ShrimpPros Association
PO Box 512
Girdwood, AK 99587

March 11, 2022

Alaska Department of Fish and Game Boards Support Section
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Attn: Alaska Board of Fisheries

John Jensen
Marit Carlson-Van Dort
Gerad Godfrey
Israel Payton
John Wood
McKenzie Mitchell

Subject: Prince William Sound Shrimp Proposals

To the Members of the Alaska Board of Fisheries,

Shrimp are a natural resource which you are entitled to harvest or purchase fresh if you do not have the means to harvest.

ShrimpPros is a nonprofit, unincorporated, association of commercial fishermen, with a participation history in the Prince William Sound pot shrimp fishery. Our intent is conserving and continuing to develop this modest fishery resource. The members include catchers, catcher-sellers, and marketing businesses. Several members participate in other fisheries, while many participate exclusively in this fishery.

Our common interest is in the conservation of this resource for future generations. We support management of this resource to sustained yield principles, as codified in state statute. The membership holds the following positions on these proposals before the board.

PROPOSAL 237; SUPPORT
Provide department authority to deny eligibility to participate in the Prince William Sound non-commercial shrimp fishery if a participant fails to comply with reporting requirements.

> There is an evident need to secure accurate harvest information from all participants. This proposal attempts to account for the harvest from 10-12% of the non-commercial participants that fail to return permit harvest information to the Department. This is a simple way to encourage timely reporting and bears no undue burden to the private fisherman.

PROPOSAL 238; OPPOSE
Close the commercial and noncommercial shrimp fisheries in Prince William Sound, as follows: Close shrimping season until mid summer or later.

> There is no relevant scientific evidence provided by the proposer to justify such an action.

PROPOSAL 239; OPPOSE as written
Allow noncommercial vessels to have additional shrimp pots on board.

> The regulation, as interpreted, already allows this activity, as outlined in the SouthCentral Alaska Sport Fishing Regulations Summary Booklet. This proposal has no effect on the interpretation of current regulations. It does, however, contradict the intent of the existing regulation, which is to limit the fishing effort by having a maximum number of pots that can be fished from a boat.
>
> In the year 2020, there were approximately 4500 sport permits issued, with approximately 2600 reported as fishing. There was an 89% reporting rate. The non-commercial pot limit was 3. The sport GHL was over harvested by 38%, or 38,368 lbs. Encouraging the carriage of excess gear undermines the management effort of limiting the number of pots that a sport boat is allowed to fish. This would codify, and make unenforceable, sport gear pot limits. This is currently the only management tool used by the Department to limit harvest to the allocated non-commercial GHL.
>
> Enforcement of gear limits for non-commercial fishermen is almost impossible at this point. Direct experience with law enforcement in the field has verified this to be true. Pot gear can be fished remotely, without the vessel or permitted participant present. With the very limited LEO presence in PWS, this activity of illegal deployment of gear has been more prevalent. Now that the pot limit has been reduced to two pots per vessel, the practice of carrying more gear onboard has gained in popularity among the sport fleet.
>
> There is also an existing regulation that is intended to limit the amount of sport fishing pots operated from any one boat;
>
> > 5 AAC 55.022 (b) (5) (B) no more than five pots per person, with no more than five pots per vessel, may be used to take shrimp;
>
> **The counter proposal** we would like the board to consider is to specifically limit, by regulation, the amount of sport pot gear that can be on-board **and** fished by a vessel. It is already required that deployed sport fishing pot gear must have the vessel identification on the buoy by regulation (5 AAC 75.035).
>
> The intent would be to eliminate gray areas in the interpretation of existing regulation. Using terms like “unlimited” when allowing the carriage of spare and remotely deployable sport fishing gear enables the circumvention of existing regulatory intent, which is limiting the amount of gear used to sport fish for shrimp from each recreational vessel.

Our proposed alternative language would also eliminate the existing impediment to effective **enforcement** of the regulations. The outcome would include more effective management, since pot limits are the only tool currently used to manage the allocated sport GHL. The following is suggested language;

> 5 AAC 55.055. (a) (3) (C) no more than five pots in total per vessel may be used to take shrimp[**, REGARDLESS OF WHO OWNS OR IS OPERATING THE VESSEL.**]
>
> 5 AAC 55.055. (a) (3) [**(D) PARAGRAPH (C) ABOVE SHALL BE INTERPRETED TO PROHIBIT CARRYING OF SPARE POTS OR DEPLOYING MORE THAN ONE VESSEL LIMIT OF GEAR.]**

PROPOSAL 240; SUPPORT with amendments

Modify PWS shrimp pot harvest strategy from a static split, between noncommercial and commercial, to a tiered percentage depending on the total allowable harvest level (TAH).

The proposed allocation does not address equity in times of high abundance. The commercial sector continues to bear the full burden of conservation in times of low abundance. As proposed, this action would have no effect on the fishery, either in conservation or allocation.

This proposal would be **SUPPORTED if amended** to reflect an equitable sharing of the burden of conservation and appropriately allocates GHL as follows:

TAH < 110K = 35% commercial GHL
TAH >= 110K = 40% commercial GHL
TAH >= 140K = 45% commercial GHL
TAH >= 170K = 50% commercial GHL
TAH >= 200K = 55% commercial GHL

Although the Department may cite conservation reasons for establishing a minimum threshold for a commercial fishery to open in the management plan, it must be repeated that we are talking about a harvestable SURPLUS model. The GHLs for both commercial and non-commercial fisheries are calculated from the 90% confidence level of the TAH which is determined by the harvestable surplus model. This means that the amount of shrimp that can be harvested (TAH) is in excess of any necessary minimum amount to ensure brood stock levels, with an additional 10% reserve. Therefore, the surplus is, by definition, available to be harvested without impact to the resource.

By seeking a modest allocation of the surplus during times of low abundance, the commercial fleet further demonstrates a leadership role in conservation, in hopes that stocks would improve by leaving a portion of the surplus on the bottom. That is balanced by modest increases in available GHL in times of high abundance, where the market would benefit directly from available surplus shrimp product.

Currently, In times of low abundance, when a commercial closure threshold would be met, the allocation of resource goes completely and entirely to approximately 2500 sport fishers, with an effective allocation of 100% of harvestable surplus. This places undue risk on the future of the commercial fleet by allowing unrestricted harvest by the non-commercial sector in times of low surplus abundance.

PROPOSAL 241; SUPPORT
Shrimp defined: “Shrimp” means a member of the order Decapoda in Alaska to include the **shrimp** as a whole

ShrimpPros Association generally supports clear definitions in the regulations which aids in resource management and regulatory enforcement.

PROPOSAL 242; SUPPORT
Establish a minimum threshold of Total Allowable Harvest (TAH) for spot shrimp before allowing a non-commercial fishery in Prince William Sound

Proposals 240, 242 and 246 attempt to address the imbalance in the burden of conservation for this resource. A minimum threshold amount of 110,000 pounds harvestable surplus for a commercial fishery to commence is arbitrary and punitive to the commercial sector. If this minimum threshold is necessary to preserve the resource, then no harvest should take place until recovery has happened. It is not reasonable that a majority allocation would still be allowed to harvest, unlimited, when a minimum level of surplus is available. The current regulation punishes one user group with no burden of conservation for sport fishermen.

The amount of shrimp allowed to be harvested are a surplus, with a 10% buffer allowed for conservation. If any one user group is shut down from a lack of surplus, then all user groups should be shut down for the same reasons.

It would be <u>just as equitable to have no minimum threshold amount</u> (PROPOSAL 246) and let the Department close the entire resource if necessary, until a biologically determined surplus amount of shrimp is available, per the sustained yield guided, harvestable surplus model being used. This equally shares the burden of conservation among the user groups, whether the fishery is open or closed.

This proposal does not address subsistence use, and is not covered with this proposed common minimum threshold for having a fishery. Subsistence use has been determined to be 9,000-15,000lbs annually.

PROPOSAL 243; SUPPORT
Closed waters in Registration Area E.

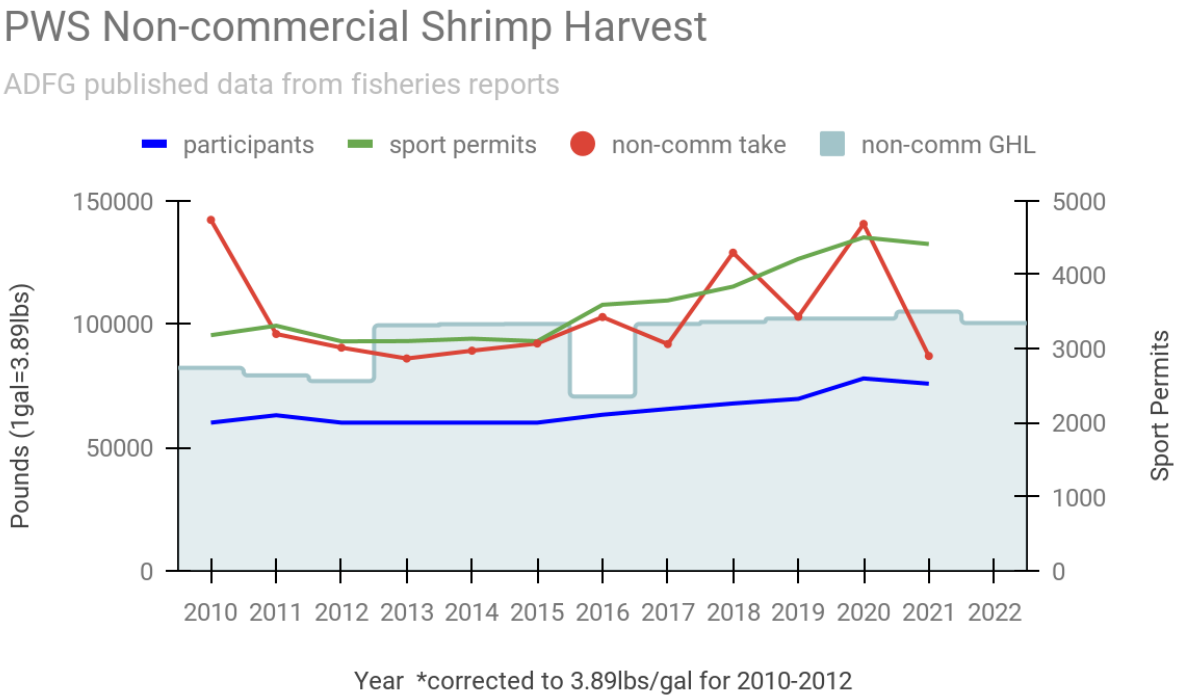
Because the PWS Shrimp Management Plan requires a three-year rotation of the open commercial areas, fishing pressure is artificially concentrated in productive areas. This

re-alignment of the statistical area would allow commercial shrimp fishing in Columbia Bay, which is already open to sport fishing. This will help to reduce concentrated fishing pressure in the commercial administrative Area 1 when fishing happens in the zone every three years on rotation. This is approximately a 30 day window where Area 1 is open to commercial fishing during the rotation, so any perceived impact to this particular bay would be both minimal and short in duration.

PROPOSAL 244; SUPPORT

Modify annual non-commercial shrimp guideline harvest level based on fishery performance in the prior season.

From 2010-2021, sport harvest has exceeded sport allocation half of the time. The last year of non-commercial GHL over-harvest in 2020, represented 56% of what the commercial fleet was allowed to take. In other words, the non-commercial fleet took all of their allocation, and then took an additional 56% of the commercial allocation, or 38,000 pounds more shrimp than they were allowed to take.



This proposal should be adopted because it would reinforce the PWS Shrimp Management Plan (5 AAC 55.055) and rightfully allow the non-commercial sector to catch their entire allocation, while permitting the Department to maintain their existing management strategy.

Although the Department may be against carry over of unharvested surplus from a prior year, there are no biological management reasons to hold back a future surplus harvest when a GHL target had been overfished in a prior year. This is purely administrative in nature, and would be applied to an already executed surplus model determined TAH.

This is the only way to ensure the Department manages the Board allocated GHL. It also allows the non-commercial sector to share in the burden of conservation of this resource, by not overfishing their allotment. This same concept is used for other fisheries with success.

The GHLs for both commercial and non-commercial fisheries are calculated from the 90% confidence level of the TAH which is determined by the harvestable surplus model. This means that the amount of shrimp that can be harvested (TAH) is in excess of any necessary minimum amount to ensure brood stock levels, with an additional 10% reserve. Therefore, the surplus is, by definition, available to be harvested without impact to the resource. However, constant over harvest by reporting sport fishers shows that half of the time, the GHL is exceeded by substantially more than the 10% factored into the surplus model.

This proposal would further benefit this fishery by allowing, in some years, the withholding of excess surplus to mitigate the impact of overfishing populations of shrimp. This proposal has zero impact on the existing allocation, since each user group is allowed to catch up to the GHL in total, but not allowed to take more than what was allocated.

PROPOSAL 245; SUPPORT
Modify annual commercial shrimp guideline harvest level based on fishery performance in the prior season

The commercial sector has consistently harvested up to the allocated GHL. Over the last eleven years of the fishery, carry over GHL from under-harvest would have occurred twice, in 2012 and 2015, as proposed. Every other year it has been managed to the GHL without over harvest.

This proposal should be adopted because it holds the commercial sector accountable to harvest only within their allocated GHL. It would also be possible because all surplus harvest model calculations are conservative and represent an abundance over what is necessary to achieve sustained yield. These GHL adjustments would be minor due to the tightly managed commercial fishery allocation by the Department, but ensures access to the available surplus, even when the commercial fleet is artificially contained within an administrative area, while the total calculated surplus TAH covers the entirety of the PWS fishing grounds.

PROPOSAL 246; SUPPORT
Eliminate the commercial shrimp fishery minimum total allowable harvest threshold.

The current regulation and management plan penalizes only one user group with an arbitrary minimum threshold for participation. The entire burden of conservation rests on the shoulders of the commercial fleet; representing the minority 40% allocation.

The GHLs for both commercial and non-commercial fisheries are calculated from the 90% confidence level of the TAH which is determined by the harvestable surplus model. This means that the amount of shrimp that can be harvested (TAH) is in excess of any necessary minimum amount to ensure brood stock levels, with an additional 10% reserve. Therefore, the surplus is, by definition, available to be harvested without impact to the resource.

This proposal should be combined with proposal #240, to promote equity among user groups. Also, the Department should provide actual biological evidence that promotes this minimum surplus amount to be below a sustainable level, since by definition, it is a surplus. There is no biological benefit to leaving the minority commercial allocation of the surplus on the bottom at this magic amount of 110,000 lbs of surplus.

PROPOSAL 247; OPPOSE
Establish a minimum pot limit to increase the pace of the commercial pot shrimp fishery.

This proposal would be detrimental to the value added, direct-to-market participants in the fishery, which rely on a longer harvest season. This would only benefit a small number of commercial participants and substantially reduce the earning potential for the remaining majority.

The Department has managed the commercial fishery to date with good results and this would remove fishery management options in the future.

PROPOSAL 248; OPPOSE
Establish an earlier start date for the commercial shrimp trawl fishery.

Earlier than April 15 fishing for shrimp may take more egg-bearing females from the broodstock and would then directly impact the recruitment of more stock for future harvest.

PROPOSAL 249; SUPPORT
Clarify areas open to commercial pot shrimp fishing in the Prince William Sound Area

This housekeeping proposal eliminates confusion and supports Department management.

PROPOSAL 250; OPPOSE
Establish an earlier start date for the commercial shrimp pot fishery

The current Season start date is in alignment with the sustained yield management philosophy intending to avoid fishing during egg bearing periods. The current season dates avoid fishing when there are large percentages of egg bearing females, in order to protect broodstock.

However, it should be noted that the Department's reasons for opposing this proposal reveals a bias toward specific user groups, where non-commercial users have exclusive access close to the major ports, but the Department incorrectly claims that an earlier commercial start date would require further travel for non-commercial users.

PROPOSAL 251; SUPPORT
Establish permit and reporting requirements for shrimp floating processor vessels in the Prince William Sound Area.

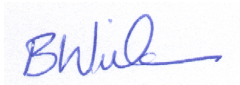
PROPOSAL 252; OPPOSE
Allow vessels registered for the commercial shrimp fishery to also tender shrimp.

PROPOSAL 261; OPPOSE
Allow use of a ropeless system with submerged buoy in the Dungeness crab fishery

This technology is not ready for deployment and represents a severe burden to the fisherman and the environment, with no definitive biological benefits, only speculation and conjecture of perceived benefits. The failure rate and lost gear alone is enough of an environmental impact to cause any good stewards of the sea to question this approach.

Thank you for your consideration of these important comments from our membership.

Sincerely,



Brett Wilbanks, Chairman
ShrimpPros Association