

PROPOSAL 45 – 5 AAC 06.331. Gillnet specifications and operations. Reauthorize Bristol Bay set gillnet permit stacking, as follows:

5 AAC 06.331 (f) Gillnet specifications and operations. Allow multiple permit use as follows:

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(f) **Except as provided in (u) of this section,** a person may not operate more than two set gillnets, and the aggregate length of set gillnets operated by that person may not exceed 50 fathoms in length. Notwithstanding 5AAC 39.240 (a), a person may assist in operation or transportation of additional set gillnet gear when the CFEC interim-use or entry permit card holder of the additional gear is present in compliance with 5 AAC 39.107.

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(u) A CFEC permit holder who holds two Bristol Bay set gillnet CFEC permits may operate no more than four set gillnets, with no more than 100 fathoms of set gillnet gear in the aggregate. No single set gillnet may be more than 50 fathoms in length and no more than 50 fathoms of net may be fished on an individual set net site. Both of the permit holder's five-digit CFEC permit serial numbers followed by the letter "D" to identify the gillnet as a dual permit set gillnet must be located on the identification buoys required by 5 AAC 39.280 and 5 AAC 06.334. At least one cork every 10 fathoms along the cork line must be plainly and legibly marked with both CFEC permit numbers of the CFEC permit holder. All identifiers must be displayed in a manner that are plainly visible and unobscured and have permanent symbols in a color that contrasts with the background.

What is the issue you would like the board to address and why? To address the continued decrease in the ability for commercial set net fishermen to make a viable living off of fishing only one set net permit, SO4T, in Bristol Bay. It has become increasingly difficult for anyone to make a living off of one set net permit, even with multiply sites.

PROPOSED BY: Rose Beach (EF-C15-088)

PROPOSAL 46 – 5 AAC 06.331. Gillnet specifications and operations. Allow permit stacking for set gillnet operations, as follows:

I apologize that I cannot offer draft language, this is not an existing regulation that needs revising.

I would offer the language used in the time that S04T stacking was allowed. I would ask a restriction that prevented a dual permit holder from fishing both permits on one site.

What is the issue you would like the board to address and why? I ask the Board of Fisheries to approve permit stacking for S04T set net permit holders, so that one individual cannot only own two permits but can also fish two permits. I would prefer to see a tail on that regulation that prohibited a dual permit holder from fishing both permits on one site, say by alternately fishing one net while simultaneously picking another on the shore.

My primary reason for asking for permit stacking is defensive, we need to be able to fish our permits enough to make money and not be driven from the fishery by costs and restrictions.

We live in Homer and set net in Egegik. There are presently seven of us in one family, fishing three sites with three permits. With employment, school, disability, and other time constraints, it is impossible for us to have the same three permit holding persons there for the season from start to finish. Set netting is not a particularly profitable business and a family has to have other primary employment. Primary employment and school schedules drives who can be there and who can't. Although we are capable of fishing three sites for the full season, we cannot have the same three persons as permit holders for the full season. Given transfer restrictions and inefficiency during the season, we cannot transfer at will. Permit stacking allows our family to fish the full season and maximize our investment.

I was reading a report done by CFEC during the last board meeting for the permit stacking proposals. CFEC concluded that permit stacking was utilized by non-locals, like us, and non-residents, but not locals to Bristol Bay and that was presented as a detriment to the locals. I think the conclusion was wrong. A local Bristol Bay family does not need to stack permits because a non-fishing permit holder can more or less legally go down to the beach and hang out while others fish, thus no need to find an active permit holder. A permit holding grandmother can go to the beach near her home, sit in a camp chair, and watch her grandchildren fish her site. That's wonderful, I support that. That family can fish the whole season. But my wife, a permit holding grandmother who loves to watch her grandchildren fish, cannot do that. We have to travel out to Bristol Bay from Homer; she can't go home after the fishing period and take care of other family or employment needs. The grandchildren cannot always come to the Bay in time, they have school, college, sports. In another example, a local permit holder who was, say 17 and a senior in high school could play sports and attend school and fish, because the site was close to home. Our kids cannot do that. If we could stack our permits, we could fish more periods with all our permits and be able to make set netting economically viable.

I was told that permit stacking raised the price of the permits, making them less available locally. We wouldn't know because we don't buy or sell, we only stacked within our family when it was allowed. Among the 8 or so families in our area that did stack when it was allowed, none bought permits. The reason was always the same, family convenience allowing the family group to more efficiently fish what they already have. I suppose stacking could cause some rise in cost of a permit because it allows more efficiency in set netting and thus more income to a permit holder.

There was a lot of previous opposition to stacking among local Bristol Bay permit holders because it was said that the price of permits would go up. In my view, local people can take advantage of having permit-holding family members nearby, so they don't need stacking. In my view, that is an allocation to locals at the expense of non-local Alaska residents like our family.

In my view, locals will benefit the most of the three groups by permit stacking. It's my understanding BBEDC will finance permits for Watershed residents. That is a wonderful advantage not available to us in Homer. By stacking, locals could in theory double the number of permits owned locally, using financing from BBEDC. I believe the greatest beneficiaries to set net permit stacking are the local residents.

But we all will benefit and we need the help.

Thank you.

PROPOSED BY: Tony Neal (EF-C15-033)

PROPOSAL 47 – 5 AAC 06.331. Gillnet specifications and operations. Allow permit stacking for set gillnet operations and up to one and one-half the current legal limit of gear for one permit to be operated when permit stacking, as follows:

Bristol Bay set net permit holders would be able to hold and actively operate two setnet permits at the same time. However, the total aggregate of gear in the water (fishing) would be equal to 1–1/2 times the legal limit of gear for a single permit in the area fished. (i.e.; if the legal amount of gear is 50 fathoms, then the dual permit holder would be able to operate 75 fathoms.)

Reasoning is that this may enable and encourage a non-transferable permit holder to obtain another permit as a hedge against potential future loss of the income source for his/her family and also allow them to hold the family fishing site. By limiting gear, the extra permit may not be enough incentive to encourage others to buy in to the fishery.

What is the issue you would like the board to address and why? The issue this proposal would address is the continuing migration of Bristol Bay set net permits away from Alaskan residents and local Bristol Bay residents in particular. Presently there are about 100 non-transferable Bristol Bay set gillnet permits on the books. At one time there were 155. All but 18 of these permits were issued to Alaska residents, the vast majority of whom resided in Bristol Bay. When the holder of a non-transferable permit dies, his permit is gone—no longer available to the family. Most of these permit holders have no other permit in the family.

The following proposal would help Alaska residents make their set gillnet operations more viable. Presently, entry permit holders may hold two entry permits for the same fishery, but they may only actively fish one of them. (In the Bristol Bay set gillnet fishery) This proposal, while potentially affecting all of Bristol Bay set gillnet permit holders, is designed to specifically protect the non-transferable permit holder and their families.

PROPOSED BY: John Schandelmeier (EF-C15-034)

PROPOSAL 48 – 5 AAC 06.331. Gillnet specifications and operations. Allow permit stacking for set gillnet operations in the Bristol Bay Area, as follows:

Allow Bristol Bay set net fishermen to have dual permits.

Fisherman in the Bristol Bay salmon fishery are allowed to hold and legally fish two set net permits per person.

What is the issue you would like the board to address and why? I would like the board to once again allow set net fishermen to have two set net permits in their names. This was allowed from 2009–2012 in Bristol Bay. During that time, my family purchased a set net operation from a family for whom I worked as a deckhand for eight years. Our long term goal is to raise our family fishing in the Bay every summer and pass it on to them the way it was passed on to me. Right now my kids are young, but are finally at the point where they can come out for part of the fishing season. However, it is a challenge to have them out there for the whole season. Additionally, I would like to be able to come out earlier and stay later to take full advantage of all the fishery has to offer. So, while I could simply not fish her permit during those times, that option is not financially viable for our family. The only other option is to have the permit in a

deckhand's name since they are there for the whole fishing season. This is not a great option either for obvious reasons.

While it's easy to dismiss my request, I feel the board has a responsibility to give it more consideration. I am not asking for something that has not been done. To the contrary, I entered the fishery as a permit holder when they did allow permit stacking. What I have been unable to understand is why the board would have allowed the stacking of set net permits for a short three year period. That decision should have been a long term decision as I reasoned it had to be. Why would you allow people to legally purchase a \$40,000 asset and then require them to sell it 3 years later? This is a logistical nightmare that is unwarranted. All the arguments for letting the regulation sunset were weak; less new people entering the fishery, less local and native fishermen did not mandate reversing the decision. They were obvious outcomes of the experimental regulation period. Nothing happened in that time that was a surprise and certainly nothing that should lead everyone in the fishery to revert back to the way it was before.

Everyone knows fishing is a feast and famine industry to be in. But allowing stacking of two permits was a great way to help fishermen make fishing a more reliable source of their livelihood. Some year's the return are low or we go through valleys where the price drops. Having two permits helps weather those storms. It helped us. It didn't hurt anyone (that's my argument of course), and it certainly didn't impact the health of the fishery. If you were to reinstate set net permit stacking it would make our family grateful. We would have less to juggle in paperwork, I would be able to maximize the use of the permits we fish and would probably be able to stay out longer to make Bristol Bay a larger part of how my family supports and sustains itself.

PROPOSED BY: Corey Lockbeam (EF-C15-080)

PROPOSAL 49 – 5 AAC 06.331. Gillnet specifications and operations. Allow two set gillnet permit holders to jointly operate with up to 75 fathoms of set gillnet gear and require both permit numbers on identification sign, as follows:

I recommend the board allow: Two setnet permit holders can register as a Dual and fish 75 fathoms of gear on one site. If the two permit holders opt to fish as a dual they would not be able to fish the extra 25 fathoms on another site at the same time. This would remove 25 fathoms of gear from the water and help consolidate operations and limit costs and delivery and picking time. Setnet signs would list both permit numbers and dual to signify this.

What is the issue you would like the board to address and why? I would like the board to address the lack of setnet permit holders not having a dual permit option to fish additional gear on one site as the drift permit owners do on one boat. Setnet permit holders should have the option as drifters do to consolidate operations, limit costs and better manage their business. It will help save fuel costs due to long travel time between sites and faster delivery time for higher quality fish. For example a fishing family with two permits and two sites far from each other could consolidate and fish both on one site. Two permits registered as dual would be allowed to

fish 75 fathoms of gear on one site. The other 25 fathoms would not be allowed to fish at the same time. This removes 25 fathoms from the water.

PROPOSED BY: Jim Reynolds (EF-C15-082)

PROPOSAL 50 – 5 AAC 06.331. Gillnet specifications and operations. Allow permit stacking for set gillnet operations in the Egegik District, as follows:

Allow set gillnet dual permit stacking in the Egegik District of Bristol Bay. Allow other districts to opt into the dual permit program if the set gillnet stakeholders in each district choose to.

What is the issue you would like the board to address and why? The issue is setnet permit stacking in Bristol Bay. We had setnet permit stacking for three years before the Board of Fisheries took it away. The program worked like it was supposed to. There were no problems. We had over 82% positive comments at the last board cycle for Bristol Bay. It was a sound program that allowed setnet fishers to not have to transfer between family members all the time. It added some stability to many setnet families allowing some flexibility in what family member could be present. It allowed a family member to take a summer off to go to special training that they couldn't get any other time than fishing season. Permit stacking also allowed a person to grow their fishing operation. Many young people are not looking at setnet fishing as a future because the upside is not there. By being limited to one permit they can see most single setnet operation just break even. Most all of the dual permit holders were family groups. Those permits were transferred back to family members not sold, nothing changed. Setnet permit prices didn't change by repealing dual permit program the board made it more difficult to juggle permits with in the family. Setnet permit stacking helped keep fishing families together. This program helped Alaska families

PROPOSED BY: Kim Rice (EF-C15-078)

PROPOSAL 51 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay. Allow drift gillnet permit stacking for an individual who owns two drift gillnet permits in Bristol Bay, as follows:

Under the current regulation 5 AAC 06.333, the option of "permit stacking" is only allowed for two separate permit holders. I recommend the Alaska Board of Fisheries amend the current regulation under 5 AAC 06.333 to include individuals owning two Bristol Bay Salmon drift permits the same access of "permit stacking" as two separate permit holders.

What is the issue you would like the board to address and why? Under the current regulation, two Bristol Bay drift gillnet CFEC permit holders may concurrently fish from the same vessel and jointly operate 200 fathoms of drift gillnet gear. In 2002, the Alaska Legislature passed House Bill 286, amending Alaska Statute 16.43.140 (c). This law allows individuals the ability to concurrently hold two salmon limited entry permits in the same permit fishery. House

Bill 251 provided the Alaska Board of Fisheries the authority to grant fishing privileges to the second permit held by an individual, otherwise known as permit stacking.

PROPOSED BY: Abe Williams (EF-C15-096)

PROPOSAL 52 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay. Allow drift gillnet permit stacking for an individual who owns two drift gillnet permits in Bristol Bay and the operation of 200 fathoms of drift gillnet gear from a vessel with an individual holding two drift gillnet permits, as follows:

This proposal would allow an owner of two Bristol Bay drift gillnet permits to fish and operate 200 fathoms of drift gillnet gear from a single vessel.

What is the issue you would like the board to address and why? Currently, the full benefit of permit stacking ("D" Permits) is not being realized. We are falling short of the potential improvement in fish quality and reduction of fishing vessels (Optimum Number Study).

PROPOSED BY: Kurt Johnson (EF-C15-122)

PROPOSAL 53 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay. Increase the amount of drift gillnet gear allowed when two permit holders are jointly operating, as follows:

5 AAC 06.333 Requirements and specifications to use 300 fathoms of drift gillnet gear is amended to read:

(a) Two Bristol Bay drift gillnet CFEC permit holders may currently fish from the same vessel and jointly operate up to 300 fathoms of drift gillnet gear under this section

What is the issue you would like the board to address and why? Section 333 Requirements and Specifications for use of 200 fathoms of drift gill net gear in Bristol Bay."

"Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation."

See also; Committee B report RC 81. Board of Fisheries (2009) Passed 5-1, 2009, for setnet permit stacking 5 AAC 06.333(f) with no optimum number study.
1858 Limited Entry Permits divided by two, is the optimum number.
No Optimum Number Study is required.

PROPOSED BY: Todd Granger (EF-C15-032)
