If the motion to reconsider 301 passes and the decision on 301 is overturned then 302 and 303 need to be revisited. I withdrew support on 302 and 303 based on action taken on 301. There has been no discussion on 302 and 303.

Reasons –

a. All three proposals are intertwined.

b. By taking action on 301 eliminated the need to discuss 302 and 303 because it eliminated the concerns associated with them.

c. By reversing the decision on 301, the concerns associated with 302 and 303 are still there.

Proposal 302 – Ban herding fish with powered boats.

a. Herding fish is the root of almost all the problems on this river.

Solutions –

a. Ban the use of powered boats to herd fish.

1. Reasons – The nets cover the entire channel. The fish will naturally swim into the nets because there is no other route to take. They push each other up river.

2. It may take longer to catch the fish but the harvesters will still get their poundage.

b. Ban all use of powered boats on half the river.

1. Reasons – The river is much shallower and narrower up river. Netters can easily wade in this area.

2. This gives the sport fisher a place to get away from the dangerous and obnoxious herding practice.

Proposal 303 – Making sure there are fish in the river before there is an opener. (Sport fisheries management plan.)

a. Right now the river is opened based on run timing. (traditional opening date) Weather there are fish in the river on not. This has to stop.

1. Reasons – If the fishery is opened to commercial harvesting before there are adequate numbers of fish the sport sector is crushed. It is crushed because nets are placed in the entire fishable portion of the river and take out the few fish that are present. Leaving nothing for the other users.

2. This is the time of year when there are relatively low numbers of fish coming in. And if it is dry they are not moving up. An aerial survey needs to be done to make sure there are plenty of fish for everyone before the first opener.

NOTE: Something needs to be done with one of these proposals. Or a combination of to protect the sport fisher. If you are only managing for commercial harvesting these techniques work great. But when you have another large, valuable user group that has a right to the resource, it doesn’t work.

Much Obliged© Dan Ernhart Tsiu River Coalition
Early in the season it can be dry with low water. We have lots of people interested in coming prior to school opening.

There are years when the first com fish opener happens with an incomplete aerial survey or none at all. When you combine that with low water or few fish you end up with a terrible situation for Sport fishers.

With those conditions you have lots of nets competing for the little that there is, pushing the sport fisher aside because they have no choice.

Because there is no escapement at this point, there is really no fish left after an opener. So everyone bunches up at the mouth waiting for the next push of fish.

People understand the lack of fish because of conditions. That’s fishing. What they do not understand is why there is an opener when there are no fish.

The lodge I work for spends 100G a year to convince people to come here. One bad human induced experience leaves a bad taste. If they do decide to come back it most likely will be a few weeks later to reduce the odds of that situation happening again.

From the F&G point of view it doesn’t matter how or when the fish get above the escapement marker as long as they do by the end of the season.

Late in the season when the escapement levels are good it is common to have more frequent commercial openings.

3-5 days in a row is common at the time of year when the run of fish is dwindling.

After mid September is when the steelhead start coming in. That reason alone can extend the season 3 more weeks.

But because of the extended openers people get frustrated when they can’t fish for salmon without being molested all day every day.

Yes, the weather keeps the nets off the river at times. It keeps the sports off too. When it clears up everyone is back at it at the same time.

Between the weather and the chance of extended openers it keeps people away.

People like to come up at certain times because of the steelhead and/or lack of people. But they won’t if they think they will get run down.

So what ends up happening is everyone wants to come during the peak. About a 3-4 week time frame. It becomes congested. People inquire about coming earlier or later but when they hear what may happen they decide not to chance it.

The lodges have been systematically boxed into a 3-4 week season out of has been 6 or 7 in the past.

The deck is stacked against the sport fisher. People shouldn’t have to struggle to catch fish on the greatest Coho sport fishery the world has ever seen.

All user groups need to be taken into account when making management decisions on this river.

Average lodge guest spends $5000 a week. One tote of fish selling for .90 lb. = $900. 5.5 totes to each lodge guest.

Dan Ernhart Tsiu River Coalition
March 2, 2012

Board of Fish Members

RE: RC 118 and Proposal #343 (page 18 of RC 118)

The committee report failed to capture that the Joint RPT Industry Consensus had supported an amended version of this proposal along with PC 122 from SEAFA which was mentioned during committee process. Substitute language should be drafted to change the date that coho retention is allowed as per the Joint RPT agreement or pick up the language in PC 122 with meets the intent of the agreement.

SEAFA does not support keeping the area closed until after broodstock is collected but acknowledged that the Dept should have the ability to close for broodstock if necessary.

Current regulation requires the Dept. to open Hidden Falls by EO.

5AAC 33.374 District 12 Hidden Falls Terminal Harvest Salmon Management Plan
(e) The Hidden Falls Terminal Harvest Area troll gear coho salmon fishery will be managed by emergency order to harvest coho salmon surplus after broodstock and cost recovery needs are met.

For example, below is a table that shows the announcement date and the language in the announcement. Note that in 2003 there never was an announcement that opened Hidden Falls to retention as there was not a coho closure. In 2010, it was technically only open for the 4 day coho closure and prior to 2007 the language in the EO announcement just stated that troll will remain open during the 2 day closure in the following THA areas and included Hidden Fall but the inference is that the area was already open but no announcement exists.

<table>
<thead>
<tr>
<th>Announcement Date</th>
<th>Language/Opening Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 3, 2001</td>
<td>No mention of Hidden Falls Coho in any announcement</td>
</tr>
<tr>
<td>Aug. 5, 2002</td>
<td>Trolling will remain open during the 2-day closure in the following Terminal Harvest Areas: Earl West Cove, Nakat Inlet and Hidden Falls</td>
</tr>
<tr>
<td>July 31, 2003</td>
<td>No EO was ever issued to open Hidden Falls – King fishery stayed open and on July 31st there was an announcement saying there will not be a coho closure.</td>
</tr>
<tr>
<td>Aug. 2, 2004</td>
<td>Trolling will remain open during the 2 day closure in the following THA . . . Hidden Falls</td>
</tr>
<tr>
<td>Aug. 3, 2005</td>
<td>Trolling will remain open to all species during the closure in the following THA . . . Hidden Falls</td>
</tr>
</tbody>
</table>
Aug 4, 2006  | THA: Trolling will remain open during the closure in the following terminal harvest areas: Anita Bay, Nakat Inlet, Neets Bay and Hidden Falls

Aug 6, 2007  | THA: Trolling will remain open during the closure in the following terminal harvest areas: Anita Bay, Nakat Inlet, Neets Bay and Hidden Falls

Aug. 12, 2008 | The Hidden Falls Terminal Harvest Area (THA) will open to the commercial troll harvest of coho salmon at 12:01 a.m., August 16 and will remain open until further notice.

Aug. 14, 2009 | The Hidden Falls Terminal Harvest Area (THA) will open to the commercial troll harvest of coho salmon at 12:01 a.m., August 17 and will remain open until closed by emergency order or through the end of the general summer troll season.

Aug. 6, 2010 | The Hidden Falls THA will be open to troll retention of all species except Chinook during the August 11-14 closure period, in the area described below. Coho salmon must be offloaded prior to trolling outside of the THA. This opening is intended as an opportunity to harvest hatchery-produced coho salmon.

Aug. 5, 2011 | The Hidden Falls THA will be open to troll retention of all species except king salmon during the August 10-14 closure period, in the area described below. Coho salmon must be offloaded prior to trolling outside of the THA. This opening is intended as an opportunity to harvest hatchery-produced coho salmon.

The 2011 Summer Troll Fishery Management Plan – Regional Information Report 1J11-10 stated on page 11:

**Regional Aquaculture Terminal Harvest Areas**

Terminal Harvest Areas (THA’s) are described in the Southeast Alaska and Yakutat Commercial Salmon and Misc. Finfish Regulations book. Hidden Falls, Neets Bay, Anita Bay, Deep Inlet and Nakat Inlet THAs will be open to the harvest of all salmon species unless closed by emergency order.

**While this opportunity exists, the Board of Fish should consider checking that retention of coho is clarified in all THA areas.**

Sincerely,

\[Signature\]

Kathy Hansen, Executive Director
PROPOSAL 301
March 4, 2012

Request the Board of fish to revisit proposal 301.

I would like a motion to reconsider the decision made on 301 on Saturday March 3, due to compelling new information provided to the Board in RC 169. Information that would indicate there is not always a market for blush or red Coho. Especially mid to late season when there tends to be a lot more blush and red fish.

A Board member based their vote on there being a market for blush and red Coho.

Gracias. Dan Ernhart Tsiu River Coalition
Substitute Language for Proposal 306 requested by board member Vince Webster

5AAC 30.331. Gillnet Specifications and Operations.

(a) Set gillnets with smesh size smaller than eight inches may not be deeper than 45 meshes and set gillnets with mesh size eight inches or larger may not be deeper than 35 meshes. The individual and aggregate lengths of all and all set gillnets aboard a vessel or in use by a person may not be more than one of the following in hung measure:

(2) In the Yakutat District

(J) Sudden River, one net not to exceed 25 fathoms, except that starting the first [MONDAY] Sunday, two nets not to exceed 25 fathoms each and an aggregate length not to exceed 50 fathoms;
Substitute Language for Proposal 343

Submitted by ADF&G at the request of Board Member Webster

5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area salmon management plan.

(e) The Hidden Falls Terminal Harvest Area will be open to coho salmon retention by troll gear from June 15 through September 20 unless closed by emergency order. During seasons when the general summer troll season is extended in District 12 the Hidden Falls Terminal Harvest Area will also be extended. During the mid-August troll closure, the Hidden Falls Terminal Harvest Area will be open, and the open area will be restricted to an area within one nautical mile from shore south of 57°15.00' N. lat., north of 57°10.00' N. lat. and west of a line from 57°15.00' N. lat., 134°48.60' W. long. to 57°10.00' N. lat., 134°46.40' W. long. [THE HIDDEN FALLS TERMINAL HARVEST AREA TROLL GEAR COHO SALMON FISHERY WILL BE MANAGED BY EMERGENCY ORDER TO HARVEST COHO SALMON SURPLUS AFTER BROODSTOCK AND COST RECOVERY NEEDS ARE MET.]
March 2, 2012

To The Board of Fish:

In Re: Proposal 341

USAG supports option #c in the R.C. 153, but feel that gillnetters should not have a rotation in Southeast coho until we are within our allocation range. This should address the allocation issues while preserving our ability to access fish in the future.

United Southeast Alaska Gillnetters

[Signature]
William F. Auger
President
Substitute language for Proposal 300 requested by board member Vince Webster.

5AAC 30.331(X) Requirement and specifications for use of two units of gear.

(a) A CFEC permit holder who holds two Yakutat Area set gillnet permits may operate two units of set gillnet gear as described in 5AAC 30.331, 5AAC 30.335, 5AAC 30.340, and 5AAC 30.334.

(b) Before operating two units of set gillnet gear under this section the holder of two Yakutat Area set gillnet permits shall register by contacting a representative of the Yakutat ADF&G office and providing information required by the department; and before terminating the use of two units of set gillnet gear under this section and operating only a single unit of gear the permit holder shall contact a representative of the Yakutat ADF&G office and provide information required by the department.

(c) When a CFEC permit holder operates two units of set gillnet gear under this section

(A) the permit holder is responsible for ensuring that both units of gear are operated in a lawful manner, and

(B) the buoy on the outer end of each set net shall be clearly marked as described in 5 AAC 39.280, and, additionally, both of the CFEC permit holders five digit permit serial numbers followed by the letter “D” shall be placed on outer net buoys. All markings must be displayed in a manner that is plainly visible, unobscured, and in a color that contrasts with the background.

(d) Operation of CFEC permits under this section is restricted to the Situk-Ahrnklin Inlet, the marine waters of Yakutat Bay north of a line from Point Manby to Ocean Cape, and the Kaliakh River.
Proposal 302, 303
March 3, 2012

Please note the dates of the emails and corresponding dates on the timeline I kept for 2010. You will notice that the price for red fish was 0.00 the morning of Sep 10. Then on Sep 11 the report came in that the Sep 10 opener was the "cleanest" of the year so far. Sep 11 was the day I recorded seeing all the dead red fish as seen on the DVD. The last 6 openers of a 10 opener year, red fish were not being bought.

From: Woods, Gordon F (DFG) <gordie.woods@alaska.gov>
To: dan ernhart <dan@ernhart.com>
Cc: 
Date: Friday, September 10, 2010 07:43 am
Subject: RE: sep 9
Attachments: □ Text version of this message. (1KB)

Dan, the potential BEG is in the river, in fact mid range. I fully understand those fish remain in the middle of the river and are not fully counted as escapement yet, but there are 20,000 of them. The extra time was to compensate for the shortened opening last Monday, they only got 10 hours out of a 24 hour opening. If it is not warranted next week, they won't get extra time.

From: Woods, Gordon F (DFG) <gordie.woods@alaska.gov>
To: dan ernhart <dan@ernhart.com>
Cc: 
Date: Saturday, September 11, 2010 09:17 am
Subject: RE: sep 9
Attachments: □ Text version of this message. (3KB)

OK, Dan, I need you to hear me out on this. The buyer stopped buying at 7 pm last night. You were giving me grief about a third opening. But instead of two 24 hour openings for a total of 48 hours, they got three openings for a total 45 hours. I had asked the DC-3 pilot and knew ahead of time they very well may shut down flying for a period of time with a mechanical, if they did, Yakutat Seafoods would stop buying. Nicole's survey indicated fish were moving up, not down, and at no point in time did I think fish were ready to move down yet, biologically, that goes against the grain, they want to go up, not down. Yes, no rain ever, and there could be a die off, you see that sometimes with pink salmon. But there is no biological reason these coho want to go back downstream, they don't want to do that. I guess the best way to put it is what I told Scott Kelley, my supervisor, when he asked how the Tsiu was going. I told him because of the situation, lots of people around me are panicking, but the run lasts 8-10 weeks, no individual 24 hour period is all that important, it is the end game that is important, and I won't panic. I'll very definitely stay focused, but no fishery ever got managed in panic mode. I'm not pointing a finger at you, the commercial industry is also quite capable of panicking, and they do. But everyone is thinking in terms of this 24 hour period, and I'm thinking in terms of the biological bell curve. Every single survey has indicated an in-run. 11,000, 15,000, 20,000, 22,000, the fish aren't backing out, they are coming in, and even in the present conditions some of them are making it up into the lake. The dialog is important, let's keep it going. Have a great day, and please take this in the spirit that is intended, I'm not getting on you, I just want everyone to think about it a little, maybe from a little different perspective than they are used to thinking about.

From: dan ernhart [mailto:dan@ernhart.com]
Sent: Saturday, September 11, 2010 6:40 PM
To: Woods, Gordon F (DFG)
Subject: sep 11
gordy, thanks for the note, im just trying to understand how it all works.

I was thinking about the 25% sport-fish, derrick thing you told me. I think that a 5 year average for counting fish would be more accurate. Like this year the commuters will take more than normal and the sports will take less than normal because there are less
folks out there... so the percentage will drop way down. I keep track of fish and I extrapolate the numbers as well and I usually come up with numbers significantly lower than even the 7500 that you suggest. I suppose the guide books that we all keep will be more reliable source of info. But just like what I saw today, not every fish is accounted for.

Dan

From: Woods, Gordon F (DFG) <gordie.woods@alaska.gov>
To: dan ernhart <dan@ernhart.com>
Cc: 
Date: Sunday, September 12, 2010 09:17 am
Subject: RE: sep 11
Attachments: □ Text version of this message. (3KB)

I totally agree with you, Dan, the sport take does vary from year to year and is dependent on a lot of different things. Bad economy, fewer sport fishermen making bookings, you have to look at the whole picture. Yes, even a 10-year average would be more indicative... I wasn’t trying to make a case, merely saying that the two times it was looked at both agreed with that 25%.

Some years the commercial fishery is more efficient than other years. We aren’t seeing the bad weather this year that usually puts a limit on their effectiveness. As a manager, I’m working harder this year than ever before simply because in normal years inclement weather will virtually guarantee that there will be sufficient escapement. Doesn’t matter when the openings are, if the planes can’t haul fish, they can’t put nets in the water. They risk wanton waste charges if they fish and the buyer can’t haul and the fish go bad on the beach.

I have been aware all along that you are trying to understand how it works, you get full credit for that and I appreciate it. The years have gone by and you have no idea that I actually agree with you far more often than we disagree, I am not at all unsympathetic. I also think you know that I get paid to do a job, and I try to do it to the very best of my ability, if I do it well then all user groups benefit in the long run. Individual years blend together over time, it is the long run that is important, are we all going to be here 5, 10, 15, 20 years down the line? If you are still here 20 years from now nobody will be happier about it than me, I’ll be the first guy to give you a high-five!

Sep 10 – 5th opener. Trollers gone. Fish run is gaining strength again.

Sep 11 – found a lot of dead red fish with net marks on them. There is no market for them. So comms are wanton wasting them.

Sep 12 – forecast is for sunny and nice for another week.

Sep 13 – 6th opener. Water is at its lowest point of the season. Aerial survey – 10000 up 14000 between

Sep 15 – 7th opener. Started at 9am

Sep 17 – 8th opener. Started at 6am. Fished up river all day. Didn’t see any fish moving up river and no fresh ones above old marker.

Sep 19 – mouth of river is being pinched off so there is a pool of water and all fish are hanging out there. No fish moving up.

Sep 20 – 9th opener. Lots of fish coming in.

Sep 22 – 10th opener. Only 3 nets at mouth. The rest have pulled out. Not many fish coming in today. The pinched off effect is creating a large pool at the mouth. The fish just mill around during all stages of the tide. There are very few new fish heading up river even past johnsons cabin. The netters are able to capture almost all fish in pool.

Gordie
March 3, 2012

RE: Proposal #288

General gear specifications. 5AAC39.240 Allow seine vessels to carry two nets during open fishing periods.

Submitted by Southeast Seiners Association

.....to amend the net specifications to make both units of gear legal to current net seine specifications. To allow two legal nets to be carried at all times, including during open fishing periods with one net stored under the deck.

This proposal will sunset following the 2014 commercial salmon season.

**Justification:**

All Southeast gear groups but the seine fleet is able to carry extra gear. Carrying seine gear in actual fact will take extra space on the vessel allowing for less capacity of fish. Seine gear is a type of gear that is not possible to fish two purse seine nets at the same time. Enforcement was against the regulation for extra gillnet gear to be carried on board but since the regulation has been passed not a single violation has occurred that is public knowledge.

*John Thorstenson*

*SEAS*

*United Southeast Gillnetters*

*Kathy Hansen*

*Southeast Alaska Fishermen's Alliance*

*Dale Kelley*

*Alaska Trollers Assn*

*Eric/Julianne Curry - Petersburg Vessel Owners Assn*
March 3, 2012

Submitted by: Casey Mapes, Yakutat

While being at this meeting and talking to Board members and the Dept. it has come to my attention that another way that the Board could address some of the issues Proposal #300 raised and help the economy of Yakutat is to allow a single permit holder to hold two salmon permits in their name and allow the use of two nets. While this would not be appropriate for all areas in discussion with the Dept on this issue it appears that this could occur in the Situk-Ahrnklin Inlet and associated open waters, marine waters of Yakutat Bay north of a line from Point Manby to Ocean Cape and the Kaliakh River.
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[Signatures]

[Signature]
SEAS

[Signature]
United Southeast Gillnetters
Kathy Hansen
Southeast Alaska Fishermeas Alliance

[Signature]
[Signature]
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The following reflects ATA’s suggested corrections/additions to the Alaska Board of Fisheries Committee B Summary dated 2/29/12.

Proposal 307
The last public comment was incorrectly attributed to ATA; we oppose proposal 307. ATA worked with handtrollers and ADFG in 2006 to develop the existing regulation, which is specific to the winter fishery.

Proposal 309
ATA indicated at the committee meeting that we support a provision to allow replacement rods to be onboard, but this comment was not noted. ATA supports language substitute language at RC 145.

Proposal 310
1. The 5th public comment states that the Chum Trollers Association supports this proposal, but I believe that the position stated was a personal comment, not an organizational position.

2. **ATA’s remarks are not fully reflected and are partly inaccurate.** The Chinook Task Force simply reaffirmed a decision by the Board of Fisheries to take 10 days off the beginning of the winter fishery, because we found that 25% of the harvest was occurring those weeks. Due to its importance to the communities, everyone involved wanted to make sure the winter fishery would help Alaskan’s first; delaying start of the fishery has been helpful in that regard. Since then, both the Task Force and several Boards of Fisheries have taken additional steps to insulate the winter fishery from the negative impacts of the Pacific Salmon Treaty (e.g. winter cap near double historic catch; extended fishery closure to April 30th; allowed additional gear for some HTs).

The summer component of the fishery has chronically carried the treaty burden and taking more fish from that time period will exacerbate issues that the Chinook Task Force was trying to address, like season length and incidental mortality. Please also review **ATA’s detailed comments at PC 159 (attached)** regarding the history of the Chinook Task Force and the winter fishery. **It is important to remember that most trollers who fish in winter also fish spring and summer, so no fish are lost to them and no component of troll harvesters is ‘penalized’ by the current system.**

ATA also mentioned that price in August can be quite high, whereas price in later winter can plummet as the volume of salmon – from Alaska and elsewhere - rises in the market.

Proposal 311
ATA also mentioned that the spring areas are small and that most of the inside waters will still remain closed.
ADFG indicated that there are no wild stock concerns.

Proposal 314
ATA supports ADFG’s substitute language at RC 146 and believes it does a good job of clarifying the Department’s ability to extend the troll fishery in districts 1-16, as well as defining the criteria that will be used for making decisions regarding any extension.
Respectfully submitted,

Dale Kelley
Executive Director

From PC 159: ATA strongly supports the existing winter fishery, but opposes proposal 310. This proposal would take fish from the spring and summer fisheries, which is not in line with the management objectives for the troll fishery. It is questionable whether or not ADFG would be able to manage this provision in-season. Late April is by far the busiest time of the winter season. How soon could ADFG get the hatchery tags read in order to make the management call? Would they re-open the fishery if it was found that a lot of Alaska hatchery fish were delivered the last couple weeks of the winter fishery? And what if the add-on number came in after the winter fishery was already closed? Proposers suggest using the rolling average as an alternative, which would be a direct allocation away from the spring and summer fisheries.

The following is a snapshot of the history underpinning our request that the Board refrain from modifications to the winter fishery at this time.

In 1992, catch in the winter fishery was growing fast, primarily due to increased Chinook abundance. Catches that had run about 25,000 shot up in the early 90’s. This, coupled with substantial growth and catch in the guided sportfishing industry collided with the very low treaty quota. Chinook were allocated between commercial and sport, and trollers were tasked with trying to address a dwindling catch share and shorter summer season. The Board of Fish established a Chinook Troll Task Force (Task Force) and charged them with designing management changes that would:

- ensure a minimum summer season of 10 days, preferably 20
- minimize the incidental mortalities to the greatest extent possible
- maximize the value of the troll product
- recognize the historic composition of the fisheries

(BOF,92-133-FB)

The Task Force was made up of 12 trollers representing all sectors of our diverse fleet, and all geographic areas from Dixon Entrance to Yakutat; 2 processing representatives; and, the ADFG troll manager. The Task Force’s primary goals were:

- to comply with the Board of Fish mandate,
- to maintain traditional fishing and management patterns, and
- to maintain the historic allocation

The winter fishery was the most contentious part of the Task Force’s work. They recognized the winter troll season as extremely valuable to the region’s economy and also that Chinook abundance was going up. Harvest caps were discussed, from 0-70,000 fish. Ultimately, they chose 45K, as a mid-range, which was also about twice the historic average catch. Then, actions were taken to reduce spring trolling and move all remaining fish to the summer fishery, to extend the season and reduce incidental mortality. Any future surplus quota fish were anticipated to accrue to either expanding the spring access fisheries to catch add-on fish, or to the summer, to achieve the stated BOF goals.

Unfortunately, the Chinook quota is still roughly the same as 1992, despite rebuilt runs and good to excellent abundance. This makes it important to continue saving fish for the summer fishery, which has taken the brunt of the treaty harms. Since most winter trollers also fish the spring and summer fisheries, these fish will still be accessible to them.

The proposer suggests that summer Chinook bring lower ex-vessel prices than winter fish. That’s not always true. Salmon prices are subject to a wide number of variables, including supply and demand. For instance, some years the August fish are extremely valuable, while price nearly always drops at the end of the winter fishery when more of the fleet is fishing and spring kings hit the market from Canada and the Lower 48. The potential loss of coho fishing time, through closures or other management actions that could be applied to balance the impact of low Chinook quotas, must also be factored in when determining dollar value to the fleet.