

BBEDC

RC 028

TRANSCRIPT OF BOARD OF FISH

DELIBERATION ON PROPOSAL 210

FEBRUARY 11, 2007

Page 2

1 PROCEEDINGS
2
3 (Anchorage, Alaska - 2/11/2007)
4
5 (On record)
6
7 8:31:03 AM
8
9 (This portion not requested)
10
11 9:57:01 AM
12
13 CHAIRMAN MORRIS: Ms. Williams
14
15 MS. WILLIAMS: Moving right along to Proposal
16
17 210.
18
19 CHAIRMAN MORRIS: 210 for the record, please
20
21 STAFF: Mr. Chairman. Proposal 210. 5 AAC
22
23 09 200 Description of districts and sections.
24
25 UNIDENTIFIED VOICE: Move to adopt.
26
27 UNIDENTIFIED VOICE: Second.
28
29 CHAIRMAN MORRIS: Ms. Williams
30
31 MS. WILLIAMS: I think the staff will have
32
33 those.
34
35 CHAIRMAN MORRIS: Staff comments.
36
37 STAFF: This proposal would reduce most of the
38
39 fishing area on the North and South Alaska Peninsula as
40
41 it's written to within one mile of land from May 1st to
42
43 June 30th. This proposal mentions the Three Hills,
44
45 Ilirik and Port Heiden sections of the North Peninsula
46
47 areas are concerned, but as written this proposal
48
49 applies to the entire Alaska Peninsula Salmon
50

Page 4

1 any objections? Mr. Heyano.
2
3 MR. HEYANO: Mr. Chairman. I'm afraid I'm
4
5 going to have to object. The substitute language is
6
7 substantially different than the original proposal or
8
9 what the original proposal's intent is.
10
11 CHAIRMAN MORRIS: Can we get a comment from the
12
13 Department of Law on that.
14
15 MR. L. NELSON: Mr. Chairman. Really it
16
17 doesn't matter what you do, substitute language or move
18
19 to amend. It's just a matter of choice. We can do it
20
21 either by unanimous consent if there's not a lot of
22
23 difference. So if somebody objects, then you should go
24
25 to them and vote on it.
26
27 CHAIRMAN MORRIS: Okay. Thank you. Do you
28
29 want to withdraw your objection or should we vote on
30
31 it?
32
33 MR. HEYANO: (Indiscernible).
34
35 CHAIRMAN MORRIS: Well, is it that much
36
37 different?
38
39 MR. NELSON: Well, Mr. Chair, I think it's fair
40
41 to object to unanimous consent of substitute language,
42
43 but it's also offered as an amendment and we vote on it
44
45 as an amendment. That's my opinion of the rules.
46
47 CHAIRMAN MORRIS: Okay. Ms. Williams, we'll
48
49 withdraw your substitute language and offer it as an
50

Page 3

1 Management Area, including South Unimak and Shumagin
2
3 Islands June fisheries.
4
5 This proposal would reduce the amount of fish
6
7 for the Alaska Peninsula Salmon Management Area by
8
9 approximately 66 percent from May 1st to June 30th.
10
11 The Three Hills and Ilirik sections open to commercial
12
13 salmon fishery on June 25th. This proposal is
14
15 requesting that fishing not be permitted beyond one
16
17 mile from shore from June 25th to June 30th in this
18
19 area.
20
21 The Department is neutral on the allocative
22
23 aspects of this proposal. The Department is opposed to
24
25 reduction of fish in the area which may result in
26
27 surplus escapement and loss of harvest opportunity
28
29 Mr. Chairman.
30
31 CHAIRMAN MORRIS: Ms. Williams, did you want to
32
33 include the substitute language?
34
35 MS. WILLIAMS: Yes, of course. At the bottom
36
37 of the page 8 there is substitute language underneath
38
39 the (indiscernible).
40
41 UNIDENTIFIED VOICE: Second.
42
43 UNIDENTIFIED VOICE: Request unanimous consent.
44
45 CHAIRMAN MORRIS: Board members, we have a
46
47 request to substitute the language found on page 8.
48
49 Proposal 22. Request for unanimous consent. Are there
50

Page 5

1 amendment.
2
3 MR. CAMPBELL: Mr. Chairman. I have a question
4
5 here.
6
7 CHAIRMAN MORRIS: All right.
8
9 MR. CAMPBELL: Mr. Chairman. On the matter of
10
11 procedure, if we -- there's been an objection to
12
13 substitute language. If we vote on -- is that correct,
14
15 if we vote on the objection, then the substitute
16
17 language will remain, is that correct?
18
19 CHAIRMAN MORRIS: Is that right, Mr. Nelson?
20
21 MR. L. NELSON: I think we -- what might -- my
22
23 understanding is what you're objecting to is unanimous
24
25 consent to substitute the language. If anybody
26
27 objects, then that requires a vote on the request to
28
29 substitute the language, which is just another form of
30
31 amending.
32
33 CHAIRMAN MORRIS: Okay. We'll take a vote on
34
35 the substitute language.
36
37 MR. MARCOTTE: Mr. Chairman.
38
39 CHAIRMAN MORRIS: Yes.
40
41 MR. MARCOTTE: Mr. Chair. Because there was an
42
43 objection there's probably some point there, so maybe
44
45 at this point it's worth having a discussion about the
46
47 difference between the original proposal and the
48
49 substitute language and how that's different.
50

2 (Pages 2 to 5)

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1 CHAIRMAN MORRIS: I don't know. It seems like
2 we're just voting on unanimous consent or not without
3 discussing the proposal. Mr. Nelson.

4 MR. NELSON: Mr. Chairman. I mean substitute
5 language basically is the same as an amendment. The
6 process that we're talking about is whether the Board
7 is going to adopt the amendment or the substitute
8 language by unanimous consent. I think there was an
9 objection to that, so I think that puts it back to the
10 same thing, to the amendment or an offer for substitute
11 language, but we're going to have to debate the
12 amendment and vote on it and then depending on how that
13 goes, then we'll have a debate and action back on the
14 main motion.

15 CHAIRMAN MORRIS: Please, Ms. Williams,
16 withdraw your substitute language and withdraw the
17 second request and offer it as an amendment.

18 MR. NELSON: I think her offer is still an
19 offer for amendment or for substitute language. Mr.
20 Heyano's objection just objected to a document by
21 unanimous consent, so I think that just means we're
22 still on a motion to amend. We're just going to have
23 to debate it and vote.

24 CHAIRMAN MORRIS: Okay. Ms. Williams, the
25 amendment.

Page 8

1 offer specifics. We're seeking incorporating many many
2 elements, elements of previous management plans.

3 It specifically says and states the Port Heiden
4 section and that's what the substitute language will be
5 referring to, is opening a part of Port Heiden section.
6 Again, I don't see a problem with this proposal.

7 CHAIRMAN MORRIS: Mr. Nelson.

8 MR. NELSON: Thank you, Mr. Chair. I know we
9 got kind of wrapped up in the parliamentary discussion
10 of the substitute language or amendment or whatever. I
11 guess I haven't really heard anybody speak to the
12 Department's reaction to the substitute language and
13 what it does.

14 CHAIRMAN MORRIS: Can we hear Staff comments on
15 it, on the substitute language or amendment.

16 STAFF: Mr. Chairman. The substitute language
17 that is submitted under Proposal 210 would open a
18 portion of the Outer Port Heiden Section southwest of
19 158 36 west longitude from June 20th through July
20 31st. Fishing period will be the same as in other
21 areas from 6:00 a.m. Monday to 6:00 p.m. Wednesday.
22 The area will be managed on the basis of Meshik River
23 sockeye salmon with provisions for the conservation of
24 Ugashik River sockeye salmon.

25 MR. NELSON: Mr. Chairman. I see this as kind

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1 MS. WILLIAMS: I would agree with Mr. Nelson on
2 that. We're going to have to vote. So if we vote, it
3 is not adopted by unanimous consent on the substitute
4 itself. I've got to point out some discussion that
5 took place in the meeting in the community. The author
6 of the proposal, Roland Briggs, said Ugashik had some
7 discussion with the Department. The Department
8 initially thought that this was a one mile off the
9 coast May 1st - June 30th North and South Peninsula.
10 He said, no, no, just North Peninsula. And then it was
11 narrowed down from North Peninsula to the Northeastern,
12 if I've got the right description.

13 Consequently, the remainder of the discussion
14 dealt with the merits if this were to apply -- if this
15 proposal were to apply to that much smaller area. I
16 think that is where the focus of the substitute
17 language lies, in the area where we wound up
18 discussing.

19 Mr. Campbell sure can use my glasses.

20 CHAIRMAN MORRIS: Mr. Campbell.

21 MR. CAMPBELL: Thank you, Mr. Chairman. I
22 would agree with Ms. Wilson -- or Ms. Williams, excuse
23 me. I think Proposal 210 is an excellent vehicle to
24 discuss this, but many of the proposals at this meeting
25 -- a lot of these proposals were very general, did not

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1 of a conflict with the Board's standing rules not to --
2 I mean this, to me, looks like a bit of a -- kind of a
3 liberalization of fishery regulations and our standing
4 rules for the Board, which you'll find under the
5 findings tab. It specifically says do not change or
6 reverse the intent of the proposal at issue. For
7 example, if the proposal's intent is to restrict a
8 particular fishery and the Board wishes to close or
9 expand the fishery, the Board will not amend the
10 original proposal.

11 So I think you've taken a proposal that, from
12 my read, you want to further restrict the North
13 Peninsula fisheries and you've broadened it if we turn
14 it around. So I don't think it's consistent with the
15 Board's standing rules and I don't support it in nature
16 anyway. For both of those reasons I'll be opposing it.

17 CHAIRMAN MORRIS: Mr. Nelson from law, can you
18 give your comments on that.

19 MR. L. NELSON: I'm not sure what question
20 you're....

21 CHAIRMAN MORRIS: Well, the question would be
22 by taking this proposal, which would essentially be
23 restrictive, and using it as a vehicle to provide an
24 opening in an area and make it less restrictive. I
25 know we've done this before and (indiscernible). I've

3 (Pages 6 to 9)

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1 seen the Board do exactly the opposite of what was
2 requested in the proposal on amendment probably 50
3 times in my career.
4
5 MR. L. NELSON: Right. That's probably up to
6 you on how you interpret that. There may be other
7 characterizations about -- in response to Mr. Nelson's
8 views on it that it doesn't have that impact. That
9 should all be discussed and debated and be part of the
10 record.
11
12 CHAIRMAN MORRIS: Mr. Campbell.
13
14 MR. CAMPBELL: Thank you, Mr. Chairman. You
15 know, I would agree with -- you know, a fair assessment
16 of that. I agree, in the spirit of the findings or not
17 you would do a complete reversal of the proposal. This
18 proposal was very vague, very generalized and it seeks
19 to open a section of the Port Heiden district. That
20 Port Heiden district has been closed for a long time.
21 So I don't understand the problem here with this. I
22 think it's -- granted, we're arguing about the one to
23 three miles and that's going to be open for debate, but
24 that's the section that I'm looking at that I think is
25 appropriate as a vehicle.
26
27 The alternative would be to offer this as a
28 legitimate proposal. So I mean that's -- we've got a
29 few options before us here. Mr. Chairman.
30

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1 CHAIRMAN MORRIS: I have a question, Mr.
2 Murphy. In the absence of this proposal or this
3 action, how would you be able to manage for the
4 previous actions that we took?
5
6 MR. MURPHY: Mr. Chairman. A point of
7 clarification. Are you referring to...
8
9 CHAIRMAN MORRIS: Referring to an opening --
10 providing that prior opening for those areas.
11
12 MR. MURPHY: Mr. Chairman. The language -- the
13 additional language is providing harvest opportunity to
14 the Meshik River. As far as I don't see any
15 complications with Proposal 207 with the language
16 that's before you.
17
18 CHAIRMAN MORRIS: Thank you. Mr. Heyano.
19
20 MR. HEYANO: The Board has left me behind, Mr.
21 Chairman.
22
23 CHAIRMAN MORRIS: I'm sorry.
24
25 MR. HEYANO: We're discussing the substitute
26 language, is that what we're doing here?
27
28 CHAIRMAN MORRIS: Yes.
29
30 MR. HEYANO: That's what's before us?
31
32 CHAIRMAN MORRIS: Yes. It's an amendment.
33 We're discussing the amendment.
34
35 MR. HEYANO: Okay.
36
37 CHAIRMAN MORRIS: I was just trying to get a
38

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1 CHAIRMAN MORRIS: Mr. Jensen.
2
3 MR. JENSEN: Did you call me?
4
5 CHAIRMAN MORRIS: Yeah. Did you raise your
6 hand?
7
8 MR. JENSEN: I guess I will. I sort of agree
9 with Mr. Campbell. I believe this is an adequate
10 vehicle to take this one up on. It's talking about the
11 area and I think we should go with it. Mr. Chair.
12
13 CHAIRMAN MORRIS: Other Board members. Ms.
14 Williams.
15
16 MS. WILLIAMS: During the committee part of the
17 rationale offered by the author for his proposal is to
18 compress the fishery around Port Heiden in order to
19 address the escapement problems. This substitute
20 language also addresses the escapement problem.
21 although it does so I think in a more reasonable and
22 logical manner. The fish are coming from the north.
23 If you open up this previously closed area a small
24 distance from the middle of the port to the longitude
25 would be 13 miles, a little over 13 miles. From the
26 point of land, a little over six miles. If we could
27 open that up and make it available for fishing, we
28 address the problem of overescapement in Port Heiden.
29
30 Proposals are offered to address problems and
31 produce a better solution.
32

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1 better understanding how that amendment would impact
2 the ability to manage the fishery or the lack of the
3 amendment. Mr. Heyano.
4
5 MR. HEYANO: Okay. Now I'm halfway up to speed
6 here. In regards to Mr. Nelson's comments about the
7 Board's finding and what the intent of this proposal
8 was in comparison to substitute language before us
9 Am I correct in understanding at least the
10 components of the substitute language are maintaining
11 that the intent of Proposal 210 is actually to have a
12 Port Heiden fishery on the outside?
13
14 CHAIRMAN MORRIS: Well, I think that was their
15 belief. I think we also understand if it isn't, we
16 still have that option available to us, but I believe
17 that's correct. I'll let them speak for themselves.
18
19 Mr. Campbell.
20
21 MR. CAMPBELL: Well, Mr. Chairman, I'll take a
22 stab at that. I mean it's -- let me find it here in
23 the blue book. I might have to go into filibuster mode
24 here, but I'll start reading Proposal 210 out of the
25 blue book.
26
27 Proposal 210, 5 AAC 09.200 description of
28 districts and sections. Administrative language as
29 follows: Bring boundary to one mile from mainland June
30 30th for sockeye season. Issue: Ability to go out
31

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1 three miles in Port Heiden. Three Hills and link
2 fishing sections for sockeye season. What will happen
3 if that is done. Continue interception of fish,
4 improve the quality of the resource harvest
5 Previously approved. Not applicable. Who is likely to
6 benefit. Terminal fisheries. Who is likely to suffer:
7 (Indiscernible) harvest terminal fisheries. Other
8 solutions to consider: Past solutions in the current
9 Board have reverted for years. Proposed by Roland
10 Briggs.
11 It's pretty generalized in it's nature. I
12 can't interpret the reading of this fully by the extent
13 of what's written in this proposal. I'm ready to
14 listen. Mr. Chairman.
15
16 CHAIRMAN MORRIS: Do other Board members have
17 questions or comments.
18 (No comments)
19 CHAIRMAN MORRIS: Well, I agree with this. I
20 think it's completely consistent with the action we
21 took in 207. It provides us with the opportunity to
22 accomplish those goals of avoiding overharvest in those
23 systems.
24 Any additional comments or question. Mr.
25 Heyano.
26 MR. HEYANO: Thank you. Yes, Mr. Chairman. I

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1 if we actually generate proposals such as this that
2 further provides contentions in the fishery. You know,
3 we should be looking to resolve some of those issues
4 and react and respond to concerns from the
5 participants, not to go forward and actually generate
6 it.
7 That's my comments on the process. Mr.
8 Chairman. Speaking to the substitute language, we
9 don't know what the stock composition is of this
10 fishery. It's been closed since 1990. I would have
11 assumed that if the Department had concerns for
12 escapement, they would have seen the proposal similar
13 to the previous one opening up -- further opening up
14 link.
15 I think, Mr. Chairman, and for the Board
16 members, if you recall in December there was at least
17 three proposals asking for similar consideration in the
18 Bristol Bay fishery. Although I wasn't able to
19 participate in that discussion, the Board refused those
20 proposals, concerns of stock composition and the
21 harvest, the ability for the Department to be able to
22 apportion those costs back to the river of origin.
23 They're all concerns I heard.
24 I think at the end of the meeting the Board did
25 the correct thing and supported a commissioner's permit

Page 15

1 think that the substitute language before us in my
2 opinion doesn't reflect the intent of 210. I think
3 some of the Department's comments is there would likely
4 be no effect on the Outer Port Heiden or Caribou Flats
5 section, which is already closed by regulation, unless
6 the proposal is requesting a May 1 opening date within
7 one mile of shore.
8 I go through the panel comments and I don't see
9 where there's any discussion and I'm assuming that if
10 the intent of 210 was in the substitute language, there
11 would have been a lot of pro and con discussions about
12 opening an area that has been closed since 1990. I
13 believe, by regulation.
14 I went through last night and reviewed the RCs.
15 I didn't see any request for opening a Port Heiden
16 section. Obviously there isn't a proposal directly
17 requesting the opening of the Port Heiden section.
18 I realize it's probably within the purview of
19 the Board to amend and provide substitute language. I
20 don't think it's in the best interest of the Board or
21 the public process to have Board-generated, in this
22 case, substitute language for an issue as contentious
23 as this is. It seems like in the past (indiscernible)
24 and Mr. Nelson's comments is that we react to a request
25 from the public. I don't think it serves this process

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1 to do a test fishery to see what the composition of
2 those stocks were through genetics work before
3 prosecuting the fishery. That seems to be the correct
4 approach. Mr. Chairman, rather than opening the fishery
5 and getting the information later.
6 I guess we know that this is an issue of
7 overescapement. I don't think it's raised to the level
8 of the Department's concern or else I would assume that
9 there would have been a proposal in. Having said that,
10 Mr. Chairman, I won't be supporting the proposal.
11 CHAIRMAN MORRIS: Thank you. Other Board
12 members. Mr. Jensen.
13 MR. JENSEN: Thank you, Mr. Chair. I just have
14 one question for law. My understanding was that once a
15 proposal is submitted to the Board it becomes the
16 Board's property and we can do anything we want with
17 it. Am I right in assuming that? Is that a correct
18 assumption?
19 CHAIRMAN MORRIS: Mr. Nelson.
20 MR. L. NELSON: Mr. Chairman. I don't know if
21 that's quite the way I'd frame it. What you've done is
22 you issue a call for proposals on and we've received
23 those, but beyond that we've also decided to put the
24 public on notice that you're going to address the
25 complete scope of the issues for different areas of the

5 (Pages 14 to 17)

Page 18

1 state and different stocks and stuff
2
3 So what you're really bound by under the APA is
4 your legal notice, not the proposals that are before
5 you. The legal notice will specifically say the Board
6 will not be limited to the actual language of the
7 proposal before them for the action you will take.
8 That's the way the APA is designed to work.
9
10 You put out the notice of what you're going to
11 accomplish and give yourself leeway to address the
12 information that comes before you at the meeting and
13 during the public process to make changes and generate
14 your own proposals if you want to.

15 I don't know that it's -- I don't know that I
16 think the proposal becomes the property of the Board.
17 but it's certainly within the power of the Board to
18 adopt changes to proposals to generate its own
19 proposals like you've done on a regular basis.

20 From the language read from the finding in 1991
21 that Mr. Nelson read from, that's the framework that
22 you set up for yourself. I'd point out probably
23 unfortunately it's been largely ignored by Boards many
24 times in the past as an exact method to be used to get
25 to the formal language that you want, but it is a
26 policy that you've adopted that I think out of
27 sensitivity to the proposers and complaints of their

Page 20

1 Mr. Nelson.
2
3 MR. NELSON: Thank you. Mr. Chair. I mean
4 obviously, I mean as was pointed out earlier, the Board
5 could -- you know, it could do a subsequent Board-
6 generated proposal or whatever to include this, but
7 getting towards what came at us for North Peninsula,
8 the proposal never spoke with expanding the area of the
9 fishery. I mean there was a little bit dealing with
10 darters, but nothing spoke to addressing the
11 (indiscernible). I still see this as a departure from
12 the proposals that the Board received whether it's done
13 as substitute language or as a subsequent Board-
14 generated proposal.

15 CHAIRMAN MORRIS: So noted. Thank you. Ms.
16 Williams.

17 MS. WILLIAMS: When we put out a public notice
18 of the meetings, people begin to prepare proposals.
19 They see problems in a given fishing district and they
20 write proposals that attempt to address those problems.
21 Here comes a proposal. It is supported in the
22 committee hearing by the author who says here is the
23 problem. Underscapement in Port Heiden. Here is his
24 solution. We could vote down his solution and ignore
25 the problem or we could seek to address the problem.
26 The substitute language seeks to address the problem.

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1 proposals getting turned around, but it is something
2 the Board does on a regular basis. I don't think it
3 affects the legality of the proposal. I think it's a
4 policy decision that you made to -- on a public
5 relation basis with the public.

6 If you vote it down, the substitute language.
7 it would be -- because of the sensitivity about the
8 policy, it would be possible for another Board to make
9 a motion for a Board to a proposal and go through it
10 independent of any reference to a proposal before you.
11 I would take a little more time, but the same thing
12 could be accomplished.

13 CHAIRMAN MORRIS: Thank you.

14 MR. JENSEN: Yeah, I just -- you know, my
15 assumption was that this meeting was noticed and I knew
16 we were going to take up issues that would pertain to
17 this type of stuff. Maybe I'm insensitive, but if we
18 do this consistently and don't adhere to the colloquy
19 of the findings in 1991, I don't see why we'd be
20 getting too far away from what we normally do. Mr.
21 Chair.

22 CHAIRMAN MORRIS: All right. I think we've
23 beat this to death. We clearly can do it. Let's have
24 some more comments on the amendment. I think we're
25 still discussing the amendment at this point.

Page 21

1 If we believe there is a problem, we should be
2 addressing it. That is what the Board has the
3 authority to do. They gather proposals and problems
4 are handed out to them. In some instances, those
5 solutions to the problems are accepted and other
6 instances we amend them, change them to what we think
7 is a better one or we might reject them because we
8 think there isn't a problem or because we don't have a
9 solution at the moment that we think will work well.

10 I think we are well within our legal bounds.
11 It would be a dereliction of duty, in fact, if we
12 failed to take action on what we see is a good problem
13 -- is a real problem and a possible real solution.

14 CHAIRMAN MORRIS: Thank you.

15 MR. MARCOTTE: Question.

16 CHAIRMAN MORRIS: Mr. Marcotte.

17 MR. MARCOTTE: Okay. This is about the
18 amendment here.

19 MR. JENSEN: I'm sorry to interject here. Can
20 we just get clarification of what a yes vote does and
21 what a no vote is doing here.

22 CHAIRMAN MORRIS: Mr. Marcotte.

23 MR. MARCOTTE: A yes vote would put the
24 amendment as found in RC 23, page 8, in front as....

25 MR. JENSEN: In front of us.

Page 22

1 MR. MARCOTTE: ...the main proposal
2
3 CHAIRMAN MORRIS: Thank you.
4
5 MR. MARCOTTE: Okay. On the amendment.
6
7 Heyano.
8
9 MR. HEYANO: No.
10
11 MR. MARCOTTE: Nelson.
12
13 MR. NELSON: No.
14
15 MR. MARCOTTE: Williams.
16
17 MS. WILLIAMS: Yes.
18
19 MR. MARCOTTE: Morris.
20
21 CHAIRMAN MORRIS: Yes.
22
23 MR. MARCOTTE: Campbell.
24
25 MR. CAMPBELL: Yes.
26
27 MR. MARCOTTE: Jensen.
28
29 MR. JENSEN: Yes.
30
31 MR. MARCOTTE: Okay. The motion carries 4 in
32
33 favor, 2 opposed, Mr. Chairman.
34
35 CHAIRMAN MORRIS: We're back to the proposal.
36
37 Ms. Williams.
38
39 MS. WILLIAMS: Well as with the Board, there
40
41 is exciting Committee action on this and I'm not sure
42
43 that the -- well, I'm going to read the pros and the
44
45 cons. The intent of this proposal was for a change in
46
47 Iluk and Port Heiden sections only. This would
48
49 concentrate the fleet closer to Iluk to better control
50

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1 be supporting in support of the amendment. Obviously
2
3 this took some action to address the escapement issues
4
5 at Iluk. In the Meshik, we have an even worse problem
6
7 of overescapement. We've gone from the last four years
8
9 94,000, 93,000, 93,000 to 120,000 over the top of the
10
11 escapement goal. So that's -- I think we've heard
12
13 that, you know, granted it does not represent a
14
15 biological problem, but the Department has the
16
17 responsibility to manage within escapement goals.
18
19 It's our obligation as a Board to provide the
20
21 Department with the proper tools necessary to try to
22
23 maintain escapement goals. So I think this proposal
24
25 does a good job to address that and I'll be voting in
26
27 support.
28
29 CHAIRMAN MORRIS: Do you want someone to deal
30
31 with the allocation, somebody. Mr. Jensen.
32
33 MR. JENSEN: No. Yes, Mr. Chair. I would like
34
35 to comment first in favor of this proposal, Mr. Chair.
36
37 I do believe it's consistent with management the same
38
39 fishery policy. I'd like to reference comments from RC
40
41 53 that pretty much mirror what I would say about this.
42
43 It could change the number of participants in
44
45 the fisheries. It could bring more folks up on the
46
47 south side and they may catch a few more fish, but the
48
49 whole intention of this proposal is to catch the fish
50

Page 23

1 escapement. There would be a small harvest of fish
2
3 bound for other areas. Setnets are overfished within a
4
5 half mile of shore. There is a surplus of fish and
6
7 liberalization of regulations hasn't helped.
8
9 The cons. The area is exposed to the Bering
10
11 Sea and is often unfishable during onshore winds.
12
13 There are sandbars and large seas inside of one mile.
14
15 There are many safety concerns. You can see an
16
17 increase in escapement. This will compress the fleet
18
19 and make it less possible to control escapement.
20
21 Interception is currently minimal.
22
23 We had the Area M ACs oppose it and the outside
24
25 area M ACs support it. So there was no consensus from
26
27 the public opinion. The Board Committee was consensus
28
29 to support as amended.
30
31 CHAIRMAN MORRIS: Other Board members. Mr.
32
33 Heyano.
34
35 MR. HEYANO: Thank you, Mr. Chairman. I want
36
37 be voting in support of the amendment before us. I
38
39 think largely the discussion on the (Indiscernible) to
40
41 the issue took place on the previous vote. I would
42
43 just incorporate all my previous comments.
44
45 CHAIRMAN MORRIS: Thank you. Other Board
46
47 members. Mr. Campbell.
48
49 MR. CAMPBELL: Thank you, Mr. Chairman. I will
50

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1 that are running in the Meshik. That's my impression
2
3 of the proposal anyway, Mr. Chair.
4
5 I don't think there's very much ability for
6
7 alternate fisheries resources that time of year. This
8
9 should provide more opportunity for this stock of fish.
10
11 The importance of this fishery, to commonly state, it's
12
13 important. It does provide money to the state and also
14
15 it's important to the region in which the fishery is
16
17 located.
18
19 Thank you, Mr. Chair.
20
21 CHAIRMAN MORRIS: Ms. Williams.
22
23 MS. WILLIAMS: I don't believe that adoption of
24
25 this proposal will result in additional direct costs
26
27 for private persons participating in it and I'm going
28
29 to be very in favor of this. I think it's a good
30
31 solution to a real problem.
32
33 CHAIRMAN MORRIS: Further comments.
34
35 (No comments)
36
37 CHAIRMAN MORRIS: (Indiscernible).
38
39 UNIDENTIFIED VOICE: No, Mr. Chair.
40
41 CHAIRMAN MORRIS: Mr. Nelson.
42
43 MR. L. NELSON: No, Mr. Chairman.
44
45 CHAIRMAN MORRIS: Staff.
46
47 STAFF: Mr. Chairman. Just a point of
48
49 clarification. The language that nobody has spoken
50

7 (Pages 22 to 25)

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1 about I just want to get on the record, the first two
2 in the Outer Port Heiden section. The outlying section
3 proposed to be open refers to drift gillnet gear only.
4
5 I just wanted to make note of that.
6
7
8
9 CHAIRMAN MORRIS: Thank you. Questions, Mr.
10 Marcotte.
11
12 MR. MARCOTTE: On Proposal 210 as amended.
13
14 Jensen.
15
16
17 MR. JENSEN: Yes.
18
19 MR. MARCOTTE: Heyano.
20
21 MR. HEYANO: No.
22
23 MR. MARCOTTE: Nelson.
24
25 MR. NELSON: No.
26
27 MR. MARCOTTE: Williams.
28
29 MS. WILLIAMS: Yes.
30
31 MR. MARCOTTE: Morris.
32
33 CHAIRMAN MORRIS: Yes.
34
35 MR. MARCOTTE: Campbell.
36
37 MR. CAMPBELL: Yes.
38
39 MR. MARCOTTE: Okay. The motion carries 4 in
40 favor, 2 opposed, Mr. Chairman.
41
42 CHAIRMAN MORRIS: Ten minute break.
43
44 (Off record)
45
46 10:31:30 AM
47
48 (END OF REQUESTED PORTION)
49
50

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1 TRANSCRIBER'S CERTIFICATE
2
3 I, Salema A. Hile, hereby certify that the
4 foregoing pages numbered 02 through 27 are a true,
5 accurate, and complete transcript of proceedings IN RE
6
7 BOF PROPOSAL 210 DELIBERATIONS, transcribed under my
8 direction from a copy of an electronic sound recording
9 to the best of our knowledge and ability.
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18 DATE _____ SALENA A. HILE _____
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8 (Pages 26 to 27)