

RC 26



April 22, 2009

Alaska Board of Fisheries
Board Support Section
Attn: Jim Marcotte
P.O. Box 15526
Juneau, AK 99811-5526

RECEIVED
APR 22 2009
BOARD

Re: Proposals A and B for April 28, 2009 Board of Fisheries Teleconference

Dear members of the Alaska Board of Fisheries:

Kenai River Sportfishing Association supports proposals A and B, with the recommendation that the Board of Fisheries approve each at the April 28, 2009 Board teleconference.

In regards to proposal A, for consistency in regulation we recommend removal of the daily bag limit under 30", if the one pike over 30" daily bag limit remains in regulation. We also encourage ADFG to institute aggressive pike removal methods in Alexander Lake.

In regards to proposal B, we recommend that the Board work with ADFG to have a data collection plan in place over the next three years for recreational removals of black cod, with the aim of implementing a comprehensive black cod management plan in cycle at the next SE Board meeting.

We note that the sport fish removals might be in the 15,000 to 20,000 lbs. range, or about 1% of the NSEI black cod commercial harvest range between 2001 -2008. We point out that this sport harvest potential in many years is less than the amount of potential harvest left on the grounds by NSEI black cod commercial harvesters.

We understand that the black cod fishery is a very important commercial fishery – however, fishery conservation measures are most effective when focused on the sector that accounts for 99% of the harvest. As a long-lived species, the NSEI black cod populations may be witnessing an effect of annual commercial harvest average of 3.8 million round lbs. between 1986 and 2000. The annual commercial harvest average was 1.9 million round lbs. from 2001 – 2008, about half of the prior fifteen year average. It should be a given that sport fish removals of black cod from 1986 through 2000 were not the root cause for the necessity to reduce NSEI black cod commercial harvests on average by 50% in the subsequent eight years from 2001 - 2008.

In terms of fishery conservation and sustainability, the Board as part of a comprehensive black cod fishery management plan should review how the annual harvest objective is determined, and evaluate that methodology. While implementation of daily, possession and annual bag limits for the recreational fishery of black cod is a conservative and preventive measure designed to greatly limit the potential of future growth in that sector, the real fishery conservation measures remain in the management of the commercial fishery.

Respectfully,

Ricky Gease, Executive Director
Kenai River Sportfishing Association

RC 27



P.O. Box 210064 ♦ Auke Bay ♦ Alaska ♦ 99821 ♦ Phone (907)723-8850 ♦ Fax (775) 402-7595

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APR 23 2009

Alaska Board of Fisheries
c/o Mr. Jim Marcotte
Executive Director, Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99811

BOARDS

April 23, 2009

Dear Members of the Board of Fisheries,

Thank you for the opportunity to comment on Board Proposal B, which if adopted would increase the daily bag limit of sablefish (black cod) from two to four and remove the annual limit for residents.

I am the owner of Shelter Lodge, one of the lodges who developed the specialized activity of deep water black cod fishing, for recreational anglers. To my knowledge, Shelter Lodge and our sister lodge, Anchor Point Lodge are the only two lodges that have conducted this activity in earnest.

Let me begin by stating that this new fishery would not exist if there wasn't a unique appreciation for this fish by our guests. Our two lodges are different from most lodges in Alaska due to the fact that we cater to an Asian market out of Hawaii and Southern California. The culture of our guests has had black cod as a delicacy in their diets for generations. This explains why most commercially caught black cod is exported to Asian markets overseas or to Asian markets in the United States.

Because of this cultural heritage, we have been able to develop a sport fishing activity that most anglers would find to be crazy. Most western anglers would not be motivated to fish at depths near 2000 feet, battling multi-layers of currents, and unpredictable surface seas; not to mention having to wait close to eight minutes for their hooks to reach the bottom; wait for a bite, then taking ten minutes to retrieve their line hopefully with a fish on, for a fish they may not really enjoy eating. Most anglers not accustomed to the texture and taste of this oily fish would see better use of their time targeting salmon and halibut.

For this reason alone, this specialized recreational fishery would not have a substantial impact on the sablefish harvest, particularly not in the year's time that we are talking about. We support the data collection and reporting requirements. In one year's time there will be real data available on sport harvest levels, not the exaggerated data presented by the commercial trade associations.

The current daily bag limit of two black cod is extremely restrictive. We have been engaged in this activity for the past three years with no limits. Our average annual catch of sablefish, over the past

three years, has been approximately 800 fish per lodge. This is within the allocation that was mentioned by the Fish and Game ground fish manager during deliberations at the Sitka meeting, at which time she said she allocates 2,000 – 3000 fish to the sport fish sector. Our harvest compared to the NSEI commercial sable fishery is less than one percent of that harvest. If there is an argument for overfishing a stock, as we heard at the Sitka meeting, it is the commercial sector which bears the responsibility for the health of this resource and not a user that takes less than one percent.

The public and stakeholders were not notified that regulations concerning daily bag, possession, and annual limits for black cod were going to be proposed. Proper notice and an opportunity to comment on setting limits on a fishery that previously had no limits should have been guaranteed under the procedures and policies of the Board. I have heard from several of my groups that this restrictive two daily bag limit will affect their decision to return. With the halibut daily bag limit being reduced and last year's poor silver run in our area, the black cod fishing is an activity that is truly attracting my guests to return. Unless the daily bag limit of black cod is increased to four, my business will suffer.

I ask you to vote in favor of proposal B changing the bag and possession limits appropriately as an interim measure until catch data is available. I fully believe that this data will verify the limited impact recreational anglers will have in this fishery.

Thank you for your consideration.

Regards,



Richard Yamada

Shelter Lodge

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Coastal Marine Research

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RC 28

April 25, 2009

Mr. John Jensen
Chairman
Alaska Board of Fisheries
Box 15526
Juneau, AK 99811-5526

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APR 24 2009

BOARDS

Subject: Board Generated Proposal B – Sablefish bag limits

Dear Chairman Jensen and Board members,

I am writing today to respectfully ask you to review Board policy on Allocation Criteria, and Board action regarding other bag limits and annual limits for valuable species before acting to change the sablefish bag and annual limits adopted at the February 2009 meeting. In the following letter I have gathered information related to these actions that should be helpful in your decision making process regarding this proposal.

BOF Allocation Criteria

Although not strictly allocation, a bag and annual limit do in effect allocate resources to the sport and charter sectors. In Southeast recent allocations have been based on the previous 5 years of history. Lingcod sport allocations range from 44% to 2% based on their recent history of use. An allocation of sablefish to the charter sector reasonably would be 1% or less using this established precedent. Under your own allocation criteria the current 2 daily 8 annual limit is extremely generous particularly in light of the fact that the charter fishery lobbying for expanded use of this resource has predominately nonresident clientele.

The Board of Fisheries may allocate fishery resources among personal use, sport, guided sport, and commercial fisheries. The board shall adopt criteria for the allocation of fishery resources and shall use the criteria as appropriate to particular allocation decisions. The criteria may include factors such as

(1) the history of each personal use, sport, guided sport, and commercial fishery; ADF&G reports from February, 2009 clearly show that this is a commercial fishery and historically has been used primarily by commercial fishermen with some subsistence take. The ADF&G wrote in their comments that 11 fish (or 7 if you read their February comments) have been observed by creel samplers. Sablefish were first reported commercially in 1906 (Bergmann 1975).

(2) the number of residents and nonresidents who have participated in each fishery in the past and the number of residents and nonresidents who can reasonably be expected to participate in the future; The CFEC reports that for the NSEI sablefish fishery 75% of the permit holders are resident Alaskans and that 77% of the SSEI sablefish permit holder are

O'Connell

residents. By definition all subsistence fishermen are residents. By contrast the Southeast charter fishery is almost entirely nonresident anglers.

(3) the importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption; There is a long history of subsistence take of sablefish using longline gear which provides Alaskans the opportunity to obtain fish for personal and family consumption. The sport and charter fishery should not be a vehicle to meat hunt, it is a recreational opportunity.

(4) the availability of alternative fisheries resources; There is already enormous charter fishing opportunity in Southeast. Combined daily bag limits exceed 30 fish per day for saltwater anglers. There are no open access commercial sablefish fisheries in Southeast. Any new charter harvest will automatically reduce the harvest available for commercial permit holders.

(5) the importance of each fishery to the economy of the state; The sablefish fishery is the most valuable groundfish fishery managed by the State of Alaska (Richardson and O'Connell 2004). NSEI sablefish permits are valued by CFEC at \$310,000 each, the most valuable state limited entry permit. Based on charter testimony at the February BOF meeting there is no "directed" sport fishery for sablefish and the catch is minimal, the economic importance of a sablefish charter fishery is trivial at this point in time. Any erosion of the commercial fishery by development of a new fishery will hurt the economy of the State because charter anglers will come even if sablefish were not allowed because charter anglers come for a mixed species opportunity focusing on king salmon and halibut.

(6) the importance of each fishery to the economy of the region and local area in which the fishery is located;

Sablefish is the second most valuable commercial fishery resource in Southeast, topped only by halibut.

The annual permit fees for sablefish fisheries are the highest in the region as well.

2007 CFEC Data: Estimated Gross Earnings, Commercial Fisheries Southeast

Region	Column1
	Gross
	Earnings
Fishery	
Halibut	\$150,267,584
Sablefish	\$73,688,793
SALMON, PURSE SEINE, SOUTHEAST	\$46,481,473
SALMON, POWER TROLL, STATEWIDE	\$45,083,312
Crab	\$43,359,434
SALMON, DRIFT GILLNET, SOUTHEAST	\$22,360,480
Herring	\$18,697,523
Other Shellfish	\$18,383,176
SALMON, HAND TROLL, STATEWIDE	\$2,776,136
Other Groundfish	\$1,850,271
SALMON, SET GILLNET, YAKUTAT	\$261,962

Given the creel data for sablefish it appears that sablefish is not at all important economically to the economy of the region.

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(7) the importance of each fishery in providing recreational opportunities for residents and nonresidents. As evidenced by bag limits for other high value and/or vulnerable species a bag limit of 1 or 2 fish with an annual limit of 2 fish provides ample recreational opportunity for nonresidents, a 2 fish daily limit for residents also provides ample opportunity. Charter operator testimony in Sitka overwhelming spoke to the lack of importance of this species in their business plan. After rightly denying the petition to reconsider, it would appear that the Board has crafted a proposal to address the needs of a specific charter operation that would like to take a large quantity of fish (8 annual) and have dedicated sablefish fishing days. In trying to accommodate the needs of one user the Board will allow for rapid growth of a new industry that may severely impact existing users.

Consistency

Proposal 293:

The Department opposed Proposal 293 (Increase limits for harvest of dogfish). The background and reason for their opposition of this proposal was the following: *"In 2007 just over 29,000 sharks were caught regionally, but with apparently little demand as only 349 were kept in the fishery". "Spiny dogfish are a long-lived, slow to mature species that require long recovery times when stocks are overexploited. The department is OPPOSED to this proposal. **Current regulations allow for a much larger harvest of these fish than currently occurs."***

Given the Department comments on Proposal B it is highly inconsistent for the Department to be neutral on Proposal B. Sablefish have much greater longevity than dogfish and are vulnerable to overharvest. There is a clear conservation concern for sablefish which is outlined in their comments. They also indicate in their comments that the sport catch of sablefish is unknown but low. To be consistent they should oppose proposal B.

The members of the Board of Fisheries made statements in February about their reason for denying an increase in bag limits for dogfish. These included their understanding that dogfish were vulnerable to overharvest and had longevity. Again, to be consistent a new fishery should not be allowed to develop on the backs of an existing fishery and a vulnerable resource. Sablefish live to be 94, dogfish live to be 75; Sablefish are in a period of decline through the Gulf of Alaska, dogfish are in a period of increasing stock trend; There is a commercial and a subsistence fishery for sablefish, dogfish are only harvested incidental to other fishery. To allow an annual limit for sablefish that is higher than the annual limit for dogfish is very inconsistent and fails to follow the precautionary principle of fisheries management.

Southeast Bag Limits

The current regulation of 2 per day and 8 annual is inconsistent with the regulations pertaining to other high value or vulnerable species.

Halibut **2** per day (**1** per day if the Final Rule is published)

King Salmon: resident **2**, nonresident **1** with an annual limit of **3**)

Lingcod: resident **1**, nonresidents **1** with an annual limit of **2**, one of which is >55 inches

Nonpelagic rockfish: resident **3** per day (no more than **1** yelloweye), nonresident **2** (no more than **1** yelloweye) and annual limit of **2** yelloweye.

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I will avoid trying to guess what the impacts of the current 2 fish daily and 8 fish annual limit will be as well as what a 4 fish daily bag limit would be. This approach seems to polarize the discussion. However, it is your job to anticipate the effects of your decisions on the resource and the users and the potential effects are a useful discussion point. Perhaps 1 out of 10 anglers will not avail themselves of this opportunity. However, I know that at least 1 out of 10 of my friends prefer sablefish when asked what they want for dinner. There will be an increase in interest in this species now that the topic has been before the Board and now that mechanical reels are legal. I offer halibut as an example of a fishery that quickly developed out of control because managers were not forward thinking.

It is critical to remember that the remote lodges requesting this regulation change are not part of the creel survey and their logbook data is completely self-reported. The Department is on record at the NPFMC stating that the halibut self-reported logbook data was not a credible source of information when the users were aware this data would be used for allocation decisions. To think that in 3 years we will be able to revisit this issue with a better understanding of catch is naïve. I refer you to the *National Research Council Report: Review of Recreational Fisheries Survey Methods* for a detailed discussion of the problems inherent in this type of data.

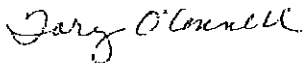
I suggest the following **substitute language** be adopted by the Board:

For resident anglers: sablefish may be taken from January 1 through December 31; daily bag limit of two fish, possession limit of four fish, **and no annual limit.**

For nonresident anglers: sablefish may be taken from January 1 through December 31; daily bag limit of two fish, and annual limit of **two** [eight] fish.

Charter operators and crew members may not retain sablefish while clients are on board the vessel.

Sincerely,



Tory O'Connell

References:

<http://www.cfec.state.ak.us/>

<http://www.boards.adfg.state.ak.us/fishinfo/meetinfo/2008-2009/RIR-1J-2008-24.pdf>

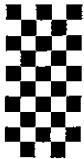
<http://www.boards.adfg.state.ak.us/fishinfo/meetinfo/2008-2009/april%2028%20teleconf/april28staff-comm.pdf>

Review of Recreational Fisheries Survey Methods: National Research Council of the National Academies:

http://books.nap.edu/catalog.php?record_id=11616

Richardson and O'Connell, 2004. The Southeast Alaska Northern Southeast Inside Sablefish Fishery Information Report with Outlook to the 2004 Fishery. ADF&G RIR 1J04-03.

Bergmann, W. 1975. Southeastern region sablefish stock status report. Program Review Report, Alaska Department of Fish and Game, Division of Commercial Fisheries. Juneau, AK



RC29

April 25, 2009

Mr. John Jensen
Chairman
Alaska Board of Fisheries
Box 15526
Juneau, AK 99811-5526

RECEIVED
APR 24 2009
BOARDS

Subject: Board Generated Proposal B – Sablefish bag limits

Dear Chairman Jensen and Board members,

I am writing today to request that you not support the Board generated proposal to increase the daily bag limit for nonresident anglers and instead **substitute the following language:**

For resident anglers: sablefish may be taken from January 1 through December 31; daily bag limit of two fish, possession limit of four fish, and no annual limit. Skipper and crew may not retain sablefish when paying clients are on board.

For non resident anglers: sablefish may be taken from January 1 through December 31; daily limit of two fish, possession limit of four fish, and annual limit of four [EIGHT].

Please consider these facts:

- Sablefish are the highest value species the state manages. The NSEI sablefish fishery is the most valuable state managed groundfish fishery.
- Sablefish have extreme longevity, having been aged to 94 years of age.
- The sablefish stock is in region wide decline and the commercial fishery has shouldered large reductions in quota to allow for rebuilding.
- More than 40 permit holders have lost their rights to fish this fishery as CFEC has reduced permit numbers to protect stocks. This is after years, sometimes decades of fishing history for these permit holders.
- The charter industry can only access this resource through the use of commercial gear and there is no history of use of this resource by sport or charter fisheries except a very limited number the past few years.
- The lodge owners that are asking you to craft a special regulation for them through Proposal B are unwilling to tell you the true magnitude of their catches. Why is this?
- Allowing a 4 fish daily limit and an 8 fish annual limit does allow the creation of a "growth" industry for charter operators on a fully utilized fishery that is in a period of steep decline.
- The charter industry should be about recreational opportunity. They certainly have plenty of opportunity with their total bag limit. Any more than 2 fish per day/4 fish per year encourages meat hunting, which is a dangerous policy.

I respectfully ask the Board to consider this regulation in comparison to other groundfish and high value species in Southeast:

King Salmon

- Alaskan Resident
 - The resident bag and possession limit is **two king salmon** 28 inches or greater in length.

- Nonresident
 - **The nonresident bag and possession limit is one king salmon 28 inches or greater in length. Nonresident annual limit is three king salmon 28 inches or greater in length.**

Lingcod

- Residents –
 - **1 daily 2 in possession, no size limit.**
- Nonresidents –
 - **1 daily, 1 in possession, size limit: 30 inches or greater in length and less than 35 inches in length, or 55 inches or greater in length. Annual limit of 2 fish, one of which is 30 to 35 inches in length, one of which is 55 inches or greater in length, nonresident anglers shall immediately record, in ink, all lingcod harvested either on the back of their sport fishing license or on a nontransferable harvest record.**
- **Charter operators and crew members may not retain lingcod while clients are on board the vessel.**

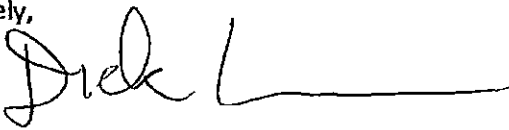
Nonpelagic rockfish

- **The resident daily bag limit is three non-pelagic rockfish only one of which may be a yelloweye; possession limit of six fish, two of which may be yelloweye.**
- **The nonresident daily bag limit is two non-pelagic rockfish only one of which may be a yelloweye; possession limit of four fish, two of which may be yelloweye; with an annual limit of two yelloweye rockfish. Nonresident anglers must immediately record all yelloweye rockfish harvested, in ink, either on the back of their sport fishing license, or on a nontransferable harvest record.**
- **Charter operators and crew members may not retain non-pelagic rockfish while clients are on board the vessel**

Shark—Bag limit is 1 fish, 1 in possession, no size limit with an annual limit of 2 fish (harvest recording required).

In closing, I remind the Board that your failure to prohibit electric reels and jigging machines has given charter operators the methods, means, and a reason to harvest blackcod. Please look at the future and the potential negative impacts of your actions and limit nonresidents to 2 sablefish daily, 4 annual limit. If the majority of the sport fishery and charter industry are not yet fishing for sablefish you are not negatively impacting them with this decision but you are protecting the resource and the historic users of this resource.

Sincerely,



Dick Curran

Sitka, Alaska

RC30

Southeast Alaska Fishermen's Alliance

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Juneau, AK 99801

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April 25, 2009

Board Support Section
Alaska Dept of Fish and Game
John Jensen, Chair
1255 West 8th Street
Juneau, AK 99811-5526

RECEIVED
APR 27 2009
BOARDS

Dear Chairman Jensen and Board of Fish Members,

RE: Proposal B - April Teleconference

Southeast Alaska Fishermen's Alliance (SEafa) opposes proposal B. We do not believe that the current regulation of 2 fish daily, 4 in possession and 8 annual is conservative enough when you review the health of the stock. Likewise the charter fleet believes the daily bag limit is too restrictive. Maybe the Board of Fish got it right with a reasonable compromise in the reconsideration vote where neither sector is happy. Before writing this testimony we had an opportunity to review RC's 1-25 posted on the Alaska Board of Fisheries website and some of the points below are in response to issues raised in the RC's.

Blackcod Limits were brought up in Proposal #137 giving ample public notice for discussion during the February meeting:

- Sitka Advisory Committee suggested amending Proposal #137 to a 2 fish daily bag limit, 1 possession limit prior to the Sitka meeting
- The first question asked by a board member of the public was whether a bag limit on blackcod would deal with proposal #137 and the electric reels proposals.

This provided public notice that blackcod limits were on the table for discussion. Since affected lodge owners were present they could have spoken to their blackcod fishing in public testimony and committee process.

Board Process:

- It has been stated that the reconsideration of blackcod bag limits at the end of the February meeting was inappropriate. We disagree and believe

that was the appropriate venue for discussion of this Southeast proposal. Had the reconsideration vote not adequately considered or built the record correctly, the Attorney General Representative at the Board meeting would have stated that and requested more discussion from the board at the time.

- Our membership feels strongly that, after denying an Emergency Petition in March, it was inappropriate of the Board to generate the same proposal presented in the petition, schedule an immediate teleconference and then deny oral testimony.

Declining Blackcod Stock

- There are 3 commercial fisheries affected by blackcod sport fish bag limits and the amount of recreational harvest taken: Chatham, Clarence Strait and the Federal SE outside Blackcod quota share fishery.
- The Chatham Blackcod TAC has declined by 69% since 1998, 33% since 2004; and is at the lowest level relative to the historic biomass;
<http://documents.cf1.adfg.state.ak.us/AdfgDocument.po?DOCUMENT=17277>
- Clarence Blackcod TAC for 2009 has declined by 9% since 2008
<http://documents.cf1.adfg.state.ak.us/AdfgDocument.po?DOCUMENT=20704>, 20% since 1997.
- Southeast Outside Quota shares have declined by 51% since 1996.
- The federal blackcod assessment showed a survey abundance index at an all-time low for the domestic longline survey. Spawning biomass is projected to be similar from 2008 to 2009, and BEGIN TO DECLINE THROUGH 2012. (NPFMC Bering Sea, Aleutian Islands and Gulf of Alaska SAFE page 403)
- The Canadians are seeing a decline in abundance also
- The ADFG is going to use a lower harvest rate for 2009 for Chatham Blackcod. (ADF&G NR 6/11/2008 and Sitka BOF testimony).

Federal Blackcod fishery:

- The regulation that the Board of Fish establishes will affect the federal quota share fishery because the sport fish regulation will be the regulation for sport fishing outside of 3 miles.
- Magnuson Stevens Act, National Standard #3 states "to the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination." All the literature from both the feds and the State pretty much agree that the blackcod stocks north of Washington State is considered the same stock.

Why the need to change the daily limit from 2 to 4?

- In RC's 1-25 there has been no explanation/justification on why changing the bag limit from 2 to 4 would benefit the charter fleet or even a particular lodge other than allow a faster harvest of the annual limit. The emergency petition comes the closest to providing any justification and that was mainly about weather being a factor in the sport fishery. This was brought up in RC 99 from the Sitka meeting prior to the first bag limit decision or the reconsideration.

Allocation criteria:

If you work your way through the allocation criteria, very conservative blackcod bag limits are appropriate for the sport fishery.

- **Criteria #1:** The history of each fishery: commercial fishery dates back to 1906, and is highly regulated, use of blackcod in the commercial fishery for bait has been outlawed, harvest rates are being lowered; Some commercial fishermen are second and third generation members of the family participating in the fishery; the personal use and subsistence fisheries have some established use but no harvest records and this is not being changed; The sport fishery with the advent of fishing gear more appropriate for deep water fish (electric reels and jigging machines) is a new fishery, recently being established with no harvest records to substantiate the amount or length of time this fishery has existed.
- **Criteria #2:** The number of personal use and sport fishery participants is unknown, the personal use fishery is completely resident Alaskans and any sport blackcod harvest by Alaskans has always been considered taken under the personal use regulations therefore the sport harvest would be considered mainly non-resident; the charter fishery cliental in Southeast Alaska is mostly non-resident; the commercial fishery went limited entry in 1984; 169 permit were issued in 1988 in the Chatham blackcod fishery (77.5 % residents) to 98 in 2008 (77.5% residents) as limited entry permits have been adjudicated. The Clarence Strait fishery had 31 permits issued in 1988 (90% residents) down to 26 in 2008 (77% residents). Several permits have been adjudicated and these permits will be denied after the 2008 season.
<http://www.cfec.state.ak.us/bit/mnuofin.htm>
- **Criteria #3:** The sport fishery is mostly non-resident (see above), the personal use fishery provides residents unlimited opportunity to obtain fish for personal and family consumption and commercial fisherman have the opportunity for their fish to be weighed and documented and then taken home for personal use and family consumption.

- **Criteria #4:** The availability of alternative fishery resources for the commercial fleet is very limited. The pacific cod and rockfish fisheries are the only fisheries that are still open access in Southeast Alaska, all other fisheries are limited entry and are very expensive and not readily available for purchase. The personal use fishery is not limited on blackcod but can also access, pacific cod, rockfish, halibut and lingcod as alternatives. The sport fishery had a bag limit established on blackcod for the first time this year and still has access to salmon, halibut, ling cod (when season is open), rockfish, pacific cod, sharks each with their own established bag, possession and for some species, annual limit.
- **Criteria #5:** The commercial blackcod fishery is the most valuable groundfish fishery managed by the state. Chatham blackcod permits are the most valuable permit in the State valued by CFEC at \$310,000. The 2008 estimated ex-vessel value of the fishery for Chatham was \$4,511,072; for Clarence Strait (pot & longline) \$1,854,397; and for the Federal SE fishery \$23,071,139 (estimated at avg. price of \$3.25 from fed register avg. prices times the 2008 TAC of 7,098,812 lbs) or a grand total of \$29,436,608. Based on the charter testimony to date, only two lodges niche market blackcod, the rest is incidental bycatch so provides very little importance overall to the charter fishery in the State.
- **Criteria #6:** The commercial blackcod fisheries are incredibly important with a high value to the fishermen and to the southeast regional economy in crew jobs, product through the processing plants, raw fish tax paid into the state and shared back with the communities. The majority of the permits are held by Alaskan residents creating even more importance to the local economy and rural communities. The sport fish harvest of blackcod if it is only a niche market for two lodges has a minimal impact to the local and regional economy and a current bag limit of 2 daily and 8 annual still provides opportunity.
- **Criteria #7:** Recreational opportunities for Alaskans are provided by personal use regulations and this is not changing under this proposal. Non-residents with the current regulation of a 2 fish daily and 8 annual bag limit are provided an opportunity to harvest blackcod.

Sport fish harvest records and logbooks:

- ADFG will be requiring blackcod to be recorded in logbooks in 2009 but because the logbooks had already been printed they are using the "other" box. This box is where charter operators were suppose to log species harvested but not otherwise specified but now will use it for blackcod only.

This will not provide the information necessary to know whether the fish were caught in the Chatham area, Clarence Strait area or in federal waters and where it should be factored in as a removal before determining commercial catch limits. It also undermines reporting of other species which leads us to where we are today with no harvest information.

- Prior to 2009, charter operators were required to log in all unspecified fish harvested. ADFG provided this information in staff comments but we would question how many blackcod were grouped and listed as pacific cod.

How many blackcod have been harvested?

- In public testimony it was stated that SEAGO polled their membership and only two lodges targeted blackcod and one caught blackcod incidental to other fishing. If you view the SEAGO website they list 19 unique charter businesses/lodges or 27 individual vessels and 2 associations. http://www.seagoalaska.org/who_members.html That is a very small number of businesses surveyed to determine how much blackcod fishing actually takes place. In 2007 there were 403 charter business licenses for saltwater issued for 724 vessels. ADFG staff comments stated that there were 900+ vessels licensed and 700+ active in 2008. So SEAGO surveyed about 5% of the businesses or 3% of the vessels.
- ADFG has stated that there was 7-11 blackcod found in the 2008 creel census sampling. In personal communication with Mr. Chadwick of ADFG it appears that approximately 10% of the angler days in 2007 were creel sampled. In addition, ADFG has stated that they did not do any sampling at remote lodges. We would conclude that it is possible that a lot more blackcod have been harvested than is indicated by the charter testimony.
- We did a quick google search for blackcod charters and we list several websites to show that blackcod fishing is occurring in parts of Southeast Alaska besides Juneau.

Salmon Falls Resort - Ketchikan

<http://www.salmonfallsresort.com/index.php>

SALMON FALLS RESORT is located on Behm Canal, which is particularly noted for its strong runs of:

- Trophy Size King Salmon (Chinook); Silver Salmon (Coho); Pink Salmon (Humpback) Red Salmon (Sockeye); Chum Salmon; Halibut (frequently over 100 lbs. some weigh over 300 lbs.); Red Snapper; Sea Bass; Cod (numerous varieties)

Whalers Cove Sportfishing Lodge - Angoon/Chatham Strait

<http://www.whalerscovelodge.com/saltwater.html> Enjoy the amazing abundance and great fishing variety at Whalers' Cove. These rich waters produce all five species

of Pacific salmon, plus halibut, cod, red snapper, sea bass, and 20 other varieties of rockfish

Alaskan Fishing Adventures - Ketchikan

<http://www.alaskanfishingadventures.com/Alaskan-salmon-fishing.htm>

Some of these are red snapper, ling cod, sharks, sea bass, rock cod, grey cod and blackcod just to mention a few.

Reasons why the current regulation should stay in place or lower limits be enacted:

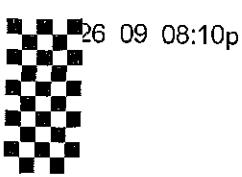
- Declining stock, no strong recruit classes entering the fishery state or federal.
- Conservative management should be used where there is a lack of data and the resource is already fully utilized. (Number of fish being harvested in the recreational sector and how many charter operators will fish for blackcod or catch blackcod incidental to other fishing.)
- A bag, possession and annual limit should not be a guarantee that you will catch a full possession and annual limit but the opportunity is available.
- Trying to set a bag and annual limit that maintains the recreational harvest within the bounds of the deductions that are being used so the fully utilized stock is not OVERFISHED. (3% of the TAC taken off the top to account for personal use, recreational and mortality in other commercial fisheries) And until several years of data is available, ADFG manager does not have a surrogate replacement number to use for removals as the harvest is unknown.
- Allocation criteria and the historical importance of the commercial fishery, along with the high value of the commercial fishery to the state economy.
- A one halibut daily bag limit and the failure to prohibit the use of electric reels/jigging machines will increase the interest in this species.
- A charter operator has a higher success rate on catching a fish (any species) than an unguided recreational fishermen and at least 2 lodges if not many more have been targeting blackcod. (Board of Fish finding #85-108 speaks to charter success rate)
- **If there is a low limit of harvest as the charter fleet claims, now is a very good time to put restrictive management measures in place because of the declining biomass and before a larger fishery fully develops. If the harvest is larger than being portrayed by the charter fleet and more in line with what the commercial fishery believes has occurred, it is important to put restrictive management measures in place to protect the blackcod from being overfished.**

- To be consistent with other board actions for Southeast Alaska such as lowering sport fish shrimp and crab bag limits, action on dogfish proposal; lingcod; and actions taken on rockfish.
- Blackcod is a long-lived species, up to 97 years old and is a valuable species easily vulnerable to overfishing. For contrast the Board of Fish developed a record on why the dogfish bag limit should not be relaxed even though dogfish is not a fully utilized fishery as there are no target fisheries for this species. The decision was based on dogfish being a long lived species (up to 75 years) and that the current bag limit was not utilized by most anglers. These reasons are at least as true for blackcod,

Please leave the daily bag limit, possession limit, and annual limit regulations as is or consider lowering the annual limit. No matter what your action I urge you to put a prohibition on skipper and crew keeping blackcod when paying clients are on board.

Sincerely,

Kathy Hansen
Executive Director



RC31



Alaska Longline FISHERMEN'S ASSOCIATION

Box 1229 / Sitka, Alaska 99835

907.747.3400 / FAX 907.747.3462

April 25, 2009

RECEIVED

Mr. John Jensen
Chairman
Alaska Board of Fisheries
Box 15526
Juneau, AK 99811-5526

APR 27 2009

BOARDS

Subject: Board Generated Proposal B – Sablefish bag limits

Dear Chairman Jensen and Board members,

On behalf of the Alaska Longline Fishermen's Association (ALFA), I provide you with the following comments relative to Board Generated Proposal B. We strongly oppose an increase in daily bag limits for sablefish beyond the 2 fish per day passed by the Board in February. We also believe the 8 fish annual limit is too high.

I would like to point out a few issues that we believe need further consideration.

The Sitka AC proposed in their comments prior to the February meeting (AC 2) that they unanimously supported a 2 fish daily bag limit for sablefish. The discussion related to a bag limit for sablefish has been on the table since that time. They have reiterated this unanimous support in RC 10 in your current package. The Sitka AC has at least 3 representatives associated with the Charter industry and it speaks to the reasonableness of a two fish bag limit to have unanimous support.

The testimony of the charter industry to the BOF sends a very mixed message. On one hand they are stating that there is virtually no charter catch of sablefish and therefore there shouldn't be any bag limits, on the other hand they are spending considerable time and effort asking for a large daily bag limit in association with a large annual limit. After correctly denying the Emergency Petition, it appears that the Board has been pressured to provide a bag limit that meets the needs of the Shelter Island lodges. This is a terrible precedent and unfortunate process. Please carefully consider the true cost of moving forward with a change in the regulation both in terms of the regulatory impact to the resource and current users and also to the process.

The owner of Shelter Lodge refers to a "small niche market" but is unwilling to provide catch data voluntarily to the Board or the Department. Certainly he knows how many sablefish his operation has taken. Without this information the Board has no information to project the impacts of regulations on the resource of other users. Why is he unwilling to help support a BOF decision with real data?

The owner of Shelter Lodge also indicates that weather is a major limitation to this fishing and that the sablefish grounds are a long way from Juneau (Petition to Change Southeast Sablefish Bag Limit). This operator works in Chatham Strait in the summer. This is protected inside waters and the sablefish grounds are in fact, a 5 minute skiff ride from the shoreline of Chatham, including Shelter Island. Currents in Chatham can be an issue but obviously a professional will pay attention to the tide book. Our membership believes that Mr. Yamada wants a higher daily bag limit not because sablefish are difficult to catch with electric reels but because he wants to dedicate a day of his charter to sablefish and maximize production.

The reason daily limits are generally lower than possession and annual limits is to provide an opportunity without maximizing harvest. Clearly the annual catch will be lower with a 2 fish daily limit than with a 4 fish limit. That is appropriate. A 2 fish daily limit provides opportunity without creating a growth fishery on the backs of a declining stock and important commercial fishery that has taken many cuts for conservation.

Mr. Edfelt (RC 23) indicates the Board should look at cuts in the commercial fishery so that the new charter fishery can develop. Mr. Edfelt sat on the Board when many conservation proposals specific to the commercial sablefish fishery were adopted. A reminder of regulations passed:

- o A limited entry program reducing fleet size from more than 120 vessels to a target of 74 vessels – this has meant that many commercial fishermen who have spent decades in that fishery have now been denied access to this resource.
- o Mandatory logbook and sampling programs
- o A biomass based approach to quota setting with a very conservative harvest rate
- o Subtraction of other removals off the top before setting the commercial quota (3%)
- o An equal share quota to promote a more orderly fishery
- o Prohibition of the use of sablefish for bait (which had been a historic use of this resource by many residents of Southeast)

The sablefish resource is in a period of decline and commercial fishermen have taken deep cuts in all Southeast Fisheries:

- The Chatham quota has been reduced 69 % in the past 10 years
- The Clarence quota has been reduced 20% in the past 10 years

In their 6/11/08 groundfish news release ADF&G stated that there is no definitive evidence of recruitment in Chatham Strait and is therefore reducing the harvest rate for the 2009 Chatham fishery and deducting testfish removals from the commercial fishery quota. Both of these measures result in a lower commercial quota. Clearly the commercial fishery has taken many cuts for conservation.

The bag limit for sablefish will apply in all waters of Southeast, not just in Chatham Strait. Offshore this take will come from a federally managed fishery, something first brought up in the Sitka RC's 284 and 295 although not discussed by the Board.

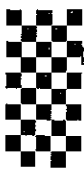
- The Southeast Outside quota has been reduced 51% since IFQ were implemented
- The federal sablefish survey indicates that the relative abundance of sablefish is at its lowest point since the survey began.

The ADF&G Commercial Fisheries policy does not allow a fishery to occur without specific regulations. It is unfortunate that the lack of a bag limit means the resource is open to unlimited charter harvest. Our membership believes the 8 fish annual limit is too large and we do not support a 4 fish bag limit. Given the apparent low level of current sport take of sablefish, their value as a commercial species and their declining stock trend, if the Board chooses to change the current regulation the Board should move to lower bag and annual limits similar to rockfish, lingcod, and king salmon.

Sincerely,



Executive Director



M :

FAX NO. :

Dec. 14 2008 11:34AM P1

RL32

Box 240522
Douglas, AK 99824
April 26, 2009

RECEIVED

John Jensen, Chair
PO Box 115526
Juneau, AK 99811-5526

APR 27 2009

BOARDS

Dear John,

I sat through the recent board of fish meeting in Sitka and listened to considerable testimony on controversial issues as you did. This letter is to comment on the black cod issue that is before the board again. Black cod was the subject of lengthy board time and discussion. I believe the bag limits were set too high; however I'm willing to accept the board's decision.

Keep up the good work!

Jim Becker

RECEIVED TIME APR. 26. 6:21PM



PL33

April 26, 2009

RECEIVED

Mr. John Jenson
Chairman
Alaska Board of Fisheries
Box 15526
Juneau, AK 99811-5526

APR 27 2009

BOARDS

Subject: Board Generated Proposal B -- Sablefish Bag Limits

I am writing to ask that you do not support the proposal to increase the bag limit for sablefish. A daily limit of two, possession limit of four and annual limit of four sablefish retained should be set. Fisheries for sablefish are in a decline and commercial fisheries have faced large cuts in their quotas as a result. Allowing the increased retention of sablefish through charter fishing will only add to this problem.

Also, the use of electric reels should be prohibited as this simply makes it easier and gives greater motivation for charter operators to harvest these valuable fish.

Other targeted species of fish sought by charter fisherman have carefully managed annual limits. It is through this commitment to maintain these resources that both recreational and commercial fisheries are able to sustain themselves. Allocations for sustainable catch rates are made based on historical catch rates, and yet there is no history of sablefish catches in the charter fishery. By allowing sport fisherman to retain no more than four sablefish annually you are protecting the resource and those that are dependent upon it. Again, please limit the annual bag limit for sablefish to no more than four annually and do not allow the use of electric reels.

Sincerely,

Randy Nichols
Randy Nichols

COFFEY CONSULTING, LLC

3606 RHONE CIRCLE
SUITE 100
ANCHORAGE, ALASKA 99508

PL3A

Telephone: (907) 646-7855

Facsimile: (907) 274-4258

E mail: dancoffeu@ncl.net

Alaska Dept. Fish & Game
Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
VIA FACSIMILE & U.S. MAIL

Dear Board Members;

My office represents Richard Yamada. Mr. Yamada is the person most affected by the actions taken by the board with regard to the sportfish harvest of sable fish in southeast Alaska.

I have read the letter sent by former Board Member Larry Edfeldt. As a former Board member myself (1996-2002), I concur with much of what Mr. Edfeldt says, although I find the tenor of the letter somewhat "beyond the pale". I know full well the desire of the Board to "do the right thing" and how this sometimes led the Board on which I served "down the rabbit hole". It appears that the current Board has joined me in this experience with this matter.

Like Mr. Edfeldt, I believe the Board made both a process and a substantive mistake in adopting the bag and possession limit on the sport harvest of sablefish. Both mistakes are well stated by Mr. Edfeldt and by my client in his letter to you. I learned early in my tenure on the Board that process matters just as much as the final decision. If we are to continue to have "buy in" by those subject to Board regulation, we must have a fair and open process designed to get the facts so that appropriate decisions can be made.

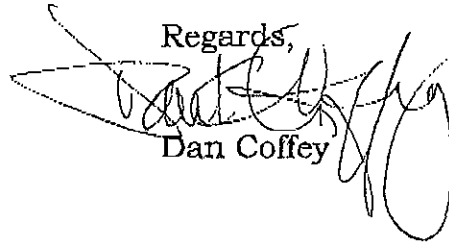
The appropriate corrective action is also clearly stated by Mr. Edfeldt and my client. I would urge you to take this corrective action. Allow for the gathering of harvest data during the next season and then make such

1/2

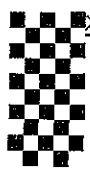
RECEIVED TIME APR. 27. 8:56AM

adjustments to the bag and possession limits as may be appropriate based on real data, not the exaggerated and truly unsubstantiated data submitted at the time of reconsideration.

I appreciate the Board taking the time to read this letter and the other materials submitted. I also appreciate the Board's understanding that "doing the right thing" now requires the adoption of the Board generated proposal.

Regards,

Dan Coffey

2/2



RC35

April 27, 2009

Charles Mason
F/V Oceanaire
9342 Stephen Richards Drive
Juneau, AK 99801

RECEIVED
APR 27 2009
BOARDS

Board Support Section
Alaska Dept of Fish and Game
John Jensen, Chair
1255 West 8th Street
Juneau, AK 99811-5526

Dear Chairman Jensen and Board of Fish Members,

Re: Proposal B

My name is Charley Mason and I just bought in to the sablefish IFQ's program because of the decline I have take in my halibut shares due to the over harvesting of the charter fleet. When did the charter fleet ever target black cod? They already harvest everything they catch. If there is no moratorium put on the charter fleet Alaska will end up like every where else with no fish to provide anyone. Alaska is the last place we can provide fish for the whole world as fishermen. The charter fleet are only providing for selective clients and themselves. Then they take the money they make in Alaska and take it down to the lower 48 and spend it.

To let the charter fleet be able to harvest sable fish is absurd! As long time commercial fishermen we have taken reductions in our quota shares in which we all have had to buy at a huge expense. I oppose the Proposal B and at least support the current regulation of maintaining two black cod daily bag limit, 4 in possession, and 8 annually. Furthermore I support no black cod to the charter fleet at all! I am very concerned at how we are bending over for the charter fleet at the expense of the fisherman who have been fishing for over 90 years in Alaska. To develop a new fishery for the charter fleet at the expense of the commercial fishery that has been developed is wrong. How about we reduce the black cod limit to two annually for any charter client and keep Alaska's fish from being over harvested. I would also like to see the charter operations be held accountable for their loads of fish by Fish and Game and NMFS. You should be boarding their vessels and checking to make sure they are really off loading what they claim. Lets spread a little of the funds and hold the charter fleet accountable for what they take from Alaska waters too. Maybe they should start doing a landing just as we have to. What kind of checks and balances are being done with the charter fleet? We have so much paperwork and vessel boarding, what about the charter fleet? Let's even out the checks and balances on the charter fleet too. To take from a commercial fishery to provide a fishery for the charter fleet is crazy! Maintain or reduce the two day bag limit.

Charley Mason
Alaska resident

RC 36

April 26, 2009

Mr. John Jenson
 Chairman
 Alaska Board of Fisheries
 Box 15526
 Juneau, AK 99811-5526

RECEIVED
 APR 27 2009
 BOARDS

Subject: Board Generated Proposal B – Sablefish Bag Limits

Please reconsider the decision you made on sablefish bag limits and lower them to either one fish annually or zero. The sablefish fishery is a fully utilized many year historical fishery by the commercial setline fishermen with huge economic impact for the State of Alaska. It is a declining stock at this time and steps need to be taken to prevent this from continuing to go down.

There is no history in the sport fishery of sablefish catches, and yet allocations are made based on historical catches. The bag limit you set has the potential to completely undermine the existing sablefish fishery. Also by allowing electric reels to be used you are allowing commercial gear to be used in a sport fishery.

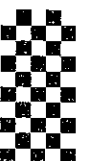
Again, please reconsider your decision and lower the sablefish annual bag limit to no more than one fish annually. Also, the use of electric reels should be prohibited as it promotes the use of commercialized gear in a sport-based fishery.

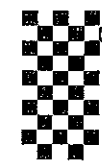
Sincerely,



Carina Nichols

Sitka, Alaska





April 26, 2009

PC39

Board Support Section

Alaska Department of Fish and Game

John Jensen, Chair

1255 West 8th Street

Juneau, Alaska 99811-5526

RECEIVED

APR 27 2009

BOARDS

Dear Chairman Jensen and Board of Fish Members,

RE: Proposal B

As fishermen of 35 years, I oppose proposal B. I believe the current bag limit of 2 daily, 4 in possession and 8 annual for blackcod that the Board of Fish established at their last meeting is not conservative enough considering the current state of this stock. I would support lowering the current bag limit as the stock is in decline and has been for several years.

The NSEI sable fishery is the most valuable managed groundfish fishery in the state. This fishery is vital to all who are involved in it. The commercial fleet has sustained large reductions in the past and that will continue into the foreseeable future. Because the charter industry can now access this fishery with the use of commercial gear (jigging machines, power reels, ect.), the Board should also discuss the amount of time the charter industry is allowed to fish. While I realize this subject is not in the current proposal, its merits need to be discussed. The current rule of allowing charters to fish from January to December, does not allow for rebuilding. Why not have the charters fish when the IPHC allows the commercial fleet to fish? This could allow for better enforcement and give a declining stock a few months of rebuilding.

The commercial fleet has sacrificed for the protection of the resource almost to the point of our own demise. I would ask the Board members how have the actions of the charter fleet worked for the betterment of the resource?

When my wife and I saw what the charter fishermen were doing to devastate the halibut resource in 2C we decided to trade our 2C halibut for 3A blackcod because this was not a fish sport charters targeted. We also thought charters would not venture far out in 3A where our traditional grounds were. We were wrong on both counts. This decision also took our "lifetime access permit" to fish in Glacier Bay away.

We have chosen not to buy more IFQ's because we will not go into debt for something we will never own and which loses quota every year. Many commercial guys are just "fishing for payments" and some are even upside down in their loans where they cannot even catch enough to make the payments. This is not happening because of bad decisions these commercial guys are making but because of the bad decisions of ADF&G and the charter sector.

Every year the charters go over their GHL in halibut. The overage then comes out of the commercial quota. This is the only way to handle the overfishing by the charter sector because unlike the charter sector, the commercial fleet knows to the pound what we take out of the water in halibut AND blackcod.

While the charter sector does not have a GHL for blackcod, this bag limit is a GHL of sorts. It is at the very least a starting point. The overfishing of blackcod and rockfish by the charter sector CANNOT happen as it did with halibut. Blackcod is long-lived, slow to mature and is in a period of decline. ADF&G is managing the recreational fishery as the trailing removal. Nobody knows what is being removed, so appropriate catch limits cannot be set. I cannot understand how the charter fleet claims they will be "severely and financially impacted" when they claim only two lodges are actually targeting blackcod. They do not have the data to substantiate this claim as a fleet. I have seen pictures on the web of S.E. Alaska lodges with their client's catches for one day. Judging by their own pictures and the logbook they keep online of


their trips throughout the season, the lodge's clients will catch more blackcod in a season than I have IFQ allotted after 35 years of fishing in the fishery. Their testimony in RC 27 with an average of 800 blackcod per year and Shelter Point Lodge on their webpage states that they have 16 clients per trip and for 2009 they have 18 trips scheduled. This averages out to 44 blackcod per trip or 2.7 blackcod per client. This is below what the Board of Fish currently has in place. There is no reason to change the blackcod limits unless it is to lower them.

Alaska is supposed to be the "gold standard" for fisheries management. Sadly, this is not the case in the halibut and blackcod fisheries. Many decisions are based more on politics than science. The commercial fleet has been the stewards of this fishery for many decades and has made the hard choices to ensure the future of this resource. Our state leadership and ADF&G have been unwilling to look past the huge national sport lobby and their numerous threats and lawsuits and require the necessary reporting requirements in the recreational sector so that we can manage the fisheries sustainably. They have chosen to regulate one sector while turning a blind eye to another sector and marginalizing all who disagree with ADF&G.

While I understand the Board of Fisheries has no authority over issues like an enforcement tax enacted on these charters, lodges and real-time catch reporting, unless these issues get resolved on the State level we will be like the proverbial dog chasing its tail.

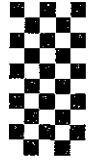
It is imperative that the bag limit of 2, 4 & 8 remain intact or a lower limit be adopted in its place for the protection and future of this fishery for ALL sectors.

Respectfully,



Katherine File
Scott & Katherine File

F/V Icy Queen



RC38

April 27, 2009

Mr. John Jensen
Chairman
Alaska Board of Fisheries
Box 15526
Juneau, AK 99811-5526

RECEIVED
APR 27 2009

Subject: Board Generated Proposal B – Sablefish bag limits

Dear Chairman Jensen and Board members,

I am a permit holder in the Chatham Strait blackcod fishery. I purchased this permit from my Father's estate when he died. He spent decades fishing in Chatham. I urge the Board to oppose Proposal B and to revise the current regulations to lower the annual limit to 4 blackcod and prohibit retention of fish by charter operators and crew when on charter.

The Shelter Cove testimony, RC 27 gives the evidence to support a 2 fish daily and 4 fish annual limit and the reasons to oppose a 4 fish daily, 8 fish annual limit:

three years, has been approximately 800 fish per lodge. This is within the allocation that was mentioned by the Fish and Game ground fish manager during deliberations at the Sitka meeting, at which time she said she allocates 2,000 – 3000 fish to the sport fish sector. Our harvest compared to the NSEJ commercial sable fishery is less than one percent of that harvest. If there is an argument for overfishing a stock, as we heard at the Sitka meeting, it is the commercial sector which bears the responsibility for the health of this resource and not a user that takes less than one percent.

At 16 clients and 18 charter periods 800 fish means that the average take at Shelter Lodge was 2.77 fish per client per 4 day charter. Clearly a 2 daily and 4 annual provides for growth in this business. A four fish daily limit automatically provides for 32% growth in this business and an 8 fish annual limit would allow 65% growth just at this one lodge and Mr. Yamada owns two lodges! Clearly this whole discussion has advertised blackcod as a sport fishery and we have already seen electric reels in Sitka ready for the charter season. How many lodges are there in Southeast? Hundreds. You have read about the declining stock trends and the cuts the commercial sector has taken in the sablefish fisheries to preserve stock health. Allowing 65% growth is not reasonable.

The other comment that struck me was the argument where, because they take less than 1 percent of the catch, they are not responsible for the health of the resource. This seems to be a constant refrain with the charter industry and there is no place for that attitude in state managed fisheries. Mr. Yamada's current take of sablefish at each lodge is at least equivalent to an Equal Quota Share in the commercial fishery, perhaps greater (1,600 fish *7.7 lbs = 12,320 round pounds per lodge with two lodges). Is he saying that a permit holder isn't responsible for conservation either? How about two permit holders? The take of one lodge is the same as one permit holder and he has two lodges. **Everyone is responsible for the health of the resource.** The commercial fleet has followed the regulations carefully, accepting cut after cut and drastic changes in management (i.e. equal quota share compared to competitive fishery).

I also do not understand why the issue is important enough for the Board to generate a proposal but not important enough to hear directly from the public through oral testimony. The pressing need here is for a lower annual limit not a higher daily bag limit.

Sincerely,
Frank Balovich
Frank Balovich
F/V Carol D

DEPARTMENT RECOMMENDED SUBSTITUTE LANGUAGE FOR PROPOSAL A

5 AAC 61.112. Special provisions and localized additions and exceptions to the seasons, bag, possession, and size limits and methods and means for Unit 1 of the Susitna River Drainage Area.

....

(E) in Alexander Lake, the size and bag limits for northern pike are as follows:

(i) northern pike less than 27 [22] inches in length; no bag or possession limit;

[(ii) NORTHERN PIKE 22 INCHES IN LENGTH TO 30 INCHES IN LENGTH MAY NOT BE RETAINED;]

(iii) northern pike [30] 27 inches or greater in length; bag and possession limit of one fish;

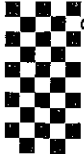
...

(G) Sucker Lake and Alexander Lake are open to sport fishing through the ice for northern pike using five lines with bait if

...

(7) in the flowing waters of Alexander Creek, Fish Creek (lower Susitna River drainage), Fish Creek (Kroto Slough), and Witsoe Creek, five lines may be used to fish for northern pike through the ice; allowable gear is limited to standard ice fishing gear as specified in 5 AAC 61.110(8)(B); fishing gear must be closely attended as specified in 5 AAC 75.033; all other species of fish caught must be released immediately.

Submitted by the Alaska Department of Fish and Game April 27, 2009



RC40

RECEIVED
APR 27 2009
BOARDS

April 26, 2009

Randy Beason
F/V Kaia
PO Box 240552
Douglas, AK 99824

Board Support Section
Alaska Dept of Fish and Game
John Jensen, Chair
1255 West 8th Street
Juneau, AK 99811-5526

Dear Chairman Jensen and Board of Fish Members,

RE: Proposal B - April Teleconference

I oppose Proposal B and support the current regulation or something more restrictive. I was born and raised in Juneau and am a lifelong Alaskan. My profession is commercial fishing but I am also an avid sport fisherman. I am a Chatham Black cod limited entry permit holder and hold SE blackcod quota share equating to 25,361 lbs in 2009.

I purchased my Chatham limited entry permit for \$248,000 borrowing money from the State of Alaska. I have also purchased my SE blackcod quota share. I recently sold all my Southeast (2C) halibut quota shares because of the instability and resource damage done by the charter fleet. I am concerned that this will just occur again on the blackcod stocks. I have my Chatham blackcod permit on the intent to transfer list and will sell it if the Board fails to maintain a 2 blackcod daily bag limit, 4 in possession, 8 annual limit or something more restrictive. 4 blackcod for a family is more than enough in a year.

I am extremely concerned about liberal bag limits since the Board of Fish failed to outlaw the use of powered reels and jigging machines.

The commercial fisheries have been restricted from using blackcod for bait, Chatham was turned into an equal split fishery, we've had reduced quotas and the managers are now telling us to expect further reductions due to a reduced harvest rate and that they are not seeing any strong incoming recruits. Blackcod is a fully exploited resource and to develop a new fishery to the detriment of the commercial fishery which has a 90+ year history is unacceptable and just plain wrong.

Maintain a two blackcod daily bag limit, 4 in possession and 8 annual limit or something more restrictive.

Sincerely,
Randy Beason



PC41

Petersburg Vessel Owners Association

P.O. Box 232
Petersburg, Alaska 99833
Phone (907) 772-9323 Email pvoa@gci.net
www.pvoaonline.org

April 22, 2009

RECEIVED

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
Via Fax: (907) 465-6094

APR 27 2009

BOARDS

RE: PROPOSAL B, BLACK COD SPORT LIMIT

Dear Chairman Jensen and members of Board of Fisheries,

Petersburg Vessel Owners Association (PVOA) would like to express our support for the recent action at the Alaska Board of Fisheries (Board) Southeast finfish meeting to limit anglers to 2 black cod per day, 4 in possession, and 8 fish annual. However, given the declining status of blackcod stocks statewide, we urge the Board to consider a more restrictive regulation.

The action taken at the February Board meeting is extremely important to help ensure that reasonable expectations are created in regards to harvest levels, abundance, and commercial opportunity is maintained to continue to feed the Alaskan and American public. Sustaining the commercial black cod fishery is extremely important to preserving public access to this species, as commercial harvesters supply millions of meals to the public each year that otherwise do not have the means or resources to come to Alaska to sport fish.

A brief web search of Southeast lodge operations that target black cod found that the average stay is 4 days with 16 clients per period, and 18 periods per season. This would allow one lodge (with each client harvesting the current annual bag limit) to harvest 17,900 pounds of black cod which is slightly higher than the amount allocated to an individual permit holder for the Northern Southeast inside area (NSI, Chatham). The majority of pictures found in the web search showed clients holding two black cod each which indicates the Board acted appropriately in setting a two fish per day bag limit.

Many PVOA members and fishermen around the State are extremely dependant on black cod and are facing hard times due to reduced abundance and growing charter harvest. The commercial longline fleet has existed for 100 years and has taken great strides in becoming stewards for the resource and stabilizing their industry. It is very difficult to understand the outcry of charter operators regarding the two fish per day per day bag limit for many different reasons: If black cod are truly such an important species for the charter fleet, why were only 7 black cod recorded in the charter creel sampling last year?

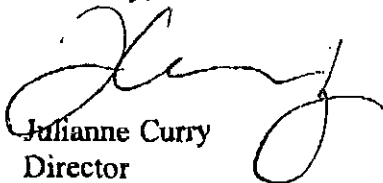
Why would online lodge photos show each client with two blackcod if that wasn't enough fish? Why would the Board determine that the two fish per day limit for dogfish is reasonable given their status as a long lived, slow growing species but reconsider the bag limit for black cod although they are also long lived, slow growing, and fully exploited? We regret there is no opportunity for public testimony at the teleconference to address some of these concerns.

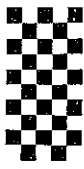
PVOA appreciates the work done at the Board of Fisheries to ensure that reasonable expectations are created for sport harvesters and realistic bag limits are established. The commercial fishery is conservatively managed, and harvesters are held accountable for each pound of fish caught through State fish tickets and severe fines for illegal actions. Most sport black cod harvest is conducted with commercial downriggers (jigging machines) at remote lodges with no State creel sampler to verify data collected in logbooks and no enforcement to ensure compliance with current regulations.

It has come to our attention that allegations are being made to accuse the Board of conspiring with the commercial longline representatives at the finfish meeting. Clearly, this matter must be an issue of perspective. Commercial representatives found themselves in a position of very limited access to many of the Board members, and on certain issues Board members were sure to cross the line to discuss actions with charter representatives but not commercial representatives. Although it appeared to commercial representatives that the Board was biased towards charter representatives, obviously this sentiment is shared by both sectors. This isn't a sufficient reason to consider raising the bag limit, and the Board acted appropriately by setting a conservative bag limit although we urge the Board to consider a more conservative annual limit.

Thank you for your time and attention to this important issue. PVOA is a diverse group of 70 commercial fishermen and 30 businesses operating primarily in Southeast Alaska. Our members provide millions of meals to the public annually by participating in a variety of fisheries statewide including cod, salmon, herring, crab, and shrimp.

Sincerely,


Julianne Curry
Director



RC42

Mr. John Jensen
Chairman
Alaska Board of Fisheries
Box 15526
Juneau, AK 99811 - 5526

RECEIVED
APR 27 2009
BOARDS

Subject: Board Generated Proposal B, Sablefish bag limits

Dear Mr. Jensen and members of the Board;

My name is Wendy Alderson and my husband and I make a living commercial fishing out of Sitka. We are a small family business and have to be diversified in order to remain viable. While we do not hold a Chatham Strait blackcod permit, part of our annual income comes from fishing Chatham for two different permit holders, although we are losing the income from one of those permits this year, as it is being phased out by the State because of limited entry.

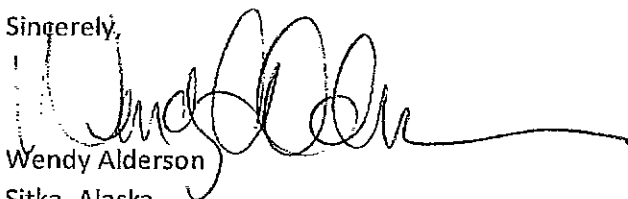
The combination of phasing out interim use Chatham permits and lowering the commercial Chatham quota is an attempt by the State to reestablish healthy blackcod stocks in Chatham Strait. Commercial fishermen in Southeast take our responsibility for the conservation of fish stocks very seriously and realize that these cuts, as well as the cuts in virtually all our other commercial fisheries, while painful to the pocketbook, are a necessary investment in the future health of our stocks. It seems untimely, and a bad management precedent, for the State to put the highest daily and annual sport limits on an already fully utilized groundfish species.

Since blackcod are a deepwater species, a high annual bag limit combined with allowing electric reels and jigging machines points to more of a meat harvest than a sport fishery. A two fish daily bag limit provides ample recreational opportunity but does not cross the line into meat hunting. The charter industry is not a single species fishery. The 2 fish daily blackcod bag limit, in combination with other species bag limits, provides the sport angler ample recreational opportunity and a large quantity of fish to take home.

In closing, we support a 2 fish daily bag limit and a reduction of the annual limit to 4 fish. We also recommend that the Board prohibit the retention of blackcod by skipper and crew when they are chartering.

Thanks for your consideration of this matter.

Sincerely,


Wendy Alderson
Sitka, Alaska

PC43

April 27, 2009

Alaska Department of Fish & Game
Boards Support Section-Boards of Fish
Attn: John Jensen, Chair
PO Box 15526
Juneau, AK 99811-5526

Dear Mr. Jensen:

I am a Chatham Straits Black Cod Permit Holder and I am writing this letter to express my support for the Sport Black Cod Regulations recently adopted by the Board of Fish (two daily, four in possession, eight annual for Alaskan residents only).

I do not support any Sport Black cod fishery for nonresidents. The Chatham Straits Black Cod fishery is in a period of significant decline according to the Alaska Department of Fish and Game. Therefore, this fishery cannot support the additional pressure that will be brought by nonresident harvesters.

Failing to adopt these regulations will severely impact the Chatham Straits Commercial Black Cod Fishery. This fishery is extremely important to my family and many others in Southeast Alaska. This is not a recreational fishery to us but is, in fact, our livelihood.

Thank you for this opportunity to comment.

Sincerely,



Richard M. Daugherty