for the current sac roe fishery but opposes Proposal 166 as written as it would allow for **both** a sac roe fishery and an open-pound SOK fishery simultaneously. Given the declining market for sac roe herring, Proposal 166 is worrisome in years in which the Guideline Harvest Level exceeds the market demand for sac roe herring. In such years, the exact same sac roe fishery would take place with the added impact to subsistence harvesters of competition with SOK pounds.

However, an open-pound spawn-on-kelp fishery is a potentially attractive replacement for the sac roe fishery. An open-pound SOK fishery causes zero mortality on adult herring and does not stress spawning fish. The Alaska Department of Fish & Game (ADF&G) estimates Sitka herring survival rates are near 70% annually, meaning that any herring left in the water may spawn several more times in the future, creating a more resilient and healthy population. Additionally, some of the current tension between management of the sac roe fishery and the subsistence fishery would be eliminated because the SOK fishery and subsistence fisheries would occur simultaneously and would not harvest

• 204 Siginaka Way, Suite A • Sitka, Alaska 99835 • Phone: (907) 747- 3207 • Fax: (907) 747- 4915 •

adult herring or cause undue stress on fish. According to industry reports, SOK prices have exceeded sac roe prices in recent years and the two products are, to a large extent, substitutable (see PC 308). While the location and number of pounds would have to be carefully considered to minimize conflict with subsistence users, an open-pound SOK fishery is a very attractive alternative to the current tension between the sac roe and subsistence fisheries. An open-pound spawn-on-kelp fishery is far more sustainable and respectful to herring and traditional culture.

If an open-pound spawn-on-kelp fishery as a replacement for the sac roe fishery is not a feasible option, STA strongly encourages the Board to consider Proposal 156. This proposal simply leaves more herring in the water when biomass is near the harvest threshold and causes no change to the Guideline Harvest Level when the biomass is relatively large.

STA would also like to address the potential for shifting baselines when evaluating the health of the Sitka herring population and the threshold of the harvest control rule. In its staff comments on Proposal 156 (RC2, p. 157), ADF&G states that a threshold of 25% of the unfished biomass is appropriate for herring populations and that the Sitka threshold is 37% of the unfished biomass (ADF&G's current estimate for unfished biomass of Sitka herring is 67,036 tons, or approximately 1/4th of the forecast biomass for 2022). ADF&G also acknowledges that the unfished biomass for Sitka herring has not been updated since 1998 and that "it is worth re-evaluating and this work is currently in progress."

ADF&G shared ASA model outputs with STA in December 2021 and STA was then able to use ADF&G data and ADF&G methods to update the estimate of unfished biomass. STA estimated that the unfished biomass of Sitka herring is 135,739 tons, or approximately twice what ADF&G estimated in 1998. This means the threshold for Sitka herring is not 37% of the unfished biomass, but approximately 18% of the unfished biomass and below the minimum threshold ADF&G considers appropriate for herring populations. While there is currently no proposal to update the threshold for the Sitka harvest control rule, STA is open to amending Proposal 156 to do so. STA considers its updated unfished biomass estimate to be the best available information for Sitka herring and requests the Board also considers it as such.

STA's unfished biomass report is attached to these supplemental comments. Before sharing the paper publicly, STA sent the report to ADF&G for comments and feedback on 10 January 2022. STA received ADF&G's comments on 18 February 2022 and STA's responses to these comments are included as an appendix to the unfished biomass report. ADF&G provided no substantive comments on the conclusions of the paper.

STA continues to strongly oppose Proposal 161, as do many other Tribal organizations. The Cultural and Traditional sharing practices that allow for a wide distribution of herring roe on branches from Sitka are not well understood and existing permit examples do not properly address or even allow for the unique harvest and sharing patterns of Sitka herring roe on branches. We are very concerned that a requirement for a permit could further damage the ability of herring roe subsistence harvesters to follow Cultural Traditions and Practices. STA would like to continue to work with ADF&G's Division of Subsistence to better document subsistence harvest and secondary sharing practices through the existing survey program instead of implementing a permit as in Proposal 161.

Lastly, STA would like to add some context to the subsistence harvest surveys carried out by STA and ADF&G's Division of Subsistence. Those surveys target subsistence herring egg harvesters but do not account for "secondary sharing" wherein individuals who are not harvesters but receive eggs from others further share herring eggs with other households. Harvester participation and subsistence harvest surveys do not account for how widely herring eggs are shared and underestimate the true extent of use and need of subsistence herring eggs. Permit data would not be able to capture any of this secondary sharing. In 2021, STA conducted a supplemental survey of people who receive herring eggs and found that Sitka herring eggs are frequently shared several times before reaching their final consumer. This survey also found that the further removed from the harvester, the less likely a household was to meet its needs for herring eggs. Thus, while harvesters may report meeting their needs, herring egg users two and three exchanges downstream may not meet their needs. Further anecdotal evidence revealed a shortage of wetlock boxes and reduced flights due to the COVID-19 pandemic further depressed herring egg sharing. A draft report of this secondary sharing survey is available upon request.

Thank you for your thoughtful consideration of Sitka Tribe of Alaska's comments on proposals for the 2022 Board of Fisheries meeting. Please reach out to STA staff with any questions. We look forward to working with you in Anchorage next month.

Sincerely,

Lawrence Widmark
Chairman

Average Unfished Biomass of Sitka Sound Herring, 1980-2020

January 10, 2022

Summary

The Alaska Department of Fish and Game (ADF&G) estimated the average unfished biomass (AUB) of Sitka Sound herring at 67,036 tons in 1998 (Carlile 1998). The AUB is significant because management of Southeast Alaskan herring fisheries relies on the AUB for setting the harvest threshold at which the commercial fishery may begin. The Sitka Tribe of Alaska (STA) used ADF&G methods (Carlile 1998) and data (received December 20, 2021) to update the estimate of Sitka Sound herring AUB to provide better context for evaluating population health and management strategy. This is the first update to AUB since it was first published 24 years ago. ADF&G believes that a threshold of 25% of the AUB is sufficient to sustain commercial herring fisheries and that the current harvest control rule for Sitka Sound is conservative because the threshold (25,000 tons) is 37% of the AUB published by ADF&G in 1998 (Carlile 1998; ADF&G 2021).

The updated AUB is 122,000 to 136,000 tons, indicating that the current harvest threshold (25,000 tons) falls below ADF&G's 25% of AUB minimum threshold. Note that other managers and scientists have recommended threshold values up 40% of unfished biomass for herring populations. Therefore, the updated AUB suggests the threshold should be between 31,000 tons and 54,000 tons. Thus, the current fishery is too aggressive, based on ADF&G standards for commercial herring fisheries (see Carlile 1998), and very aggressive when considering the importance of herring to subsistence users and herring's ecological role as a forage fish. It should be noted that the ADF&G paper estimating the AUB (Carlile 1998) does not acknowledge the subsistence fishery or traditional knowledge, which STA believes are major oversights in determining a harvest control rule.

The Board of Fisheries should consider this updated AUB when evaluating the Sitka Sound herring harvest control rule. The Board should consider options to set a more appropriate threshold and restore the Sitka Sound harvest control rule to the harvest control rule used by all other Southeast Alaska herring populations. To support the needs of subsistence users and the ecosystem, the Board could increase the threshold to 40% of the AUB, i.e., close to the percentage of the AUB ADF&G thought was present in Sitka Sound (37%; see ADF&G 2021). Furthermore, the Board could also increase the denominator of the harvest control rule to align Sitka's harvest control rule with that used in all other Southeast Alaska herring populations.

Introduction

The biomass threshold at which commercial herring fishing may begin in Sitka Sound is 25,000 tons, as determined by the preseason forecast. The 25,000-ton harvest threshold began in 2010 when the Board of Fisheries increased the threshold from 20,000 tons. The 20,000-ton threshold stemmed from the ADF&G estimate of Average Unfished Biomass (AUB, 67,036 tons) and the assumption that a biomass that was 25% or more of the AUB would prevent the population from further decline while also sustaining the commercial fishery (Carlile 1998).

The Sitka Sound AUB value has not been updated since 1998 (Carlile 1998) and was based on data from herring spawning years 1971 to 1993. ADF&G has stated that they believe the current harvest threshold (25,000 tons) is conservative because 25,000 tons is 37% of 67,036 tons (ADF&G 2021), i.e., greater than the 25% that ADF&G believes is sufficient to protect the herring population. This belief assumes that the Sitka AUB is still 67,036 tons even though 28 years have passed since the last herring year class used in the AUB calculation (1993). Furthermore, the Sitka Sound AUB and the current harvest control rule have not been re-evaluated by ADF&G despite concerns raised by the Sitka Tribe of Alaska (STA) and other groups concerned about Sitka herring's critical role in supporting subsistence needs and the needs of Chinook salmon, coho salmon, marine fishes, marine birds, and marine mammals.

The objective of this investigation is to estimate the Average Unfished Biomass (AUB) of Sitka Sound herring using the ADF&G methodology (Carlile 1998) and ADF&G data from 1980 to present.

Methods

We used the same methodology as ADF&G (Carlile 1998) because this is what ADF&G has relied on over the past 24 years. The only difference is that we used data from parent spawners from 1980 to 2017 (see Appendix) rather than 1971-1993. STA believes spawning biomass values based on hydroacoustic assessments during the 1970s were minimum biomass estimates and not comparable to the current dive survey methodology. Furthermore, ADF&G typically does not include data from the 1970s in their analyses (see Hebert 2021).

ADF&G (Carlile 1998) estimated the average unfished biomass by simulating an unfished population as follows:

- Age-3 total recruitment (number of fish) in year *t* was simulated by random sampling of recruits from three strata containing the ASA model-estimated age-3 recruits (mature and immature fish). The strata boundaries were determined by the estimated spawning biomass in year *t*–3:

    Stratum A: 0-10,000 short tons;

    Stratum B: 10,000 to 30,000 short tons;

    Stratum C: 30,000+ short tons.

- The number of fish alive in year t+1 in age-class a+1 ($N_{a+1,t+1}$) is found by multiplying the number of fish alive in year t in age-class a ($N_{a,t}$) by the annual survival probability S. The survival probability is assumed to be the same for all years and all age classes. Age class 8+ represents fish age 8 and older.
- The spawning biomass in year t is found as

$$B_t = \sum_a N_{a,t} \times W_a \times \rho_a$$

where W_a is the weight-at-age, and ρ_a is the maturation proportion for each age.

The population is simulated for a large number of years (e.g., 30,000), and the AUB is determined by the mean total biomass over the last set of iterations (e.g., the last 10,000 years).

We used values of recruitment, survival, and maturation schedules derived from or provided by ADF&G to STA on 20 December 2021. Annual spawner biomass and total number of age-3 recruits are provided in the Appendix. These values were derived from the 2021-forecast ASA model using values listed below.

Key 2021 ASA model values used in the Carlile approach are:

- an annual mean survival probability of 0.6659 (1983-2020).
- maturation schedule of 0.344, 0.958, 0.999, 1, 1, and 1 for ages 3, 4, … 8+.
- mean weight-at-age of 78.6, 102.3, 124.4, 145.3, 161.9, and 181 g/fish for ages 3-8+.

Sitka Sound herring failed to produce more than 7 million mature age-3 in five years since 1980 indicating recruitment failure relative to the mean recruitment of 135 million herring in all other years. Recruitment failures occurred in 1986, 1987, 1989, 1990, and 2017 (see Appendix), and inclusion of these values would lead to a lower AUB and lower harvest threshold. Clearly, a commercial fishery should not be more aggressive (lower threshold) when recruitment failures are present, therefore we estimated AUB after excluding the five recruitment failures. For completeness, we also calculated AUB using all data. In addition to simulating AUB using the strata approach, we also simulated AUB by ignoring strata boundaries and randomly sampling from the entire set of empirical recruitment values.

In summary, we estimated AUB for Sitka Sound herring using four slightly different variants of the ADF&G (Carlile 1998) approach:

1) Three recruitment strata, excluding recruitment failures in 1986, 1987, 1989, 1990, 2017
2) Single recruitment stratum, excluding recruitment failures in 1986, 1987, 1989, 1990, 2017
3) Three recruitment strata, including all years, 1980-2020.
4) Single recruitment stratum, including all years, 1980-2020.

Stratum A contains no values in the post 1980 dataset, as also reported by ADF&G (Carlile 1998). Therefore, we included an arbitrary data point based on the mean value from ADF&G (Carlile 1998, Table 1, Regime A) in case the population falls below 10,000 short tons. The mean total recruitment of age-3 herring for each stratum is:

Strata	No. Years	N total Age 3 (millions)
A	1	200
B	6	157.56
C	32	376.94
All	39	338.65

Results and Discussion

The Average Unfished Biomass (AUB) of spawning Sitka Sound herring, based on ADF&G data since 1980 and ADF&G (Carlile 1998) methodology, is approximately 122,000 tons to 136,000 tons (Table 1). Note that these values may be an underestimate due to 140 years of industrial exploitation of Sitka herring. There were likely a greater proportion of older fish in the pristine population and these larger, older fish likely have greater survival than younger fish and have larger, more fecund, more well-provisioned eggs that are more likely to survive (Hixon et al. 2014; Barneche et al. 2018; MacCall et al. 2018). These AUB values exclude five years of extreme recruitment failures because inclusion of recruitment failures leads to a lower AUB and a lower harvest threshold (Table 1). A more aggressive harvest strategy when recruitment failures are present is counter-productive when attempting to manage a commercial fishery that targets forage fish that are critical to subsistence users and many other commercially and culturally important species such as Chinook and coho salmon.

Table 1. Estimated Average Unfished Biomass (AUB) of Sitka Sound herring based on ADF&G data from 1980 to present and harvest thresholds based on the 25% of AUB approach that is cited by ADF&G (Carlile 1998) and harvest thresholds based on the desire to further protect subsistence users and ecosystem needs. AUB values based on the mean biomass of the last 10,000 iterations. Values are short tons.

	Total Biomass (tons)	Spawn Biomass (tons)	Harvest Threshold based on Spawn Biomass		
AUB Scenario	Mean AUB	Mean AUB	25% of AUB	30% of AUB	40% of AUB
Three recruitment strata, excluding recruitment failures	160,923	135,739	33,935	40,722	54,296
Single recruitment stratum, excluding recruitment failures	144,915	122,232	30,558	36,670	48,893
Three recruitment strata, including recruitment failures	143,889	121,368	30,342	36,410	48,547
Single recruitment stratum, including recruitment failures	129,439	109,183	27,296	32,755	43,673
Carlile 1998		67,036	16,759		

ADF&G estimated an AUB of 67,036 (Carlile 1998). The updated AUB is approximately two times greater than the AUB that ADF&G has relied upon over the past 24 years. ADF&G stated *"A*

herring harvest strategy with a harvest rate of 20% when a population is above a threshold of 25% of the AUB has been suggested as an approach that would protect herring populations yet approximately maximize sustained yield (Zheng et al. 1993 in Carlile 1998)". ADF&G (Carlile 1998) did not mention and apparently did not consider the importance of maintaining a large herring population to support subsistence users and other ecosystem needs. NOAA Fisheries scientists concluded that commercial sac roe harvests have a significant effect on subsistence roe harvests (Shelton et al. 2014).

As ADF&G was preparing its AUB report, the Board of Fisheries in 1997 established a harvest threshold of 20,000 tons in Sitka Sound, or approximately 30% of ADFG's AUB estimate (Carlile 1998). ADFG's analysis (Carlile 1998) relied upon the less aggressive "8+2" harvest control rule (HCR) that is used throughout Southeast Alaska, whereas the Board of Fisheries changed the HCR to the more aggressive "2+8" HCR that is currently used in only Sitka Sound. In 2010, the harvest threshold was increased by the Board of Fisheries to 25,000 tons but the HCR allowed for a 12% harvest rate when the forecast is 25,000 tons and a maximum harvest rate of 20% at only 45,000 tons. Additionally, the HCR removed the threshold from the denominator of the HCR, making the HCR even more aggressive.

ADF&G has stated that the current harvest threshold (25,000 tons) is conservative because it is 37% of the 1998 AUB value (67,036 tons; ADF&G 2021). Many scientists conclude that a harvest threshold set at 40% of the unfished biomass is needed to protect the requirements of many marine species that depend on forage fishes, such as herring (e.g., Pikitch et al. 2012). However, as shown here, the updated AUB is approximately twice that estimated by ADF&G (Carlile 1998), meaning that the 25,000-ton harvest threshold is only 18-20% of the current AUB. This indicates the current fishery is too aggressive, based on ADF&G standards for commercial herring fisheries (see Carlile 1998), and very aggressive when considering the importance of herring to subsistence users and marine species that require high herring densities to be successful. This analysis suggests that a threshold between 31,000 tons and 54,000 tons is more appropriate.

Conclusion

Our analysis shows that the AUB of Sitka Sound herring is 122,000 to 136,000 tons or two-times greater than previously assumed. STA believes this is the best available information regarding the unfished biomass of Sitka Sound herring. This updated AUB should be considered by the Board of Fisheries when evaluating population health and management strategy. This updated AUB also indicates that the threshold at which the commercial fishery may begin to harvest herring should be substantially increased.

Currently, there are no proposals to the Board of Fisheries that fully address this issue. Proposal 156 merely changes the slope of the harvest control rule but does not change the threshold or denominator of the HCR, which this analysis indicates a need for revision.

The Board could consider restoring Sitka Sound to the HCR used by all other Southeast herring populations ($Guideline\ Harvest\ Rate = 8 + 2 * \frac{ForecastBiomass}{Threshold}$, where the threshold equals 0.25*AUB). The Board could also increase the threshold to 40% of the AUB as recommended by some scientists (and close to the percentage of AUB ADF&G thought was present in Sitka Sound). Figure 1 compares the aggressive current HCR in Sitka Sound to Proposal 156 and the SEAK HCR with an updated threshold. Note that the Department of Fisheries and Oceans recently instituted a 10% harvest rate cap for British Columbia herring populations to better provide for ecosystem needs.

Note that by using ADF&G's methods (Carlile 1998), this paper does not consider subsistence or traditional knowledge. An analysis that explicitly considers the interactions of the sac roe fishery and the subsistence fishery and the state's subsistence priority would likely result in an even more conservative management strategy.

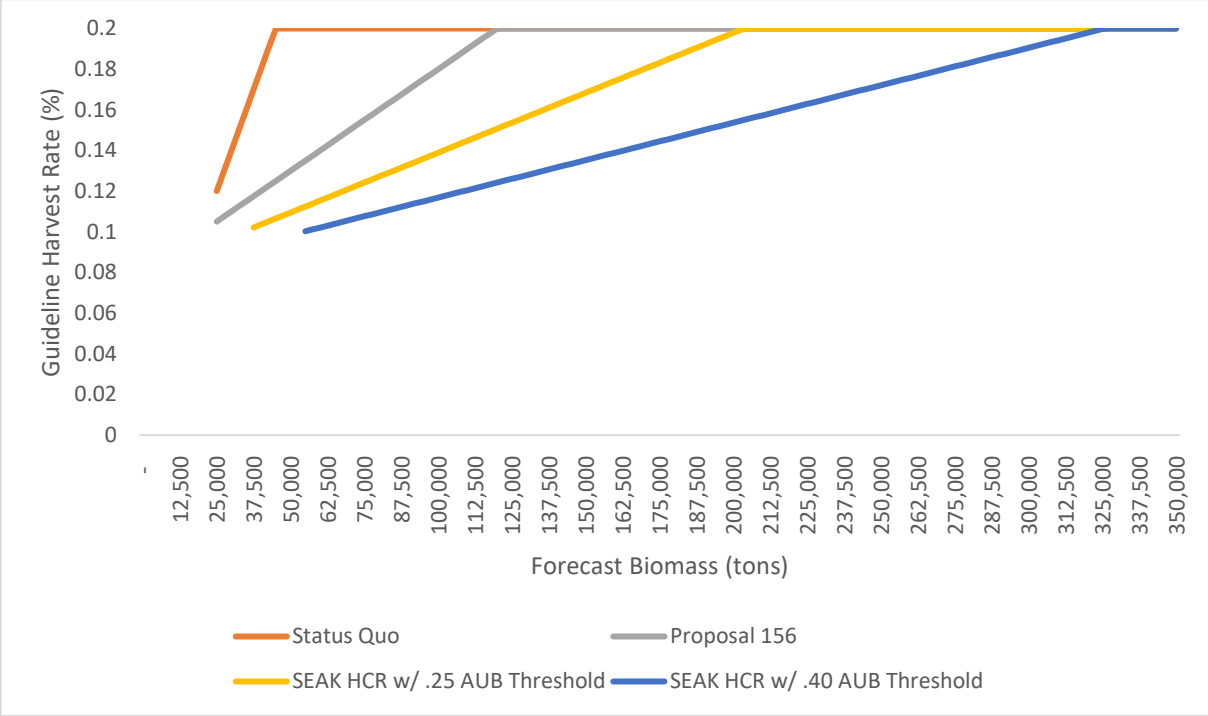

Figure 1. Current Sitka Sound HCR, Proposal 156, and SEAK HCR with an updated threshold of 0.25AUB and 0.40AUB, based on an AUB of 135,739 tons.

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Appendix

Appendix Table 1.

Spawn Year	Return Year	Spawn biomass (tons)	N Mature Age 3 (millions)	N total Age 3 (millions)	Regime
1980	1983	44865	158	459	C
1981	1984	42012	59	171	C
1982	1985	28800	14	40	B
1983	1986	36159	60	173	C
1984	1987	44689	327	950	C
1985	1988	34720	38	109	C
1986	1989	27271	2	6	B
1987	1990	45227	0	0	C
1988	1991	56541	266	772	C
1989	1992	32453	7	21	C
1990	1993	23023	0	0	B
1991	1994	30545	22	63	C
1992	1995	47624	127	369	C
1993	1996	25061	62	179	B
1994	1997	17845	114	332	B
1995	1998	28476	134	389	B
1996	1999	31835	51	148	C
1997	2000	35788	108	314	C
1998	2001	49238	131	381	C
1999	2002	49855	89	259	C
2000	2003	49974	338	981	C
2001	2004	54804	63	183	C
2002	2005	58816	84	243	C
2003	2006	84015	101	294	C
2004	2007	104219	112	326	C
2005	2008	85649	142	413	C
2006	2009	73486	102	296	C
2007	2010	70616	92	268	C
2008	2011	85789	30	87	C
2009	2012	102695	17	48	C
2010	2013	96453	67	195	C
2011	2014	88205	16	46	C
2012	2015	63251	265	770	C
2013	2016	68329	13	39	C
2014	2017	54659	92	267	C
2015	2018	55615	88	255	C
2016	2019	64311	1088	3161	C
2017	2020	48687	**0**	**1**	C

Note: The 2020 harvest (personal bait fish) was confidential at the time of our analysis but likely very small. Including this value would have a negligible effect on the AUB.

1) Three recruitment strata, excluding recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
63	204	136	90	58	57	82,974	78,437
314	42	136	90	60	76	90,768	72,754
770	172	164	87	29	372	201,678	157,152
183	513	115	109	58	267	170,343	157,481
950	122	341	76	73	216	211,007	156,494
314	632	81	227	51	192	193,343	172,525
87	209	421	54	151	162	156,736	150,736

The mean total biomass (all ages) from the last 10,000 iterations is 160,923 short tons and the mean total spawning biomass is 135,739 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).

2) Single recruitment stratum, excluding recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
200	204	136	90	58	57	94,864	82,529
314	133	136	90	60	76	101,078	82,628
39	306	28	79	58	165	97,423	93,769
381	26	204	18	53	148	105,704	83,914
413	254	17	136	12	134	117,284	92,626
369	275	169	11	90	97	123,413	101,150
381	246	183	113	8	125	130,060	107,226

The mean total biomass (all ages) from the last 10,000 iterations is 144,915 short tons and the mean total spawning biomass is 122,232 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).

3) Three recruitment strata, including recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
369	204	136	90	58	57	109,477	87,559
981	246	136	90	60	76	171,443	114,622
950	31	21	50	17	138	127,285	73,252
950	632	20	14	34	104	185,132	128,237
255	632	421	14	9	91	173,118	155,562
459	170	421	280	9	67	176,487	149,558
381	306	113	280	187	51	171,278	148,166

The mean total biomass (all ages) from the last 10,000 iterations is 143,889 short tons and the mean total spawning biomass is 121,368 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).

4) Single recruitment stratum, including recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
195	204	136	90	58	57	94,410	82,373
296	130	136	90	60	76	99,113	81,711
770	122	139	11	621	216	255,158	210,874
200	513	81	93	8	558	213,550	199,752
87	133	341	54	62	376	164,025	158,397
255	58	89	227	36	292	141,756	126,979
40	170	39	59	151	218	107,866	104,786

The mean total biomass (all ages) from the last 10,000 iterations is 129,439 short tons and the mean total spawning biomass is 109,183 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).

Appendix – STA response to ADF&G comments on its updated unfished biomass estimate for Sitka herring

Background

The Alaska Department of Fish & Game (ADF&G) estimated the unfished biomass of Sitka herring at 67,036 tons in 1998. ADF&G has not updated this estimate. In 2022, the Sitka Tribe of Alaska (STA) used ADF&G methods and ADF&G data to produce an updated estimate of unfished biomass of Sitka herring of 135,739 tons. This updated estimate provides important context for evaluating the health of the Sitka herring population and the suitability of the harvest threshold and harvest control rule for the Sitka Sound sac roe herring commercial fishery. Prior to sharing its estimate publicly, STA sent its report to ADF&G for comments and feedback on 10 January 2022. ADF&G responded on 18 February 2022. ADF&G comments and STA's responses are found below.

ADF&G Comments

(no subject) External Inbox ×

Siddon, Chris E (DFG) <chris.siddon@alaska.gov> Fri, Feb 18, 12:53 PM (4 days ago)
to me

Kyle,

My apologies for taking so long to respond to you. Sherri was planning on responding, but I needed her to focus on a number of other critical issues in our Marine Research Section. However, we did want to provide you with some feedback on your "Averaged Unfished Biomass…." document. To that end, I have briefly reviewed the document and have a few general suggestions that I hope will be helpful as we move forward.

My three general comments that we all will need to address sooner or later are:

1. Appropriate bridging models will need to be completed to demonstrate identical methods have been used.
2. The year and year ranges chosen for inclusion (or exclusion) can have a marked impact on the overall estimate of unfished biomass; more justification/rationale of these decisions is needed.
3. It has been 20+ years since this has been updated and as such an exploration of alternative methods and their corresponding assumptions (in addition to the updated data) will be necessary to best inform future decisions on an estimate of unfished biomass.

Please let me know if you have any questions.

Best,
Chris

Chris Siddon, Ph.D
Chief Scientist of Marine Fisheries
Division of Commercial Fisheries
Alaska Dept. of Fish and Game

STA Responses

ADF&G's general comments are reasonable and we provide the following brief responses. STA is happy to provide additional information if necessary.

1. STA attempted to recreate ADF&G's 1998 estimate using the data provided the original paper. Because of the random sampling of recruitments used in the methodology, the estimate does not "converge" to a single fixed point. Also, STA identified a potential error in the original paper caused by switching back and forth between metric and short tons. The recreated AUB values ranged from 59,826 tons (with a unit correction) to 77,956 tons (without the unit correction). ADF&G's 1998 estimate was 67,036 tons.

2. STA agrees that the rationale for inclusion or exclusion of data are very important. STA believes its rationale for excluding recruitment failures is well-explained (see p. 3) and that estimates including recruitment failures are also available in the STA's report for comparison.

   STA believes that hydroacoustic estimates represent minimum biomass estimates and it is not appropriate to consider these estimates as equivalent to current spawn deposition survey methods; therefore STA excluded data prior to the 1980 parent spawning year. STA notes that time series of herring biomass in ADF&G's most recent stock assessment (Hebert 2020, p. 54) and its presentation for the 2022 Board of Fisheries meeting both begin in 1980 (Hebert 2021, p. 37). STA agrees that a comprehensive review of each season's herring sampling is necessary to determine if data from one year is comparable to data from another.

   Hydroacoustic estimates were typically obtained from the largest single survey over the course of the season; surveys were typically approximately one square mile in size and back-to-back surveys over the same area often varied by an order of magnitude (see appendices in Blankenbeckler and Larson 1982). Surveys occurred between November and March and in some years the survey used for the final estimate occurred as early as January. A University of Washington review of the hydroacoustic surveys found issues with adherence to study protocols and that many survey results were "valueless as a measure of total population" (Thorne

1975). The same report discussed the relatively small areas surveyed and concluded that "there is considerable potential for significant populations to be missed by the surveys".

ADF&G has produced spawn maps for all years with hydroacoustic surveys but acknowledges that "effort and intensity of aerial surveys has varied considerably over the years" (Blankenbeckler 1978). STA finds it difficult to believe that all the spawning herring in a given year could be found in a single one-square mile hydroacoustic survey months prior to spawning and then produce the spawn observed in Sitka Sound for that year, especially if years of low effort of aerial surveys likely resulted in underestimating the linear miles of spawn.

STA believes the hydroacoustic estimates were the best ADF&G could accomplish with the technology and resources available at the time. However, it is clear that the early hydroacoustic estimates are minimum biomass estimates and not appropriate because the underestimated values would lead to a low unfished biomass estimate and less conservative management of the herring population.

3. STA also agrees that methods for estimating unfished biomass should be reviewed as better methods may now be available. STA decided to use the same methods as ADF&G because these are the methods and values ADF&G is currently using to manage Sitka Sound herring. STA would be happy to explore alternative methods with ADF&G.

Lastly, it appears from ADF&G's comments that ADF&G is open to collaborating with STA on this important topic. STA appreciates ADF&G's gesture and welcomes opportunities for ADF&G and STA to work together to improve management of Sitka herring. STA asks that ADF&G provide a timeline and means for collaborating on this unfished biomass project. Until a better estimate is available, STA requests that ADF&G use the updated value of 135,739 tons for the unfished biomass of Sitka herring.

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February 22, 2022

Alaska Board of Fisheries
Board Support Section
P.O. Box 115526
Juneau, AK 99811-5526

Re: Southeast Board of Fish Cycle – Clarifications and Additional Comments

Dear Chair Carlson-Van Dort and Board of Fisheries members,

PROPOSAL #213 & 214 – CLARIFICATION/CORRECTION

In my comments submitted in December (PC 331) I have the description and position for proposal #214 listed as #213 and accidently missed commenting on #213.

Proposal #213: SUPPORT

SEAFA supports allowing seven days rather than 72 hours in District 3-16 fall season closure as is allowed during the full area closure in August. The fall weather can be difficult to get all pots to town in a timely manner at the end of the season and the extra time is not an enforcement issue otherwise it would not be allowed during the August closure and the Feb Dist. 1-2, 13 closures.

Proposal #214: OPPOSE

SEAFA opposes defining a Dungeness crab pot as circular only. The definition is that a pot has an outside diameter that is not more than 50 inches and is not more than 18 inches high. You put the tape measure along the topside ring whether it is circular or a square pot for the less than 50 inches and the 18 inches high tends to imply that the sides are straight, otherwise a portion of the outside diameter would be larger. We understand that there are a few square pots in use in the fishery. Adopting this proposal would require those fishermen to replace their pots if a circular pot becomes mandatory.

Proposal #204: OPPOSE

SEAFA opposes closing the commercial Dungeness Crab fishery in Coffman Cove. SEAFA opposes and additional closures of any commercial fishing grounds where there is not a conservation concern. There is no conservation concern for Dungeness crab in Southeast Alaska, any additional closed areas creates more congestion somewhere else at the same time sea otter predation on Dungeness crab is also creating more effort in fewer places. Any closed areas around a community for their use to commercial fishing should also be closed to sport fishing, leaving only subsistence and personal use harvest in the area.

Proposal #206: COMMENT

SEAFA supports a sport fish closure in any area that has a commercial Dungeness crab closure but as there is no conservation concern for Dungeness Crab in Southeast Alaska neither proposal #206 or #207 should be adopted.

Southeast Alaska Fishermen's Alliance (SEAFA) is a multi-gear, multi-species commercial fishing organization representing our approx. 330+ members mainly involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska. We have members involved in salmon gillnetting, trolling and seining, all of the SE crab fisheries, pot shrimp and halibut and sablefish fisheries throughout the State as well as SE region specific longline fisheries as well as many other fisheries such as herring and dive fisheries and some Prince William Sound gillnet. In addition, our member mostly all hold sport fish licenses and are involved in sport, personal use and where eligible subsistence fisheries.

Thank you for your consideration of these additional comments and clarifications. We look forward to working with you as possible in these current pandemic conditions while still trying to take care of business. While getting better, a Board of Fish meeting is still too big of a gathering for me to be comfortable with attending in person. Please feel free to reach out to me at any time during the meeting if I can be of assistance as a multi-gear multi-species representative.

Sincerely,

Kathy Hansen
Executive Director

Southeast Alaska Guides Organization Additional Comments

Chair Carlson-Van Dort and Board Members,

We'd like to offer the following amendments to Southeast sport and commercial king salmon management that tie together conceptual ideas from Proposals 80-86, and 87. The suggestions address the payback provision required by the Pacific Salmon Treaty, resident sport priorit, and sport/troll allocations.

Summary of intended outcomes:

- All gear groups, including sport, are targeted to stay at or below annual allocations
- Any projected underage of the all-gear annual harvest ceiling will be harvested by the commercial troll sector
- A reduction to the all-gear annual harvest ceiling caused by an overage the previous year will not change the allocation distribution outlined in regulation
- Non-resident anglers are subject to inseason management to prevent closures for, and provide priority to, resident anglers and to keep sport within allocation
- The sport harvest ceiling remains 20% of the combined troll/sport allocation in tiers 5-7 (e-c); sport limits are not liberalized to reach allocation and any underage goes to the troll fishery
- The sport harvest ceiling is increased to 25% of the combined troll/sport allocation in tiers 2-4 (h-f) to help accommodate resident priority and provide a base opportunity for non-residents in low abundance; sport limits are not liberalized to reach allocation and any underage goes to the troll fishery
- Prescribed bag and annual sport limits are targeted to provide a net gain to troll based on historical harvest
- Troll will achieve additional gains based on historical hindcasting of receiving underages from other gear groups, and from expected sport underages due to wild stock management and natural sport underages in high abundance

5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area

(Conceptually addresses proposals 80-83, and 87)

Amend regulation as follows:

(a) The department shall manage the commercial and sport king salmon fisheries in the Southeastern Alaska-Yakutat Area in accordance with the conservation and harvest goals of the Pacific Salmon Treaty, as implemented by the Pacific Salmon Commission.

(b) The department shall manage the sport and commercial net and troll fisheries in accordance with the annual harvest ceiling established by the Pacific Salmon Commission. During a directed king salmon fishery in District 8 and District 11, an allowable catch above the baseline harvest level will not be counted towards the annual harvest ceiling. The annual harvest allocation of the annual harvest ceiling for each fishery is as follows:

(1) purse seine fishery: 4.3 percent of the annual harvest ceiling;
(2) drift gillnet fishery: 2.9 percent of the annual harvest ceiling;
(3) set gillnet fishery: 1,000 king salmon;
(4) troll fishery: 80 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling **in Southeast Alaska troll winter fishery CPUE's greater than or equal to 6.0**; **in Southeast Alaska troll winter fishery CPUE's below 6.0, 75 percent after the net fishery allocation in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;**
(5) sport fishery: 20 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling[.] **in Southeast Alaska troll winter fishery CPUE's greater than or equal to 6.0; in Southeast Alaska troll winter fishery CPUE's below 6.0, 25 percent after the net fishery allocation in (1) – (3) of this subsection are subtracted from the annual harvest ceiling.**

(c) When computing the harvest allocations under this section, the department shall take into consideration that the Pacific Salmon Commission's annual harvest ceiling includes a pretreaty base level of 5,000 Alaska hatchery-produced king salmon and the risk factor for computing the Alaska hatchery contribution. Alaska hatchery-produced king salmon above the 5,000 fish base and the risk factor are excluded from the annual harvest ceiling. In determining each fisheries' allocation of the Pacific Salmon Commission's harvest ceiling, the department shall apportion the risk factor for computing the Alaska hatchery contribution and the 5,000 fish base into components for each fishery.

(d) For the purpose of calculating the king salmon harvest, the annual harvest period shall begin with the opening of the winter salmon troll season. For the purpose of calculating harvest performance for the king salmon fisheries under this section, the harvest in the sport and commercial net and troll fisheries will be applied to the cumulative harvest on an annual basis, as opposed to the harvest ceiling.

(e) If the Alaska all-gear harvest is projected to be below the annual harvest ceiling, any remaining allocation from all gear groups will be harvested by the troll fishery beginning at a season date determined by the department and established by emergency order.

(f) If the Alaska all-gear harvest exceeds the annual harvest ceiling established by the Pacific Salmon Commission, the department shall manage the commercial and sport king salmon fisheries in the Southeastern Alaska-Yakutat Area according to subsection (b) based on the revised allocation the revised annual harvest ceiling established by the Pacific Salmon Commission.

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

(Conceptually addresses proposals 82-86, and 87)

Amend regulation as follows (version with changes accepted follows marked up version):

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska winter troll fishery catch per unit effort (CPUE). The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of

the following year. If the new Southeast Alaska winter troll fishery CPUE is not available by February 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska winter troll fishery CPUE, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain [AN AVERAGE] **a** harvest [OF] **not to exceed** 20 **or 25** percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes **or to keep the sport fishery within its harvest allocation.**

(5) at Alaska winter troll fishery CPUEs less than 3.8 and equal to or greater than 0.875; a resident bag limit of two king salmon 28 inches or greater in length will be established in areas where conservation management measures for all anglers prohibited king salmon retention or closed fishing for king salmon once they reopen.

(6) at all Alaska winter troll fishery CPUEs, if the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents;

(7) any projected unused balance in sport allocation will transfer to the troll fishery at the appropriate date determined by the department;

(c) When the Southeast Alaska winter troll fishery CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be **20% or** 69,000 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of [TWO KING SALMON IN MAY AND] one king salmon [IN OTHER MONTHS]; a nonresident annual limit of **three** [FIVE] king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(d) When the Southeast Alaska winter troll fishery CPUE is less than 20.5 and equal to or greater than 8.7, which is equivalent to a king salmon abundance index of less than or equal to 2.2 and greater than 1.8, the sport fishery harvest limit will be **20% or** 61,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of **three** [FOUR] king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(e) When the Southeast Alaska winter troll fishery CPUE is less than 8.7 and equal to or greater than 6.0, which is equivalent to a king salmon abundance index less than or equal to 1.8 and greater than 1.5, the sport fishery harvest limit will be **20% or** 49,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(f) When the Southeast Alaska winter troll fishery CPUE is less than 6.0 and equal to or greater than 3.8, which is equivalent to a king salmon abundance index of less than or equal to 1.5 and greater than 1.2, the sport fishery harvest limit will be **25% or 47,300** [37,900] treaty king salmon, and the commissioner may, by emergency order, implement the following management measures**:** [IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES:]

(1) a **resident** bag limit of **two** [ONE] king salmon, 28 inches or greater in length;

(2) a non-resident bag limit of one king salmon, 28 inches or greater in length;

(3 [2]**)** from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(4 [3]**)** from July 1 through July [7] **15**, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July [7] **15** will apply towards the two fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(5 [4]**) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;**

(6 [4]**)** from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

[(6) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

(7) IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(8) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B AND 11-C, DISTRICT 12. SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(9) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC 47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200, IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF A LINE FROM POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N. LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., DISTRICT 9 NORTH OF LINE FROM POINT ELLIS TO PATTERSON POINT, AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(10) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N. LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W. LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND FROM POINT ROSEN AT 55° 04.74' N LAT., 131° 10.87' W. LONG., TO QUADRA POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37.80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT

55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICTS 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31.]

(g) When the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.6, which is equivalent to a king salmon abundance index of less than or equal to 1.2 and greater than 1.0, the sport fishery harvest limit will be **25% or 32,305** [25,800] treaty king salmon and the commissioner may, by emergency order, implement the following management measures**:** [in conjunction with wild stock management measures:]

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(3) from July 1 through **July 15** [DECEMBER 31], a nonresident total harvest limit of **two** [ONE] king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from January 1 through **July 15** [DECEMBER 31] will apply toward the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

[(4) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

(5) IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A

RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(6) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B, AND 11-C, DISTRICT 12, SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(7) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC 47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200, IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. IONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF LINE FROM POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N. LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., DISTRICT 9 NORTH OF A LINE FROM POINT ELLIS TO PATTERSON POINT, AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(8) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N. LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W. LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND FROM POINT ROSEN AT 55° 04.74' N LAT., 131° 10.87' W. LONG., TO QUADRA POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37. 80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT 55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICT 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31.]

(h) When the Southeast Alaska winter troll fishery CPUE is less than 2.6 and equal to or greater than 2.0, which is equivalent to a king salmon abundance index of less than or equal to 1.0 and greater than or equal to 0.875, the sport fishery harvest limit will be **25% or 25,695** [20,600] treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a [RESIDENT] bag limit of one king salmon, 28 inches or greater in length;

(2) **from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AC 75.006 is required;** [A NONRESIDENT BAG LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, EXCEPT THAT FROM JULY 1 THROUGH AUGUST 15 NONRESIDENT ANGLERS MAY NOT RETAIN KING SALMON;]

(3) from **July 1 through July 15** [JUNE 16 THROUGH DECEMBER 31], a nonresident total harvest limit of **two** [ONE] king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through **July 15**[JUNE 15] will apply towards the **two** [ONE] fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from **July 16 through December 31** [JANUARY 1 THROUGH JUNE 15], a nonresident total harvest limit of **one** [TWO] king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

[(5) IF THE DEPARTMENT PROJECTS THAT THE KING SALMON SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, ADJUST THE NONRESIDENT SEASONS AND BAG LIMITS SO THAT THERE ARE NO CLOSURES FOR RESIDENTS.]

(i) When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section and nonretention periods or other restrictions for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers.

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

5 AAC 47.055. Southeast Alaska King Salmon Management Plan (Changes accepted version)

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska winter troll fishery catch per unit effort (CPUE). The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of the following year. If the new Southeast Alaska winter troll fishery CPUE is not available by February 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska winter troll fishery CPUE, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain a harvest not to exceed 20 or 25 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes or to keep the sport fishery within its harvest allocation.

(5) at Alaska winter troll fishery CPUEs less than 3.8 and equal to or greater than 0.875; a resident bag limit of two king salmon 28 inches or greater in length will be established in areas where conservation management measures for all anglers prohibited king salmon retention or closed fishing for king salmon once they reopen.

(6) at all Alaska winter troll fishery CPUEs, if the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents;

(7) any projected unused balance in sport allocation will transfer to the troll fishery at the appropriate date determined by the department;

(c) When the Southeast Alaska winter troll fishery CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be 20% or 69,000 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(d) When the Southeast Alaska winter troll fishery CPUE is less than 20.5 and equal to or greater than 8.7, which is equivalent to a king salmon abundance index of less than or equal to 2.2 and greater than 1.8, the sport fishery harvest limit will be 20% or 61,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(e) When the Southeast Alaska winter troll fishery CPUE is less than 8.7 and equal to or greater than 6.0, which is equivalent to a king salmon abundance index less than or equal to 1.8 and greater than 1.5, the sport fishery harvest limit will be 20% or 49,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(f) When the Southeast Alaska winter troll fishery CPUE is less than 6.0 and equal to or greater than 3.8, which is equivalent to a king salmon abundance index of less than or equal to 1.5 and greater than 1.2, the sport fishery harvest limit will be 25% or 47,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a non-resident bag limit of one king salmon, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(4) from July 1 through July 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the two fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(5) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

(6) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

(g) When the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.6, which is equivalent to a king salmon abundance index of less than or equal to 1.2 and greater than 1.0, the sport fishery harvest limit will be 25% or 32,305 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(3) from July 1 through July 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from

January 1 through July 15 will apply toward the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

(h) When the Southeast Alaska winter troll fishery CPUE is less than 2.6 and equal to or greater than 2.0, which is equivalent to a king salmon abundance index of less than or equal to 1.0 and greater than or equal to 0.875, the sport fishery harvest limit will be 25% or 25,695 [20,600] treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AC 75.006 is required;

(3) from July 1 through July 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the two fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(i) When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section and nonretention periods or other restrictions for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers.

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

Supporting Information

Res Bag Limit		Sport Alloc.	Avg. Harvest Est.	Jan 1 - June 30	July 1-15	July 16-31	Aug 1 - Dec 31	Sport	Troll
3	Tier 7 (c)	69,000	58,855	1/3	1/3		1/3	17.1%	82.9%
3	Tier 6 (d)	61,900	53,015	1/3	1/3		1/3	17.1%	82.9%
2	Tier 5 (e)	49,300	45,238	1/3	1/3		1/3	18.4%	81.6%
2	Tier 4 (f)	37,900	38,046	1/3	1/2	1/1	1/1	20.0%	80.0%
1	Tier 3 (g)	25,800	29,412	1/3	1/2	1/1	1/1	22.8%	77.2%
1	Tier 2 (h)	20,600	24,495	1/3	1/2	1/1	1/1	23.8%	76.2%
TBD	Tier 1 (i)	TBD	TBD	TBD					

(SEAGO amended limits- average harvest based on ADFG analysis)

Underages from net gear groups that would have been (or were for 2020) harvested by troll:

Year	Preseason abundance index	Net Allowance	Troll + Sport Observed	All-gear observed catch	Net Observed	**Net Overage/ Underage**	**Net Underage % of Troll/Sport**
2009	1.33	16,754	207,246	227,954	20,708	3,954	
2010	1.35	16,970	222,297	230,611	8,314	-8,656	**4.2%**
2011	1.69	22,226	274,751	291,161	16,410	-5,816	**2.1%**
2012	1.52	20,210	229,275	242,821	13,546	-6,664	**2.7%**
2013	1.2	13,672	177,884	191,388	13,504	-168	**0.1%**
2014	2.57	32,637	413,966	435,195	21,229	-11,408	**2.8%**
2015	1.45	18,064	316,260	335,026	18,766	702	
2016	2.06	26,603	325,490	350,704	25,214	-1,389	**0.4%**
2017	1.27	16,098	167,816	175,414	7,598	-8,500	**4.4%**
2018	1.07	11,404	122,712	127,776	5,064	-6,340	**4.8%**
Average 2009-2018				**Avg. "under" years:**		**-6118**	**2.5%**
				Avg. all years:		**-4894**	**2.1%**

Year	Winter Troll CPUE	Net Allowance	Troll + Sport Observed	All-gear observed catch	Net Observed	**Net Overage/ Underage**	**Net Underage % of Troll/Sport**
2019	3.38	11,123	127,563	140,307	12,744	1,621	
2020	4.83	15,772	195,967	204,624	8,657	**-7,115**	**3.8%**

Submitted By
Philip Doherty
Submitted On
2/21/2022 9:24:17 AM
Affiliation
SE AK Regional Dive Fishery Assoc.

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PO Box 5417
Ketchikan, Alaska 99901

The Southeast Alaska Regional Dive Fisheries Association (SARDFA) submitted Proposal 189 which would allow for increasing the number of geoduck divers from 2 to 4 late in the season to make it more economical for divers to participate in either more remote areas or in areas of small trip limits. The new proposed regulation would read:

1. ***The commissioner may by emergency order modify the number of CFEC geoduck permit holders able to be onboard or fish from a registered vessel to four divers.***

SARDFA would like to modify it to read:

1. *The commissioner may by emergency order modify the number of CFEC geoduck permit holders able to be onboard or fish from a registered vessel to four divers* ***when the total regional trip limit is four hundred pounds or less.***

By adding the 400 pound trip limit or less removes any uncertainities ADF&G would have as to when to impliment the EO.

SSRAA
Southern Southeast Regional Aquaculture Association, Inc.
14 Borch Street, Ketchikan, Alaska 99901
P: 907.225.9605 F: 907.225.1348

February 15, 2022

Marit Carlson-Van Dort, Chair
Alaska Board of Fisheries
P.O. Box 115826
Juneau, AK 99811

Dear Madam Chair Carlson-Van Dort and Board of Fisheries Members:

This correspondence is intended to avoid any confusion with public testimony and on-time comments by SEAS and SSRAA. In December as the SEAS Executive Director I submitted on-time comments for SEAS. That position is now held by Philip Doherty and he will be providing public testimony and acting on the behalf of SEAS on their proposals and others at the upcoming Southeast and Yakutat Finfish and Shellfish meeting. On-time public comments were submitted by Dave Landis on behalf of SSRAA addressing their proposals and proposals 101 and 103. I am now the General Manager at SSRAA and in that capacity will be addressing SSRAA proposals and others during public testimony and committee of the whole.

Thank you,

Susan Doherty
General Manager SSRAA
(907) 228-4389

Submitted By
Thatcher Brouwer
Submitted On
2/23/2022 11:30:16 PM
Affiliation
Fisherman

From: Thatcher Brouwer

To: Alaska Board of Fisheries

Alaska Department of Fish and Game

PO Box 115526

Juneau, AK 99802

Re: Board of Fisheries Proposals 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 96, 97, 101, 103, 115. 171, 172, 173.

Dear Board of Fisheries Members:

Please accept the comments below on the Southeast Board of Fisheries proposals. I am an active, resident commercial troller dinglebar, and pot shrimp fisherman. I live in Juneau and fish in Southeast Alaska from July through mid-October, and sometimes in the spring as well. I started fishing my own vessel in 2006, on a wooden hand troller built in 1928. I now own a slightly larger, but still wood, freezer power troller that I also use to dinglebar for lingcod and pot fish for spot prawns.

I am proud to live year-round in Southeast, Alaska, deliver my catch to local processors, and employee locals to help with the maintenance of my vessel. I am involved in fisheries policy as a gear group board member and advisory committee member and I have a great deal of respect for both the good work the Department of Fish and Game does to sustainably manage our fisheries and the Board of Fisheries process to address allocations.

Thank you for your hard on the Board of Fisheries and I appreciate your consideration of my comments below.

Sincerely,

Thatcher Brouwer

Proposal 80:

I support proposal 80. With the 2019 Pacific Salmon Treaty agreement the board needs to have an opportunity to discuss whether harvest ceiling overages should be assigned to the fishery or fisheries that exceeded the annual allocation. This needs to be worked out and all gear groups should be part of the process.

Proposal 81:

I support proposal 81. With the new Pacific Salmon Treaty agreement, Alaska took significant cuts. It is incredibly important that we catch every Chinook allocated to us. This proposal helps ensure that no Chinook are left on the table by allowing the Trollers to harvest excess Chinook after September 1st if it is determined other gear groups are not going to be able to harvest the excess quota.

Proposal 82

I support proposal 82 with the amendments suggested by Territorial Sportsmen and the Sitka Advisory Committee to give resident anglers priority. I see this as an important housekeeping measure with the new Pacific Salmon Treaty agreement. It is

important for the Department to use in season management to prevent overages and underages of Chinook allocation by different gear groups.

Proposal 83

I strongly oppose proposal 83. I see this as an allocative proposal that benefits the non-resident guided sportfishing sector. Given the recent Chinook salmon allocations, this proposal would clearly allocate more salmon to the charter sector. Unfortunately, this sector does not have the economic impact to the local economies that the commercial sector does. Many of the charter operators are out of state residents that run lodges in remote locations and bring little to no revenue into the Southeast economy. By passing proposal 83, the troller fishery would take a cut in allocation, impacting the fleet's ability to earn a living and support the local southeast economies.

Proposals 84 -86

I support proposals 84-86. I think it is important to give allocative preference to resident sportfishermen with Chinook quota. The non-resident guided sector has the ability to quickly catch a huge portion of the Chinook quota early in the season, which in turn could limit resident sport fishermen's ability to harvest Chinook for their dinner tables.

Proposal 87

I support proposal 87 conceptionally. More needs to be done to protect Southern Southeast Chinook. I recognize that some parts of this proposal may be difficult to implement, but I still think it is worth discussing the different means that can be used to improve Southern Southeast Chinook returns.

Proposal 88

I oppose proposal 88. I do not believe commercial trollers should be asked to give up fish to the primarily non-resident guided sector. We have taken enough cuts and we support the local economies of Southeast Alaska.

Proposal 89

I support proposal 89. I support this proposal. It could potentially allow trollers to invest in their fishery and earn a little more. At the same time, it could result in some permit consolidation which in my mind is ultimately good for the troll fleet. In my opinion the troll fleet is too large and as a result the fish are split too many ways and it is difficult to make a decent living trolling. When was the last time you saw a new troller built? Nobody is building them because nobody can afford to. As one long time fishermen said, this is a sign that the fishermen are not making a sufficient income to upgrade their boats. This is one small step the board can step to help those trollers who want to pay a little more for additional opportunity.

Proposal 90:

I support proposal 90. This is another housekeeping proposal that needs to be adopted as a result of the 2019 Pacific Salmon Treaty agreement. This proposal changes the conditions that trigger the additions to the spring troll guideline harvest levels from the old AI system to the new CPUE tier method.

Proposal 91:

I support proposal 91. I believe this proposal is a good compromise and will allow the Department to better manage the troll fishery. I agree with the maker of the proposal that a short August opening for trollers does not make sense for the fishermen, processors or Department. I think this proposal will help reduce the chances of a short second opener for the troll fleet and for this reason I am in support.

Proposal 92

I support proposal 92 with an amendment to specify the length is 26.5" to the fork of the tail. These are hatchery fish and the fleet should be able to harvest them. Unfortunately, mature Chinook are returning at smaller sizes and that is the reason this proposal is needed. This will allow trollers to harvest slightly smaller, mature Chinook in terminal harvest areas.

Proposal 96

I support proposal 96. It will give trollers additional access to catch enhance Chinook salmon. As the board understands, trollers are chronically behind in their allocation of enhance salmon.

Proposal 97

I support proposal 97. This proposal will also give trollers much need access to hatchery produced salmon which we pay for, but rarely have the opportunity harvest.

Proposal 101 and 103

I oppose proposals 101 and 103. As a commercial fisherman I believe the Department is doing an excellent job managing hatcheries. I do not support either of these proposals.

Proposal 115

I support proposal 115. Trollers have taken huge cuts to their Chinook salmon quota. I support this proposal to allow the winter troll fishery to open the winter troll on the first day of statistical week 41.

Proposal 117

I support proposal 117. This would provide means tor trollers to harvest more of the hatchery production that they pay for with enhancement tax and unfortunately are almost never are able to harvest their fair share.

Proposals 171 – 173

I support proposals 171-173. I think it is prudent to shift the timing of the spot prawn fishery to the spring based on the timing of reproduction and the success of the British Columbia spot prawn fisheries. However, when a shift in timing is made I believe it is important to consult different gear groups. It would be unfortunate and unpopular to schedule the opener during the directed ling cod fishery or during the summer Dungeness crab fishery, among others.

Submitted By
Theresa Allen - Olson
Submitted On
2/22/2022 12:33:13 PM
Affiliation

Honorable Board of Fish Members

Thank you for serving the hundreds of hours for your fellow Alaskans and natural resources. This is a great sacrifice on your part.

Thank you for taking your time to sort out the complex issues before you, as you weigh the facts, scientific data and the emotional investments from which you will most certainly have set before you in the days, weeks and months this process takes.

You are certainly not expected to know all there is to know on all these fisheries. You are however; expected to be fair and thorough. Ask questions no matter how unimportant they may seem. Someone else most certainly has the same question. Try above all to use your common sense.

Alaska is a resource rich state and it has been our resources that has given us all many luxuries such as no income tax. When well managed, all are sustainable. Please keep in mind that funding for the management of all our resources is paramount to having sustainability.

There are groups opposed to harvesting some of our resources and it is shameful many are government funded entities. Family owned businesses cannot compete with the deep pockets that these parties have for continued court law suits and bias public campaigns. Please find the balance and common sense in your deliberations that supports the small business because that is the economic engine that pays for all other community benefits.

My name is Theresa Allen-Olson, a 67 year old life long Alaskan, who lives in Sitka.

I am a tribal citizen in Doyon and Toghotthele, Alaska's interior tribes.

My children are citizens of Sitka Tribe of Alaska.

My family are subsistence, sport and commercial fishermen. We are a diversified mix of commercial fishermen simply trying to make ends meet to support family, friends, businesses and community. We have absolutely no guarantee of return when we untie from the dock. We are self reliant in every aspect, we are not government funded.

Living a subsistence life style in Alaska is a priority to our family. We have hunted and fished in our home state for generations. I believe the state has always provided ample subsistence opportunities.

In my 45 year career, I have personally worked many levels in the fisheries from the processing plant to the back deck of the boats for several fisheries. I have had owned permits over the years and am currently a L21A permit holder.

I sincerely believe there is a balance between our subsistence needs and the commercial harvest of our great states resources. My current concerns are in the following proposals.

Proposals 156, 157, 158: OPPOSE: These are all crafted to curtail the fishermen from opportunities. Over the years the proposers of these proposals have had many areas carved out of the fishery and will be never enough until this fishery is completely shut down. That is the whole intent inch by inch to shut this fishery down. Every single board cycle these groups will bring forward emotional driven testimony. The fact is ADF&G has established a management plan that is conservative and resilient.

Proposal 159: SUPPORT: As a matter of regulation housekeeping simply support and repeal a regulation that is encumbering to the processes of conducting business which clearly does not effect management nor subsistence opportunities.

Proposal 160: SUPPORT: Given the abundance of the resource the area's closed have had no proven significant advantage to the subsistence harvest. The problem with subsistence harvest is lack of effort that can't be proven without the help of a subsistence permitting system.

Proposal 161: SUPPORT: I unequivocally support requiring a subsistence fishing permit to harvest herring roe on branches in the Sitka area. We have subsistence permits for nearly every resource we harvest and I fully support the common sense in knowing the effort and the amount collected as a management tool. Why not? If it can clear the overall misconception of abundance. Why Not?

Proposal 163 & 164: SUPPORT: These proposals would establish an equal share quota for the Sitka sac roe purse seine fishery. They read a bit differently however; I believe all the stake holders including processors have a good idea on how to put the management of such together. There is a long history of this having been done on occasion over the years and all your questions on management are answered with the appropriate stakeholders at the table honing and crafting this concept to fruition. There are far more Pros to this than Cons.

Proposal 165: SUPPORT: Currently the abundance of the resource would allow for this diversification to allow for the unharvested quota to be used to help economic times and the never ending need for fishermen to diversify.

Proposal 166, 167: OPPOSED:

166=Open pound herring spawn on kelp fishery, effort involved and the considerable conflict it would pose for our community of Sitka would be terrible.

167=Reestablishing boundaries between fisheries I see no reason for.

THANK YOU FOR TAKING THE TIME TO READ MY COMMENTS WHILE YOU CONSIDER THESE PROPOSALS

Submitted By
Thomas Emerson
Submitted On
2/21/2022 10:58:55 PM
Affiliation
Self - Power Troller

Phone
9073218147
Email
emerson.tyler@gmail.com
Address
11870 Mendenhall Loop Rd.
Juneau, Alaska 99801

Dear Alaska Board of Fish Members,

I write to you as a third-generation participant in the SE AK Power Troll Fishery. I write in opposition to Proposal 83, 88, and any other proposals that might seek to re-allocate chinook harvest from the power-troll fleet to the sport fishing sector in periods of low abundance, or otherwise.

With these proposals it seems as though the sport and charter sector aim to try and insulate themselves from any sort of natural variability in King Salmon abundance on the backs of other historical fishery participants. This is simply unacceptable. It seems perhaps analogous to two neighboring farms. One of them decides in a year of drought that they will attempt to have the plot line redrawn to harvest their neighbor's crop, with a hope and a promise that in some far-off future time of plenty they will cede the land back. Why would one agree to such an arrangement? It is quite clear that if both parties were of sound mind, there would be no deal.

We all know that "rain" (High abundance king salmon years) is not guaranteed. Most likely these proposals would simply represent a reallocation from one sector to another, with no compensation or mitigation for the "loser" party.

If there are lean years for King salmon, so be it. Everyone needs to share in the burden of low abundance equally and be incentivized to do whatever in their power to try and reverse the decline, not just consume a bigger piece of a shrinking pie while others take the brunt of the economic pain.

Sincerely,

Thomas 'Tyler' Emerson

FV Natalee K

Submitted By
Tom B Botts
Submitted On
2/21/2022 10:36:13 AM
Affiliation

Phone
9074196286
Email
tbotts52@yahoo.com
Address
2825 S primrose circle
P.O. Box877811
Wasilla, Alaska 99654

To the members of the Alaska board of Fisheries,

My name is Tom Botts. I've been a resident of Alaska since 1976 and an active member of the commercial troll fleet since 1978. I started as a hand troller and in 1990 I invested in a larger boat and a power troll permit with the idea that I would be able to support my family with the money I brought in from fishing. For a number of years I've seen the amount of King salmon that I've been permitted to catch decrease dramatically. When I first started fishing, the King season ran from January 1 to September 30 with a ten day closure, then opened again on October 11. Now we have been reduced to a few days in the summer and if you happen to be in an area like Sitka, a few months of winter fishing.

I'm writing to let you know that I'm very much opposed to propositions 83 and 88 which would give the outside sport fishermen more of my allotted King Salmon. Limiited entry was initiated to control the number of participants into the fishery in part so that those who remained could make a living at it. With the unprescedented growth in the number of lodges, charter fishing vessels and bare bones charters that have cropped up in recent years, the abiltiy to provide for my own family has been seriously restricted. To add insult to injury, I've been taxed 3% of what I catch of salmon to pay towards enhancement of the fishery. How much is the sport fishing industry being taxed? Why should they catch my fish and profit from it? Make no mistake, the more people you have fishing for a liimited resource, the quicker that resource will be depleted. Let the lodges and charter groups put themselves on a limited entry program. You have no right to take from me to give to them just because there are more of them putting pressure on you. Please do the right thing and shoot down proposals 83 and 88.

Sincerely,

Tom Botts

Submitted By
Troy Denkinger
Submitted On
2/23/2022 7:17:54 PM
Affiliation

Dear Members of the Board of Fisheries,

My name is Troy Denkinger. I Have been a SE Alaska resident for the last 39yrs, I went to high school in Klawock Alaska where I met my wife. My wife and two daughters are Alaska Native, and we have been living in Sitka for the last 34yrs. I learned to fish in Klawock as a teenager on a fishing boat. I am a commercial fisherman, a Sitka herring fisherman, I am also one of the founders of Silver Bay Seafoods.

I am here to speak against herring proposals 156, 157, & 158. These proposals would further restrict the Sitka herring fishery, a fishery where significant area has already been arbitrarily closed. As you have heard from ADFG, the Sitka Sound herring biomass in 2019, 2020, & 2021 were record years.

These 3 herring proposals seek to restrict the herring fishery and are based on emotion, not science, and a belief by a few that the herring should not be commercially harvested. The strategy here is 'death to the commercial fishery by a thousand cuts'. The Sitka Sound herring fishery was established when the biomass was near 30,000 tons in the 1980's and the biomass has only continued to grow. These proposals are not about conservation but rather an attempt to eventually kill the fishery.

These emotionally driven proposals turn up every board cycle and the industry is forced to defend its livelihood. The Board of Fish has acted several times over the last 24 years against ADF&G recommendations to appease concerns of STA.

Herring proposals that seek to further restrict the fishery are cloaked in the name of **Conservation and Subsistence need**.

Conservation- conservation is the life blood of successful commercial fisheries management. Without conservation there are no future commercial fisheries. Fishermen know this in their bones. The State's Sitka herring management team is the best in the business, and they manage with conservation as their #1 priority.

Subsistence Opportunity- Last spring an estimated 50 million pounds of herring egg spawn was deposited on the beaches of Sitka Sound, 200 times the ANS. The biggest hurdle to achieving the ANS is declining participation as noted in ADF&G Subsistence Division report. To achieve subsistence harvest within the ANS guidelines, subsistence harvesters would need to put in significant effort to harvest one half of 1% of the available herring eggs in Sitka Sound. From 2008 to 2017 commercial herring fishermen offered their help to increase harvest of herring eggs on branches. One subsistence harvester boat averaged 40,000 pounds of weighed eggs on branches, which was given to anyone that showed up. Considering that one harvest vessel can harvest close to half the lower ANS threshold, it shows there is adequate opportunity for great subsistence harvest. It should be noted that STA worked to undermine and stop this industry driven community effort.

The Sitka herring fishery has great financial impact to the SE and Sitka economy. The first wholesale value of the Sitka herring fishery last season was $19mil to SE and $12m to Sitka. The 2022 season sac roe harvest is expected to bring over $25M to the SE Alaska economy.

This revenue comes in the form of Jobs, Fishing jobs, tendering Jobs, processing jobs. The fishery increases revenue for local businesses, hotels, restaurants, bars, fuels sales and gear stores. It also supports local government coffers through raw fish tax, utilities, moorage, and sales tax.

The economic impact of the herring fishery to the industry is vital and comes at a time when the community of Sitka needs the boost.

Currently the biomass is at an all-time high which has increased 40-fold since the state has taken over management and STA is still pushing harder than ever to restrict the Sitka herring fishery.

Maybe this isn't about subsistence opportunity?

"Science over Politics" That's a quote from a Governor mandating the BOF process to govern using Science over Politics.

I encourage you to look at the herring issues with the thought of **Science over Politics.**

Thank you for your time,

Troy Denkinger

Submitted By
Troy Mutz
Submitted On
2/16/2022 12:51:29 PM
Affiliation

Phone
505-570-0391
Email
tm68gto@yahoo.com
Address
P.O. Box 963
Sitka , Alaska 99835

Dear AK board of fish. I'm a SE troller, it would be devastating to our business if charters were to take more of the king salmon quota. Trollers pay 3% on every fish for salmon enhancement. Charters pay nothing. Most charter companies are not full time Alaskans. Charters leave the state effectively reducing infrastructure money.
Please! Enough is enough!
respectfully,
Troy

Submitted By
Tyler Green
Submitted On
2/21/2022 6:11:09 PM
Affiliation

Phone
9077385010
Email
fish.havensitka@gmail.com
Address
322 Wachusetts St
Sitka, Alaska 99835

We currently operate as Trollers and Longliners. We partake in some direct marketing of our product. This is our livelihood and future. We have invested hundreds of thousands of dollars to make this dream come true.

The hours, time and dedication are relentless. If you haven't experienced exactly what a commercial fishing family goes through throughout the year, then you have no idea how we feel about the potential of the Charter fleet sliding in and taking another chunk of our Halibut Quota. If the Board of Fish, NOAA and IPHC really want to make a difference then enforce the pathetic bycatch that trawlers dump daily. Their bycatch could more than cover the charter fleets request.

I find it ludacrous that the IFQ longliners are being targeted. Has the charter fleet purchased quota at the market rates? They have free reign of any fishery in AK. Zero regulation in regards to a vessel limit, size of fleet. In fact, the charter fleet IS NOT managed at all, period.

Do they pay a salmon enhancement tax? NO. They catch our fish out of Sitka and pay absolutely nothing for them. It's time the charter fleet is regulated. I have never seen a trooper board or check a charter boat in 20+ years in Sitka.

I find it ridicilous that I have to waste my time to explain the pathetic management of the charter fleet and their attempted quota grab. Unfortunately, the process is 100% money and politics.

Tyler, Ashley & Ellie Green

FV Haven

United States Department of the Interior
Office of Subsistence Management
1011 East Tudor Road MS 121
Anchorage, Alaska 99503-6199

JAN 25 2022

In Reply Refer To:
OSM.21062.GP

Ms. Märit Carlson-Van Dort, Chair
Alaska Board of Fisheries
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811-5526

Dear Chair Carlson-Van Dort:

The Office of Subsistence Management (OSM) appreciates the opportunity to comment on the Alaska Board of Fisheries proposals and related issues during the 2022 Southeast and Yakutat Finfish and Shellfish Meeting.

The OSM staff, working with the other participating agencies, has reviewed these proposals. The attached document includes comments from OSM regarding proposals that have the potential to impact Federally qualified subsistence users or associated fisheries. During the meeting, we may wish to comment on other agenda items that might impact Federally qualified subsistence users/fisheries. The attached comments are on the proposals in Session 1 (salmon, herring, and other non-groundfish).

Our comments are limited to issues affecting the Federal Subsistence Management Program (FSMP). Federal agencies may wish to comment separately on issues outside of the FSMP that may impact Federal public lands that fall under their management jurisdiction.

Again, 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 these issues.

Sincerely,

Sue Detwiler
Assistant Regional Director,
Office of Subsistence Management

Chair Carlson-Van Dort

Enclosure

Cc: Anthony Christianson, Chair, Federal Subsistence Board
Interagency Staff Commission
Office of Subsistence Management
Ben Mulligan, Alaska Department of Fish & Game,
Mark Burch, Alaska Department of Fish & Game, Palmer
Administrative Record

PROPOSAL 125 seeks to clarify the language for authorizing take of Coho and Chinook Salmon under state subsistence fishing regulations. The proponent requests the issuance of subsistence permits for Chinook Salmon in Southeast Alaska. The proposed changes would include removing the incidental harvest limits of two Chinook Salmon taken by gear operated under a terms of a subsistence permit while targeting other fish species.

Current State Regulation:

> ***5 AAC 01.730 Subsistence Fishing Permits.***
> *(b) Permits will not be issued for the taking of coho salmon from the Taku River and Stikine River drainages, or for king salmon. However, king or coho salmon taken incidentally by gear operated under terms of a subsistence permit for other salmon are legally taken and possessed for subsistence purposes as described in (j) of this section.*
>
> *(j) Salmon, trout, or char taken incidentally by gear operated under the terms of a subsistence permit for salmon are legally taken and possessed for subsistence purposes, except that the possession limit for king salmon is two fish. A holder of a subsistence salmon permit must report any salmon, trout, or char taken in this manner on the permit holder's permit calendar.*

Current Federal Regulation:

> ***50 CFR §100.14 Relationship to State procedures and regulations.***
> *(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.*
>
> ***50 CFR §100.27 (i)(13) Southeastern Alaska Area.*** *The Southeastern Alaska Area includes all waters between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance*
>
> > *(ii) You must possess a subsistence fishing permit to take salmon, trout, grayling, or char. You must possess a subsistence fishing permit to take eulachon from any freshwater stream flowing into fishing District 1.*
> >
> > *(xiii) You may take Chinook, sockeye, and coho salmon in the mainstem of the Stikine River only under the authority of a Federal subsistence fishing permit. Each Stikine River permit will be issued to a household. Only dip nets, spears,*

gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length may be used. The maximum gillnet stretched mesh size is 8 inches during the Chinook salmon season and 51/2 inches during the sockeye salmon season. There is no maximum mesh size during the coho salmon season.

(xix) There is no subsistence fishery for any salmon on the Taku River.

Is a similar issue being addressed by the Federal Subsistence Board? No.

Impact to Federal subsistence users/fisheries: Yes. Adoption of this proposal will introduce the burden to obtain a State permit and meet associated reporting requirements for Federally qualified users who choose to participate in the State managed fisheries. Federal subsistence fishing permits and associated reporting are required in Southeast Alaska region-wide, thus requiring issuance of a State permit to retain Chinook Salmon in subsistence fisheries will not impact the Federal subsistence fisheries.

Additionally, the intent of this proposal is to allow the retention of Chinook and Coho Salmon incidentally caught in other State managed subsistence fisheries. If adopted, it may set a precedent resulting in similar actions in other systems where retention of Chinook and or Coho Salmon is not sustainably possible.

Current State subsistence and personal use Chinook Salmon incidental harvest limits is two Chinook Salmon and if this proposal is adopted as written, incidental harvest of Chinook Salmon would be unlimited thus potentially compounding existing conservation concerns for some stocks potentially resulting in threats to continuance of subsistence uses for Federally qualified users.

Federal position/recommended action: Support requiring a permit to record Chinook and Coho Salmon incidental harvest in the Southeast Alaska region subsistence fisheries. **Oppose** removing the daily possession limit of incidental taken Chinook Salmon.

Rationale: The information collected through the State and Federal subsistence fishing permitting system is beneficial for management of the Chinook Salmon stocks in Southeast Alaska, especially during times of widespread conservation concerns for the natural/wild stocks across Alaska. The permit requirement for all Federal Subsistence Fisheries in Southeast Alaska was established beginning in the early 2000s. During times of low Chinook Salmon abundance, regulations requiring permitting and reporting of all Chinook Salmon harvested in the State managed subsistence fisheries may be warranted until Chinook populations rebound. Information gathered from subsistence permits may assist managers better understand the where

the incidental Chinook Salmon harvests are taking place in the subsistence fisheries and may assist in designing future management actions to reduce incidental takes where conservation concerns warrant.

Removal of the incidental harvest limits for Chinook Salmon as proposed, may lead to unsustainable harvest rates in areas with low returns and growing conservation concerns. The OSM cannot support a region-wide removal of the Chinook Salmon incidental harvest limits, but would consider information submitted to develop more strategic limit modifications by area or stock.

PROPOSAL 129 requests reducing closed waters, removing the Coho Salmon annual subsistence harvest limit, and establishes a daily harvest limit of 20 Coho Salmon per day per resident for the Klawock River upstream of the Klawock River Bridge, including the Klawock estuary in the State's subsistence fishery.

Current State Regulation:

> ***5 AAC 01.725****. Waters closed to subsistence fishing and 5 AAC 01.745. Subsistence bag and possession limits; annual limits*
>
> *(a) Salmon may not be taken for subsistence purposes in*
>
> *(1) the Klawock River drainage upstream of the Klawock River Bridge;*

Current Federal Regulation:

> ***50 CFR §100.27 (e)(13) Southeastern Alaska Area.*** *The Southeastern Alaska Area includes all waters between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance*
>
> *(xx) The Klawock River drainage is closed to the use of seines and gillnets during July and August.*

Is a similar issue being addressed by the Federal Subsistence Board? No.

Impact to Federal subsistence users/fisheries: Yes. Adoption of this proposal may lead to an unsustainable incidental harvest increase of Klawock River Sockeye Salmon within the area of concern, depending upon harvest in the State managed fisheries. Sockeye Salmon are

incidentally harvested with Coho Salmon by Federally qualified subsistence users in the Klawock River and Lake **(Map 1)**, which are under Federal subsistence fisheries jurisdiction. **Federal position/recommended action: Oppose.** The OSM opposes the portion of this proposal which request expanding open waters to include the Klawock River estuary and River.

Map 1. Aerial image of Klawock Estuary, Lake, and River illustrating Federal subsistence fisheries jurisdiction.

Rationale: Federal subsistence fisheries regulations limit each household to 20 Coho Salmon per day and the proposed State regulations would limit each individual to 20 Coho Salmon per day. The proposed changes to State regulations would provide households with multiple participants the opportunity to harvest significantly more Coho Salmon per day under State regulations than under Federal subsistence regulation. Additionally, liberalization of the area open to State subsistence fishing to include the waters above the Klawock River Bridge may lead to substantial incidental harvest of Sockeye Salmon as they are highly susceptible to harvest while milling in the estuary.

The Office of Subsistence Management would change to **support with two modifications.** The first recommended modification is to change the proposed individual daily harvest limit to a household daily limit of 20 Coho Salmon in place of the proposed individual daily harvest limit of 20 Coho Salmon.

Adoption of this proposal with a modification to change the daily harvest limit to 20 Coho Salmon per day per household in the State managed fishery and area would result in identical harvest limits for Federal and State subsistence fisheries, which would result in reduced user confusion and enforcement issues.

The second concern raised by this proposal is the proposed start date of August 15. Adoption of the proposed start date could lead to an increase of incidental harvest of Sockeye Salmon while fishing for much more abundant Coho Salmon. Increased Sockeye Salmon harvest could result in conservation concerns and challenges to continuance of subsistence uses for Federally qualified subsistence users. The Office of Subsistence Management recommends and would **support a second modification** of delaying the start date of the proposed fishery to reduce the potential impacts on Sockeye Salmon. This second modification would be based on managers utilizing current run timing information to determine when Sockeye Salmon are less likely to be present in the system.

The total Federal subsistence harvest of Coho in the fresh waters of the Klawock drainage between 2002 and 2020 was 2,967 Coho Salmon from a total of 327 permits issued. The total annual average was 156 Coho Salmon with eight fish per household permit. The total Federal subsistence harvest of Sockeye Salmon between 2002 and 2020 was 1,083 fish from 46 permits issued. The total annual average harvest was about 23 Coho Salmon harvested per household permit during that period.

PROPOSAL 130 requests to modify the fishing times and locations for the subsistence Sockeye Salmon fishery in the Klawock Estuary, River, and Lake. The proposal requests establishing a July 10 through July 31 season for Sockeye Salmon in the waters of Klawock Harbor enclosed by a line from the northernmost tip of Klawock Island at 55° 33.47' N. lat., 133° 05.96' W. long., the Klawock River, and Klawock Lake only from 12:01 am Monday until 11:59 pm Friday. These comments only address the portion of the proposals that reference the freshwaters of the Klawock River and Lake under Federal subsistence fisheries jurisdiction **(Map 1)**.

Current State Regulation:

> ***5 AAC 01.725****. Waters closed to subsistence fishing and 5 AAC 01.745. Subsistence bag and possession limits; annual limits*
>
> *(a) Salmon may not be taken for subsistence purposes in*
>
> *(1) the Klawock River drainage upstream of the Klawock River Bridge;*

Current Federal Regulation:

> ***50 CFR §100.27 (e)(13) Southeastern Alaska Area.*** *The Southeastern Alaska Area includes all waters between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance*
>
> > *(xx) The Klawock River drainage is closed to the use of seines and gillnets during July and August.*

Is a similar issue being addressed by the Federal Subsistence Board? No.

Impact to Federal subsistence users/fisheries: Yes. Adoption of this proposal may lead to an unsustainable increase in harvest of Klawock River bound Sockeye Salmon within the area and time of concern, depending upon the harvest in the State managed fisheries. Sockeye Salmon are harvested by Federally qualified subsistence users in the Klawock River and Lake (Map 1). The total Federal subsistence harvest of Sockeye Salmon between 2002 and 2020 was 1,083 fish from 46 permits issued. The total annual average harvest was about 23 Coho Salmon harvested per household permit during that period.

Map 1. Aerial image of Klawock Estuary, Lake, and River generally illustrating Federal subsistence fisheries jurisdiction.

Federal position/recommended action: Oppose. The Office of Subsistence Management opposes the portion of this proposal that includes waters under Federal subsistence fisheries jurisdiction.

Rationale: The Office of Subsistence Management opposes opening the proposed fishing area. The area is critical for the protection of Sockeye Salmon returning to the Klawock watershed as they are highly susceptible to harvest in this area. Sockeye Salmon returning to the Klawock system have been depressed in the last decade and liberalization of the State managed subsistence fishery may result in conservation concerns and threaten the continuance of subsistence uses to Federally qualified subsistence users who reside on Prince of Wales Island.

Liberalization of this Sockeye Salmon subsistence fishery may be warranted if/when the return increases significantly enough to be considered healthy and able to soundly support a harvestable surplus. The Office of Subsistence Management would change to a **neutral** position if information is presented that indicates the proposed State subsistence fisheries can be liberalized without resulting in unsustainable harvest or cause adverse impacts to the Federal subsistence fishery or Sockeye Salmon return.

UNITED FISHERMEN OF ALASKA

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February 21, 2022

Alaska Board of Fisheries
Board Support Section
P.O. Box 115526
Juneau, AK 99811-5526

Re: Opposition to Dungeness Crab Proposals: 200, 201, 204, 205, 206, 207, 208, 210
Support for Dungeness Crab Proposals: 202, 203, 211
Opposition to Pot Shrimp Proposals: 177, 178, 179
Support for Herring Proposal: 160

Dear Chair Carlson-Van Dort and Board of Fisheries members,

United Fishermen of Alaska (UFA) is the statewide commercial fishing trade association, representing 37 commercial fishing organizations participating in fisheries throughout the state and the federal fisheries off Alaska's coast and would like to comment on the following shellfish and herring proposals:

OPPOSE DUNGENESS CRAB PROPOSALS: 200, 201, 204, 205, 206, 207, 208, & 210:

UFA opposes the above enumerated proposals, which if passed, would close additional water to the commercial Dungeness crab fishermen. As per RC 2 ADF&G staff comments, there is not a conservation concern for the Dungeness stocks in Southeast Alaska region. Staff comments state, "closing additional areas to Dungeness crab commercial fishing will result in increased density of gear in the areas that remain open, potentially increased gear loss and increased potential for localized depletion." Personal Use and sport crab fishing is open year-round where commercial fisheries are open for a limited number of days and areas. The Dungeness crab fishery already has 17 area closures around communities. These proposals lack sufficient explanation of a biological concern and without a documented scientific need for conservation, we do not support limiting access to fisheries through area closures. If a closure is deemed necessary for community access, then the fishery should also be closed to sport fishing, leaving only subsistence and personal use options open.

SUPPORT DUNGENESS CRAB PROPOSALS 202, 203 & 211:

UFA supports re-opening closed waters to commercial Dungeness crab fishing that were closed at a previous Board of Fish meeting. There is not a conservation concern for Dungeness crab in Southeast Alaska region.

OPPOSE POT SHRIMP PROPOSALS 177, 178, & 179

UFA opposes closing additional areas to commercial pot shrimp fishing. The Department of Fish and Game already closes areas when surveys and commercial CPUE's show a decline in the area. Proposals 178 & 179 are asking for additional closed areas in Kassan Bay, currently there is already a small, closed area around the community of Hollis.

SUPPORT SITKA SOUND HERRING PROPOSAL 160

UFA supports this proposal to reestablish the "core" subsistence area boundaries as set in 2012 reducing the expansion that occurred in 2018. Herring have been bypassing the "core areas" in recent years and subsistence harvesters have shown that they had "reasonable opportunity" to harvest herring outside the designated core area. Table 9 of the 2021 Subsistence Harvest Report shows that 87% of the thirty-eight respondent households reported sufficient harvest for themselves and to share with others. Table 7 of 2021 Subsistence Harvest Report indicated that the largest subsistence harvests occurred outside of the "core" area, an indication that the commercial fishery did not restrict subsistence opportunity.
Thank you for your consideration of our position on these Board of Fish proposals and your service on the Board of Fish for the State of Alaska.

Sincerely,

Regards,

Matt Alward
President

Tracy Welch
Executive Director

Submitted By
Wendy Alderson
Submitted On
2/23/2022 2:29:12 PM
Affiliation
Self Employed, Ocean Cape

Phone
9077520246
Email
wendyalderson@gci.net
Address
714 Etolin St
Sitka, Alaska 99835

Dear Alaska Board of Fisheries members,

As a Sitka resident and a 30 year commercial fisher, I am asking you to reject Proposal 83. We are and have been in a low abundance cycle for king salmon. This doesn't look like it's going to change any time soon. Proposal 83 requests that in times of low abundance the sport sector be allowed to harvest in exess of 20% of the combined sport/troll alloccation. Since Proposal 83 includes no language of recompensation -no "payback plan"- it is simply open ended reallocation.

A sentence in Proposal 83 caught my eye. "The result is insufficient harvest opportunity for the sport fishery during low abundance." Unfortunately low abundance means reduced harvest opportunity for all sectors. That's called conservation.

Thank you for your time,

Wendy Alderson

F/V Ocean Cape

Submitted By
Wesley Bowen
Submitted On
2/20/2022 9:41:51 AM
Affiliation
Deck Hand/ sport fishing/ subsistence/ Alaska Native

Phone
907-738-9936
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wes.bowen.77@gmail.com
Address
704 Lake St.
Sitka, Alaska 99835

Dear Board of Fish members,

RE: Guided and unguided non resident sport fishing.

Growing up in Sitka and watching the growth and impacts of the Guided sport fish industry has left me with mixed feelings and concern for the fisheries in general. The fleet is continuing to grow catching up most of the sport fish quota that the local rural residents depend on. This industry left un regulated will continue to grow untill our sport fisheries are depleted to unsustainable levels. I have witnessed first hand the impacts this Guided sport fishing does to all the fisheries, crab, shrimp, salmon, rock fish, and halibut. I plead with the board to regulate the unguided and self guided nonresident sport fisheries. Don't give them more or reallocate quotas just because an unregulated industry has reached unsustainable levels. Please don't let outside interest take anymore from us local and native rural residents...

Thank you, sincerely Wes Bowen

From: Zachary Gardner
To: DFG, BOF Comments (DFG sponsored)
Subject: Proposal 82
Date: Wednesday, February 23, 2022 8:34:15 PM

Hello,

I am in support of SeaGo's modifications to Proposal 82. We need stability and predictability for our clients in order to be able to continue to guide in Alaska. I would not be able to continue guiding in Alaska if there was a month long break during the middle of the season.

Thank you,

Zack Gardner

Submitted By
Zachary Olson
Submitted On
1/14/2022 12:36:31 PM
Affiliation
Power troll

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907-957-2432
Email
Fishmechanic69@gmail.com
Address
PO Box 2451
Sitka , Alaska 99835

Proposal 83, as a Southeast Power Troll permit holder I am against SEAGO's proposal allowing them to take king salmon from our already battered quota. I don't see how taking kings during low or medium abundance with the promise of returning those kings during high abundance could work. This proposal will only benefit the charter industry and be another king salmon deficit to the commercial troll fleet. Who will monitor this and have the autonomy to enforce It when we do have high abundance? Recent trends in abundance tells me they will take fish and never pay them back. Our fleet is already under attack from southern courts fir Puget Sound killer whales. We have lost most of our spring king opportunities for stocks of concern. We have two very brief opportunities for kings each year. We all want more kings but taking from a fleet that has suffered already and give them to another constituency will cripple our fleet. It is unfair for them to even ask considering the multiple species each one of their clients gets to harvest each day they go out.

Thank You

Zachary Olson

F/V Sassy