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of **ALASKA**
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Commercial Fisheries Entry Commission

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To: Märit Carlson-Van Dort, Chair
Alaska Board of Fisheries

Date: February 14, 2023

From: Glenn Haight, Chair *GH*

Subject: CFEC Comment on Proposal 119 for
Alaska Peninsula, Chignik, and
Aleutian Islands Finfish Meeting

This memo offers comments regarding Proposal 119 that is slated for the Alaska Board of Fisheries (board) upcoming Alaska Peninsula, Chignik, and Aleutian Islands Finfish meeting. Proposal 119 seeks to allow Chignik salmon purse seine permit holders (S01L) to convert their purse seine gear to troll gear while operating within the Chignik Management Area. This is not the first time the board has heard a proposal seeking this change. At the 2004 Kodiak Finfish hearing the board heard Proposal 114 from the Old Harbor Fishermen's Association seeking to allow all Kodiak permit holders to use troll gear if desired. These remarks mirror previous CFEC advice to the board from 2004.

Current salmon troll fisheries, both power (S15B) and hand (S05B) are identified as statewide in CFEC regulations. Statewide waters for CFEC are defined in 20 AAC 05.230 Administrative Areas(1)(A) as "Statewide Area – all waters subject to the jurisdiction of the state". It is within the board's regulations under 5 AAC 29.010 Description of area for salmon troll fishing, where troll fishing is limited to waters "east of the longitude of Cape Suckling".

If the board were to allow trolling in Chignik, absent any sideboards clarifying only existing S01L permit holders could fish in Chignik and S01L permit holders could use troll gear, only existing S15B and S05B permit holders could fish there. Perhaps this is an obvious statement, but one to clarify.

Additionally, if the board were to pass the proposal, CFEC would undergo a proposed regulation project that at minimum would redefine the area within its current statewide troll limitations to exclude the Chignik Management Area. The project would alert all impacted permit holders in the S01L, S15B, and S05B categories, and consider any public comment before taking action. We must reserve judgment on the issue until the conclusion of the public comment period and our own deliberations. To that end, it is the purpose of the Limited Entry Act (AS 16.43.010) to "promote the conservation and the sustained yield management of Alaska's fishery resource and the economic health and stability of commercial fishing in Alaska by regulating and controlling entry of participants into the commercial fisheries..."

It may also be necessary to take action under AS 16.43.100(12) to provide for the transfer and reissuance of entry permits for alternative types of legal gear.

Two final comments. CFEC, like the rest of Alaska's fishing industry, looks to the board to define overall fisheries management policy. If the board approves the use of troll gear in the Chignik Management Area, through a proposed regulation CFEC will examine if the change is consistent with the Limited Entry Act. If the board chooses to table the proposal and defers initial action to CFEC in all likelihood we will not take any action. Given this proposal touches on elements of conservation, allocation, and management, it appears the merits of developing a new troll fishery in other waters of the state is a matter best reviewed by the board in its robust public process.

Our second comment relates to the other interested party in this action – Alaska's existing troll fleet. While all commercial fisheries participants need to be mindful of all proposals before the board at all times, Alaska's troll fleet may overlook such a troll-related proposal before the board at this upcoming meeting. As it stands, the troll fleet's attention is likely focused on the current litigation regarding the Southern killer whale predation on Chinook salmon. A cursory glance of this meeting's Index of Comments did not find comments from the troll association or other troll operators. While it is not CFEC's place to advise on board process, if there is strong interest in passing Proposal 119, it may be appropriate to table the proposal to the Statewide meeting to allow the troll fleet time to comment.